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CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

THIRD SESSION

OF THE

SIXTY-FIFTH CONGRESS

OF

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VOLUME LVII



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PROCEEDINGS AND DEBATES OF THE SIXTY-FIFTH CONGRESS
THIRD SESSION.

SENATE.

MONDAY, *January 6, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, as we meet to-day to represent this mighty Nation the shadow of a great loss falls upon us. One of the men of might, a leader of men, a patriot and scholar has passed from us. He was honored by his countrymen in being called to preside, as Vice President, over this body, and then called to be our Chief Executive. His name has added luster to the history of our country, and his achievements have increased our influence in the life of the world.

Throughout the Nation there goes a sense of sorrow that this strong man, so brave and chivalrous and true, has come to the end of his great career. We pray Thy blessing upon his devoted wife and children as they mourn his loss. We pray Thy blessing upon the country he loved so well, that in this hour of great responsibility we may measure up to the dignity and importance of our task. Still raise up among us men who in mind and spirit will embody our highest ideals and perpetuate the institutions that have been erected for us by our national heroes.

In our communion of sorrow to-day may we learn that unity of action and ideal that will make us more and more an evangel of good will to men. For Christ's sake. Amen.

The Journal of the proceedings of Friday last was read and approved.

SENATOR FROM RHODE ISLAND.

The VICE PRESIDENT. The Chair lays before the Senate the credentials of Hon. LEBARON BRADFORD COLT, which will be read and placed on the file.

The credentials were read and ordered to be filed, as follows:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, LEBARON BRADFORD COLT was duly chosen by the qualified electors of the State of Rhode Island and Providence Plantations a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His Excellency our governor, R. Livingston Beeckman, and our seal hereto affixed at Providence, this 28th day of December, in the year of our Lord 1918.

R. LIVINGSTON BEECKMAN, *Governor.*

By the Governor:
[SEAL.] J. FRED PARKER, *Secretary of State.*

STIMULATION OF AGRICULTURE (H. DOC. NO. 1642).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a detailed report of expenditures of all moneys appropriated under the act providing for the national security and defense for stimulating agriculture and facilitating the distribution of agricultural products during the period from August 10, 1917, to June 30, 1918, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

EVASION OF MILITARY SERVICE (S. DOC. NO. 322).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of December 6, 1918, certain information furnished by the Bureau of Naturalization, Department of Labor, relative to the number of affidavit forms received by the bureau and executed under the provisions of the selective-draft act, which was ordered to lie on the table and be printed.

EMPLOYEES IN DEPARTMENT OF STATE (S. DOC. NO. 326).

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of State, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

EMPLOYEES IN DEPARTMENT OF AGRICULTURE (S. DOC. NO. 324).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

EMPLOYEES IN DEPARTMENT OF COMMERCE (S. DOC. NO. 325).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Commerce, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

EMPLOYEES OF FUEL ADMINISTRATION (S. DOC. NO. 323).

The VICE PRESIDENT laid before the Senate a communication from the United States Fuel Administrator, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the Fuel Administration January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

SENATOR FROM MICHIGAN.

The VICE PRESIDENT. The Chair lays before the Senate the petition of Henry Ford, of Dearborn, Mich., asking that the Senate shall take steps to preserve and recount the ballots cast at the senatorial election recently held in that State. The petition will be referred to the Committee on Privileges and Elections.

Mr. POMERENE. I ask that the petition be printed in the RECORD for the information of the Senate.

There being no objection, the petition was referred to the Committee on Privileges and Elections and ordered to be printed in the RECORD, as follows:

PETITION OF HENRY FORD AND NOTICE OF CONTEST.

To the Senate of the United States of America:

I, Henry Ford, of Dearborn, Mich., the petitioner, do hereby give notice of my intention to contest, and do hereby enter and file a contest of the election of Mr. Truman H. Newberry as Senator from Michigan to succeed the Hon. WILLIAM ALDEN SMITH; and I request and petition for a recount of the ballots cast at the election held in Michigan November 5, 1918, and an investigation of the unlawful uses by said Truman H. Newberry and, in his behalf, by his agents and representatives of large sums of money to influence the primary and election, and also of cases of undue influence and intimidation of voters at the election.

I beg to represent to your honorable body:

(1) That an election was held by the voters of Michigan on the 5th day of November, 1918, to elect a United States Senator from Michigan for the term beginning March 4, 1919. That Truman H. Newberry was the candidate on the Republican ticket, Henry Ford on the Democratic ticket, Edward O. Foss on the Socialist ticket, and William J. Faull on the Prohibition ticket.

(2) That the official canvass made by the State canvassing board showed 220,054 votes cast for said Newberry, 212,487 votes cast for said Henry Ford, 4,763 votes cast for said Foss, and 1,133 votes cast for said Faull, and that in pursuance of such canvass said board announced the result of the election to be that the above-mentioned number of votes were cast for each of the said candidates as stated above.

(3) That a certificate of election as such Senator has heretofore been issued to said Truman H. Newberry, and he claims to have been duly elected such Senator, and he has heretofore caused his credentials as such to be offered to the United States Senate, namely, on or about the 14th day of December, 1918.

(4) That the primary election to select candidates by the respective parties for such United States Senator was held on

August 27, 1918; that in the primaries Mr. Truman H. Newberry was a candidate for the Republican nomination; your petitioner was candidate for the Republican nomination, also for the Democratic nomination, and he was nominated on the Democratic ticket and said Truman H. Newberry was nominated on the Republican ticket; that large sums of money were unlawfully used and expended by and on behalf of said Newberry at said primary election and previous thereto to effect such election and to bring about his nomination and to purchase and procure the support and efforts of divers large numbers of persons and newspapers and periodicals. It was admitted by the committee, composed of a large number of men who acted in behalf of the nomination of Mr. Newberry, that said committee expended $176,568.08, and a sworn report to that effect was made under the State law by Mr. Frank W. Blair, the treasurer of said committee, and said report was filed with the county clerk of Wayne County, Mich., where said Blair resided. And petitioner states upon information and belief that it can and will be proved that said Truman H. Newberry procured the appointment and selection of said committee and its members and was directly responsible for all its acts, and that he was in constant communication with said committee and its members and knew of and approved its large expenditures of moneys and participated in its work. Upon information and belief petitioner says that large sums of money, aggregating many thousands of dollars, were expended by or on behalf of said Newberry's nomination, entirely outside of said $176,568.08 above mentioned, as having been admitted in the hiring of workers and other illegitimate expenses, and contrary to the laws of the United States and of the State of Michigan in that behalf. That a memorial with respect to the above matters was filed with the Senate Committee on Privileges and Elections in the month of November last by Mr. Elbert H. Fowler, a lawyer and reputable citizens of the city of Detroit, Mich., who had acted as secretary of the Nonpartisan Ford-for-Senator Club in connection with the election, a copy of which memorial or statement is hereto attached and made a part hereof, and upon information and belief petitioner avers the statements thereof to be true.

(5) He further shows that the large sums of money expended by and in behalf of the nomination of Mr. Truman H. Newberry as hereinbefore stated unlawfully enlisted the aid and support of large numbers of persons, papers, and periodicals throughout the State, and the results and influence of which extended down to and affected the election materially in favor of the said Truman H. Newberry and that said great sums of money were expended in violation of the statutes of the United States and of the State of Michigan in such cases provided.

(6) The petitioner shows on information and belief that said Truman H. Newberry was not truly or lawfully elected to said office of United States Senator and is not entitled to said office and that your petitioner was elected and is entitled to said seat, and he specifies:

(a) That there are about 2,200 election precincts or districts in Michigan and that nearly all of the election boards were composed wholly of Republicans and great numbers of them were wholly composed of intense partisans of Mr. Newberry, and that only in a comparatively few of them were there at the said election any challengers or others acting in behalf of the Democratic candidates and that every opportunity existed for election officials who were so inclined to miscount the ballots in favor of Mr. Newberry.

(b) That a large number of ballots were unlawfully counted for said Newberry, which, in fact and in truth, were cast for Henry Ford, namely, at least 10,000.

(c) That large numbers of ballots lawfully cast for petitioner were not counted for him, but were unlawfully rejected by the various precinct election boards when making the counts, and they were not returned for petitioner as in truth they ought to have been, namely, at least 10,000.

(d) That in many election precincts or districts the count by the election officers and boards was illegal, in favor of Newberry, false and fraudulent, and in violation of the election laws governing the count.

(e) Many of the ballots marked and cast for petitioner were counted and returned for the said Truman H. Newberry.

(f) In many precincts, particularly in the Upper Peninsula of Michigan, the provisions of law enacted to protect the sanctity and secrecy of the ballots and to promote a true and honest vote and count were flagrantly violated and many important and vital irregularities and departures from such provision occurred, thus vitiating under the law the vote of such precincts. As, for instance, the marking of ballots for voters by authorized third person, the exposure of ballots by the voters, the overseeing of the voting by mine bosses and superintendents, and the like; all of which were conducted in the interests of said Truman H. Newberry, and the votes of such precincts should be rejected and thrown out.

(g) That many ballots in many precincts duly marked and cast for petitioner were rejected by the respective election boards and not counted at all.

(h) That many ballots bearing unlawful distinguishing marks were illegally and unlawfully counted for the said Truman H. Newberry.

(i) Many ballots duly marked and cast for your petitioner were wholly rejected and thrown out by many election boards on the unlawful and fraudulent pretext that they were not duly and properly marked for the petitioner, whereas, in fact, they were so marked and cast.

(j) Many ballots duly and properly marked and cast for the petitioner were rejected and thrown out by many election boards on the unlawful and fraudulent pretext that they bore distinguishing marks, whereas, in fact, they did not bear any unlawful distinguishing marks and ought to have been counted for your petitioner.

(k) Many ballots duly and lawfully marked and cast for petitioner were erroneously thrown out and not counted for petitioner by many of the said election boards under erroneous interpretations of their duties.

(l) Many ballots for said Truman H. Newberry were corruptly and unlawfully procured to be cast and counted for him by the unlawful use of money in his behalf.

(m) Large sums of money were unlawfully expended by and in behalf of said Truman H. Newberry to influence said election and cause votes to be cast for him that otherwise would not have been so cast.

(n) Large numbers of lawful voters were intimidated and prevented from voting at the said election by partisans and supporters of said Newberry who otherwise would have voted at the election and cast their votes for the petitioner, to wit, 5,000 of such voters.

(o) Large numbers of lawful voters, employees of certain large corporations, were intimidated and unlawfully coerced by employers and their representatives into voting for said Newberry against their wills and preferences who otherwise would have cast their ballots for the petitioner.

(p) In a number of the counties the respective boards of county canvassers made and reported their canvasses without having or examining the poll books and tally sheets nor in any way verifying the number of original votes as cast or the numbers of voters voting at the respective precincts.

(q) That careful investigation by petitioner's directions have been made by reliable men since the election to ascertain as far as may be the detailed facts pertaining to the above statements and as to the conduct of counting in said election, and from such investigations and from other information reaching the petitioner and his representatives, he avers the foregoing statements to be true, and he particularly specifies the following counties and election districts as the counties and districts where such irregularities, miscounting, and frauds were more flagrantly committed, namely: Kent, Bay, Kalamazoo, Wayne, Saginaw, Allegan, Antrim, Baraga, Barry, Benzie, Berrien, Calhoun, Cass, Charlevoix, Chippewa, Clare, Dickinson, Eaton, Emmet, Genesee, Gladwin, Gogebic, Gratiot, Hillsdale, Houghton, Huron, Ingham, Ionia, Iosco, Iron, Isabella, Jackson, Kalkaska, Keweenaw, Lapeer, Lenawee, Macomb, Marquette, Mason, Mecosta, Midland, Monroe, Montcalm, Montmorency, Muskegon, Newaygo, Oakland, Oceana, Osceola, Ottawa, Sanilac, St. Clair, St. Joseph, Tuscola, Van Buren, Washtenaw, Wexford; and that such irregularities and miscounts occurred in a more modified degree in nearly all the other counties of the State, and that mistakes unfavorable to petitioner and in favor of the said Truman H. Newberry occurred in all of the counties.

(r) That upon a fair and lawful recount of the ballots cast at said election, your petitioner would be decided to be duly and lawfully elected Senator from Michigan.

(s) That upon such a fair and lawful recount and due allowances being made for such frauds, intimidations, and prevention of votes, petitioner would be decided and declared by your honorable body to have been duly and lawfully elected Senator from Michigan.

(7) Your petitioner shows that the ballots cast at said election were under the laws of Michigan replaced in the several ballot boxes which were then locked and sealed and the ballot boxes delivered to the respective officers under the laws of Michigan, and they are now in the custody of the said several officers, as provided by law.

(8) That the law carefully specifies and directs that said ballots shall be preserved and guarded, as stated, but does not specify the length of time they shall be thus preserved, and

petitioner shows that under the uniform practice prevailing in Michigan for many years past such ballots will be preserved only until the next election, when they will be removed from the ballot boxes and destroyed or lost; that the next general election will be held in Michigan on the first Monday in April, 1919, and that the primaries therefor will be held in large numbers of the various precincts at various dates during the month of March, and that at such times following said customs the said ballot boxes will be opened and the ballots removed therefrom and either wholly destroyed or lost.

(9) Petitioner further shows that following the debate in your honorable body on December 14, 1918, as to receiving the credentials of Mr. Truman H. Newberry and referring the same to the Committee on Privileges and Elections, in which it was affirmed, on the one hand, that the ballots would be destroyed before the April election, and, on the other hand, that they would not be destroyed, a very significant and suggestive article appeared in the Detroit Free Press, namely, on December 20, 1918; that the Detroit Free Press is a daily newspaper of large circulation throughout the State of Michigan and has been a violent advocate of the election of Mr. Newberry; that it had editorially and in news articles repeatedly attempted to justify the vast expenditures of money for and on behalf of Mr. Newberry, and has viciously and continuously assailed any and all attempts to investigate the same, and has constantly attacked the motives of all officials who have attempted to investigate or bring to justice those concerned with violations of the laws; and, in fact, said Free Press is known generally as the organ in said primaries and election campaigns of the said Newberry and his committee and advocates aforesaid. That said suggestive article so published on December 20, 1918, was as follows:

[From the Detroit Free Press, Friday, Dec. 20, 1918.]

MIGHT DESTROY FORD BALLOTS—DISTRICT CLERKS TO BE ASKED TO KEEP SENATORIAL VOTES—RECOUNT MAY BE HAMPERED BY LACK IN MICHIGAN STATUTE.

Discovery of a striking omission in the Michigan election laws is the result of speculation over the possibilities of a recount or inspection of ballots in the Newberry-Ford case, now regarded as certain to come up in the United States Senate after March 4.

It appears that nowhere in the Michigan law is there provision for the preservation of ballots after the legal time for recounts has passed, and it also develops that there is no occasion for saving them except in case of presidential, United States Representative, or United States senatorial elections.

MIGHT DESTROY BALLOTS.

Therefore the present situation is such that if the United States Senate should decide to recount the Ford-Newberry ballots, county and city clerks anywhere in Michigan may have destroyed them long before the new Senate, which convenes March 4, 1919, could decide upon a recount. Moreover, the April election follows closely after that date, and it would be altogether probable that a recount would not be under way much before the next spring election.

Efforts will be made to remedy the situation at once. The legislature will meet January 1, and a bill amending the election law, or constituting a new statute, to cover the case will be ready for presentation on that date. If the bill is passed without delay and is given immediate effect it would be law before the April elections.

WILL ASK DELAY.

A request from interested persons to county clerks to refrain from destroying the ballots will be forwarded within a few days, in the hope that if a recount eventually comes about there will be no question of missing ballots. As the law stands now the ballots may be destroyed, as the legal time for recounts on State offices has passed and there is nothing before any court to operate to hold up the usual course of events.

Petitioner submits this article, coming from such source, was manifestly designed and intended to convey to the custodians of the ballots that it was not unlawful and that it was perfectly safe to destroy or lose the ballots, and such was the very general interpretation placed upon the article.

Accordingly, in order to preserve, if possible, the ballots until your honorable body should take some action to preserve and recount the ballots, petitioner caused to be filed bills in equity in the eastern and western districts of Michigan. On the filing of said bills a temporary restraining order for 10 days was granted ex parte, and an order to show cause why temporary injunction should not be granted. Said 10 days in the western district will expire January 7, 1919, and in the eastern district on January 9, 1919.

(10) And the petitioner further shows that he is advised that under the laws of Michigan there is no body or tribunal which has control of a recount except the United States Senate, and that his only adequate relief to preserve and recount the ballots lies in suitable action to that end by your honorable body.

(11) That petitioner has caused notice of his intention to contest the alleged election of said Truman H. Newberry to the United States Senate to be duly served upon the said Truman H. Newberry, viz, on the 2d day of January, 1919.

(12) The petitioner hereby prays and requests the Senate to entertain his said contest; to provide for a recount of the said ballots and the due preservation of said ballots for the purpose of the recount and of evidence in the contest, and for a prompt investigation of said election and primary and of the matters hereinbefore set forth; and that said Truman H. Newberry be declared not elected, and also disqualified and not entitled to a seat, because of the aforesaid violations of law, and that petitioner may be declared elected and entitled to said seat, and that he may have such further action of the Senate and its duly appointed committees and agents and such other relief as shall be conformable to justice and as the premises shall warrant; and he will ever petition, etc.

HENRY FORD.

STATE OF MICHIGAN,
County of Wayne, ss:

Henry Ford, being duly sworn, deposes and says that he has read the foregoing petition and notice, and that the same is true to the best of his knowledge, information, and belief.

HENRY FORD.

Subscribed and sworn to before me this 2d day of January, A. D. 1919.

[SEAL.] ERNEST KANZLER,
Notary Public, Wayne County, Mich.

My commission expires October 12, 1919.

STATE OF MICHIGAN,
County of Wayne, ss:

Robert E. Walter being duly sworn deposes and says that he is a citizen of Michigan and a resident of the county of Wayne, Mich.; that he has read the foregoing petition and notice of contest and knows the contents thereof; and that paragraphs 1, 2, 3, 5, 7, 8, and 10 are true; and deponent further says that he was a member of the Legislature of Michigan, viz, a senator, for three successive terms, namely, from 1911 to 1917; and that he was one of a committee of three members of the legislature who conducted a recount of the votes cast in the twenty-second senatorial district, comprising the whole of the county of Saginaw (which is one of the three or four largest counties in Michigan) in the year 1913. He further says that since the election of November 5, 1918, he has devoted nearly all his time to the investigation of the said election in the various parts of the State, and that he has traveled, personally, to various parts of the State in that work and has received reports from a considerable number of other careful and reliable men who have devoted their time to the said work of investigation, and that every precaution has been taken to make such investigation thorough, reliable, and strictly according to the truth. And he further says that from such experiences above described and from his said investigations and the said reports he states that he has good reasons to believe, and does believe, that the allegations of the fourth, sixth, and ninth paragraphs of said petition and notice of contest are true. And he further says that the representatives of Mr. Ford have now a great abundance of evidence to establish Mr. Truman H. Newberry's personal connection with his said campaign committee, described in the foregoing petition and notice, and with the activities of said committee in his behalf, and that said campaign was conducted with his full knowledge, consent, and active cooperation. And he further says that said Ford's representatives have reliable proofs of large numbers of unlawful expenditures of moneys in said Truman H. Newberry's campaign, involving large amounts in a great many portions of the State not set out or included in said report of Frank W. Blair, treasurer of said committee; and the said contestant's representatives are ready to produce such proofs and the witnesses to sustain the charges in the petition, but deponent deems it advisable and safest not to give the names of said additional witnesses for very obvious reasons.

He further says that contestant's representatives have reliable evidence of great activities on the part of the supporters of Mr. Newberry and his committee to suppress the evidence of said unlawful expenditures and of attempts to prevent disclosure by those having knowledge of the facts, and these proofs contestant's representatives are prepared to present to any committee authorized by the Senate to investigate the election.

That the ballot boxes used at elections in Michigan are very generally of a very solid, well-made construction, and of a permanent character.

ROBERT E. WALTER.

Subscribed and sworn to before me this 1st day of January, 1919.

ALICE C. CLINE,
Notary Public, Wayne County, Mich.

My commission expires November 27, 1921.

STATE OF MICHIGAN,
County of Mecosta, ss:

The undersigned, Woodbridge N. Ferris, being duly sworn, upon his oath says that he is now and has been for more than 34 years last passed a resident of Big Rapids, in the county and State aforesaid, where he conducts the Ferris Institute, and that during the years 1913 to 1916, inclusive, he was governor of the State of Michigan.

Affiant further says that for approximately 34 years last passed he has been acquainted with the universal and prevailing custom with reference to the preservation of ballots in his own and neighboring counties in the State of Michigan.

Affiant says that said prevailing custom and practice as uniformly observed in his section of Michigan will result in the ballots cast at the general election held in Michigan November 5, 1918, being taken from the ballot boxes and destroyed at the time of the next general election to be held in said State on April 7, 1919, and in some localities where local elections are held prior thereto said ballots will be destroyed at the time of said local elections.

Affiant is informed and believes that this custom has uniformly prevailed for years throughout the State of Michigan.

WOODBRIDGE N. FERRIS.

Subscribed and sworn to before me at Big Rapids, in the county and State aforesaid, this 24th day of December, 1918.

[SEAL.] BERT S. TRAVIS,
Notary Public in and for Mecosta County.

My commission expires April 13, 1919.

STATE OF MICHIGAN,
County of Calhoun, ss:

The undersigned, John W. Bailey, being duly sworn, upon his oath says that he is now and has been for more than 50 years last passed a resident of Battle Creek, in the county and State aforesaid.

Affiant states that he has been mayor of Battle Creek and that at the last general election in Michigan he was a candidate for governor on the Democratic ticket.

Affiant says further that he has for approximately 28 years been acquainted with the custom with reference to the preservation of ballots in his own and neighboring counties.

Affiant says that said prevailing custom and practice as uniformly observed in his section of the State would result in the ballots cast at the last general election held in Michigan on November 5, 1918, being taken from said ballot boxes and destroyed at the time of the next general election to be held in the State of Michigan on April 7, 1919, if they had not been removed and destroyed because of some local election or elections held prior thereto.

Affiant is informed and believes that this custom has uniformly prevailed for years throughout the State of Michigan.

JOHN W. BAILEY.

Subscribed and sworn to before me this 20th day of December, 1918.
[SEAL.] ALTINE MCKEE,
Notary Public, Calhoun County, Mich.

My commission expires September 27, 1919.

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STATE OF MICHIGAN,
County of Kent, ss:

The undersigned, Peter J. Danhof, being duly sworn, says that he is now and has been for more than 30 years last past a resident of Ottawa and Kent Counties, in said State, and that he is engaged in the practice of law.

Affiant further states that he is familiar with the provisions of law of this State relative to the preservation of ballots cast in elections in said State and the disposition of said ballots.

Affiant further says that in accordance with said provisions of law he verily believes that the ballots cast at the general election held in said counties of Ottawa and Kent on November 5, 1918, will be taken and removed from said ballot boxes and destroyed before or at the time of the next general election, to be held in this State on April 7, 1919, and in some localities where local elections are held prior thereto, he believes the said ballots will be removed from the ballot boxes and destroyed before or at the time of said local elections.

Affiant further says that he is informed and verily believes the same to be true that the said practice of removing the ballots from the ballot boxes and destroying the same has become a uniform custom which prevailed for years throughout the State of Michigan.

PETER J. DANHOF.

Subscribed and sworn to before me this 21st day of December, 1918.
[SEAL.] CHAS. H. WINCHESTER,
Notary Public, Kent County, Mich.

My commission expires September 6, 1919.

—

STATE OF MICHIGAN,
County of Wayne, ss:

The undersigned, Patrick H. O'Brien, being duly sworn, upon his oath says that he is now and has been for more than four years last past a resident of Houghton, in the county of Houghton and State aforesaid, and that for the last seven years he has been judge of the twelfth judicial district of Michigan.

Affiant says that he has for approximately 19 years last past been acquainted with the universal and prevailing custom with reference to the preservation of ballots in the following counties in the State of Michigan, to wit: Houghton, Ontonagon, Keweenaw, Iron, Gogebic, and Baraga.

Affiant says that said prevailing custom and practice as uniformly observed in his section of Michigan will result in the ballots cast at the general election held in Michigan on November 5, 1918, being taken from the ballot boxes and destroyed at the time of the next general election to be held in the State of Michigan on April 7, 1919, and in some localities where local elections are held prior thereto said ballots will be destroyed at the time of said local elections.

Affiant is informed and believes that this custom has uniformly prevailed for years throughout the State of Michigan.

PATRICK H. O'BRIEN.

Subscribed and sworn to before me this 21st day of December, 1918, at Detroit, Mich.

ROBERT E. WALTER,
Notary Public in and for Wayne County, Mich.

My commission expires January 28, 1922.

—

STATE OF MICHIGAN,
County of Genessee, ss:

The undersigned, Frank D. Baker, being duly sworn, upon his oath says that he is now and has been for more than 60 years last passed a resident of Genesee County, State of Michigan, and that his occupation is postmaster.

Affiant says that he has for approximately 30 years last past been acquainted with the universal and prevailing custom with reference to the preservation of ballots in the following counties in the State of Michigan, to wit: Genessee, Ingham, Livingston, and Oakland.

Affiant says that said prevailing custom and practice as uniformly observed in said part of Michigan the ballots cast at the general election held in Michigan on November 5, 1918, will be taken from said ballot boxes and destroyed at the time of the next general election to be held in the State of Michigan, on April 7, 1919; and in some localities where local elections are held prior thereto, said ballots will be destroyed at the time of said local elections.

Affiant is informed and believes that this custom has uniformly prevailed for years throughout the State of Michigan.

FRANK D. BAKER.

Subscribed and sworn to before me this 20th day of December, 1918, at Flint, Mich.
[SEAL.] BERT M. GARNER,
Notary Public.

My commission expires April 17, 1921.

STATE OF MICHIGAN,
County of St. Clair, ss:

The undersigned, Albert E. Stevenson, being duly sworn, upon his oath says that he is now and has been for more than 20 years last passed a resident of St. Clair County, State of Michigan, and that his occupation is inspector of explosives and vice president of United States Savings Bank.

Affiant says that he has for approximately 20 years last passed been acquainted with the universal and prevailing custom with reference to the preservation of ballots in the following county in the State of Michigan, to wit, St. Clair County.

Affiant says that said prevailing custom and practice as uniformly observed in said part of Michigan the ballots cast at the general election held in Michigan on November 5, 1918, will be taken from said ballot boxes and destroyed at the time of the next general election to be held in Michigan, on April 7, 1919; and in some localities where local elections are held prior thereto, said ballots will be destroyed at the time of said local elections.

Affiant is informed and believes that this custom has uniformly prevailed for years throughout the State of Michigan.

ALBERT E. STEVENSON.

Subscribed and sworn to before me this 20th day of December, 1918.
[SEAL.] FRANK J. WITTLIFF,
Notary Public, St. Clair County, Mich.

My commission expires May 1, 1920.

—

NOVEMBER 15, 1918.

Hon. ATLEE POMERENE,
Chairman Senate Committee on Privileges and Elections,
Washington, D. C.

HONORABLE SIR: I am a Republican who was inclined to support Mr. Truman Newberry for Senator in the Michigan primary election until I personally saw evidence of the extravagant use of large sums of money, in what I felt to be unlawful amounts, to advance his candidacy. I then decided I could not support him in the primaries. Some weeks after the primaries I joined the Nonpartisan Ford-for-Senator Club, an organization composed largely of prominent Republicans, who looked with disfavor upon the method used by Mr. Newberry and his committee to obtain the Republican nomination. I acted as secretary of this organization. Our membership was over 20,000 before the election of November 5.

As secretary of this organization I was in constant communication with prominent Republicans throughout the State of Michigan who saw the lavish expenditure of the Newberry committee and protested against them. From them and in other ways I have collected a large amount of information and reports, sufficient, I think, to convince your committee that an investigation of the campaign is necessary, and ample, I hope, to form the basis for a complete investigation of the campaign.

It would seem that an investigation is absolutely necessary. In the words of Senator KENYON (CONGRESSIONAL RECORD, 1918, p. 10395), "If this enormous expenditure of money in senatorial campaigns is to go on without any challenge by Congress, then the poor man has no chance ever to secure a seat in this body and simply the rich can purchase a seat here."

There should be no objection to an investigation at this time. I feel that Senator TOWNSEND expressed the sentiment admirably when he said (CONGRESSIONAL RECORD, 1918, p. 10393): "I would be glad to have a full and complete investigation, and if Mr. Newberry shall receive a certificate of election in November, and charges are preferred against his title, I will not only vote to investigate, but I will vote to unseat him if corruption which secured his nomination is proven."

The information to form the basis of an investigation is sent you under separate cover.

Yours, very truly, ELBERT H. FOWLER.

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In the matter of Michigan primary senatorial election of 1918, Detroit, Mich.

To the COMMITTEE ON PRIVILEGES AND ELECTIONS,
United States Senate, Washington, D. C.

HONORABLE SIRS: The following statement of evidence pertaining to the Newberry senatorial compaign is sent you in compliance with my telegram of November 14 and letter of November 15, 1918, and it is hoped that it will be of assistance to you as a basis for the proposed investigation:

The United States statute governing the matter is contained in First United States Compiled Statutes of 1916, pages 65 to 72, section 198, page 72, providing:

"Every person willfully violating any of the foregoing provisions shall upon conviction be fined not more than $1,000 or imprisonment not more than one year, or both."

Section 195 defines who shall be considered a candidate, which clearly includes a candidate for the nomination or election to the office of United States Senator. Subdivision 3 of section 195, which is printed on page 169, states that the candidate shall file with the Secretary of the Senate "a full, correct, and itemized statement of all moneys and things of value received by him or by anyone for him with his knowledge and consent from any source in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part, and such statement shall contain a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by such candidate or by his agent, representative, or other person for and in his behalf with his knowledge and consent, together with the names of all those to whom money and all such gifts, contributions, payments, or promises were made for the purpose of procuring his nomination or election."

Subdivision 4 also contains the requirement for a similar statement to be filed within 15 days after the primary. Subdivision 7, printed on pages 70 and 71, provides:

"No candidate for Senator shall give, contribute, expend, use, or promise, or cause to be given, contributed, expended, used, or promised, in procuring his nomination and election any sum in the aggregate in excess of the amount which he may lawfully give, contribute, expend, or promise under the laws of the State in which he resides: *Provided*, That no candidate for Senator of the United States shall give, contribute, expend, use, or promise any sum in the aggregate exceeding $10,000 in any campaign for his nomination and election," etc.

The Michigan State statute is act No. 109 of the Laws of 1913, on pages 189 et seq., entitled "An act to regulate and limit nomination expenses." Section 1 provides:

"No sums of money shall be paid and no expenses authorized or incurred by or on behalf of any candidate to be paid by him in order to secure or aid in securing his nomination to any public office in excess of 25 per cent of one year's compensation of the office."

Further down in the same section it provides that no sum for election shall be expended beyond 25 per cent of one year's salary, etc. Section 2 provides that "every political committee should appoint a treasurer, and that no money shall be expended except through him." Section 3 defines what are lawful expenditures. Section 4 provides that every candidate and every treasurer shall file full and complete statements within 10 days after primary or election. Section 11 provides that no person shall pay any expenses or make any payments except to a candidate or a political committee, and section 12 provides that there shall be no receipts except in the true name of the donor. Section 13 provides that no moneys shall be expended from any anonymous source. Section 18 provides for fine and imprisonment for any willful violation of the act.

From the various advertisements appearing in the Detroit and Michigan newspapers generally, and from other sources, it appears that a committee known as the Newberry-for-Senator committee ostensibly had charge of the management and conduct of Mr. Newberry's campaign. This committee for a period of several months, commencing in March of 1918 and continuing until after the primaries in August, maintained elaborate offices at rooms 308–310 Ford Building, Detroit.

M. A. A. Templeton, president of the Detroit Seamless Steel Tubes Co., acted as general chairman; Mr. Newberry is a large stockholder of this company, having originally financed Templeton in its organization; Mr. Paul H. King, an attorney and former receiver of the Pere Marquette Railroad, acted as executive chairman; Mr. Frank W. Blair, president of the Union Trust Co. of Detroit, as treasurer; Charles A. Floyd, as secretary; F. F. Emery, Harry O. Turner, James R. Davis, Terry T. Corliss, James F. McGregor, A. K. Moore, E. V. Chilson, James B. Haskins, B. F. Reed, assistant secretaries; director of publicity, H. A. Hopkins; publicity representatives, Thomas Phillips, B. C. Wilson, H. W. Rose, A. G. MacEachron, E. E. Smith, and E. O. McLean; attorney, Paul R. Dailey.

The report just mentioned was filed by the committee in the office of Milton Oakman, county clerk of Wayne County, where Mr. Newberry resides, on September 6, 1918, in compliance with act 109 of the Michigan public acts of 1913. It is signed and verified by Mr. Frank W. Blair, treasurer, and appears set forth in full in the CONGRESSIONAL RECORD, issue of September 17, 1918, on page 10387 and following. Mr. Newberry did not personally make any report under this act. Instead there appears in the miscellaneous files of the county clerk's office, attached to the committee report, a letter from Mr. Fred P. Smith, on the stationery of the executors of the Newberry estate, wherein the writer advises the county clerk that Mr. Truman H. Newberry states that he did not receive or disburse any money in connection with his campaign, and that the writer, Mr. Smith, therefore assumes that no personal report is required of Mr. Newberry. In this letter it is also said that should Mr. Oakman, the county clerk, place a different interpretation on the fact, upon information accorded to the writer, Mr. Newberry will report the facts as theretofore reported to the Secretary of the United States Senate.

I am informed that Mr. Newberry, in compliance with the Federal act, made personal reports of his campaign expenditures both before and after the primary. The prior statement is contained on one of the regular blank forms prepared for the purpose by the Secretary of the Senate. On page 2 thereof Mr. Newberry states: "The campaign for my nomination for United States Senator has been voluntarily conducted by friends in Michigan. I have taken no part in it whatever, and no contributions or expenditures have been made with my knowledge or consent." On the third page he states "no promise or pledge has been made by me or by anyone on my behalf with my knowledge or consent relative to the appointment of any person to a position of trust, honor, or profit either in the county, State, or Nation, or in any political subdivision thereof, or in any private or corporate employment for the purpose of procuring the support of such person or of any person in my candidacy." Mr. Newberry signs the statement "Truman H. Newberry, 123 Lake Shore Road, Grosse Pointe Farms, Mich." It was sworn to in the State of New York, county of New York, before Charles C. Schneider, notary public, August 14, 1918.

The primary was held on the 27th day of August. After the primaries Mr. Newberry filed another statement with the Secretary of the Senate, sworn to on the 29th day of August, 1918, in New York before Louis B. Wolf, notary, etc. This was on the regular blank furnished by the Secretary of the Senate for statements to be made after the primary. In the blank space on the second page relative to contributions there is written in ink the following: "None with my knowledge and consent." With reference to expenditures, in the blank space therefor, is written the following: "None with my knowledge and consent. I have read a general public statement of Paul H. King concerning expenditures made by a voluntary committee of my friends, but these were made without my knowledge or consent."

The first public outcry against the unlawful use of money, as stated, in Mr. Newberry's campaign, was made by the Hon. Lauren D. Dickinson, a prominent candidate for governor, reelected lieutenant governor of Michigan on the Republican ticket in the recent election. His public protest was published in all the prominent newspapers in Michigan on or about August 22, 1918, and is as follows:

[Detroit News, Aug. 22, 1918.]

Lieut. Gov. Dickinson's letter:

"Hon. TRUMAN H. NEWBERRY,
"Brooklyn Navy Yard, N. Y.

"DEAR SIR: Men of all walks of life who have the best interest of our State at heart believe the men who are conducting your campaign for United States Senator are conducting one that will bring one of the greatest scandals on our State that Michigan politics ever saw, and have asked me to take the lead in attempting to rid our State of this blight.

"I note by your statement that you say you do not know of these things.

"In giving you the information I will give you the terms that I hear everywhere in the 62 counties in which I have been recently. I have always had the highest regard for you and must believe you will relieve the Republican Party and the State of a campaign that is now being likened to the notorious Lorimer campaign of Illinois a few years ago. The terms 'boodle' and 'rotten' seem to be general terms that I hear.

"Every section of the State shows evidence of an expensive newspaper campaign, costing thousands and thousands of dollars. Thousands of men are liberally paid for work at many more thousands of dollars, an expensive suite of offices with a large force sending out hundreds of thousands of letters to influential voters at more thousands of dollars, thousands of autos already engaged for use on primary day at many more thousands; that practically every opponent of the primary system is backing your campaign, and that hundreds of the experts who have figured in or conducted for money the wet campaigns of the past are among the most active of your supporters.

"Conservative estimates say everywhere from $250,000 to $500,000 is being used. The good people of the State are apparently powerless to give the voters these matters on short notice. In case you get the most votes you must expect to have the placing of your name on the election ballot contested. If by technical reasons you succeed, then you must expect every church and moral organization to work until election night to keep our fair State from the baneful influence that success following such methods would leave for years to come.

"Should you be successful at the polls, you must expect a legislative investigation that would be demanded by an indignant populace. And if by technicalities you could overcome this, you will probably have to face a Democratic Senate, which will unseat you, as it justly unseated William Lorimer, jr., because of flagrant disregard in your behalf of Michigan's primary laws. The effect on the Republican Party, with the people demanding cleaner things, can not be estimated. Already we hear the Democrats will make the corrupting use of money in your campaign one of their great campaign arguments.

"I can not believe you understand the situation, and if you did you would come to the rescue. I am therefore asking you, in behalf of the old Republican Party, clean politics, preservation of the primaries, social and business interest, to withdraw from this campaign and save the everlasting disgrace to the party and the State from a pollution that would stay for years. Hoping you may act favorably and retain the high esteem in which you have been held in the State, I am,

"Sincerely, yours,
"L. D. DICKINSON,
"Lieutenant Governor of Michigan."

The other candidates on the Republican ticket in the late primary for the office of United States Senator from Michigan were: Hon. Chase S. Osborn, of Sault Ste. Marie, who had been twice governor of Michigan; Mr. Henry Ford; and Mr. William G. Simpson.

Representative Merlin Wiley, of Sault Ste. Marie, a member of the State Legislature of Michigan and Mr. Osborn's manager in the senatorial campaign, also made a public protest on the subject, which was published in the Detroit News on August 22, 1918, and probably in several other newspapers. It reads as follows:

[Detroit News, Aug. 22, 1918.]

LETTER OF REPRESENTATIVE MERLIN WILEY, OF SAULT STE. MARIE.

To the EDITOR: The campaign conducted on behalf of Mr. Newberry's candidacy for the United States Senate is a disgrace to the State of Michigan. Some one or some persons are incurring bills of tremendous size. They are incurred in behalf of Mr. Newberry's candidacy, and they must be paid by some one. Facts that can not be denied, because the knowledge of them is common property, attest the following:

First. A large and pretentious headquarters has been conducted for months in the Ford Building in Detroit, with a clerical force of from 30 to 40. Office rent and competent clerks cost money in Detroit.

Second. A force of Newberry workers of the class who seldom work without pay have been scouring the State for months doing organization work for Mr. Newberry's candidacy. They cost money.

Third. Banquets in county after county have been held, sometimes under the guise of patriotic meetings and sometimes plainly and boldly for Newberry organization work, as was the case of the banquet at Lansing, when the local Newberry organization was perfected, and the banquet of the Newberry workers of St. Clair at Marine City last Friday night. These things cost money, and these are war times and not time for political banquets.

Fourth. A superexpensive advertising campaign is being carried on, handled by a Detroit advertising company and carrying almost continuous advertising in nearly every one of the 700 papers in the State, both secular and religious. This costs money, and lots of it.

Fifth. It has been stated that a letter inclosing a return postal card, together with printed matter, has been sent to every voter in the State. This costs more money.

Sixth. It is stated that the Newberry organization plans to have autos in every voting precinct to bring out the Newberry vote on election day. This will cost still more money.

Seventh. The old-time politicians, the opponents of the primary system, and the "wets" are almost to a man supporting Mr. Newberry.

Eighth. Not a word, not a statement, not a single announcement of what he stands for has Mr. Newberry made. Even his campaign expense statement states that his campaign is being conducted by his friends without his knowledge or participation, and that no expenses have been incurred with his consent or authority.

These items cost money, more money than has ever been spent in a Michigan campaign, certainly in this generation. They are, in the amount expended, in plain and open violation of the letter and spirit of both the State and Federal laws. If Mr. Newberry should be elected, Michigan will have an election scandal worse than the Lorimer scandal in Illinois or the Stephenson scandal in Wisconsin. If this is to be the policy permitted in Michigan, then none but millionaires or men with millionaire friends who will pay the bills need apply for the office of governor or United States Senator, for only they can pay the price.

It is variously estimated that the entire cost of the Newberry organization and the conduct of Mr. Newberry's candidacy will have cost from $100,000 to $500,000. Certainly, it will cost enough to down the fair name of Michigan for a generation to come. And if Mr. Newberry should be nominated, he can never hope to take his seat. A United States Senate that, as Republican, would not permit William Lorimer to retain his seat and would seriously challenge the right of Senator Stephenson to a seat therein, will never, when Democratic, permit Mr. Newberry, if elected, to be seated after such campaign expenditures.

It is time for Michigan to wake up and shield her honor by administering a defeat that will forever make impossible the repetition of such methods.

MERLIN WILEY.

LANSING, MICH., *August 20, 1918.*

Mr. Simpson, one of the Republican candidates for Senator, mentioned above, likewise made public charges directed against the expenditures of the Newberry committee. One of his statements published October 6, 1918, is as follows:

[From the Detroit News, October 6, 1918.]

MR. SIMPSON ON THE SITUATION.

"To the EDITOR:

"Now that the Michigan Republican and Democratic conventions have been held, the stage seems to be all set for November, when the people can come forth and select their public servants (?).

"The army of 50,000 Republican joperatics in Michigan will be on the job as usual to do the bidding of the leaders who employ them, as will also as many of the Democrats who are equally fortunate in holding a political job.

"And the plain citizen voter—the man with whom lies the balance of power for good or evil, the man who is interested in politics only as a means of self-government—what will he do?

"The main contests, of course, will be the senatorship and the governorship.

"At present mud is flying in all directions, without, apparently, any desire for sensible reasoning, and the situation takes the phase of being grotesquely funny were it not a serious menace to our form of government.

"Ford says he is obeying the commands of the President.

"Newberry swears that he didn't know—that not even his wife told him that she spent $25,000 of his money to nominate him.

"Osborne charges Newberry with being an ass, but says that he will support him to show he's a good sport, even though he lost and Newberry flagrantly violated the law.

"Paul King—a lawyer, mind you—says he did it all for nothing, just as if he expected people to believe him.

"Gov. Sleeper—and his name seems quite appropriate in view of the facts—says he is neutral.

"The governor is doing the State a real service without cost by removing himself from office in the coming election. The people will do the rest.

"And Atty. Gen. Groesbeck—

"On the 24th of June I saw Mr. Groesbeck in his office, where I had called to protest the large expenditure of money by the Newberry people.

"'You are familiar with the corrupt-practices act, are you not?' I asked.

"'Well,' replied Mr. Groesbeck, 'I ought to, I am the attorney general of the State.'

"'I am well aware of that fact, Mr. Groesbeck,' I replied. 'As this effort is for a Federal office, I'm quite sure that if you won't act, Mr. Kinnane will.'

"He replied: 'Oh, you get me the facts, Simpson, and I'll act.'

"Mr. Groesbeck has had the facts for some time in the admission of Paul King, but has he acted?

"On July 20 I wrote regarding the matter to Mr. Kinnane and Secretary Lansing, at Washington.

"Did they act? Not yet.

"After the primary and on September 7, I again wrote to the governor and Secretary of State Vaughan, asking them to withhold Newberry's nomination certificate. Did they do so? The substance of the law which Newberry violated has been repeated so frequently in these columns it is unnecessary to do so again.

"I think that every voter who has any conscience at all will admit that Newberry has violated the law in spirit, if not in fact, though it pleases the interests with which he is connected to provide all manner of excuses, among which they say it was to save the country from Ford.

"The facts will show that they laid their expensive plans to deliberately violate the law long before Ford announced his candidacy, and there is no doubt in my mind but what they intended with premeditation to violate the law.

"Only a few days ago the State board of canvassers met to determine the ballot, and said, as reported, that I should have gone to Prosecutor Jasnowski.

"Always 'passing the buck' to others. This seems to be the feature of joperatic's job when he is called upon to earn his salary—at least in Michigan.

"Anyone who knows conditions, and who has gone to see Jasnowski on matters of this kind, knows what a fat chance I'd stand of having him do anything against the 'combine,' even if I could find the prosecutor.

"Here is a letter from Will Hays, which contains nothing that he could object to having printed:

"'MY DEAR MR. SIMPSON: Returning to-day after an absence, etc.

"'The unlawful use of money in an election can not be too strongly condemned. There is no penalty too severe or excoriation too vigorous for anyone guilty of such practices.

"'However, I am quite sure that there must be some mistake in the information which you have received regarding the unlawful use of money by Mr. Newberry. While I have known Mr. Newberry only a short time, I have known him by reputation a great many years, and while, as I understand, he is quite "well to do," as you say, I am very sure he would not under any circumstances indulge nor condone nor permit the unlawful use of money in connection with his candidacy for the nomination or election to any office.

"'I am glad, etc.,

"'Sincerely, yours,

"'WILL H. HAYS.'

"As to Mr. Hays's complacent belief in the virtue of others, I have nothing to say.

"How satisfying out of this mess of recriminations, senseless explanations, and excuses stand forth, like living words of fire, that every youth in Michigan would do well to remember, these words of our lieutenant governor, the man who knew, felt in his heart his duty, and dared:

"'I did what my conscience dictated. I have made enemies, but if I have opened the way for the correction of one of our greatest evils I am abundantly repaid.'

"Personally I refuse to believe other than in the old-fashioned goodness and honesty of the common people of Michigan.

"If the evils of which Newberry and his friends are charged are allowed to continue it means that we, the common people, must submit to rule by a class, and that class the rich class. We therefore lose our much-vaunted democracy.

"We read every day of current political differences, where matters of the war are brought into the argument, which are not appeals to reason but appeals to prejudice and self-interest.

"This line of argument gets us nowhere. Prominent business men are interviewed regarding Newberry and their replies printed. The major part of them, being of his class of self and social interest, say, in effect, 'To hell with the law; we want Newberry elected.' Those too cowardly to voice an opinion say nothing.

"The attitude of Thursday's convention shows that the reactionary element of the Republican Party is still in the saddle.

"After two sad presidential defeats under their rule they have yet to learn their lesson, and the idea does not seem to percolate through their thick craniums that the voting Republican citizens will not have that type of politics.

"It is not a question of loyalty between parties. It is a question of common honesty, decency, and principles among men.

"If we can look ahead to the sure defeat of Newberry we can see the just release of impending dishonor to the State, a dishonor invited by the leaders in power, and, as much as I would like to support Republican national principles, I can't vote a member of that party into an important office who has 'hit below the belt' to get there.

"Nor can I assist by my vote in the humiliation of the State which I love. If Newberry is selected this will surely be forced upon us by the body of men whose privilege it is to refuse to accept questionable associates.

"I hope to see every cowardly official connected with this disgraceful affair defeated at the coming election, and I shall vote for Bailey for governor, Dickinson for lieutenant governor, Masselink for secretary of state, and Baker for attorney general, and I know a few thousand others who will do the same.

"As for the senatorship, I won't vote for Newberry and I can't vote for Ford. I opine, however, that Ford will be elected by at least 20,000 majority.

"I'd rather be a prophet with a good vision than a forgetful historian that I might, perhaps, instill a ray of hope in the minds and hearts of the common people of Michigan.

"WM. C. SIMPSON."

I am informed that Mr. Simpson, as he states in his communication, did in fact file specific charges as to the unlawful use of money by Mr. Newberry, both with the attorney general of Michigan and the United States attorney for the eastern district of Michigan.

After the primaries at which Mr. Newberry received the Republican nomination, Mr. Newberry wrote Mr. Osborn in answer to a telegram as follows:

NEWBERRY'S LETTER.

"NEW YORK CITY,
"*Sunday, September 1, 1918.*

"MY DEAR GOVERNOR: Your cordial telegram assuring me of your earnest support is all that was needed to insure the defeat of Ford in November. I fully realize that my personality is submerged in the issues that confront our party in our State. Many times in the past few months I have envied your ability and privilege to talk, and when your voice rang clear and strong throughout State and Nation on the menace of Ford I wanted to wire you Godspeed in your patriotic work.

"Your deeply appreciated telegram of support helps me to visualize the statesman, the sportsman (hunter), and gentleman that I have always known you to be.

"Cordially, yours,

TRUMAN H. NEWBERRY."

In reply to this Mr. Osborn wrote him an open letter, which was published generally throughout Michigan, and which reads as follows:

"SEPTEMBER 17, 1918.

"MY DEAR COMMANDER: I have read your letter. Thank you for your sentiments. I shall support you. Already I have straightened out entanglements that would have been hurtful to your success. I am not interested in you personally a particle. The entire matter is so far beyond personal consideration and transcends individual proportions to an extent that only public welfare may be thought of. You can be elected; no doubt you will be. My idea is that the thing for you to do is to honestly confess that you broke the law and that you knew all about the campaign but that you did not realize the enormity of your offense. In such a position you would be intrenched in honesty, I fully believe. And an indulgent people would forgive you, and fight for you, because of the past services they think you have given and what they have been told you are giving now. In addition this action would make for your name an honorable place in the history of Michigan. Otherwise the future will curse you.

"The plea can not be honestly made that you spent money in excess because you were fighting Ford, because you had begun your reckless campaign long before Ford was mentioned and had already transgressed the law. Nor can you plead 'you did not know.' That would prove you to be both an ass and a liar, which I choose to think you are not. I am for you only to save the Nation and the State from the curse of Fordism. A vote for Ford is a vote for the Kaiser right now, as I view the case.

"Yours, truly,

CHASE S. OSBORN."

Coming now to the facts as to Mr. Newberry's connection with the work of the committee, I am informed and believe that he was personally active in organizing his own campaign and that he conducted the same through the Newberry committee. This connection is shown by many facts and witnesses, as I am informed and believe, and, among other evidence of witnesses, as follows:

Chief manager and intimate friend of Mr. Newberry was Mr. Fred Cody, who has an office in the downtown section of New York, and who ostensibly is an insurance man, but who is principally a lobbyist for the American Telegraph & Telephone Co., the American Book Co., Standard Oil Co., and other large and important Wall Street interests.

Mr. Cody was active, as I am informed and believe, from before the beginning of the organizing until after the election, and was constantly in communication with and in the office of the committee, and in and out the apartment and office of Mr. Newberry, conferring and giving directions with respect to the campaign.

Mr. Cody, at the outset of the campaign, went to Washington and at the direction of Mr. Newberry tendered the appointment of manager of the campaign to Mr. Jay G. Hayden, Washington correspondent of the Detroit News. Mr. Cody took Mr. Hayden to New York to see Mr. Newberry, where the appointment was tendered to Mr. Hayden by Mr. Newberry personally. The whole subject was gone into at great length between Mr. Newberry, Mr. Hayden, and Mr. Cody, with prospect of his making a success of the campaign. Mr. Hayden finally declined the position.

Subsequently in February of 1918, Mr. Cody, as I am informed and believe, arranged an interview between Mr. Milton Oakman, Mr. Robert Oakman, and others, of Detroit, with Mr. Newberry at the Biltmore. The parties all met there and discussed fully the prospects for a suc-

cessful campaign of Mr. Newberry, the amounts of money that would be required, and the place of manager was tendered to Mr. Milton Oakman, as I am informed and believe.

Mr. Milton Oakman acted as manager for a time, as I am informed, but subsequently a more elaborate organization was organized and conducted under Mr. Templeton and Mr. Paul King. Mr. Milton Oakman continued to act for Mr. Newberry in Wayne County (Detroit) until after the primary election. Mr. Oakman had been sheriff of Wayne County twice and also then and is still clerk of Wayne County, and the leader of the dominant Republican faction in Wayne County. Very scandalous stories have been in circulation as to the large amounts of money expended by Mr. Oakman on behalf of Mr. Newberry. If such were expended they are not set forth in the accounts of the committee.

Mrs. Louisa Delamater, a stenographer, now employed at 316 Moffat Block, Detroit, Mich., states she was employed in the Newberry campaign headquarters at the Ford Building from about the 5th of March until April 20, 1918. That during her employment therein Mr. Newberry at least twice to her personal knowledge was in the Detroit campaign office, and that on the first visit she saw Mr. Emery show Mr. Newberry through the entire suite of about eight offices, pointing out to him things of interest as Mr. Newberry was shown through. She also says that she knows that railroad reservations to New York and hotel accommodations were made for persons in the Detroit office, who went to New York for the purpose of consulting Newberry about campaign methods.

Mrs. Delamater also states that Miss Margaret Nevin was the private secretary at campaign headquarters for Paul King, and that she must also have seen Newberry in that office. After Mrs. Delamater ceased working for the campaign committee a Miss Chappell was employed there. When Mrs. Delamater was there Mr. Emery was the office manager. She believes he had something to do with one of the Detroit draft boards. Another of the stenographers who was there while Mrs. Delamater was employed is Ruth Goldstein, of 111 Edmund Street, Detroit, Mich., also Florence Shepiro.

According to Mrs. Delamater, Miss Nevin wrote letters on Mr. Newberry's private stationery, which she sent by parcel post to New York for Mr. Newberry's signature. Mrs. Delamater herself wrote letters to railroads to make reservations to New York for Mr. Templeton and Mr. King; also letters to New York making appointments for Mr. King with Mr. Newberry.

I am informed that Thomas C. Smythe, of Detroit, Mich., before the primaries, saw Mr. Newberry in the offices of the committee from a window in the Moffatt Block, which is directly opposite the offices of the committee in the Ford Building, and not over 30 feet therefrom.

I am also informed and believe that Mr. Thomas Phillips, who was formerly employed on the staff of the Detroit News, was induced to take a position with the Newberry committee at a salary that is nearly twice the sum that he received from the Detroit News; that he went to New York and consulted with Mr. Newberry with reference to the preparation of advertisements to appear in Michigan newspapers; that he was in constant communication with Mr. Newberry while writing these intimate advertisements, and that Mr. Newberry cooperated with him in their preparation

Mr. Clarence L. Sibbens, 1224 Ford Building, Detroit, Mich., was Paul King's personal secretary during the campaign; he traveled all over the State with King before the primaries, and also went with him to New York at different times. He is a stenographer and is now employed in the office of Mr. Fred P. Smith, in charge of the offices of the executors of the Newberry estate. Sibbens has probably been taken into the regular employ of the Newberry family. These offices were used for private dictation of King, Emery, and others of the committee, I am informed and believe.

It can be shown without question that Mr. Newberry was in constant touch with the committee almost daily by telephone, telegraph, and written communications, receiving practically continuous reports of the work of the committee and communicating with its various members, both in Detroit and at New York, entertaining them at the Biltmore in New York, and communicating with them verbally, by writing and by telegraph, and also through Mr. Frederick Cody. This can be shown by examination of the following witnesses, as I am informed and believe, Templeton, King, Blair, and the various assistant secretaries above mentioned.

I have been appraised through the press that a Federal grand jury investigation on this subject was held in New York City preceding the Michigan primary. In this connection it was stated in the dispatches that the following persons most closely and directly associated with Mr. Newberry in the campaign refused to testify, and were thereafter ordered to testify by two different Federal judges. That they persisted in their refusal and were then committed to the Tombs for such refusal, namely: A. A. Templeton, general chairman; Frank W. Blair, treasurer; and Thomas P. Phillips, publicity agent. It was also stated in the newspapers that the following persons, called as witnesses before the same grand jury, indicated that they would likewise refuse to testify, following the course of the three witnesses mentioned. These others who were not committed include the following: John S. Newberry, a brother of the candidate, who furnished upward of $99,000 of the committee moneys; Paul H. King, the Michigan manager of the campaign; Milton Oakman, campaign manager for Wayne County; and H. A. Hopkins, director of publicity.

Besides the upward of $175,000 expended and admitted by the committee to have been expended, I have been informed through a number of persons throughout Michigan that other large amounts of money were expended, which moneys are not shown or accounted for by the committee, and I am informed and believe that these facts can be substantiated by a large number of witnesses, among whom are the following:

William Moore, of Wayne, Mich.; Mr. Jameson, attorney, Wayne, Mich.; Mr. Harrison (whose full name can be obtained), Wayne, Mich.; Frank Schumaker, Ann Arbor, Mich.; Frank Newton (late candidate for Congress from the second district), Ypsilanti, Mich.; Mr. Owen, ex-postmaster, Ypsilanti, Mich.; Thomas M. Ward, 1202 Houseman Building, Grand Rapids, Mich.; George Welsh, C. A. Terrie (Daniels), George Rodgers, James Quinlan, Oscar Kilstron (of the Bolo Club), William J. Mickele, Robert G. Bell (county clerk), George Reed (clerk of police court), Dan Kennedy, William Grove, and James Healy, all of Grand Rapids, Mich.; Neal McMillan, of Rockford, Kent County, Mich.; Charles H. Bender, Grand Rapids, Mich.; S. F. Bernard, Battle Creek, Mich.; Charles Biggers, Marshall, Mich.; John La Rue, of Lakeview, Montcalm County, Mich.; Mr. Kennedy, postmaster at Lakeview, Mich.; F. M. Lothrop, probably of Lakeview but whose exact address can be obtained; E. J. Bowman, Greenville, Mich.; J. W. Hoskins, of Howard City, Mich.; William T. Hosner, of Romeo, Mich.; Judge James G. Tucker, of Mount Clemens; Thomas Barkworth and John Miner, both of Jackson, Mich.; C. J. De Land, Jackson, Mich.; Emery Mills, Monroe, Mich.; Lee Wilbur, Ypsilanti, Mich.; Mr. Hawthorn, Wayne, Mich.; Ira Wilson, Plymouth, Mich.; Phillip Cottrell, Jackson, Mich.; Ivan George English, publisher of Daily Mirror, Escanaba, Mich.; Albert J. Young, Escanaba, Mich.; Judd Yelland, Escanaba, Mich.; Sherman Olmstead, Midland, Mich.; Rogers Andrews, Menominee, Mich.; Mr. Rice, attorney, Battle Creek, Mich.; Ike Bloom, Kalamazoo, Mich.; Bill Yearnb, Cadillac, Mich.

Many other names of men can be obtained if an investigation finds it necessary.

I have reason to believe that witnesses may be obtained in nearly every county of the State showing that large sums of money were expended in them before the primaries which are not set forth or included in the committee report.

I am forwarding to the committee a copy of the Saginaw Valley Farmer, a prominent farm newspaper, for August, 1918. In it you will see a sample of the lavish expenditures of money on behalf of Mr. Newberry. You will find advertisements and reading articles on 10 pages of this issue, which contains only 24 pages in all.

Newberry's campaign was advertised in practically all of the newspapers of the State of Michigan in the most lavish manner.

I am also informed and believe that several speakers were engaged for the primary campaign whose names do not appear in the committee report under their list of expenditures. One of these speakers, whom I have been informed was engaged to travel in the western part of the State of Michigan, was Mr. Horatio Earle, of Detroit. I have been unable to find his name in the committee report.

A great deal of evidence in addition to the suggestions above made could be obtained by a more thorough investigation.

Respectfully submitted.

ELBERT H. FOWLER.

The following is taken from the inaugural address of Lieut. Gov. Dickinson, of Michigan, which was delivered in the Senate of Michigan on Wednesday, January 1, 1919. The Senate of Michigan is composed entirely of Republicans, and Lieut. Gov. Dickinson is himself a Republican, who announced in the public press just before the election that he would vote for Mr. Newberry. The following clipping contains all that Lieut. Gov. Dickinson said in his inaugural upon the subject:

Lieut. Gov. Dickinson in his inaugural covers a number of subjects with a few words each. With reference to the Newberry campaign, he said:

PRIMARY CHANGES ASKED.

"Primary elections will call for action on your part. From what has occurred during the past political campaign it would afford me relief if I could pass by this question, but experience teaches that the disagreeable acts of an office are the ones the people demand the most strenuously. More communications on this line asking for legislative action have come to me by far than all others combined and almost without exception, Republicans not only from all parts of Michigan but from other States.

"This, you know, is the outgrowth of a candidacy that doubtless cost more money than ever before was paid for a nomination for office in all the world's history.

CLAIMS G. O. P. NEAR DEFEAT.

"You also know this candidacy from one of the best-known families of the State, of a man of high standing, unquestioned integrity, and acknowledged ability, in the face of an abnormally large party majority, came near an ignominious defeat through the resentment from nearly every voting precinct in the State, of the farmer, the laborer, the business and professional voter, because of the enormous amount of money acknowledged to have been used in his behalf and generally believed to have been used contrary to laws, several sections of which were enacted for the stipulated purpose of restricting the use of large sums of money in campaigns.

"The case is now agitating Congress, the Federal and Michigan courts, with a strong suspicion by many that for political purposes it will be there suspended as long as possible before the country at large as an unsavory act of the Republican primary in Michigan, hoping by such course to produce an effect that will deprive the party of the majority secured at the November elections.

SHOULD AMEND PRIMARY ACT.

"If the courts had given a decision as to who is to blame for this undesirable condition it would have cleared the way for your action. If, however, there is any question as to violation of the primary statute, it should be so amended that the interpretation relative to restrictions in the use of money and who to blame for violation shall be made plain and simple.

"In legislative action I believe the utmost caution should be used to eliminate the name of any candidate and avoid all appearance of politics in considering this subject. The individual, or even party, interests are of but little note when the sanctity of the ballot and safety of democracy are at stake.

REPORTS MANY COMPLAINTS.

"From almost every part of the State have come to me pleas that this legislature make it impossible in the future to witness the sale of a public office on the auction block, but rather that the laborer, the farmer, the business or professional voter, however humble, but able and respectable, may have a chance with the man of millions.

"The war's end has been termed a victory for safe democracy. No democracy is safe with a polluted primary or election, made so by money or otherwise. And no great amount of money will be used except for the purpose of making votes, and to make votes by the use of money is polluting, corrupting, and the user should be treated as a baser criminal that the laborer who steals a sack of flour for his family.

MUST PROTECT WOMEN VOTERS.

"It has been said that these things have been done by all parties in the past. If this be true, article 3, section 8, of the State constitution, as well as the new epoch, demands better things, and in accord with organized society's action already taken we are obligated, as far as legislation can do, to clean up on this line.

"It must be done if we are to preserve our party from political filth and do our part in making democracy safe, and it should be done before our women have experience at primary or election that they may never know by observation these things that have influenced past elections."

DAVID LUBIN—INTERNATIONAL INSTITUTE OF AGRICULTURE.

Mr. FLETCHER. Mr. President, on the 14th of December Mr. David Lubin, the American delegate to the International Institute of Agriculture, at Rome, wrote a letter, in which he inclosed an article just prepared by him and published in pamphlet form on the subject of "Our Foreign Trade After the War."

Mr. Lubin originated the idea of and founded the International Institute of Agriculture. Through the material assistance and encouragement of the King of Italy, whom Mr. Lubin was able to interest in the enterprise, the institute was successfully established at Rome. Mr. Lubin was the American delegate continuously from the beginning. He was an extraordinary man—philanthropic, public-spirited, patriotic, great-hearted, and gifted with rare vision, real energy, and marked ability in constructive efforts to serve the highest good of his fellow men. He was intensely devoted to the interests of those who till the soil and produce the food for the people of the world. He gave much thought and time to a consideration of the problems affecting agriculture, especially production and distribution, the two great problems involved in establishing a sound agriculture.

I ask that this article by Mr. Lubin, his last thought on the subject of "Our Foreign Trade After the War," which is comparatively brief, be printed in the RECORD.

The VICE PRESIDENT. Is there objection?

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

OUR FOREIGN TRADE AFTER THE WAR—A NEW OBJECTIVE—A PROPOSAL FOR EXPANSION.

(By David Lubin, Delegate of the United States, International Institute of Agriculture, Rome.)

"THE POTENTIAL POSSIBILITIES.

"In viewing the prospects for national progress it is all a question of getting the right focus, the right perspective. Before the war a billion dollars was considered a very large sum. Now, thanks to the liberty bonds and the war costs, we have become accustomed to calculating in terms as high as five billions, and presently our calculations may with continued progress be in terms of ten billions, and in time they may even reach the $20,000,000,000 mark. And it is open to us reach these high objectives if we but develop the potential possibilities for enlarging our foreign trade.

"Please observe: It needs no elaborate argument to show the economic advantage of steam and electric power and machinery over hand labor; how vastly these multiply production, how effective they displace handmade goods. And yet, by far the greater part of the world is still producing its goods by hand labor. And right here is our opportunity. We should do all in our power to displace these handmade goods by machine made. By so doing we should build up a very large foreign trade, a foreign trade which would rapidly enable us to jump from the billion-dollar mark to the five-billion mark, and from that to the ten billion, yes, and to the twenty-billion-dollar mark, and so on higher and ever higher.

"But how displace? Shall it be by pushing our goods through the means of commercial travelers with their sample trunks? We have tried that, and so have the Germans. We made but little progress; the Germans, however, managed to rake in about all the foreign trade that could be had that way; indeed, it was the profit on this trade which enabled them to build up their vast military establishment.

"THE OBSTACLES IN THE WAY.

"As I pointed out in a former paper on this subject—Atlantic Monthly, December, 1918—the greater part of the world is still of the nonprogressive, static order; hence the reluctance to take kindly to things it is not accustomed to. Then there is the diversity of the tastes and styles of the various ethnic groups composing the nations of the Old World which renders trade from standard patterns exceedingly difficult. It therefore requires much patience and no little ingenuity to build up a market in those fields.

"From time to time the American or the British commercial traveler appears on the scene, exhibits his samples, and in the usual businesslike way calls for orders. The German trader on the ground is not disconcerted a bit, for he knows by experience that these travelers will receive no orders. The American commercial traveler's rush for orders is much like a skirmish; the German makes of it a siege. The American runs in and runs out of a given territory, quite often without any orders; the German stays, holds on, and squeezes out all the business to be had. It thus comes to pass that the German is master of the situation. He knows how to curry favor, how to knuckle down, how to cave in. In fact, he is protean and eel-like in his suavity, master of the art of ingratiating himself with a customer. And for all these reasons the German merchant is able to build up and substantially hold the said markets all to himself.

"There is, besides, another point for consideration. We have been repeatedly told that in Germany the fostering of foreign trade was broadly given the right of way. That is to say, if an industry was started which the Government thought desirable to push forward, all obstacles in its way were brushed aside. If an item required it, it was given special subsidies and privileges, special transportation rates, special fiscal advantages, special diplomatic and consular services; and if an existing law stood in the way that law was, in that instance, set aside.

"Now, would we be willing to do all these things? Could we do them even if we wanted to? Do we not see that only under an autocracy is it permissible to do what Germany has done to foster foreign trade? Do we not see that such things are not permissible under a stable, constitutional democracy?

"ANOTHER APPROACH.

"But even with it all, the German just about managed to skim the surface, for the high possibilities in foreign trade are to be reached by another approach.

"The following, then, is a brief outline of that approach. It is submitted with some diffidence, for I fear that at first reading it may be set aside without further ado, as, on the face of it, it may seem paradoxical. Usually business seeks to avoid competition, whereas this proposal seems, at first glance, to go out of its way just to promote such competition. But due consideration will, I believe, win for it assent.

"Briefly, then, the approach is through the upbuilding of manufacturing centers with their factories in the countries where it would be an economic advantage to replace handmade by machine-made goods. Such factories should be under local ownership and direction. Local ownership and direction would soon overcome the prejudice against change from handmade to machine-made goods, and would likewise overcome the obstacles due to diversity in tastes and styles. Then, again, the employment at a higher wage rate of local labor in the factories would soon overcome the economic hostility to which imports of manufactured goods would tend to give rise. And finally, while the importation of manufactures is usually hindered by clamors for high tariff, no such hindrance is placed in the way of the importation of raw materials required for home industries.

"But how could such manufacturing centers, with their factories, be built up? Would local initiative suffice? No; it would not; the potentialities may be there, but they will have to be awakened, supplemented by American cooperation, by American capital, by American genius, by American skill, and trained under American expert guidance. And right here is our opportunity. We should make it our business to take a hand in building up such factories and in directing and supervising them until local labor, local direction, and local management become sufficiently competent and expert to run them.

"A MUCH LARGER NET RETURN.

"And right here the question arises, Why should the American people go out of its way to engage in the task of helping to build up industries in foreign countries? Should we not be building up competitors who would not only be likely to spike the guns of our foreign trade but who might in time even throttle us on our home markets?

"At first glance this would seem to be the case, but some reflection will show that there is little to fear from the legitimate competitor. For instance, the most forceful competitor of the United States is Great Britain, and the most forceful competitor of Great Britain is the United States; yet, notwithstanding, the United States is Great Britain's biggest customer and Great Britain is the biggest customer of the United States.

"In countries where we now have but an insignificant volume of foreign trade the proposed plan would undoubtedly create a steady demand for our money, our carriage, our raw material, our 'findings,' our semimanufactured articles, our machinery, etc. All this, taken in the aggregate, would insure a very much larger volume of foreign trade and would yield a very much larger net return than is possible through the sale of manufactured goods under the sample-trunk system.

"Of course, the proposed network of factories could not be expected to spring up of a sudden, like Minerva, fully armed, from the head of Jupiter, complete and efficient. It would, on the contrary, be of slow growth. The proposal could be started on a very modest scale. Say a factory is started as a sample test in a given field; if it met with success, it would lead to the upbuilding of other factories in the same field. In this way many locations would in time be built up and developed.

"FOREIGN-TRADE ZONES.

"In substance, under the proposed plan, the foreign-trade markets of the world would be divided into zones, each with one or more manufacturing centers, each of which may be designated as an industrial and distributing base for the zone.

Take, for instance, the Mediterranean Basin as one of these zones. Draw a line from Gibraltar to Syria and let the countries north, south, and east of that line form that zone, with Italy as its base. Similar zones could be formed in other parts of the world, as, for instance, in the Scandinavian countries, in Central America, in South America, in Russia, etc.

"Let each base in a zone be placed on an up-to-date industrial footing; let the factories be provided with the most effective modern machinery; let each industry be placed on a sound financial basis, and, above all, let it be placed under skilled, expert direction.

"Should the proposal here suggested be proceeded with, it is, of course, to be expected that England, too, would take a hand in the effort. As Sir Samuel Hoare says, 'The idea could be extended so as to include Great Britain.' Sir Charles Macara, founder of the International Federation of Master Cotton Spinners, writes me that he highly approves of the proposal and is placing it before the leading papers of England for the consideration of the British public. In the opinion of Sir Thomas Elliott, 'the proposal is a sound one.' And Lord Bryce in commenting on it says, 'There can be no doubt that there will be a great field for the development of the Mediterranean countries by British and American capital,' and he points out that this is equally true of Russia and of Siberia.

"ITALY AS A BASE.

"This proposal is not put forth as a doctrinaire thesis; it is a practical work now under way in Italy. It has been under discussion for some time past by a number of leading Italians, including members of the Italian ministry. It met with general favor, and a hearing was requested of Ambassador Page, which was granted on June 5. The Duke Colonna di Cesarò then handed in the following (which I quote from my article on this subject in the December issue of the Atlantic Monthly):

"Italy is too young a country and too short of capital to exploit by herself all her resources and to develop industries and commerce on rational and organic lines.

"This is the reason why she turned to German capital, which, however, gradually and subtly drew into its meshes all the country's economic life, cramped her industries and her trade where they opposed German interests, introduced everywhere German technical men, who proved to be all German agents, and bound political groups and men so that Italy was practically deprived of her free agency and her life was stifled and paralyzed.

"Before the war and even now during the war events have shown the international force which animates all currents tied to German interests.

"The ambassador seemed favorably impressed with the proposal. As a result of this hearing it was decided to go ahead with it, and an important step in this direction has been taken. On October 16 a meeting was called in Rome by Signor Ciuffelli, Italian minister of commerce, at his ministry, at which leading Italians were present. The plan we are here considering was approved, and it was decided that an effort be made to have Italy become a base for the industrial and commercial development of the Mediterranean Basin on modern lines, and to ask the aid of the American people toward bringing this about.

"A committee was appointed, with Ernesto Nathan, former mayor of Rome, as chairman, to take this matter in hand. In response to requests for adherence this committee has already received favorable replies from bodies representing leading industries, among them the metallurgical, the engineering, the silk, and the cotton-spinning industries. A meeting will shortly be called to effect a permanent organization for the purpose of proceeding on with the work in Italy, when an endeavor will be made to interest the American people in the proposal.

"ROME, *November 5, 1918.*"

Mr. FLETCHER. Following this, I ask also to have printed an announcement of the death of Mr. Lubin and something of a sketch of his life as it appeared in the Washington Post of January 2.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

DAVID LUBIN DIES IN ROME AT 77—SAN FRANCISCAN FOUNDED INTERNATIONAL INSTITUTE OF AGRICULTURE.

ROME, *Wednesday, January 1.*

David Lubin, of San Francisco, founder of the International Institute of Agriculture and the American representative on its permanent board, died here to-day of pneumonia. His fatal illness followed an attack of grippe.

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David Lubin, formerly a merchant in Sacramento, conceived the idea of the International Institute of Agriculture, and it was through his efforts that the institute was founded. The institute issues reports and other data on world crops and imports and exports.

The treaty providing for the institute was ratified by 53 nations, and the institute has an annual income of $60,000 from the Italian Government. On the occasion of the general assembly of the International Institute of Agriculture in Rome in 1913 Mr. Lubin was presented with a silver cup in appreciation of his efforts in originating the institute.

Since 1913 he spent most of his time in Rome in connection with the institute. One of his last public utterances, on October 21, was to urge the allies to organize to meet a German industrial war after the war. Mr. Lubin was born in 1841.

DEATH OF EX-PRESIDENT THEODORE ROOSEVELT.

Mr. MARTIN of Virginia. Mr President, the entire country was startled to-day by the announcement of the death of ex-President Roosevelt at his home on Long Island at an early hour this morning.

This is not a fit time, Mr. President, for me to undertake to eulogize the memory and achievements of ex-President Roosevelt, but before I submit a motion to adjourn out of respect to his memory, which I shall present in a few moments, I will say just a very few words.

The life of ex-President Roosevelt was full of activity and of achievement. In such a life, of course, he made antagonisms, but I do not believe there is a man in the broad limits of the United States who to-day, in the presence of this solemn announcement, would question the ability of ex-President Roosevelt, his patriotism, his courage, his devotion to duty as he saw it. He met all the responsibilities of citizenship in the most courageous manner. That he made mistakes was inevitable, for it is human to err; but certainly it may be said without fear of contradiction that his errors were made in what he believed to be the best service of his country, for he was devoted to his country, and he hesitated at no sacrifice which he could make to promote its honor, its prosperity, and its welfare.

I will say, furthermore, Mr. President, that a characteristic of his life was his unqualified courage. He never had a conviction that he did not have the courage to follow. He was a man of unlimited courage, of limitless resources, and of unbounded patriotism.

As I said, Mr. President, fruitful as the subject may be, I shall not be drawn into any extended eulogy on the life and achievements of this truly great American, for I look upon him as one of the great men produced on this continent since the discovery of America.

Mr. President, I send to the desk resolutions which I ask may be adopted.

The VICE PRESIDENT. The Secretary will read the resolutions.

The Secretary read the resolutions (S. Res. 407), as follows:

Resolved, That the Senate has heard with profound sorrow and regret the announcement of the death of Hon. Theodore Roosevelt, late a President of the United States.

Resolved, That a committee of 15 Senators be appointed by the Vice President, to join such committee as may be appointed on the part of the House of Representatives, to attend the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Mr. LODGE. Mr. President, I rise simply to second the resolutions offered by the Senator from Virginia. Mr. Roosevelt served his country in war; he was President of the United States; and as Vice President he presided over this body. He was a great patriot, a great American, a great man. He was devoted throughout his life to his country. He tried always to be a servant of humanity. At this moment, Mr. President, the thoughts and memories that crowd upon me make it impossible for me to say more.

Mr. CALDER. Mr. President, as a Senator from the State in which Col. Roosevelt lived and as one who believed in him and followed him in his leadership in the affairs of his State and the Nation, I am sure it will not be considered inopportune for me to say a word or two on this occasion.

At the time of his death Mr. Roosevelt was the foremost private citizen in the world. Of all those before the public at the time of his greatest activity, he made by far the deepest impress upon our national life.

As a citizen Mr. Roosevelt approached the ideal. His occupation was America. His relaxation was study. His pleasure was friendship. His family relations, too sacred to be lightly intruded upon, were those to which good men everywhere aspire and good women best understand and appreciate.

Dead in his sixty-first year, Mr. Roosevelt will number his real mourners by the million. Time and history will write his true epitaph. But we to-day can record the death of a great American, of whom it can truly be said that while he lived millions followed him because they believed in him as a force for righteousness, justice, peace, and progress, and when he died a whole people mourned him.

The VICE PRESIDENT. The question is on the adoption of the resolutions submitted by the Senator from Virginia.

The resolutions were unanimously agreed to, and the Vice President appointed as the committee under the second resolution Mr. LODGE, Mr. MARTIN of Virginia, Mr. SIMMONS, Mr. CHAMBERLAIN, Mr. POINDEXTER, Mr. REED, Mr. SAULSBURY, Mr.

CURTIS, Mr. HARDING, Mr. UNDERWOOD, Mr. WADSWORTH, Mr. CALDER, Mr. JOHNSON of California, Mr. KELLOGG, and Mr. KNOX.

Mr. MARTIN of Virginia. Mr. President, I send to the desk another resolution, which I ask may be read and appropriately referred.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 408) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Secretary of the Senate be, and is hereby, authorized and directed to pay, out of the appropriations for miscellaneous items of the contingent fund of the Senate, the actual and necessary expenses of the Senate committee appointed to attend the funeral obsequies of Hon. Theodore Roosevelt, late a President of the United States, on voucher or vouchers properly allowed by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. SMOOT, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably the foregoing resolution and it was considered by unanimous consent and agreed to.

Mr. MARTIN of Virginia. Mr. President, as a further mark of respect to the memory of ex-President Roosevelt, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 7, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 6, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, our hearts are saddened by the news which has gone forth of the death of a great man. A statesman, a writer, a patriot, an ex-President of the United States has passed from the scenes of this earth to the realms beyond. He was great in thought, great in deeds, kindly in his ways, but keen in his conceptions of right. He was a despiser of all things that tend to lessen the good in life. His soul was wrapped up in the life and character of his Nation. He was bold, fearless, and always told what he believed to be the truth. We pray that his like may come again and awaken larger, nobler interests in the world and in life. He was brave, he was fearless, a strength wherever he went. Be with the family, who have suffered much in this war, through the loss of a son and two other sons wounded. Be with them and comfort them in this hour of sorrow and help them and us forward with the hope that that life still lives in the realms beyond, and guide us all by right and truth and justice. In Christ's name. Amen.

The Journal of the proceedings of Saturday, January 4, 1919, was read and approved.

ORDER OF BUSINESS.

Mr. HENRY T. RAINEY. Mr. Speaker, in compliance with precedents I am about to make a motion to adjourn; but before doing so, I ask unanimous consent that business in order to-day be in order to-morrow.

The SPEAKER. The gentleman from Illinois asks unanimous consent that business in order to-day be in order to-morrow. Is there objection?

There was no objection.

THE LATE THEODORE ROOSEVELT.

Mr. HENRY T. RAINEY. Mr. Speaker, the country has heard with profound regret of the death of Theodore Roosevelt. Those who could not agree with him politically found in him a ready foeman, splendidly equipped to defend the positions he took. He was a man of tremendous energy, a perfect engine of force, and has rendered his country splendid service in the Army, as governor of our greatest State, as Vice President, and as President of the United States. He loved his country, and his long public career as well as his career since his retirement from public life was characterized by intense practical patriotism.

He won for himself an enduring place in literature, and if he had done nothing else than this he would have achieved a distinction which has come to but few men in his generation. His indomitable energy led him into the field of geographic exploration, and if his achievements were limited to that field alone he would have perpetuated his name to future generations. As commanding officer of the Rough Riders in Cuba he demonstrated that he was possessed of the courage and the ability out of which great soldiers are made. His military service, including his fearless demands for a redress of the grievances of the men in the ranks, alone would have won him a place in history. In addition, however, he served with distinction in the naval organization of the United States, and his career as Vice President and President has left an impress upon the history of his country which will endure.

His sturdy Americanism, his intense patriotism in peace and in war, in public office and as a private citizen, will always command the respect and the admiration of this and of future generations.

I send to the Clerk's desk the following resolutions and ask unanimous consent for their immediate consideration.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 494.

The House having learned with profound sensibility and sorrow of the death of Theodore Roosevelt, former President of the United States:

Resolved, That as a token of honor to the many virtues, public and private, of the illustrious statesman, and as a mark of respect to one who has held such eminent public station, the Speaker of this House shall appoint a committee to attend the funeral of Col. Roosevelt on behalf of the House.

Resolved, That such committee may join such committee as may be appointed on the part of the Senate to consider and report by what further token of respect and affection it may be proper for the Congress of the United States to express the deep sensibility of the Nation.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy of the same to the afflicted family of the illustrious dead.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

The SPEAKER. Is there objection to present consideration of the resolutions?

There was no objection.

The SPEAKER. The question is on agreeing to the resolutions.

Mr. HICKS. Mr. Speaker, before the question is taken, will the gentleman from Illinois yield to me for a moment?

Mr. HENRY T. RAINEY. Certainly.

Mr. HICKS. Mr. Speaker, it is with profound sadness and with deepest sorrow, not alone of the district of which he was a resident or of the State of which he was a citizen, but of the Nation of which he was a part, that I second the motion of the distinguished gentleman from Illinois. The life that has just closed was the fullest expression of Theodore Roosevelt's conception of what life should be. He himself said:

The life of duty, not the life of mere ease or of mere pleasure; that is the kind of life which makes great men, just as it makes a great nation.

His life was a fulfillment of the noble sentiment—

God give us men—
Men whom the spoils of office can not buy,
Men whom the lust of power will not kill,
Men who are honest men, who will not lie.

Men who can stand before a demagogue
And damn his treacherous flattery without wincing.
Tall men, sun crowned, who live above the fog
In public duty and in private thinking.

The SPEAKER. The question is on agreeing to the resolutions.

The resolutions were agreed to.

The SPEAKER. The Clerk will report the remaining resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect this House do now adjourn.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to; accordingly (at 12 o'clock and 12 minutes p. m.) the House adjourned until to-morrow, Tuesday, January 7, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of Agriculture, transmitting a detailed report of the expenditures of all moneys appropriated under the act of August 10, 1917, from August 10 to June 30, 1918, inclusive (H. Doc. No. 1642); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

2. A letter from the Secretary of the Treasury, submitting estimates of appropriation, with the recommendation that they be given favorable consideration for inclusion in the sundry civil appropriation bill for the fiscal year 1920 (H. Doc. No. 1643); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. DENT, from the Committee on Military Affairs, to which was referred the bill (H. R. 13548) to authorize the resumption of voluntary enlistments in the Regular Army, and for other purposes, reported the same without amendment, accompanied by a report (No. 891), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BURNETT: A bill (H. R. 13669) to prohibit immigration for a period of four years, and to restrict immigration thereafter; to the Committee on Immigration and Naturalization.

By Mr. FULLER of Illinois: A bill (H. R. 13670) to amend the war-risk insurance act by providing for the transfer of jurisdiction of, and all claims for, compensation for death or disability from the Bureau of War-Risk Insurance to the Bureau of Pensions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a resolution (H. Res. 493) amending paragraphs 25 and 26 of Rule XI; to the Committee on Rules.

PETITIONS, ETC.

Under clause 1 of Rule XXII,

Mr. PARKER of New York laid on the Speaker's desk a petition of electors of district and State of New York relating to Senate bill 5306 and House bill 13159, which was referred to the Committee on the Merchant Marine and Fisheries.

SENATE.

TUESDAY, *January 7, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we worship Thee. Thou hast sent forth the spirit of Thy Son to the hearts of men crying "Abba Father." We are Thy children, and we are heirs of God. We would feel not only the sacred obligation but the high inspiration of the call of God to places of leadership and power. We pray that we may discharge our duties as the sons of God to extend Thy kingdom and the spirit of Thy peace among men. We ask it for Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

FUNERAL OF THE LATE EX-PRESIDENT THEODORE ROOSEVELT.

The VICE PRESIDENT. The Chair has not been informed officially with reference to the funeral services over the body of the late President of the United States in any other way than by the newspapers. The newspaper announcement is that it is to be a private funeral. The Senate, however, having taken steps to send a committee, the Chair wishes to announce that if any Senators desirous of going will communicate with the Sergeant at Arms, arrangements will be made for their transportation and comfort.

Mr. LODGE. Mr. President, it has been ascertained that some of the Senators appointed yesterday as members of the committee to attend the funeral of the late ex-President Theodore Roosevelt are either out of town or are unable to accompany the congressional committees to-day. I ask, therefore, that five additional names be added to the Senate committee.

The VICE PRESIDENT. Without objection, it is so ordered. The Chair appoints the Senator from Utah [Mr. SMOOT], the Senator from California [Mr. PHELAN], the Senator from Nevada [Mr. HENDERSON], the Senator from New Jersey [Mr. FRELINGHUYSEN], and the Senator from Maine [Mr. HALE] as additional members of the committee.

SENATOR FROM NEVADA.

Mr. KING. Mr. President, I send to the desk and ask to have read the certificate of election of Hon. CHARLES B. HENDERSON, Senator elect from the State of Nevada to fill the vacancy caused by the death of Hon. Francis G. Newlands.

The VICE PRESIDENT. The credentials will be read.

The credentials were read and ordered to be placed on file, as follows:

STATE OF NEVADA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, CHARLES B. HENDERSON was duly chosen by the qualified electors of the State of Nevada a Senator from said State to represent said State in the Senate of the United States and to fill the vacancy therein caused by the death of Francis G. Newlands, and that said vacancy was filled by the election of CHARLES B. HENDERSON as aforesaid, according to law.

Witness, his excellency our governor, Emmet D. Boyle, and our seal hereto affixed at Carson City, this 30th day of December, in the year of our Lord 1918.

EMMET D. BOYLE, *Governor.*

By the governor:
[SEAL.] GEORGE BRODIGAN, *Secretary of State.*

Mr. KING. Senator HENDERSON is in the Chamber, and I ask that the oath may be administered to him.

The VICE PRESIDENT. Is there objection to the credentials? If not, the Senator elect will present himself at the desk for the purpose of taking the oath of office.

Mr. HENDERSON was escorted to the Vice President's desk by Mr. KING, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

SENATOR FROM KANSAS.

Mr. CURTIS. Mr. President, I present the certificate of election of ARTHUR CAPPER, Senator elect from the State of Kansas. I ask that the credentials may be read and filed. They are in the regular form.

The credentials were read and ordered to be placed on file, as follows:

State of Kansas, certificate of election—United States Senator from Kansas.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, ARTHUR CAPPER was duly chosen by the qualified electors of the State of Kansas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness, his excellency our governor, ARTHUR CAPPER, and our seal hereto affixed at the State capitol in the city of Topeka, this 2d day of December, in the year of our Lord 1918.

ARTHUR CAPPER, *Governor.*

By the governor:
[SEAL.] J. T. BOTKIN, *Secretary of State.*

CAPITAL ISSUES COMMITTEE (S. DOC. NO. 328).

The VICE PRESIDENT laid before the Senate a communication from the Capital Issues Committee, transmitting, in response to a resolution of December 15, 1918, a statement showing the total expenses of the Capital Issues Committee to December 31, 1918, which, with the accompanying paper, was ordered to lie on the table and be printed.

TREASURY DEPARTMENT EMPLOYEES (S. DOC. NO. 327).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, transmitted to the Senate resolutions on the death of Hon. Theodore Roosevelt, former President of the United States.

PETITIONS AND MEMORIALS.

Mr. LODGE presented resolutions adopted by the National Association of Woolen and Worsted Overseers in convention assembled at Worcester, Mass., favoring a protective tariff, which were referred to the Committee on Finance.

He also presented resolutions adopted at a mass meeting of sundry citizens of Worcester, Mass., favoring the freedom of Ireland, which were referred to the Committee on Foreign Relations.

Mr. NELSON presented a resolution adopted by the Western Fruit Jobbers' Association, submitted by E. P. Stacy & Sons, of Minneapolis, Minn., relative to the disposition of Federal controlled utilities, which was referred to the Committee on Interstate Commerce.

Mr. CALDER. I present resolutions unanimously adopted at a meeting of the members of the parish of the Blessed Sacrament Church, in Brooklyn, N. Y., held under the auspices of the Parish Forum on Thursday, December 19, 1918, favoring self-determination for Ireland. I ask that the resolutions be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

[Resolutions adopted unanimously at a meeting of the members of the parish of the Blessed Sacrament, held under the auspices of the Parish Forum on Thursday evening, Dec. 19, 1918, favoring self-determination for Ireland.]

Whereas recent articles in the metropolitan press, including some well-displayed utterances of certain of our public men, seem to be inspired by forces who desire to discredit the efforts of our great President toward the estiblishment of a just basis for a permanent peace; and

Whereas in such an emergency it is incumbent upon all loyal citizens who believe in the justice of the principles enunciated by our President to make their voices heard in opposition to the efforts of those evil or misguided men;

Therefore the members of the Parish of the Blessed Sacrament and their friends, in public meeting assembled on this 19th day of December, 1918, declare:

That we rejoice with our fellow citizens at the victorious conclusion of the war and the triumph of the ideals for which America entered the war.

That we take justifiable pride in the record for bravery and patriotic fervor made by the men of the Irish race in the Army and Navy and the important part they played in the decisive battles for the democratic freedom of the world.

That we applaud the determination of our President to be present at and participate in the proceedings of the peace congress, to the end that full effect be given to the principles enunciated by him in his addresses to Congress, his state papers, and his speeches, which have been accepted by the American people as the true reason and purpose of America's participation in the war.

That the most important of those principles—that of self-determination as to the form of government by the consent of the people who are to be governed—should be applied to the people of Ireland in conformity with America's declaration.

That the Irish people are by race, language, and tradition a distinct and separate people; that their country is a nation with well-defined geographical boundaries; that they have exercised sovereign rights for a thousand years and have been deprived of them by force; that they have never surrendered or compromised those rights; that they have not ceased to struggle, morally and physically, to recover those rights; that they are withheld from them by force; and that the only rule which prevails in their country to-day is the rule of force against the will of the people.

That on every battle field, from the earliest in the Revolution to the latest in France, where American ideals were fought for and American institutions and interests defended, the Irish race in America have freely given their blood and lives and linked themselves with everything so essentially American that with truth and confidence they may now say to their country in this supreme hour, "Stand for the people whose sons have stood for you and show grateful recognition as well as vindicate right and justice."

Therefore we respectfully but earnestly urge that our President declare at the peace congress that the people of Ireland should, as matter of right and justice, be governed only in accordance with their consent, and that the will of the majority—ascertained by a plebiscite of the adult population—be accepted as the sovereign will of the people instead of the present foreign rule by force.

JOHN J. FOOTE, *Chairman*.

Mr. CALDER. I present also a petition of citizens of the Borough of Richmond, city of New York, favoring self-determination for Ireland, which I ask be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the petition was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas President Wilson has repeatedly declared that one of America's objects in entering the war was to secure for all small nations the right to determine for themselves the form of government under which they desired to live; and

Whereas on the strength of the President's declarations the American people sent their sons into the Army and Navy, poured out their blood and treasure lavishly, and Irish citizens performed their full share in the fighting and other sacrifices; and

Whereas Ireland is one of the small nations and has the same right to freedom as the others and, in addition, has struggled for freedom for centuries and her people are now more united in the determination to secure it than at any time in the last 700 years; and

Whereas it would be a travesty of justice to hold that men of Irish blood sacrificed themselves in this war to bring freedom to the Czechs, Serbs, Poles, Jugo-Slavs, and others, but not to the people of Ireland: Therefore be it

Resolved, That we, citizens of the Borough of Richmond, city of New York, in mass meeting assembled at St. Peter's Hall, New Brighton, this 15th day of December, declare:

1. Our unqualified approval of the 14 terms of peace laid down by our President.

2. We heartily indorse his decision to participate in the peace conference in person.

3. We respectfully submit as our firm conviction that Ireland should be included among the small nations entitled to the right of self-determination by a vote of her adult population. Be it further

Resolved, That copies of these resolutions be forwarded to our Representatives in Congress, with the request that they expedite, as far as in their power, the speedy adoption by Congress of one of the many resolutions now before that body relating to self-determination for Ireland.

Mr. STERLING. Mr. President, I send to the desk and ask to have read a telegram from the Deadwood Business Club, of South Dakota, relative to the disposition of railroads, telegraph, telephone, and cable lines, and express companies.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

DEADWOOD, S. DAK., *December 10*.

Hon. THOMAS STERLING,
Washington, D. C.:

Resolved, That it is the sentiment of the Deadwood Business Club that railroads, express companies, telegraph, telephone, and cable lines, which were taken over for operation by the Government as a war measure, should be returned to their respective owners for operation with least possible delay, that the country be restored to an industrial-peace basis as soon as possible.

DEADWOOD BUSINESS CLUB.

Mr. STERLING. I also send to the desk a letter and a resolution from the Farmers' Grain Dealers Association of South Dakota, relating to the disposition of railroads, which I ask may be read by the Secretary.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

SIOUX FALLS, S. DAK., *December 28, 1918*.

Hon. THOMAS STERLING,
Senator, Washington, D. C.

DEAR SIR: We realize that it will be some time before Congress will come to any conclusion as to the final disposition of the railroad question. Sentiment in South Dakota is very strong to have all public utilities turned back to private ownership in the shortest possible time, as all are convinced that Government control or ownership, with the menace of politics and inefficiency attached, are not the things that they want after a year of experience. In the meantime, and until this question is finally disposed of, our association, which is so vitally interested in all freight rates and all matters concerning transportation, requests that all rate making, investigating, and suspension powers be restored, absolutely as existing before the war, to the Interstate Commerce Commission, State railway commissions, and the courts, restoring to us our constitutional right of appeal. The Farmers' Grain Dealers Association of South Dakota, in convention assembled, therefore has adopted the following resolution by unanimous vote:

"In order to give fair and just representation to all shippers in all States and to guarantee against sudden unnecessary or unreasonable advances in freight rates, we demand that the rights be restored immediately to the State railway commission and to the Interstate Commission to suspend and initiate rates and to adjudicate all rates before same shall become effective, as authorized in the Cummins amendment or some similar act. Our secretary is hereby instructed to communicate these resolutions to our national Congressmen and Senators and to the South Dakota Railway Commission and the department of history of South Dakota.

"We ask you as our Representatives in Congress to support legislation to bring this about."

Very truly, yours,

FARMERS' GRAIN DEALERS ASSOCIATION OF SOUTH DAKOTA.
CHAS. H. EYLER, *Secretary*.

THE RAILROAD PROBLEM.

Mr. STERLING. I send to the desk an editorial taken from the New York Times of Sunday last relating to the same subject. I ask that it may be printed in the RECORD without reading.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE RAILROAD PROBLEM.

Private ownership and operation of the railroads, with Federal regulation, competition in service and facilities, but not in rates, and the delivery of the roads from the endless confusion of conflicting State regulations—that is the solution of the railroad problem favored by Judge Robert S. Lovett, one of the ablest and most experienced railroad executives of the country. Competition in rates, in his opinion, inevitably leads to rebates, secret rates, and other kindred evils; competition in facilities and in service produces better accommodation for the public and encourages initiative, enterprise, and the employment in railroad service of the best brains. It is notorious that public ownership everywhere exerts a deadening influence upon the development of the art and industry involved.

Under Federal ownership of the railroad systems of the country the public-buildings scandal would become vastly more flagrant. Just as Congressmen purchase the favor of their constituents at public cost by securing extravagant appropriations for post offices and customhouses, so wide-awake communities with an eye to their own interest would demand, and secure, fine new railroad stations and increased facilities which would not pay their costs. These are matters to be considered when Mr. McAdoo holds up to our view his picture of the benefits of Federal control. For one thing, first-class ability would disappear from railroad management; the compensation offered by the Government would not attract the kind of men that have built up and operated our great railroad systems; there would be no Vanderbilts, no James J. Hills, no Scotts, no Harrimans, no Lovetts, no Lorees, or Ripleys engaged in railroading.

The outstanding capitalization of all the railroads in the country amounted two years ago to $20,679,350,501—in stock, $8,958,815,811; in bonds, $11,720,534,690. The standard return upon the lines which Judge Lovett describes as class 1 roads, now under Federal control, amounts to upward of $900,000,000. Capitalized at 5 per cent, this would represent a little more than $18,000,000,000 of value. If the Government should acquire the roads, it would become obligated for this gigantic sum. The Treasury has sold $17,000,000,000 of liberty bonds; it must sell billions more. If we should add to the war debt thus created a railroad debt approaching $20,000,000,000, the Government would be loaded down with a burden of obligation never dreamed of before we entered upon this era of big figures.

It is all very well for Mr. McAdoo to argue, as he is doing before the Interstate Commerce Committee of the Senate, that an extension to five years of the period of Federal control is necessary to carry out improvements he has in mind. Although he disclaims any such purpose, the public is unable to see any difference between his argument for a five-year period and an argument for permanent Federal control, which would mean, of course, Federal ownership. That brings into

view at once not only the very grave objections immediately related to railroad operation, objections which are lucidly presented by Judge Lovett, but it compels consideration of the fathomless sea of political evils into which we should be plunged by the enormous increase in the number of Government employees. Already organizations of railroad employees are petitioning for Government ownership. That was inevitable, it was foreseen, for Mr. McAdoo tells us that under his directorship wages have been advanced during the last year to an amount exceeding $600,000,000. An autocracy is the only form of government which would be proof against the tremendous political pressure arising out of Government ownership and operation of $20,000,000,000 worth of railroads. In a democracy no party, though it boasted of adamantine virtue, could resist it.

THE MERCHANT MARINE.

Mr. JONES of Washington. Mr. President, I have a short memorandum prepared by Hon. A. R. Smith, editor of the Marine News and former commissioner of navigation, in reference to the policy of discriminating import duties and tonnage dues for building up the merchant marine. It is a very clear and concise statement, and I ask that it be printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

[Memorandum regarding the policy of discriminating import duties and tonnage dues for building up and maintaining American shipping in foreign carrying.]

1. This policy was a part of the first tariff act, signed by President Washington on July 4, 1789.

2. At first it provided a 10 per cent discount of the duty on imports in American vessels; but this was too severe a drain on the National Treasury, so it was changed to an extra, higher duty on imports in foreign vessels, which added money to the National Treasury if it failed to help our ships. Tonnage dues were 50 cents a ton on foreign vessels each time they entered American ports, and only 6 cents a ton on American ships.

3. This policy was in full force from 1789 until 1815; thereafter it was in partial force until 1846, its provisions between times having been gradually suspended; but the original act has been upon our statutes since 1789, its operation merely suspended by other acts of Congress, as well as trade treaties, conventions, and agreements.

4. During the period the policy was in full force American ships averaged nearly 90 per cent of our entire foreign carrying.

5. As a result of over 60 consecutive years of full or partial operation its effects carried our shipping along fairly well until 1861, for 11 years after the suspension of the discriminatory laws became general.

6. During the first 72 years of our national existence under the present Constitution—1789 until 1861—an average of 80 per cent of our imports and exports were carried in American ships.

7. When this policy was in force the denial of American registry to foreign-built vessels gave protection to American-built vessels; but when the policy was suspended the denial of our registry to foreign-built ships ceased to constitute a protection. Foreign ships then enjoyed every right in our ports in foreign carrying that American ships enjoyed.

8. Retaliatory measures were resorted to by other nations, chiefly England, to offset the preference for American ships in American carrying established by this policy, but they failed; always they failed, the best proof of which is the proportion of our own carrying our own ships did while it was in force.

9. It was said that we could not abrogate in a wholesale way some 22 trade treaties in force between this country and other countries, by which we pledged ourselves not to resort to that policy; but other nations at different times have abrogated at least 15 such treaties, and everyone of them was affected and had to be altered when the seamen's act went into full effect.

10. Twice of recent years efforts have been made to revive this policy—in the Dingley tariff of 1897 and in the Underwood tariff of 1913—and the details of how the purposes of Congress were thwarted are most interesting.

11. It is the only specific affirmative policy for building up our shipping in foreign trade that the Republican Party ever declared for (in 1896 national platform), at which time the presidential candidate (Maj. McKinley) warmly indorsed it in his letter of acceptance of the presidential nomination.

12. This policy takes nothing out of the National Treasury, but rather adds money to it, and it protects our ships by the same instrument (the tariff) that every other American product subject to foreign competition is protected.

INTERSTATE COMMERCE COMMISSION.

Mr. JONES of Washington. I present resolutions adopted by the West Coast Lumbermen's Association in reference to a bill to restore to the Interstate Commerce Commission the powers it exercised before the war. I move that the resolution be referred to the Committee on Interstate Commerce.

The motion was agreed to.

THE AMERICAN SHIRE HORSE ASSOCIATION.

Mr. SHERMAN. Mr. President, I present a communication from J. G. Truman, president of the American Shire Horse Association. It is one of probably a hundred letters, and I ask that it be printed in the RECORD. I do not ask that it be read. I selected it from the number. It is an objection to the return of the horses that are in the American Expeditionary Forces. It sets forth the dangers of communicating various diseases that are prevalent in horses abroad. The danger of communicating them here is very great.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

THE AMERICAN SHIRE HORSE ASSOCIATION,
BUSHNELL, ILL., *December 13, 1918.*

Senator L. Y. SHERMAN,
Washington, D. C.

DEAR SENATOR: I have been advised and it seemed to be common talk among horsemen at the International Live Stock Exposition last week that the Quartermaster General of the United States Army has decided to return to this country some of the horses and mules which have been shipped to Europe for military purposes.

Now, Senator, this will certainly be a very serious mistake if they bring even one of the horses that have been exposed to the diseases that exist especially among the Army horses on the other side. I would not for a moment, if I were you, allow the return of one Army horse. There really is no reason why they should be returned to this country on account of the fact that commercial horses in Europe are very scarce and high. The same horses that the Government has over there would bring practically twice the money that they would bring if brought back here, and in addition there would be the high cost of transportation.

In other words, if those horses were shipped back here they would not bring any more than enough to pay their transportation charges. It would certainly be a terrible disaster to have an epidemic imported to this country by European army horses along the same line that we are having with the Spanish influenza.

I trust that you will use your best efforts with the Quartermaster General of the Army and also Dr. J. R. Mohler, Chief of the Bureau of Animal Industry, Washington, D. C., both of whom we are writing.

I may say that in writing you I am representing no less than 1,073 of the leading draft-horse breeders of the United States.

Yours, very truly,

J. G. TRUMAN, *President.*

WOMAN SUFFRAGE.

Mr. SHERMAN. I also present from a number of communications of a like kind on universal suffrage a resolution of the Illinois Woman's Legislative Congress, which I ask may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

The Illinois Woman's Legislative Congress, a delegate body representing the following organizations from all parts of the State, in convention assembled, December 27 and 28, 1918, at the Congress Hotel, Chicago, Ill., does hereby urge the United States Senate to take speedy and favorable action on the Federal suffrage amendment.

Auburn Park Woman's Club; Austin North End Woman's Club; Altrui Club; Aurora Woman's Club; Arion Aid and Benevolent Society; Cynthia Westover Alden Sunshine Society; Chicago Woman's Club; Chrysolite Club; Chicago Literary Score; Community Club of Englewood; Chicago Heights Woman's Club; Chicago Woman's Patriotic Association; Catholic Woman's League; Chicago South Side Club; Champaign Social Science Club; Current Topic Club of Blue Island; Chicago Federation Colored Women's Clubs; Council of Jewish Women; Chicago Political Equality League; Catholic Woman's League of Rogers Park; Chicago Association of Collegiate Alumnæ; Committee on Public Affairs; Civic Federation, Peoria; Child Welfare League, Peoria; Carbondale Civic and Suffrage League; Chicago Lawn Club; Church Federation; Chicago Equality League of Rogers Park; City Club State Council; Downers Grove Woman's Club; De Kalb Woman's Club; Des Plaines Woman's Club; Daughters of the American Revolution, Peoria; Englewood Woman's Club; Every Wednesday Club; Englewood Woman's Christian Temperance Union; Every Wednesday Literary Score; Eighteenth District Federation of Women's Clubs; Eugenic Educational Society; First District Illinois Federation of Women's Clubs; Friends in Council; Fifth Ward Civic League; Federation of Woman's High School Teachers; Fellowship Club; Glen Ellyn Woman's Club; Galesburg Woman's Club; Grant Park Woman's Club; Good Will Workers; Hollywood Woman's Club; Hadassah, Chicago Chapter; Hyde Park Housewives' Committee; Hull House Woman's Club; Hyde Park Travel Club; Illinois Sunflower Club; Illinois Colony Club; Improvement Association for Blind People; Illinois League for Nursery Education; Independent German-American Woman's Club; Irving Park Woman's Club; Isaiah Woman's Club; Illinois Federation of Women's Clubs, Third District; Illinois Congress and Parent Teachers' Association; Illinois Woman's Christian Temperance Union; Illinois Equal Suffrage Association; Kenrose Woman's Club; Klio Association; Kane County Federation of Women's Clubs; Kankakee Woman's Club; Kenmore Club; Lady Montefiare Lodge No. 12; Lombard Woman's Club; La Grange Woman's Club; Lotus County Woman's Club; Lake View Woman's Club; Lincoln Lodge; Martha Washington Club; Moss Mart Club; Mothers' Aid, Chicago Lying-In Hospital and Dispensary; Maywood Catholic Woman's Club; Mayfair Woman's Club; Maywood Twentieth Century Club; Mount Carroll Woman's Club; Neighborhood House Woman's Club; Neighborhood Club of Forest Park; National Ship of State; Neighborhood Civic Club of Oak Park; Norwegian Woman's Club; Nineteenth Century Club; Neighborhood House Club; Ottawa Woman's Club; Osteopathic Woman's Club; Outlook Club, Peoria; Parkside Woman's Club; Phyllis Wheatley Woman's Club; Mrs. Ella Park, delegate at large; Portage Park Woman's Club; Peoria Woman's Club; Park Manor Woman's Club; Park Ridge Woman's Club; Ravenswood Woman's Club; Roseland Woman's Club; Rest Haven, Sarah Greenbaum Lodge, No. 16; Rochelle Civic Council; Riverside Woman's Club; River Forest Woman's Club; Rock River Falls Woman's Club; Rodgers Park Woman's Club; Social Service League of Jewish Women; Scanlan School Parent Teachers' Association; Sixth Ward Civic League; Sanitary District, Public Affairs Committee; Social Workers, Women and Children in Industry Club; Seventh Ward Auxiliary, Illinois Equal Suffrage Association; Seventh Ward District, Federation Women's Clubs; Sycamore Woman's Club; Second District Illinois Federation Women's Clubs; the Elgin Woman's Club; the Woman's Club of Austin; Tuscola Woman's Club; Twenty-fourth Ward League; the Arche Club; the Woman's Club of Berwyn; the Mothers' Relief Association of Chicago; Twenty-sixth Ward Civic League; the Tuesday Club; Temple Judea Woman's Club; Teachers' Club, Peoria; Chicago Teachers' Federation; Tenth Congressional District Woman's Trade Union; United Railway Auxiliary Club; University of Chicago Settlement Workers; Universalist Church Woman's Club; Virden Woman's Club; Woman's Association of Commerce; Woman's Club of Harvey; Wicker Park Woman's Club; Windsor Park Woman's Club; Woodlawn Woman's Christian Temperance Union; West Side Woman's Christian Temperance Union; Woman's Club of Libertyville; Woman's Club of the Allied Drug Trade; Woman's Club of Clyde;

Winnetka Woman's Club; Woman's Culture Club; Woman's Protective Association; Woman's Church Federation of Oak Park; Woman's Club of Joliet; Woodstock Woman's Club; Woman's Committee State Council of Defense; Woman's Club of Wilmette; Woman's Club of Rock Island; Mary Gaynor Wilson, delegate at large; Woman's Suburban Church Federation; Woman's Medical Club; Woman's Church Federation; West End Catholic League; Woman's Catholic League; Woman's City Club; Woman's Trade Union League; Woman's College Club; Woodlawn Study Club; Young Woman's Auxiliary of the Jewish Relief Society; Woman's Club of Moline; Woman's Department Club of Wheaton; Woman's Club of Hinsdale; Western Springs Woman's Club; Woman's Christian Temperance Union of Cook County; Woodlawn Woman's Club.

Mr. SHERMAN. I also present and do not ask to have printed resolutions adopted by the Chicago Equal Suffrage Association, of the State of Illinois, on the subject of woman suffrage.

The VICE PRESIDENT. The resolutions will lie on the table.

FARM PRODUCTS.

Mr. GORE. I present a series of resolutions and letters sent to me by a committee representing various farmers' organizations, desiring to have an investigation of the cost of producing farm products in general and sugar beets in particular. I move that the resolutions and letters be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

COST OF EAGLE BOATS.

Mr. LODGE. I present newspaper articles continuing those printed in the RECORD in regard to the Eagle boats. I ask that they be printed in the RECORD and referred to the Committee on Naval Affairs.

There being no objection, the matter referred to was referred to the Committee on Naval Affairs and ordered to be printed in the RECORD, as follows:

[From the Daily Iron Trade and Metal Market Report, Cleveland, Ohio, Dec. 30, 1918.]

FORD MAY GET NEW $3,500,000 RIVER ROUGE EAGLE PLANT FROM NAVY AT BARGAIN PRICE—CONTRACT SHOWS THAT FORD, WHILE DECRYING ALL WAR PROFITS, UNDER CONTRACT GETS HIS EARLY—NAVY IS SADDLING BIG EXPENSE ON COUNTRY—NAVAL OFFICERS CONDEMN STAND.

[This is the third article on Henry Ford's Eagle boats. These are 204-foot, single-screw, steel, 500-ton submarine chasers, costing about $550,000 each, of which the Navy intends to build 60, at a total cost of $33,000,000, although all need for them ceased with the signing of the armistice. The first article appeared last Thursday and the second last Friday.]

NAVY'S CREDIT RATING NOT HIGH WITH HENRY FORD.

"The fixed sum for profit shall be payable as follows: Ten thousand dollars shall be payable on each vessel as and when such vessel is half completed as certified by the inspectors; $9,000 shall be payable when such vessel is preliminarily accepted; and the remaining $1,000 to complete the $20,000 fixed profit payable on each vessel shall be held to constitute the special reserve. Such profits for profit shall be payable on the monthly bills of actual costs when and as accrued."—Ford Motor Co. Eagle contract.

"I will not take a cent of profit out of the war work I am doing. * * * It is impossible to determine in advance just what the cost of everything will be."—By Henry Ford.

MOST OF THOSE EAGLES, TOO, HAVE BEEN ETHEREAL.

The biggest thing Detroit is doing in a shipbuilding way is the Ford destroyers, officially know as the Eagle boats. Nothing like these boats has ever been built; I doubt if anything approaching the plant erected for their manufacture exists elsewhere. As I drove toward the glass-inclosed, gigantic structure, that somehow gives the impression of ethereal lightness and grace for all its straight lines and uncompromising angles, I could think of nothing but Keats's—

"Charmed magic casements opening on the foam
Of perilous seas in fairy lands forlorn."

True, the River Rouge is anything but "perilous seas." They had all but picked it up bodily and laid it aside, the day I was there, to give room for the dredges and pile drivers excavating the launching basin and building the permanent launching ways. There was the irresistible suggestion of magic, however, in the very thought that only a few months before these fields had indeed been "lands forlorn." Now thousands and before long tens of thousands of workers will be turning out Eagle boats, a ship a day.—Frank Parker Stockbridge in September, 1918, the World's Work.

Henry Ford's profit on his Eagle-boat contract with the Government may not be limited to $1,200,000 on 60 completed Eagles—submarine chasers that will never part water above an enemy submarine—and $300,000 to $400,000, possibly more, on 40 more or less completed Eagles that the Navy will take off his hands. Detroit believes his possible ultimate acquisition of the big, new Eagle plant on the River Rouge, southwest of Detroit, may tower above all other phases of the entire Eagle-boat situation.

When Ford last winter undertook to build the Eagles, and incidentally revolutionize shipbuilding practice, the Navy agreed to advance funds for the construction of the plant. And it has done so, for the testimony of high naval officers before congressional committees is to the effect that Henry Ford has not put one penny of his own money into that 14-acre plant, while the Navy has put about $3,500,000. It was quite obvious that with the termination of the Eagle contract the plant would be of no use whatsoever to the Navy. The site, owned by Ford, would be of no use to him with a Government-owned building on it, and vice versa. So provision for the future status of this $3,500,000 plant was made in the Ford Motor Co.'s contract with the Navy. Clause 20 reads:

DETAILS OF APPRAISALS.

"Upon the completion of all the work under this contract, the compensation board shall appraise the then value to the contractor of the building, building slips, plant, and other facilities, the property of the United States and located in or upon the contractor's works. Such appraisals shall be made in two separate parts, the first including all buildings, building slips, and appurtenances not susceptible of removal without destruction; the second including plant and other facilities which are readily removable. In its appraisals the compensation board shall take account of the original costs as shown by the inventories herein provided for, and the costs in a normal material and labor market, and all the circumstances, such as the use made of the buildings, building slips, and nonremovable parts, and of the plant and other facilities during the life of the contract, the condition of business generally, the desirability to the contractor of the additional property and plant, the amount of depreciation due to wear and tear, and the replacement value at market prices at the time of appraisal. The department will furnish the contractor with copies of the appraisals upon completion. If the contractor shall accept such appraisals, or either of them, it shall repay to the United States such appraisal value under such terms and conditions as shall be prescribed by the Secretary of the Navy; but if the contractor shall refuse to pay the amount of the appraisals, or either of them, the department shall have the right to enter upon the contractor's works and remove such parts as shall not have been accepted as are readily removable and to wreck such parts as are not susceptible of removal for their salvage value."

MAY GET EXCELLENT PLANT.

All of which means, Detroit believes, that when Henry Ford ceases building Eagles he will come into possession of a fine, large manufacturing plant, only one year or so old, 350 by 1,700 feet, covering about 14 acres, in close proximity to his proposed blast furnace and steel works development, at his own price. It is obvious, it is pointed out, that Ford will not take over the Eagle plant unless the price is "right," and the Navy is likely to be willing to accept even a fraction of a percentage of its cost or value rather than sustain an actual loss in wrecking it and removing the material. Ford has publicly stated: "As soon as we get through building Eagle boats for the Navy, I contemplate building a lot of canal barges." This is evidence that he does look forward to acquiring the Navy-built Eagle plant. Practically every adverse condition that would have a bearing upon the appraised price is met in this clause of the contract. it is believed, and Ford's advent as a canal-barge or tractor builder on the banks of the River Rouge may be just as propitious as his disposition in regard to the price of the plant dictates.

As regards payment for completed Eagles, the Ford Motor Co. contract is believed equally favorable to the contractor. Clause 11 of the contract reads:

"On completion of the trials above mentioned and when each vessel is substantially completed, except minor items of work that may, in the discretion of the Secretary of the Navy, be left unfinished, the vessel shall be delivered, and shall thereupon be conditionally accepted, and the department shall take possession of the vessel and shall be responsible for the safety thereof, and payment of all money due under this contract shall be made, subject, however, to a special reserve therefrom of $1,000, as provided for hereinafter."

ONLY $1,000 HELD BACK.

This sum of $1,000, the contract stipulates, shall be held for six months. Further along in the clause the contract states: "The fixed sum for profit shall be payable as follows: Ten thousand dollars shall be payable on each vessel as and when such vessel is half completed as certified by the inspectors, $9,000 shall be payable when such vessel is preliminarily accepted, and the remaining $1,000 to complete the $20,000 profit payable on each vessel shall be held to constitute the special reserve provided for under the eleventh clause of this contract. Such payments for profit shall be payable on the monthly bills of actual cost when and as accrued."

Such is the financial arrangement under which the Ford Motor Co., of which Henry Ford is founder, president, and principal owner, undertook to build submarine-chasing Eagles for the United States Government. As German submarines were seeking to attack American troop ships, Henry Ford was declaring, in a signed magazine article, "Everything we are making for the Government will be made without profit." And under the contract which one of his vice presidents negotiated with the Navy, his company does not even have to wait until it turns over its product to the Government. It gets half of its $20,000 profit when the Eagles are only half completed and $9,000 more when the boats are turned over to the Navy. When an Eagle steams away from the River Rouge, accepted by the Navy, Henry Ford has $19,000 of his $20,000 profit in the bank, and the Government has $1,000 to fall back on in case a structural defect crops out on a vessel that cost approximately $400,000, so far as the Ford Motor Co.'s efforts are concerned. Henry Ford's self-styled war-work philanthropy does not prevent his company from compelling the Government to be a cash customer; his terms are cash in advance.

LIABILITY IS ONLY $1,000.

Elsewhere in the contract it is stated that the contractor's collective liability "for breach of guaranties and agreements as to material, workmanship, and performance contained anywhere in this contract shall be limited to $1,000 on each vessel, and the deductions therefor shall not in the aggregate exceed this amount." Thus the Ford Motor Co.'s liability on a $400,000 boat is placed at $1,000—one-fourth of 1 per cent of its hull and machinery cost.

In his contract with the Navy Henry Ford agreed to "use every endeavor to deliver the first of said vessels within five months of the date of this contract, 10 boats within one month thereafter, 20 boats within the next following month, and 25 boats a month thereafter." With the contract dated March 1, 1918, this called for the first vessel by August 1, 10 by September 1, 20 in September, and 25 a month, or 1 a day, each month thereafter. Actually, 7 Eagles had been completed by the first week of November, and of these 7 which were dispatched to the Atlantic before the St. Lawrence froze up, 6 were turned over in a far from complete condition. This is actual performance contrasted with contract, and, Detroit believes, stamps the Ford Motor Co. as the only big automotive interest of the great number there to fall down seriously in its war work.

Without the advance of one dollar from the Government, John F. and Horace E. Dodge erected a huge steel and concrete factory, 600 by 800 feet, costing approximately $10,000,000, in which they manufactured the intricate recoil mechanisms for the 155-millimeter French howitzers and the 155-millimeter Filloux rifles at a rate never before approximated in the United States.

BUILT LIBERTY MOTORS.

The Lelands, Henry M. and his son, founded the great Lincoln Motor Co., which built Liberty motors. Fisher Body and Packard both did notable aircraft work. Henry Ford's Highland Park plant did commendable work on Liberty motors, ambulances, and tractors, but when his engineers attempted 204-foot ships, tiny in size as Navy craft go, they laid the fatal last straw upon the back of the organization that boasts it can develop films in rain water, can design a hospital far superior to the most expert physicians and surgeons, and proclaims it is the seventh heaven of all industrial efficiency and adaptability.

Detroit, his home city, looks upon whatever errors Henry Ford may be charged with as errors of omission. Despite the apparent wide gap between theory and practice as applied to his profits, Detroit believes he acted in good faith when he undertook to build the Eagles. The fact that he failed to turn out the boats as speedily as he planned is laid at the door of a lack of appreciation of the original magnitude of his task, the normal difficulties encountered in shipbuilding, and inability of his organization to adapt itself. The one big error of the entire matter, as Detroit sees it, is the one of commission on the part of the Navy in continuing the life of the contract for even the limited number of 60 Eagles.

The Eagles were designed solely for antisubmarine work, something the signing of the armistice disposed of. That such boats as the Eagles are of doubtful value as auxiliary craft, especially from cost of operation and maintenance, the Navy Department itself concedes. Whether such a craft, with a maximum draft of 8 feet and mounting two 4-inch and one 3-inch gun at a height of 20 feet and more above the water line, is really seaworthy has not yet been determined. The specially designed, Ford-built turbines have not been put to a real test as yet. All around, the Eagle type is of doubtful value, and as Rear Admiral Ralph Earle, Chief of Ordnance, for one, has stated publicly, the Navy in peace time would not consider building such craft. Henry Ford's finances are supposed to be sufficiently deep to cushion whatever shock would come from canceling the contract forthwith, a contingency provided for.

USES LABOR AND STEEL.

And still the Navy insists upon adhering to a project that will ultimately cost it more than $50,000,000, with no adequate return in sight, and insists upon using valuable steel and labor on 100 per cent war work long after the war has ended—where England reduced war work to a minimum the day the armistice was signed. It insists on depleting the Treasury at the very time the country faces its most serious financial crisis and requires the saving of every cent possible. For ships, guns, anything that would aid in the prosecution of the war Great Lakes business interests stand willing to be taxed to the last dollar. But for the Navy to continue the construction of war-designed Eagle boats in peace time, especially in the light of the $6,000,000,000 revenue bill pending, is beyond all understanding, these interests declare.

By way of "keeping books" on the Eagles, had the Navy Department done as Great Lakes industrial interests believe it should have done, and ordered work stopped on the Eagles November 12, as it could have done, the Navy would have had to pay:

For 7 completed Eagle boats, including hull and machinery, ordnance, profit, and alterations, approximately $550,000 each, or a total of $3,850,000;

For 24 Eagles, ranging from 40 to 75 per cent completed, actual cost plus 10 per cent profit; and

For material already worked up and equipment built or building for 69 Eagles, actual cost plus 10 per cent profit.

WHAT NAVY CONTEMPLATES.

But by continuing work on 60 Eagles and dropping only 40 the Navy faces this outlay:

For 60 completed Eagles, including hull and machinery, ordnance, and profit, approximately $550,000 each, or a total of $33,000,000; and

For material already worked up and equipment built or building for 40 Eagles, actual cost plus 10 per cent profit.

Just what the Navy could have saved for income-tax payers, bond and war stamp buyers by abandoning the Eagle program, paying Henry Ford his cost plus 10 per cent on all boats and equipment partially built and machinery completed or in process of manufacture, is next to impossible to determine. Probably the nearest approach to an estimate would be the difference between 7 complete Eagles and 60, or $29,000,000, roughly.

Suffice it to say that the $33,000,000 the Navy will pay for the 60 Eagles complete is but the first cost. The cost plus 10 per cent on the remaining 40 undoubtedly will run up to $10,000,000 to $15,000,000. At $9,000 a year, an Eagle, for maintenance of machinery, as estimated by Rear Admiral Robert S. Griffin, Chief of the Bureau of Steam Engineering, this one item alone would mount up to $540,000 a year for the 60. In addition would be the cost of operation, the pay roll for 60 crews of 7 officers and 68 men each, and other expenses incidental to operation.

Fifty million dollars and more, then, including a round million and a half for their profit-decrying builder, is what Secretary Daniels purposes to pay for 60 fledgling and 40 still-hatched Eagles.

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In scanning appropriations for the Navy Department, and more especially its proposed building program, the House Committee on Naval Affairs and its Subcommittee on Appropriations recently scratched the surface of the Ford Eagle case. By their own statements high officials of the department condemn the department's stand in insisting on the construction of 60 Eagles, or $33,000,000 worth.

No room is left for hiding behind words in the testimony of Rear Admiral Ralph Earle, Chief of Ordnance, before the committee. Quizzed by members of the committee, he said, according to the official record:

Mr. KELLEY. Admiral, if these boats had not been started and if no contract had been given, would you make a new contract now for 100 boats of this type?

Admiral EARLE. You mean with no war on, sir?

Mr. KELLEY. Yes; with the war over.

Admiral EARLE. No, sir.

Mr. KELLEY. You would not make it?

Admiral EARLE. No, sir.

Much the same stand was taken by Rear Admiral David W. Taylor, Chief of the Bureau of Construction and Repair. Eagle boats are approximately the same size as the old, small type of destroyers, and the department now would not consider building such vessels, he pointed out. His testimony before the subcommittee was as follows:

Mr. BUTLER. Will you please tell me the purpose for which we will use these boats when the war is over—100 of these small boats?

Admiral TAYLOR. They are not such small boats. They are 500 tons, or practically 500 tons, displacement.

Mr. BUTLER. The size of the small destroyers which were put out?

Admiral TAYLOR. About the size of the older destroyers.

Mr. BUTLER. We do not build any more of them?

Admiral TAYLOR. No; we are building larger destroyers, but we have been using the small ones right along.

Mr. BUTLER. But, Admiral Taylor, we would not provide for any more small destroyers, would we?

Admiral TAYLOR. Hardly.

What is even more startling is that Navy officials frankly say they don't know why the department wants Eagle boats now that their submarine enemies are safely interned. Rear Admiral Robert S. Griffin, Chief of the Bureau of Steam Engineering, stated before the committee:

Mr. BROWNING. What do you want with the Eagle boats?

Admiral GRIFFIN. They are built for service against the submarines.

Mr. BROWNING. I understand; but what do you want with the balance?

Admiral GRIFFIN. I do not know.

Indicative of the feeling among Congressmen that the Eagle boat program should have been cut short with the ending of the war and millions of dollars saved is the following statement from the committee's official record:

Mr. KELLEY. I can well understand how the Government might feel under obligation to save contractors from any harm, but if this is a type of boat that we would not ordinarily order, it would almost seem as though we ought to settle with Mr. Ford and not build them.

This at once precipitated queries as to the financial burden thrust upon Ford:

Mr. BROWNING. What expense did Mr. Ford go to in changing his plant to build these boats?

Admiral EARLE. Mr. Ford had no expense whatever in connection with them.

Mr. BROWNING. Do you mean there was no expense in changing the factory at all?

Admiral EARLE. No, sir; not to him.

Mr. BROWNING. Did the Government incur the expense?

Admiral EARLE. The Government did it all.

Mr. BROWNING. What did it cost?

Admiral EARLE. I have never seen that figure. The only reason, Mr. Butler, I knew that we were going to finish these boats was that in making up my revised estimates to submit to you I had to find out whether these boats were going to be finished or not, in order to keep that money in the ordnance estimates.

Mr. KELLEY. My question was simply asked to find out the admiral's personal opinion about the desirability of finishing 100 boats of this type.

Mr. BUTLER. And the admiral said to you that if he had it to do over again in peace time he would not order these boats.

Admiral EARLE. The destroyer is better and in every way more economical, I believe, for the Government to build.

That the Eagle boats are quite slow in comparison with other craft of a like nature the Navy now is building is shown by the following statement by Admiral Griffin:

Mr. KELLEY. What is the difference between these boats in construction and gunboats?

Admiral GRIFFIN. They are much lighter and carry a lighter battery.

Mr. KELLEY. These are lighter?

Admiral GRIFFIN. Yes, sir; and their speed is more like that of a torpedo boat.

Mr. KELLEY. What is the speed?

Admiral GRIFFIN. About 18.5 knots.

Mr. KELLEY. What is the speed of the oldest destroyers?

Admiral GRIFFIN. I think they were intended for 28 knots.

Mr. KELLEY. These are very slow boats?

Admiral GRIFFIN. Yes, sir; compared with those we are now building.

So far as the Government is concerned the $3,500,000 and more it has put into the Ford Eagle plant on the River Rouge is a total loss. This Admiral Griffin made clear, as follows:

Mr. BUTLER. Can you recall what disposition is to be made of this factory after the war is over?

Admiral GRIFFIN. I do not remember that. Most of the contracts that we have made—I think nearly all of them—are subject to an appraisal, after the completion of the contract, to be taken over by the contractor. I do not know whether that is in this one or not.

Mr. BUTLER. This plant will not be of a dollar's use to the Government after the boats are built, unless we build others?

Admiral GRIFFIN. I suppose not.

Mr. BUTLER. And we will lose everything?

Admiral GRIFFIN. We had to get somebody to build the boats. These boats were considered necessary to carry on the war, and the facilities for building them did not exist, and, as in a number of other cases, we had to build a plant for them.

Orders for 40 of the first 100 Eagles finally were canceled, but the machinery for the 40 built or building is good only for scrap. This is light on the contention of some Great Lakes shipbuilders that the Eagles should have been built as a unit for each boat instead of en bloc. In this connection Admiral Griffin has stated:

Mr. KELLEY. These engines which are being constructed for the Ford boats, will they be of value for other craft?

Admiral GRIFFIN. No. We would have to build the craft for them. That would be rather expensive.

Mr. KELLEY. You could not use the engines for any other boats?

Admiral GRIFFIN. No, sir.

Mr. BROWNING. And you could not use them for the tugs that you were speaking of—the mine sweepers?

Admiral GRIFFIN. No, sir.

On this subject Admiral Taylor also has added his opinion:

Admiral TAYLOR. * * * Hull material has been delivered practically entirely for all of the 112 boats, although there are a few items still remaining to be delivered on the last 12. So that the fabrication is practically three-quarters done.

Mr. BUTLER. What do you mean by "fabrication"?

Admiral TAYLOR. The working up of the material for the hulls in the ships, getting the plates, etc., ready to be assembled.

Mr. BUTLER. Could you use that material for any other purpose?

Admiral TAYLOR. It could be sold for scrap, but it has very little value for anything else. The plates come cut to shape and size, and when they are fabricated they have the holes punched in them, which practically destroys their value for any other purpose.

Mr. BUTLER. How about the engines for the boats?

Admiral TAYLOR. They might be put in——

Mr. BUTLER (interposing). Could anybody else use them for any purpose?

Admiral TAYLOR. Hardly, as they stand. These engines are specially built for these boats. They are geared down to the desired revolutions of the propeller of the boat.

To climax Congress's knowledge of the Eagle boats is the outright assertion of Admiral Griffin, in charge of the important Bureau of Steam Engineering, that it would be much cheaper to end construction immediately and pay Henry Ford his actual cost and 10 per cent profit on the completed boats than it will be to go through even with 60 Eagles and pay watchmen to stand guard over them. Not until the next war will the Eagles be needed, declared the admiral when quizzed by the committee:

Mr. BUTLER. If not kept in commission, they will rot out?

Admiral GRIFFIN. They will go to waste quickly.

Mr. BUTLER. And it will cost us money to keep them in commission?

Admiral GRIFFIN. Yes, sir.

Mr. BUTLER. Is it not cheaper for us to let them go?

Admiral GRIFFIN. I doubt that. The state of completion is such that I doubt very much if we would save much by cutting off the contract.

Mr. BROWNING. The state of the Eagle boats?

Admiral GRIFFIN. Yes, sir. All of that material is on hand, practically fabricated; the boilers are well along, and the machinery generally is ahead of the hulls.

Mr. BUTLER. Is it not cheaper to stop and pay what we owe than it is to go ahead and complete these boats and tie them up somewhere and pay men to watch them?

Admiral GRIFFIN. I suppose it is.

Mr. BUTLER. We will not have any charge upon the Treasury hereafter if we stop these boats and pay the bill; we are through?

Admiral GRIFFIN. There will be no further expenditure.

Mr. BUTLER. If we are to have peace, we do not need the 112 Eagle boats?

Admiral GRIFFIN. I suppose not.

Mr. BUTLER. We will not need them until the next war?

Admiral GRIFFIN. No, sir.

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WHAT OFFICIALS THINK OF EAGLES.

Asked if the $3,500,000 Ford Eagle plant will be of not a dollar's use to the Government after the boats are built, Rear Admiral Griffin, Chief of the Bureau of Steam Engineering, answered, "I suppose not."

To the question, "If these boats had not been started and no contract given, would you make a new contract for 100 boats of this type?" Rear Admiral Earle, Chief of Ordnance, replied, "No, sir."

Questioned whether Henry Ford went to any expense to build the Eagle boats, Admiral Earle said, "The Government did it all."

Said Congressman KELLEY, of the House Committee on Naval Affairs: "It would almost seem as though we ought to settle with Mr. Ford and not build them."

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NAVY KEPT CONVICTS OFF EAGLES.

Henry Ford's trust in ex-convicts, pardoned criminals, workhouse and stone-pile labor, and the like evidently is not shared by the Navy Department. The Ford Motor Co.'s contract with the Navy Department specifically says:

"In the performance of this contract no person shall be employed that is under sentence of imprisonment at hard labor."

Prison stripes were not meant to be the camouflage design of Eagle boats!

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[From the Daily Iron Trade and Metal Market Report, Cleveland, Ohio, Dec. 31, 1918.]

EAGLE CONTRACT CALLED FAULTY—HENRY FORD'S PROFIT ASSURED, WITH PRACTICALLY NO SAFEGUARD FOR GOVERNMENT AGAINST EXCESSIVE CONSTRUCTION COSTS—IS HELD TO BE WASTEFUL—NAVAL OFFICERS ADMIT "BOGEY" COST OF $275,000 WAS NEVER EXPECTED TO BE MET—WHAT OFFICERS THINK OF FORD MOTOR CO.—ELEMENTS OF COST GIVEN—SCHEDULE SHOWS WHAT FORD WAS TO BILL NAVY AS ACTUAL EXPENSES INCURRED AT $3,500,000 RIVER ROGUE PLANT.

[This is the fourth and last of a series of articles on the Eagle boats—steel, 204-foot submarine chasers Henry Ford undertook last March to build for the Navy. Though he proclaimed he would build them at the rate of one a day, Ford completed only seven in time to get them to the Atlantic Ocean before the St. Lawrence froze this month. The Navy is insisting on going through with 60 of these $550,000 vessels, though all need for them ceased when hostilities came to an end Nov. 11.]

Government contracts such as the Navy Department negotiated with the Ford Motor Co. for the construction of the Eagle boats do not properly conserve the public interest, because their fixed-profit provisions fail to penalize for excessive costs.

This is the opinion of a lawyer, known equally well in Washington, New York, and Cleveland, who is regarded as a most astute man. Years of experience in contracting have convinced him of the folly of entering into such pacts.

"Henry Ford's Eagle contract assures him a profit of $20,000 a boat utterly regardless of what the boats cost," declares this man. "Further, it is stipulated that in case the actual cost of an Eagle falls below $275,000 Ford is to share 25 per cent of the saving.

NO CHECK ON EXTRAVAGANCE.

"On the face of it such a contract is not mutual. The contractor is guaranteed a premium for economy, but the Government is not protected if the contractor exceeds the estimate. Consider this in the light that at all times it was not believed the Eagles could be built for as little as $275,000.

"Such contracts are wasteful of the Government's money. Not alone in the Ford Eagle case, but in a great many others the facts have been that the Government put up or paid for the plant, is paying the contractor a guaranteed profit regardless of the cost, at the end the contractor will take over the plant dirt cheap and what is as probably most valuable—he will have acquired invaluable experience in a new line of work."

WHAT TAYLOR SAID.

Applying this directly in the case of Henry Ford's Eagles, statements by Rear Admiral David W. Taylor, Chief of the Bureau of Construction and Repair, are most enlightening. This question was put to the admiral:

"In regard to these Eagle boats, you said that Mr. Ford had estimated that he could build them for $275,000 apiece, and you think, as I take it, that they will probably cost $400,000. There is a difference of $125,000. What, in your opinion, caused that serious mistake of judgment?"

To this Admiral Taylor replied:

"I do not think the Ford people who made this figure had had sufficient experience to estimate the cost. They had no experience in shipbuilding. The 'bogey' cost of $275,000 inserted in the contract was not a binding estimate in any way."

Admiral Taylor has further stated that "I think if the cost of the hull and machinery comes below $400,000 it will be a very creditable performance."

ESTIMATE WAY LOW.

What is held up as a spur to Henry Ford to build the Eagles as cheaply as possible on the face of it is not worth the paper it is written on apparently, for the very testimony of a high naval officer is that to build them for $125,000 more than the "bogey" cost would be a "very creditable performance."

And the Ford Motor Co., a company that "had no experience in shipbuilding," one that did not have "sufficient experience to estimate the cost" was the Navy's choice of a builder for 112 Eagles costing $550,000 complete, or $61,600,000 worth of boats. At the Navy's request this company is continuing to build 60 Eagles, at a cost of $33,000,000, although they have never been actually tried out, in the face of the admission of the Navy Department itself that the Eagles will not be needed "until the next war."

SCHEDULE SHOWS COSTS.

Attached to the body of the Ford Motor Co.'s contract with the Navy Department is the following schedule of the elements of actual cost for which Henry Ford is to be paid. It is noted that "the following schedule shall be considered as an amplification of the definitions of cost contained in this contract, but shall not be construed as an exhaustive enumeration of the elements of actual cost."

A. OVERHEAD.

The elements defined below shall be included under overhead:

1. Indirect material: This shall include such materials as are used in the process of manufacture, but either do not enter into the product or else enter it in such manner as not to be conveniently chargeable to any particular produce.

2. Packing and packing supplies: This shall include boxes, lumber, nails, containers, strapping, and miscellaneous packing supplies, and the labor used in connection with the work of packing.

3. Indirect labor: This shall include labor not expended directly on the product, but which is nevertheless required to be performed in connection with the manufacture of the product. Labor of packing shall be included hereunder. Examples: Repairing, handling, trucking, sweeping, etc.

4. Experimental work: Only experimental work directly necessary in connection with the contract and not otherwise expressly paid for shall be includable, except small residual expenses for general experimentation which it is impracticable to allocate distinctly.

5. Repairs: Includable here are costs for such repairs only as are currently made to provide for ordinary regular upkeep of plant, which costs are a usual and fairly consistent annual charge.

6. Administrative expenses: Only that portion of general administrative expense which is applicable to Government work may be included hereunder. Such applicability, rather than the character of the service received for these expenses, shall constitute the test of inclusion hereunder.

7. Employees' welfare: Includable under this element are the following items:

(a) Wages paid employees while absent on account of sickness.

(b) Vacation allowances to wage earners.

(c) Net cost of operation and maintaining plant hospitals, expenditures for hospitals and other organizations to cover definite benefits to employees, and expenses for medicines and supplies for aid to the injured.

(d) Payments according to a definite pension plan to disabled and veteran employees or their families not covered by liability insurance or other items herein mentioned.

(e) Net cost of operating the contractor's restaurants.

(f) Expenses in connection with other general forms of employees' welfare work.

8. Taxes: Tax accruals during the period of the contract shall be included in overhead, except that Federal income, Federal excess or war profits taxes, and Federal taxes of the same economic character shall not be included in cost.

9. Insurance: Accrued insurance premiums on the contractor's property, on his interest in others' property used in connection with the contract, and for liability insurance (whether payable to insurance companies, State compensation boards, or under independent insurance plans not materially exceeding in cost the first two methods mentioned) shall be includable hereunder. Insurance on the vessels shall be charged to the vessels.

10. Rent: Rental payments made by the contractor shall be analyzed between (a) interest on investment and (b) repairs, depreciation, insurance, taxes, maintenance, and service expense. Only that portion covering items includable under (b) shall be allowed in actual cost.

11. House service and power plant: Includable hereunder are the proper proportions of the expense of keeping the buildings of the contractor, used in connection with the contract, cleaned, heated, lighted, supplied with elevator and other services necessary to render the same a fit place to work in, and also the proper proportion of the power plant operating expenses.

12. Excluded elements: Interest, advertising, collection expense, credit losses, and financing costs shall not be included in overhead or elsewhere.

B. DEPRECIATION.

1. Repairs and alterations of a general nature which are necessary only at intervals of more than a year, or replacements and unusual repairs which would involve a significant increase in expenses shall not be considered as expense, but shall apply against the reserve established for depreciation.

2. Jigs, etc.: Small tools, jigs, dies, patterns, machine-tool fixtures, and other appliances of the same general nature, when exclusively provided and adapted for making the work herein contracted for, shall be depreciated 100 per cent or charged to the cost of the vessels.

C. ELEMENTS CAPABLE OF ALTERNATIVE TREATMENT.

1. Freight, cartage, and express (inward), etc.: Where the inclusion of the above in direct material costs is impracticable they may be included in overhead. Same principle shall apply in case of duties and import expenses.

2. Wastage and corrective labor: In addition to normal wastage, scrap, and collective labor under usual manufacturing conditions, all excessive wastage, scrap, and corrective labor incident to work under existing abnormal conditions which could not have been avoided by the exercise of reasonable care and good faith shall be included in actual cost, either with direct material or direct labor or under overhead.

3. Discounts: Trade discounts and discounts for prompt payment, unless the contractor, though exercising reasonable care and business skill shall have been unable to take the same, shall not be included in the amounts to which the contractor is entitled to be reimbursed and shall either be deducted from material costs or eliminated in such manner as the compensation board may direct.

D. ROYALTY.

Any royalty or payment that the contractor may be obliged to assume or pay for the use of any patent rights in connection with the production of articles contracted for shall be included in actual cost.

E. MISCELLANEOUS CREDITS TO COST.

Miscellaneous items of revenue accruing to the contractor in connection with the present contract shall be credited to actual cost.

F. RULES AND PRINCIPLES FOR COMPUTING AMOUNTS ALLOWABLE FOR COST ELEMENTS.

1. Salaries and wages: Neither excessive salaries nor excessive compensation of any kind shall be allowed.

2. Scrap and waste credits: The salvage value of scrap and waste shall be deducted, either from material cost or from overhead.

3. Direct material costs: In determining direct material costs, actual prices paid shall be used; where this is impracticable, use fair average prices. In case the material used shall be from contractor's stores purchased prior to contract apply the same principles.

4. Depreciation: The rate and amount of depreciation allowed shall be arrived at by a consideration of the following factors:

(a) Nature, construction, and condition of buildings and equipment.
(b) Deterioration of plant and machinery due to wear and tear.
(c) Amount spent for maintenance in the way of repairs and renewals.
(d) The invention of new methods or new machines which may or may not entirely replace the old ones.
(e) Permanency of business and likelihood of increase or decrease in the same.
(f) Amounts previously written off for depreciation.
(g) Other factors, such as peculiar and excessive uses of machines, rate of production, idleness of plant.

ARTICLE BY ERVING WINSLOW.

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have inserted in the RECORD a very short note of Mr. Erving Winslow, of the city of Boston, State of Massachusetts, together with a one-page article written by him to one of the papers of that State, entitled "Anarchy." I ask it because it is, in part, an answer to certain matter which has been inserted in the RECORD by the Senator from California [Mr. JOHNSON].

The VICE PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

THE ANTI-IMPERIALIST LEAGUE,
New Haven, Conn., January 4, 1919.

The Hon. J. S. WILLIAMS.

DEAR SENATOR WILLIAMS: Loyal to the President in my humble way, as you are in your great office, I want to ask you to have this condensed epitome printed in the RECORD, as your California colleague has caused to be done with Russian matter which interests him. If you can not, please put your frank upon envelope for return, as I have no other copy.

Wishing you health and peace for the New Year,
I am, faithfully, yours,

ERVING WINSLOW.

[From the New Haven Journal-Courier, Jan. 4.]

ANARCHY.

NEW HAVEN, *January 2, 1919.*

There is certainly ground for much apprehension of "old-fashioned," selfishly inspired adjustments dictated by the big nations on top to weaker ones at their mercy. But while hydra-headed Scylla may swoop down from above and hinder the wayfarer's progress to his goal, the whirlpool of Charybdis yawns below, to engulph its victoms in the maelstrom from which the high gods can not rescue them.

Anarchy is the most serious menace of the day, though so little mentioned. It may be an instinctive feeling that its mention is going to encourage it which induces as a measure of safety such an "ostrich policy." But the "internationale" has its own propaganda, wireless and underground, and, smoldering, spreads like a forest fire. We are told that the use of force to suppress it is only going to fan it into a hot flame. There is one obvious weapon against it which is in the hands of America to-day. It is the relief of that suffering for necessities which supplies now the fuel. While this would win away that peasantry who have found that their present leaders have failed to fulfill their promises, it would enable the representatives of an "orderly democracy" to impress its example on the proletariat. It is among the people of the great country which was such a heroic sufferer in the war against a common enemy that this double mission should be undertaken, challenging not nor recognizing any "government." The peasantry themselves would soon furnish a bulwark against any interference, which might be avoided at first by a small protective force. If the former subjects of the German Emperor seek to evade their responsibility by taking up the "Soviet" principles, they can not share in such consideration due the misled Russian people. On the contrary, the forces of the United States may have to be employed against those who, under whatever name, must remain a conquered enemy, held to solidarity as such, for the repayments and restitutions demanded. Our action as outlined to Russia would also prove to the anarchistic, restless spirit among ourselves and in the allied countries that democracy means brotherhood, cooperation, opportunity.

The equality of the powers of the great States is important, but the paramount issue to be declared at the council is the "Wilsonian" issue—the establishment of our democracy, which is that of the British Empire, containing as it does a regenerative power—and the denunciation of the heresy of the terror as it exists and threatens to expand, and of the hereslarchs among the civilized nations who would foment it in class warfare.

ERVING WINSLOW.

SALARIES OF JUDGES.

Mr. SMITH of Georgia, from the Committee on the Judiciary, to which was referred the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported it with amendments, and submitted a report (No. 635) thereon.

SITES FOR MILITARY HOSPITALS.

Mr. HARDWICK. From the Committee on Public Buildings and Grounds I report back favorably without amendment Senate resolution 386, submitted by the Senator from Arkansas [Mr. ROBINSON] on December 14, 1918, and I ask unanimous consent for its present consideration.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Public Buildings and Grounds be, and is hereby, authorized and directed to investigate the selection and acquisition of sites for military hospitals, and contracts and expenditures for the repair, acquisition, and construction of such hospitals; also what additional hospital facilities are required and what existing public buildings, if any, are available for use as hospitals.

ALMA HARRIS.

Mr. JONES of New Mexico. Mr. President, from the Committee on Public Lands I report back favorably without amendment the bill (H. R. 4240) for the relief of Alma Harris, and I submit a report (No. 634) thereon. I ask for the immediate consideration of the bill.

I can state to the Senate just what the report is. There was an entrywoman in southern New Mexico who made an entry upon public land and was prevented from residing upon the land by reason of the unlawful incursions of the people from old Mexico. This matter was favorably recommended by the Department of the Interior and was incorporated in an omnibus bill which has already passed the Senate, but a bill has passed the House giving relief in this special case, and I ask the passage of the bill by the Senate so as to consummate the relief which has been asked for and recommended by the Department of the Interior.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. BORAH. Mr. President, there was so much confusion in the Chamber at the time the Senator made the statement in regard to this bill that I was unable to hear the facts; but I am constitutionally opposed to authorization to issue patents for lands without compliance with the law, and I should like to ask the Senator upon what grounds this request is being made.

Mr. JONES of New Mexico. The facts in the case are stated fully in a letter from the Secretary of the Interior to the chairman of the Committee on Public Lands of the House. This entrywoman was driven from the land by people from old Mexico during the rebellion down there, and it was only because of the rebellion in Mexico that this entrywoman was prevented from actually residing upon the land during the period required by the law. There is no question about the facts in the matter. She went upon the land and did everything to comply with the law until she was driven off—actually driven out of her home by bandits from old Mexico. The Secretary of the Interior so reports, and recommends the passage of this bill. I will state to the Senator that this relief was embodied in an omnibus bill which has already passed the Senate and is now in the House; but the House passed a bill giving specific relief in this case, and I am simply asking the Senate to do in this form what it has already done in another bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent to Alma Harris for the southeast quarter section 12, township 29 south, range 7 west, New Mexico principal meridian, in the Las Cruces land district, New Mexico, upon payment of the lawful purchase price of said land, without further proof of compliance with law.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROCK RIVER BRIDGE, WIS.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (S. 5192) for the construction of a bridge across Rock River at or near Jackson Street, in the city of Janesville, Wis., and I submit a report

(No. 633) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. LENROOT. Mr. President, I should like to offer just a formal amendment to the bill, to correct a description of the location of the bridge.

The VICE PRESIDENT. The Senator from Wisconsin offers an amendment which will be stated.

The SECRETARY. On line 7, before the word "Jackson," insert the word "South," and in the same line, after the word "Janesville," strike out the words "crosses the" and insert "connects with."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF SUFFERERS IN ALASKA.

Mr. SMOOT. By the Committee on Appropriations I am directed to report back favorably with an amendment the joint resolution (S. J. Res. 199) for relief in Alaska. As this is an emergency matter, I ask for the immediate consideration of the joint resolution.

The VICE PRESIDENT. The Secretary will read the joint resolution.

The SECRETARY. The committee proposes to strike out all after the resolving clause and to insert:

That to enable the Secretary of the Interior, in his discretion and under his direction, with the advice and cooperation of the Public Health Service, to combat the influenza in Alaska and to afford relief to the indigent natives thereof, including expenses already incurred for this purpose, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100,000, to be immediately available.

Mr. BORAH. Mr. President, before the joint resolution is taken up for consideration I should like to know something about how it is expected to reach the situation and how much of this $100,000 will ever get to its destination by reason of the conditions which surround the situation. I should like to know how we are to get into the different parts of Alaska at this time and what are the details of the methods by which this scheme is to be effected.

Mr. SMOOT. Mr. President, I will say to the Senator from Idaho that the governor of Alaska was before the committee on yesterday, when he outlined the serious situation existing in Alaska not only among the white people but among the Indians as well, on account of the prevalence of the influenza, which has been raging there for some time. In some places, it was testified to by the governor, that as high as 50 per cent of the Indians have died from the effects of the influenza.

The revenues of Alaska are very limited, indeed, and the governor feels that the only way that this dread disease can be successfully coped with is by assistance from the Federal Government. The governor asked for $200,000.

Mr. BORAH. I know generally the situation which prevails in Alaska and its seriousness, but I want to know something about the method by which it is proposed to deal with the matter. How is it proposed to take hold of it, and who is going to administer this fund? It is easy to appropriate, but I should like to know something of its use.

Mr. SMOOT. The fund is to be administered by the Secretary of the Interior with the assistance of the Public Health Service. They will, of course, direct physicians who are now in Alaska to go to different parts of Alaska and to do everything possible to overcome this dread disease.

I desire to say to the Senator from Idaho that a great deal of this money will be used for help particularly in the way of food, clothing, medical assistance, and medicine for the Indians.

I desire to say also that in one district of Alaska there are now 90 motherless and fatherless children, made orphans through the death of their parents from influenza. Those orphans have been provided for, the governor of the Territory having made a contract that they shall be taken care of at $10 per month per capita. The governor has already authorized expenditures to the amount of $107,000. He also testified that even to carry on the work which had been undertaken it will take another $50,000, or at least $43,000 more, to provide funds for that purpose until the time of the meeting of the Territorial legislature.

It is for this reason, Mr. President, that the committee voted that the joint resolution should be favorably reported, reduced, however, to the amount of $100,000.

Mr. BORAH. Mr. President, I understand perfectly the necessity of doing this work; but Congress is in the habit of voting large sums of money here without any check or any knowledge of the plan by which that money is to be expended. The result is that we get very little effect from our efforts to accomplish anything along this line.

As an illustration, Mr. President, while I am on my feet, I desire to say that the President sent a message here a few days ago asking us to appropriate $100,000,000 with which to feed the people of Europe. If there is no more information as to where that money is going and how it is going to be expended than is incorporated in the President's message, I for one shall not vote for any such appropriation. We are entitled to know to whom that appropriation is going, what particular people in Europe are to be fed, and, particularly, the plans and methods by which it is proposed to take care of the situation. I shall not myself vote to simply turn over $100,000,000 to be administered by the food department as it has administered food affairs in this country. I want it, therefore, to be understood that when the Appropriations Committee brings in legislation for the appropriation of this $100,000,000 that it must bring in detailed facts as to how the money is to be expended and where it is going. I want security for its repayment, and I want to know if our associates, England and France, are going to cooperate. I want, also, some one made responsible, who will account in detail as to how the money is expended. If we are going to feed Europe, which I do not admit, we must do it in a business way, for the American taxpayer has about reached his limit.

Mr. SMOOT. Mr. President, in answer to the Senator from Idaho, I desire to say that I am positive that the Appropriations Committee of the Senate is not going to report in favor of the appropriation of $100,000,000 for the feeding of the starving people of Europe unless they do have more information than they have in their possession to-day. I will assure the Senator from Idaho of that fact.

Mr. BORAH. There is a vast amount of comfort in that assurance.

Mr. SMOOT. I desire to say in relation to the $100,000 that is proposed to be appropriated for Alaska that the governor of Alaska gave a description of how the $107,000 heretofore expended had been apportioned. In the Nome district, I think, there was apportioned about $20,000; in the smaller districts in Alaska there had been apportioned in some $2,000, in others $3,000, and in others $5,000. The $107,000 covered the amount of the expenditures up to the time that the governor had received the last report.

Mr. SWANSON. I should like to ask the Senator from Utah a question. The sum of $1,000,000 has heretofore been appropriated for the suppression of the influenza. Has the Senator from Utah any statement as to what disposition was made of that money and whether any of that sum remains available for expenditure in Alaska?

Mr. SMOOT. The $1,000,000 which was appropriated by Congress for the purpose to which the Senator from Virginia alludes has been expended with the exception of about $135,000. It is true that a part of that $1,000,000 went to Alaska.

Mr. SWANSON. How much of it went to Alaska?

Mr. SMOOT. Gen. Blue, of the Public Health Service, stated to the committee that he did not know just exactly the amount that had been sent to Alaska, but the amount sent there had been used for the purpose of paying physicians who had been sent into different parts of Alaska. He stated that he had not received the last report, and therefore could not say just what amount had been sent to Alaska.

Mr. SWANSON. About how much was it?

Mr. SMOOT. It was a very small percentage of the $865,000 already expended.

Mr. SWANSON. For what is it proposed to use this $100,000—to send physicians to Alaska?

Mr. SMOOT. It is to be used to furnish the necessaries of life, I will say to the Senator from Virginia, to Indians in certain parts of Alaska, and also to send medicine and physicians into affected districts and see what can be done to control the epidemic.

Mr. SWANSON. Has the Territorial government of Alaska any funds which can be used for this purpose?

Mr. SMOOT. No funds have been appropriated for the purpose. I want the Senate to understand the full conditions. The Territory of Alaska has about $600,000 in its treasury, or it had about that amount or a little more than that amount a year

ago, and about the same amount to-day. The governor of Alaska stated that that $600,000 had been collected by taxation and is held in the treasury for the purpose of building roads and making improvements in different parts of Alaska, which are absolutely necessary.

Mr. SWANSON. Now, I should like to ask the Senator this question: If Congress should authorize the expenditure of $100,000 out of that fund in the treasury of Alaska for this purpose, could the money be made immediately available?

Mr. SMOOT. No; Congress could not do that, and the money could not be taken out of the treasury of Alaska until after the Territorial legislature meets in Alaska.

I will say to the Senator from Virginia that the $107,000 that has already been apportioned in Alaska has been so apportioned upon the responsibility of the governor. He has no authority by law to take such action, but we, of course, all know that the legislature, when it meets, will see that the governor is held harmless so far as any loss is concerned.

Mr. SWANSON. As I understand, the Legislature of Alaska, without any authorization from Congress, could appropriate out of this $600,000 ample funds with which to take care of the situation?

Mr. SMOOT. The Legislature of Alaska can do that, Mr. President.

Mr. SWANSON. The only question, then, is as to whether the sum shall be appropriated by the Federal Government or by the Territorial government of Alaska?

Mr. SMOOT. That is the only question which is involved.

Mr. SWANSON. Is this money to be reimbursed under this joint resolution?

Mr. SMOOT. No, this is not reimbursable; it is a direct appropriation to Alaska.

Mr. SWANSON. Does the Senator from Utah object to having it made reimbursable?

Mr. SMOOT. Mr. President, I desire to state why I am in favor of this direct appropriation of $100,000. We all know the situation in Alaska. Nearly all of the public lands in Alaska have been withdrawn, and the principal source of taxation is the imposition of a tax upon the business interests of Alaska. In other words, of the million dollars collected by taxation in Alaska, half of it comes from the salmon packers alone. No taxes can be collected from the public land, and over 99 per cent of the lands of Alaska are public lands, and a great proportion of these lands are withdrawn from entry. Therefore Alaska is restricted in her power to collect taxes. That being the case, it seemed, at least to a majority of the committee, that in the face of such an epidemic as is now raging in Alaska—and the second outbreak is already on—it is about as little as could possibly be done to give Alaska $100,000 to assist in overcoming the epidemic.

Mr. SHAFROTH. Mr. President, let me suggest to the Senator at that point that only one-fiftieth of 1 per cent of the territory of Alaska is in private ownership and subject to taxation.

Mr. SMOOT. I think that is absolutely true, Mr. President. Indeed, I hardly thought the amount in private ownership was that much.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. SMOOT. I yield to my colleague.

Mr. KING. I did not hear all that the senior Senator from Utah said, but I wish to inquire whether or not this epidemic is raging among the Indians who are in tribal relations, who have a right to look to the Government for protection and whose interests the Government ought to care for? If any of them are Indians in tribal relations, there is some sort of obligation upon the Government to care for them.

Mr. SMOOT. Mr. President, the governor of Alaska stated that 90 per cent of the cases of influenza were among the Indians. I wish to say to the Senator that I was surprised to learn that there are no Indians in Alaska who have had citizenship conferred upon them. They are not even as well off in that respect as many of the Indians within the continental boundaries of the United States, and it seems to me that $100,000—as I have heretofore said, $200,000 was asked for—ought to be expended by the Government to combat this dread disease. It is true that we appropriated a million dollars, as has already been stated, to combat the influenza epidemic generally, but very little of that million dollars found its way to Alaska.

Mr. VARDAMAN. Mr. President, will the Senator from Utah tell me the number of Indians in Alaska?

Mr. SMOOT. There are 27,000 Indians in Alaska, and there are only 20,000 white people there; in other words, there are only 47,000 souls in Alaska to-day. Six years ago there were 50,000 white people in Alaska, but within six years the white population of Alaska has decreased from 50,000 to 20,000.

Mr. SHAFROTH. This is due, Mr. President, to our policy started about 12 years ago with relation to reserving the lands and natural resources of Alaska.

Mr. BORAH. Not wholly, Mr. President; that is a very bad feature of it; but it will transpire in due time that that is not the sole reason for the depopulation of Alaska.

Mr. SMOOT. Mr. President, I was going to make the same statement the Senator from Idaho has just made.

Mr. President, I do not know that there is anything more to say in regard to this matter. I think I have covered the situation pretty thoroughly.

Mr. JONES of Washington. Mr. President, I merely wish to say a word. I am not going to try to amend the joint resolution. I think, however, that the provision it makes, upon the part of Congress, is very niggardly, in view of the situation in Alaska. There ought to be appropriated at least $150,000 to take care of the situation, but the committee has decided that $100,000 was all that it would recommend.

The conditions are simply deplorable. A large part of this money will go to taking care of homeless and orphaned children, made orphans by this dread disease. There may not so much of it go to actually combating the disease itself; but at one place, as the Senator from Utah [Mr. SMOOT] has stated, one-half of the natives have died. That leaves many orphaned children, who will simply starve unless they are taken care of. The white people of that Territory ought not to have the burden imposed upon them of taking care of these Indians, who are really wards of the Government, any more than the people of a State should have the burden of taking care of the Indians within that State imposed upon them. This is not done in the case of the States. The Government takes care of Indians within their boundaries; we recognize them as wards of the National Government, as they are, and the Indians, the Aleuts, and other natives in Alaska are in the same way wards of the Government.

Of course it is very much more expensive to afford relief in that Territory than within the borders of the United States proper, and, as I have said, I think the amount provided is very niggardly. I am not, however, going to try to amend the joint resolution in the hope that we can put it through promptly and possibly get more somewhere else.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The joint resolution was reported as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 5283) granting a pension to Edwin W. Gordon; to the Committee on Pensions.

By Mr. CUMMINS:

A bill (S. 5284) to amend section 10 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918; to the Committee on Interstate Commerce.

By Mr. CALDER:

A bill (S. 5285) to amend the act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915; to the Committee on Commerce.

A bill (S. 5286) directing the payment of certain sums to fourth-class postmasters for rent, light, and fuel; to the Committee on Post Offices and Post Roads.

By Mr. KELLOGG:

A bill (S. 5287) to provide for the control, supervision, and operation of telegraph, telephone, marine cable, and radio systems; to the Committee on Interstate Commerce.

By Mr. SMITH of South Carolina:

A bill (S. 5288) to provide transportation, storage, and marketing facilities for, and to regulate the commerce among the

States in, live stock, meats, and other products derived from live stock or the slaughtering of live stock; to the Committee on Interstate Commerce.

A bill (S. 5289) to amend paragraph 5 of section 5 of the United States cotton-futures act, approved August 11, 1916, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. GORE:

A bill (S. 5290) for the investigation and extermination of the European corn borer; to the Committee on Agriculture and Forestry.

By Mr. SMITH of Georgia:

A bill (S. 5291) to repeal section 7 of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917; to the Committee on the Judiciary.

By Mr. JONES of Washington:

A bill (S. 5292) making it unnecessary to secure permits from the United States Shipping Board for the construction of ships in American shipyards for foreign account; to the Committee on Commerce.

A bill (S. 5293) granting an increase of pension to Ephriam D. Edwards (with accompanying papers); and

A bill (S. 5294) granting an increase of pension to Joseph A. Truesdale (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 5295) donating captured cannon and cannon balls to the city of Orange, Tex.; to the Committee on Military Affairs.

By Mr. MYERS:

A bill (S. 5296) for the suitable recognition of war workers who have during the existing war donated or virtually donated their services to the United States Government; to the Committee on Military Affairs.

A bill (S. 5297) for the naming of the city of Washington, in the District of Columbia; to the Committee on the Judiciary.

By Mr. HOLLIS:

A bill (S. 5298) granting a pension to Della J. Nash; to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 5299) granting a pension to Jacob A. Booher; to the Committee on Pensions.

By Mr. KING:

A bill (S. 5300) providing for a reclamation project on the Strawberry River, Duchesne County, Utah, to be known as the Castle Peak reclamation project; to the Committee on Irrigation and Reclamation of Arid Lands.

A bill (S. 5301) to extend the franking privilege to the State Council of Defense of Utah; to the Committee on Post Offices and Post Roads.

By Mr. PENROSE:

A bill (S. 5302) granting a pension to Ella B. Kean (with accompanying papers); to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 5303) to permit joining the United States of America as a party defendant in an action in Federal and State courts in certain actions affecting title to real property; to the Committee on the Judiciary.

By Mr. FLETCHER:

A bill (S. 5304) to authorize the Federal courts of the United States to render declaratory judgments; to the Committee on the Judiciary.

By Mr. KENDRICK:

A bill (S. 5305) to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. GORE:

A joint resolution (S. J. Res. 208) providing that one term of the United States District Court for the Eastern Judicial District of Oklahoma shall be held annually at Hugo, Okla.; to the Committee on the Judiciary.

INTERSTATE TRANSPORTATION.

Mr. CUMMINS. Mr. President, I introduce a bill for reading and reference to the Interstate Commerce Committee. In that connection I desire to say that it is in substance a bill which I introduced about a month ago. It contains some modifications, however, and I thought this was the best way in which to make them. I ask for its reference to the Committee on Interstate Commerce.

The bill (S. 5284) to amend section 10 of an act "to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, was read twice by its title and referred to the Committee on Interstate Commerce.

CABLE SERVICE.

Mr. KELLOGG. Mr. President, I introduce a bill and ask that it be referred to the Committee on Interstate Commerce. I think, in fairness to myself, I ought to have an opportunity for about five minutes to explain the nature of the bill and why it has been introduced. I ask unanimous consent that I may be permitted to do so.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. KELLOGG. Mr. President, I shall not take the time of the Senate to read this bill. It is a bill to provide for the control, supervision, and operation of telegraph, telephone, marine cable, and radio systems.

The bill has not received by myself that consideration which I should wish to give to such a bill if it were to be reported for passage. In fact, I am not willing to say that I would give my support to all of the provisions of the bill. I should wish to hear from the Postmaster General and the various experts of the systems to be affected and representatives of the public before I could make up my mind definitely; but I thought, as the subject was before the Senate, it was well to introduce the bill so that it might receive the careful consideration of the Committee on Interstate Commerce.

Some provisions of the bill I have introduced by request, one of them which I should like to mention later.

The bill, in a general way, places all of the telegraph, telephone, cable, and radio systems under the control of the Interstate Commerce Commission. I might say that they are already under the control of the commission; but this bill seeks to extend that control, so as to give the Interstate Commerce Commission the power to fix not only maximum but minimum rates, to control service, and to compel interchange of business and use of facilities. In other words, it extends the power of the commission over the service as well as the rates. It also gives the commission the power to control the issue of all stocks, bonds, and securities of these companies engaged in interstate commerce.

It is not necessary to stop to discuss that; but the necessity for some Federal control of the issuance of stock and securities, I think, has developed to the satisfaction of all thinking men on this subject, not only as to railroads, but as to the other great public utilities of the country. It will avoid "wildcat" or reckless financiering, and it will make such securities better investments for the people and a safer basis on which to regulate or fix public charges. It will, in a general way, prohibit the issue of stock without its being fully paid, and it authorizes the commission to fix the conditions under which other securities may be issued and regulates the commissions and discounts, and so forth.

The second and a most important section authorizes the commission to permit consolidations to any extent the commission may think wise for the public interests. In other words, if any companies wish to consolidate their lines or companies where they were competing, which would be in violation of the Sherman Act, they must present to the Interstate Commerce Commission a petition showing the public convenience, necessity, and public interest; and the commission, after a public hearing, may permit such consolidation, in part or in whole, and on such terms or conditions as it may see fit.

I realize that this is an exceedingly important provision, and to some extent it reverses a policy which has been in existence heretofore in this country. I am not standing here now as an advocate of it. I simply suggest it, because it is one of the things we must consider.

I shall not stop to discuss the pros and cons of this question, but I think it is evident to everyone that of the 8,000 or 10,000 telephone companies scattered over this country many of them could be consolidated with advantage to the public, and their service made interchangeable. I do not believe anybody claims that there is any such thing as competition in the telephone business. Only one telephone can be used at a time; and in those communities where two or three telephone companies are operating there is two or three times the usual expense and annoyance to the patrons; but if that is done, of course the commission must have power over service in order to protect the public.

I shall not go further than simply suggest this. To a certain extent the same thing occurs in the telegraph and in the cable systems; but there are many very important questions there which I think the committee should consider, as to whether the competition now existing is of sufficient importance that Con-

gress should prohibit any consolidation. I think that is a question that should be looked into very carefully.

I am not going to discuss this bill at length. The last section of the bill I introduce by request. I think it is fair to state that I am not yet prepared to say that I would be in favor of it. I think it is a question that the committee and the Congress should look into carefully. I am told that certain of our cable systems should be extended at once, in order to connect with valuable territory, especially in Brazil, and protect the commerce and trade of this country in South America; that it is necessary that the cable go in advance of the steamship and the merchant; and that, owing to the fact that the Government occupies the entire field of investment at present, the companies have been unable to procure capital. It is therefore recommended that the Government authorize a temporary loan on security in order to encourage cable extensions, but upon condition that the cable be manufactured in this country.

I am not prepared to say whether that is advisable or necessary. One of the companies reaching South America—the Central & South American Telegraph Co., I think its name is—claims that it has sufficient capital to go ahead with extensions.

One other company claims temporarily it can not get the capital. I do not think any Government aid is needed for any great length of time, and I am not sure that it is needed at all; but it is a question which I think should be carefully considered, because there is no doubt that the demands of the Government and the business interests of this country require the extension of cable systems.

Mr. TOWNSEND. Mr. President——

Mr. KELLOGG. I yield to the Senator from Michigan.

Mr. TOWNSEND. I was delayed and came in late. Do I understand that the Senator is now discussing the resolution which he introduced the other day?

Mr. KELLOGG. No; I am not asking to take up that resolution, and I would like to have it lie on the table at least for the present.

I only wish to say one more word.

I may be overenthusiastic about the subject, but with a foreign commerce which last year amounted to over $9,000,000,000—the largest foreign commerce, by several billions, that any country ever had in any period of history—with a balance of trade in our favor of over $3,000,000,000—in other words, our exports exceeded our imports by over $3,000,000,000—with the war ended, and being confronted with the increasing competition of other nations, I think it is due the business interests and the people of this country that every effort be made to extend and protect our foreign commerce in South America and, in fact, in all other countries. The telegraph and the cable must precede the steamship; the steamship must accompany the merchant; the banking system must combine with both; and those are the great facilities which our business men need in the development and holding of this foreign commerce.

I have introduced this bill hoping that the Interstate Commerce Committee would, as soon as possible, bring before it the men who have more knowledge upon that subject than I have, that we might consider this most important question.

The bill (S. 5287) to provide for the control, supervision, and operation of telegraph, telephone, marine cable, and radio systems was read twice by its title and referred to the Committee on Interstate Commerce.

MEAT-PACKING INDUSTRY.

Mr. KENYON. Mr. President, I ask the attention of the chairman of the Interstate Commerce Committee.

Some days ago I introduced, by request, a bill relative to the packing houses. The bill had been introduced in the House by Mr. SIMS, of Tennessee; and I was requested by representatives of the Farmers' Alliance to introduce it in the Senate, because there is to be held here this week a national convention of farmers from all over the country, and they desire to be heard before some committee on this bill. These representatives would have to come many hundreds of miles if the hearings should not take place about the same time in the House and in the Senate. The bill went to the Interstate Commerce Committee in the House. Knowing that to be the fact, I did not feel like asking that it should go to the Agricultural Committee of the Senate, at least in the absence of the chairman of the Interstate Commerce Committee, so it went to the Interstate Commerce Committee.

A few days ago I asked unanimous consent that that committee be discharged from the consideration of this bill and that it go to the Agricultural Committee. I was requested by the Senator from Utah to postpone that request, and I make the request now. I want to say that I talked with the chairman of the Interstate Commerce Committee at that time, and he seemed to have no objection to it, nor did the ranking member of the minority. That committee is burdened with hearings on the railroad question and can not hear witnesses and can not give consideration to this bill for a long while. The Agricultural Committee has been considering the question of some bill with reference to the packers, and has had some hearings upon the question; so that it would be entirely appropriate that this bill should go to the Agricultural Committee and let it take care of the whole situation.

I ask the chairman of the committee now if he has any objection to that course.

Mr. SMITH of South Carolina. Mr. President, in reply to what the Senator from Iowa has said, I will state that at the time he spoke to me about this bill I had not given it the consideration that I have subsequently given it. I received a communication from the President in reference to this bill and should have given it earlier consideration, but on account of the press of other business it was impossible for me to do so.

The bill as introduced in the House was sent to me with a request that our committee take it up and consider it at our convenience. The situation as it now develops is that we possibly will be through within two weeks—three weeks at the most—with the hearings on the railroad situation. This matter is of such importance and lies so largely along the line of the work of the Interstate Commerce Committee, in that it proposes to take over the rolling stock, the refrigerator cars, and is so intimately related to the transportation system of this country that, in accordance with the request, I feel it to be my duty to insist that the bill shall remain in the hands of our committee, because before this session is over we will have ample time to give it the consideration to which it is entitled.

Mr. KENYON. May I ask the Senator a question? Do I understand the Senator to say that the President of the United States requests that the bill go to the Committee on Interstate Commerce?

Mr. SMITH of South Carolina. His communication in reference to the bill was addressed to me as chairman of the Interstate Commerce Committee.

Mr. KENYON. Let me ask the Senator, then, if there is any chance for that committee to hear the representatives of the farming interests of the country who will be here this week?

Mr. SMITH of South Carolina. It may be possible for us to hear them, because we have set aside certain morning hours to have hearings on the railroad bill, and I think perhaps the committee might meet and hear what those representatives have to say, and they might lay before us whatever they desire to present.

Mr. KENYON. If the Senator objects, I am not in a position to urge the matter, because it has more or less elements which should be considered by the Committee on Interstate Commerce, but I felt that it would be impossible for that committee to consider it for another month, and consequently nothing would be done at this session. I rather think that will be the situation. I withdraw my motion.

NAMING OF THE CITY OF WASHINGTON.

Mr. MYERS. I introduce a bill which I ask may be read and referred to the Committee on the Judiciary. After it is read I should like to say a very few words about it.

The VICE PRESIDENT. Does the Senator mean read in full?

Mr. MYERS. Read in full. It is short.

The bill (S. 5297) for the naming of the city of Washington, in the District of Columbia, was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That that city and community and all thereof situate and now being within the District of Columbia is, and shall be, known and designated as the city of Washington, and the boundaries of the District of Columbia, now and heretofore established by law, are, and shall be, the boundaries thereof; and said city shall be and is the Capital and permanent seat of government of the United States.

SEC. 2. That nothing herein shall repeal, alter, or affect any existing provision of law for the government of the District of Columbia, all of which are continued in full force and effect.

Mr. MYERS. Mr. President, I desire to say just a few words as to my reasons for giving attention at this time to what may appear to some to be a relatively small matter. Those who are authority in law claim that there is no city of Washington; that it has no existence whatever; that the supposed city of Washington is wholly a myth. From time immemorial, at least from the time of the location of the permanent seat of government of the United States in the District of Columbia, all executive documents, all proclamations and messages of the President, have had appended thereto the words, "Done at the city of Washington" on a certain date, until a few months ago, when some one in official life, who claims to be authority on the subject, informed President Wilson, I understand, that there was no city of Washington. Since then the President has been appending to

his official documents the words, "Done in the District of Columbia" on a certain date.

It seems that those of us who are here are simply living or stopping in the District of Columbia. The place in which we do business is the District of Columbia, not the city of Washington or a city of any other name or identity. Massachusetts Avenue, which is near the spot in which we now are, is simply Massachusetts Avenue in the District of Columbia.

Every nation in the world other than the United States, so far as I know, has a capital city, and I think the United States should have a capital city. It does not seem to me very dignified for the District of Columbia, merely encompassing so many square miles in extent, to be the Capital and the seat of government of the United States. Jefferson City is the capital of the State of Missouri, and executive documents there are issued as having been "Done at the city of Jefferson" and not as done in Cole County. The city of Springfield is the capital of Illinois, and executive documents issued there are issued as being "Done at the city of Springfield" and not in Sangamon County. It seems to me that the people of the United States ought to take sufficient pride in their Capital to have it located in a city and for the city to have a name, but it can only be given a name through congressional action. It has none at present. There is a post office here called "Washington," just as a cross-roads country post office named "Smithville" may be located in the midst of a township of prairie country in Minnesota or North Dakota, but the fact that the post office here has a name does not give a name to the city or community around it. The newspapers which are published here bear the name of the city of Washington, while there is no such city. The Washington Post, the Washington Herald, the Washington Times, and the Washingston Star are really misnamed. To be properly named, they should be named the District of Columbia Post, the Herald, Times, and Star.

Mr. SHAFROTH. Mr. President, may I ask the Senator a question? Does the bill propose to make the limits of the city of Washington coextensive with those of the District of Columbia?

Mr. MYERS. It does.

Mr. SHAFROTH. Will that require city taxation to be imposed upon farms that are within the District of Columbia?

Mr. MYERS. Oh, no; it does not affect taxation or any law whatever in regard to the government of the District of Columbia. The second section of the bill says: "Nothing herein shall repeal, modify, alter, or amend any law regarding the government of the District of Columbia, all of which are continued in full force and effect." The bill is merely a matter of sentiment. It is simply a matter of nomenclature; a bill to give this city a name. Just as Paris is the capital of France, I think our country ought to have a capital located in a city which has a name, not in a nameless city. It is simply a matter of giving a legal name to a place. It was always supposed until a few months ago that the Capital of the United States, the permanent seat of government, was located at the city of Washington, but it is not so. It was simply located in the District of Columbia. It is just as if the city of Jefferson, the capital of Missouri, did not exist; the permanent seat of the government, in that event, would be in Cole County, Mo. This bill would not affect any existing legislation relating to the government of the District of Columbia. It leaves everything of that kind as it is. It gives the city no government, it only gives it a name; that is all.

Mr. SHAFROTH. If the bill relates solely and purely to the naming of the place where the Capital of the United States is to be located I have no objection to it, but it does seem to me that it ought to be looked into closely.

Mr. MYERS. I have asked that it be referred to the Committee on the Judiciary for that purpose.

Mr. SHAFROTH. It seems to me that if you are going to make the limits of the city of Washington coextensive with those of the District of Columbia you are going to take in vast stretches of territory that are nothing but farm lands and that ought not to be subject to city taxation, and for that reason the bill ought to be examined very closely as to whether or not it will affect the taxation of property in the District of Columbia outside the city limits.

Mr. MYERS. I want it examined closely by the Committee on the Judiciary. It is simply a matter of nomenclature and arises from a sense of pride. There was a good deal of discussion about it in the newspapers of the city some three or four months ago and some expert on law discovered that there was no city of Washington. It rather offended my pride that my country had no capital city, and I have had it in mind since to undertake to give it one and have introduced this bill for that purpose.

Mr. KIRBY. I would like to ask the Senator a question.

Mr. MYERS. I shall be glad to answer it.

Mr. KIRBY. I am curious to know what the expert on law considered and how he reached the conclusion that there is no city of Washington?

Mr. MYERS. I do not know what he considered. I only read the newspaper accounts of it. I think, however, he was right. I know of no law creating any city of Washington. There is a law creating the District of Columbia, but there is no law, of which I know, creating the city of Washington; at least, that is what the newspaper reports stated, and I believe it. There is a city popularly known as Washington City. That is the name, the designation given to it by common consent. The city in which Congress sits is called Washington City, but there is, I understand, no authority in law or fact for it. It might as well be called by any other name. I would give it a legal name and status.

The VICE PRESIDENT. The bill will be referred to the Committee on the Judiciary.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment providing that hereafter the Superintendent of the Naval Observatory shall be a retired line officer of the Navy, with rank not below that of rear admiral, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. CALDER submitted an amendment proposing that for the fiscal year ending June 30, 1920, each fourth-class postmaster in the United States shall be paid a sum not less than 20 per cent of his or her compensation under existing law and not more than 25 per cent thereof as allowance for rent, light, and fuel, etc., intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

GOVERNMENT CONTRACTS.

Mr. CALDER submitted four amendments intended to be proposed by him to the bill (S. 5261) to legalize informal or defective orders for war supplies and materials, to provide for the cancellation of orders and contracts, for the reimbursement of contractors and manufacturers, for the adjustment of claims or canceled or partially filled contracts and orders, and to provide relief for contractors pending final determination, which were ordered to lie on the table and be printed.

COMMISSION OF FINE ARTS.

Mr. WILLIAMS. I ask unanimous consent to take from the calendar for present consideration Senate joint resolution 202, being a joint resolution requesting the Commission of Fine Arts to submit to Congress certain suggestions concerning memorials and monuments.

The VICE PRESIDENT. Is there objection?

Mr. GORE. I should like to ask the Senator from Mississippi if he expects the joint resolution to lead to any discussion.

Mr. WILLIAMS. I do not.

Mr. McCUMBER. I object to anything but morning business at the present time.

The VICE PRESIDENT. There is objection until the morning business is concluded.

FARM LABOR.

Mr. GORE. I submit a Senate resolution and I ask that it may be read and lie on the table subject to call.

The VICE PRESIDENT. It will be read.

The Secretary read the resolution (S. Res. 409), as follows:

Whereas the planting season for the year 1919 is near at hand; and
Whereas the loss of four months at this season is equivalent to the loss of the year; and
Whereas farm labor is both scarce and dear; and
Whereas an abundant harvest is of the greatest concern, not only to producers of this country, but to consumers both at home and abroad: Therefore be it

Resolved, That it is the sense of the Senate that the drafted men and volunteers in the military forces of the United States should be mustered out of the service as rapidly as the public interest will permit, and that it is the further sense of the Senate that every effort should be made to muster out at once actual farmers and farm laborers who were engaged in farming at the time of entering the military service and who declare their intention to engage in farming during the current calendar year.

The VICE PRESIDENT. The resolution will go over under the rule and be printed.

SOLDIERS' ROLL.

Mr. POMERENE submitted the following resolution (S. Res. 410), which was referred to the Committee on Rules:

Resolved, That the Secretary of the Senate and the Sergeant at Arms of the Senate are hereby directed to retain in the employ of the Senate those persons who served in the Union Army during the late Civil War, the Spanish-American War, and the War with Germany, and whose service in the Senate is necessary and satisfactory, who are not otherwise provided for, and to continue such persons in their positions until cause for their removal shall have been reported to and approved of by the Senate and their removal directed.

LEAGUE OF NATIONS FOR PEACE.

Mr. MYERS. Mr. President, I wish to announce that to-morrow, at the close of the morning business, or as soon thereafter as possible, if I may be permitted, I intend to make some remarks on the proposition of a world league of nations and some questions incident thereto, including the approaching peace conference between the warring nations of the world.

MEMORIAL ADDRESSES ON THE LATE SENATOR BRADY.

Mr. BORAH. Mr. President, the 19th of January has been set apart as the day to hear addresses upon the life and services of the late Senator GALLINGER. I desire to give notice that at the same time addresses will be made upon the life and services of the late Senator BRADY.

COMMISSION OF FINE ARTS.

Mr. McCUMBER obtained the floor.

Mr. WILLIAMS. I ask my friend, the Senator from North Dakota, before he proceeds, to yield to me just for a moment to renew the request which I made for unanimous consent for the present consideration of Senate joint resolution 202. If it leads to any talk or discussion I shall withdraw it.

Mr. McCUMBER. Very well; I yield for that purpose.

The VICE PRESIDENT. Without objection, the joint resolution will be read.

The Secretary read the joint resolution (S. J. Res. 202) requesting the Commission of Fine Arts to submit to Congress certain suggestions, as follows:

Resolved, etc., That the Commission of Fine Arts be, and they are hereby, requested to report to Joint Committee on the Library for its consideration and submission to Congress suggestions for monuments and other memorials to commemorate the heroes and events of the great war, and the best methods of obtaining artists to execute the same with the view of securing artistic excellence in such memorials.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEAGUE OF NATIONS.

Mr. McCUMBER. Mr. President, even before the peace delegates have assembled the question of a league of nations has assumed a dominant position in the eyes of the world. It has been given more space in the press of this country, Great Britain, and France than any other problem which will come before the peace commission. It is the subject of discourse wherever men assemble. Its supreme importance has been recognized by the introduction in this body of a resolution advising and cautioning our delegates against precipitate or premature action; and its dangers have been expounded by able Senators.

But, Mr. President, notwithstanding this caution, the world looks with hopeful and expectant eyes to this Peace Commission for some international arrangement that will make impossible another such war. We have seen the thunderbolt of war shot from serenest skies of peace. We have seen nations basking in the sun of tranquillity suddenly swept by the hurricane of a life and death struggle. We have seen more than four years of the most devastating and sanguinary, the most savage and brutal battles that have ever blackened the earth. And as we reach its close, even the shouts of the victors are drowned by the lamentations of mothers, by the weeping of fatherless children, by the anguished sobs of millions upon millions of poor bereaved mortals. And as we look upon all this devastation and misery, and contemplate the many, many millions of brave boys to whom life was sweet and fair, who have gone down to death to save the world from this bloody monster of military autocracy, their lofty hopes and ambitions entombed with their crushed and mangled bodies, and when we realize that many, many millions of young girls, whom God had created to reign queen of heart and home, must live their lives unwed, robbed of their God-given right of motherhood, and doomed to walk down life's path alone, in a land laid waste by devastation's flaming hand—robbed of the stronger arm of man to support and guide, or the gentle hand of child to caress when the wearied night of age comes on, we may well ask ourselves, Is it impossible for civilization to free itself from the ever-impending dangers of such a scourge? Is it impossible to hold nations to the same moral code in their international relations that each imposes upon its citizens in their personal relations? Must history repeat itself over and over again? Must our children's children suffer and die as their fathers have suffered and died to propitiate the God of War?

Mr. President, the great Teutonic empires answered these questions in the negative. They declared that the nation could never be held to any code of Christian morals; that the power to conquer carried with it the duty to crush and destroy whenever such action could inure to the benefit of the most powerful.

Against that monstrous doctrine, with all it meant to the future of the world, the unprepared entente powers of Europe, with the final assistance of our own country, fought, and fought to the death, the great military central powers.

Are we now to be told that those nations which so fought and conquered, and the blood of whose sons encarmined the land and the seas for the principle of world justice, are now unable to devise any means to perpetuate those principles? If so, how vain have been our sacrifices, and what a mockery is our pretended civilization!

Mr. President, a suffering and agonized world will never accept the verdict that the god of military prowess, now floored and manacled, shall now be liberated without tether or chain.

I am optimistic enough to believe that great world wars can be prevented, and that the time to present and adopt the restrictive or preventive measures is now and not some indefinite time in the future—is to-day, when the awful horrors and consequences of war are apparent to every heart—and not when those horrors are forgotten and only the military glamor and glory remain to influence the sentiments of humanity.

To-day is the opportune time for the crystallization of the peace sentiment of the world into effective, international compact and guaranty. To-day, at the close of one of the most unprovoked, one of the most inexcusable, and the most bloody wars of all the ages is the auspicious moment for action and final settlement. In Versailles, in view of that battle field where was once a paradise, but now a devastated and desolate hell of ruins, is the place to write and promulgate a new code of international relations and conduct.

Most of those who have expressed themselves on the floor of the Senate and elsewhere against a league of nations predicate their conclusions on the ideas presented by extremists rather than on the views of a far greater though perhaps less voluble number of supporters of a treaty of nations to insure the peace of the world.

In pointing out the dangers of a league of nations they presuppose a league which in effect would constitute a new United States of the world, a confederacy of all the nations of the world, with an international legislature, an international court, an international president, and an international control of the armies and navies of the component powers. They presuppose a confederacy by which each nation surrenders its individual sovereignty to an extent similar to that surrendered by each State entering into the American Union. Were all nations equal or nearly equal in intelligence, in national character, in stability, of temperament, were there no superior and inferior nations and races of the world, no color lines and no race prejudices, the world might be better because of such a league. But we must accept the world situation as it really is. And while we should accord to each nation, notwithstanding its intellectual inferiority, its just and inalienable rights, the right to live and work out its own destiny, we could not assimilate all these inferior races without lowering our own national character and national standard. And therefore, Mr. President, such a league of nations would not only be impracticable but it would, in my humble opinion, be a wrong to the great intellectual nations of the world. Most of the argument of the Senator from Missouri, and some at least of the arguments of other Senators, were based on the hypothesis of such a league of nations. Mr. President, there can not be and there will not be constructed such a league of all nations of the world. With the fall of the premise must fall the deduction.

It may well be asked, then, what kind of a league of nations could with propriety and safety be recognized and adopted by this peace conference?

Mr. President, in replying to this query I shall present the conservative side of the problem. I shall take the world as it actually exists with its real, human, and national propensities, and shall not attempt to write an equal and perfect law for an unequal and imperfect world people. Nor shall I be so presumptuous as to even suggest that a code based upon present world conditions would be applicable a few centuries hence or for all time. There may come a time when because of density of population the law of the survival of the fittest may justify the conquest of sections of the earth held by peoples less fitted to enjoy its domains, just as the Indians of the Western Continent were doomed, that a wiser, a more enlightened and a more noble race might found a higher and a better civilization. It may be that nations now marching in the van of civilization may become so degenerate that they will be but stumbling blocks to the advancing world of intellectuality and progress.

But, Mr. President, so far as we can look into the future, and we can look forward at least a few centuries, we can predicate our action with a reasonable degree of certainty and feel assured that the course of international justice which we shall now prescribe will be applicable to those future conditions.

So let us invoke only those fundamental principles upon which we can all agree; and having thus agreed upon them, let us then pause and question ourselves as to whether it is either wise or necessary to project our international agreements further into the realms of complexities, uncertainties, or interferences.

Mr. President, I shall, therefore, assume in this argument that the edicts, "Thou shalt not steal" and "Thou shalt not murder," written by the hand of Deity and imprinted on every human heart, are laws which should govern not only individuals in their relations to each other but are also laws which should govern nations, which are but collections of individuals, in their international relations. I shall, of course, not attempt to convince anyone who will deny the applicability of these rules to nations. All I can say to him is that the German ruling and military caste denied the rule, and the balance of the world affirmed it, and that the victory of the allied cause against the central powers has established by the arbitrament of war the doctrine that nations shall not be exempt in their international relations from the moral code which each enforces upon its own people. That principle being thus settled, there is, therefore, left only the question as to how that moral code shall be established and maintained between nations.

Well, Mr. President, the first thing to do, and the most natural thing to do, is that these nations, each and every one, which have banded together and fought together to establish this moral code as an international rule of conduct, shall agree to and with each other that they will abide by that principle in all their dealings with each other and with every other nation that shall join them in that compact. That they will rob no other nation of its territory or sovereignty; that they will not murder its people for territorial aggrandizement. That is a sufficient beginning, for if all the great nations agree to and do abide by this rule there will be no difficulty in compelling the little nations to conform to it.

The very first clause of the very first article of this agreement should, therefore, declare that each independent nation of the world, as it shall exist at the time this compact shall be executed, has the right to live and work out its own destiny free from any impending danger of any mighty military neighbor.

If you ask why we adopt this particular time as the basis of agreement, I answer: World nations have just been shattered and destroyed by this mighty earthquake, and the broken fragments can not be replaced in their old positions. New nations must and will be created, not only to satisfy the natural aspirations of peoples but also to encircle the nation whose madness precipitated all this slaughter and misery, lest with returning peace there might develop again the old malady; and, further, the impossibility of readjusting the boundaries of Europe to conform to ancient sovereignties. To do that we should be compelled to return France to ancient Gaul, Gaul to Rome, and Rome to the immortal gods.

We should then write into this compact that no nation should make a war of conquest on any other nation; that no nation should forcibly seize or annex any portion of the territory of any other nation or claim or exercise a control or suzerainty over it or in any way limit its complete sovereign rights and independence.

We should provide in that compact for an international court. It matters little whether you call it a court of arbitration or an advisory international commission or The Hague tribunal. Each of the contracting nations should then agree that in case of international disputes it would submit its controversy, whatever that controversy might be, to this court, to the end that the claims of both parties might have fair hearing and publicity not only in both countries but in every other country, and that this court or commission should make its findings of fact and suggest a course of action to bring about a settlement or a reference of the question at issue to arbitration. This compact should then provide that no one of the contracting nations should go to war against another until it had thus submitted its grievances to this court or board; or, still being aggrieved at these findings, that it would withhold any physical force until its grievance and the dereliction of its adversary had been submitted to its cocontractors, the other great nations of the world, and an opportunity given them to use their good offices to secure reparation and justice for any wrong and a final reconciliation.

With such a solemn compact of nations, executed by all the great nations of the world to and with each other, the danger of any great war, any world war, would be pressed far, very far, into the realm of impossibility.

Does anyone believe that had such a great international agreement been in existence prior to 1914, even Germany with her autocratic and irresponsible government would have dared break her compact with each and every one of the other great nations of the world? Does anyone believe that with such a solemn compact with every other nation Austria-Hungary would have defied the world and pounced upon little Serbia and thus have lighted this flame of war?

And, Mr. President, if these nations could not have faced the whole world with such a broken pledge, under their autocratic forms of government, how much less would be the danger under truly representative forms of government which have come into the world to stay?

With such an agreement we should need no great centralized world government, no international army and navy, no international police to enforce an international court's decrees. Both honor and self-interest would unite to compel adherence to this international compact.

There is an ever-growing sense of international honor and integrity in the world, and the very fact that Germany broke her pledged faith with France and Great Britain to respect the territorial and political sovereignty of Belgium, and by that breach sought to crush France at a single blow, has intensified and strengthened this sense of international integrity and created a deeper world sense of abhorrence against international bad faith. And the fact that Great Britain declared that she would uphold her treaty with Belgium, even though there was no bond compelling her to fight on the side of France, though her act thereby put her very life in jeopardy, has given to international obligations a sacredness never before attained in the history of the world.

Mr. President, I want the bond and I want Germany's signature to that bond. She has been the only country that has threatened the peace of the whole world for the last 45 years, and to meet her threat every other nation has had to keep itself armed to the teeth and weighted to the verge of poverty to maintain mighty armaments. No matter how bad or unreliable a man may be, I would rather have his signature evidencing his obligation to me than to be without this written proof and the moral influence that goes with it. When one places his signature to an instrument, he must give good reason why he repudiates it; without his signature he may be under no obligation to explain.

And, so, after the terms of peace have been determined by the victors in this war and the new nations created shall take their places in the world, then I want the joint bond of the central powers to assure international justice. I want the signature of Germany, not only as an evidence that she forever formally repudiates the brutal doctrines of her old rulers and military castes that "Might makes right," but I also want it because I know the industrious, conservative, and frugal German people, rising from the ashes of their calamities, will reconstruct a great nation. And as deeply as I hate Kaiserism and the abominable doctrines of military Germany I believe we should extend the hand of brotherhood and friendship to democratic Germany when its people have repudiated both these stigmas on real German character and have steered their country clear of the worse malady, Bolshevism.

A word now in reference to the stock criticisms against a league of nations.

Mr. President, no matter how much we may legislate, how many resolutions we may introduce and pass, three things are certain: The first, already accomplished, is that acting within his constitutional authority the President has appointed delegates to sit with delegates from other allied nations to agree upon terms of peace; second, that these delegates will proceed to dictate and agree upon such terms of peace; and third, that they will not rise from their deliberations or attach their signatures to any instrument of peace that shall leave untouched or unsettled the question of the prevention of another such war. If they should do so their action would meet the condemnation of the people of all the countries who have endured the horrors and privations of this war. It will not do to say in one breath that war is wrong and in the next breath that such wrong can not be checked.

Now, there seems to be a fear, which I believe to be unfounded, that these delegates will not take up and dispose of these questions in their logical order; that they will take up the question of prevention of future wars before they close this war, or that they will somehow work in the project of a league of all nations before they settle the question immediately involved among the warring nations. To my mind these apprehensions are unwarranted. Remember this peace commission, Mr. President, represents only those countries whose armies have joined to overthrow the central powers. It does not at present include even the delegates from the enemy countries. Therefore, the

very first question that will absorb the attention of the peace commission must necessarily be the terms that will be imposed upon the several enemy countries as conditions of peace. Upon this the only voice that can possibly be heard will be the voice of the victors. A league of world nations can not be consummated until such world nations are subsequently brought into conference. What, then, are the immediate terms which this particular commission will deal with? The Senator from Massachusetts [Mr. LODGE] very tersely and very properly says they are restitution, reparation, and guaranty. But, Mr. President, there could be no guaranty without guarantors, and in this instance it means not only a guaranty on the part of the vanquished to conform to the peace conditions imposed, but on the part of the victors to enforce and maintain every condition that may be necessary to assure the performance of those conditions.

You, therefore, find yourselves engaged in forming a league of the greater nations of the world, the victors and the vanquished, as the most important and immediate factor of this peace treaty, and all there is left for discussion or contention is the general form of this league and the extent to which other powers shall be invited into it.

We are asked by the resolution of the Senator from Pennsylvania [Mr. KNOX] to advise our delegates not to enter into the discussion of any general league for the prevention of future wars until after they have completed their task of entering into terms of peace conditions. That, Mr. President, it seems to me, they will and must do. But in the speech of the Senator in support of his resolution he suggests that the question of an international alliance for peace might better be considered not only at some future time but by a wholly independent and differently constituted body. With that contention I can not agree. I have already stated in general terms, and shall before I close point out in particular, why I think that course would be a mistake. We all, of course, understand how far-reaching and how complex must be the questions that will arise in the discussion of a general league for peace. But the Senator has pointed out no line of demarcation between what must be disposed of to make the peace treaties effective and enduring and what should be left for further deliberation to which other countries may be invited to participate. On the contrary, both his resolution and his address contemplate that to a certain extent this present peace commission shall provide against the dangers of a recurrence of such a catastrophe as the world has just passed through, the very thing and the only thing a league could accomplish.

The second paragraph of his resolution reads:

> That for the safeguarding of those aims the first essential is a definite understanding that the same necessity arising in the future, there shall be the same complete accord and cooperation with our chief cobelligerents for the defense of civilization.

And in support of this the Senator declares:

> It is clear, then, that our attention should now be directed to the enforcement of the remainder of our war aims, now best expressed as restitution, reparation, and guaranties; and to the purpose to complete, to perfect, and to guarantee those aims as we pass to the state of formal peace.

And again:

> The definite problem of formally ending the war is: By what measures as to restitution, reparation, and guaranties shall we assume that the war now won shall stay won, that the menace now removed shall stay forever removed? Germane in a broad sense is the question of what measure of safeguarding we may make the recurrence of any similar menace in the future most improbable.

The Senator, therefore, agrees that this present peace commission, not some future commission, must provide for restitution, must provide for reparation, and must provide for guaranties that the menace "now removed shall stay forever removed." Well, Mr. President, if the peace commission does all that, there is nothing left for a league of nations to do, but it can only do that by entering into a league of at least the principal nations of the world. It means, no matter how distasteful the term may be to any Senator, a league of the nations making the guaranty.

And that brings us right up to what shall constitute the limit of this guaranty as fixed by this commission, a limit that no one has pointed out, and, with the thousands of questions which will enter into this peace negotiation, no man on earth can now possibly determine.

The difficulty of predetermining the scope of action of this commission will become more apparent as we investigate some of the main features that will necessarily have to be determined by this peace commission as terms of peace. Let us see what they are. First, there is the question of restitution. What does that mean? We are all agreed that the first thing to be restored are the Provinces of Alsace and Lorraine. Those are Provinces with well-defined borders. Their restitution is the simplest of all the questions involved. This peace commission may find it necessary in order to assist in securing the future peace of the world to carry this principle of restitution farther along Germany's western boundary, and to return to Belgium all the territory wrested from her in 1839. The allies may deem this necessary to place Germany in a position where the wicked teachings of her military and political rulers which brought on this war can not in the future influence any great section of Europe and thus reendanger its peace and safety. They may extend the borders of Belgium and press Germany back within her old borders east of the Rhine, a boundary which at once becomes not only natural, but would better enable Belgium to defend herself against another attack. I think the average American would agree that those sections of Germany lying west of the Rhine, including Luxemburg, formerly a part of Belgium, might well be apportioned to Belgium to partially compensate her for the awful ravages committed against her territory and people.

I would not depend alone on the league of nations to maintain peace, but to make assurance doubly sure I would close up wherever possible every avenue of danger, just as I would lock up a madman with murderous propensities until he had been unquestionably cured of his dangerous hallucinations.

Nor is that all.

The Senator agrees that there should be a cordon of countries surrounding the Teutonic powers on the east and south that would forever disillusion them of their dream of mitteleuropa, which would dominate first Europe and then the world. In that I think he agrees with the President, for one of the President's fourteen principles of enduring peace provides for the reconstruction of ancient Poland. When the armies of Poland were annihilated, her once vast territory was divided among Russia, Germany, and Austria. Now, one of the duties imposed upon this peace conference will be to reconstruct this Empire from territory of the three great countries which robbed her of her national heritage. This will be another case of restitution.

Again, we have already recognized the Czecho-Slavs as a nation, and the Jugo-Slavs demand from the allies proper recognition. We are morally pledged to destroy the suzerainty of Turkey over European States, and to make independent countries over which she formerly held sway. These will be most perplexing duties, but they must be performed and by this commission. If not so performed, then within 25 years mitteleuropa will be an accomplished fact and the fruits of all our victories blasted.

And again, each time we create a new country we reduce the size, the population, wealth, and ability of our great enemies, Germany and Austria-Hungary, Bulgaria, and Turkey, to compensate for war losses. Serious questions will then arise as to the apportionment of war indemnities among the nations which were in arms against the United States and her allies. You will sever from Germany Alsace and Lorraine, which have furnished many thousands of soldiers in the battles against France. Naturally this portion of new France can pay nothing toward this indemnity. You also take from Austria-Hungary a large portion of its territory, and with Russian territory you constitute new Slav Provinces—a Jugo-Slav country, a Czecho-Slav country, a new Poland. Although portions of these new countries were battling against us, you will find it extremely difficult to say that the part taken from Austria-Hungary shall bear its proportion of taxes to make amends for international transgressions. In the enforced payment of these demands, however apportioned, the nations now banded against Germany must agree to stand united until the last dollar has been paid. And there, Mr. President, we have a league of nations, a treaty for offensive warfare, if necessary, and certainly a treaty which binds them for united offense may very properly bind them into an agreement to maintain a condition which would prevent a military nation like Germany, through intrigue or force, from ever attempting to nullify an agreement for compensation entered into with her or to destroy this cordon of nations, whose viselike grip assists in holding her to her agreement. There are so many, even hundreds, of these collateral questions which will need to be considered that I believe it unwise for this Senate at this time to limit or define the subjects which may or may not be debated and acted upon by our delegates.

I do not consider that we are bound to greatly respect any claim on the part of Russia. Her action in this war has been worse than the action of an enemy. She betrayed her bleeding and suffering allies at a time when her assistance was most needed. She surrendered to German intrigue, and her leaders were bought by German gold. The atrocities committed by the present Bolsheviki government of Russia, or rather the usurpers of Russian Government, forfeit for her the respect

and confidence of every nation of the civilized world, and relieve her allies from any debt which might otherwise have been her due.

Our next step, then, Mr. President, is to put these new governments on the map of Europe. That means, first, that we must solve the most delicate and difficult problem of boundaries. Then, having established these nations and fixed their boundaries, are we to dissolve our peace commission and return our soldiers to their homes, leaving the weak and newly created nations to their own fate, with no written understanding or guaranty for their protection? Observing, as we have already observed in the last four years of history, the wonderful diplomatic machinery of the German Government, and remembering her ability to bribe and thereby secure the defeat of gigantic Russia and subject her to her control, how long would these nations, discordant by nature and weak from centuries of bondage, last before they would fall to the wiles and become mere puppets in the hands of the Teutonic powers?

Is it not, therefore, absolutely essential that we insert in the peace agreement that we shall now make with Germany and Austria that no nation shall seek either through diplomacy or through war to destroy the territorial or political sovereignty and independence of any one of these new nations, and not leave that question for Germany and Austria to assent to or not at some future time. Now is the time to bind them, and we can not logically or justly bind them without binding ourselves. If we fail to do that, we shall have left open the gateway for another worse war than that which we have just passed through. This, then, means that these particular nations must enter into a league, if you see fit to call it a league. I prefer to call it a treaty. And they must enter into it now. They must make a treaty now whereby each one binds itself not to do those things which the treaty says shall not be done.

We have, therefore, Mr. President, before we have gotten half way through with our peace agreement, found ourselves in league with Great Britain, France, Italy, Belgium, Roumania, Serbia, and Greece, and such new nations as shall be created. We have agreed that neither one of us shall ever attempt to destroy any one of these nations; that these nations shall live in the world free from the danger of destruction and absorption by some powerful military neighbor; and we must necessarily compel our enemies to join us in those assurances, and that is a league of nations to defend the existence and rights of other nations.

But, Mr. President, to accomplish this we do not need to conform the agreement or treaty to any Utopian dream of a United States of the world. We applaud the action of Great Britain in coming to the defense of France and Belgium to maintain the integrity of her Belgian treaty. Great Britain kept her word; France kept her word; and if we enter into an agreement we will keep our word, and that coalition will hold other nations to their word. We do not need to surrender our several sovereignties in order to maintain an agreement founded upon justice to all nations. It is sufficient that we rest its maintenance upon the honor of the great nations entering into the compact.

The Senator from Pennsylvania admits, nay, he strongly asserts, that under present world conditions we have an interest in Europe; that as in the days of Monroe we foresaw a great danger to us in any European nation extending and developing its power in South America, so to-day we recognize that any single power which could dominate the whole of Europe would be a menace to the welfare of the United States; and the logic of his argument is that we may properly say to European power, you shall not absorb, because of your numbers and military strength, the smaller nations of Europe, and thereby threaten the peace of the world, and with it the peace and safety of the United States. Therefore, Mr. President, we acknowledge our right from a sense of responsibility to ourselves and the world to make this treaty, to establish these new nations, and to guarantee their existence for at least such a time as will enable them to stand on their own feet. There would be nothing in this proposal to prevent smaller nations from uniting for any just economic reason if their people so desired, or greater nations from subdividing if any section became dissatisfied and was able to accomplish its severance.

There has been much said concerning a great standing army that would be required to guarantee the existence of these nations. Mr. President, it would not be necessary to have any great army or a unit of any great army to guarantee it. Once establish these new nations, this cordon of nations surrounding Germany and Austria-Hungary, sustain them until they become really nationalized, supplement that with this world agreement that no nation shall wage a war of conquest against another, and no one country or even several countries will ever dare to break its contract with all the other nations, including the United States.

But you say Germany broke her treaty relations with Belgium, and why will she not break any other treaty? First, because Germany was not then restrained by a compact with all the nations of the world. Second, because Germany was then the Kaiser, with his military autocracy. The Germany of the future will not be the Germany of the past. Third, she will not dare attempt to break it. But notwithstanding the fact that she has heretofore disdained treaty obligations, there is a sense of obligation not only on the part of the countries entering into these new treaty relations, but the moral sense of every civilized nation is that its government is in honor bound to make good its treaty promises. Its only excuse for not doing so would be when the conditions, through change of circumstances, have made its continuance a danger to the vital interests of the country, and even under such conditions it should only be broken upon due and proper notice.

We now know, whether we knew it at the beginning of the war or not, that the whole purpose of Germany was to add to her territorial domains at the expense of her neighbors—a case of robbery pure and simple. If Germany had known in the beginning that the United States and all the other great powers would enter the war in the defense of Belgium and in the defense of France, she never would have dared to inaugurate a war in violation of such a contract.

Now, I want this peace conference to establish a league of that kind. I do not care whether it goes one step further. I hope it will not attempt to go too far. Such an agreement standing alone, without any provision for armies and navies, would be a league of nations, and it would be league enough to maintain the peace of the world. I certainly should not be satisfied, and I do not believe that in the end the Senator from Pennsylvania would be satisfied, with a mere agreement that, "the same necessity arising in the future, there shall be the same complete accord and cooperation with our chief cobelligerents for the defense of civilization." Such an agreement, in my opinion, is altogether too vague and uncertain as a basis for insuring joint action. Who is to determine whether the necessity is the same? Suppose one or more of the contracting nations thinks it is not the same. What becomes of your accord?

But if all of these nations agree that neither Great Britain, the United States, Germany, nor any other country will make war against any of these nations without first submitting its grievances in the manner I have suggested, then every nation knows exactly what its duty is and what its action should be as against the offending nation.

Leaving aside the difficulty of determining at any moment what may be the hidden purpose of any threatened war against another nation, we would still be left to surmise as to whether the necessities were at all similar. They never, of course, could be exactly the same. On the other hand, if we all agree that the same moral law which governs relations between individuals shall govern the relations of nations to each other, it is then very easy for us to codify a few general principles embodying the fundamental rights of nations. If the principle "Thou shalt not steal" is just as applicable to a collection of a hundred million people constituting a nation as it is to each individual of that nation—if we agree that every civilized nation has a right to enjoy full and complete independence and every right claimed by the most powerful nations, then why can we not embody those declarations in a new international code and agree jointly and severally to abide by them?

Having once declared them, having once declared by a solemn compact of all the signatory nations that we should uphold them, we can safely leave to the nations signing the agreement the question of entering a war against any one nation that should threaten to break the compact. Of course, such an agreement would not make a war absolutely impossible, any more than our civil laws make murder absolutely impossible. But it would make war by any great nation for an unlawful purpose so improbable that it would be almost the equivalent to an impossibility. It is not necessary that we invite Afghanistan or Paraguay. It is not necessary that we invite every quarrelsome little country of Central America or Europe to join in this compact. Their quarrels are but itching spots on the physical world. They are never serious except as lending an excuse for their greedy neighbors to absorb them. And once you declare and agree that they shall not be subject to absorption by any power, you have eliminated the cause of war by eliminating the advantages of war.

But there is another, and to my mind a far greater, reason for enunciating in the peace instrument itself the real obligations of the contracting parties, rather than an agreement that "the same necessity arising in the future, there shall be the

same complete accord and cooperation." First, I do not believe it would be possible to ever again secure the same cooperation, even though similar cause might be imaginable. If we will pause to consider how long this war continued before Italy threw her force with the entente powers, and how much longer before the United States saw fit to enter the contest, even though we knew from the beginning the real purposes of Germany, we can easily comprehend the difficulties of reuniting all of the same powers, even under similar conditions. Without a written compact, are we sure that even our own country would enter a similar war were we not provoked into it as we were provoked into this war?

The defense of our international rights on the seas, the murder of our citizens, were the immediate acts which wrenched us from our old moorings of noninterference in European wars. And while we all agree now and say that we were fighting this war for the safety of civilization we all know very well that we would not have entered the war except for the relentless U-boat campaign of Germany. Had Germany said to this country, We will immediately cease our ruthless submarine warfare; we will sink no merchant ships without first giving such ships an opportunity to surrender and care for the safety of passengers and crew, and had Germany kept her faith in such a promise, we would never have been in this war.

Now, I want to put this Nation in a position in which, should another such a world cause arise, it is bound in honor to uphold these principles, submarine or no submarine, violation of our commerce or no violation. And I want this Government's written bond to that effect, setting its seal and apprising the world of its policy. Mr. President, we are no more justified in asserting that we would go into some future war for the safety of civilization than we would be justified in saying that we would have gone into this war even though there had been no violation of our commercial rights.

I sincerely hope that one effect of this war will be to bring into closer unity the divers populations which make up our American citizenship, and that we shall all become American only in sentiment, free from sympathies for one foreign country and hostility toward another. But up to the beginning of this war that was not true in this country, and it is not wholly true to-day, much as we would wish it to be otherwise, and we must deal with facts as they exist. The success of Germany was not looked upon by the great mass of German-Americans as endangering civilization. A great many, of course, fully comprehended just what Teutonic success would mean to the world, but a far greater number of that race did not fully comprehend it or accept the general world conclusion. Suppose in the near future Italy or Russia should ascend to such military power as would threaten the subjugation of all Europe. The Italian-American or the Russian-American, as the case might be, would most naturally be slow to regard that supremacy as dangerous to the civilization of the world. On the other hand, the Sinn Fein element of our American citizenship would look upon the aggrandizement of any nation which threatened the destruction of Great Britain as a most propitious advance toward a higher world civilization.

Why, Mr. President, we have so many little European nations in this country to-day that presidents of new European republics are elected in New York. I know of no better way to crystallize the divers sentiments of all these divers nationalities into one great dominating American sentiment than a single declaration on the part of America that she stands for the maintenance of the life and liberty and independence of all the civilized nations of the world, hating none and sympathetic with all. Then, and then only, will we be safe in the expectation that we will guide ourselves into a just war without respect to what nations we shall ally ourselves with or what nations we shall make war against.

Mr. President, I find everywhere in the debates on this subject in the Senate the prevailing idea that a league of nations means interference with the internal affairs of each component nation. I do not believe there is any possible danger of any intelligent commission ever inserting such an obligation in a treaty of peace. If they should so forget national sentiment, neither France, Great Britain, nor the United States would ever ratify such a treaty or league of nations compact. With the internal affairs of Russia, after this war is once settled, we shall not interfere. She may divide herself into two nations or into two hundred nations if her people see fit; she may be conservative and peaceful or by her Bolshevika course her people may kill each other. That is their affair. All this league could say is that she shall not attempt to undo the work we have done to assure the peace of the world; that she shall not attempt to crush Poland or the Jugo-Slavs, under whatever name may be given their country. When we declared the Monroe doctrine, which was in effect and to all purposes a league, even though pronounced only by one nation, the United States guaranteed the territorial and political integrity of every South and Central American State. This country has, however, never claimed or assumed by reason of that doctrine the right to dictate any of the internal affairs of such States, at least without first obtaining the request of the government itself to assist in maintaining order.

Again, it has been argued that if we claim the right to interfere with the internal affairs of the European nations, we must expect to accord to those same nations the right to interfere with the internal affairs of the new world. But, Mr. President, there is nothing in any league proposal I have ever heard of which authorizes such an interference with domestic or internal affairs.

Then, again, is brought to the front the Japanese question of race exclusion. Mr. President, this question can not arise in any league of nations which preserves the sovereign independence of each nation. The question of race exclusion or inclusion is a domestic question only. The right to preserve its racial character, its customs, ideals, institutions, and a form of government that conforms to that character, is the most sacred, as well as the most vital, right of every real nation.

And, Mr. President, if nations would assert that right upon the necessity of maintaining racial purity alone, and not upon the offensive and in many respects unfounded claim of superiority, there could and would be no cause of just complaint against exclusion laws. If Japan afforded such opportunities for exploitation of resources as should invite the immigration into her domains of many millions of the Caucasian race, she would be justified in saying to the Caucasian countries, "We do not question the equality of your people, but if you come in such numbers there must result either assimilation or two distinct races living in one territory. If we assimilate we lose the best of our Nippon character without gaining the best of yours. If we do not assimilate we destroy the solidarity of our nation, the oneness of its ideals, and thereby dim its glory and limit its future achievements and possibilities. We will accord to you all the rights, honor, and respect accorded other great nations, but for these important reasons your people can not marry or live with our people."

So, Mr. President, this country must sacredly preserve the right to say to every other country, not that we are your superiors, but that we must build our national structure on the foundation of Caucasian character and cement it with the purest of Caucasian blood. And on the assertion of such a policy no nation could possibly take offense.

And, Mr. President, even weak nations have the same right to protect their people from stronger or more dominant races of men. I was in Panama a few years ago when its legislature was discussing a proposed exclusion bill. There were a goodly number of negroes in that legislative assembly very active and earnest in support of that exclusion measure. I asked an interpreter to explain whom they proposed to exclude and why. He informed me that the bill excluded Japanese, Chinese, Hindoos, and North Africans; that is, Egyptians, Moroccans, and so forth. It did not exclude the blacks from the jungles of South Africa. These colored representatives were frank and open in expressing their reasons. They said the Japanese and Chinese are very industrious, while our people are not, and in a few years their industry would manifest itself in accumulations. They said that the Hindoos were very frugal and lived much more economically than the natives and that the North African people were sharp traders and peddlers; and so they proposed to protect themselves against peoples who were more industrious, more frugal, and superior traders or merchants. Satisfied with their mode of life and desiring to avoid becoming a mere subservient people, they had a perfect right to protect themselves in this way against peoples whose superiority in these special respects threatened their destruction.

This, however, is a little outside the general argument, but I mention it to show that the right of exclusion, being a purely domestic right, can not and will not be endangered by such a treaty as I have suggested to maintain the peace of the world.

Again, it is claimed that our Monroe doctrine will be endangered. So far from endangering that doctrine we would strengthen it. To-day that doctrine rests entirely on the policy and on the power of the United States to maintain the territorial and political integrity of each one of these American States as against any European power. The league of nations which adopts as its guiding principle the independence of every nation of the world, which guarantees its territorial and political life and integrity, certainly can not be said to endanger our Monroe doctrine, which guarantees the independence of the nations of the western world only.

Again, this league of nations is attacked on the ground that it is an entangling alliance with European powers; that the traditional policy of this Nation, advised by Washington and

strengthened by precedent, has been to avoid entangling ourselves in European quarrels. It is true, Mr. President, that the Father of his Country advised against entangling alliances with any foreign nations. But is an agreement with all nations on some practical scheme to maintain and enforce peace and justice an alliance in the sense used by Washington? It is no more an alliance, Mr. President, than any treaty made with any nation or set of nations to follow a definite course. When we entered into a treaty with Great Britain in 1850 to the effect that any canal cut across the Isthmus of Panama should be free to the vessels of all nations of the world on equal terms, both these nations were bound in honor to maintain that principle against any nation that would attempt to disregard it. Was that an entangling alliance with an European power?

Again, very shortly after the inauguration of this Government, while the Farewell Address of our first President was still ringing in the ears of his countrymen, we declared the Monroe doctrine, by which we guaranteed the territorial integrity of every nation of the Western Hemisphere against the conquest of any nation of the world. We never regarded this as an entangling alliance. And yet to-day Belgium and France are next-door neighbors compared with Argentina and other South American States, while our trade relations with Europe are ten times greater than those with South America.

Again, but a few years ago we entered into an agreement with Great Britain, Japan, and Russia to conserve and protect the lives of the seals of the Pribilof Islands, to protect them not only against the citizens of the contracting parties, but against the citizens of any other country. Is it possible that we can without a breath of criticism enter into a treaty with these nations of Europe and Asia to protect the lives of a few thousand seals and yet we shall not be permitted to enter into treaty relations with all the great nations of the world to save the lives of millions upon millions of our fellow beings?

Mr. President, we have reached a position in commerce and civilization where every nation has a vital interest in the peace and welfare of every other nation of the world, an interest of far greater moment than Alaskan seal, Newfoundland fisheries, or even isthmian canals.

If you still insist that this would be an alliance, let me ask you a most direct and pertinent question: Do you believe that the United States, as well as the world, is far better off to-day than either would have been had the central powers been victorious in this war? I know your answer will be yes. I do not attempt to argue with those who would answer no, because they so fail to grasp the seriousness of the issue that argument would be futile. Then you are glad that we went into this war and entered into this alliance because of the big thing that was at stake—the safety of civilization and the happiness of the world—and not because of the comparatively little thing—the violation of our commercial rights.

Then, Mr. President, if you justify our alliance with France, Great Britain, and Italy in this war to protect the safety and civilization of the world, then how in Heaven's name can you condemn an alliance with the same and other countries to prevent another assault upon the safety and civilization of the world? How can you in one breath approve the alliance to make war to save the world and in the next breath condemn an alliance to save the world by the prevention of any savage and brutal war which might threaten it?

Mr. President, epitomizing into terms of definite declaration a practical agreement to assure world peace and justice, this peace commission should agree upon a new international code or constitution declaring these fundamental principles:

First. That each and every independent nation of the world has a right to live, and in perfect security enjoy its territorial and political sovereignty, and to work out its own national destiny free from any impending danger from any more powerful neighbor.

Second. That no nation entering into this compact shall make war of conquest against any other nation.

Third. That no such nation shall forcibly annex any portion of the territory of any other nation, or claim or exercise a control or suzerainty over it, or in any way limit its sovereign rights or independence.

Fourth. That there shall be maintained an international court of arbitration or conciliation.

Fifth. That each nation joining in this compact shall, in case of international dispute between any of them, submit its controversy to this court to the end that the claims of both parties may have fair hearing and publicity not only in each of the contending countries but in every other country entering into this compact.

Sixth. That this court shall make and publish in all the countries joining in this compact its finding of fact and its suggestions of the acts to be done or course to be pursued to bring about an amicable settlement of the controversy.

Seventh. That if either country is dissatisfied with the findings and suggestions of this court, it shall nevertheless withhold the use of any physical force until its grievance and the claimed dereliction of its adversary have been submitted to the other contracting nations and an opportunity given them to exercise their good offices to secure a reconciliation—offices which each nation shall pledge itself to exercise.

Mr. President, to deny the efficacy of such an international pledge is to assert that there is no such thing as national honor or national sense of justice in the world. The repudiation of that false assertion has been written in the blood of millions of the bravest and truest sons of the bravest and truest nations on the face of the earth.

With such an instrument written upon the sacred altar of eternal right, dedicated to humanity and pledging the sacred honor of every mighty power, we may with justifiable reliance begin the reconstruction of a new world forever freed from the phantom of fear or the ominous clouds of a destructive war.

PURCHASE OF LOWER CALIFORNIA.

Mr. ASHURST. Mr. President, on the 2d instant I introduced a Senate resolution, which I send to the desk and ask that the Secretary read.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). The Secretary will read as requested.

The Secretary read as follows:

Resolved, That the President of the United States is hereby respectfully requested to open negotiations with the Republic of Mexico for the purchase of the peninsula of Lower California and for the purchase of that tract of land in the State of Sonora, Republic of Mexico, approximating in area 10,000 square miles, and lying north of the parallel of 31° 20′ N.

Mr. ASHURST. Mr. President, my first duty is to assure the Senate that this resolution is not without precedent, for I assume that upon such a serious and vital matter the Senate would not without precedent adopt such resolution. During the present session there has taken place in the Senate a most illuminating debate in which many Senators have participated, and it has been clearly pointed out that upon a number of occasions the United States Senate has passed resolutions requesting the President of the United States to negotiate treaties of various kinds. It will be recalled that on the 3d of March, 1835, the Senate passed a resolution which I now send to the desk and ask that the Secretary read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

The following motion, submitted by Mr. Clayton, was considered and agreed to on March 3, 1835:

"*Resolved*, That the President of the United States be respectfully requested to consider the expediency of opening negotiations with the Governments of other nations, and particularly with the Governments of Central America and New Grenada, for the purpose of effectually protecting, by suitable treaty stipulations with them, such individuals or companies as may undertake to open a communication between the Atlantic and Pacific Oceans by the construction of a ship canal across the isthmus which connects North and South America, and of securing forever, by such stipulations, the free and equal right of navigating such canal to all such nations on the payment of such reasonable tolls as may be established to compensate the capitalists who may engage in such undertaking and complete the work.

"*Ordered*, That the Secretary lay this resolution before the President of the United States."

Mr. ASHURST. Mr. President, that resolution was adopted by the Senate during the administration of President Jackson. I now send to the desk a copy of a resolution which was agreed to by the Senate on March 1, 1888, during the administration of President Cleveland. I ask that the resolution be read by the Secretary.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

Resolved by the Senate of the United States, That, in view of the difficulties and embarrassments that have attended the regulation of the immigration of Chinese laborers to the United States under the limitations of our treaties with China, the President of the United States be requested to negotiate a treaty with the Emperor of China containing a provision that no Chinese laborer shall enter the United States.

Mr. ASHURST. Mr. President, history informs us that of all the Presidents who were jealous of the Executive power and authority, Presidents Jackson and Cleveland were the most. In view of the fact that the Senate did not hesitate to adopt these resolutions, during the administrations of those two Presidents, calling upon the Executive to conclude treaties, I feel that this resolution is fully justified by precedent; but if not justified by precedent it is justified by the Constitution, for the Constitution confers upon the Senate and lays upon the Senate the right and duty not only to reject treaties, to amend treaties, and to change them, but undoubtedly also the inherent right to

suggest—respectfully, of course—to the Chief Executive what sort, nature, or kind of a treaty the Senate would be pleased to consider.

The peninsula of Lower California is a tongue of land which extends downwardly from the United States. It is nearly 800 miles in length, its greatest width is 150 miles, while its narrowest width is about 40 miles.

Numerous small islands and jutting rocks embroider both its Gulf coast and its Pacific coast. It is the vermiform appendix to Mexico, and by reason of its inaccessible interior, sparse settlements, and the numerous hiding places on its Pacific coast, which may upon uncomfortable occasion become points of infection and danger, it is to Mexico an appendage of doubtful value or utility.

Lower California is so isolated from the Mexican mainland and is so slimly attached to and so inaccessible to Mexico that the Mexican Government has had but little and within the past decade has had substantially no authority or jurisdiction over the peninsula. The Mexican Republic has little or no interest in the peninsula and makes no appropriations to sustain or govern the same. The Republic derives but little, indeed no revenue from this domain, which is to Mexico terra incognita. The neglect and abandonment of the peninsula by Mexico is caused by the fact that although within our own yard, the peninsula is a land of mystery, and there is a remarkable paucity of data concerning this romantic stretch of land. Its isolation from Mexico is more real and complete than the American people generally believe. To reach the peninsula from the mainland the Mexican authorities must either cross the Gulf of California, which has an average width of 200 miles, and Mexico has no ships on the Pacific side or in the Gulf, except a few fishing boats, or the Mexican expedition must journey northwesterly through the State of Sonora on the mainland and toward the mouth of the Colorado River, a distance of many hundreds of miles traversing a real desert—a desert where the raw and scorching sun comes down as a pitiless flail; where the white sand reflects the heat and glare and blinds the traveler; where no dew nor moisture is deposited during the night, and where a wind, hot as a furnace blast, usually blows from the south; where there are no roads, no trails, and no water. I am speaking of the northwestern part of the State of Sonora and not of the peninsula.

A journey over this stretch of country is dangerous and is fraught with extreme discomfort. Day after day the eye rests upon the same illimitable expanse of hot sand, with now and then a cactus lifting its arms and thorns into the brazen gloom. The loneliness and helplessness of the traveler there seem to sever him from human things and to remove him an infinite distance from the world with its interests and its occupations.

Mexico is not equipped either in wealth or progressive ideals or enterprise to penetrate and reclaim this vast and forbidding tract of country—northwestern Sonora—some of which [indicating Sonora on the map] has not been moistened by rainfall for scores of years. So we perceive that Lower California is really isolated from the Mexican Republic.

The peninsula, I repeat, is a vermiform appendix to Mexico. It is the heel—the Achilles heel—to the United States.

The Mexican Republic is both unwilling and unable to police the domain, and is unable to resist aggressions from or settlements on the peninsula by oriental powers, hence a base of supplies or of military and naval operations with comparative ease and secrecy could be established among the numerous islands on its Pacific coast.

The enforcement of law and order on the peninsula is left wholly to the governor who represented the Diaz régime, and who was and still is independent of both Gen. Carranza and Villa. The governor's moderation and prudence have given, at least, a tolerable existence to the people in Lower California. The forces at the command of the governor could present but short and feeble resistance to any effort on the part of a hostile force from the Orient, and the governor could expect and could receive no aid from the Government on the Mexican mainland.

But American industry, American money, and the American pioneer would soon turn the Colorado River upon these blistering sands; and lo! the orange tree would soon give forth its golden fruit; the lemon, the fig, and the date would flourish; and the long-staple cotton would soon spread a snow-white banner over what was once a furnace that desiccated all life, both animal and vegetable, for the American pioneer, who, although he has been silent in his wondrous achievements, has with indomitable courage transformed into smiling fields and farms every desert he has encountered.

Referring now to the Senate resolution which I have introduced, it will be observed that the Chief Executive is called upon to negotiate a treaty with Mexico for the purchase of this peninsula [indicating on a map] and for that strip of land [indicating] lying north of parallel 31° and 20′, which means that the southern boundary line of the State of Arizona would become, if the purchase were negotiated, a horizontal line from the one hundred and eleventh meridian of longitude west from Greenwich to the Gulf coast, so that the southern Arizona boundary line would be a straight line, and would proceed along the parallel of 31° and 20′ north latitude, whereas it now deflects at the one hundred and eleventh meridian and runs to the northwest to the Colorado River.

Mr. WATSON. Mr. President, may I ask the Senator from Arizona a question?

Mr. ASHURST. Yes; I yield for a question.

Mr. WATSON. Do I understand the Senator's resolution is for the purchase by this Government of Lower California?

Mr. ASHURST. Yes.

Mr. WATSON. Is there a responsible Government in Mexico which has the right to make such a sale?

Mr. ASHURST. Mr. President, we have an ambassador in Mexico, and that Government has an ambassador here; and in international law, as the Senator from Indiana well knows, when two countries have thus received ambassadors and their credentials have been passed upon and accepted we have a right to assume, at least, that a government which can receive money is in existence. It would be a very poor and feeble government that was so feeble and so poor that it could not receive money.

Mr. WATSON. Especially Mexico.

Mr. ASHURST. Quite so.

Mr. WATSON. But while what the Senator from Arizona states is theoretically correct, the practical question is, Does the Carranza Government control Mexico at this time? Is it not a fact that that portion of Mexico is in the hands of two or three others who are at this time in a state of rebellion against it?

Mr. ASHURST. I am sure the Senator from Indiana has been out of the Chamber temporarily, because I have covered that point, but I will repeat what I have already said. For more than 10 years the Mexican Government has practically abandoned Lower California. The Federal or so-called de facto Government of Mexico receives no revenue whatever from the peninsula; it makes no appropriations whatever to govern it; it sends no ships, no troops, no soldiers, no supplies to that territory, and it receives no troops, no soldiers, and no supplies from the peninsula. The present governor of the peninsula was appointed during the Diaz régime, and his moderation and prudence have given a tolerable existence to the people there. I think that statement answers the Senator's question.

Mr. WATSON. Unfortunately, we have not very accurate information about the status of affairs in Mexico, but I have understood——

Mr. ASHURST. I am going to deal with that at a later period, if the Senator will withhold his question.

Mr. WATSON. At a later period in this speech?

Mr. ASHURST. Yes; at a later period in this speech.

Mr. WATSON. Very well.

Mr. CUMMINS. Mr. President, may I ask a question of the Senator?

Mr. ASHURST. I yield to the Senator from Iowa, of course.

Mr. CUMMINS. Will it require an amendment of the constitution of the Republic of Mexico to bring about a sale of that portion of its territory to the United States?

Mr. ASHURST. For many years I was under the misapprehension or at least I believed that an amendment to the Mexican constitution would be necessary in order to enable Mexico to sell a portion of her land, but I have read within recent months the Mexican constitution. That instrument does not require an amendment to the constitution under such circumstances, but, inasmuch as the constitution is amendable by the Mexican Congress, it would not be a serious thing to amend the Mexican constitution.

Mr. CUMMINS. But the sale of their territory would require an amendment to their constitution?

Mr. ASHURST. No; because the constitution that I read was silent on that point.

Mr. SMITH of Arizona. Mr. President, will my colleague permit me to interrupt him for a moment?

Mr. ASHURST. I yield to my colleague.

Mr. SMITH of Arizona. I have looked with some care within the last week into the constitution of Mexico of 1857 and the various amendments to that constitution up to this hour. I had been under the impression that there was a provision in the constitution that particularly inhibited the disposition of

any Mexican territory, under very severe penalties and pains to him who proposed or accepted such disposition. I find in the last constitution, adopted within one or two years, that there is a provision giving the power to the Congress of the Republic to pass laws and to affix such penalties as they please in the interest of the States of the Republic of Mexico. I think that the misapprehension as to their power to dispose of their lands rests probably on some statute that may have been passed under that provision of the constitution, and I doubt not that we have been laboring under a misapprehension for many years about the limitation on the right of the Republic to dispose of its land. I can find nothing in the constitution either of 1857 or the one lately adopted to justify that impression.

Mr. CUMMINS. That means, then, from the Senator's standpoint, that if the Congress of the Republic of Mexico should authorize the sale of this portion of their territory the transfer would be a valid one.

Mr. ASHURST. That is my view of the situation. It is possible, therefore, that the Mexican Government would consider the sale of Lower California to the United States in exchange for the moneys so urgently needed by it for the rehabilitation of Mexico.

The United States would be well advised did it add to its long list of fortunate purchases this easily-to-be-made-fertile pendant of contiguous territory, and thus foreclose possible untoward eventualities.

Our diplomatic duties of the moment demand of us the most skillful employment of the opportunities which lie open to our hand, in order that we may insure ourselves and our neighbors an enduring peace.

Mr. WATSON. Mr. President, will the Senator from Arizona yield to me further, if it is not an undue interruption?

Mr. ASHURST. I yield to the Senator.

Mr. WATSON. Is it not a fact that this matter was once proposed to Carranza and was by him rejected?

Mr. ASHURST. As to that I do not know. It may have been, but the chances are that the terms were not satisfactory.

Mr. CUMMINS. But who proposed it? Who had the authority to propose anything of that kind?

Mr. WATSON. I do not think it was proposed by anybody in authority; but my understanding is that Carranza was approached for the purpose of ascertaining whether he would be willing to dispose of Lower California, and he made the statement that it was utterly impossible to do so and could not be thought of.

Mr. ASHURST. Mr. President, before I proceed to a description of the climate, the resources, the bays, and gulfs of the peninsula I wish to say generally that the United States would be well advised did it add this to its long list of fortunate Territorial purchases. It is to us easy to be made a fertile land, and every honorable attempt should be made to foreclose untoward possibilities and eventualities with respect to oriental populations that may settle and colonize Lower California.

Mr. President, American statesmen for at least three-quarters of a century have had this in mind; but one untoward event after another, one superimposed on the other, has prevented consideration of the question.

On the 5th of August, 1863, Gen. Edward Fitzgerald Beale, a very remarkable man, a great sailor on the sea and with "ships of the desert," a diplomat, and explorer, wrote a letter to the Secretary of the Treasury, Salmon P. Chase, respecting the subject, as follows:

> I am quite sure I have not exaggerated the great value to our country of that long mountain ridge which abounds in good harbors on both the Gulf coast and the Pacific and is filled with mineral wealth of every description. I beg you will give this subject a few hours' consideration. Valuable and abundantly occupied as your time is, I assure you this matter is worthy of your attention. I desire most particularly to call your attention to the fact that we have it in our power at this time by purchase of Lower California and a very small portion of the opposite coast—

He referred to the part of Sonora to which I have referred—

> to possess the mouth of the Colorado, destined to be as important to us on the Pacific as is the Mississippi to the Eastern States. If the line of the Gadsden Purchase be straightened, instead of being deflected at 111 degrees of longitude, and touched the Gulf at the coast, and we should possess ourselves of Lower California, we should then control entirely the navigation of the Colorado, which the future will prove of the utmost importance to the welfare of the Pacific Coast States.

President Lincoln directed Secretary of the Treasury Chase to say to Gen. Beale that Secretary Seward would give attention to this important subject at the earliest opportunity.

The distance from Yuma to the mouth of the Colorado River as measured along the main river channel is about 105 miles. The Colorado River below Yuma changes its channel so often that its present position is quite uncertain. The distance given should therefore be considered as approximate only.

The New International Encyclopedia gives for the area of the territory of Lower California 58,328 square miles. Let me say parenthetically that I am sure from the investigations I have made for the past six years that the area is much larger than that. Its population in 1900 was about 22,572, La Paz, in the southern district, having a population of 5,536, and Ensenada, in the northern district, a population of 2,170.

Mining has undoubtedly been the principal industry of Lower California, as it has yielded some rich returns. The silver mines near La Paz are said to have been worked as early as 1700. The Boleo district at Santa Rosalia, on the east coast, is a copper camp worked by a French company (Compagnie du Boleo), and was in 1917–18 the third largest producer of copper in Mexico. Santa Rosalia is reported to have a population of 9,500. There is a large undeveloped deposit of iron ore at San Vicente, near San Quentin, on the west coast. A small shipment of manganese was made from a deposit at Mulege, on the west coast south of Santa Rosalia. Some magnesite is shipped from the west coast.

Cattle and horses are raised in the valleys, where there is water, and the southern part, which receives more rainfall and consequently is more tropical in character, has more agricultural lands than the rest. Most of the country is very arid, with practically no running water and few permanent springs. The climate in the northern and central parts is equable and healthful, resembling that of the coast region of southern California, though slightly warmer and somewhat drier than California. The country is the axis of a mountain system with peaks of 10,000 feet and elevated plateaus.

I have here some copious data which I have secured from responsible authorities within the past two days. That data I have just stated were supplied by the Geological Survey.

LOWER CALIFORNIA.

Mr. President, the Territory of Lower California is divided into two parts, the southern district, extending from the twenty-eighth parrallel to the southern end of the peninsula, and the northern district, lying between the American border and the twenty-eighth parallel. The twenty-eighth parallel divides the peninsula into two practically equal sections. The two districts are extremely different in almost every particular. The northern district bears strong resemblance to the southern part of the State of California as it was 50 years ago before the days of large irrigation projects and intensive cultivation. It has practically the same climate, the same large areas of tillable land only awaiting irrigation, timberlands in the mountains, large grazing tracts, and the same mineralogy. Toward the lower end of the district, however, the mountains become more rugged, streams disappear, the mesas and rolling lands become deserts covered with many and wonderful varieties of cacti, and human habitations are found only in the few small valleys having a constant water supply from the Sierras.

So commences the southern district, and in general the character of all that district is the same, although the mountains become smaller and its monotonous aridity is relieved by a few beautiful, fertile valleys which are veritable garden spots. These valleys or cultivated areas are the places where are found the old missions established by the Jesuit fathers in the eighteenth century and continued by the Dominicans in the early part of the nineteenth century. Indeed, it is a corollary that wherever an old mission is located water will be found hard by. The principal cultivated areas of the southern district are La Paz, the capital, San Jose del Cabo, at the extreme southern end of the peninsula, and the valleys of Hulege, Comondu, Purisima, and San Ignacio. These localities are much more thickly settled and more intensively cultivated than the developed areas of the northern district, and the southern district, as a whole, has approximately three times the population of the northern.

POPULATION OF LOWER CALIFORNIA—INDUSTRIES—PRESENT CONDITION.

There are no actual figures as to the present population of the peninsula, but from all available data it can not be more than 25,000—7,500 for the northern district and 17,500 for the southern. The only vital statistics available show 80 births and 132 deaths in the northern district during the past year. This, taken with the fact that many people have left Lower California on account of the revolution, shows conclusively that the total population is decreasing.

Mr. BORAH. Mr. President, of what is that population made up?

Mr. ASHURST. I have not that data here, but I can inform the Senator that it is nearly all made up of Mexicans, with some aborigines, and probably 6 to 7 per cent Americans.

In the south the principal industries are mining, pearl fishing, and the cultivation of tropical fruits; in the north the cultivation

of wheaf, cattle ranching, and mining are the most important activities.

AGRICULTURAL PRODUCTS—WHEAT, COTTON, FRUITS.

Wheat is the principal agricultural crop grown in the northern district. It is cultivated in the valleys and on the mesas of the Pacific littoral, between latitude 31° and the American border, and in the Mexican portion of the Imperial Valley. The yield of wheat on the Pacific littoral for 1914 is shown by the following figures: Receipts by local flour mill, 47,508 bushels; exported to United States, 2,958 bushels; seed, about 6,000 bushels; on hand, about 8,000 bushels; total yield, 64,466 bushels. The wheat in the Imperial Valley was grown with barley and the yield was about 88,000 bushels (mixed), all of a very poor quality.

Practically all the flour that is used for the people there is shipped in. Sometimes, in their aboriginal way, they grind wheat, but there is hardly a flour mill in the peninsula—at least there was not two years ago.

Mr. SMITH of South Carolina. How many bushels of wheat did the Senator say were raised there?

Mr. ASHURST. The figures I have indicate 88,000 bushels in the Imperial Valley.

Other agricultural products of the northern district are hay and beans, but no large yield of either is obtained.

Mr. VARDAMAN. Are there any railroads there?

Mr. ASHURST. There are practically no railroads. There is a line a few miles south of the boundary line between Lower California and upper California. There is a small line there that runs for a few miles into the peninsula.

Mr. SMITH of Arizona. That is nothing but the short line going down to a little place called Tia Juana.

Mr. ASHURST. In the Imperial Valley—the Imperial Valley lies partly in the peninsula—cotton has become very important in the last three years. In 1914 between 30,000 and 35,000 acres were planted in that section and a yield of between 25,000 and 30,000 bales of 500 pounds each obtained, with seed estimated at 1,000 pounds per bale. The cotton was picked by Chinese labor, at 75 cents gold per 100 pounds for the first and 85 cents for the second picking. It is expected that about the same acreage will be put in this year, though the failure of the cotton market has been disastrous to some of the growers.

Grain crops are not grown in the southern district of the peninsula. The agriculture of that section consists of tropical and semitropical fruits and cane. The fruits grown are grapes, figs, Arabian dates, oranges, lemons, limes, tangerines, olives, and pomegranates. Small quantites of these fruits, especially dates, are exported to the west coast of Mexico, but the greater part is consumed in the district. So far as can be learned, the yield for last year was normal, but there are no figures available as to the quantities grown.

LIVE STOCK IN NORTHERN HALF OF PENINSULA.

Cattle are raised in both the northern and southern districts of Lower California, but the industry is more important in the northern half. Here are large grazing tracts in the hills, and several American cattlemen have established profitable ranches. At times there have been between 40,000 and 50,000 head of cattle in the district, but the end of 1914 saw not more than 12,000 left, for, on account of the revolution and the prohibitive export tax imposed on cattle, the ranchers hastened to drive all the stock they could to the United States. At present this industry is as dormant as others in Lower California.

MINING THE MOST IMPORTANT INDUSTRY IN NORMAL TIMES.

In normal times the most important industry of Lower California is mining, gold, silver, and copper existing in the mountains throughout the peninsula.

FISHERIES—RESOURCES NOT ADEQUATELY EXPLOITED.

One of the most valuable resources of Lower California is the unfailing food supply in the coastal waters, but this is unexploited as far as the local population is concerned. At Magdalena Bay there is a turtle-meat and oyster cannery operated by Japanese, whose product, when the industry is developed, is destined for American and Japanese markets; and a Mexican concession for fishing along the west coast has been operated during 1914 by an American company in San Diego under a lease. The fish and lobsters—really crawfish—obtained by this company have all gone to western United States markets. Besides these two industries no attempt has been made to exploit the waters along this coast, although they abound in fish of all kinds.

UNDEVELOPED RESOURCES OF LOWER CALIFORNIA.

The peninsula of Lower California has always been to the average American an unknown land. To the popular imagination it is a barren country noted chiefly for its deserts and cactus growths. In a sense this is true as applied to the central southern section, but the northern district is a world apart and has resources which, if lying in the United States, would be worth millions. The world knows about the orange and lemon groves of California, but few realize that immediately to the south of that garden spot lies a country just as fertile, but out of the frost belt, with thousands of barren acres only waiting water to grow in abundance almost any known crop.

OPPORTUNITY AND NECESSITY FOR IRRIGATION—PROJECT BY BRITISH CAPITALISTS.

The problem of Lower California is to bring the water to the land. In the valleys and on the mesas between the mountains and the Pacific Ocean there are 450,000 acres of potentially rich and uncultivated land. Scattered about this same section are 15,000 acres of cultivated land, only 500 acres of which are irrigated. These 500 acres are on a ranch near Ensenada, and the irrigated area is devoted to Lima beans, with an excellent annual yield.

Most of the best irrigable land referred to lies to the east and to the northeast of San Quentin. A project involving the expenditure of millions by British capitalists was being considered as late as 1913, but the unsettled conditions in Mexico have prevented any action being taken. This project contemplated a dam across the Santo Domingo River, on the western slope of the San Pedro Martir Range, and it is believed to have been a perfectly feasible undertaking. There are other opportunities for the conservation and distribution of water in the district, and it is on the future materialization of these that the hope of all agricultural development lies. It should be remembered that while the average rainfall along the coast is between 9 and 10 inches, the fall in the mountains is between 20 and 30 inches, not to mention the winter snows that cover the higher mountains. Yet nearly all of this water is lost, either flooding the rivers in the rainy season and running out to sea or sinking into the ground and disappearing before it gets down to the arable land.

MINING NOT PROPERLY DEVELOPED—TIMBER THAT IS STILL UNTOUCHED.

In mining, the resources of the district have been barely scratched. Alamo, a great mining camp of the early nineties, is deserted and yet it was never really developed. Several millions of dollars were taken out of Alamo and still the shafts did not go below the 350-foot level, and the mother lode—which all mining men knowing the place agree must exist—was never found. The San Fernando copper deposits have never been exhausted. There is copper there to-day in quantities to pay well for its exploitation. Besides these there are many places where gold, silver, copper, iron, sulphur, and semiprecious stones have been found in paying quantities, and there are to-day many embryo mines that some day must and will be developed. In addition to that, Mr. President, the timber resources in the high mountain ranges are very considerable.

Mr. VARDAMAN. Can the Senator tell us the character of the timber?

Mr. ASHURST. Yes. There is pine timber on the slopes of San Pedro Martir and on the mountains north of Alamo that must some day be taken to market. The following statement is an excerpt from a report made by Col. D. K. Allen in 1887 to the old International Co.—owning large land concessions—on the timber region of San Pedro Martir:

Large trees per acre, 25; small trees per acre, 10; average number of logs per tree, 3; average diameter of each, 2 feet 9 inches; length of logs, 12 feet.

Number of Norway pine per acre, 17; number of white pine per acre, 4; number of fir trees per acre, 3; number of red cedar per acre, 1; total, 25.

Number of dead trees per acre, 3; number of trees down per acre, 2.

Total number of Norway pine trees, 8,500,000; total number of white pine trees, 2,000,000; total number of fir trees, 1,500,000; total number of red cedar trees, 500,000; total number of trees on San Pedro, 12,500,000.

Total number of logs on San Pedro, 37,500,000; total number of feet of lumber, 18,750,000,000; total cords of wood (4 feet), 200,000,000; total number of small trees, 5,000,000.

Average fall of snow, 4 to 8 feet; average time it lies on ground, 4 to 20 weeks.

That is, of course, in the mountains in the southern part of the peninsula. The average rainfall in the summer is 20 to 30 inches. While I am speaking of rainfall, let me say that in the part of Sonora embraced within my resolution there is probably less rainfall than in any other part of North America. In the part of Sonora which I have indicated here—the northwestern part—the rainfall is about 2 inches per year, and, in fact, there are vast tracts where rain has not fallen for scores of years.

Adverting to the head of the Gulf of California at Puerto Isabel, which is two and a half miles above the mouth of the Santa Clara, there is a good landing place. About 2 miles above this point is a place called Shipyard. It is not shown on any map. There are a few frame buildings there. The Santa Clara

River is in the vicinity of the mouth of the Colorado, and is at the northern part of the Gulf of California. South of Puerto Isabel there is a good landing place at Puerto Resugio, where there are two fine harbors, with good anchorage, sheltered from all winds. Those harbors would both be within the United States should the Chief Executive conclude a treaty with Mexico for the purchase of this tract of land, about 10,000 square miles in area, lying to the southwest of Arizona.

Mr. PHELAN. Mr. President, may I interrupt the Senator?

Mr. ASHURST. I yield to the Senator.

Mr. PHELAN. Do I understand that the Senator by resolution seeks to begin negotiations with Mexico for the acquisition by purchase, and with the approval of the residents, of that district?

Mr. ASHURST. Yes, Mr. President. My resolution is a very simple one. It is a Senate resolution calling upon the President "to open negotiations with the Republic of Mexico for the purchase of the peninsula of Lower California, and for the purchase of that tract of land" in the northwestern part of Sonora, Mexico. Yes, Mr. President; the resolution simply, solely, and only calls upon the President to bring into requisition the literary and diplomatic resources of the State Department and peaceably and honorably to purchase from Mexico this vast tract of land. There is no thought of aggression, no suggestion of seizure or the grabbing of land, but the purchase of land just as the United States has for a century or more honorably purchased lands as it felt it needed them, and as other countries felt they wished to dispose of them.

Mr. PHELAN. Do I understand, then, that it would be purely voluntary on the part of Mexico, and that the territory is of no value to Mexico?

Mr. ASHURST. The territory, by reason of a series of circumstances, which I will set out later, is of no value to Mexico. Mexico has not our enterprise. It is sluggish, and the tract of land there is of no value to Mexico. If it remains in Mexican possession, it will be the same 100 years from to-day as it is to-day, a dreary, barren waste; whereas American money, American spirit, American enterprise, can make it into gardens and farms, and a blessing to civilization.

Mr. PHELAN. I do not know that the Senator intends to bring out the strategic value of Lower California. I have in mind the fact that when California was acquired from Mexico, several foreign powers—notably Great Britain and France—had plotted to acquire the territory, which would have cut us off in our continental expansion from the Pacific. The policy of the United States then was not to take the territory, although she had the power to take it, but to prevent any other power from taking it. After the declaration of war with Mexico there was, indeed, a contest between the United States and Great Britain, resulting in a race between the American ship *Savannah* and the British ship *Collingwood*, to see which should first reach the capital of California, at Monterey, to raise the flag; so by a mere accident we are in possession of that territory. The United States could not suffer foreign powers to occupy the Pacific coast. I recall, and I wish simply to direct the attention of the Senator to the fact, that not long ago the Japanese, by negotiation—because there has been a great deal of intrigue between the island Empire and the Mexicans—were endeavoring to get a foothold in Lower California, and it was only stopped by the Lodge resolution, passed by this body, declaring that this Government would regard the colonization by any foreign Government directly or indirectly by its citizens as an unfriendly act to the United States. Now, there is always the danger of colonization by other nations and of acquisition by secret treaties or otherwise, inspired by Zimmermann letters or otherwise. Hence, it is a matter of great strategic importance; but I would not think, unless by the free act of Mexico, that the United States should conspire to take that territory.

Mr. THOMAS. Mr. President——

Mr. ASHURST. I yield to the Senator from Colorado.

Mr. THOMAS. The Senator from California has made a very serious statement regarding Japan. I should like to ask him if he speaks by the record; if he is positive of the fact that these negotiations, or attempted negotiations, were pending or entered into by Japan?

My reason for doing this is that, if my recollection serves me aright, the Japanese Government at the time denied that fact, and did it officially; and if, as a matter of fact, that denial was not a sincere one, then the Senator's statement might become of the utmost diplomatic importance.

Mr. PHELAN. There is always a hesitancy in this body, I know, to discuss international relations in open session, but it seems that this is the period of open diplomacy. I would ask that there be spread upon the records the Lodge resolution, which speaks for itself. In a previous discussion in this body I raised the point that the Lodge resolution was directed against the threatened aggression by Japanese colonists in this very same matter, affecting Lower California. The Senator from Massachusetts [Mr. LODGE] said that Japan was not mentioned in his resolution; and then I directly interrogated him, and said, "Had you not Japan in your mind when you introduced the resolution and when the Senate passed it?" and he said yes. Japan was the only country spoken of at that time. That is an open secret.

I do not say, nor did he say, that the Japanese Government itself had made this aggressive step, but that Japanese merchants and colonizers had sought the acquisition of a large tract of land around Magdalena Bay, which is a highly desirable acquisition for our naval operations—that is another open secret—and that therefore the Japanese, through their merchants or through their colonizers, must be held responsible. It is not by any involvement of the Japanese Government that this matter has come to the surface; but American citizens might in some other country have made an attempt to acquire land contrary to the proprietary rights or the peace and contentment of a foreign country, and protests might be made to this Government against the acts of its citizens; and this Government could, I think, by the exercise of its authority, prevent its citizens, against such a protest, from acquiring or seeking to acquire such territory. In a much greater degree the Japanese Government has control over its nationals, and I do not know that the Japanese Government took any action after the passage of the Lodge resolution. All I know is that their merchants or colonizers desisted from the attempt.

I do not wish at this time to bring up any matter which would in any way mar the entente cordiale which exists between the nations seeking a settlement of greater questions in other parts of the world; nor do I desire to say that the State of California is interested in this matter at all. All I know of it is what has come from the speech of the Senator from Arizona, who introduced the resolution, and I do not know that it is timely at this moment to discuss the proposition; but since it is before the Senate it is well that the circumstances surrounding the Lodge resolution should be known, if not authenticated. I am sorry that the Senator from Massachusetts is not here.

Mr. PHELAN subsequently said: Mr. President, on December 12, 1916, during the discussion of the immigration bill, the following colloquy occurred:

Mr. LODGE. Mr. President, the Senator from California [Mr. PHELAN] said that the Magdalena Bay resolution which bore my name mentioned the Japanese by name. I knew it did not, but I thought it was just as well to read it into the RECORD:

"*Resolved*, That when any harbor or other place in the American Continents is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States the Government of the United States could not see without grave concern the possession of such harbor or other place by any corporation or association which has such a relation to another government not American as to give that government practical power of control for national purposes."

No name is mentioned.

Mr. PHELAN. Mr. President, whereas no name has been mentioned, of course the Senator will not deny that he intended to refer to the Japanese.

Mr. LODGE. I have not referred to any Government. Of course the Japanese Government was the one that had been mentioned in that connection. Other governments had also been mentioned.

Mr. THOMAS. Mr. President——

Mr. ASHURST. I yield to the Senator from Colorado.

Mr. THOMAS. I certainly do not want to interrupt the Senator from Arizona, who is making a most interesting speech. I merely wish to say that I have no desire to shrink from a public discussion of our diplomatic relations with any country. I simply called attention to the fact that my recollection was that the Japanese Government had officially contradicted the rumors and statements which were made, and some of which were quite current immediately preceding the introduction and passage of the Lodge resolution.

So far as the general proposition is concerned, there is no difference between us. I do not think the United States ought to permit any country—Japan or some smaller or weaker nationality—to obtain any foothold whatever upon the littorals of the Pacific Ocean, or indeed upon the shores of any ocean bounding the Western Hemisphere. That can be said to be almost the universal opinion, I think, of Americans everywhere.

I am much obliged to the Senator for permitting this interruption.

Mr. ASHURST. Mr. President, I ask unanimous consent to insert in the RECORD at this point as part of my remarks a statement from the Department of Agriculture concerning the rainfall in certain portions of the country under discussion.

The PRESIDING OFFICER (Mr. POLLOCK in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

Average monthly and annual rainfall (inches).

Stations.	Jan.	Feb.	Mar.	Apr.	May.	June.
La Paz, Lower California	0.17	0.04	.....	.....	.....	0.18
Santa Rosalia, Lower California	.47	.50	0.23	0.06	.....	.....
San Diego, Cal.[1]	2.00	1.96	1.70	.74	0.41	.03
Yuma, Ariz.[2]	.43	.60	.35	.10	.03	.....

Stations.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Annual.
La Paz, Lower California	1.19	2.05	0.93	0.98	0.19	0.76	6.49
Santa Rosalia, Lower California	.61	.17	.27	.87	.....	.11	3.29
San Diego, Cal.[1]	.....	.....	.06	.46	.83	1.82	10.01
Yuma, Ariz.[2]	.12	.35	.16	.19	.32	.45	3.10

[1] San Diego near northwestern border of Lower California.
[2] Yuma at northeastern boundary of Lower California.

Mr. WEEKS. Mr. President, as the Senator has been interrupted, I should like to ask how many inhabitants there are in this territory which he proposes to purchase?

Mr. ASHURST. Let me answer the Senator's question as follows:

In that part of the State of Sonora comprehended in this resolution, the northwestern part, it is very difficult to determine how many, or perhaps I should say how few, persons there are; probably 500. My judgment is that there are not that many; but in the peninsula, which is nearly 800 miles long and has an average width of 100 miles, there are in the northern district about 7,500 persons and in the southern district about 17,500, or 25,000 in all—not as many as there were 25 years ago; not as many, in fact, as there were 10 years ago.

Mr. WEEKS. I should like to ask the Senator if he contemplates that in carrying out this action, if it is done, the policy of self-determination would be invoked?

Mr. ASHURST. Personally, Mr. President, I am very strongly of the opinion that the views, wishes, and desires of those persons inhabiting the country proposed to be purchased should be taken into consideration; and it must be assumed—indeed, I am sure that every Senator here would assume—I never would have introduced the resolution had I not been quite certain, from my study of the question for six years past, that the sentiment is practically unanimous for admission and annexation to the United States. Strange as it may seem, since I introduced the resolution, which was only on the second of this month, I have received nearly 1,200 letters on this project, and I know of but one that is opposed to it. I will ask leave to have read now part of a letter I have received from one of the most prominent men in the United States.

Mr. THOMAS. Mr. President, does the Senator mean that he has received that number of letters from the inhabitants of the country?

Mr. ASHURST. No; but from inhabitants of the United States who are familiar with the sentiments and familiar with the views of the people in the territory sought to be acquired. I will ask the Secretary to read this excerpt, because it is characteristic of a large number of letters I have received from people who are familiar with that district.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

I note your introduction of a resolution requesting the President to begin negotiations with the Mexican Republic for the purchase of the Lower California Peninsula and all that portion of the Mexican State of Sonora lying north of the parallel 31° 20′ north latitude, and, as a citizen, wish to express my cordial approval of your proposal.

I am somewhat familiar, by personal observation, with the great possibilities of the Lower California Peninsula in the development of its mineral wealth, its fisheries, and, to a limited extent, agriculture. The importance of the magnificent harbor of Magdalena Bay has been so often emphasized that it is usually the first argument advanced for the acquisition of the peninsula by the United States, but its natural resources, its practically complete isolation geographically from the remainder of the Mexican Republic, and the sparseness of its population at present, all make your proposal most advantageous and feasible for the United States and no particular loss to Mexico. In fact, I am led to believe that the majority of the inhabitants of the peninsula would welcome annexation to the United States. United States currency is the principal medium of exchange in circulation in that territory at the present time.

Mr. ASHURST. Mr. President, a very able Senator has just remarked sotto voce—and he is thoughtful in it—that if I am not careful I will make out this tract of country so valuable that Mexico will not part with it. Now, that is only an apparent danger. Mexico is almost a derelict. It is not offensive to a sister nation to say that, because it is a fact. It has about the same chance of floating into a harbor as the ordinary derelict out on the physical ocean has, and Mexico needs help. She needs not only good advice but credits as well. But howsoever valuable this district—this peninsula—may be, it is not valuable to Mexico. It is only a vermiform appendix to Mexico—a source of danger. She can not appreciate its value. Mexico has not that stimulus of the progressive ideals that the American pioneer has. It may be valuable to us, but not to Mexico. When the first European set his foot on these shores, the mines were just as rich as they are to-day; the forests and the fields and the noble and placid harbors and rivers were there, but the dominating, pulsating spirit of civilization had to enter to make it valuable. It is valuable, yes, in natural resources, but it will never be valuable to Mexico.

Mr. WEEKS. Mr. President, I am wondering if the Senator thinks we will have as much success in colonizing and developing Lower California as we have had in the case of Alaska, which we have owned for more than 50 years; and yet it was stated yesterday, before a committee of which I am a member, that there were less than half the number of inhabitants there to-day that there were two years ago.

Mr. SMITH of Arizona. How about Texas?

Mr. THOMAS. If the Senator will permit me, I should like to add to the Senator's statement that the great bulk of Alaska has been withdrawn from public settlement.

Mr. WEEKS. I know the reason for it, of course.

Mr. THOMAS. It is being held for posterity.

Mr. SMITH of Arizona. It is being conserved for eternity.

Mr. ASHURST. But is there a Senator, is there a Member of the House, who would vote to return Alaska? No. Secretary Seward—a man of great vision and large grasp of public affairs—at midnight learned that he could conclude a treaty for the purchase of Alaska, and before the sun gilded the eastern sky the next morning he and the Russian minister concluded the treaty. At that time distinguished men opposed the project in the strongest possible terms. I will read some of their statements.

Mr. Orange Ferriss, of New York, said:

The people of this country do not want these Russian possessions. If submitted to them they would reject the treaty by a majority of millions. Alaska, with the Aleutian Islands, is an inhospitable, wretched, and God-forsaken region, worth nothing, but a positive injury and encumbrance as a colony of the United States.

Mr. Washburne, of Wisconsin, said:

The country is absolutely without value. * * * I tell gentlemen who go for Alaska that Greenland to-day is a better purchase than Alaska. * * *

Mr. Hiram Price, of Iowa, said:

Now that we have got it and can not give it away or lose it, I hope we will keep it under military rule and get along with as little expense as possible. It is a dead loss to us anyway, and the more expense we incur the worse it is for the country and the people.

Mr. B. F. Butler, of Massachusetts, July 7, 1868, said:

If we are to pay for her (Russia's) friendship this amount, I desire to give her the $7,200,000 and let her keep Alaska. * * * I have no doubt that any time within the last 20 years we could have had Alaska for the asking. I have heard it was so stated in the Cabinets of two Presidents, provided we would have taken it as a gift. But no man, except one insane enough to buy the earthquakes in St. Thomas and the ice fields in Greenland, could be found to agree to any other terms for its acquisition to the country.

Mr. Benjamin F. Loan, of Missouri, said:

The acquisition of this inhospitable and barren waste would never add one dollar to the wealth of our country or furnish homes to our people. To suppose that anyone would willingly leave the mild climate and fruitful soil of the United States, with its newspapers and churches, its railroads and commerce, its civilization and refinement, to seek a home among the Aleuts * * * is simply to suppose such person insane.

Mr. Williams, of Pennsylvania, said:

Have the people desired it? (The purchase of Alaska.) Not a sensible man among them had ever suggested it. The whole country exclaimed at once, when it was made known to it, against the ineffable folly, if not the wanton profligacy, of the whole transaction. There is no man here, I think, who would have advised it. I doubt whether there are 20 in this House who would be willing to vote for it now, but for the single reason that the contract has been made.

Mr. Washburne, of Illinois, January 13, 1869—after the Territory had been purchased, speaking on the bill to provide a government for the same—said:

The accounts which we receive from that Territory of the sickness and suffering of the people who are sent there show conclusively that it will never be inhabited to any considerable extent by white men.

Mr. Ferriss, of New York, speaking on the same bill, moved to strike out all after the enacting clause and insert the following:

That the President be authorized to bind the United States by treaty to pay the sum of $7,200,000 to any respectable European, Asiatic, or African power which will accept a cession of the Territory of Alaska.

One statesman after another inveighed against the purchase of Alaska, and yet it has been a most remarkably fortunate purchase. Instead of "Seward's folly" and "Seward's ice

box," no greater domain than Alaska was ever acquired by honorable statesmanship.

Mr. THOMAS. Mr. President——

Mr. ASHURST. I yield to the Senator.

Mr. THOMAS. If the Senator will permit me, I want to add there, also, that a good deal of the objection to the purchase of Alaska was due to unfamiliarity with its value. The Senator of course remembers that Mr. Webster, one of America's greatest statesmen, declared upon the floor of this Chamber that the Rocky Mountains were a barrier that had been created by the Almighty for the protection of Anglo-Saxon civilization; that the country lying to the west of the Rocky Mountain range consisted of icebergs and sand banks, barren mountains and plains and deserts, inhospitable to a population of any kind, and that there was not a decent harbor upon the Pacific coast; and I think he added that he would not give a dollar for the whole of Oregon. Certainly an eminent statesman like Mr. Webster making assertions of that kind rather excuses the repetition of similar statements in regard to other sections of the continent. We all know better now.

Mr. WEEKS. Mr. President, I do not wish the Senator from Arizona to think from my inquiry that I am hostile to what he is proposing, but I did intend to reflect on the vision and on the legislation of Congress which has been enacted in connection with the development of Alaska. I think it is a serious reflection on the American Congress that that great country, with its great values, is so tied up that it can not be successfully developed.

Mr. THOMAS. I agree with the Senator on that. We are not in disagreement at all on that point.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Washington?

Mr. ASHURST. I yield to the Senator.

Mr. POINDEXTER. I do not want to interrupt the Senator to the extent of discussing the matter that has just been mentioned by the Senator from Massachusetts. I merely wish to remark, however, that there are very large areas of rich land in Alaska which have been surveyed by the General Land Office and are open for homestead, and there are some advantages in connection with it in comparison with homesteads in the continental United States. In Alaska a man can take 320 acres as a homestead. There is something else wrong with the situation in Alaska besides the question of locking up the land or the resources. A great number of settlers went upon the rich lands that I have referred to and took up homesteads. A few of them are there yet, but a large number of them have come out. It is not because the lands are locked up, but for other reasons, the discussion of which I shall reserve for some future occasion.

Mr. ASHURST. Whatever be the reason, the purchase of Alaska was an honorable purchase, and at that time it was generally believed that Russia had the best of the bargain. But the world knows that the timber, gold, coal, oil, and I will say furs, in Alaska are practically inexhaustible; and no doubt, under improved methods and intensive farming, Alaska will yet be a great agricultural country and an apple country.

Mr. CUMMINS. Will the Senator yield for a suggestion?

Mr. ASHURST. Certainly; I yield.

Mr. CUMMINS. When we bought Alaska it was practically all public domain. Can the Senator from Arizona inform the Senate with regard to Lower California, how much of the territory is public domain; or, in other words, how much of it has passed into private ownership?

Mr. ASHURST. I have not a map here showing the grants. Let me answer the Senator by saying that when the treaty of Guadelupe Hidalgo was concluded with Mexico there was a provision that valid grants which had previously been made, whether the grantees deraigned title from Spain or from Mexico, should be recognized. All over California there were vast grants of land the titles to which have been held inviolate in the grantee and his heirs and successors. The Spanish Government and the Mexican Government made grants. There were some grants in my own State.

There are some grants that have been made to vast tracts in Lower California. I am speaking now without accurate information, but I would judge that the grants that have been made do not embrace and cover over 15 per cent of the area of the peninsula, and there are no grants except two very small ones here [indicating Sonora on the map] covering that part of Sonora.

Mr. CUMMINS. I gave some study to the subject a short while ago, and I think the Senator from Arizona is rather underestimating the area of the lands which have been granted either by Spain or by some government of Mexico to private persons or corporations. But I am not suggesting this because I am opposed to the resolution. In fact, I have long been of the opinion that we ought to try hard to buy it, and if we could not buy it we ought to take it; but that would not be in accord with the universal brotherhood of man and the reign of justice which is now supposed to prevail throughout the world.

I was reminded of the fact that a large part of the valuable territory of Lower California was in private ownership by the suggestion of the Senator from California [Mr. PHELAN]. The truth is that after the Senator from Massachusetts [Mr. LODGE] introduced his resolution which related to Magdalena Bay it developed in the course of the debate that the land around Magdalena Bay and which it was feared might fall into the hands of Japanese subjects was actually owned by American citizens, and the fear was that American citizens owning the vast concessions might part with them to Japanese citizens or subjects. That makes it all the more necessary that if possible we should control Lower California.

Mr. ASHURST. I thank the Senator for his interruption. When we come to consider the land grants made by Mexico it is quite a serious task to examine the titles. There is a man in my town who spoke about a "Mexican airplane propeller," and he said that we ought to have it, as the propeller made 10,000 revolutions a minute. They have a great many revolutions in Mexico. Possibly the de facto government to-day will make a grant and another government to-morrow will revoke it and make another grant, but when you come to valid, substantive grants that eminent lawyers, such as the Senator from Iowa [Mr. CUMMINS] and other Senators, would go into their law offices, study, and then say were valid and legal grants, I should say but 15 or 20 per cent of the area of Lower California is included in such grants.

Mr. WATSON. Will the Senator yield?

Mr. ASHURST. I yield to the Senator.

Mr. WATSON. Something of that kind I had in mind awhile ago when I suggested to the Senator if we would buy Lower California we might buy trouble. My understanding is that Mexico to-day is probably in as serious an internal condition as she has ever been; that there is seething revolution in 14 of her 27 States; that Carranza controls only a limited portion of Mexico, and that other generals are in control of other portions of Mexico. If some rebel general in arms against the Carranza Government is in control of the part of Mexico that lies next to Lower California, and we were to take over Lower California, would we not be taking over a fight?

Mr. ASHURST. Mr. President, the Senator's question has arisen, but I am assuming, and I think I have a right to assume, that when our State Department brings its diplomatic, literary, and historical resources to work on this question, the department would take pains to conclude a treaty that would preclude all reasonable fear of trouble with Mexico. Doubtless there would be some junta in Mexico that might be considerable in number that would oppose the treaty. If they could make themselves felt in the Mexican Congress they could defeat the ratification of the treaty, but I do not believe it would be a concern of ours if we made an honest purchase with clean hands and paid a fair, substantial sum of money to the appropriate persons who were the de facto and acting authority.

Mr. WATSON. But this is the question, to further pursue it: It is not that we could not make a treaty with Carranza, inasmuch as we have a representative there and his Government has a representative here, both duly accredited. Therefore, we could make a binding, valid treaty. It is not that, but Carranza himself is unable to take possession, I understand, of Lower California. There are roving bands of guerrillas and brigands, or there are generals in command of these roving armies. Villa is down there on that coast somewhere, and Felix Dias is down there somewhere, and half a dozen other fellows at the head of those bands. If Carranza, at this time President of Mexico, is unable to control that portion of the country, how could he give us a warranty deed for it and then defend it as against those people?

Mr. ASHURST. The Federal Government of Mexico for more than 10 years has not pretended to have any authority or jurisdiction over it.

Mr. SMITH of Arizona. The Mexican Government owns it.

Mr. ASHURST. The Mexican Government, as my colleague says, however, owns it.

Mr. WATSON. Precisely; that is all there is in it.

Mr. ASHURST. That to me is an objection so hazy and so nebulous that I hardly consider it as an objection. I believe as Andrew Jackson believed, that we can deal with de facto governments. They may have a new government every day, but that is not our concern. I would deal with the de facto gov-

ernment if I knew it would change to-morrow. We have a right under the law of nations to deal with the de facto government, although it may be supplanted to-morrow.

Mr. WATSON. In other words, here is what I want to find out from the Senator. He would make a treaty with Mexico, if he could make a satisfactory treaty, to take over the territory and then go and take it regardless of consequences.

Mr. ASHURST. Certainly, so long as the will of Mexico were not overthrown and no injustice practiced, and there was no deception. Does the Senator think that because a few cutthroats and outlaws who neither know nor respect the law of Mexico nor the law of the United States objected that our Federal Government should withhold any action simply because a few bandits object to civilization and law and order?

Mr. WATSON. No, Mr. President, the Senator believes just as I do, except that I have been trying to get him to say it.

Mr. ASHURST. I have just said it.

Mr. WATSON. Precisely. I would long ago have protected American property and American life and American interests in Mexico.

Mr. ASHURST. I said here long ago if I had charge of affairs Mexican outlaws there would get grapeshot instead of grape juice. I said that long ago, but I am not in charge of the State Department.

Mr. MYERS. May I ask the Senator a question?

Mr. ASHURST. I yield.

Mr. MYERS. Does it not seem to the Senator that it would be well for us to pay the Republic of Colombia for what we took from her before we go to buying other territory?

Mr. ASHURST. I am in thorough accord with the distinguished Senator from Montana [Mr. MYERS] and with the eminent Senator from Pennsylvania [Mr. KNOX] in their views that we ought to pay Colombia for the territory we took. I am not a believer in the idea that because we are great, powerful, and opulent we ought to take territory by the strong arm. We ought to buy what we wish to acquire.

Mr. CUMMINS. Will the Senator permit a question?

Mr. ASHURST. Yes, sir; I will.

Mr. CUMMINS. What are we buying from Mexico? If a very large part of that valuable territory is in the ownership of private persons, what do we buy from the Republic of Mexico?

Mr. ASHURST. We buy the sovereignty.

Mr. CUMMINS. We can not buy the sovereignty. How can we pay for sovereignty? Sovereignty, of course, is power, for it depends upon the will of the persons who are in power.

Mr. ASHURST. The Senator is a statesman whose just fame is known in every portion of this land. The Senator knows we bought Florida, we acquired Louisiana by purchase, we annexed Texas, we made the Gadsden Purchase, and in each there were large private interests involved. In the case of California, a large part of that State was in private ownership in the shape of land grants.

Mr. CUMMINS. There was a time in the development of the world in civilization in which sovereignty was bought, and I am not particularly critical about that, because it was in harmony with the thought at that time, but nowadays we do not look upon the purchase of mere sovereignty as a very appropriate thing. In all the other purchases mentioned by the Senator from Arizona while there were private interests there was very large public property as well. Take the Louisiana Purchase. There comparatively few people were on a great public domain. I was wondering whether the Senator from Arizona had in his mind to pay Mexico for the full value of all the property in Lower California.

Mr. ASHURST. Well, of course, I am asking the Senate to pass the resolution requesting the President to negotiate a treaty. If I were Secretary of State, I might negotiate one sort of a treaty and somebody else might negotiate another sort of a treaty, but the question of the right of purchase of domain by the United States is well settled. It was settled in the Louisiana Purchase that the United States has a right to purchase territory and to erect that territory into States later on. We purchased the Danish West Indies only a year or two ago. These purchases afford an abundant precedent and example and authority for the purchase of this domain.

Before I leave this question, let me say, in reply to the question by the Senator from Indiana [Mr. WATSON], that I do not wish to be understood as inferring that there is a vast deal of lawlessness and disorder in the peninsula. On the contrary, under a rather moderate, beneficent, and prudent administration of the present governor there, considering the people that he has to deal with do not always understand law and order, there is remarkable tranquillity, considering that it is a part of Mexico, because Mexico implies the very reverse of tranquillity.

Mr. WATSON. I do not think there is any question about that part of it; but the point I was making is that Carranza is in a very precarious condition now, with all these revolutions surging about him, and the probabilities are that he would not be willing to make a treaty, and if he did it would occasion another insurrection and another revolution and more trouble.

Mr. ASHURST. What are a few insurrections, more or less, in Mexico?

Mr. WATSON. Not of the slightest importance on earth; but the point I am considering is that if we start then we shall have to finish the job.

Mr. ASHURST. Would that be difficult?

Mr. WATSON. No; it would be entirely agreeable to me; and I am trying to get the Senator from Arizona to make a bold declaration of it.

Mr. SMITH of Arizona. To go into denunciation of Mexico?

Mr. WATSON. No; not a denunciation of Mexico; but in the way of protecting American interests and American life and property in Mexico we have not done what we ought to have done.

Mr. SMITH of Arizona. If you proceed along that line and go into that discussion at this particular time, I claim to know something about that border down there.

Mr. WATSON. I have no doubt the Senator does.

Mr. SMITH of Arizona. I really know something of the relations of Mexico to our people down there. If you are in an effort to beat the resolution by raising a denunciation on this floor, an adverse criticism against men who think they are responding to a very unjust action on our part, you may succeed in raising such a spirit there that the end which we are trying to accomplish may be dissipated in the very start.

Mr. WATSON. I want to say to the Senator that I am not attempting to defeat the resolution at all. I am simply trying to follow to its logical conclusion the argument of the Senator's colleague who is advancing this proposition. We are having constant trouble in Mexico. The Senator knows about that. How many soldiers are there to-day on guard along the border of Mexico?

Mr. ASHURST. If you had 40,000 you might not have too many. What is the use to get off into a discussion of another question? I am willing to admit, and no candid man will deny, that neither life nor property has been safe in Mexico for many years. Is not that a bold declaration?

Mr. WATSON. That is satisfactory.

Mr. ASHURST. Will the Senator now be bold enough, I know he is honest enough, to admit there is a de facto government in Mexico with which the United States could deal under international law?

Mr. WATSON. Certainly.

Mr. ASHURST. There is a de facto government in Mexico with which all nations may honorably deal. I am asking the Senate to adopt a resolution looking to an honest and fair purchase from the de facto government of a tract of land that we need and that is valuable to us and that is not worth anything to Mexico. I hope now the underbrush is all cleared away in this debate. Why is the peninsula valuable to us? I have spoken of its magnificent harbor, Magdalena Bay, on the Pacific coast, and of the Bay of La Paz on its Gulf coast. It has numerous islands on the Pacific and the Gulf coast where an oriental enemy could colonize and set up a naval base or a military base. Mexico is unable, unwilling to resist.

Magdalena Bay is valuable to us. The Panama Canal, built by American enterprise, will become, when reconstruction shall have been over, the stream of great currents of trade with the Orient. Is it not timely and proper that American statesmen, American Senators, should give consideration to a proposition which puts American possession 800 miles nearer the Panama Canal? The Panama Canal is the very pentralia of our peace and security. Just so it is unthinkable that American Senators would permit such a valuable—I might say invaluable—asset as the Panama Canal to be inadequately secured against seizure and against destruction.

The canal is open to the world upon the same terms, but the duty is on us nevertheless to guard and control the canal.

The Pacific Ocean is a theater of activity that the most remote excursion of the imaginatior can not describe—a theater of commerce, perhaps a theater of war. Who dares to say what it will not be in the future? It should be our part and our duty as American citizens to guard the Pacific in every way. When the fleet went around the world in 1908 it stopped at Magdalena Bay to test its guns by target practice in that magnificent harbor. Mexico does not want Magdalena Bay, can not use it, does not appreciate it. The Mexicans have not the stimulus that Americans have and never will appreciate it. Are we, therefore, to sit here year in and year out because we have hesitancy about dealing with a de facto government? I am not afraid, I will say to the Senator, to deal with a de facto authority. Their acts are valid. I am afraid, however, to do an

injustice or a wrong. I am afraid to take it; not but what we could get it; they could offer but a feeble resistance, but a fair man is afraid to do wrong.

Now, there is another vital point in this question. It is seldom appreciated. It is very little investigated. It involves the control of the great Colorado River, the Nile of the West. The Colorado sends down each year 17,000,000 acre-feet of water. What do I mean by that? I mean it sends down enough water each year to cover 17,000,000 acres with water 1 foot deep. During the period from 1903 to 1914, 215,000,000 acre-feet of water in the Colorado River passed Hardyville, Ariz. The Colorado River is called the Nile of the West. The Nile has 68,000,000 acre-feet of water coming down each year. The Colorado has 17,000,000 acre-feet of water coming down each year. The Nile, therefore, has four times more water than has the Colorado. The Nile basin has three times the area the Colorado basin has, but the Colorado River is doing only one-fifteenth the irrigation that the Nile is doing. There is the Nile, with only four times more water, with only three times more irrigable land—the land is about the same in character—doing fifteen times more irrigating than the Colorado. To obtain the same amount of irrigation per acre-foot as the Nile the Colorado should irrigate eight times what it is now irrigating—eight times 300,000, or 2,400,000 acres.

So, Mr. President, if a treaty can be concluded for the purchase of this tract of land on the northwestern coast of Sonora and the peninsula of Lower California, 2,000,000 acres more of land so rich that no industrious man needs over 40 acres of it to become opulent may be irrigated. The Deglet Noor dates, worth $2 a pound, and the long-staple cotton, which my distinguished friend from South Carolina [Mr. SMITH] has seen and will say measures up and staples with the best cotton in the world, the orange, the lemon, the lime—all the fruits and flowers could be grown there; whereas if Mexico retains it it will be a howling desert, a cactus-infested land.

Mr. THOMAS. Mr. President——

Mr. ASHURST. Just let me finish the sentence.

Therefore, is it surprising that I urge the President to conclude a treaty for the honest purchase of this land? We speak of our soldiers coming home, and of providing land for the soldiers, a very worthy movement. The lands must be obtained somewhere. If the Colorado River, with its 10,000,000 acre-feet of water now running to waste each year, can have its waters turned out on this fertile land can you imagine anything more romantic and yet more practical than the making of this desert to bloom with flowers and fruit and with the environments of a refined civilization? I yield to the Senator from Colorado.

Mr. THOMAS. The Senator has perhaps done so, but if not I hope he will emphasize the fact that the utilization of this water to the extent he has described necessitates the construction of improvements upon Mexican soil. I think that is the point of divergence.

Mr. ASHURST. That is the very point.

Mr. THOMAS. The Imperial Valley, therefore, is very largely dependent upon Mexican good will, or cooperation, if you please, or both, for its continued prosperity, its water coming from the Colorado River.

Mr. ASHURST. The Senator has stated it so succinctly that I need not refer to it further, except to say that he is absolutely correct. Some parts of Imperial Valley, where the agricultural crop is worth more than $100,000,000 annually, lie in the extreme northern part of the peninsula.

Irrigationists in the peninsula are dependent upon the moderation of the governor, whom I have just described three times as being a prudent man. I will not say that he desires or will be glad to see the annexation of the peninsula to the United States, because I have no authority to say that, but I believe it just the same.

Mr. President, passing on from the point I tried to make, of the necessity of controlling the territory of the Colorado River, it is a snow-fed river, as is the Nile; it rises in June and July; it would be necessary to have storage dams some 200 miles up the river to gather in and conserve and hold this vast quantity of water that rushes and wastes itself in the gulf. This affords another reason why we should pass the resolution. It affords another reason why the executive branch of the Government should conclude a treaty with Mexico looking toward the acquisition of this land. This is not a new subject. It has been a subject of frequent discussion, of diplomatic negotiations and otherwise.

Mr. FLETCHER. Perhaps the Senator has stated it, but I would be glad if he would state again about the length of the peninsula.

Mr. ASHURST. The length of the peninsula is about 800 miles. Its greatest width is 150 miles; its narrowest point is 40 miles, and its average width is about 100 miles.

Mr. FLETCHER. There are harbors on the Pacific side?

Mr. ASHURST. On the Pacific side there are several harbors, and there is the very famous Magdalena Bay Harbor. On the gulf side there is a remarkably fine harbor in the southern portion of the peninsula, La Paz.

Mr. FLETCHER. What is the depth of the water at Magdalena Bay?

Mr. ASHURST. I have never been there, but I am informed that any sort of ships now built may dock in Magdalena Harbor.

Mr. SMITH of Arizona. I understand there are over 45 feet of water there.

Mr. ASHURST. Now, Mr. President, one other question. We stand before the world with all nations seeking our favor because of what we may call our magnanimity and our patriotism. We have stridently asserted—I think the word is correct—that we are the friends of Mexico. All right. Let us see whether or not we are at heart. Mexico—torn, distracted, almost a shipwreck among the nations, overrun by bandits and cutthroats, with only a small percentage of population understanding the blessings of freedom, misled in large part by German propaganda—is a nation that should excite our sympathy as much as it ought to incur our just displeasure.

We are the friends of Mexico, we say. What does Mexico need most of all? She has all the law that can be imagined. Name a law that Mexico has not. Laws alone do not make a nation. Ideals, justice, moderation, frugality, sobriety, order, and industry make a nation. The stimulus of gold and enterprise makes a nation. Mexico needs money. She needs money to pay the interest on her bonded indebtedness. She has an enormous floating indebtedness. I do not pretend to assert how many millions of dollars Mexico owes the United States for lives and property of persons destroyed in the United States by Mexicans. I will not even venture upon the still larger question of trying to determine how much money Mexico owes citizens of the United States for the destruction of life and property in Mexico; but with the stimulus of the money that she will receive from this purchase she can pay the interest on her national debt, discharge or liquidate at least a part of the obligations she owes to our citizens. She may then rebuild her railroad bridges, build boats, and set herself aright before the great family of nations, and to discharge one's obligations is the most substantial way of setting one's self right. Mexico needs the stimulus which American enterprise and American money honestly paid to her can give her.

Mr. PAGE. Mr. President——

Mr. ASHURST. I yield to the Senator from Vermont.

Mr. PAGE. I simply want to ask whether, in the opinion of the Senator from Arizona, the pride—proper pride, perhaps—in which Mexico indulges to-day will not be so great that they will wipe aside all of these incentives to sell and refuse to sell, for the present, at least?

Mr. ASHURST. Well, the Mexicans are a very proud people, and I for one am inclined to respect their punctilious pride; but I am convinced that it is within the diplomatic and the literary resources not only of the present Secretary of State, but the Secretaries of State whom we have had, and those who are to come afterwards, to negotiate, in time, a treaty with Mexico looking toward that end. It will not be an easy task; undoubtedly it will be a difficult task; it is not impossible of accomplishment, and we should never stop; but with all proper insistence, and upon every proper occasion, we should try to assist our State Department in making this purchase.

Mr. PAGE. And the Senator believes that it is possible to make the purchase within the next few years?

Mr. ASHURST. I think it is entirely possible to make this purchase within the next 10 years.

Now, Mr. President, before I go to another subject——

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from Arizona a question. Has the Senator any estimate as to what it would cost the United States Government to purchase this peninsula?

Mr. ASHURST. I have no such estimate. I have had conversations with eminent people who are supposed to understand the matter and to speak for some Mexican authorities, but I am unable to answer the Senator.

Let me say this: The Gadsden Purchase, which embraced the southern part of Arizona and a little part of New Mexico, was concluded in 1853, and it was proposed to pay $15,000,000 for that purchase. The Senate, however, rejected the treaty, because they said the sum was too large. However, a reconsideration was had, and a treaty was adopted paying Mexico $10,000,000 for that purchase. I have no idea that the land in question in this case could be acquired for any such small sum.

Mr. SHAFROTH. But the Senator's idea is that negotiation could reduce the price to a reasonable sum?

Mr. ASHURST. I think negotiations could reduce the price to a reasonable sum, but we need not hope to acquire this tract of land for such a comparatively small sum as was paid for the Gadsden Purchase. Now, before I leave that particular subject, I desire to discuss one other question.

Mr. GORE. Mr. President——

Mr. ASHURST. I yield to the Senator from Oklahoma.

Mr. GORE. Before the Senator from Arizona leaves that subject, referring to the question of the Senator from Vermont [Mr. PAGE], in reference to the pride of Mexico, I desire to say that it seems to me, however delicate the pride of the Mexicans might be, or whatever might be their sensitiveness, this transaction could be carried on in perfect harmony with their pride and national spirit. It has been only a few months since we have acquired from Denmark the Virgin Islands.

Mr. ASHURST. I was going to refer to that, but I am glad the Senator from Oklahoma has done so.

Mr. GORE. Denmark is a very proud and sensitive nation and commands the respect of the world. It is not long since Russia, at that time one of the most powerful nations on the globe, sold Alaska to the United States. Spain at one time obtained Louisiana from France, but subsequently ceded it back to France, and France ceded it to the United States. Great Britain for 20 years—from 1762 to 1783—owned the Floridas, but she subsequently ceded them back to Spain. Such cession is not an unusual transaction, and is perfectly compatible with national pride.

Mr. ASHURST. I thank the Senator.

Now, Mr. President, on this large map [indicating]—I doubt if Senators can see it—I have marked on the little strip of Sonora, in the northwestern part of the State of Sonora, the words "potash, sodium, sulphates." There is a rainless portion of our western world. On the Pacific side of the peninsula there are numerous small islands bearing sea-bird guano and carrying an important percentage of potassium nitrate.

Where did I get that information? I have never been there, though I have been here [indicating Sonora on the map], but I have never been upon the peninsula. I repeat, where did I get that information? From Germany; from German reservists. The United States Government did not know it; but the German reservists, spying out of this country, looking for a place of refuge, discovered the guano, the potash, and sodium, and the information was sent to Germany. A citizen of Arizona, whose name I am not at liberty to mention, obtained the information—which our State Department did not have—that this land was rich in the same kind of nitrates that are found in Chile, and that these numerous islands were covered, and have been covered in the centuries gone by, with great deposits of bird guano, carrying an important percentage of nitrate of potassium. This unknown land has been a refuge, a hiding place for our enemies; and Mexico, even had she been willing to do so, would have been unable to resist the agression of our enemies in the late war. That is all the more reason why American statesmanship, care, and provision for the future should be turned to the acquisition of that tract of land, which, I repeat for nearly the twentieth time, is and always will be of no real substantial value to civilization while it is controlled by Mexico.

I was just about to reach a point regarding the purchase of the Virgin Islands when my friend the Senator from Oklahoma [Mr. GORE] interrupted me. It has been said that the agitation of this question—indeed, I read it in a newspaper yesterday—was untimely while peace negotiations were going on. Untimely! It is the very model of prudence, magnanimity, and fair dealing. It sets an example to the other nations of the world. When Germany, with her mailed fist and spiked helmet, was overrunning Belgium, destroying Poland, and starving Serbia, the United States Government, the most opulent, the most puissant nation the world ever saw, was honorably buying the Virgin Islands from a small but a noble power. The United States Government, while the war was on, placed herself into juxtaposition with Germany—Germany, with her spiked helmet and poison gas, *taking*, and the United States Government honorably *buying* what she wished, thereby setting a noble example to the other nations of the earth.

What better news could be sent to the peace conference at Versailles than that the United States is contemplating the honorable purchase—not the forcible seizure—of some land which it needs and which its neighbor does not need?

Now, as to this so-called sentiment that nations never wish to change their frontier line, let me say that all national frontiers are subject to constant fluctuations and will forever be shrinking and expanding. National frontiers can no more remain delimited and static than can the coast lines of oceans, for they are those indefinable shores where break and beat the restless and turbulent seas of life.

The frontiers of any country are the boundaries that separate it from its neighbors. Sometimes the frontier lines are great natural topographical features, such as mountain chains or rivers; sometimes they are arbitrary lines shifted from time to time by the caprice of rulers or the aggressions of the more powerful; but the frontier lines of our Nation in continental United States have never been shifted at the caprice of any ruler. Justice, fair play, and honest purchases alone have characterized our acquisitions of territory. Our frontier line, like the receding shadow line of the sundial which marks the hourly passage of time, has receded toward the west under the influence of the advancing sun of civilization until after a long journey it has reached the shores of the great Pacific. The recession of our frontier is the most important and most interesting fact of our national history, embracing a series of events as brilliant in statesmanship as they are unstained by wrong or injustice.

The first settlements were made on our eastern coast 300 years ago, and these 300 years of progressive development have a history as brilliant as it is varied in its coloring—like a gorgeous piece of tapestry, some of its threads are golden, some are silver, and some are crimson with the lifeblood of the pioneer freely shed in his contest with savage beasts and savage men; but they are interwoven into one picture of civil and religious freedom such as mankind has never in all the ages looked upon before. So this acquisition of Lower California by the United States and the obtaining of the control of the Colorado River by the United States must likewise, as I know it will, be accomplished without wrong or injustice toward our weaker neighbor, who is at this time debilitated, torn, and distracted.

Mexico needs gold; it needs that stimulus to its enterprises which gold alone can give. Gold will assist Mexico to rehabilitate herself. With ample credits she would be able to pay her floating obligations and interest on her bonded debts, bring about some semblance of law and order and give security to life and property. If we are really a friend of Mexico, as we have so stridently proclaimed, here is an opportunity to show our friendship with something more substantial than words. Let us show our friendship by concluding a fair bargain in accepting from Mexico this vast tract of land which she does not need, can not police, and which, if she retains, would be for the next hundred years the same desert waste it has been during all the past.

The public man who omits to grasp an opportunity which may in the future be of benefit or safety to those who live under our stainless flag is recreant to his trust.

Our duty is plain. In these troublous times we in charge of the Nation's destiny, holding the most sacred deposit ever confided to human hands, should not shirk nor shrink. If we perform these duties, glory will be our portion; if we fail, it will be to our shame. There is no remorse so deep, so poignant, so inveterate, as that which comes from the consciousness that we have failed at a supreme crisis to avail ourselves of an opportunity to perform a real and needful public service to our country, and there is no happiness more sustaining, more enduring, or more unselfish than the consciousness that we have met in a worthy manner the responsibilities upon us.

Fortune, success, and opportunity soar aloft on high and rapid wing. They must be seized as they pass by. It is a difficult task to overtake them once they have left us behind or found us asleep or afraid.

All success, whether of a nation, a political party, a business firm, or an individual, comes only from exacting toil and diligent labor, coupled with the ability to recognize an opportunity, however vagrant and disguised it may present itself. The individual, the party, the State that succeeds is the posthaster, not the postponer. Pass this resolution and the Senate will have the sympathy and support of all honest, reasonable, and patriotic people.

The PRESIDING OFFICER. What disposition does the Senator from Arizona desire made of his resolution?

Mr. SMITH of Arizona. Mr. President, I wish to address myself for not over 10 minutes to the resolution.

Mr. ASHURST. At the conclusion of the remarks of my colleague, if no Senator desires to address himself to the resolution, I shall ask that it be referred to the Committee on Foreign Relations.

Mr. SMITH of Arizona. Mr. President, the question that has entertained the Senate this afternoon is one as old as our War with Mexico. Time and again in my career since I have been in public life I have made, and I have attempted to cause others to make, efforts in the line of the resolution now introduced and ably advocated by my colleague. In order to arrive at any sort of contractual relations with Mexico, in view of the extreme pride of that extremely proud people, a pride that survives even amidst the most abject poverty that can be imposed upon it, we must approach the question not with denunciation, but in this body and everywhere else by making excuses, without calling to the attention of the world the frailties of our neighbor. We know we have the power to do what we please

with her; but let us see if we can not get this resolution reported and passed through the Senate, and in every step of these proceedings draw closer and closer to those who must ultimately govern that Republic for good or for evil. By that means, and by that means alone, can we hope to accomplish anything under the resolution; and I rose more for the purpose of cautioning the Senate in our deliberations concerning nations to preserve that urbanity which is supposed to exist among gentlemen.

Senators, Mexico is indebted to the United States in enormous sums of money. There is a resolution now before the Committee on Foreign Relations, which will probably be acted upon tomorrow, pressing Mexico for an adjustment of what, in round numbers, I should guess to be something like $300,000,000 on account of damages sustained by American citizens. France and England have likewise great claims against Mexico, for which we are in a sense sponsor or guardian, in that we would not permit any aggression by any foreign power on the shores of Mexico for the purpose of seizing territory in any event for the settlement of debts. The consideration of these matters is going to cause trouble in connection with this resolution. The only way, as I have stated, by which we can ever hope to make one step forward is to commence this day in all public speeches, in all our addresses on the subject of our relations with Mexico, to pity the condition into which the ignorance of many of her people has caused her to be thrown.

Think of the German propaganda that from a time preceding this war up to this very minute has been poisoning the minds of the poor Mexicans against our Nation, and not altogether without some basis in fact. We have not treated Mexico right on the frontier, although we have done the best we could. I am not complaining of that; but I am offering it as a reason why we should act with temperance in our dealings with the Mexican people and place ourselves, if we can, in their shoes.

Think of how the Mexicans have been raised; think of the conditions under which they have attempted their self-development. The Englishman and the Frenchman were not altogether averse 10 years ago, when I was much more familiar with Mexico than I am to-day, to keeping Mexico scared to death as to the time when the great northern cloud should oversweep even her mountain tops and the strength of America find its expression in the grabbing of the Republic of Mexico. That was done for commercial and trade purposes, but it has left its impress on the heart and soul of those who would love to be friends of ours. Yet we have done nothing on earth to set aside the impression made by such propaganda. We have not had the opportunity to do so, it is true, in the last three or four years, for we have been too busy; but I do adjure Congress to take this resolution, deal with it in sympathy, and in pity where it is needed, because it has to do with a proud people, a people as brave as we are, and who hold their honor as sacred as we possibly can hold ours. Let us deal with them on the terms of perfect equality, which should exist between two contracting parties. This being carried out, I have great hope that within the next four or five or six years we may find no trouble in the world in securing that peninsula, which is absolutely invaluable to us; make that great gulf an American sea, if you please; open the Colorado River absolutely to American control, fructifying the lands that lie on the northern coast of Sonora and on the peninsula of Lower California, which will never be done, as has been so forcefully and so often said by my colleague, in the next hundred years if left under present conditions.

I have nothing more to say, Mr. President, at this time.

Mr. ASHURST. I ask that the resolution be referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. In the absence of objection the resolution will be referred to the Committee on Foreign Relations, in accordance with the request of the Senator from Arizona.

THE CENSUS.

Mr. SHEPPARD. Mr. President, it is very essential that the bill authorizing the next census be passed by the Senate at the earliest possible opportunity, and in order that it may become the unfinished business, I move to proceed to the consideration of the bill (H. R. 11984) to provide for the fourteenth and subsequent decennial censuses. The fourteenth decennial census will be taken early next year. It will be an enormous task, necessitating painstaking and comprehensive preparation. I therefore make the motion in order that the bill may be before the Senate at its next meeting.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11984) to provide for the fourteenth and subsequent decennial censuses, which had been reported from the Committee on the Census with amendments.

Mr. SHEPPARD. In order that the Senate may have the bill before it when we next meet, I ask that the bill as reported to the Senate be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill referred to is as follows:

An act (H. R. 11984) to provide for the fourteenth and subsequent decennial censuses.

Be it enacted, etc., That a census of the population, agriculture, manufactures, *forestry and forest products*, and mines and quarries of the United States shall be taken by the Director of the Census in the year 1920 and every 10 years thereafter. The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, and Porto Rico. A census of Guam and Samoa shall be taken in the same year by the respective governors of said islands and a census of the Panama Canal Zone by the governor of the Canal Zone in accordance with plans prescribed or approved by the Director of the Census.

SEC. 2. That the period of three years beginning the 1st day of July next preceding the census provided for in section 1 of this act shall be known as the decennial census period, and the reports upon the inquiries provided for in said section shall be completed and published within such period.

SEC. 3. That during the decennial census period, and no longer, there may be employed in the Census Office, in addition to the force provided for by the legislative, executive, and judicial appropriation act for the fiscal year immediately preceding the decennial census period, an assistant director, who shall be an experienced practical statistician; a chief statistician, who shall be a person of known and tried experience in statistical work; a disbursing clerk; an appointment clerk; a private secretary to the director; 4 stenographers; 8 expert chiefs of division; and 15 statistical experts. The assistant director shall be appointed by the President, by and with the advice and consent of the Senate. The chief statistician, the disbursing clerk, the appointment clerk, the chiefs of divisions, and the private secretary to the director shall be appointed without examination by the Secretary of Commerce upon the recommendation of the Director of the Census. The statistical experts and the stenographers shall be appointed in conformity with the civil-service act and rules: *Provided*, That no man appointed or employed or who shall hereafter be appointed or employed under this act shall on account of such employment be certified by any official or authority for deferred classification under act No. 12, Sixty-fifth Congress, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, or under any act amendatory thereof that has been or shall hereafter be enacted: *Provided further*, That whenever practicable women and honorably discharged soldiers and sailors shall be employed in the positions herein provided for.

SEC. 4. That the assistant director shall perform such duties as may be prescribed by the Director of the Census. In the absence of the director, the assistant director shall serve as director, and in the absence of the director and the assistant director, the chief clerk shall serve as director.

The appointment clerk shall perform the duties assigned him by the Director of the Census. The disbursing clerk of the Census Office shall, at the beginning of the decennial census period, give bond to the Secretary of the Treasury in the sum of $100,000, surety to be approved by the Solicitor of the Treasury, which bond shall be conditioned that the said officer shall render, quarter yearly, a true and faithful account to the proper accounting officers of the Treasury of all moneys and properties which shal be received by him by virtue of his office during the said decennial census period. Such bond shall be filed in the office of the Secretary of the Treasury, to be by him put in suit upon any breach of the conditions thereof.

SEC. 5. That during the decennial census period the annual compensation of the officials of the Census Office shall be as follows: The Director of the Census, [$7,000] *$7,500*; the assistant director, [$4,500; three chief statisticans and the chief clerk, $3,000 each; two] *$5,000; the chief clerk and three chief statisticans, $4,000 each; three* other chief statisticans [$3,000] and the geographer, [$2,750] *$3,000 each*; the disbursing clerk, $3,000; the appointment clerk, $2,750; the chiefs of division, $2,250 each; the private secretary to the director, $2,250; the statistical experts, $2,000 each; and the stenographers provided for in section three of this act, $1,800 each.

SEC. 6. That in addition to the force hereinbefore provided for and to that authorized by the legislative, executive, and judicial appropriation act for the fiscal year immediately preceding the decennial census period, there may be employed in the Census Office during the decennial census period, and no longer, as many clerks [of classes four, three, two, and one;] *with salaries at the rates of $1,800, $1,680, $1,560, $1,440, $1,380, $1,320, $1,260, $1,200, $1,140, $1,080, $1,020, $960 and $900; one engineer at $1,200; and two photostat operators, at $1,200 each;* as many skilled laborers, with salaries at the rate of not less than $720 nor more than $1,000 per annum; and as many messengers, assistant messengers, messenger boys, watchmen, unskilled laborers, and charwomen as may be found necessary for the proper and prompt performance of the duties herein required; these additional clerks and employees to be appointed by the Director of the Census: *Provided*, That the total number of such additional clerks [of classes two, three, and four] *with salaries at the rate of $1,440 or more per annum* shall at no time exceed one hundred and fifty: *Provided further*, That employees engaged in the compilation or tabulation of statistics by the use of mechanical devices may be compensated on a piece-price basis to be fixed by the director: *Provided*, That whenever possible women and honorably discharged soldiers and sailors shall be employed in the positions herein provided for.

SEC. 7. That the additional clerks and other employees provided for by section six shall be subject to such special test examinations as the Director of the Census may prescribe, [the said] *subject to the approval of the United States Civil Service Commission, these* examinations to be conducted by the United States Civil Service Commission, to be open to all applicants without regard to political party affiliations, and to be held at such places in each State as may be designated by the Civil Service Commission. Certifications shall be made by the Civil Service Commission upon request of the Director of the Census from the eligible registers so established, in conformity with the law of apportionment as now provided for the classified service, *and selections therefrom shall be made by the Director of the Census*, in the order of rating: *Provided*, That the requirement as to conformity with the law of apportionment

shall not apply to messenger boys unskilled laborers, and charwomen: *Provided further*, That hereafter all examinations of applicants for positions in the [Census Office] *Government service*, from any State or Territory, shall be had in the State or Territory in which such applicant resides, and no person shall be eligible for such examination or appointment unless he or she shall have been actually domiciled in such State or Territory for at least one year previous to such examination: *Provided further*, That the Civil Service Commission [may] *shall* hold examination [for positions in such service] of applicants temporarily absent from the [place] *places* of their legal residence or domicile in the District of Columbia and elsewhere in the United States where examinations are usually held upon proof satisfactory to the commission that such [applicant is a] *applicants are* bona fide [resident] *residents* of the [State or Territory] *State or Territories* in which such [applicant claims to have a] *applicants claim to have* legal residence or domicile: *Provided further*, That nothing herein shall be so construed as to abridge the existing law [or] *of* apportionment or change the requirements of existing law as to legal residence or domicile of such applicants: *And provided further*, That no person afflicted with tuberculosis shall be appointed and that each applicant for appointment shall accompany his or her aplication with a certificate of health from some reputable physician [: *And provided further*, That in no instance shall more than one person be appointed from the same family]: *And provided further*, That when the exigencies of the service require, the director may appoint for temporary employment not exceeding six months' duration from the aforesaid list of eligibles those who, by reason of residence or other conditions, are immediately available; and may also appoint for not exceeding six months' duration persons having had previous experience in operating mechanical appliances in census work whose efficiency records in operating such appliances are satisfactory to him, and may accept such records in lieu of the civil-service examination: *And provided further*, That employees in other branches of the departmental classified service who have had previous experience in census work may be transferred without exmaination to the Census Office to serve during the whole or a part of the decennial census period, and at the end of such service the employees so transferred shall be eligible to appointment to positions in any department held by them at date of transfer to the Census Office without examination; but no employee so transferred shall within one year after such transfer receive higher salary than he is receiving at the time of the transfer: *And provided further*, That during the decennial census period and no longer the Director of the Census may fill vacancies in the permanent force of the Census Office by the promotion or transfer of clerks or other employees employed on the temporary force authorized by section six of this act: *And provided further*, That at the expiration of the decennial census period the term of service of all employees so transferred and of all other temporary officers and employees appointed under the provisions of this act shall terminate, and such officers and employees shall not be eligible to appointment or transfer into the classified service of the Government by virtue of their examination or appointment under this act.

SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, to forestry and forest products, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, place of abode, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, nationality or mother tongue of all persons born in foreign countries, nationality or mother tongue of parents of foreign birth, number of years in the United States, citizenship, occupation, whether or not employer or employee, whether or not engaged in agriculture, school attendance, literacy, and tenure of home, *whether or not a survivor of any war in which the United States has been engaged, and, if so, of what war,* and the name and address of each blind or deaf and dumb person.

The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, value of farm implements, number of live stock on farms, ranges, and elsewhere, and the acreage of crops and the quantities of crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of land reclaimed by irrigation and drainage and the crops produced; also as to the location and character of irrigation and drainage enterprises, and the capital invested in such enterprises.

The schedules of inquiries relating to manufactures, *to forestry and forest products*, and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and the amount of their wages; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time in operation during the year; character and quantity of power used; and character and number of machines employed.

The census of manufactures, *of forestry and forest products*, and of mines and quarries shall relate to the year ending December 31 next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood, household, and hand industries.

Whenever he shall deem it expedient, the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees, to be employed without respect to locality.

[The form and subdivision of inquiries necessary to obtain the information under the foregoing topics shall be] *The number, form, and subdivision of inquiries provided for in section 8 shall be* determined by the Director of the Census.

SEC. 9. That the Director of the Census shall, at least six months prior to the date fixed for commencing the enumeration at the Fourteenth and each succeeding decennial census, designate the number, whether one or more, of supervisors of census for each State, the District of Columbia, Alaska, Hawaii, and Porto Rico, and shall define the districts within which they are to act; except that the Director of the Census, in his discretion, need not designate supervisors for Alaska, Hawaii, and Porto Rico, but in lieu thereof may employ special agents as hereinafter provided. The supervisors shall be appointed by the [Secretary of Commerce upon the recommendation of the Director of the Census] *President, by and with the advice and consent of the Senate*: *Provided*, That the whole number of supervisors shall not exceed 400: *Provided further*, That so far as practicable and desirable the boundaries of the supervisors' districts shall conform to the boundaries of the congressional districts: *And provided further*, That if in any supervisor's district the supervisor has not been appointed and qualified 90 days preceding the date fixed for the commencement of the enumeration, or if any vacancy shall occur thereafter, either through death, removal, or resignation of a supervisor, or from any other cause, the Director of the Census may appoint a temporary supervisor or detail an employee of the Census Office to act as supervisor for that district.

SEC. 10. That each supervisor of census shall be charged with the performance within his own district of the following duties: To consult with the Director of Census in regard to the division of his district into subdivisions most convenient for the purpose of the enumeration, which subdivisions or enumeration districts shall be defined and the boundaries thereof fixed by the Director of the Census; to designate to the director suitable persons and with his consent to employ such persons as enumerators, one or more for each subdivision; to communicate to enumerators the necessary instructions and directions relating to their duties; to examine and scrutinize the returns of the enumerators, and in the event of discrepancies or deficiencies appearing in any of the said returns, to use all diligence in causing the same to be corrected or supplied; to forward the completed returns of the enumerators to the director at such time and in such manner as shall be prescribed, and to make up and forward to the director the accounts of each enumerator in his district for service rendered, which accounts shall be duly certified to by the enumerator, and the same shall be certified as true and correct if so found by the supervisor, and said accounts so certified shall be accepted and paid by the director. The duties imposed upon the supervisor by this act shall be performed in any and all particulars in accordance with the orders and instructions of the Director of the Census.

SEC. 11. That each supervisor of the census shall, upon the completion of his duties to the satisfaction of the Director of the Census, receive the sum of $1,500, and in addition thereto $1 for each thousand or major fraction of a thousand of population enumerated in his district, such sums to be in full compensation for all services rendered and expenses incurred by him: *Provided*, That of the above-named compensation a sum not to exceed $600, in the discretion of the Director of the Census, may be paid to any supervisor prior to the completion of his duties in one or more payments, as the Director of the Census may determine: *Provided further*, That in emergencies arising in connection with the work of preparation for or during the progress of the enumeration in his district, or in connection with the reenumeration of any subdivision, a supervisor may, in the discretion of the Director of the Census, be allowed actual and necessary traveling expenses and an allowance in lieu of subsistence not exceeding $4 per day during his necessary absence from his usual place of residence: *And provided further*, That an appropriate allowance to supervisors for clerk hire may be made when deemed necessary by the Director of the Census.

SEC. 12. That each enumerator shall be charged with the collection in his subdivision of the facts and statistics required by the population and agricultural schedules and such other schedules as the Director of the Census may determine shall be used by him in connection with the census, as provided in section eight of this act. It shall be the duty of each enumerator to visit personally each dwelling house in his subdivision, and each family therein, and each individual living out of a family in any place of abode, and by inquiry made of the head of each family, or of the member thereof deemed most competent and trustworthy, or of such individual living out of a family, to obtain each and every item of information and all particulars required by this act, as of date January first of the year in which the enumeration shall be made; and in case no person shall be found at the usual place of abode of such family, or individual living out of a family, competent to answer the inquiries made in compliance with the requirements of this act, then it shall be lawful for the enumerator to obtain the required information as nearly as may be practicable from the family or families or person or persons living nearest to such place of abode who may be competent to answer such inquires. It shall be the duty also of each enumerator to forward the original schedules, properly filled out and duly certified, to the supervisor of his district as his returns under the provision of this act; and in the event of discrepancies or deficiencies being discovered in these schedules he shall use all diligence in correcting or supplying the same. In case an enumeration district embraces all or any part of any incorporated borough, village, town, or city, and also other territory not included within the limits of such incorporated borough, village, town, or city, it shall be the duty of the enumerator to clearly and plainly distinguish and separate, upon the population schedules, the inhabitants of such borough, village, town, or city from the inhabitants of the territory not included therein. No enumerator shall be deemed qualified to enter upon his duties until he has received from the supervisor of the district to which he belongs a commission, signed by the supervisor, authorizing him to perform the duties of enumerator, and setting forth the boundaries of the subdivision within which such duties are to be performed.

SEC. 13. That the territory assigned to each supervisor shall be divided into as many enumeration districts as may be necessary to carry out the purposes of this act, and, in the discretion of the Director of the Census, two or more enumeration districts may be given to one enumerator, and the boundaries of all the enumeration districts shall be clearly described by civil divisions, rivers, roads, public surveys, or other easily distinguishable lines: *Provided*, That enumerators may be assigned for the special enumeration of institutions when desirable, without reference to the number of inmates.

SEC. 14. That any supervisor of census may, with the approval of the Director of the Census, remove any enumerator in his district and fill the vacancy thus caused or otherwise occurring. Whenever it shall appear that any portion of the census provided for in this act has been negligently or improperly taken, and is by reason thereof incomplete or erroneous, the Director of the Census may cause such incomplete and unsatisfactory enumeration and census to be amended or made anew.

SEC. 15. That the Director of the Census may authorize and direct supervisors of census to employ interpreters to assist the enumerators of their respective districts in the enumeration of persons not speaking the English language, but no authorization shall be given for such employment in any district until due and proper effort has been made to employ an enumerator who can speak the language or languages for which the services of an interpreter would otherwise be required. It shall be the duty of such interpreters to accompany the enumerator and faithfully translate the latter's inquiries and the replies thereto, but in no case shall any such interpreter perform the duties of enumerator unless commissioned as such by the Director of the Census. The compensation of such interpreters shall be fixed by the Director of the Census in advance, and shall not exceed $5 per day for each day actually and necessarily employed.

SEC. 16. That the compensation of enumerators shall be determined by the Director of the Census as follows: In subdivisions where he shall deem such remuneration sufficient, an allowance of not less than 2 nor more than 4 cents for each inhabitant; not less than 20 nor more than 30 cents for each establishment of productive industry reported; not less than 20 nor more than 30 cents for each farm reported; not less than 20 nor more than 50 cents for each irrigation or drainage enterprise reported; and 10 cents for each barn and inclosure containing live stock not on farms. In other subdivisions the Director of the Census may fix a mixed rate of not less than $1 nor more than $2 per day and, in addition, an allowance of not less than 1 nor more than 3 cents for each inhabitant enumerated, and not less than 15 nor more than 20 cents for each farm and each establishment or productive industry reported. In other subdivisions per diem rates shall be fixed by the director according to the difficulty of enumeration, having special reference to the regions to be canvassed and the sparsity of settlement or other consideration pertinent thereto. The compensation allowed to an enumerator in any such district shall not be less than $3 nor more than $6 per day of eight hours' actual field work, and no payment shall be made for time in excess of eight hours for any one day. The subdivisions or enumeration districts to which the several rates of compensation shall apply shall be designated by the Director of the Census at least two weeks in advance of the enumeration. No claim for mileage or traveling expenses shall be allowed any enumerator in either class of subdivisions, except in extreme cases, and then only when authority has been previously granted by the Director of the Census; and the decision of the director as to the amount due any enumerator shall be final: *Provided*, That within the limits of continental United States each supervisor to be appointed or selected under this act shall be an actual resident of the district, and each enumerator to be appointed or selected under this [act,] *act* shall, *so far as practicable*, be an actual resident of the subdivision within which his duties are to be performed; but an enumerator may be appointed if he be an actual resident of the city, *township, or other civil division* of which the subdivision in which his duties are to be performed is a part.

SEC. 17. That in the event of the death of any supervisor or enumerator after his appointment and entrance on his duties, the Director of the Census is authorized to pay to the widow or legal representative of such supervisor or enumerator such sum as he may deem just and fair for the services rendered by such supervisor or enumerator.

SEC. 18. That special agents may be appointed by the Director of the Census to carry out the provisions of this act and of the act to provide for a permanent Census Office, approved March 6, 1902, and acts amendatory thereof or supplemental thereto; and such special agents shall perform such duties in connection with the enforcement of said acts as may be required of them by the Director of the Census. The special agents thus appointed shall receive compensation at rates to be fixed by the Director of the Census, such compensation, however, not to exceed $6 per diem except as hereinafter provided: *Provided*, That during the decennial census period the Director of the Census may fix the compensation of not to exceed 25 special agents, who shall be persons of known and tried experience in statistical work, at an amount not to exceed $10 per diem: *Provided further*, That the Director of the Census may, in his discretion, fix the compensation of special agents on a piece-price basis without limitation as to the amount earned per diem: *And provided further*, That the special agents appointed under this section shall be entitled to necessary traveling expenses and an allowance in lieu of subsistence not to exceed $4 per diem during necessary absence from their usual places of residence; but no pay or allowance in lieu of subsistence shall be allowed special agents when employed in the Census Office on other than the special work committed to them, and no appointments of special agents shall be made for clerical work: *And provided further*, That the Director of the Census shall have power, and is hereby authorized, to appoint special agents to assist the supervisors whenever he may deem it proper, in connection with the work of preparation for, or during the progress of, the enumeration or in connection with the reenumeration of any district or a part thereof; or he may, in his discretion, employ for this purpose any of the permanent or temporary employees of the Census Office; and the special agents and employees of the Census Office so appointed or employed shall perform such duties in connection with the enforcement of this act as may be required of them by the Director of the Census or by the supervisors of the districts to which they are assigned, and when engaged in the work of enumeration or reenumeration shall have like authority with and perform the same duties as the enumerators in respect to the subjects committed to them under this act.

SEC. 19. That every supervisor, supervisor's clerk, enumerator, interpreter, special agent, or other employee shall take and subscribe to an oath or affirmation, to be prescribed by the Director of the Census. All appointees and employees provided for in this act shall be appointed or employed and examined, if examination is required by this act, solely with reference to their fitness to perform the duties required of them by the provisions of this act and without reference to their political party affiliations.

SEC. 20. That the enumeration of the population required by section 1 of this act shall be taken as of the 1st day of January, and it shall be the duty of each enumerator to commence the enumeration of his district on the day following, unless the Director of the Census, in his discretion, shall defer the enumeration in said district by reason of climatic or other conditions which would materially interfere with the proper conduct of the work; but in any event it shall be the duty of each enumerator to prepare the returns hereinbefore required to be made and to forward the same to the supervisor of his district within 30 days from the commencement of the enumeration of his district: *Provided*, That in any city having [5,000] *2,500* inhabitants or more under the preceding census the enumeration of the population shall be completed within two weeks from the commencement thereof.

SEC. 21. That if any person shall receive or secure to himself any fee, reward, or compensation as a consideration for the appointment or employment of any person as supervisor, enumerator, or clerk, or other employee, or shall in any way receive or secure to himself any part of the compensation paid to any supervisor, enumerator, or clerk, or other employee, he shall be deemed guilty of a felony, and upon conviction thereof shall be fined not more than $3,000 and be imprisoned not more than five years.

SEC. 22. That any supervisor, supervisor's clerk, enumerator, interpreter, special agent, or other employee who, having taken and subscribed the oath of office required by this act, shall, without justifiable cause, neglect or refuse to perform the duties enjoined on him by this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding $500; or if he shall, without the authority of the Director of the Census, publish or communicate any information coming into his possession by reason of his employment under the provisions of this act, or the act to provide for a permanent Census Office or acts amendatory thereof or supplemental thereto, he shall be guilty of a felony and shall upon conviction thereof be fined not to exceed $1,000 or be imprisoned not to exceed two years, or both so fined and imprisoned, in the discretion of the court; or if he shall willfully and knowingly swear or affirm falsely as to the truth of any statement required to be made or subscribed by him under oath by or under authority of this act or of the act to provide for a permanent Census Office or acts amendatory thereof or supplemental thereto, he shall be deemed guilty of perjury, and upon conviction thereof shall be fined not exceeding $2,000 or imprisoned not exceeding five years, or both; or if he shall willfully and knowingly make a false certificate or a fictitious return he shall be guilty of a felony, and upon conviction of either of the last-named offenses he shall be fined not exceeding $2,000 or be imprisoned not exceeding five years, or both; or if any person who is or has been an enumerator shall knowingly or willfully furnish or cause to be furnished, directly or indirectly, to the Director of the Census or to any supervisor of the census any false statement or false information with reference to any inquiry for which he was authorized and required to collect information he shall be guilty of a felony, and upon conviction thereof shall be fined not exceeding $2,000 or be imprisoned not exceeding five years, or both.

SEC. 23. That it shall be the duty of all persons over 18 years of age when requested by the Director of the Census, or by any supervisor, enumerator, or special agent, or other employee of the Census Office, acting under the instructions of the said director, to answer correctly, to the best of their knowledge, all questions on the census schedules applying to themselves and to the families to which they belong or are related, and to the farm or farms of which they or their families are the occupants; and any person over 18 years of age who, under the conditions hereinbefore stated, shall refuse or willfully neglect to answer any of these questions, or shall willfully give answers that are false, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $100.

And it is hereby made unlawful for any individual, committee, or other organization of any kind whatsoever to offer or render to any supervisor, supervisor's clerk, enumerator, interpreter, special agent, or other officer or employee of the Census Office engaged in making an enumeration of population, either directly or indirectly, any suggestion, advice, or assistance of any kind, with the intent or purpose of causing an inaccurate enumeration of population to be made, either as to the number of persons resident in any district or community, or in any other respect; and any individual, or any officer or member of any committee or other organization of any kind whatsoever, who directly or indirectly offers or renders any such suggestion, advice, information, or assistance, with such unlawful intent or purpose, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $5,000.

And it shall be the duty of every owner, proprietor, manager, superintendent, or agent of a hotel, apartment house, boarding or lodging house, tenement, or other building, when requested by the Director of the Census, or by any supervisor, enumerator, special agent, or other employee of the census office, acting under the instructions of the said director to furnish the names of the occupants of said hotel, apartment house, boarding or lodging house, tenement, or other building, and to give thereto free ingress and egress to any duly accredited representative of the census office, so as to permit of the collection of statistics for census purposes, including the proper and correct enumeration of all persons having their usual place of abode in said hotel, apartment house, boarding or lodging house, tenement, or other building; and any owner, proprietor, manager, superintendent, or agent of a hotel, apartment house, boarding or lodging house, tenement, or other building who shall refuse or willfully neglect to give such information or assistance under the conditions hereinbefore stated shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $500.

SEC. 24. That it shall be the duty of every owner, official, agent, person in charge, or assistant to the person in charge, of any company, business, institution, establishment, religious body, or organization of any nature whatsoever, to answer completely and correctly to the best of his knowledge all questions relating to his respective company, business, institution, establishment, religious body, or other organization, or to records or statistics in his official custody, contained on any census schedule prepared by the Director of the Census under the authority of this act, or of the act to provide for a permanent census office, approved March 6, 1902, or of acts amendatory thereof or supplemental thereto; and any person violating the provisions of this section by refusing or willfully neglecting to answer any of said questions, or by willfully giving answers that are false, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $10,000, or imprisoned for a period not exceeding one year, or both so fined and imprisoned.

The provisions of this section shall also apply to the collection of the information required and authorized by the act entitled "An act to provide for a permanent census office," and by acts amendatory thereof or supplemental thereto.

SEC. 25. That the information furnished under the provisions of the next preceding section shall be used only for the statistical purposes for which it is supplied. No publication shall be made by the census office whereby the data furnished by any particular establishment can be identified, nor shall the Director of the Census permit anyone other than the sworn employees of the census office to examine the individual reports.

SEC. 26. That all fines and penalties imposed by this act may be enforced by indictment or information in any court of competent jurisdiction.

SEC. 27. That the Director of the Census may authorize the expenditure of necessary sums for the actual and necessary traveling expenses of the officers and employees of the census office, including an allowance in lieu of subsistence not exceeding $4 per day during their necessary absence from the census office, *or, instead of such an allowance, their actual subsistence expenses, not to exceed $5 per day;* and he may authorize the incidental, miscellaneous, and contingent expenses necessary for the carrying out of this act, as herein provided, and not otherwise, including advertising in newspapers, the purchase of manuscripts, books of reference, and periodicals, the rental of sufficient quarters in the District of Columbia and elsewhere and the furnishing thereof, and expenditures necessary for compiling, printing, publishing, and distributing the results of the census, the purchase of necessary paper and other supplies, the purchase, rental, exchange, construction, and repair of mechanical appliances, the compensation of such permanent and temporary clerks as may be employed under the provisions of this act and the act establishing the permanent census office and acts amendatory thereof or supplemental thereto, and all other expenses incurred under authority conveyed in this act.

SEC. 28. That the Director of the Census is hereby authorized to make requisition upon the Public Printer for such printing as may be necessary to carry out the provisions of this act, to wit: Blanks, schedules, circulars, pamphlets, envelopes, work sheets, and other items

of miscellaneous printing; that he is further authorized to have printed by the Public Printer, in such editions as the director may deem necessary, preliminary and other census bulletins, and final reports of the results of the several investigations authorized by this act or by the act to establish a permanent Census Office and acts amendatory thereof or supplemental thereto, and to publish and distribute said bulletins and reports.

SEC. 29. That all mail matter, of whatever class or weight, relating to the census and addressed to the Census Office, or to any official thereof, and indorsed "Official business, Census Office," shall be transmitted free of postage, and by registered mail if necessary, and so marked: *Provided*, That if any person shall make use of such indorsement to avoid the payment of postage or registry fee on his or her private letter, package, or other matter in the mail, the person so offending shall be guilty of a misdemeanor and subject to a fine of $300, to be prosecuted in any court of competent jurisdiction.

SEC. 30. That the Secretary of Commerce, whenever he may deem it advisable, on request of the Director of the Census, is hereby authorized to call upon any other department or office of the Government for information pertinent to the work herein provided for.

SEC. 31. That there shall be in the year 1925, and once every 10 years thereafter, a census of agriculture and live stock, which shall show the acreage of farm land, the acreage of the principal crops, and the number and value of the domestic animals on the farms and ranges of the country. The schedule employed in this census shall be prepared by the Director of the Census. Such census shall be taken as of the 1st day of January and shall relate to the preceding calendar year. The Director of the Census may appoint enumerators or special agents for the purpose of this census in accordance with the provisions of the permanent census act.

SEC. 32. That the Director of the Census be, and he is hereby, authorized and directed to collect and publish, for the years 1921, 1923, 1925, and 1927, and for every tenth year after each of said years, statistics of the products of manufacturing industries; and the director is hereby authorized to prepare such schedules as in his judgment may be necessary.

SEC. 33. That the Director of the Census be, and he is hereby, authorized, at his discretion, upon the written request of the governor of any State or Territory or of a court of record, to furnish such governor or court of record with certified copies of so much of the population or agricultural returns as may be requested, upon the payment of the actual cost of making such copies and $1 additional for certification; and that the Director of the Census is further authorized, in his discretion, to furnish to individuals such data from the population schedules as may be desired for genealogical or other proper purposes, upon payment of the actual cost of searching the records and $1 for supplying a certificate; *and that the Director of the Census is authorized to furnish transcripts of tables and other records and to prepare special statistical compilations for State or local officials, private concerns, or individuals upon the payment of the actual cost of such work: Provided, however, That in no case shall information furnished under the authority of this act be used to the detriment of the person or persons to whom such information relates.* All moneys hereafter received by the Bureau of the Census in payment for labor and materials used in furnishing transcripts of census records or special statistical compilations from such records shall be deposited to the credit of the appropriation for collecting statistics.

SEC. 34. That the act establishing the permanent Census Office, approved March 6, 1902, and acts amendatory thereof and supplemental thereto, except as are herein amended, shall remain in full force. That the act entitled "An act to provide for the thirteenth and subsequent decennial censuses," approved July 2, 1909, and acts amendatory thereof, and all other laws and parts of laws inconsistent with the provisions of this act, are hereby repealed.

Mr. SHEPPARD. I ask that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFFAIRS IN RUSSIA.

Mr. LA FOLLETTE. Mr. President, the armed forces of the United States landed in Russia some months ago under the orders of the Commander in Chief are—if the press dispatches can be relief upon at all—engaged at the present time in making war upon Russia.

Some of the troops employed in the military operations there are from my own State, and I ask to be officially informed as to the presence of our troops in Russia, and I think the Congress and the country ought to know why we are making war upon the Russian people.

On the 2d of this month there appeared in the New York Times a dispatch stating that soldiers from Wisconsin and from an adjoining State were at the time engaged in desperate military operations in Russia and against Russian troops. The item, which is in the form of a "delayed dispatch," I send to the Secretary's desk and ask to have read down to the point I have indicated.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

[From the New York Times, Jan. 2, 1919.]

ALLIES IN RUSSIA DRIVE BACK REDS—AMERICANS TAKE BRILLIANT PART IN ATTACK ON FRONT SOUTH OF ARCHANGEL—IN CAMOUFLAGE FLANK FOE—WINTER QUARTERS WON BY ADVANCE—ALLIES GAIN ON THE ONEGA AND DVINA.

AMERICAN HEADQUARTERS IN NORTHERN RUSSIA,
December 30. (*Delayed.*)

Fighting their way through the untracked forest and deep snow, American soldiers of the 339th Regiment, with the Polish Legion, Russian volunteers, and their French allies, have advanced 15 miles up the Onega River on the extreme west of the Archangel sector, driving the Bolsheviki before them. A score of tiny native log-hut villages have fallen, and to-night, with a snowstorm raging, the men are held up by overwhelming numbers of Bolsheviki.

Some 75 miles east of this Onega fighting the American troops, supported by Canadian artillery, have captured the town of Kadish, and established lines one-half mile south.

These two victories comprise a tremendous improvement of the allied outpost positions, which, stretching like ribs, run over a 400-mile front, with Archangel as a hub.

It is impossible to conceive of a stranger, more picturesque, or more romantic bit of action than these two advances. No sun shines these winter days, and it is only light for four or five hours at the most. On all sides stretch the endless, dreary, depressing forests of fir, cut only by a few trails and frozen rivers. Little native villages dot these river banks, and in the log huts the simple, peaceful peasants hibernate during the long winter months.

To-night on this Onega River, 40 miles west of the Vologda-Archangel Railroad, 20 of these villages are in the hands of the allies. With this gain and prize there will probably be no more advances attempted for some time.

The heavy, gray Russian dawn had just broken at 9 o'clock when the artillery began the preliminary bombardment against the Bolsheviki position. Only with the greatest difficulty had the guns been dragged across the snows, but it had been done, and this morning the French artillery opened what may be the last advance in which American troops will ever take part.

After a few minutes of heavy shelling the allies left the blockhouses and advanced up the river roads straight at the enemy positions. Already flanking parties, drawing hand sleds loaded with ammunition and rations, had made their way through the forest and were attacking the rear. Every man was clothed in a heavy Arctic outfit and wore a white canvas robe with a cowl that in the faint light even of midday made him indistinguishable at a few hundred yards.

At 4 o'clock in the morning these gallant flanking parties had cut into the woods on the great adventure. In snow knee deep, with the temperature at zero, they were starting for unknown parts, across uncharted woods, on a desperate charge. It was really romantic.

Stunned by the surprise attack from the front, the Bolsheviki fell back from their advance positions. Immediately their rear was endangered by the flanking parties, so they were forced to withdraw several miles. Here in a log-hut village they made a determined stand, utilizing the strongly built native houses with small windows and heavy doors as blockhouses. There was heavy fighting here, and again and again the Americans and their allies charged these improvised blockhouses. Steadily the Bolsheviki were forced back, fighting desperately in each little village as they took up retreating positions.

Finally late in the afternoon, when the twilight had settled down, they stiffened their defense, and 15 miles from the old positions they stopped the sweeping advance of the allies. The Bolsheviki suffered considerable casualties and some prisoners. Our losses were comparatively small.

Seventy-five miles east, on the other side of the railroad, the American soldiers with Canadian artillery fought to-day another gallant battle. Some 10 weeks ago the allies had been forced back by superior numbers from the little village of Kadish, and had taken up a position on the Emtsa River, 2 miles to the north. Here in the forest they built tiny blockhouses, lean-tos, and shelters, and camped in the ice and snow. To reach them there was a two-day sled trip from the railroad, and the only road from there on to the next allied position eastward was a tedious, dangerous, roundabout trail.

In Kadish village there were warm log houses, and running at right angles from the town was a straight road leading direct to the next allied outpost. To-night this village, with its comfortable billets and valuable road, is in the hands of the Americans, while our forward positions are a mile and a half beyond.

Mr. LA FOLLETTE. Mr. President, I shall not take the time of the Senate to comment at length upon the disclosures made in that dispatch. It is said further:

Five hundred Wisconsin and Michigan men, struggling gamely through the heavy snow, carrying rifles, ammunition, machine guns, and extra rations, did the job of flanking the Bolsheviki and surprising them much the same as their British pals did the trick 75 miles to the west.

I do not know how other Senators may feel, but I should be false to my conception of duty to my State and to her people if I did not exhaust every means in my power to find out by what right hundreds of young men of Wisconsin are engaged in conducting a war on Russia.

Mr. KENYON. Mr. President, may I ask the Senator a question?

Mr. LA FOLLETTE. Certainly.

Mr. KENYON. I should like to ask the Senator if he knows what has become of the resolution proposed by the Senator from California [Mr. JOHNSON] to find out why our troops are in Russia?

Mr. LA FOLLETTE. I understood that it was referred to the Committee on Foreign Relations. Not being a member of that committee, I do not know what consideration it is receiving at the hands of the committee.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Virginia?

Mr. LA FOLLETTE. I do. The Senator from Virginia is a member of the committee.

Mr. SWANSON. The Senator from Nebraska [Mr. HITCHCOCK] expected to have made a speech or a statement to-day in reference to the Russian situation. To-morrow the committee anticipated taking up that matter for consideration, and expected to hear the Acting Secretary of State, Mr. Polk, regarding the Russian situation. On account of some Senators who are members of that committee attending the funeral of Col. Roosevelt, the meeting of the committee, as I understand, has been deferred. There is no disposition in the committee to shirk any

information that it is proper to give nor to shirk giving the resolution consideration.

As the Senator from Wisconsin has asked why our soldiers are at Archangel, I think possibly I can give him the information.

As soon as the North Sea was mined, and also the English Channel, it was nearly impossible for German submarines to get out into the ocean. When there was a collapse in Russia—and it was quite a collapse—and the Russian forces had surrendered to the Germans, and the Government there was thought to be more or less in alliance with the German Government, the next place where Germany sought to have a submarine base was at Archangel. It was possibly the only place available for a submarine base, from which submarines could go out and prey upon the commerce of the allies and also their ships. There was quite a discussion as to what should be done to take care of Archangel and the large supplies the allies had there. The Germans were endeavoring to get through Finland, the existing Government of which was friendly; and there is an impression, which I think is justified, that the Bolshevik Government was friendly to Germany. If the Germans had been able to take Archangel, had been able to establish a submarine base there, and could have operated their submarines from there, it would have been a greater menace than was possible anywhere else for the use of the submarines as an efficient naval arm.

In order to prevent this, and to take care of the vast supplies that were already landed there that the Germans were trying to get, as I understand—not speaking authoritatively but from information that I have in a more or less general way—the allies reached a conclusion as to what they should do to prevent this menace; and I think the United States sent about 2,500 men to unite with the allies to hold Archangel. That was, first, to take care of the vast supplies there; second, to prevent the great menace of a submarine base there, which would have been very disastrous to the allies if Archangel had been captured and used for that purpose.

I think the allies have from fifteen to twenty thousand men there, with about twenty-five hundred United States troops. I am not speaking authoritatively, but simply from general information. There was no intention, as I understand, to go farther than to hold Archangel and the country surrounding there, so as to make it safe for the allies, and so that the German menace could not be continued by capturing that as a submarine base.

Archangel was thus held, and the surrounding country out far enough to make it safe. In occupying this place we acquired obligations to many citizens of Russia who united with and aided us. To leave immediately, and to give up Archangel until some terms of peace have been made, would be to let these Russian friends of ours be massacred, murdered. It would be cowardly desertion. In addition to that, we would lose the supplies.

That, as I understand, is the present situation at Archangel. I know, as the chairman of the Naval Affairs Committee, that there was great apprehension that Archangel would be captured and used as a base for submarines by Germany.

As to what is the ultimate purpose, when these troops should be withdrawn, I am not prepared to say. I am not prepared to say what the conditions are or to what extent the government in Russia might be in alliance with Germany, or what the future conditions might be. All I can say is that if war should arise in the future, if Archangel should be in the hands of anybody adverse to this country or the allies, it would be a very serious situation.

Mr. LA FOLLETTE. Mr. President, I have listened to the explanation made by the Senator from Virginia, who is a member of the Committee on Foreign Relations; and while it does "explain" the sending of the troops to Russia, it does not set forth what I think at the time was commonly understood to be the reason why they were sent in. Mr. President, with regard to the observation of the Senator, that it was supposed that the revolutionary—the soviet—government of Russia was friendly to, supporting, and in sympathy with Germany, I wish to say that the information which has come to me, and of the reliability of which I have no doubt, because I know personally some of the people who have been in and who brought the information out of Russia, is contrary to the view expressed by the Senator. I think, before anyone assumes to arrive at a conclusion upon that subject, all the information obtainable in this country should be carefully considered.

A mass of information came out of Russia last May. Some Senators had an opportunity to see and examine it, or at least to hear a statement with regard to it. At that time, Mr. President, it was my privilege to see original documents by which the reliability of that evidence was attested, not only by the representatives of our Government in Russia, but by the representatives in Russia of other Governments with whom we were cooperating. I think, sir, that the proof is overwhelming that the soviet government from the beginning exerted itself in every possible way to enlist the sympathy and support of the Government of the United States, to the end that it might be strong enough to resist the German Government.

Mr. President, I did not expect to go into that matter at all, or to touch upon this question in any way, excepting to present my inquiry.

Mr. SWANSON. Mr. President, if the Senator will permit me——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield further?

Mr. LA FOLLETTE. Pardon me just one moment. Let me say this, further:

Whatever comes to the American people through the censored channels of the press regarding the soviet government of Russia ought to be subjected to pretty careful scrutiny before it is accepted as stating the whole truth. The great organized wealth of all the established governments of the world at this time fears above all things on earth the principles attempted to be established by the soviet government of Russia. So long as the news channels are censored it is not to be expected that there shall be permitted to reach the ears of the masses of the people of the world anything approaching the truth with respect to that government or what is taking place in Russia at this time.

I think the Senate was fortunate this afternoon in having presented to it the able address of the junior Senator from Arizona [Mr. ASHURST] with reference to the purchase of Lower California. It was not my privilege to hear all of that address, but I inquired about one feature of it from another Senator, because I did not wish to interrupt unnecessarily touching any matter upon which the Senator had spoken. I understand that he started with the proposition that before negotiations should be opened whereby this Government should reach out and acquire Lower California the people who live there were to be consulted, and their wishes were to be controlling in the matter; that peoples are not to be bought and sold because governments have power; that little nations ought to have their rights respected; that any government in the world that suits the people of a country, whether it suits the people of neighboring nations or not, ought to be as much the care of the powerful nations of the world as their own interests. And so I say of this soviet government, of which we know so little, if it is the sort of government that one hundred and thirty or one hundred and forty million people of Russia want, that is their business and not ours, nor the business of any other government on earth, and, whatever the pretext, no government should intrude itself into their affairs.

Disorder and bloodshed have accompanied every revolution of history. We ourselves passed through a period that one of the great historians has devoted a chapter to, entitled "Anarchy." From the day of the fall of the Bastille, France was drenched in blood. The bloodier a revolution the stronger the evidence that there has preceded it oppression unspeakable. The law of action and reaction is the same, not only in physics but in the affairs of men.

Although at the time I was in possession of what I believe to be reliable facts in the critical juncture to which the Senator from Virginia has referred, I would not, when the war was on, raise any question here or elsewhere concerning the presence of troops in Russia; and yet, under the recognized rules of international law the question might well have been raised. Russia at that time had withdrawn from the war. Other nations at war, for their own advantage, under international law, had no right to take possession of Russian territory, occupy it, and make it a base of operations; but everybody, in the presence of the awful catastrophe which had come upon the world, felt that at that stage matters should take their course.

But, Mr. President, the war is ended. There can be no pretext that the troops of the United States on Russian soil to-day are fighting anybody but the Russian people. Under what rules of international law, tell me, can the military forces of the United States engage in killing in Russia without our Government being held to indemnify the Government of Russia and the people of Russia? This nation and our troops are protected there by no declaration of war. There have been no grounds presented to this Congress, and I venture to say that no grounds can be presented, upon which a declaration of war could be predicated against the Russian people and the de facto Russian Government. But battles are fought, American blood is shed, Russians are killed on Russian soil. Evidently, from the dis-

patch which I have presented to the Senate, and a later one, which appeared in the morning papers yesterday, desperate fighting is going on there continually. If we have any more lawful right to maintain an army for aggressive warfare—for such is the character of the operation shown by these dispatches—in Russia than we have in China or Japan or any other country, I am most anxious to hear our right in that respect stated and defined, not in general terms, not in phrases that relate to something that occurred or is supposed to have occurred many months ago, when we were at war with Germany, and about which there never has been a syllable of proof furnished excepting the "Sisson papers," over which the slime of chicane and falsification and fraud and forgery is plainly manifest.

When my constituents appeal to me, as they do daily, to explain why their boys, having entered the service of their country to fight the declared enemy of their country, are retained in remote parts of the earth to wage a war not against the common enemy, but against a people with whom we are at peace, I have no answer.

But, sir, those citizens of Wisconsin and of every other State who are asking that question have made the supremest sacrifice for their country, and they are entitled to an answer. I am aware, Mr. President, that these are troublous times. We should proceed with caution and with no more precipitation than the terrible exigencies of the situation require, but in my judgment the time has come when an explanation is due from the administration concerning its purpose in keeping our soldiers in Russia. It is due that we should know by what right they are there and for what purpose they are engaged in prosecuting war.

It is necessary also that the explanation should be couched in plain and direct language so we can understand what it means. If this dispatch which I have read is true, and a number like it have appeared in the press recently, we are to-day making war upon Russia. Are we going to continue to make war upon her or are we not? The people are entitled to have that question answered and have it answered now.

It is no answer to say that the Government of Russia at the present time is unstable or that it is corrupt or that it is unjust. That we do not like the government of a country is no reason for making war upon it. There is no reason at this time for us either to support or oppose the present soviet government of Russia. It may be as bad as its enemies claim or as idealistic as its friends declare. That has nothing to do with the question.

Why should we either condemn or defend the Russian form of government? In the first place we know next to nothing about it, and we are not likely to know much about it while the present censorship continues. We do know, however, from our knowledge of the Russian people gained long before the present war that they are a great, idealistic, hard-working, and liberty-loving people who struggled for many years against one of the worst and most tyrannous governments that ever cursed any country. Yet, sir, these are the people that, so far as we can judge, have organized and are upholding by a great majority the present soviet government. These facts respecting the Russian people should make anyone hesitate to believe the fantastic tales respecting the present Government of Russia.

But aside from all that, whether the Russian Government is good or bad according to our standards it is not for us to attempt to overthrow it. We have enough to do at present right here in the United States and are likely to have for some time to come in making living conditions more tolerable and in restoring peace and prosperity and self-government to our own people. The first step in that process is to withdraw our soldiers from Russia or explain their presence there to the satisfaction of the people of this country.

Mr. SWANSON. Mr. President, I do not purpose to make any address regarding the Russian Government, but I wish to call the attention of the Senate to this fact:

If the Russian Government had been friendly to the allies, as has been suggested by the Senator from Wisconsin, I am at a loss to understand why they were unwilling for the allies to have troops at Archangel to prevent that place from being a base for German submarines. The very fact that they antagonized the allies occupying Archangel to prevent it from being held as a base for German submarines to prey upon American commerce, to destroy and sink American transports carrying American boys to fight for liberty in Europe, is conclusive proof that they were unfriendly to the allies.

The Senator implies that they were unable to protect themselves from Germany. Concede that that is true, that they were powerless to protect themselves from German inroads, German invasion, and German power; the allies went to Archangel and put troops there which made it impossible for Germany to occupy and take that place as a base for German submarines. It was known at that time that the German Army was trying to get through Finland. Its fleet was in the Baltic. It had supremacy in the Baltic. Its effort was to break through and get to Archangel, and use it as a base for German submarines. The North Sea had been mined. It became almost impossible to get submarines through there. The English Channel was mined. There was only one place where they could operate against American ships, American transports, American commerce, and destroy the allies as far as submarine warfare could do it, and that was at Archangel.

If the suggestion of the Senator is right, it was the duty of the allies then to wait, to be indifferent, to allow Germany to take charge of Archangel, to make twice as efficient and effective this warfare with the submarines. Why, America would have been recreant to its duty, the President would have been recreant to his duty as Commander in Chief of the Army and Navy, if he had sat silent and not united with the allies to prevent this great advantage coming to Germany.

That made submarine warfare almost impossible when it was impossible for Germany to get through to Archangel. Unless a person is desirous of letting the allies be powerless in preventing submarine warfare, he should not antagonize the allies taking advantage of the situation and possessing themselves of Archangel.

It would have been a serious mistake; there is no telling what the effect on the submarine warfare during this entire time would have been if Germany could have possessed this base for submarine warfare purposes. There is no telling how many transports carrying American troops would have been sunk by German submarines. No one could tell what was occurring or what would occur in Russia.

Mr. KENYON. That danger is all past now, is it not; and why do we not take the boys out of Russia?

Mr. SWANSON. That brings up the second proposition. As I understand, the troops of the allies which they have in Russia are not sufficient in number to make any offense, except as I understand the offensive has been for their own protection. I might be mistaken about that. I have not looked into it thoroughly, but the general impression I have had is that they only occupied territory around Archangel to a sufficient extent to make it safe and to hold it as such, and that the offensive has been on the part of the Bolsheviki government.

Mr. NORRIS. May I ask the Senator why do we want to hold Archangel?

Mr. SWANSON. The war is not over.

Mr. THOMAS. If the Senator will permit me, I want to suggest that there are enormous stores of ammunition and supplies belonging to the allies at Archangel, if my information is correct, and the transportation needed for its removal is not available. They must either protect this property or lose it. They can not very well afford to lose it. I think the fact of the existence of these supplies—and they are there in enormous quantities—is one of the best reasons for remaining there until the property of the allies can be transferred.

Mr. NORRIS. May I ask the Senator a question?

Mr. SWANSON. Yes.

Mr. NORRIS. Has the Senator any information as to how long we expect to hold that as a base of supplies? Why do we want to keep supplies there now?

Mr. SWANSON. As the Senator from Colorado has said, and as I said in response to the Senator from Wisconsin, we went there for two purposes; to prevent it from being used as a submarine base and because there were large supplies there. We are there, the war is not over; nobody can tell what the conditions in Russia for the future are; there has been no effort, except so far as the Bolsheviki has compelled it, to have offensive warfare, I think. As I understand, the Bolsheviki have been the offensive people. They have been the people that have been trying to drive the American and allied troops from Archangel. I am satisfied that if they would be quiet the allies would be quiet there. I have no authority for saying so, but that is the general impression that I have. The forces there are not sufficiently large for offensive warfare in Russia. The port of Vladivostock and this port of Archangel are the two most important ports and were in considerable danger at the time of the Russian collapse. Germany was trying to get both. We would have been recreant to our duty, recreant to our obligations, if we permitted these vast supplies at these two ports to fall into the hands of Germany, and in addition to that to permit this port of Archangel to be used as a submarine base. It has only been since the 11th of November that the armistice has been signed. Peace has not been made. No one knows now what is the attitude of the Russian Government toward the United States. I notice that a Russian representative or minister to Berlin made

a speech the other night, if the reports in the newspapers are true, in which he stated that the Bolsheviki government of Russia should unite with a similar government of Germany to wage warfare against the Anglo-Saxon allies. If that is the purpose, common sense and common patriotism demand that Archangel should be held until we ascertain whether that is true or not. Then, as the Senator so well said, do the Senators here advocate that the troops shall be withdrawn at once and that all these supplies should be surrendered? Are these troops to be brought out sooner than any other troops when it is just as urgent a necessity that they shall be there as elsewhere?

I am satisfied from the number of troops there and from the number of troops in Siberia that it is a matter of defensive and not of offensive warfare against the Russian Government. We sent, I think, about seven or nine thousand troops to Siberia. Twenty-five hundred, I think, is the number of troops furnished at Archangel. I understand Japanese troops are now being withdrawn from Siberia, which is proof that there is no intention of offensive warfare, certainly at the present.

I can remember that Senators and other people in this country were criticizing President Wilson because he did not send a great army to Russia, because he did not send millions of men there to create an eastern line. I remember the criticism was severe, but in this, as in other matters, President Wilson has justified his statesmanship and justified his wisdom. He took the position that the right place to wage the war was on the western line, and not to try to create an eastern line by marching through Russia; that the efforts would be more effective if spent on the western line. That policy has been vindicated, although the subject of criticism at the time. The position he took was to hold these two places, and it seems to me they should be held until this war is settled. If the Bolsheviki government tries to get these supplies, tries to massacre American troops sent over for that purpose, our troops have the right to exercise the privilege of self-defense. I think the Government was right in sending these troops there.

As to what the future purposes are, I am not authorized to speak authoritatively. The Acting Secretary of State, Mr. Polk, will be before the committee. What I mean is that I am satisfied that the American Government having pledged itself to the 14 points raised by President Wilson, which give self-determination to nations, justice and right to all, for which he is battling now and has battled, that this constitutes an assurance that the American troops will be kept nowhere except to carry out the purposes of justice and defend ourselves in the war that I voted for and believe was just. Indeed it was just because civilization was involved, just because American rights were jeopardized, just because American honor was assaulted on the high seas. The very high principles that President Wilson promulgated in Europe ought to be sufficient guaranty to these critics that American troops are sent nowhere except to act for justice, to carry out what he says in his great messages and in his great addresses should be the basis upon which peace should be made in the world.

Mr. KIRBY. Mr. President, I do not rise to criticize the Government in its attitude or policy in connection with this matter. I am not making any contention about any right of any Russian government. I do not question the purpose of this Government in maintaining an army in Russia at this time. But there is one thing I do want to say. The fighting has stopped in France, the fighting has stopped in Germany, but the fighting is in full force in Russia, and the American troops are engaged. We have found it necessary to send these troops there. They are Americans, and they are hopelessly outnumbered, dragging themselves through the snow yonder and fighting a foe overwhelming in numbers. If we have found it necessary to send American troops to Russia, and if our purposes require that they shall be maintained there, then we must support them with an army sufficient to take care of itself in Russia or anywhere else. When I read yesterday morning the account in the papers of American troops being so hopelessly outnumbered and how they were crawling on their hands through the snow and staining it with good American blood, I thought our Government ought to support them and ought to do it now and ought to do it with a force that is sufficient to take care of itself there or anywhere else.

If it is necessary to maintain an army in Russia, we owe it to the army already on the ground to send others there who will maintain this army and protect them and our rights, or we should withdraw the little handful that is there before they are absolutely destroyed.

Mr. KENYON. Mr. President, I think every Senator has received many letters on the Russian situation. I am not rising especially for the purpose of criticism, but I am rising rather to read into the RECORD extracts from a letter of one of the mothers of these boys in Russia. I thoroughly agree with the Senator from Arkansas [Mr. KIRBY]. We have a little force in Russia that will be wiped out by the murderous Bolsheviki. Let us bring them back, or if we are going to do the things that the Senator from Virginia [Mr. SWANSON] says, and if these things are necessary, let us put an army there and do it, and not allow our men to be wiped out by these murderous people. I see no reason why these men should remain in Russia. If they must, let us support them properly; that is the point I want to emphasize.

Mr. SWANSON. If the Senator will permit me, I understand while we have only 2,500 men the allies have about 15,000, and these were thought sufficient at that time, and are thought so now, for defensive purposes and the holding of Archangel. I do not know and can not state authoritatively that they are outnumbered.

Mr. KENYON. The people of the country are going to get information as to why our troops are in Russia, and the Senate is not going to permit any burial in any committee of a resolution asking for that information.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Wisconsin?

Mr. KENYON. I do.

Mr. LA FOLLETTE. I should like to ask the Senator a question, which I was tempted to ask the Senator from Arkansas when he was speaking, both of them taking the view that we should at once send a large army into Russia.

Mr. KENYON. Or withdraw the troops we have there.

Mr. LA FOLLETTE. Does it not occur to the Senator from Iowa that it would be a pretty wise thing for us to make a declaration of war before we go any further with this business?

Mr. KENYON. Yes; that is true; but the Senator does not get my viewpoint. I do not say a large army. I say we should do one of two things—withdraw these men, or, if they are to be kept there for any purpose, put a sufficient Army there to keep them from slaughter. That is the point I make. I say, however, withdraw them. We are not at war with Russia. Now that peace is in sight, are we to begin all over again with a new war? I say no.

The mothers of the boys who are in Russia are going to be heard. While the letter which I have is rather sarcastic in some places, it is from a woman in my State who has done wonderful work in the Red Cross, who is chairman of the county organization of the Red Cross in her county, who has one boy wounded on the battle fields of France and now in a hospital there, and this other boy of hers, her only remaining boy, is fighting through the snows of Russia, without any authority to put him there that anybody knows of. I have tried to get information from the War Department about this boy. I can not get a word. The cables are so burdened with other important matters just now, even to descriptions of gowns and hats worn at some of the ostentatious displays going on across the sea, that these mothers can not find out about their boys. They have some right to be heard in the Senate, and they are going to be heard in the country. I will not read all of this letter, but here is part of it:

> I trust you will pardon my troubling you again so soon, but I, at least, had the great pleasure of a response, which so far has been denied me by Secretary of War Baker. Perhaps he thinks he has something bigger than mothers' letters to think of, and, no doubt, he is a busy man; but if it were not for we mothers of men he might be under German rule to-day, and we resent silence when all is at stake for us. I wrote Secretary of War and sent him the picture of this dear boy that we are now so concerned about some days before I wrote you. But not one word from Baker. I did not ask anything unreasonable, only what protection did that little handful of men have against those millions, as every paper we pick up some one is protesting that our Army is left there under such dangerous conditions to eat black, sour bread. If it is wise to leave them, why not give them such care as United States gives to our soldiers? My son has not made one complaint of anything, and he does not know I am writing or so worried. Baker tells us to write cheerful letters to our boys. This boy was three months before he heard from home, and we have been that long trying to get a cable through. I gave my boys gladly, and I would not have them out of it one hour too soon, but I feel it is not just for us to be kept in ignorance when we know conditions to be the worst.
>
> England will not send their men—

That, of course, is a mistake, for wherever there has been the call in any part of the world Britain has responded with her men—

> Why should ours be left there to be slaughtered? I'd like to send Mr. Baker or his boys (if he has any), perhaps then he would begin to think something better be done. And while he is waiting to decide, what of our boys?
>
> * * * * * * * *
>
> I thought there was only one place worse, and I have never been for one moment reconciled, for I felt it was murder, not war. We are not at war with Russia, and those they try to help don't know if they want them or not. My oldest boy was severely wounded in the last

days—26th of October. Adjutant General notified me of this, but, fortunately, I had had four letters from him. He lies in a hospital at Breme, France. It may seem strange when I tell you I can stand this bravely. I'm proud of my boy, who stayed by his gun to the last (Field Artillery, Battery A, Forty-second Division), but when he was wounded he was among white, whole-hearted people, who are caring for him. He asks me not to worry. He's being given the best of care—a good bed, plenty to eat. If it's the Lord's will that he be not returned, I should grieve for him, but there would be no bitterness in my heart, and he died for his country, while with this boy the most bitter resentment would fill my life. But don't misunderstand me; my boy is no better than another mother's boy, if he was the good, noble boy this one is, and if they are protecting them. We know they are not feeding them, but why?

I appeal to you to find out, if you can, if these few men are to be left there to starve or be murdered. Everything may be all right, but it looks bad to me, and I feel I have a right to know. I do not seek his release, as many are, only his care and protection.

I answered her letter——

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. KENYON. Certainly.

Mr. POMERENE. I am concerned, as well as other Senators, in getting exact information from Russia. In view of the letter which has just been read, perhaps it would not be out of place for me to say that no later than last night we had as our guest a young man who told us that he had heard from his brother, who was at Archangel and was one of the American troops. The letter was written not later than the latter part of November; he gave the date, but I do not now have it in mind. The gentleman stated that his brother spoke in most complimentary terms of the comfort and accommodations they have there. I simply speak of that for what it is worth.

Mr. KENYON. I am very glad to know that, and that may be some comfort to this poor mother who can get no word from the War Department.

The second letter reads as follows:

I have stood up under the stress of this Red Cross and all that goes with it most wonderfully, but this Russian terror and suspense of waiting and wondering why has taken my heart out of the work, or, rather, made me unfit for my position. I am sending you a letter from the Carroll County paper which tells of conditions that are most discouraging. This lieutenant has the same base, but not the company, with my son. I would never know from this son if he was starving. That's one reason why some one else should find out. Trust you will regard me as an anxious, loving mother and not a nuisance to you.

The last letter—and I think as to a portion of what the mother says in this letter the mantle of charity might be thrown over it if anybody has any criticism of it, because it is from a mother's breaking heart who has heard nothing of this boy of hers in months—personally I admire the spunk of the writer:

I read with much interest the demand of Senator TOWNSEND for the Michigan people concerning the Three hundred and thirty-ninth Infantry. It is true most of these men are from Detroit. The captain of this company made a special request—which is not considered allowable—that my son be transferred to his company, which, of course, was very agreeable to him. I notice Secretary of War Baker says he has never heard complaint. Well, perhaps they went where my letter went—to the wastebasket. At least I received no reply. And had he read it he could not have truthfully said what he did. Then he disclaimed knowing of influenza. If such be true, I think it time he began to find out. I think I sent you the letter received from my son, when he said 62 of their men—some of their best—died in four days after landing at Archangel. He also told of their second lieutenant being taken from the barge as they were going up the river and died three days later. I don't believe one of these deaths has been reported. I say again, we feel, and have a just cause to do so, these men were carted off up there without much thought as to what they were going for and forgotten, and some one will be asked, and demand, that we know why. And with all due respect to our President, I think no time should be lost to cable a demand that he pause in his receptions long enough to do something for our boys at once there. We visited Camp Custer a short time before they left for over. A more splendid body of men President Wilson will not meet in all his travel. The whole of Russia would not pay for one of their lives, as it is to-day or ever will be.

Then she speaks of other things and of an attack that her boy had written about long before it was to be made.

Mr. President, I feel that I am simply performing a duty to this mother of one of these boys and to the people of my State who have boys in Russia. They are not asking that any of their sons be relieved from performing any of the real duties of this war. They feel that this war is practically over or at least that the fighting is over, and they do not want these boys of theirs left up amid those snows and the terrors of Russia to meet the terror of bolshevism when it may not be necessary. If it is necessary, all that she asks and that they ask is that those boys have proper care and proper support, and the mothers of this Nation have a right to ask for that. We may well be careful that as this war closes we do not become forgetful of the boys who have made it possible for civilization. I agree with the words expressed here a few moments ago that we have nothing to do with the kind of government the people of Russia have. It is about time to be paying some attention to the United States of America and its people.

EXECUTIVE SESSION.

Mr. THOMAS. I move that the Senate proceed to the consideration of executive business.

Mr. SHEPPARD. Before that motion is put, I wish to ask that the unfinished business be laid before the Senate.

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). In answer to the suggestion of the Senator from Texas, the Chair is informed that the bill is before the Senate and that the request of the Senator is not necessary. The question is on the motion of the Senator from Colorado that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

ADJOURNMENT TO THURSDAY.

Mr. MARTIN of Virginia. I move that when the Senate adjourns to-day it adjourn to meet on Thursday next at 12 o'clock noon.

The motion was agreed to.

ADJOURNMENT.

Mr. MARTIN of Virginia. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until Thursday, January 9, 1919, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 7, 1919.

FEDERAL TRADE COMMISSION.

Huston Thompson to be a member of the Federal Trade Commission.

UNITED STATES DISTRICT JUDGE.

R. L. Williams to be United States district judge, eastern district of Oklahoma.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 7, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Come, Thou Almighty, with all Thy holy influence and make us one with Thee in thought and purpose in this epoch-making period in the history of the world.

Intense problems loom large before us and before all the civilized nations. Give us courage, patience, wisdom, strength, that we may uphold right and truth and justice; and guide, we beseech Thee, the great men who have been selected to form a peace pact, that it may unite the men of all nations into brotherly love; that the scenes which we have and are passing through may never disgrace mankind again. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE TO ATTEND FUNERAL OF EX-PRESIDENT ROOSEVELT.

The SPEAKER announced as the committee to attend the funeral of the late Theodore Roosevelt, Mr. KITCHIN, Mr. SHERLEY, Mr. WEBB, Mr. FLOOD, Mr. DENT, Mr. PADGETT, Mr. SHERWOOD, Mr. STEDMAN, Mr. ESTOPINAL, Mr. RIORDAN, Mr. MCANDREWS, Mr. GALLIVAN, Mr. THOMAS F. SMITH, Mr. MANN, Mr. FORDNEY, Mr. GILLETT, Mr. VOLSTEAD, Mr. COOPER of Wisconsin, Mr. KAHN, Mr. BUTLER, Mr. MOTT, Mr. HICKS, Mr. CHANDLER of New York, Mr. CANNON, Mr. RODENBERG, and Mr. BOWERS.

EXTENSION OF REMARKS.

Mr. CAMPBELL of Kansas. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CAMPBELL of Kansas. Mr. Speaker, there appeared this morning in a Washington paper a tribute from ex-President Taft upon the late Col. Roosevelt. The tribute is so worthy of the writer and of Col. Roosevelt that I ask unanimous consent to extend my remarks in the RECORD by inserting it.

The SPEAKER. The gentleman from Kansas asks unanimous consent to extend his remarks in the CONGRESSIONAL RECORD by inserting an article by ex-President Taft on Col. Roosevelt. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A messsage from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow and regret the announcement of the death of Hon. Theodore Roosevelt, late a President of the United States.

Resolved, That a committee of 15 Senators be appointed by the Vice President to join such committee as may be appointed on the part of the House of Representatives to attend the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of ex-President Roosevelt the Senate do now adjourn.

And that in compliance with the second resolution the Vice President had appointed Mr. LODGE, Mr. MARTIN of Virginia, Mr. SIMMONS, Mr. CHAMBERLAIN, Mr. POINDEXTER, Mr. REED, Mr. SAULSBURY, Mr. CURTIS, Mr. HARDING, Mr. UNDERWOOD, Mr. WADSWORTH, Mr. CALDER, Mr. JOHNSON of California, Mr. KELLOGG, and Mr. KNOX as said committee.

LEAVE OF ABSENCE.

By unanimous consent, Mr. DRANE, of Florida, was granted leave of absence indefinitely on account of illness.

RESIGNATION.

The SPEAKER. The Chair lays before the House the following communication.

The Clerk read as follows:

BROOKLYN, N. Y., *January 6, 1918.*

Hon. CHAMP CLARK,
Speaker House of Representatives.

MY DEAR MR. SPEAKER: This is to notify you that I have tendered my resignation as a Representative from the fourth district of the State of New York to the governor of the State. The resignation is to take effect immediately.

Sincerely, yours, HARRY HOWARD DALE.

The SPEAKER. Ordered filed among the archives of the House.

CONTESTED-ELECTION CASE—WICKERSHAM AGAINST SULZER.

Mr. WILSON of Louisiana. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WILSON at Louisiana. To ask unanimous consent to extend my remarks in the RECORD on the pending election contest.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD on the Alaska contest case. Is there objection? [After a pause.] The Chair hears none. When the House adjourned Saturday the previous question was ordered on these resolutions and also on the motion to recommit. Of course the motion to recommit is voted on first and the Clerk will report the motion.

Mr. CAMPBELL of Kansas. Mr. Speaker, I make the point of order there is no quorum present. However, Mr. Speaker, I prefer the point should be raised on the vote.

The SPEAKER. That is the easiest way. The Clerk will report the Burnett motion.

The Clerk read as follows:

Mr. BURNETT moves to refer the contested-election case of James Wickersham, contestant, against Charles A. Sulzer to the Committee on Elections No. 1 and said committee shall report on said case by or before February 10, 1919.

The question was taken, and the Speaker announced the noes seemed to have it.

Mr. WILSON of Louisiana. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Louisiana makes the point of order that there is no quorum present, and evidently there is not. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 131, nays 187, answered "present" 1, not voting 112, as follows:

YEAS—131.

Alexander	Crisp	Hensley	Overstreet
Almon	Crosser	Holland	Padgett
Aswell	Curry, Cal.	Huddleston	Phelan
Ayres	Davey	Hull, Tenn.	Polk
Bankhead	Dent	Igoe	Rainey, H. T.
Barkley	Denton	Jones	Rainey, J. W.
Barnhart	Dill	Kehoe	Raker
Bell	Dixon	Kincheloe	Randall
Benson	Doolittle	Larsen	Rayburn
Blackmon	Doughton	Lazaro	Romjue
Bland, Va.	Eagan	Lea, Cal.	Rouse
Blanton	Eagle	Lee, Ga.	Rucker
Bowers	Evans	Lever	Sanders, La.
Brodbeck	Fields	Linthicum	Saunders, Va.
Buchanan	Fisher	Littlepage	Shallenberger
Burnett	Flood	Lobeck	Shouse
Byrnes, S. C.	Foster	Lonergan	Sims
Byrns, Tenn.	Gallagher	Lundeen	Sisson
Caldwell	Gallivan	Lunn	Smith, T. F.
Candler, Miss.	Gandy	McAndrews	Snook
Cantrill	Gard	McKeown	Steagall
Caraway	Garner	McLemore	Stedman
Carlin	Garrett, Tex.	Mays	Stephens, Miss.
Church	Godwin, N. C.	Miller, Wash.	Sterling
Clark, Fla.	Goodwin, Ark.	Montague	Stevenson
Claypool	Gray, Ala.	Neely	Sumners
Cleary	Hamlin	Oldfield	Taylor, Ark.
Coady	Hardy	Oliver, Ala.	Thomas
Collier	Harrison, Miss.	O'Shaunessy	Tillman
Cox	Heflin	Overmyer	Vinson
Walton	Weaver	White, Ohio	Wright
Watkins	Webb	Wilson, Tex.	Young, Tex.
Watson, Va.	Welling	Wingo	

NAYS—187.

Anderson	Fess	Lampert	Sanford
Anthony	Focht	Langley	Schall
Austin	Fordney	Lehlbach	Scott, Mich.
Baer	Foss	Lesher	Sears
Beakes	Frear	London	Sells
Beshlin	Freeman	Lufkin	Sherwood
Birch	French	McCulloch	Siegel
Bland, Ind.	Fuller, Ill.	McFadden	Sinnott
Booher	Garrett, Tenn.	McKenzie	Small
Britten	Gillett	McKinley	Smith, Idaho
Browne	Glynn	McLaughlin, Mich.	Snell
Browning	Good	Magee	Snyder
Butler	Gordon	Mann	Stafford
Campbell, Kans.	Gould	Mapes	Steele
Cannon	Graham, Ill.	Martin	Steenerson
Cary	Green, Iowa	Mason	Stiness
Chandler, N. Y.	Greene, Mass.	Merritt	Strong
Chandler, Okla.	Greene, Vt.	Moore, Pa.	Sweet
Clark, Pa.	Griest	Moores, Ind.	Taylor, Colo.
Classon	Hadley	Morgan	Temple
Connally, Tex.	Hamilton, Mich.	Nelson, A. P.	Thompson
Cooper, Ohio	Haskell	Nelson, J. M.	Tilson
Cooper, Wis.	Hastings	Nicholls, S. C.	Timberlake
Copley	Haugen	Nolan	Towner
Crago	Hawley	Norton	Treadway
Cramton	Hayden	Osborne	Vare
Dale	Hayes	Paige	Vestal
Dallinger	Hersey	Parker, N. J.	Voigt
Darrow	Hicks	Parker, N. Y.	Volstead
Davis	Hilliard	Peters	Walker
Dempsey	Hollingsworth	Platt	Walsh
Denison	Houston	Porter	Ward
Dewalt	Hull, Iowa	Pou	Wason
Dickinson	Humphreys	Powers	Watson, Pa.
Dies	James	Purnell	Welty
Dillon	Johnson, Wash.	Ramsey	Whaley
Dominick	Juul	Ramseyer	Wheeler
Doremus	Kahn	Rankin	White, Me.
Dowell	Kelley, Mich.	Reavis	Williams
Dupré	Kelly, Pa.	Reed	Wilson, Ill.
Edmonds	Kennedy, Iowa	Rodenberg	Wilson, La.
Elliott	King	Rogers	Winslow
Ellsworth	Kinkaid	Rose	Wood, Ind.
Esch	Knutson	Rowe	Woods, Iowa
Fairchild, B. L.	Kraus	Rubey	Woodyard
Fairfield	La Follette	Sanders, Ind.	Zihlman
Farr	LaGuardia	Sanders, N. Y.	

ANSWERED "PRESENT"—1.

Slayden

NOT VOTING—112.

Ashbrook	Ferris	Kettner	Riordan
Bacharach	Flynn	Key, Ohio	Robbins
Black	Francis	Kiess, Pa.	Roberts
Borland	Fuller, Mass.	Kitchin	Robinson
Brand	Garland	Kreider	Rowland
Brumbaugh	Goodall	Little	Russell
Burroughs	Graham, Pa.	Longworth	Sabath
Campbell, Pa.	Gray, N. J.	McArthur	Scott, Iowa
Carew	Gregg	McClintic	Scott, Pa.
Carter, Mass.	Griffin	McCormick	Scully
Carter, Okla.	Hamill	McLaughlin, Pa.	Shackleford
Connelly, Kans.	Hamilton, N. Y.	Madden	Sherley
Cooper, W. Va.	Harrison, Va.	Maher	Slemp
Costello	Heaton	Mansfield	Sloan
Currie, Mich.	Heintz	Miller, Minn.	Smith, Mich.
Decker	Helm	Mondell	Smith, C. B.
Delaney	Helvering	Moon	Stephens, Nebr.
Donovan	Hood	Morin	Sullivan
Dooling	Howard	Mott	Swift
Drane	Husted	Mudd	Switzer
Drukker	Hutchinson	Nichols, Mich.	Tague
Dunn	Ireland	Oliver, N. Y.	Templeton
Dyer	Jacoway	Olney	Tinkham
Elston	Johnson, Ky.	Park	Van Dyke
Emerson	Johnson, S. Dak.	Pratt	Venable
Essen	Kearns	Price	Waldow
Estopinal	Keating	Quin	Wise
Fairchild, G. W.	Kennedy, R. I.	Ragsdale	Young, N. Dak.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. SLAYDEN (for motion to recommit) with Mr. MILLER of Minnesota (against).

Until further notice:

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. KEATING with Mr. HUSTED.

Mr. FERRIS with Mr. BACHARACH.

Mr. HELM with Mr. KIESS of Pennsylvania.

Mr. SULLIVAN with Mr. GOODALL.

Mr. HAMILL with Mr. ROBBINS.

Mr. PRICE with Mr. KEARNS.

Mr. SCULLY with Mr. GARLAND.

Mr. RAGSDALE with Mr. BURROUGHS.

Mr. ASHBROOK with Mr. COOPER of West Virginia.

Mr. BLACK with Mr. DRUKKER.

Mr. CARTER of Oklahoma with Mr. DUNN.

Mr. DONOVAN with Mr. ELSTON.

Mr. DOOLING with Mr. EMERSON.

Mr. ESTOPINAL with Mr. GEORGE W. FAIRCHILD.
Mr. HARRISON of Virginia with Mr. GRAHAM of Pennsylvania.
Mr. HELVERING with Mr. HAMILTON of New York.
Mr. JACOWAY with Mr. HUTCHINSON.
Mr. KETTNER with Mr. IRELAND.
Mr. MCCLINTIC with Mr. KENNEDY of Rhode Island.
Mr. MOON with Mr. LONGWORTH.
Mr. MAHER with Mr. MOTT.
Mr. OLIVER of New York with Mr. MUDD.
Mr. OLNEY with Mr. SWIFT.
Mr. PARK with Mr. TINKHAM.
Mr. RIORDAN with Mr. WALDOW.
Mr. TAGUE with Mr. MCARTHUR.

The SPEAKER. On this vote the yeas are 131, nays 187, present 1. A quorum is present. The Doorkeeper will open the doors.

Mr. POU. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. POU. I rise to make a unanimous-consent request.

Mr. MANN. There is a question pending.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

Resolved,

1. That Charles A. Sulzer was not elected a Delegate to the House of Representatives from the Territory of Alaska in this Congress and is not entitled to retain a seat herein.

2. That James Wickersham was duly elected a Delegate to the House of Representatives from the Territory of Alaska in this Congress and is entitled to a seat herein.

The SPEAKER. The question is on agreeing to the resolutions.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. RUCKER. Mr. Speaker, I demand the yeas and nays.

Mr. HARRISON of Mississippi. Mr. Speaker, is it too late to ask for a separation of those two questions?

The SPEAKER. Yes.

The question is on demanding the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 229, nays 64, answered "present" 13, not voting 125, as follows:

YEAS—229.

Anderson	Fisher	Lea, Cal.	Sanders, N. Y.
Anthony	Focht	Lehlbach	Saunders, Va.
Aswell	Fordney	Lever	Schall
Austin	Foss	Little	Scott, Mich.
Baer	Frear	Lobeck	Sells
Beakes	Freeman	Lonergan	Shallenberger
Beshlin	French	Lufkin	Sherwood
Birch	Fuller, Ill.	McAndrews	Shouse
Bland, Ind.	Gallagher	McCulloch	Siegel
Bland, Va.	Gallivan	McKenzie	Sinnott
Booher	Gandy	McKeown	Small
Britten	Garner	McKinley	Smith, Idaho
Browne	Garrett, Tenn.	McLaughlin, Mich.	Smith, T. F.
Browning	Gillett	Magee	Snell
Buchanan	Glynn	Mann	Snook
Butler	Good	Mapes	Snyder
Byrnes, S. C.	Goodwin, Ark.	Martin	Stafford
Campbell, Kans.	Gordon	Mason	Steele
Cannon	Gould	Merritt	Steenerson
Cary	Graham, Ill.	Miller, Wash.	Stephens, Miss.
Chandler, N. Y.	Green, Iowa	Mondell	Sterling
Chandler, Okla.	Greene, Mass.	Montague	Stiness
Clark, Pa.	Greene, Vt.	Moore, Pa.	Strong
Classon	Griest	Moores, Ind.	Sumners
Cleary	Hadley	Morgan	Sweet
Connally, Tex.	Hamilton, Mich.	Neely	Taylor, Ark.
Cooper, Ohio	Haskell	Nelson, A. P.	Taylor, Colo.
Cooper, Wis.	Hastings	Nelson, J. M.	Temple
Copley	Haugen	Nicholls, S. C.	Thompson
Crago	Hawley	Nolan	Tilson
Cramton	Hayden	Norton	Timberlake
Crosser	Hayes	Olney	Towner
Dale	Hensley	Osborne	Treadway
Dallinger	Hersey	O'Shaunessy	Vare
Darrow	Hicks	Paige	Vestal
Davis	Hilliard	Parker, N. J.	Voigt
Dempsey	Hollingsworth	Parker, N. Y.	Volstead
Denison	Houston	Peters	Walker
Denton	Hull, Iowa	Phelan	Walsh
Dewalt	Hull, Tenn.	Platt	Walton
Dickinson	Humphreys	Porter	Ward
Dies	Igoe	Pou	Wason
Dillon	James	Powers	Watson, Pa.
Dixon	Johnson, Wash.	Purnell	Welty
Dominick	Juul	Rainey, J. W.	Whaley
Dowell	Kehoe	Ramsey	Wheeler
Dunn	Kelley, Mich.	Ramseyer	White, Me.
Dupré	Kelly, Pa.	Randall	Williams
Eagan	Kennedy, Iowa	Rankin	Wilson, Ill.
Eagle	King	Rayburn	Wilson, La.
Edmonds	Kinkaid	Reavis	Winslow
Elliott	Knutson	Reed	Wood, Ind.
Ellsworth	Kraus	Rodenberg	Woods, Iowa
Esch	La Follette	Rogers	Woodyard
Fairchild, B. L.	LaGuardia	Rose	Young, Tex.
Fairfield	Lampert	Rowe	
Farr	Langley	Rubey	
Fess	Lazaro	Sanders, Ind.	

NAYS—64.

Alexander	Claypool	Heflin	Overstreet
Almon	Coady	Huddleston	Raker
Bankhead	Collier	Jacoway	Romjue
Barkley	Cox	Jones	Rouse
Bell	Curry, Cal.	Key, Ohio	Rucker
Benson	Davey	Kincheloe	Sanders, La.
Blackmon	Dent	Larsen	Sisson
Blanton	Dill	Lee, Ga.	Steagall
Bowers	Evans	Lesher	Stevenson
Brodbeck	Fields	Linthicum	Tillman
Burnett	Gard	Littlepage	Vinson
Caldwell	Garrett, Tex.	Lundeen	Watkins
Candler, Miss.	Gray, Ala.	Lunn	Welling
Cantrill	Hamlin	Mays	Wilson, Tex.
Caraway	Hardy	Moon	Wingo
Church	Harrison, Miss.	Oldfield	Wright

ANSWERED "PRESENT"—13.

Barnhart	Crisp	Polk	White, Ohio
Byrns, Tenn.	Flood	Rainey, H. T.	
Carlin	Foster	Watson, Va.	
Clark, Fla.	Holland	Weaver	

NOT VOTING—125.

Ashbrook	Flynn	London	Sanford
Ayres	Francis	Longworth	Scott, Iowa
Bacharach	Fuller, Mass.	McArthur	Scott, Pa.
Black	Garland	McClintic	Scully
Borland	Godwin, N. C.	McCormick	Sears
Brand	Goodall	McFadden	Shackleford
Brumbaugh	Graham, Pa.	McLaughlin, Pa.	Sherley
Burroughs	Gray, N. J.	McLemore	Sims
Campbell, Pa.	Gregg	Madden	Slayden
Carew	Griffin	Maher	Slemp
Carter, Mass.	Hamill	Mansfield	Sloan
Carter, Okla.	Hamilton, N. Y.	Miller, Minn.	Smith, Mich.
Connelly, Kans.	Harrison, Va.	Morin	Smith, C. B.
Cooper, W. Va.	Heaton	Mott	Stedman
Costello	Heintz	Mudd	Stephens, Nebr.
Currie, Mich.	Helm	Nichols, Mich.	Sullivan
Decker	Helvering	Oliver, Ala.	Swift
Delaney	Hood	Oliver, N. Y.	Switzer
Donovan	Howard	Overmyer	Tague
Dooling	Husted	Padgett	Templeton
Doolittle	Hutchinson	Park	Thomas
Doremus	Ireland	Pratt	Tinkham
Doughton	Johnson, Ky.	Price	Van Dyke
Drane	Johnson, S. Dak.	Quin	Venable
Drukker	Kahn	Ragsdale	Waldow
Dyer	Kearns	Riordan	Webb
Elston	Keating	Robbins	Wise
Emerson	Kennedy, R. I.	Roberts	Young, N. Dak.
Essen	Kettner	Robinson	Zihlman
Estopinal	Kiess, Pa.	Rowland	
Fairchild, G. W.	Kitchin	Russell	
Ferris	Kreider	Sabath	

So the resolutions were agreed to.

The Clerk announced the following additional pairs:

On the vote:

Mr. MILLER of Minnesota (for) with Mr. SLAYDEN (against).

Until further notice:

Mr. SIMS with Mr. LONGWORTH.

The result of the vote was announced as above recorded.

On motion of Mr. MANN, a motion to reconsider the vote whereby the resolutions were agreed to was laid on the table.

COMMITTEE TO ATTEND THE FUNERAL OF EX-PRESIDENT ROOSEVELT.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the Speaker of the House may be made a member of the committee to attend the funeral of the late President of the United States, Mr. Roosevelt.

Mr. MANN. Mr. Speaker, I am very glad that the gentleman makes that request.

The SPEAKER pro tempore (Mr. POU). The gentleman from Tennessee asks unanimous consent that the name of the Speaker of the House be added to the committee which, by the direction of the House, will attend the funeral of ex-President Roosevelt. Is there objection?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the business in order to-morrow may be dispensed with.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent that the business in order to-morrow may be dispensed with. Is there objection?

There was no objection.

RELIEF IN EUROPE.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk to be read.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 13708) providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary.

Be it enacted, etc., That for the participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration

thereof to such populations in Europe, outside of Germany, as may be determined upon by the President from time to time as necessary, and for each and every purpose connected therewith, in the discretion of the President, $100,000,000, which may be used as a revolving fund until June 30, 1919, and which shall be audited where practicable in the same manner as other expenditures of the Government are audited: *Provided*, That expenditures hereunder shall be reimbursed so far as possible by the Governments or subdivisions thereof or the peoples to whom relief is furnished: *Provided further*, That a report of the receipts and expenditures under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

Mr. MANN. Mr. Speaker, I did not catch the gentleman's request.

Mr. SHERLEY. It was for unanimous consent for consideration. I was about to make a statement to the House.

Mr. MANN. I reserve the right to object.

Mr. SHERLEY. Mr. Speaker, if unanimous consent should be granted, it was my intention, having consulted with the gentleman from Massachusetts [Mr. GILLETT], the ranking Member of the Committee on Appropriations, to ask that two hours and a half be given for consideration, and that at the end of that time the previous question should be considered as ordered and a vote had upon the passage of the bill. The gentleman from Massachusetts will state, I think, that the time is satisfactory to him.

Mr. LITTLE. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman one question. I notice this relief is confined entirely to Europe. There are several million Armenian Christians on the borders of Europe. How does it happen that they are not included in this measure?

Mr. SHERLEY. The request that came by virtue of the cable from the President to the Secretary of the Treasury, and which was transmitted to the House, and which is found in House Document 1640, confined it to Europe, as the bill does, and in the absence of a specific request for funds to be expended outside of Europe the committee would not feel warranted in going beyond the request.

Mr. LITTLE. Would not the chairman of the Committee on Appropriations accept and agree to an amendment including Armenia?

Mr. SHERLEY. I would not feel warranted at this time to announce that I would accept such an amendment.

Mr. LITTLE. The people of this country are being asked for many millions for that purpose, and I think that that neighborhood is more needy than any other.

Mr. LANGLEY. Mr. Speaker, will the gentleman yield for a question?

Mr. SHERLEY. Certainly.

Mr. LANGLEY. Does the gentleman's request propose to exclude the opportunity of offering amendments? I did not quite catch it.

Mr. SHERLEY. As submitted, it would simply bring the matter up for a direct vote as proposed. I do not know that I have any special desire to curtail opportunity to offer amendments. It is desired, if possible, to complete the consideration of this bill in time to enable several of us to leave for New York. But, of course, that, while it is a personal reason, is not a sufficient reason for any particular rule.

Mr. LITTLE. I would like to finish my inquiry. In view of the fact that Armenia is a Christian people, as much distressed and more distressed than any that will be involved in this measure in Europe, and in view of the fact that more efforts are being made to secure from the people of America by free gifts and contributions aid for Armenia than for any other country, I shall have to withhold my consent unless some arrangement is made to include Armenia in this bill or opportunity to put it in.

Mr. SHERLEY. The gentleman will appreciate that I am not in a position to undertake to get unanimous consent by terms such as he proposes. I might be in entire sympathy with the gentleman's proposal, and yet in the absence of more information touching the matter I would not feel warranted, on behalf of the committee, in saying that I would agree to an amendment of that kind.

Mr. LITTLE. I understood the gentleman's request was that this bill should be passed without any opportunity for amendment.

Mr. SHERLEY. I simply offered a proposal of that kind. If the House does not desire to do that, why the matter can be thrown open to amendment. I realize both the importance of the matter and the very proper desire of the House to consider it fully. I have no wish to interfere with that desire in any way.

Mr. LITTLE. If the gentleman from Kentucky will modify his request so as to afford opportunity for amendment, I will not object; but if he will not, I shall object.

Mr. SHERLEY. My request, which is pending, is for consideration, and does not involve the question of amendments at all.

Mr. STAFFORD. I understood the gentleman to say that at the end of the debate the previous question would be ordered.

Mr. SHERLEY. I said I should like to request that. I suggest that the gentleman from Massachusetts [Mr. GILLETT] state his position touching the matter.

Mr. GILLETT. I have been trying to get an opportunity to do that, Mr. Speaker.

The SPEAKER. The gentleman from Massachusetts is recognized.

Mr. MOORE of Pennsylvania. Mr. Speaker, I understand this is a request for unanimous consent?

The SPEAKER. Yes.

Mr. GILLETT. Mr. Speaker, I wish to say that, for one, I am opposed to this resolution, and I suggested to the gentleman from Kentucky—with which suggestion he entirely agreed—that this is a matter of such momentous importance that the House ought to have opportunity for full consideration and debate. Now, I say this in all fairness to the House, so that if there are any Members who wish time against the resolution they may be forewarned: This request has just been presented, and already enough gentlemen have spoken to me to consume the entire 1 hour and 15 minutes which would be allotted to me in opposition; so that if there are other Members, as very likely there may be, who wish time on either side of the House in opposition to the resolution—for in the committee the opposition was not partisan—I shall be unable to give it to them. Therefore, if there are other gentlemen, the time for debate ought to be extended.

Mr. GORDON. I should like 10 or 15 minutes against this proposition.

Mr. LANGLEY. I should like to have some time.

Mr. MOORE of Pennsylvania. In view of the fact that this is a request for unanimous consent, and that it involves a tax of $1 per capita on every man, woman, and child in the United States, for purposes not fully explained, I object. We have a great deal of distress and suffering in the United States.

Mr. SHERLEY. If the gentleman will reserve his objection for a moment——

Mr. SEARS. Regular order!

The SPEAKER. The gentleman from Pennsylvania objects.

Mr. SHERLEY. If the gentleman will withhold his objection——

Mr. MOORE of Pennsylvania. I will not withhold my objection to unanimous consent to take $100,000,000 and give it to people in unknown lands for unknown purposes. The time has come to put a stop to this universal altruism, which takes money out of our Treasury.

Mr. SHERLEY. If the gentleman will permit, I am not asking him to support the bill. I am asking him to withhold his objection in order to allow me to make a statement to the House.

Mr. MOORE of Pennsylvania. Certainly, I will do that.

Mr. SHERLEY. I will try not to delay the House unduly.

The SPEAKER. How much time does the gentleman desire?

Mr. SHERLEY. I shall not take over five minutes.

The SPEAKER. The gentleman asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Speaker, it is perfectly apparent that, irrespective of whether individual Members may favor or oppose this proposition, it is of sufficient magnitude and importance to America and to the world to deserve the consideration of the House of Representatives. Now, there are two methods by which that consideration can be secured. It can either be taken up by unanimous consent or it can be made in order under a rule. We are in a short session of the Congress, in which, with our very best efforts to accommodate the various views of Members on different subjects, we will have difficulty in disposing of the most important business. Being personally responsible for the presentation of a considerable part of that business to the House, I should like to save unnecessary work in connection with the consideration of matters that will have to be considered. I think it is easily within the strong probabilities that in the absence of unanimous consent for the present consideration of the resolution, its consideration can and will be made in order by the machinery of a rule. It seems to me that as practical men there is nothing to be gained by forcing the aid of that machinery in order to consider this proposal. I do not want it considered by the House in any way except fully and fairly, and in such manner as to reflect the judgment of the House, and all I desired this morning was to get it up for consideration, and then I would try to adjust the matter of terms to the desires of the House. May I suggest this: Would it meet the views of the gentleman if consent was given to take up the matter immediately after the reading of the Journal upon Thursday? I am willing to agree to any proper

debate, and, under the five-minute rule, it would be subject to any germane amendment.

Mr. GILLETT. I suggest to the gentleman that he give the day of Thursday to it. That is not unreasonable in a matter of this importance.

Mr. SHERLEY. My only hesitancy about it is that we are getting well along into January, this Congress will die on the 4th of March, and there are a great many bills of importance to be considered. The Committee on Military Affairs have a number of bills to present, and important supply bills are yet to be considered. I want to accommodate the House. I submit, gentlemen, in all fairness, with a sober appreciation of the responsibility that rests upon us as individuals, that we must all forego somewhat of our natural desire for debate in the consideration of matters if we are to begin to do the business that presses before Congress.

Mr. McKENZIE. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. McKENZIE. In regard to the request of the gentleman from Kentucky fixing Thursday for the consideration of this matter, I want to ask him whether or not he would consent that it should be taken up after the disposition of the bill now pending for the settlement of contracts in which a great many American citizens are deeply interested.

The SPEAKER. If the gentleman will excuse the Chair, the Chair will state that the arrangement is that to-morrow, having dispensed with calendar Wednesday, the gentleman from North Carolina [Mr. POU] will be recognized to bring in a rule in regard to the bill the gentleman from Illinois refers to.

Mr. McKENZIE. Mr. Speaker, we have had that understanding for a number of days, but one thing and another has intervened, and we have got no action. For one I shall object to the consideration of a bill of this character when our own people are so deeply interested in the contract bill.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. MOORE of Pennsylvania. Will not the gentleman concede that since there is great distress prevailing among families of the soldiers and sailors of the United States who have offered their lives in the service abroad, there is ample business for the President and the Congress to do in the United States without taxing the people another hundred million of dollars to involve us further in foreign affairs?

Mr. SHERLEY. I do not desire to take the time of the House now to discuss the merits of the proposal. Sufficient to say that in my judgment this proposal, aside from the humanitarian aspect, which is such that it necessarily appeals to all humane men, has in it to my mind more of value in helping to bring about actual peace in the world and thereby relieve the United States of the burden of war than any proposal likely to come before Congress now or in the future. [Applause.]

Mr. MOORE of Pennsylvania. Is it the judgment of the gentleman from Kentucky that the United States should of itself donate this $100,000,000 and to continue to donate other sums for the relief of all the people of all the earth for all time?

Mr. SHERLEY. I suggest to the gentleman that we ought not to enter into a discussion of the merits of the bill at this time.

Mr. MOORE of Pennsylvania. The gentleman from Kentucky has stated the sympathetic side, and I am stating that this money comes out of the bone and sinew of the people of the United States.

Mr. GILLETT. Mr. Speaker, I wish to suggest to the gentleman that I agree with him entirely that there is pressing business before Congress, and that we all ought to suppress our love for debate as much as we can. On the other hand, I think the gentleman will admit that no more far-reaching and important proposition probably will come before us than this proposition of the United States entering into and becoming the great almoner of the poor of Europe. It seems to me that one day for its consideration will not be too much.

Mr. SHERLEY. I will agree to do this if it meets with the approval of the House: If the bill from the Military Affairs Committee, the contract bill, shall not have been concluded before Thursday, that immediately after its conclusion this bill shall be taken up, with two hours of debate on a side, and that it shall then be read under the five-minute rule for amendment.

Mr. GILLETT. I think that is reasonable.

Mr. SHERLEY. Then, Mr. Speaker, I ask unanimous consent that on Thursday, after the consideration of the military contract bill, if that bill should be pending, and if not, immediately after the reading of the Journal, the bill which I have just had read at the Clerk's desk be taken up for consideration; that there shall be two hours' debate on a side, one half to be controlled by the gentleman from Massachusetts [Mr. GILLETT] and one half by myself; that after the conclusion of the general debate the bill shall be considered for amendment and final passage, and that general debate be limited to the bill.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that next Thursday, at the conclusion of the military contract bill, if that bill is still pending, or if that is out of the way, as soon as the Journal is read and matters on the Speaker's table are disposed of, this $100,000,000 charity proposition be taken up; that there shall be two hours' debate on each side, one half to be controlled by the gentleman from Massachusetts [Mr. GILLETT] and one half by himself; and that then the bill be taken up for amendment. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, this proposition involves an increase of taxation on our already heavily taxed people, and I think they ought to have time to reflect upon it. I object.

Mr. SHERLEY. Then, Mr. Speaker, I desire to serve notice that I shall ask the Committee on Rules for a rule for the consideration of the bill, and I trust that it will be presented to the House on Thursday.

SWEARING IN OF A DELEGATE.

Mr. MANN. Mr. Speaker, I present the gentleman from Alaska [Mr. WICKERSHAM], who has just been seated by a vote of the House.

Mr. WICKERSHAM appeared at the bar of the House and took the oath of office prescribed by law.

LEAVE OF ABSENCE.

Mr. GREGG (at the request of Mr. SLAYDEN) was given leave of absence indefinitely on account of illness.

SPEAKER PRO TEMPORE FOR TO-MORROW.

The SPEAKER. The Chair appoints the gentleman from Tennessee, Mr. GARRETT, to preside as Speaker pro tempore to-morrow.

PAYMENT OF ALLOTMENTS OF ENLISTED MEN.

Mr. SAUNDERS of Virginia. Mr. Speaker, I move to suspend the rules and take up out of its order the bill (H. R. 13306) to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued, and put the same on its passage, with the amendments of the committee. The bill has been unanimously reported from the Committee on Interstate Commerce.

The Clerk read the bill, as follows:

A bill (H. R. 13306) to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued.

Whereas in the act known as the act to authorize the establishment of the Bureau of War Risk Insurance in the Treasury Department provision was made for the payment of allotments to the beneficiaries indicated in a proper authority of allotment by the men enlisted in the military service of the United States; and

Whereas under this provision many enlisted men filed the proper papers authorizing such payments with the Bureau of War Risk Insurance; and

Whereas in these cases and pursuant to this authority payments were regularly made to the beneficiaries up to July 1, 1918, by this bureau; and

Whereas as of that date the payments of allotments not carrying allowances was ordered to be discontinued pursuant to the recommendation of the War Department pending the receipt of a new authority of allotment from the enlisted man; and

Whereas many of these new authorities have never been received by the War Department, owing to the inability of the parties in interest to communicate with the soldiers; and

Whereas the discontinuance of the payment of these duly authorized allotments has operated to the very great detriment and suffering, in many cases, of the allottees: Now, therefore

Be it enacted, etc., That in all of those cases in which an authority of allotment by an enlisted man directing the payment of an indicated amount to a designated beneficiary is on file in the Bureau of War Risk Insurance, and payments pursuant to this authority had been made by said bureau prior to July 1, 1918, but which payments were discontinued as of that date, the War Department is directed to resume the payments of allotments in these cases, pursuant to the authority on file as aforesaid, pending the receipt of a new authority, or of a written rescision of the old authority, from the enlisted man. In those cases in which, pending the receipt of the new authority, the military authorities, beginning with July 1, 1918, have reserved from month to month out of the soldier's monthly accruing pay the amount directed to be paid by the original authority of allotment, the War Department, upon resuming the payment of allotments in such cases, under the authority of this act, shall pay all arrearages out of these respective reservations.

The SPEAKER. Is a second demanded?

Mr. MANN. Mr. Speaker, I am not opposed to the bill, but so that we may have a hearing I demand a second.

Mr. SAUNDERS of Virginia. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Virginia [Mr. SAUNDERS] is entitled to 20 minutes and the gentleman from Illinois [Mr. MANN] 20 minutes.

Mr. SAUNDERS of Virginia. Mr. Speaker, I wish to make a brief statement in connection with this bill, one which I hope

will make it abundantly clear why it was necessary that the bill should be introduced, and why it should be passed. Since the introduction of this bill, which was primarily intended to meet the situation arising in my own district out of the action of the War Department, I have received letters from many portions of the United States, showing the suffering of large numbers of allottees arising out of this ill-advised discontinuance of the payment of soldiers' allotments not carrying allowances. There are very many thousands of these cases. Members of this House are doubtless aware that in the act creating the Bureau of War Risk Insurance, the soldiers were authorized to make allotments out of their pay to such persons as under the regulations might be designated by them as allottees and that a further provision was made that in case of certain dependents, the Government would supplement this allotment with an allowance. I wish to say in this connection that my bill does not deal with those allotments that carry allowances, but is concerned exclusively with allotments without allowances. It was provided in the act to which I refer, that the payments of these allotments should be made under regulations agreed upon and promulgated by the Secretary of the Navy, and the Secretary of War. These regulations were promulgated, and conformably thereto the payment of allotments was begun in the Bureau of War Risk Insurance and continued therein for some time. Prior to July 1, last, the War Department for reasons best known to itself, decided to recommend the discontinuance of the payment of all allotments that did not carry allowances, and to require a new authority of allotment from the soldier. The result of that action has been, as doubtless has been made clear to Members of the House by hundreds of letters from their constituents, that payment of very many of these allotments which was in progress of payment as of July 1 last, was not only discontinued as of that date, but has never been resumed.

Mr. SMITH of Idaho. Can the gentleman give any reason why the War Department discontinued the payment?

Mr. SAUNDERS of Virginia. The War Department has never afforded any reason for its recommendation of discontinuance which was satisfactory either to the Members of Congress, or to the Committee on Interstate and Foreign Commerce which considered this bill. This department gave out a reason to the following effect, that the discontinuance and taking over of the payment of these allotments by the War Department, was rendered necessary by virtue of some supposed amendment to the Bureau of War Risk Insurance Act passed by this body. I undertake to say in this connection that no such amendment was ever passed, and that this House at no time, either consciously, or unconsciously, has done anything which made this action necessary on the part of the War Department.

Mr. CANDLER of Mississippi. This bill provides for the payment of these claims which were discontinued in the War Risk Insurance Bureau and authorized to be transferred to the Quartermaster General of the Army?

Mr. SAUNDERS of Virginia. The War Department had the right to take over the payment of these allotments. This jurisdiction originally belonged to the War Department, and there would not have been the slightest objection to its taking over the payment of the allotments if, after taking over that jurisdiction, or resuming it on their part, it had continued to make payment in those cases in which payment had begun, and for which sufficient authority was on file in the Bureau of War Risk Insurance. This bill relates only to those cases in which actual payments under the authority of regulations promulgated by the War and Navy Departments, were in progress in the Bureau of War Risk Insurance.

Mr. CANDLER of Mississippi. The delay was caused by the discontinuance in the War Risk Bureau, directing them to be paid by the Quartermaster General.

Mr. SAUNDERS of Virginia. In part by the discontinuance of payment in the Bureau of War Risk Insurance, and in further part by the failure of the War Department to continue the payment of the discontinued allotments. No payments have been made since July 1, except in cases where a new authority has been afforded.

Mr. CANDLER of Mississippi. And they have been unable to get that new authority.

Mr. SAUNDERS of Virginia. In many instances, they have been unable to do so. Some of the soldiers sought to be reached were in prison, some of them were missing, and some of them were dead. I wish to say that it is a fair estimate to assume that to-day there are from one to five million dollars in the hands of the War Department which have accrued in consequence of this discontinuance of payment. This will give some idea of the extent of this mischief.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. CANNON. I have many cases of this kind: A private soldier allotted to his mother, dependent upon him, $15, with the statement that he had contributed that amount. They paid his mother not only that $15 but $15 more, as I recollect the case. The mother was asked subsequently, after 6 or 8 or 10 months, what he had contributed theretofore, and the answer came that he had contributed $25 a month. Now, then, they have stopped paying her and demand that she shall refund the money and are taking his allotment of $15 month by month to reduce that amount that had been advanced to the mother. Does this bill apply to such cases?

Mr. SAUNDERS of Virginia. I will say to the gentleman from Illinois, that while I am familiar with cases of the character cited, because I imagine every Member of this body has cases of that sort, this bill does not apply to that situation, for the reason that payments in those cases are still being made in the Bureau of War Risk Insurance. This bill applies only to the payment of allotments not carrying allowances, the jurisdiction of which has been assumed by the War Department. I will say to the gentleman that the situation to which he refers is doubtless met by a bill that is now before, if it has not been reported, the Committee on Interstate and Foreign Commerce, and which was introduced by the gentleman from Massachusetts [Mr. TREADWAY]. This bill does not deal with that situation.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. STAFFORD. Under the phraseology of the measure, would it permit payment of allotments in those cases where since July 1, 1918, the allotments have not been reserved by the War Department?

Mr. SAUNDERS of Virginia. Yes.

Mr. STAFFORD. Why in that particular should the Government pay money in cases where the money has not been reserved by the Government from the soldier's pay?

Mr. SAUNDERS of Virginia. I am very glad the gentleman has asked that question, for the reason that it affords the opportunity in this connection to show that the difficulty raised by the gentleman from Wisconsin, is not a real difficulty. If the gentleman will read the bill he will find that the bill relates to two situations of fact. First, to those cases in which the allotment payments were in progress as of July 1 last, and in which the War Department from that time forward, has reserved out of the soldier's pay the amounts necessary to pay the allotments.

Mr. STAFFORD. There can be no objection to that phase of the question.

Mr. SAUNDERS of Virginia. Permit me to conclude. There are many cases of that sort. I have in my pocket now numerous letters written to me by mothers, and other allottees in regard to discontinued allotments, to the effect that their sons have written to them to inquire whether their allotments were being regularly paid, and stating further that the amount necessary for the payment of same was being taken out of their monthly pay. In these cases the gentleman will see that the bill provides that upon the resumption of payment of allotments under the old authority which is now on file in the Bureau of War Risk Insurance, and which is available to the War Department, it shall pay all arrearages. This is entirely proper, because the money for that purpose is in the hands of the War Department. Now take those cases in which the War Department has not reserved out of the soldier's pay the amount fixed in the original authority of allotment. The bill prescribes that upon resumption of payment, the War Department in these cases shall pay from that time forward, and pay only the amount carried by the authority of allotment. This statement answers I think the query of the gentleman from Wisconsin.

Mr. STAFFORD. Where is that phraseology? I have read the bill very carefully. I notice in the report the gentleman commented on that phase:

> Since the discontinuance of the payment of allotments on July last, in many if not all of these cases, the necessary amount to meet the designated allotment has been reserved out of the soldier's pay.

Where in the bill does it provide for the protection of the Treasury in the way indicated by the gentleman?

Mr. SAUNDERS of Virginia. In this way: The bill provides that—

> in all those cases in which an authority of allotment by an enlisted man directing the payment of an indicated amount to a designated beneficiary is on file in the Bureau of War Risk Insurance, and payment pursuant to this authority has been made by said bureau prior to July 1, 1918, but which payments were discontinued as of that date, the War and Navy Departments are directed to resume the payment of allotments in those cases, pursuant to the authority on file as aforesaid.

That is to say, under that authority the department upon the resumption of payments, would pay the monthly allotments only from that time forward. In order to make it abundantly clear

that in those cases the department will not pay arrearages, you will notice the following language in the next sentence:

Pending the receipt of a new authority, or of a written rescission of the old authority from the enlisted man. In those cases in which pending the receipt of the new authority, the military authorities, beginning with July 1, 1918, have reserved from month to month out of the soldier's monthly accruing pay, the amount directed to be paid by the original authority of allotment, the War and Navy Departments, upon resuming the payment of allotments in such cases, under the authority of this act, shall pay all arrearages out of these respective reservations.

The two paragraphs taken in connection make it very clear that arrearages are to be paid only in those cases in which the War Department has reserved the amounts necessary to meet them.

Mr. STAFFORD. But under the phraseology of this bill payment may be made to allottees where the allotment is no longer being reserved by the Government?

Mr. SAUNDERS of Virginia. I do not think so at all.

Mr. STAFFORD. The report says it may be payable in such cases. Where is the language to prevent it?

Mr. SAUNDERS of Virginia. I have pointed out that the War Department is to resume payment under and by virtue of existing authorizations which fact, in itself, would carry the idea that the payments would be from that time forward, but in order to make it further clear that arrearages shall not be paid in those cases in which the soldier has been paid his monthly pay in full, the bill directs that arrearages shall be paid in those cases only in which reservations have been made. Any bureau head, or other official who would undertake to pay arrearages under this bill in those cases in which arrearages have not been reserved out of the soldier's pay, ought to be promptly separated from the service of the Government.

Mr. HAMILTON of Michigan. Will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. I yield to the gentleman from Michigan.

Mr. HAMILTON of Michigan. Will the gentleman tell the House of the inadequate method employed in informing soldiers that they were required to make a new allotment?

Mr. SAUNDERS of Virginia. Yes; I will say to the gentleman that under the authority of the original act, hundreds of thousands of soldiers all over the United States filed the proper authorizations with the Bureau of War Risk Insurance, directing allotments to be paid out of their pay. Payment of these allotments had begun in many, many of these cases prior to July 1, last. Then when the War Department took over this jurisdiction, which I admit belonged to the War Department, it discontinued payment of every soldier's allotment not carrying an allowance, without regard to what had been in progress before that time. The department took up these cases with the organization commanders at home, and in France, and directed them to call the attention of the soldiers to the fact that a new authority of allotment was necessary. Having in mind the uncertainty of the mails, and the difficulty of reaching the soldiers abroad, and the further fact that many of these organization commanders were carrying very acute responsibilities in connection with the actual conduct of operations in the field, the House will be very well able to understand that there are to-day thousands of soldiers who have not only never filed a new authority of allotment, but who have not been made aware of the fact that it was necessary to file any such authority.

Mr. DOWELL. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I will.

Mr. DOWELL. I am heartily in favor of this proposition, but it occurs to me it might be limited by the language of this bill. I notice in the bill this language:

And payments pursuant to this authority which had been made by said bureau prior to July 1, 1918.

Mr. SAUNDERS of Virginia. Yes.

Mr. DOWELL. Now, assuming that the allotment was properly filed originally and that no payments had been made prior to July 1, the application in such a case will not receive attention under the bill?

Mr. SAUNDERS of Virginia. That is true, and these cases were intentionally omitted because I did not wish to complicate the bill by including any matter with respect to which the War Department might raise difficulties. I have limited the bill to the cases which have been adjudicated, and with respect to which payments were actually in progress on July 1 last.

Mr. DOWELL. Will it not be for cases that have not been paid?

Mr. SAUNDERS of Virginia. It will not affect them at all. All those cases are now in the War Department. With respect to these cases the soldiers will have to proceed by securing a new authority.

Mr. DOWELL. Should not the bill provide, or should not there be an amendment to the bill providing, that these applications that have been filed should be considered by the department as though filed since that time, and should not those applications, which I know take in a great number, and which will be deprived of having the consideration of the department, have the same consideration by the department?

Mr. SAUNDERS of Virginia. I do not think that you should complicate this bill by adding a situation with respect to which there is likely to be controversy. By adding such a situation an excuse for delay will be afforded. If you desire to reach those cases you can do so by another bill. I am not prepared to say with respect to the suggestion made by the gentleman that it ought to be agreed to in this offhand way. The situation outlined in this bill calls for no investigation, because there is no controversy as to the facts.

Mr. DOWELL. There is no question but this bill should pass, but I wanted to include the others.

Mr. SAUNDERS of Virginia. I desire to say further that I had a hearing on this bill before the Committee on Interstate and Foreign Commerce, and Gen. Lord was there. An effort has been made to fix the responsibility for this discontinuance upon Congress. Doubtless every Member has received letters from the War Department or letters from that department have been forwarded by our constituents, in which it was stated that this discontinuance was due to some act, or amendment on our part. I desire to repeat the statement that I heretofore made, that there is not a line in any bill passed by Congress that made necessary the discontinuance of these payments.

Mr. BLANTON. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. BLANTON. Did the War Department in the hearing attempt to give the reason why these allotments had been stopped and the payments to the soldiers in some cases discontinued and kept out of the pay of the soldier and in others were paid to the soldier?

Mr. SAUNDERS of Virginia. That particular feature was not developed, and I wish to say that I have the letter of the Secretary of War that was sent to the Committee on Interstate and Foreign Commerce. In this letter he undertakes to discuss this entire situation and to furnish reasons for the action of the War Department. The amendment that we are supposed to have passed was in June, 1918, and this letter of the Secretary of War relates solely to the legislation of 1917. The act of 1918, as I have stated, could not possibly have made necessary the discontinuance of payments of allotments not carrying allowances, and the claim is not even made in the letter of the Secretary.

Mr. GARD. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. GARD. Does the gentleman intend to read the letter?

Mr. SAUNDERS of Virginia. I do not care to do so. If anyone desires to read it, I will hand it to him. It is a three-page letter. It may be put in the RECORD if anyone wishes that action to be taken.

Mr. ESCH. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I will.

Mr. ESCH. Had the War and Navy Departments accepted certified copies of the allotments that had been filed with the War Risk Insurance Bureau, would there have been this difficulty?

Mr. SAUNDERS of Virginia. I will say in response to that question, that in every one of the cases covered by this bill there is on file a sufficient authority of allotment in the Bureau of War Risk Insurance. All the War Department needed for the purpose of continuing to make payments with respect to any one of these cases, was to secure a copy of the appropriate authorization from the Bureau of War Risk Insurance.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. SAUNDERS of Virginia. If there are any further questions to be asked, I would like five additional minutes.

Mr. KNUTSON. Mr. Speaker, I ask that the gentleman be allowed to conclude his remarks.

Mr. MANN. Mr. Speaker, I yield to the gentleman five minutes.

Mr. SAUNDERS of Virginia. I will be very glad to answer any additional questions.

Mr. LAGUARDIA. Will the gentleman incorporate the letter from the War Department in the RECORD?

Mr. SAUNDERS of Virginia. Yes. I ask, Mr. Speaker, that the letter to which I referred be made a part of my remarks in this connection.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the letter from the War Department be incorporated in his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. FAIRFIELD. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I will.

Mr. FAIRFIELD. I find that not all of those who write to me are in that particular difficulty. By what principle do they determine who should be turned over to the War Department and who should yet be retained in the War Risk Insurance Bureau?

Mr. SAUNDERS of Virginia. That was determined in this way. The allotments that carried allowances were paid in part out of the Treasury of the United States. Hence the appropriate jurisdiction in those cases belonged to the Treasury Department, as the Bureau of War Risk Insurance is a branch of that department; but where the allotment is paid entirely out of the pay of the soldier, the jurisdiction in regard to that case appropriately belongs to the War Department.

Mr. FAIRFIELD. Why did they not take over all the allotments paid, then, rather than a part of it?

Mr. SAUNDERS of Virginia. As I have stated, the War Department took over the cases which belonged to its jurisdiction, and they were the cases of allotments which did not carry allowances. It could not take over the payment of allotments carrying allowances, for the reason that such cases were within the jurisdiction of the Treasury Department.

Mr. FIELDS. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. FIELDS. There were a great many cases that were not adjudicated at the time that this transfer was made, although the soldier had been inducted into the service and had filed his application for the allotment. Does the bill under consideration in any way direct the War Department to accept those applications filed with the Bureau of War Risk Insurance?

Mr. SAUNDERS of Virginia. It does not deal with unadjudicated or possibly controverted cases. It deals exclusively with those cases with respect to which there can be no controversy.

Mr. FIELDS. Would it not expedite the matter to add an amendment to the bill directing the War Department to accept this as proper authority for the consideration of the claims?

Mr. SAUNDERS of Virginia. I think that such action would complicate the matter.

Mr. FIELDS. I do not see how that can complicate the matter. What is the difference between an application filed somewhere in France and forwarded here and an application filed with the commanding officer of the soldier at the time he enlisted, which went to the Bureau of War Risk Insurance? Either one is a proper authority for investigation as to whether or not the beneficiary is entitled to an allotment, and if the soldier is earning the pay and allots $15 of it a month to his mother or some other dependent or relative, there is not very much controversy about it, and that would result in the settlement of these cases, whereas as the matter now stands, they will probably never be settled.

Mr. SAUNDERS of Virginia. If the War Department desires to settle such cases it can do so by its own action. I have estimated that of these discontinued cases there must be at least 50 in each congressional district. Many of the Members of the House have told me that this is far too low an estimate.

Mr. FIELDS. I wish there were only 50 in my district.

Mr. SAUNDERS of Virginia. I understand that in many districts the number is believed to be many more than 50, but I have put it at 50. If there are only 50 to a district, averaging the country through, that would make about 20,000 of these discontinued allotments. If we estimate that the average allotment in these cases would be $10, that would make an aggregate discontinuance of $200,000 a month, and inasmuch as six months have elapsed since this order began to operate, there must necessarily be in the hands of the War Department something like $1,200,000 which ought to have been paid over long since to the allottees of the soldiers. If there are a greater number of these cases in the districts than my estimate assumes, and there are no authentic figures on the subject, the amount due the deferred allottees will be proportionately increased.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that the gentleman may be given an additional minute. I want to ask him a question.

The SPEAKER. The time of the gentleman has expired.

Mr. SAUNDERS of Virginia. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. The gentleman from Virginia asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. TREADWAY].

The SPEAKER. The gentleman from Massachusetts is recognized for five minutes.

Mr. TREADWAY. Mr. Speaker, I am heartily in accord with the statement of the gentleman from Virginia. I was present at the hearings before the Committee on Interstate and Foreign Commerce, waiting to be heard on a bill of mine, also an amendment to the War Risk Insurance act, and I now would ask that the gentleman from Virginia [Mr. SAUNDERS] accept the proposition as contained in my bill as an amendment to his bill if it is brought up at the present time for consideration.

The point of my bill, Mr. Speaker, is this: There have been innumerable cases where the War Risk Insurance Bureau or the War Department have asked for a refund from the relatives of the soldier. That refund they have asked under clause 210 of the War Risk Insurance act, which provides for reexamination by questionnaires, or otherwise, as the bureau may direct. Now, those refunds could come about in three different ways: First, by the payment of cash by the people who received the benefit of the allotment and allowance; second, by deducting the amount from the allowances that may in the future be paid or may not up to that time have been paid; and third, by charging it against the soldier's allotment. All three of these methods seem unfair to the soldier, but the third course is the one to which I most particularly object. An allotment from the soldier is nothing more nor less than the soldier's request that his pay be transferred to his relatives through the War Risk Insurance Bureau or through the War Department or Navy Department. It is his absolute pay, and he could have it paid to him direct, rather than paid by the departments if he so desired. Now, then——

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield there?

Mr. TREADWAY. In just one moment, if I may proceed. The War Department or the War Risk Insurance Bureau, if the case preceded last July, has notified people that they would receive no more allowances, and in addition to that say, "Unless you pay back this money in cash, we will charge it against the soldier's allotment." That is what I object to; that the soldier's own pay should be taken for a revision of the allowances already made by the department.

Now, I yield to the gentleman.

Mr. BANKHEAD. I want to inquire as to the number of the gentleman's bill and whether it has been reported?

Mr. TREADWAY. My bill is H. R. 13273. I would like to ask the gentleman from Virginia [Mr. SAUNDERS] if he would be willing to accept, as an addition to his bill, my bill as an amendment thereto; that is, to incorporate my bill with his?

Mr. SAUNDERS of Virginia. Has your bill been reported?

Mr. TREADWAY. It has not been reported by the committee, and the reason why it has not been acted upon by the Committee on Interstate and Foreign Commerce is that they some time ago, at the time of our hearing, asked the War Department for its views on the measure, which have never been submitted. They again asked yesterday for the views of the department. I have had a communication with Mr. Nesbit in reference to the proposition contained in the bill, and I would be glad to submit extracts from a letter I have received from him.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. In a moment. For instance, I read this:

> The discontinuance of the family allowance in cases of this character works a great hardship and causes a great deal of complaint. The bureau, however, has no discretion in the matter because the allowance under the law as it stands does not exist, and therefore can not be paid.

The bureau takes the attitude that it is acting within the law in charging back these amounts against the men paid. I have talked with Assistant Secretary Love, who has had charge of the War Risk Bureau, and he said it was up to the department to execute the law as interpreted by the bureau, but it was up to Congress, if it desired, to change the law. And that is what we should do. The bureau originally made these allowances and allotments and the people accepted the payments in good faith. If future examination on the part of the bureau or the department shows that the allowance should not have been paid, then start your slate from the time of the reexamination. Begin your bookkeeping when they change their ruling, and not charge back over a period of a year or more against the man's pay or allowance which the dependents of the soldier have already expended.

The SPEAKER. The time of the gentleman has expired.

Mr. TREADWAY. May I have two minutes more?

Mr. MANN. I am sorry, but I have promised all my time. I yield five minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Speaker, I am very much in favor of the passage of this bill. I think it might be well to explain to the House the reasons which were given by the War Depart-

ment and by the Bureau of War Risk Insurance for this transfer. The reasons did not appear to me to be sufficient, and it does not seem to me that the department ought to have ordered the transfer; yet I think the House is entitled to a statement of those reasons, for whatever they may be worth.

You will recall that the war-risk act itself did not confer upon the War or Navy Department the power to retain allotments, nor it did not confer upon soldiers the power to make allotments. That power already existed in the War and Navy Departments. There have been for some years provisions of the law authorizing men in the Army and the Navy to make allotments through the War and Navy Departments, so that the War and Navy Departments already had authority to make allotments to relatives wherever they were designated by the soldier or sailor. The war-risk insurance act did not take that authority from the War Department, but conferred it in addition upon the War Risk Insurance Bureau, so that in the execution of the law the Bureau of War Risk Insurance found itself authorized to deduct these allotments and pay them, and the War Department itself had the same authority. They began to confer one with the other, and by the 1st of July they had arrived at the conclusion that in all cases where the allotment carried no allowance the War Department ought to resume the jurisdiction which it already had independent of the war-risk insurance act, and all of the allotments which were in that situation were turned over to the War Department. The mistake that the Bureau of War Risk Insurance made, and that the War Department made, was in not accepting the allotments made by the soldier originally, and having either a certified copy of that allotment sent from the Bureau of War Risk Insurance to the Quartermaster General's office, or having the original papers sent from the Bureau of War Risk Insurance to the Quartermaster General's office; and when the question was asked Gen. Love as to why that was not done, he said the Auditor for the War Department took the position that the War Department had no authority to pay an allotment unless it came through the War Department.

Mr. McFADDEN. Will the gentleman yield for a question?

Mr. BARKLEY. I yield to the gentleman.

Mr. McFADDEN. How many claims are pending affected by this bill?

Mr. BARKLEY. My recollection is that the estimate of Gen. Love, who had charge of this matter, was that there were something over 200,000 claims of this sort that were affected, but that the increase in the number of allotments that came through the War Department following the issue of this order amounted to something like 200,000; and they were only able to account for this additional 200,000 by assuming that they were reallotments, made by the soldiers who had been able to receive the notices which they sent out; but it is very probable that there are 20,000 to 25,000, or perhaps more, who are affected by this bill, where the men in France or in Russia or in Belgium or Italy or in hospitals or German prison camps were never able to receive the notices and are still under the impression that their relatives are receiving the allotments, whereas they are not receiving them.

Mr. McFADDEN. So that there are probably a quarter of a million dependents who are not receiving the allotments which have been made to them by soldiers?

Mr. BARKLEY. No; there are not a quarter of a million, because probably 200,000 have made new allotments, and that would leave perhaps twenty-five to thirty thousand soldiers whose allotments are not being received by their relatives.

Mr. IGOE. Will the gentleman yield for a question?

Mr. BARKLEY. I yield to the gentleman from Missouri.

Mr. IGOE. Did the Quartermaster General on July 1 allow this $15 to go back on the man's pay, or did he continue to hold it out in all cases?

Mr. BARKLEY. They held it for a reasonable time, as they estimated it, to give the soldier a chance to make a new allotment, and where they did not receive the new allotment they began after a while to pay him the full pay.

Mr. IGOE. What did they do with the pay that they had held up? Did they pay it to him?

Mr. BARKLEY. They paid it to him after the 1st of July. There was no back pay prior to that date.

Mr. IGOE. That which they had held up?

Mr. BARKLEY. If they held up the July pay and the August pay, then, in September and October, if they did not receive a new allotment, they assumed that the man did not intend to make a new allotment and paid him the back pay. Perhaps in some cases, where they have not been able to reach the man, they have not paid it, but the War Department takes the position that in all these cases where they have been able to reach the man and no new allotment has been made it is not his intention to make a new allotment, and they have paid him the entire amount of his pay.

Mr. STAFFORD. Is it the intention to pay the beneficiary or allottee money that has not been reserved?

Mr. BARKLEY. No.

Mr. STAFFORD. That would seem to be so from the phraseology of the bill.

Mr. BARKLEY. That is not the intention, and I think there should be added these words, page 2, after the word "cases," in line 11, "from the passage of this act," or some words like that, so as to indicate that it was not retroactive as to allotments not held in reserve.

Mr. STAFFORD. There should be some such amendment in order that there shall be no double pay.

Mr. DENISON. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. DENISON. Has the gentleman seen a letter from the War Department saying that the action was due to some kind of amendment to the war-risk act passed by Congress?

Mr. BARKLEY. No; I have not seen it; but I have received word from several Members who have received some such letter. I do not know who sent such a letter. There was no amendment to the War Risk Bureau act that would warrant that. It was an administrative matter worked out by the War Risk Insurance Bureau and the War Department.

Mr. DENISON. I have received a number of such letters.

Mr. MANN. Mr. Speaker, I do not undertake to say just where the blame lies, but it has been a gross and burning outrage that under such legislation as was enacted, under the administration efforts of various departments, men who were enlisted in the Army, either by voluntary enlistment or under the selective-draft law, were told that they could allot a part of their pay to help sustain dependents upon them while the soldiers were away from home, either in camp training in this country or on the other side in the fighting line or in training there, and having been told that and having made the allotment and having had the amount of their allotment deducted from their own pay, after fighting over there, coming home, such as have come home, and others who want to come home, find out that this great and good Government of ours lied to them, has not kept faith with them, has not kept the promises which were made to them—that having deducted the amount from their own pay failed to make the payment to the mother or the father or the brother or the sister or the children, as it might be, who were dependent upon them for support. These people at home, or some of them, have suffered for food; many have suffered for raiment; many have suffered for heat; and many have been taken care of as a matter of charity by their neighbors or the Red Cross.

During a long experience in this House I have discovered that a great duty of the executive branch of the Government is not to do a thing but to give excuses why it does not do it. Here the War Risk Bureau was making the payments, theoretically, and if they made them regularly they did better than they are doing now, and somebody transferred the making of the payments to the Quartermaster General's office of the Army, and while the Quartermaster General's office of the Army knows enough about it to deduct the amount of the allotment from the soldier's pay, it does not know enough about it to warrant it to pay the amount deducted to the dependent parents. Nothing more ridiculous could be imagined. Somebody ought to be blamed for it. This bill seeks to cure it as a legislative proposition. I do not know, but I assume that probably it does not require legislation. It is proper to have legislation because that is a direction. We ought to go further. I appreciate the great trouble of developing a wonderful, complete organization in a short time. No doubt the War Department had a tremendous responsibility in developing this organization. The War Risk Insurance Bureau had a great responsibility in developing its organization. Both of them have miserably failed, so far as the payment of soldiers' allotments to their dependents is concerned. It is a disgrace to a civilized community that we are about to consider a bill to appropriate $100,000,000 for the benefit of the poor in Europe—I think we ought to pass that bill—while at the same time we have not developed the machinery to pay the money to the poor people at home who under the law are entitled to it as a part of the pay which the Government has provided for its men in the military service. [Applause.]

Mr. BARKLEY. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The gentleman can not do that under a motion to suspend the rules.

Mr. BARKLEY. Then, Mr. Speaker, I ask unanimous consent to insert in the bill as it now stands the words on page 2,

line 11, after the word "cases," the words "from and after the passage of this act."

Mr. STAFFORD. Would it not be as well to insert the provision that only where the allotment has been withheld?

The SPEAKER. The gentleman from Kentucky asks unanimous consent to make the language he has just stated a part of the bill.

Mr. SAUNDERS of Virginia. Reserving the right to object, what is the gentleman's amendment?

Mr. BARKLEY. Page 2, line 11, after the word "cases," insert the words "from and after the passage of this act."

Mr. SAUNDERS of Virginia. I do not think that would add anything to it and I object.

Mr. STAFFORD. Would it not be as well to have it apply only in cases where the allotment has been reserved or withheld? It is not intended to pay double, it is only intended to pay where the money has been withheld out of the soldier's pay, and yet here is a direction on the part of Congress to pay in cases where the money has been paid back to the soldier.

Mr. BARKLEY. That might carry the implication that the War Department would pay back only that which has been withheld and the intent is to resume these payments from month to month in the future.

The SPEAKER. Is there objection?

Mr. SAUNDERS of Virginia. Mr. Speaker, I do not think that would add anything and I therefore object.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to offer the amendment which I send to the Clerk's desk and ask to have read.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to make the proposition that the Clerk will read a part of the bill.

The Clerk read as follows:

Add as a new section the following:

"*Provided, however,* That whenever the commissioner shall by further investigation or reinvestigation modify the existing award, no reimbursement from the person receiving an allowance shall be required for allotments and allowances already paid nor shall any deductions be made from allotments and allowances to be paid in the future for any change in award made in previous allotments and allowances."

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire whether under the phraseology of the amendment just offered it would not legalize the payments made under fraudulent representations. There have been called to the attention of the Committee on Appropriations by the Bureau of War Risk Insurance numerous instances where persons have perpetrated fraud on the Government in receiving these allowances. By this phraseology you would prevent the Government from obtaining money back which has been unlawfully paid, and for that reason I object.

Mr. TREADWAY. Mr. Speaker, will the gentleman withhold it for a moment?

Mr. STAFFORD. Yes.

Mr. DOREMUS. Mr. Speaker, I object.

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to offer the following amendment:

In line 14, page 2, after the word "cases," insert the word "only."

I understand the gentleman from Virginia is willing to accept that amendment.

The SPEAKER. Is there objection to having the word "only" inserted?

Mr. MANN. Let it be reported.

The Clerk read as follows:

Mr. DEMPSEY offers the following amendment: Page 2, line 14, after the word "cases," insert the word "only."

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I will ask the gentleman to tell us what that means. I am not always able to catch what the insertion of a negative means at first blush.

Mr. DEMPSEY. Mr. Speaker, the gentleman from Wisconsin has raised an objection that under this bill there might possibly be payments made of arrearages where the arrearages had not been deducted from the soldier's pay. To make it clear that the payment of arrearages shall be made only where they have been actually deducted, I put in the word "only," which, it seems to me, more clearly confines it to the cases contemplated, which are those where the arrearages have been actually deducted.

Mr. MANN. But the bill apparently only authorizes payment where the amount has been reserved.

Mr. DEMPSEY. I think myself that the bill is plain without the insertion.

Mr. MANN. The most dangerous thing I know of where you have a matter that is fairly clear is to insert a negative. I do not myself deem that it is necessary. There is a constant query about the meaning of double negatives. Most people who use them do not mean an affirmative, yet they say that it constitutes an affirmative.

Mr. DEMPSEY. I agree with the gentleman. I think the language is plain without the amendment.

Mr. MANN. Then I shall object.

The SPEAKER. The gentleman from Illinois objects. The question is on the motion of the gentleman from Virginia to suspend the rules and pass the bill as amended.

Mr. STAFFORD. Mr. Speaker, would the gentleman have any objection to modifying his motion so as to strike out the whereases?

Mr. SAUNDERS of Virginia. Mr. Speaker, the whereases in this case recite a state of facts which makes it abundantly clear to anyone why the bill is necessary.

Mr. STAFFORD. The whereases should be a part of the report, but not a part of the permanent statutes of the country.

The SPEAKER. The question is on suspending the rules and passing the bill, the amendments being a part of it.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

INVESTIGATION OF LIGNITE COAL.

Mr. WINGO. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat to determine the practicability of their utilization as a fuel and in producing commercial products, as amended by the Committee on Mines and Mining of the House.

The SPEAKER pro tempore (Mr. CRISP). The gentleman from Arkansas moves to suspend the rules and pass the bill which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to make experiments and investigations, through the Bureau of Mines, of lignite coals to determine the commercial and economic practicability of their utilization in producing fuel oil, gasoline substitutes, ammonia, tar, solid fuels, gas for power, and other purposes; and there is hereby appropriated, out of the funds in the Treasury not otherwise appropriated, the sum of $100,000, or so much thereof as may be needed, to conduct such experiments and investigations, including personal services in the District of Columbia and elsewhere, and including supplies, equipment, expenses of traveling and subsistence, and for every other expense incident to this work.

SEC. 2. The Secretary of the Interior is authorized and directed to sell or otherwise dispose of any property, plant, or machinery purchased or acquired under the provisions of this act, as soon as the experiments and investigations hereby authorized have been concluded, and report the results of such experiments and investigations to Congress.

The SPEAKER pro tempore. Is a second demanded?

Mr. STAFFORD. Mr. Speaker, I demand a second.

Mr. WINGO. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Arkansas is entitled to 20 minutes and the gentleman from Wisconsin 20 minutes.

Mr. WINGO. Mr. Speaker, the House will recall that this proposition was discussed very fully on another bill a few weeks or a couple of months ago, when a similar item was included in a bill which passed the Senate and which subsequently was abandoned in the Senate—one of the war bills. The bill as it passed the Senate included peat, and one of the House amendments is to cut out peat. The bill as it passed the Senate provided $150,000 as a fund. The House amendment cut the fund down to $100,000. In addition to that, the House committee proposed an amendment as a new section, section 2:

SEC. 2. The Secretary of the Interior is authorized and directed to sell or otherwise dispose of any property, plant, or machinery purchased or acquired under the provisions of this act as soon as the experiments and investigations hereby authorized have been concluded, and report the results of such experiments and investigations to Congress.

Now, broadly speaking, the object of the bill is simply to do this: To enable the Department of the Interior to conduct certain experiments, or, rather, to demonstrate by the establishment of plants that which laboratory experiments have already demonstrated, the feasibility of developing the lignite coal deposits of this country which constitute one-third of the coal deposits of the United States. There are something like 7,000,000,000 tons estimated in Alaska alone of lignite. There is a great deal more of these lignite deposits upon Government land that still remains as part of the public domain. Now, as I said, the laboratory experiments which have been conducted have all demonstrated the feasibility of the use of these lignites not only as fuel but in the carbonizing of lignite to develop oils and other matters contained in them which have a high commercial value. Now, some objection was offered once before on this proposition on the ground that it was a paternalistic proposition, but it

is just the contrary. The object of this bill is to demonstrate the commercial practicability so that private enterprise will be induced, as it is in other countries, to take up the lignite deposits of our country. Now, the question may be asked why, if other countries have developed the commercial operations by which their lignite deposits are utilized in a practical commercial way, we can not benefit by their experiments and use the processes which they have developed. The reason for it is this: The lignite deposits of this country are in a different state of development from those in Germany, in Canada, and in other countries where they have developed practical processes. And you understand lignite is just a condition of development of coal from the original state; it has not yet reached the highly developed state which produces bituminous or anthracite coal. Now, in Germany their lignite had proceeded to a natural development to an extent that is different from the lignite of the United States. They found by laboratory experiment that it was a commercial and practical proposition, and the Government expended money to demonstrate it to the commercial interests of Germany, and the result was to make the status of the lignite of that country for fuel; and the development of the gases and the oils of the lignite deposits of Germany constitute the base of the German monopoly for dyestuffs up to the time the war opened. Now, those of you who have read the report will find on page 5 of the report listed under six different subheads the uses and the qualities which are contained in lignite and which we wish to develop to commercial use.

Mr. TOWNER. Will the gentleman yield before going from that?

Mr. WINGO. I will.

Mr. TOWNER. I notice what seems to me rather a singular omission in the language of the bill. It nowhere states where these investigations are to be carried on. They are not limited to the United States and they do not include the Territories, and it seems as if this is left open for the investigation to be carried on anywhere in the world. Of course, I suppose there is no intention or purpose but that under the terms of this bill these operations shall be carried on anywhere except in the United States and its Territories?

Mr. WINGO. The hearings before the committee and the information I have lead me to the conclusion, perhaps, that they will establish one plant in one of the Dakotas—North Dakota. Now, the question raised had not occurred to me before, and I will frankly state I do not think there is any intention to go outside of the United States, unless it is necessary for the investigators for the purpose of comparison to go into Canada, the Saskatchewan district, where they conduct similar work.

Mr. TOWNER. Of course, I suppose the principal lignite deposits that are likely to be beneficial are in Alaska?

Mr. WINGO. No; the gentleman is mistaken there. I should think——

Mr. TOWNER. The Matanuska fields or the lignite fields south of Fairbanks are——

Mr. WINGO. There are great deposits in Alaska.

Mr. TOWNER. The largest lignite fields in the world?

Mr. WINGO. They are the largest individual deposits. Take the deposits of the West and Southwest together, I think possibly they outrank in volume any known deposits of Alaska, although Alaska has the largest single deposit of lignite in the world.

Mr. TOWNER. I want to ask the gentleman another question. Of course, there is a very great deal of difference with regard to the different lignite coals. It does not mean an absolute uniform and valuable fuel producer. There are various degrees of lignite just as there are of bituminous coal and of varying value. Is it the purpose of this bill to allow investigation to be made of various fields and reports to be made regarding their comparative value?

Mr. WINGO. No; I will state to the gentleman, if the gentleman will pardon my interrupting, I have only a few minutes, I promised to yield some of my time—and I would like to be notified when I have used 10 minutes—I will say this to the gentleman. The object we are seeking to do is this, because we have practically located these different lignite fields.

But the object of this is to follow up the laboratory experiments and by putting in a small plant demonstrate from a commercial standpoint the feasibility and the practicability as a profit-making proposition of the utilization of these lignite deposits. That is the object, and the sole object.

Mr. TOWNER. Does not the gentleman think that the amount, $100,000, for that purpose is somewhat large?

Mr. WINGO. No; I think not.

Mr. TOWNER. If it is merely the object by chemical experiment to determine the value of lignite for the purpose of using it, it seems to me that is a large amount.

Mr. WINGO. I do not think you could test out the plants for $100,000. I think that amount is too small. I think it should be $150,000.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman has used nine minutes.

Mr. STAFFORD. Mr. Speaker, so that we may have further information concerning this bill, I yield to the gentleman from North Dakota before I speak in opposition to it.

Mr. NORTON. Mr. Speaker, this is a bill proposing an appropriation of a hundred thousand dollars to be used for experiments and investigations to be carried on by the Bureau of Mines for the purpose of determining and demonstrating the feasibility and commercial practicability of carbonizing and briquetting lignite coal. This Senate bill as amended by the Committee on Mines and Mining is substantially the same as the bill H. R. 12192, which I introduced in the House on this subject and on which bill hearings were held before a subcommittee of the Committee on Mines and Mining on June 7 of this year. During the past 15 years there have been carried on in the Northwest, and in the State of North Dakota particularly, a series of experiments and investigations to determine the commercial and economic practicability of using lignite coal and its by-products. During that time there has been a great deal of private capital put into different plants constructed for briquetting lignite coal on a commercial basis. In practically every case so far the investments in these briquetting plants have been commercial failures. For the most part the men who ventured in this work of the briquetting of lignite coal and the manufacture of by-products from the briquetting process did not have either sufficient capital or information on the subject of briquetting lignite to carry on the work to a final and commercial success.

The Bureau of Mines now represents that it can with this appropriation demonstrate to the commercial world that the briquetting of lignite coal and the use at the same time of the by-products of this coal are practical and feasible from a commercial point of view. The bureau intends to use this money in cooperation with some private plant that has already been established either in North Dakota, Colorado, or Texas.

Let me again call your attention, gentlemen of the House, to the immediate and tremendous importance of developing this great natural resource of our country—lignite coal. It is estimated that in the United States there is more than a trillion tons of lignite coal; more than one-third of all the coal in the United States and Alaska is lignite coal. Let me particularly mention just one feature of the possibilities in the development of this low-grade coal. Investigations that have already been made show that as a by-product from a ton of lignite coal there can be secured about 4 gallons of light oils that can be used in internal-combustion engines. This means that the light oils from lignite coal, and that can be secured from it in briquetting processes, are sufficient to meet the needs of the United States for 150 years, whereas the known or estimated amount of gasoline that can be secured from the petroleum fields of the country will only meet the demands of the United States for about the next 25 years. That is one important feature of this work that will be more fully presented to the country by the experiments and investigation to be carried on under this proposed appropriation.

Another great feature is the transportation problem. To-day there is being shipped from Ohio and from other distant fields more than 7,000,000 tons of bituminous coal to the State of Minnesota.

If this lignite coal industry is developed, if the way is pointed out by the United States for private enterprise to engage in this industry, as I believe it should be, instead of transporting coal 1,500 or 2,000 miles into Minnesota it will be brought down there from the great coal fields of North Dakota, which are distant only a few hundred miles. That alone will mean a great economic saving in transportation. It will also allow of needed conservation of coal in Indiana, Ohio, and Pennsylvania, where the coal fields are being rapidly exhausted. To-day throughout North Dakota there can be seen fields of this coal varying in depths from 20 to 40 feet. One of the principal items in any after-war program for progressive development in this country should be the development and expansion of the use of lignite coal and its by-products. Up in Canada they have recently appropriated $400,000 to develop the use of lignite coal there. Have we not every reason to do more to develop the use of this product in the United States.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. NORTON. Certainly.

The SPEAKER pro tempore. The time of the gentleman from North Dakota has expired.

Mr. NORTON. I want to add that I believe that as a conservation measure that this is one——

Mr. STAFFORD. I yield to the gentleman from North Dakota two minutes.

Mr. NORTON. That this is one of the most important measures that have come before this great Congress, which has had so many great measures before it.

Mr. GRAHAM of Illinois. Will the gentleman yield now?

Mr. NORTON. I shall be pleased to yield to the gentleman.

Mr. GRAHAM of Illinois. What I am trying to get at is, Is there machinery at present under the Bureau of Mines by which this investigation can be made?

Mr. NORTON. The bureau has practically all the machinery that is needed. It can secure machinery for this purpose, or nearly all it will need, I know, in my State.

Mr. GRAHAM of Illinois. Have they made any of these tests? Has any bureau of the Government made any of these tests so that information is available?

Mr. NORTON. Yes; test experiments and investigation have been made in the laboratory and field work for a number of years.

Mr. GRAHAM of Illinois. Why is it necessary to make this large expenditure at this time for this investigation? Perhaps I did not notice your argument closely enough, but in a few words I would like to have you explain why it is necessary to appropriate this sum now?

Mr. NORTON. The bureau estimates that it will need this amount to establish a briquetting plant for the manufacture of lignite briquettes and by-products. Through the establishment of such a plant and its successful operation the bureau promises that it will demonstrate to the commercial world that it is practical to put upon the market at a profit these briquettes and the by-products of lignite coal given off in the manufacture of the briquettes, these by-products being light oils, tars, and gas.

Mr. GRAHAM of Illinois. Does the gentleman have any idea of where the department expects to locate this plant?

Mr. NORTON. I have no definite idea. I think they will locate the plant, although they have not so stated, either at Hebron, N. Dak., in connection with the Bureau of Mines station of the State of North Dakota, or at Minot, N. Dak., where there is a private briquetting plant at the present time, in which a large amount of money has been invested.

Mr. LOBECK. The lignite fields extend into Wyoming.

Mr. NORTON. They extend from Canada down through the Dakotas and into Colorado and into Texas. There are some very large fields in Texas.

Mr. LOBECK. I have seen 30 or 40 foot veins in Wyoming.

Mr. NORTON. Along the Missouri River one can see for miles many coal seams or veins having a thickness of 20 to 40 feet. It would be very unwise statesmanship to fail at this time to have the Federal Government take action such as proposed in this bill for the development and use of these great coal fields.

The SPEAKER pro tempore. The time of the gentleman has expired.

The gentleman from Wisconsin [Mr. STAFFORD] is recognized. The gentleman from Wisconsin has 13 minutes.

Mr. STAFFORD. Mr. Speaker, here we have an example of the Government going wild in Government ownership. I contend that with the authority the Bureau of Mines now possesses, similar to the authority possessed by the Bureau of Standards, of making laboratory tests to determine the practicability of these various by-products of lignite coals, it is unwise as now proposed by this bill that the Government should go into the business of establishing a commercial plant. Originally they sought $150,000, and now $100,000 is sought by this ambitious Bureau of Mines. If it were for the purpose of merely laboratory work, I would not rise here to oppose it, but when the Government for the first time in its history is attempting to establish a commercial plant to demonstrate to the country at large whether it is economical, practical, and profitable to sell these by-products, I say in these piping times of peace we should call a halt. Perhaps to the gentlemen who compose the Bureau of Mines $100,000 is not much, but hundreds of thousands of dollars run into millions. They admit that investigations that have been made show that lignite can be made into briquettes; investigations show that oil can be extracted from lignite. Yet the report admits that the one purpose of this appropriation is for the Government to establish a commercial plant to determine whether it is commercially feasible. Section 2 embodies that idea of the purpose and provides that as soon as the plant is established and it is shown that the commercial project is a failure then authority is granted to them to dispose of the plant.

Mr. NORTON. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Not just at this time. In the estimate—and, of course, I know, because I, too, have had experience of some time in this House with bureau chiefs and know that they are inclined to expand their activities—in this estimate of $100,000 they want $10,000 for a building for a commercial laboratory. Of course $10,000, when we are going to appropriate $100,000, is not much. Then they want $10,000 additional for a tar still, tar being a by-product of lignite. Then they want $19,000 for salaries of experts, and all manner of estimates are provided for, including carbonizing ovens, a by-product, $25,000.

It is not necessary for the Government by experiment to spend $25,000 for the establishment of carbonizing ovens. They can go to any industrial center of the country where they are extracting by-products from soft coal and manufacturing coke, and they will see there the processes of extraction without the Government wasting $25,000 in that particular.

Mr. WINGO. Is the gentleman talking about carbonizing lignites now? What has the coke proposition to do with it?

Mr. STAFFORD. It is akin. This process, as the gentleman himself has admitted, has been demonstrated to be practical in Germany, and I am informed also in France. Yet you want the Government now, in these times when we need money so badly, to establish a plant out in North Dakota and Alaska or somewhere else.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. WINGO. I am interested in the discussion of the coke activities of the Bureau of Mines.

Mr. STAFFORD. I did not say anything about the coke activities of the Bureau of Mines at all. I said anybody acquainted with the commercial and industrial activity in the manufacture of coke would know that it is not necessary for the Government to establish carbonizing ovens to obtain a knowledge of that product.

Mr. WINGO. That may be true, but the items that the gentleman is reading will come up for appropriation in Pennsylvania and Illinois and possibly Arkansas. But none of it has to do with lignites.

Mr. STAFFORD. The gentleman seems to be all wise about this subject when he says it has not anything to do with lignite. I will read the estimate. It says, "Lignite investigations, Bureau of Mines, $100,000."

Mr. WINGO. The gentleman read about the coke ovens.

Mr. STAFFORD. I decline to yield further, because I can not afford to have all the time taken up by the gentleman in attempting to give information that he does not have. The report of the Secretary of the Treasury says that this is for lignite investigations of the Bureau of Mines, "for investigations of lignites, to determine the commercial and economic practicability of their utilization in producing smokeless fuels for household and industrial uses, gas for domestic and power purposes, nitrogen products for refrigerating or fertilizing purposes, fuel oils for furnaces and internal-combustion engines, and so forth, creosoting oils, benzene, toluene, and other materials required in the manufacture of dyestuffs and explosives and related chemical products, including personal services in the District of Columbia and in the field, but not exceeding 20 per cent to be expended for such services in the District of Columbia, $100,000."

In specifying the expenditure of that $100,000 the Secretary of the Treasury has enumerated how that money is to be expended, and we find in the way of equipment, carbonizing ovens, a by-product, $25,000 is estimated; and yet the gentleman from Arkansas [Mr. WINGO] has the temerity to rise here when he reports the bill, in a report covering many pages—10 pages—and say this $25,000 is not for the purpose of experimentation, so far as lignites are concerned. I know there are lignite deposits down in Arkansas, and I know there are lignite deposits up in North Dakota, and I know that there are some in Alaska and in Texas, and I am not surprised that the Representatives of those States are coming here and trying to reach their hands into the Treasury to get $100,000 for the beginning of an industrial and commercial establishment. I say we should enter a protest here and now at this time against this extravagant policy of going into the business of establishing private plants to determine whether it is commercially and industrially advantageous to extract these various by-products from lignite coal.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman reserves four minutes and a half.

Mr. WINGO. Mr. Speaker, I yield to the gentleman from Illinois [Mr. DENISON] three minutes.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for three minutes.

Mr. DENISON. Gentlemen of the House, I do not think the fears of the gentleman from Wisconsin [Mr. STAFFORD] are well founded. Section 2 was placed in the bill by the House com-

mittee in order to meet the situation he suggested. The purpose of this act is not to establish a commercial plant, but to demonstrate to the commercial world that this lignite can be utilized. If the lignite that is now known to be available in this country can be briquetted and made into a commercial fuel, the fuel supply of the country will be increased by a third. It can not be successfully briquetted unless the valuable by-products are reclaimed and utilized. The by-products themselves are very valuable and very much needed. Now, the purpose of this bill is to authorize the Bureau of Mines to conduct experiments for the purpose of demonstrating that by saving and utilizing the by-products lignite can be made into a cheap but valuable fuel coal.

Mr. STAFFORD. Has the gentleman read the report?

Mr. DENISON. Oh, I am a member of the committee, and was present during the consideration of the bill, and know all about it.

Mr. STAFFORD. It was stated that that was the purpose, to establish a commercial plant.

Mr. DENISON. It is only for the purpose of establishing a plant to develop the by-products, in order to demonstrate to the business interests of the country that this lignite can be utilized commercially. Now, the Committee on Mines and Mining, I think at my own suggestion, put this section 2 into the bill in order to anticipate and avoid the suggestion that the gentleman from Wisconsin has made, that this is a Government ownership experiment. This second section of the bill makes it mandatory upon the Bureau of Mines, after they have gone ahead and made their experiments and developed the lignite as far as they can under the appropriation, to dispose of any plant or other property that they may acquire in making the demonstration and make a report of their experiments and demonstrations to the Congress. So that this money will be taken by the Bureau of Mines and used to demonstrate to private individuals and to the business interests of the country whether or not lignite can be developed and made a merchantable product. In order to do that you have got to develop the by-products. The Bureau of Mines has not now the necessary machinery or funds to do that. They told the committee that when lignite is properly briquetted it becomes a clean fuel, with the same heat value as anthracite coal.

Mr. STAFFORD. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. STAFFORD. Can the gentleman cite any instance where the Government has undertaken a similar work in the development of any other natural resource?

Mr. DENISON. I am not able to do so, because I am not familiar with all the activities of the Government. Inasmuch as there is an immense quantity of this lignite in this country, which is being used in Germany and other countries, the committee thought it was at least worth the attention of the Government, and that this amount of money might well be used to demonstrate whether or not this product can be used commercially in this country. That is the reason why we approved of the bill. I think section 2 protects the Government and the people against any effort on the part of the Bureau of Mines, or anyone connected with the bureau, to try to put the Government into the business, because after the bureau has made the experiment and demonstration the bill compels the bureau to dispose of the plant and go out of the business. If the Government can demonstrate to the business interests of the country that lignite can be economically made into a good commercial fuel, we will have made a valuable investment in expending the amount authorized in this bill.

The SPEAKER pro tempore. The time of the gentleman has expired. The gentleman from Arkansas has nine minutes and the gentleman from Wisconsin four and a half minutes.

Mr. WINGO. I suggest to the gentleman that he use his time now.

Mr. STAFFORD. There will be only one speech. Will there be only one on the other side?

Mr. WINGO. I yield five minutes to the gentleman from Missouri [Mr. HAMLIN].

Mr. HAMLIN. Mr. Speaker and gentlemen of the House, I want to say only just a word or two in explanation of this bill. I think perhaps I ought to say that in all my experience here I have never approached the study of a proposition with as little preconceived opinion or anything that might influence or prejudice me for or against a proposition as I have the study of this bill. When the matter came up I hardly knew that there was such a thing as lignite. I knew absolutely nothing about it. There is none of it anywhere in my section of the country that I know of, and therefore I was prepared to study the question with an open mind. I have tried to give this matter pretty careful investigation and study. I believe that it is a question possessing a great deal of merit from many standpoints. Unquestionably there is nothing in the apprehension voiced by the gentleman from Wisconsin [Mr. STAFFORD]. There was no idea or intention on the part of the Committee on Mines and Mining to have the Government go into anything that would savor of Government ownership.

Briefly this state of facts exists: North Dakota, through her university, has been making some experiments in the treatment of the lignites and has equipped a kind of plant for carrying on that work. Now, as I understand, the Government is proposing to join with them in this work of demonstrating the feasibility and practicability of the treatment of lignite in a commercial way. Now, the proposition as I understand it is, if this small appropriation is made, for the Government to join with the authorities of North Dakota and perhaps some other places in the country and erect a plant, putting in the necessary ovens and machinery to demonstrate physically the feasibility of treating these lignites in such a way as to induce private capital to take up the work on a large and commercial scale.

The Bureau of Mines believes that the by-products can be made to pay more than the expense of the treatment of coals. After separating the by-products it is the intention to briquette the carbon. Then you will have a fuel that is about equivalent to anthracite in heating units. It was testified before the committee that the experiments conducted so far have convinced the experts that after you have extracted the by-products, the oils, the tars, gases, and so forth, all of which are valuable and are badly needed in this country, the fuel part, the carbon, can be briquetted and placed on board the cars at $4.50 a ton, and having a heating capacity equivalent to that of anthracite. If that can be done, that thing alone will be worth many millions of dollars to the people throughout the United States.

But aside from that, we all recall that in the beginning of this war we were told that we could not buy clothing of as good quality as we bought before, because of our inability to manufacture the dyes that would hold their color, and so forth, and that because these things had come from Germany heretofore and we were to be deprived of them, we were forced to use inferior stuff in the way of clothing. I believe that great benefits will come from this horrible war just closing, and I believe that one of those benefits arises from the fact that it has been necessary for us to develop the resources of our own country. This is one step in that progress. If the experiment which the Government is now proposing by this bill will have the effect, as we believe that it will, of demonstrating that we have in this country the materials for the much-needed dyes used in manufacturing, that alone will compensate for the little money herein authorized and for all the time and energy expended in the experiment. Then add to that the tons of first-class fuel which can be added, at low prices we hope, to the fuel supply of the country, and the benefit will be almost incalculable.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. HAMLIN. For a question; yes.

Mr. MANN. I see there is nothing in this bill that says anything about briquetting. Is it the intention or is there any authorization for the Bureau of Mines, if it conducts these experiments, to sell any of the products of the experiments?

Mr. HAMLIN. I think not. That will not be the prime purpose of the Bureau of Mines. They will not go into it for the primary purpose of selling the products.

Mr. MANN. What will they do with them?

Mr. HAMLIN. I was going to say, if this becomes a law, they will put in a plant, as I understand, in conjunction with one partially erected.

Mr. MANN. They have sent in an estimate for a plant but not in conjunction with any other.

Mr. NORTON. If the gentleman will allow me, I will say that it is the intention of the bureau to sell the briquettes that they manufacture.

Mr. HAMLIN. I was going to further answer the gentleman that in the conduct of these experiments, not for the purpose of selling anything to make money, but in conducting these experiments, they will make some briquettes and will likely sell the briquettes that they make. But it is not the purpose of the bill to have the Government manufacture briquettes for sale. The purpose is to demonstrate to the business interests of the country the practicability and the feasibility of private capital going into the business on a large commercial scale.

Mr. MANN. I understand that from the gentleman's statement, and I would not interrupt him until he had passed that point. The bill authorizes the Secretary of the Interior to sell or otherwise dispose of any property, plant, or machinery purchased or acquired under the provisions of the act as soon as the experiment and investigation have been concluded. Would not that apparently forbid them to sell any of these products?

Mr. HAMLIN. It is perhaps possible that section 2 ought to have gone further and provided for the sale of any products that they have on hand when they cease investigation.

Mr. DENISON. I will suggest that the Government has ample use for all briquettes that are manufactured.

Mr. STAFFORD. May I ask the gentleman from Arkansas if there will be only one speech in conclusion on that side?

Mr. WINGO. I do not know——

Mr. STAFFORD. It is customary to have the opposition close when only one speech is to be made on the other side.

Mr. WINGO. Is the gentleman addressing his remarks to me? I know what is customary, and if the gentleman had understood me he would understand the situation.

Mr. STAFFORD. I thought the gentleman from Arkansas would be courteous enough to comply with the usual custom.

Mr. WINGO. I do not require any instructions from the gentleman from Milwaukee as to courtesy.

The SPEAKER pro tempore (Mr. CRISP). Gentlemen are out of order.

Mr. WINGO. I call the gentleman to order, and want to say that I require no lesson in courtesy from the gentleman from Milwaukee.

Mr. STAFFORD. I do not appreciate the courteous remarks of the gentleman from Arkansas. Mr. Speaker, this bill is the launching of a Government plant into the manufacture of by-products of lignite, and there is no escape from that conclusion in reading the bill. It is not limited in its expenditure to $100,000, but when once the bill is passed authorizations for unlimited amounts can be presented to the Appropriations Committee. No one need to delude himself that they are going to conclude these investigations in a short time. That is not what the Bureau of Mines does. They want to have a plant established and go into the business of making the by-products of lignite. They wish to establish this plant somewhere and then come to Congress for increased appropriations. This is purely a Government-ownership proposition. I am not surprised that it emanated from North Dakota, and I am not surprised that North Dakota is launching into the project, because North Dakota has the reputation for that character of experiment and investigation. If North Dakota wants to do it, let it take the responsibility. The Congress of the United States ought not at the present time to undertake this character of work. It is purely a proposition of Government ownership. There is no limit to the amount of money that may be expended. It is true that only $100,000 is appropriated, but, as the gentleman from Illinois has explained, there is no authority for the disposition of the products. There is authority to dispose of them after the investigation has been concluded. But when will the experiment be concluded? If the Bureau of Mines did not have the authority to investigate this subject, I would not rise in opposition to a laboratory investigation. This is something more. It is the first time in the history of the Government that a bureau has called upon the National Government to go into the manufacturing business. Where will the limit be to that character of governmental activity?

Mr. STEENERSON. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. STEENERSON. I notice in line 5 the bill provides for the investigations of coal and peat.

Mr. STAFFORD. If the gentleman had been here he would know that the bill now is limited to lignite, under the amendment of the committee. If we go into the investigation of lignite coal why not have the Government go into every character of mineral deposit and determine whether it is advisable to commercially manufacture its by-products? If you are in favor of Government ownership, if you are in favor of something that is chimerical, if you are in favor of something that has not been established successfully, this is a good way to show the abuses and waste that follow from Government ownership.

Again I wish to emphasize that this is no time to enter upon such an investigation. I have no doubt that the Bureau of Mines can expend the money, but at the end the plant will be junked and sold for a mere pittance, without any resulting gain to the industrial and commercial activity of the country.

Mr. WINGO. Mr. Speaker, I used to be one of those men who saw ghosts every time anything was presented to me that I did not know anything about. As a matter of fact, there is no Government ownership in this matter. By any far-fetched imagination there could not be; but, in anticipation of some such objection that might be offered by those who do not know anything about it, the gentleman from Illinois [Mr. DENISON] offered an amendment, which the committee accepted, which is section No. 2, that absolutely precludes any possibility of the Government going into business. This bill is simple in its terms. The wayfaring man, though a fool, need not err therein. It is simply a bill to establish a plant that will demonstrate from a commercial standpoint the feasibility of developing and utilizing this great natural resource of the United States. There is not a bit of Government ownership in it. If we wanted to bring in a Government-ownership bill we would bring in a bill that would authorize the establishment of briquetting plants and other activities on the public domain, because there are millions of tons of this lignite in the public lands; but the committee which reported this is composed of men who are opposed to Government activities of this kind, except where it is absolutely necessary to conserve or develop our natural resources and build up the industrial and economic strength of the Nation, and for that reason we come in here and ask for a miserable pittance of $100,000 to undertake to develop one of the great natural resources of the United States, so as to demonstrate to the satisfaction of the commercial interests of the country that it would be a feasible proposition for them to come in and do like the commercial interests of other countries have done, namely, utilize the great product that is worth so much to our country.

Mr. GILLETT. Mr. Speaker, will the gentleman yield?

Mr. WINGO. I regret I can not yield; I have only four minutes. The gentleman from Wisconsin [Mr. STAFFORD] undertakes to say and did say boldly that this is a selfish proposition by a few Members to get a few thousand dollars spent in Arkansas, Texas, and Dakota. If the gentleman had known anything about the bill, he would have known that there is not a ton of lignite in my district; he would have known that not a dollar of this will be expended in my district nor in the district of any member of the committee; and he would have known where it is to be expended. If the gentleman had information about the matter, he would know that I have large coal fields in my district, and that if I were as selfish and as narrow in voting on legislation of this kind as the gentleman indicates that he is, I would oppose this, because the selfish interests of my district might be against the development of this great natural resource. Develop the lignite of Texas and they will not use as much coal from my district. Develop the lignites of North Dakota and of the West and they will not use so much coal from the gentlemen's districts, members of the committee, as they might otherwise use; but the members of this committee had no idea of selfishness but were moved solely by a desire to develop this great resource and thereby increase the economic strength of the Nation. The members of the committee found this great natural product in this country, one-third of the coal, and found that not only would its development add to the fuel and power of the country but that there is a possibility of breaking the monopoly of Germany in dyestuffs by developing and utilizing the oil that is found in these deposits. One hundred thousand dollars?

Oh, yes; "in these piping times of peace," as the gentleman says, we ought not to expend money for such purposes. Yet the gentleman has time and again voted for bills that expended millions on Government activities not worth one-half as much to the economic strength of the Nation, and he will do so again. You spend millions to build railroads in Alaska and millions to take care of private contractors, millions for irrigation, millions for public buildings, millions in increasing salaries, millions for useless positions, but, forsooth, when a committee comes in here with no selfish interests to serve, with none of them having a selfish interest in that the money is to be expended in their districts, and asks you to spend $100,000 to develop and utilize one-third of the coal deposits of the United States by putting the use of lignite on a paying commercial basis, like it is in other countries, the gentleman, with an assumed air of superiority, and as the self-appointed mentor of the House, raises the bugaboo of Government ownership. Such a contention is absurd, and readily appears so by even a cursory reading of the bill.

I have no interest in the bill other than the interest all have who have vision and intelligence sufficient to see the wisdom of developing the natural resources of the country. Of course, those who are lacking in constructive thought, and who limit their activities to objecting to everything not proposed by themselves, or does not give a direct benefit to their districts, can be expected to oppose measures of this kind. The committee believed this expenditure wise and that it would bring a great return to the country, and directed me to report it, which I have done. I repeat, I have no special interest in the bill, nor has my district, but I support it because I believe it is a wise piece of constructive legislation that will promote the public welfare. It will, I think, ultimately mean a saving of $15,000,000 annually to the State of Texas alone, and many more millions to the other Western States.

The SPEAKER pro tempore. The time of the gentleman from Arkansas has expired. All time has expired. The question is

on the motion of the gentleman from Arkansas to suspend the rules and pass the bill as read with the committee amendments.

The question was taken, and on a division, at the suggestion of the Chair, there were—ayes 38, noes 20.

Mr. WINGO. Mr. Speaker, on this I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Arkansas makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll; and there were—yeas 182, nays 85, answered "present" 4, not voting 160, as follows:

YEAS—182.

Alexander	Eagan	Jones	Ramseyer
Anderson	Eagle	Kehoe	Randall
Baer	Edmonds	Kelly, Pa.	Rankin
Barkley	Elston	King	Rayburn
Barnhart	Esch	Kinkaid	Romjue
Beakes	Evans	Knutson	Rubey
Bell	Fess	La Follette	Rucker
Benson	Fields	LaGuardia	Sanders, La.
Beshlin	Fisher	Lampert	Schall
Bland, Va.	Flood	Larsen	Scott, Mich.
Blanton	Focht	Lea, Cal.	Shallenberger
Booher	Fordney	Lesher	Siegel
Brodbeck	Foss	Linthicum	Sims
Buchanan	Foster	Little	Sinnott
Burnett	French	Littlepage	Sloan
Byrnes, S. C.	Gallagher	Lobeck	Small
Byrns, Tenn.	Gandy	Lonergan	Smith, Idaho
Caldwell	Gard	Lundeen	Smith, T. F.
Candler, Miss.	Garner	McAndrews	Steagall
Cantrill	Garrett, Tenn.	McCulloch	Steenerson
Carlin	Glynn	McKinley	Stephens, Miss.
Cary	Godwin, N. C.	Magee	Stephens, Nebr.
Cleary	Good	Mann	Stevenson
Coady	Goodwin, Ark.	Mansfield	Sumners
Collier	Gordon	Mapes	Taylor, Ark.
Connally, Tex.	Gray, Ala.	Martin	Taylor, Colo.
Copley	Griest	Mason	Tillman
Crago	Hadley	Mays	Timberlake
Cramton	Hamlin	Miller, Wash.	Voigt
Crisp	Hardy	Mondell	Walton
Crosser	Harrison, Va.	Morgan	Watson, Va.
Curry, Cal.	Hastings	Nelson, A. P.	Weaver
Darrow	Hawley	Nolan	Welling
Davis	Hayden	Norton	Welty
Dempsey	Heflin	Oldfield	Whaley
Denison	Hensley	Oliver, Ala.	Wheeler
Dent	Hilliard	Olney	White, Ohio
Denton	Holland	Osborne	Williams
Dickinson	Houston	Overstreet	Wilson, La.
Dill	Huddleston	Phelan	Wilson, Tex.
Dillon	Hull, Iowa	Platt	Wingo
Dixon	Hull, Tenn.	Polk	Wise
Dominick	Humphreys	Porter	Wright
Doolittle	Igoe	Pou	Young, Tex.
Doremus	Jacoway	Rainey, J. W.	
Doughton	James	Raker	

NAYS—85.

Almon	Fuller, Ill.	McKenzie	Snell
Anthony	Gillett	McKeown	Snook
Aswell	Gould	Merritt	Snyder
Ayres	Graham, Ill.	Montague	Stafford
Bacharach	Green, Iowa	Moon	Strong
Bankhead	Greene, Mass.	Moore, Pa.	Sweet
Birch	Greene, Vt.	Moores, Ind.	Temple
Blackmon	Hamilton, Mich.	Mott	Thompson
Bland, Ind.	Haskell	Paige	Tilson
Burroughs	Hersey	Parker, N. J.	Treadway
Campbell, Kans.	Hicks	Peters	Vare
Cannon	Hollingsworth	Powers	Vestal
Clark, Pa.	Johnson, Wash.	Purnell	Ward
Classon	Juul	Ramsey	Wason
Dale	Kearns	Rogers	Watson, Pa.
Dallinger	Kennedy, Iowa	Rose	White, Me.
Dies	Kincheloe	Rouse	Winslow
Dowell	Kraus	Rowe	Woodyard
Drukker	Langley	Sanders, Ind.	Zihlman
Elliott	London	Sanford	
Ellsworth	Lufkin	Sells	
Farr	McFadden	Shouse	

ANSWERED "PRESENT"—4.

Browning	Chandler, Okla.	Claypool	Walsh

NOT VOTING—160.

Ashbrook	Cooper, W. Va.	Fairfield	Heaton
Austin	Cooper, Wis.	Ferris	Heintz
Black	Costello	Flynn	Helm
Borland	Cox	Francis	Helvering
Bowers	Currie, Mich.	Frear	Hood
Brand	Davey	Freeman	Howard
Britten	Decker	Fuller, Mass.	Husted
Browne	Delaney	Gallivan	Hutchinson
Brumbaugh	Dewalt	Garland	Ireland
Butler	Donovan	Garrett, Tex.	Johnson, Ky.
Campbell, Pa.	Dooling	Goodall	Johnson, S. Dak.
Caraway	Drane	Graham, Pa.	Kahn
Carew	Dunn	Gray, N.J.	Keating
Carter, Mass.	Dupré	Gregg	Kelley, Mich.
Carter, Okla.	Dyer	Griffin	Kennedy, R. I.
Chandler, N. Y.	Emerson	Hamill	Kettner
Church	Essen	Hamilton, N. Y.	Key, Ohio
Clark, Fla.	Estopinal	Harrison, Miss.	Kiess, Pa.
Connelly, Kans.	Fairchild, B. L.	Haugen	Kitchin
Cooper, Ohio	Fairchild, G. W.	Hayes	Kreider
Lazaro	Nichols, Mich.	Russell	Sullivan
Lee, Ga.	Oliver, N. Y.	Sabath	Swift
Lehlbach	O'Shaunessy	Sanders, N. Y.	Switzer
Lever	Overmyer	Saunders, Va.	Tague
Longworth	Padgett	Scott, Iowa	Templeton
Lunn	Park	Scott, Pa.	Thomas
McArthur	Parker, N. Y.	Scully	Tinkham
McClintic	Pratt	Sears	Towner
McCormick	Price	Shackleford	Van Dyke
McLaughlin, Mich.	Quin	Sherley	Venable
McLaughlin, Pa.	Ragsdale	Sherwood	Vinson
McLemore	Rainey, H. T.	Sisson	Volstead
Madden	Reavis	Slayden	Waldow
Maher	Reed	Slemp	Walker
Miller, Minn.	Riordan	Smith, Mich.	Watkins
Morin	Robbins	Smith, C. B.	Webb
Mudd	Roberts	Stedman	Wilson, Ill.
Neely	Robinson	Steele	Wood, Ind.
Nelson, J. M.	Rodenberg	Sterling	Woods, Iowa
Nicholls S. C.	Rowland	Stiness	Young, N. Dak.

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. CARAWAY with Mr. BROWNE.

Mr. SLAYDEN with Mr. MILLER of Minnesota.

Mr. HARRISON with Mr. REAVIS.

Mr. SAUNDERS of Virginia with Mr. WALSH.

Mr. PADGETT with Mr. BROWNING.

Mr. WATKINS with Mr. REED.

Mr. FERRIS with Mr. BOWERS.

Mr. CARTER of Oklahoma with Mr. BRITTEN.

Mr. STEELE with Mr. BUTLER.

Mr. DUPRÉ with Mr. GRAHAM of Pennsylvania.

Mr. GALLIVAN with Mr. COOPER of Ohio.

Mr. KEY of Ohio with Mr. LONGWORTH.

Mr. ROBINSON with Mr. SANDERS of New York.

Mr. SEARS with Mr. STINESS.

Mr. THOMAS with Mr. WOOD of Indiana.

Mr. WEBB with Mr. TOWNER.

Mr. VAN DYKE with Mr. WILSON of Illinois.

Mr. BROWNING. Mr. Speaker, I wish to be recorded present. I have a pair with my colleague, the gentleman from Tennessee, Mr. PADGETT. If I were allowed to vote, I should vote "no."

Mr. WALSH. Mr. Speaker, I am paired with the gentleman from Virginia, Mr. SAUNDERS. I voted "aye." I desire to withdraw my vote and answer "present."

The name of Mr. WALSH was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. A quorum is present, the Doorkeeper will unlock the doors.

EXTENSION OF REMARKS.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to revise my remarks.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent to print in the RECORD the tribute of ex-President Taft to the late Col. Roosevelt.

The SPEAKER pro tempore. The Chair is advised that has already been done to-day. The present occupant of the chair was not here then, but the clerks at the desk advise him that that order has been granted. This is suspension day, and the Speaker directed after the last motion that the Unanimous Consent Calendar be called.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. STAFFORD. The rule provides that immediately after the reading of the Journal on days when it is in order to suspend the rules the Speaker is directed to have the Unanimous Consent Calendar called. Business having intervened since the reading of the Journal, is it now in order to call the Unanimous Consent Calendar? Does it require unanimous consent to consider that calendar? I direct the present occupant of the chair to the rule:

On days when it shall be in order to move to suspend the rules the Speaker shall, immediately after the approval of the Journal, direct the Clerk to call the bills which have been for three days upon the Calendar for Unanimous Consent. Should objection be made to the consideration of any bill so called, it shall immediately be stricken from such calendar; but such bill may be restored to the calendar at the instance of the Member, and if again objected to it shall be immediately stricken from such calendar and shall not thereafter be placed thereon: *Provided*, That the same bill shall not be called twice on the same legislative day.

It has been the policy, as the present occupant of the chair well knows, that the Unanimous Consent Calendar has been first called, and then the Speaker would recognize certain Members

to move to suspend the rules. The rule specifically provides that immediately after the reading of the Journal it shall be in order and the Speaker is directed to have the Unanimous Consent Calendar called. Of course he has authority to suspend the rules and recognize Members for that purpose. Now, having done so, is it not too late to call the Unanimous Consent Calendar?

Mr. MANN. Mr. Speaker, this is suspension day. Under the rules the first and third Mondays of each month are suspension days, when it is in order to move a suspension of the rules, and by the unanimous-consent agreement it is Monday, as far as the order of business is concerned. A motion to suspend the rules is in order at any time on those two Mondays of the month—at any time a motion to suspend the rules is in order. Now, the rule provides that on suspension days the Unanimous Consent Calendar shall be called. It says:

Shall, immediately after the approval of the Journal, direct the Clerk to call the bills, etc.

No one will contend that that would prevent the Speaker recognizing some one to ask unanimous consent, as was done this morning, nor is it within the power of the Speaker to abrogate the rule by recognizing some one after the reading of the Journal to ask unanimous consent to do something else, and then say that because he has recognized some one to ask unanimous consent he can not physically direct the Clerk to call the Unanimous Consent Calendar after the reading of the Journal because he has done something else. The Speaker can not suspend a rule of the House in that way. It is the duty of the Speaker to have the Unanimous Consent Calendar called to-day under the rule. It is the privilege of the Speaker to recognize some one to ask unanimous consent to do something, and it is within the power of the Speaker to recognize any Member of the House to-day to move to suspend the rules, but meanwhile, when those things are out of the way, then the Unanimous Consent Calendar automatically is called for under the rule.

The SPEAKER pro tempore (Mr. CRISP). Answering the parliamentary inquiry of the gentleman from Wisconsin [Mr. STAFFORD], the Chair will state that the gentleman from Illinois [Mr. MANN] correctly answered the inquiry. The Chair was going to answer the gentleman's inquiry before the gentleman from Illinois indicated his desire to express his views to the effect that this being the first Monday it was in order to call the Unanimous Consent Calendar, and the fact that there had been some motions to suspend the rules entertained previously in no wise vitiated the right that the Unanimous Consent Calendar should be called if the House should remain in session. The Clerk will report the first bill.

RESTORATION TO ENTRY OF 80-ROD STRIP RESERVATIONS IN ALASKA.

The first bill in order on the Calendar for Unanimous Consent was the bill (H. R. 12210) to amend the act of May 14, 1898, as amended by the act of March 3, 1903, entitled "An act to extend the homestead laws and to regulate the sale and entry of public lands along the shore of navigable waters in Alaska."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the gentleman who reported this bill has to-day been ceremoniously deprived of his seat. I do not know whether the present Delegate from Alaska is acquainted with the present measure and I ask unanimous consent that the bill——

Mr. MANN. Mr. Speaker, reserving the right to object, this bill is so plainly a proper measure and is so much needed by a few people that it ought not to be delayed.

Mr. STAFFORD. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. STAFFORD. In the last line of the bill there is a reservation that these reserved spaces shall not apply so far as harborage uses are concerned. I would like to inquire if that should not also include wharfage as well as harborage?

Mr. MANN. I do not think it is necessary.

Mr. GARRETT of Tennessee. Do you want to pass it without prejudice?

Mr. MANN. It ought to pass the House. The legislation ought to be enacted. Under the law relating to Alaska when a man has taken a homestead claim there must be 80 rods intervening between two homesteads, which is entirely unnecessary, and makes them a long way apart. Then they are restricted as to the area in width, and so forth, when the fact is that these homesteaders who take homesteads for agricultural purposes have to run along a stream to a very large extent. They want length and not width. Now, strange to say, contrary to the belief which I have entertained for many years, they are really developing some agriculture up there. I have learned recently by some reports and from talks, partly with Mr. SULZER, that they are supplying most of the small agricultural products up there by raising them at home. And this bill will permit these people to obtain homesteads which otherwise will be absolutely impossible and impracticable owing to the nature and location of the land up there suitable for the purpose.

Mr. STAFFORD. The only doubt I had in my mind was as to whether it was feasible to grant to any homesteader more than 160 rods along any navigable stream.

Mr. MANN. But that is the very thing. Now, we reserved rights up there so as to reserve the navigation. But here comes a man wanting to homestead along a stream. He can only get now 160 rods. He can not go very far away from the stream—a narrow valley. He can utilize that ground in raising products. He can not afford to devote his entire time in raising products on a strip 160 rods long and which is only a few rods wide. There is no reason why he should not be permitted to get sufficient arable land in length to make him a homestead and then let somebody else get the land that is next to him. In other words, it was a desire on the part of Congress in the first place, and it was a proper desire, to prevent the monopolization of the lands along all navigable streams. In the main, that has been done, practically, and the Government has selected nearly everything they wanted up there, especially along the shore lines. We did not desire, and the gentleman will remember there were a number of contests in the House, to make it possible for some great monopoly to take the homesteads along the shore line and acquire the harborage rights on the harbors of Alaska. I think that is fully protected.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 12210) to amend the act of May 14, 1898, as amended by the act of March 3, 1903, entitled "An act to extend the homestead laws and to regulate the sale and entry of public lands along the shore of navigable waters in Alaska."

Be it enacted, etc., That the provisions of the act of May 14, 1898 (30 Stats. L., p. 409), extending the homestead laws to Alaska, and of the act of March 3, 1903 (32 Stats. L., p. 1028), amendatory thereof, in so far as they reserve from sale and entry a space of at least 80 rods in width between tracts sold or entered under the provisions thereof along the shore of any navigable water, and to provide that no entry shall be allowed extending more than 160 rods along the shore of any navigable water, shall not apply to lands classified and listed by the Secretary of Agriculture for entry under the act of June 11, 1906 (34 Stats., p. 233), and that the Secretary of the Interior may, in his discretion, restore to entry and disposition such reserved spaces as he shall determine are not necessary for harborage uses and purposes.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. RAKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

GRANT OF LANDS TO THE CITY OF SAN DIEGO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10587) granting to the city of San Diego certain lands in the Cleveland National Forest and the Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water, and for other purposes.

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, this bill, I understand, is not wanted to be considered now and ought to go to the foot of the calendar.

Mr. RAKER. It will not take but a moment.

Mr. FOSTER. Oh, yes; it will.

Mr. RAKER. We do not want to put it at the foot of the calendar.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that this bill be passed to the foot of the calendar. Is there objection? [After a pause.] The Chair hears none.

INCREASE OF PENSIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6421) to increase the pensions of those who have lost limbs or who have been totally disabled in the military or naval service of the United States.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Let the bill be considered, Mr. Speaker, on the reservation of objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 6421) to increase the pensions of those who have lost limbs or have been totally disabled in the same in the military or naval service of the United States.

Be it enacted, etc., That from and after the passage of this act all persons on the pension roll, and all persons hereafter granted a pension, who, while in the military or naval service of the United States, and in the line of duty, shall have lost one hand or one foot, or have been totally disabled in the same, shall receive a pension at the rate of $65 per month; and that all persons who in like manner shall have lost an arm at or above the elbow, or a leg at or above the knee, or have been totally disabled in the same, or where there has been an excision or resection of any part of the bones of the arm or leg, or of the elbow or knee joints, or where there is an ankylosis of either of said joints, shall receive a pension at the rate of $70 per month; and that all persons who in like manner shall have lost an arm at the shoulder, or a leg at the hip joint, or so near the shoulder or hip joint, or where the same is in such a condition as to prevent the use of an artificial limb, or have been totally disabled in the same, or where there has been an excision or resection of any part of the humerus or femur or of the shoulder or hip joint, or where there is ankylosis of either of said joints shall receive a pension at the rate of $75 per month; and that all persons who in like manner shall have lost one hand and one foot, or have been totally disabled in the same, or where there has been an excision or resection of any part of the arm or leg, or where there is an ankylosis of any of the joints of said arm or leg, shall receive a pension at the rate of $100 per month; and that all persons who in like manner shall have lost both hands or both feet, or have been totally disabled in the same, or where there has been an excision or resection of any part of the bones or joints of either of said arms or legs, or where there is an ankylosis of any of the joints of said arms or legs, shall receive a pension at the rate of $100 per month; and that all persons who in like manner shall have lost both arms and both legs, or have been totally disabled in the same, or where there has been an excision or resection of any part of the bones or of the joints of either of said arms or legs, shall receive a pension at the rate of $150 per month: *Provided, however*, That this act shall not be so construed as to reduce any pension under any act, public or private.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill just read?

Mr. GARRETT of Tennessee. I object.

The SPEAKER pro tempore. The bill will be stricken from the calendar. The Clerk will report the next bill.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on that bill. I want to make an explanation.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

INCREASING PENSIONS OF ARMY NURSES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 7738) to increase the rate of pension allowed to Army nurses.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, under a reservation of an objection, I ask that this bill be read for information.

The SPEAKER pro tempore. The bill will be read.

The Clerk read as follows:

Be it enacted, etc., That from and after the passage of this act the rate of pension allowed to Army nurses of the Civil War, whose names have been or shall hereafter be properly placed upon the pension roll under the provisions of existing laws, and otherwise entitled to receive a less rate than herein provided, shall be $25 per month.

SEC. 2. That this act shall not be construed to repeal or modify the provisions of section 4720, Revised Statutes, United States, as to rates of pension fixed by special act of Congress.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill just read?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire of the gentleman who introduced the bill and reported it as to the number of nurses that this bill will apply to.

Mr. LANGLEY. My information, obtained from the Commissioner of Pensions or the Pension Office, is that there are now only about 145 Army nurses to whom this increase would apply. There were when this bill was introduced something over 200. Nearly all of these Army nurses have battle-field records. A majority of them, I am informed, are in indigent circumstances, and I really think that it was an oversight that they were not included in the Ashbrook bill and the Smoot bill, increasing the pensions of widows. Everybody, I think, will agree that these Army nurses with this record should have been included.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. LANGLEY. I will.

Mr. GARD. Will the gentleman advise the House what these Army nurses now get?

Mr. LANGLEY. They get $12 now. This bill is to increase their pension to $25 per month.

The SPEAKER pro tempore. Is there objection?

Mr. GARRETT of Tennessee. I object.

The SPEAKER pro tempore. The gentleman from Tennessee objects, and the Clerk will report the next bill.

Mr. LANGLEY. Will the Speaker recognize me at this moment to make a motion to suspend the rules?

The SPEAKER pro tempore. The Chair would state that he is now temporarily occupying the chair, and, carrying out the instructions of the Speaker, he could not entertain a motion now by anybody to suspend the rules. The Clerk will report the next bill.

LANDS OF THE SOUTHERN OREGON CO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8625) to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay Wagon Road grant, to provide for the disposition of said lands, and for other purposes.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That upon the execution and delivery by the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, of a deed satisfactory to the Attorney General of the United States, reconveying to the United States all the right, title, and interests of the said Southern Oregon Co. in and to the lands situated in the counties of Coos and Douglas, in the State of Oregon, and embraced within the limits of the grant made by the United States to the State of Oregon by the act of March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay Wagon Road grant, and now involved in litigation pending in the Supreme Court of the United States under the style and title "The Southern Oregon Co. *v.* The United States," the said lands shall again become a part of the public domain, and the United States shall pay to the Southern Oregon Co. the sum of $232,463.07. The execution and delivery of the aforesaid deed within 30 days from and after the approval of this act shall constitute the acceptance of this act by the said Southern Oregon Co.; and upon the approval of such deed by the Attorney General of the United States the aforesaid suit shall be dismissed and all matters of difference, controversy, and litigation between the United States and the said Southern Oregon Co. arising out of said land grant shall be deemed fully settled, adjusted, and terminated.

SEC. 2. That the taxes accrued and unpaid on the said lands on the date of the delivery of the deed provided for in the preceding section shall be paid by the Treasurer of the United States upon the order of the Secretary of the Interior as soon as may be after this act becomes effective, and a sum sufficient to make such payment and also to provide for the payment of the said sum of $232,463.07, as provided for in section 1 of this act, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 3. That the said lands shall be classified and disposed of in the manner provided by the act of June 9, 1916 (39 Stat. L., 218), for the classification and disposition of the Oregon and California railroad grant lands: *Provided*, That such persons who, being citizens of the United States, have continuously leased from the said Southern Oregon Co. for a period of not less than 10 years any of said lands classified as agricultural, not exceeding 160 acres to each person, shall be allowed a preference right of six months in which to purchase such lands from the United States by paying therefor the sum of $2.50 per acre: *Provided further*, That where any of such leased lands have been resided upon, to the same extent and in the same manner as is required under the homestead laws, since the 1st day of December, 1913, by any person duly qualified to enter such lands claiming adversely to such lessee, and who has improved the land and devoted some portion thereof to agricultural use, and who shall have maintained his residence to the date of his application, the claim of such settler and resident shall be superior to that of the lessee, and he shall be allowed the preference right of entry afforded actual settlers by section 5 of the act of June 9, 1916, aforesaid.

SEC. 4. That the title to all money arising out of said lands and now on deposit to await the final outcome of said suit now pending in the Supreme Court, as aforesaid, is hereby vested in the United States, and the United States is subrogated to all the rights and remedies of the obligee or obligees, and especially of Harry E. Laughlin as commissioner, under any contract for the purchase of timber on said lands.

SEC. 5. That all moneys received from or on account of said lands and timber and the timber thereon under the provisions of this act shall be deposited in the Treasury of the United States in a separate fund to be designated "The Coos Bay Wagon Road grant fund," which fund shall be disposed of in the following manner: A separate account shall be kept in the General Land Office of the sales of said lands and timber within each of the two counties of Coos and Douglas, and after the proceeds from such sales amount to a sum equal to that applied to pay the accrued taxes in that county and a sum equal to $2.50 per acre for each acre of such land therein title to which is revested in the United States pursuant to the provisions of this act, 25 per cent of all other moneys received from said lands shall be paid to the State treasurer of the State of Oregon, to be and become a part of the irreducible school fund of the State; 25 per cent shall be paid to the treasurer of the county in which the lands sold are situated for common schools, roads, highways, bridges, and port districts, to be apportioned by the county courts for the several purposes above mentioned; 40 per cent shall be paid into, reserved, and appropriated as a part of the fund created by the act of June 17, 1902, known as the reclamation act; and the remainder shall become a part of the general fund in the Treasury of the United States. The payments herein authorized shall be made by the Treasurer of the United States upon the order of the Secretary of the Interior, as the fund accumulates in the Treasury: *Provided*, That none of the payments to the State and counties and to the reclamation fund provided for in this section shall be made until the Treasury has been reimbursed in the amount paid to the Southern Oregon Co. and also for all taxes paid pursuant to the provisions of section 2 of this act.

SEC. 6. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect; and any person, applicant, purchaser, entryman, or witness who shall swear falsely in any affidavit or proceeding required hereunder or under the regulations issued by the Secretary of the Interior shall be guilty of perjury and liable to the penalties prescribed therefor.

SEC. 7. That the sum of $50,000 be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to enable the Secretary of the Interior, in cooperation with the Secretary of Agriculture, or otherwise, to complete the classification of the lands as herein provided, which amount shall be immediately available and shall remain available until such classification shall have been completed.

SEC. 8. That this act shall become effective upon its acceptance by the Southern Oregon Co., in the manner provided by the first section hereof.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill just read?

Mr. GARRETT of Tennessee. I object.

The SPEAKER pro tempore. The gentleman from Tennessee objects, and the Clerk will report the next bill.

Mr. SINNOTT. Mr. Speaker, will the gentleman from Tennessee reserve his objection for a moment?

Mr. GARRETT of Tennessee. I will.

Mr. SINNOTT. If this bill is deferred in its passage until February or March, an additional amount of taxes will accrue to the extent of $40,000 or $60,000. This matter has been in the courts for some time. The Attorney General's Office has effected a compromise with the wagon-road company, by which the wagon-road company offers to settle the litigation, receiving just exactly what the courts have held that the wagon-road company is entitled to, and no more. If this bill is further delayed until the next tax-paying time comes around, something like $40,000 or $60,000 more of taxes will have to be paid in March, and it is to the interest of the Government that this litigation be settled at once. I hope the gentleman from Tennessee [Mr. GARRETT] will not insist on his objection.

Mr. GARRETT of Tennessee. Mr. Speaker, may the bill be again reported?

The SPEAKER pro tempore. Without objection, the bill will again be read.

The bill was again read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SINNOTT. I wish to further state, Mr. Speaker, that this is really a bill retaking something like 93,000 acres of land and vesting in the United States Government the title of a wagon-road grant. The bill was drafted by the Attorney General's office and introduced by myself, and the committee modified the bill and changed the allowance to the State from 50 per cent to 25 per cent.

Mr. GARRETT of Tennessee. The copy of the bill that I have before me does not show that it has been reported from the committee.

Mr. SINNOTT. It has been reported from the Committee on Public Lands. The gentleman must have the wrong copy.

Mr. MANN. It was reported on June 24, 1918, by the gentleman from Arkansas [Mr. TILLMAN].

Mr. GARRETT of Tennessee. Just a moment, if you please. Is there a unanimous report?

Mr. SINNOTT. Yes. There is a unanimous report.

Mr. STAFFORD. If the gentleman will permit, just prior to the close of the last session I asked unanimous consent that this bill be passed over so that further information could be obtained, and later on my former colleague, Senator LENROOT, called upon me and stated that he had given very full consideration to this measure and that it was in line with the bill that had been passed concerning the Oregon and California railroad land grants.

Mr. SINNOTT. Except the allowance to the State is cut in two.

Mr. GARRETT of Tennessee. The bill ought to be on the Union Calendar.

Mr. SINNOTT. It is.

Mr. MAYS. Mr. Speaker, for the benefit of the gentleman from Tennessee I might say that I was a member of the subcommittee, consisting of Mr. TILLMAN as chairman and somebody else, and that we reported this bill unanimously to the whole committee. The report was unanimous from the Committee on the Public Lands in favor of this bill.

It occurred to the committee from the evidence that the matter was urgent, and that the Government stood to gain in the transaction; that 93,000 acres of good timber land—most of it good timber land—was granted back to the Government, and altogether the United States was to be the gainer in the passage of the bill. I think, therefore, that there should not be any objection made.

Mr. MANN. I will say to the gentleman from Tennessee that the bill is on the Union Calendar. While my friend says it was on the House Calendar, it is now on the Union Calendar.

The SPEAKER pro tempore. Is there objection?

Mr. GARRETT of Tennessee. I withdraw the objection, Mr. Speaker.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was again read.

The SPEAKER pro tempore. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 2, line 25, after the word "terminated" add the following: "*Provided*, That nothing herein shall be construed to prevent the United States from instituting and maintaining such suits or actions as may be necessary to recover the value of timber or other material heretofore cut or removed from any of said lands without the consent of the Southern Oregon Co."

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 3, line 6, after the word "accrued" strike out the word "and," and after the word "unpaid" insert the words "and now delinquent."

Mr. SINNOTT. Mr. Speaker, I wish to call the attention of the House to a clerical mistake. In line 6 the insertion of the word "now" in the amendment is improper, because it obscures the sense and is really not good grammar. On page 3, line 6, the word "now" should be stricken out of the committee amendment.

The SPEAKER pro tempore. The gentleman offers to amend the committee amendment by striking out the word "now"?

Mr. SINNOTT. By striking out the word "now."

Mr. STAFFORD. Will the gentleman yield?

Mr. SINNOTT. I yield to the gentleman.

Mr. STAFFORD. The Attorney General, in his letter to the chairman of the committee, suggested that it should be made clear whether the Government is to pay only the principal of the taxes or both the principal and the penalties and interest. As I read this amendment, the Government will be obligated to pay the penalties and the interest.

Mr. SINNOTT. That is the way they did upon the Oregon-California railroad grant. The taxes, including penalties and interest, are a valid lien, and I think they should be paid.

Mr. STAFFORD. Of course, we are helping the county by paying this large sum, running into $400,000.

Mr. SINNOTT. Well, at the same time you are removing the property from the tax roll.

Mr. STAFFORD. What is the amount of the penalties and interest accumulated on the taxes now due on this property?

Mr. SINNOTT. It is stated in the report of the Attorney General, on page 5, that the taxes in Coos County, without penalty and interest, for the years 1909 to 1916 amount to $233,636.45, while with the penalty and interest these taxes amount to $366,693.95. The net tax claimed by Douglas County, where the smaller portion of the grant is situated, amounts to $32,463.55, while the penalty and interest in this county are $9,699.11, making a total for Douglas County of $42,162.66.

Mr. STAFFORD. Making a total altogether of $408,846.61?

Mr. SINNOTT. Yes.

Mr. STAFFORD. And making a grand total of $641,309.68?

Mr. SINNOTT. Yes. That will require a total payment, of the taxes and the amount to the wagon-road company, aggregating $641,309.68, while the minimum valuation put upon the revested land is $2,000,000, and the estimates run from $2,000,000 up to $4,000,000. The Government will get 75 per cent of that difference. The taxes are ultimately going to be paid out of the sale of the land and timber.

Mr. STAFFORD. As I read the report, the $641,309.68 is the total amount for taxes, penalties, and interest.

Mr. SINNOTT. The total cost to the Government.

Mr. STAFFORD. For taxes alone?

Mr. SINNOTT. No; for taxes and the payment of $2.50 an acre to the wagon-road company.

Mr. STAFFORD. That is not the way I read that paragraph. Let us read it again:

It will thus be seen that if Congress assumes the obligation of paying all the accrued taxes, with penalty and interest, the total cost to the Government will amount to $641,309.68.

Mr. SINNOTT. If you add together the $232,463.07 and the $408,846.61, it amounts to $641,309.68.

Mr. STAFFORD. The gentleman is correct and I am in error.

Mr. SINNOTT. That is the total payment.

Mr. MANN. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. MANN. Is there any question in the gentleman's mind that the term "taxes unpaid and delinquent" includes penalties and interest?

Mr. SINNOTT. There is some question.

Mr. MANN. I should think so.

Mr. SINNOTT. And in the Oregon land-grant case the Attorney's General's office finally resolved it in favor of paying the penalties and the interest, and I tried to impress upon the committee the importance of clearing that up, but the committee thought otherwise. I wanted to insert the phrase "including penalties and interest," although I think that the Attorney General's office will probably advise the payment of the penalties and the interest. I think, as the gentleman from Illinois does, that the matter should be cleared up now, but I do not feel at liberty to offer the amendment.

Mr. MANN. It is also important in connection with section 5, where it provides for the repayment, that—

after the proceeds from such sales amount to a sum equal to that applied to pay the accrued taxes in that county and a sum equal to $2.50 per acre for each acre of such land therein title to which is revested in the United States pursuant to the provisions of this act—

certain disposition shall be made of the money. I take it, however, that that is sure to mean whatever taxes are paid.

Mr. SINNOTT. Yes.

Mr. MANN. Whether it includes penalties and interest or not?

Mr. SINNOTT. I think the bill should be amended to insert the phrase "including penalties and interest," but I do not feel at liberty to offer the amendment.

Mr. MANN. I have no doubt that before it becomes a law it will be so amended.

Mr. GARD. I ask the gentleman to yield for the purpose of asking a question of the chairman of the committee. Will the chairman of the committee advise me whether or not it was the intention of the committee to include this matter of penalties and interest?

Mr. TAYLOR of Colorado. That is my recollection, that it was.

Mr. SINNOTT. I think the committee thought that language included it, but I wanted to make it clear.

Mr. GARD. Another member of the committee advises me that such is not the fact.

Mr. MANN. Are not the penalties and interest a lien on the land, and do they not have to be paid?

Mr. SINNOTT. Yes.

Mr. MANN. The Government has no right to assume to seize this land without paying the taxes that are due upon it, has it? I do not know.

Mr. GARD. I do not know. The matter is one of arrangement between the Government and this corporation as to what shall be paid by the Government.

Mr. MANN. There is a contest between the parties, but the title is in the corporation.

Mr. GARD. The title is in the corporation.

Mr. MANN. And the taxes are assessed against the land.

Mr. GARD. In the transfer of the title there may be a provision as to the amount of taxes to be paid.

Mr. MANN. Here is a case where the taxes are assessed by a municipality. The Government makes an arrangement in the contest by which the Government takes the title back from the private corporation. Meanwhile the taxes have accrued. I doubt very much whether the Government, in compromising with that party, can oust the municipality or county of its right of taxation against this land. Very likely the money has been spent, and it may be bills issued to be paid out of the receipts when collected on this property. I do not know how that is.

Mr. SINNOTT. Mr. Speaker, I would like to offer an amendment to clear that matter up.

The SPEAKER pro tempore. The committee amendments will be first disposed of and then the Chair will recognize the gentleman to offer an amendment. The Clerk will first report the amendment to the committee amendment offered by the gentleman from Oregon.

The Clerk read as follows:

Page 3, line 6, strike out the word "now," at the end of the line.

The SPEAKER pro tempore. The question is on the amendment to the committee amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER pro tempore. The question now is on the committee amendment as amended.

The question was taken, and the committee amendment as amended was agreed to.

The SPEAKER pro tempore. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 3, line 24, after the word "years," insert "or who under lease from said company have cultivated and placed valuable improvements upon."

Mr. STAFFORD. Mr. Speaker, I would like to inquire of the gentleman if this is intended to include persons who may have put on inexpensive improvements and give them a preferential right to the property at $2.50 an acre?

Mr. SINNOTT. That committee amendment was put in at the suggestion of the Attorney General's office. The gentleman who went out there to investigate the land and the grant reports upon page 16 what he found upon the ground. A great many settlers went upon this land thinking they could compel the Wagon Road Co. to execute a deed to them, for the reason that the granting act contained the language that the grant should be "upon condition that the lands shall be sold to any person only in quantities not greater than a one-quarter section and for a price not exceeding $2.50 an acre."

Parties went on the land, cultivated it, and plowed and improved it. The court held that no settler could compel the Wagon Road Co. to make a grant to him. So the settlers, in order to protect their rights, entered into leases and agreements with the Wagon Road Co. that they should occupy the land, and in some cases also took options of sale. That committee amendment is for the purpose of taking care of these settlers and those who placed improvements thereupon.

Mr. STAFFORD. The bill as reported takes care of those who have continuously leased from the Wagon Road Co. for not less than 10 years. This will provide for subsequent squatters who happen to go on the land and make improvements.

Mr. SINNOTT. Who leased from the Wagon Road Co. and have cultivated the land and placed improvements thereon. In addition to paying $2.50 an acre these parties mentioned in the committee amendment would have to pay the taxes accrued against the land. They have that additional burden added to that of the ordinary purchaser.

Mr. MANN. Do they have to pay for the timber?

Mr. SINNOTT. They could not get the timber. If the timber runs over a million two hundred thousand to 160 acres, the land will be classified the same as it is under the Oregon and California land grants.

Mr. MANN. Is there any necessity of having both these provisions in the bill—the one in the bill and now the committee amendment. Are there any of these lessees who have continually leased the land for 10 years who have not made any valuable improvement upon it?

Mr. SINNOTT. That was the information of the Attorney General's office.

Mr. MANN. The information of the Attorney General's office was that people who had leased the land for 10 years continuously and made valuable improvements ought to have priority of right, but are there any of those who have leased continuously for 10 years and made no improvements on the land? I ask out of curiosity.

Mr. HAWLEY. I can not answer it from very specific knowledge, but I understand from information that there are persons who leased under 10-year provisions and who have built houses, barns, fenced the land, and cultivated and made their homes there and who have been paying taxes.

Mr. MANN. There is no occasion for the original provision remaining in the bill.

Mr. STAFFORD. Let me ask the gentleman if this is intended to take care of those who are mentioned on page 16—mere squatters on the land, who entered into it without any arrangement with the Wagon Road Co.?

Mr. HAWLEY. No; the amendment provides that they must have a lease from the Wagon Road Co.

Mr. STAFFORD. But the lease may be made at any time, and it was the original intention to grant this right to those who had a lease for 10 years.

Mr. HAWLEY. Yes.

Mr. STAFFORD. The Attorney General's office points out that there are a few persons who entered on the land without any contractual relations with the Wagon Road Co. and lived there a little while and made some scattering improvements.

Mr. SINNOTT. They are not embraced in this provision.

Mr. STAFFORD. Yes; they are if they subsequently got a lease.

Mr. SINNOTT. They must have had a lease and they must have had it for the last five or six years.

Mr. MANN. Oh, no; they could get a lease after this bill passes.

Mr. SINNOTT. The court has enjoined the Wagon Road Co. from making any disposition of the land. That injunction has been in force, I think, since 1914 or 1915.

Mr. MANN. Does that prevent the making of a lease of the ground?

Mr. SINNOTT. Any disposition at all until Congress shall have had an opportunity to pass on it.

Mr. MANN. Are they forbidden to make a lease of the ground?

Mr. SINNOTT. Yes.

Mr. MANN. The gentleman is sure of that?

Mr. SINNOTT. I am.

Mr. MANN. Unless they violate the injunction, there would be no leases granted after this bill passes.

Mr. SINNOTT. No.

Mr. HAWLEY. The lease would be invalid if granted?

Mr. SINNOTT. Yes.

Mr. MANN. I do not know that the lease would be invalid. They might send the man to jail for contempt of court.

Mr. HAWLEY. In answer to the gentleman from Wisconsin, my information is that the persons to be taken care of in the amendment of the committee have built good improvements on the land, intending to make it their home; they have built fences and barns and houses and other improvements.

Mr. STAFFORD. They went there without any arrangement with the Wagon Road Co.

Mr. HAWLEY. If any such people are included in this amendment, I do not know of them. I am speaking of those who have not resided on the land for 10 years, but who have resided there for 4 or 5 years and have made good improvements.

Mr. STAFFORD. They are pure squatters, and this is to take care of those people.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the other committee amendments.

The Clerk read as follows:

Page 4, line 4, after the word "acre," insert the words "and reimbursing the United States for the taxes paid on such land: *Provided further.*"

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Page 5, lines 15, 16, and 17, after the word "paid," in line 15, strike out the words "to the State treasurer of the State of Oregon, to be and become a part of the irreducible school fund of the State, 25 per cent shall be paid."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Page 5, lines 21, 22, 23, and 24, after the word "mentioned," in line 21, strike out the words "40 per cent shall be paid into, reserved, and appropriated as a part of the fund created by the act of June 17, 1902, known as the reclamation act."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Page 6, line 6, after the word "the," strike out the words "State and," and after the word "counties," in line 6, strike out the words "and to the reclamation fund."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Page 6, line 20, strike out "$50,000" and insert "$12,000."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SINNOTT, a motion to reconsider the vote by which the bill was passed was laid on the table.

SALARY OF UNITED STATES DISTRICT ATTORNEY—CONNECTICUT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4246) to increase the salary of the United States district attorney for the district of Connecticut.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. LONERGAN. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That from and after the passage of this act the salary of the United States district attorney for the district of Connecticut shall be at the rate of $5,000 a year.

The committee amendment was read as follows:

Page 1, line 5, strike out "$5,000" and insert "$4,500."

Mr. MANN. Mr. Speaker, I appreciate the fact that this bill is one that has been pending in different shapes here for a number of years. I think the first report was to increase the salary from $2,500 for the district attorney to $3,500.

Mr. STAFFORD. The gentleman may possibly be referring to the bill to increase the salary in Rhode Island.

Mr. MANN. Well, it may have been Rhode Island. I do not differentiate between the two—they are both alike; both equally meritorious. Next it was reported to increase the salary from $2,500 to $4,000. Now I see the bill is reported to increase the salary from $2,500 to $4,500. Does not the gentleman from Connecticut believe it would be a good idea for some one to object so the next Congress may put it to $5,000; probably the district attorney for so important a district ought to get $5,000 a year.

Mr. LONERGAN. Mr. Speaker, I will say to the gentleman that in the Sixty-third Congress a bill passed the Senate fixing the salary at $4,000, and the committee which had the matter in charge in the House decided not to deal with questions of this character because it was following the outbreak of the European war, when no such appropriation bills were being considered.

Mr. MANN. Oh, we have had a bill reported from that committee every Congress, I think, for a number of Congresses for this very Rhode Island, increasing the salary from $2,500 to some amount, as I have stated before.

Mr. LONERGAN. Well, the Sixty-third Congress and this Congress are the only two I know of that considered a bill for Connecticut, and the committee has acted favorably on the pending bill. I will say to the gentleman that the district attorney in Connecticut is obliged to devote all of his time to the performance of the duties of his office. The Attorney General approves of an increase.

The United States district judge wrote a letter stating that the attorney was fully occupied in the performance of his duties and the population of the State of Connecticut has increased between 600,000 and 700,000 since the salary was fixed at $2,500 something like 50 years ago. We have the largest alien population industrially in the United States.

Mr. MANN. What has that got to do with the district attorney?

Mr. LONERGAN. I was just leading up to it. The war work in the industries has been very great, and we did not have in the State of Connecticut any cases of property destruction or loss of life, because under the jurisdiction of the United States district attorney's office there was a large number of men employed doing detective work, investigation work, and reporting back to the United States district attorney. The office has been efficiently conducted, and I think if the gentleman from Illinois will make inquiry at the office of the Attorney General he will find that they have had as much of the watching of property as any office in the United States of like character.

Mr. MANN. I have not said anything against the district attorney. I doubt very much whether the district attorney has very much to do with watching over the natives or alien population during the war, and, if so, that is past in the main. There may be other reasons, but I rose mainly to suggest to my distinguished friend from Connecticut that this bill is for one district of the United States. It has to go through, if it passes here, and pass the scrutiny of another body of very distinguished people. I trust it will not be weighted down when it comes back with amendments fixing the salary in a lot of the other districts, because if it does it may pass here; I do not know.

The question was taken, and the committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. LONERGAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

PUBLIC BUILDING AT ELDORADO, KANS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12881) to increase the cost of the public building at Eldorado, Kans.

The SPEAKER pro tempore. Is there objection to the consideration of the bill just reported? [After a pause.] The Chair hears none. The bill is on the Union Calendar.

Mr. AYRES. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H R. 12881) to increase the cost of the public building at Eldorado, Kans.

Be it enacted, etc., That section 4 of the act of Congress approved March 4, 1913, authorizing and directing the Secretary of the Treasury to contract for the acquisition, by purchase or otherwise, of a site and to contract for the erection and completion thereon of a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, complete, for the use and accommodation of the United States post office and other Government offices at Eldorado, Kans., be, and the same is hereby, amended so as to increase the limit of cost for said building from $60,000 to $95,000.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. AYRES, a motion to reconsider the vote by which the bill was passed was laid on the table.

UNLAWFUL ORGANIZATIONS.

The next business on the Calendar for Unanimous Consent was the bill (S. 4471) to declare unlawful associations purposing by physical force, violence, or injury to bring about any governmental, social, industrial, or economic change in the United States, and prescribing punishment for persons engaged in the activities of such associations, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LONDON. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from New York objects, and the bill is stricken from the calendar. The Clerk will report the next bill.

ADDITIONAL JUDGE FOR DISTRICT OF ARIZONA.

The next business on the Calendar for Unanimous Consent was the bill (S. 714) providing for an additional judge for the district of Arizona.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MOORES of Indiana. Mr. Speaker, I object.

Mr. WATSON of Pennsylvania. I object, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Pennsylvania and the gentleman from Indiana object, and the bill is stricken from the calendar.

TIMBER PRIVILEGES TO CERTAIN CITIZENS IN OREGON.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12579) to grant citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill just read?

Mr. MANN. Mr. Speaker, reserving the right to object, let us have the bill reported.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 8 of an act entitled "An act to repeal the timber-culture laws, and for other purposes," approved March 3, 1891, be, and the same is hereby, amended by adding thereto the following:

"That it shall be lawful for the Secretary of the Interior to grant permits, under the provisions of the eighth section of the act of March 3, 1891, to citizens of Malheur County, Oreg., to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove the timber so cut to Malheur County, State of Oregon."

Also the following committee amendment was read:

Page 1, line 5, after the word "ninety-one," insert the following: "chapter 561, as amended by an act approved March 3, 1891, chapter 559, page 1093, volume 26, United States Statutes at Large."

The SPEAKER pro tempore. Is there objection to the consideration of the bill just read?

Mr. GARD. Reserving the right to object, I would like to ask the gentleman who has introduced the bill to inform the House of the necessity for a bill which grants the cutting of timber in one State to be carried to another State without any apparent limitation as to its use.

Mr. SINNOTT. The present law and regulations permit the cutting of timber not to exceed the value of $50 in any one year, to be used for the purposes set forth in the act, but that law precludes the use of that timber so cut in any other State than the State in which it is cut, except that the act has been twice amended permitting timber to be taken from Wyoming to Idaho and from Montana to Wyoming. Now, in the section of Oregon seeking relief by this bill there is no timber; there is particularly no timber in the Jordan Valley, on the Oregon side. The Jordan Valley is half in Oregon, in Malheur County, and half in Idaho. Over on the Idaho side there is considerable juniper timber, which may be cut and used for fence posts and for other domestic purposes. Over on the Oregon side they have recently voted a bond issue of some $900,000 to irrigate lands under a Carey Act project, and unless they can get this timber over on the Idaho side they are going to be very much handicapped and embarrassed in the development of this section of the country.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The bill is on the Union Calendar.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent to have the bill considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The bill was again reported.

Mr. MANN. Mr. Speaker, I suppose it is perfectly natural that the gentleman who drafted the bill should draft it in the form that he did, but it makes a rather, I was going to say, ludicrous condition of the statutes, because this is a provision to add to the eighth section of a certain law an amendment which says the provision of the eighth section, and so forth, shall not apply. That is the section to which this amendment is added, so that when this law shall be compiled it will read as section so-and-so, and at the end of that section it will refer to itself in a very formal manner, by referring to itself as the eighth section of a certain statute of the United States as amended. It would have been simpler, I would suggest to the gentleman, to amend the section by adding the new language to the provision of this section, and so forth, because this becomes a part of section 8.

Mr. SINNOTT. I probably followed the precedents too slavishly. I merely copied the other old amendments.

Mr. MANN. I am not endeavoring to criticize the gentleman at all. What was done was very natural, but it does make it read rather awkwardly.

Mr. STAFFORD. Does the gentleman advise the House why he made the reference to the law he seeks to amend so specific, by not only citing it by chapter but also by the date on which it was passed? It is not customary to be so specific, to mention the chapter and then add the date of the approval of the act.

Mr. SINNOTT. I will say to the gentleman that there were two acts passed about the same time, and the date was included so as to distinguish between the two.

Mr. STAFFORD. Yes; but the two acts did not bear the same title. It says:

That section 8 of an act entitled "An act to repeal the timber-culture laws, and for other purposes," approved March 3, 1891, chapter 561, as amended by an act approved March 3, 1891, chapter 559, page 1093, volume 26, United States Statutes at Large.

I do not think the gentleman could find anything else in the statute whereby he could describe the act which he intends to amend more specifically.

Mr. SINNOTT. There has always been a matter of uncertainty——

Mr. MANN. No; it has not been a matter of uncertainty. It is a fact that the Land Office and the Department of the Interior have recommended this sort of thing for years, and I have almost reached the conclusion that it is a good thing.

If there is one difficult thing to find it is something in the Statutes at Large where you refer to the date of the statute and the date of the approval, because the dear compilers of the Statutes at Large will not print on each page of the Statutes at Large the date of the approval of the act, but they simply put in the chapter, and if you know the date of the approval of the act you can look and find it. In the case of appropriation bills you have to look at the end or the beginning in order to find the date. Now, these people have recommended an amendment which permits anyone at a moment's notice to turn to the page of the statute where the matter is to be found, and to know exactly how to find it, and where to find it, and find it quickly.

Mr. STAFFORD. The reference to the page is surplusage.

Mr. MANN. It is all surplusage. I can find it by reference to the title.

Mr. STAFFORD. But it is not necessary to put it in.

Mr. MANN. I say it is not necessary to put any of it in, but I am getting around to the conclusion, that it is a good thing to put in the chapter and page, so as to find it quickly in the Statutes at Large. Our statutes of the United States are now so jumbled up that the famed "Philadelphia lawyer" can not find what he is hunting one time in two.

Mr. JOHNSON of Washington. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Washington moves to strike out the last word.

Mr. JOHNSON of Washington. Mr. Speaker, I do not want to delay the passage of this bill or take up the time of the House more than a moment, but I want to congratulate the Committee on Public Lands on their energy and capacity for getting out their own bills. There are quite a number on this calendar from that committee, and they are making progress and passing bills. I hope they will soon have their bills all wound up, so that they can pay some attention to the bills of other Members who are not on the committee.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Washington. I will.

Mr. TAYLOR of Colorado. I will say to the gentleman that from the commencement of this session of Congress in December the chairman of that committee [Mr. FERRIS] has been unavoidably away on account of sickness.

Mr. JOHNSON of Washington. I suppose he was overworked in the handling of a national campaign. I have no doubt of that.

Mr. TAYLOR of Colorado. No; both he and his wife have been quite ill with the "flu." Politics has nothing to do with his absence. But he will not be here next week. I have been acting as chairman of the Public Lands Committee thus far this session and I have tried to give every man who has a bill pending before the committee an opportunity to come before the committee, and we have heard everybody who has come. You have not appeared before the committee this session. We have had several meetings and hearings have been given to everyone who asked recognition, I think. We have endeavored to finish up as nearly as we can all the important business and not at all confine our actions to bills in which the membership of the committee are interested. In fact, we put in practically all this morning listening to Senators and Senate bills. There has been no thought whatever of selfishly reporting out only our own bills. But it is perfectly natural that the members of that committee from the public-land States should have more of those bills than other Members do. However, any Member who has a bill that ought to pass can very easily get a hearing.

Mr. JOHNSON of Washington. I congratulate the gentleman. I have had a bill pending there for a long time, and I have been promised several times that I shall have a hearing.

Mr. TAYLOR of Colorado. Has the gentleman ever asked for a hearing?

Mr. JOHNSON of Washington. Yes; I have asked for a hearing many times.

Mr. TAYLOR of Colorado. If I am acting chairman, as I probably will be, I assure the gentleman he will be accorded a hearing if he appears before the committee next Saturday morning at 10 o'clock.

Mr. JOHNSON of Washington. I have asked for a hearing many times, as the chairman of the committee and the secretary will testify.

Mr. SMITH of Idaho. Mr. Speaker, I will say to the gentleman, for his satisfaction, that the committee ordered favorably reported four of the gentleman's bills this morning.

Mr. JOHNSON of Washington. I am very glad to hear it; and on the strength of that statement I will withdraw my pro forma amendment. [Laughter.]

The SPEAKER pro tempore. The pro forma amendment is withdrawn. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SINNOTT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

EULOGIES ON THE LATE SENATOR BRADY, OF IDAHO.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent that Sunday, January 26, be set aside for addresses on the life, character, and services of the late Senator BRADY, of Idaho.

The SPEAKER pro tempore. The gentleman from Idaho asks unanimous consent that Sunday, January 26, be set aside for addresses on the life, character, and services of the late Senator BRADY, of Idaho.

There was no objection.

WATER SUPPLY FOR OLATHE, COLO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 5989) to grant certain lands to the town of Olathe, Colo., for the protection of its water supply.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. MANN. Reserving the right to object, these seem to be public-land bills. I will ask the gentleman if he intends to have the House adjourn as soon as this bill passes?

Mr. TAYLOR of Colorado. No; I was hoping that we could let it run through this whole page. Here are nine public-land bills, all of which are meritorious measures.

Mr. MANN. I have no doubt of that.

Mr. TAYLOR of Colorado. Let me say to the gentleman from Illinois and to the House that the only way under the sun that the western Members of this House can ever get an opportunity to have these necessary bills passed is by their consideration on the Unanimous Consent Calendar.

Mr. MANN. The gentleman does not need to spend any time in telling me that. I know that.

Mr. TAYLOR of Colorado. I hope there will be no objection.

Mr. MANN. I did not take up the time of the House.

Mr. TAYLOR of Colorado. I know the gentleman has not. He has been treating us very nicely.

Mr. MANN. It was the gentleman's side of the House that wasted time to-day.

Mr. TAYLOR of Colorado. No; we have not wasted any time.

Mr. MANN. Why, surely.

Mr. TAYLOR of Colorado. I do not think either side has wasted any time.

Mr. MANN. First, you wasted time in two roll calls on a contested-election case. Then you wasted time on some other matters. The delay did not come from this side of the House. It does not lie in the mouth of any gentleman on that side of the House to lecture this side of the House about wasting time.

Mr. TAYLOR of Colorado. I have not been lecturing anybody.

Mr. MANN. Especially in view of what has taken place since the first Monday in December.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado to consider this bill in the House as in Committee of the Whole?

There was no objection.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to convey to the town of Olathe, county of Montrose, and State of Colorado, the southeast quarter of section 24, township 48 north, range 12, and the south half of section 19, and the southwest quarter of section 20, both in township 48 north, range 11 west, of the New Mexico principal meridian, in said county and State, containing 640 acres, more or less, to have and to hold said lands for the purpose of the protection of the reservoirs and water-supply pipe lines and waterworks system of said town: *Provided*, That the said town of Olathe shall, within two years from the passage of this act, pay for said lands, or such portions thereof as may be necessary for said purposes, at the rate of $1.25 per acre: *Provided further*, That the grant hereby made is, and the patent issued thereunder shall be, subject to all legal rights heretofore acquired by any person or persons in or to the above-described premises, or any part thereof, and now existing under and by virtue of the laws of the United States: *And provided further*, That there shall be reserved to the United States all oil, coal, and other mineral deposits that may be found in the lands so granted, and all necessary use of the lands for extracting the same.

The SPEAKER pro tempore. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 2, line 14, after the word "same" insert the following:
"*And provided further*, That title to the land shall revert to the United States should the same or any part thereof be sold or cease to be used for the purposes herein provided."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill was passed was laid on the table.

TELEGRAPHS AND TELEPHONES.

Mr. MOON. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter discussing the telegraph and telephone systems and the wisdom of the union of the two and the Government ownership of the same. This letter is written by Mr. Theodore N. Vail, president of one of these companies.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I understand that Mr. Vail is now associated with the Government in the operation and direction of the telephone and telegraph systems of the country.

Mr. MOON. I do not know whether he is or not.

Mr. STAFFORD. If he is not, I shall be constrained to object. I understand that he occupies some official capacity with the Government.

Mr. MOON. He may. I do not know whether he does or does not.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, until I can get the information——

Mr. STEENERSON. I have seen the statement in the newspapers that he is the official adviser of the Postmaster General on telegraphs and telephones.

Mr. STAFFORD. If he occupies some official capacity with the Government, I have no objection to the matter being inserted in the RECORD. Otherwise, I shall object.

Mr. MOON. I do not know, but I accept the statement of the gentleman from Minnesota.

The SPEAKER pro tempore. Is there objection?

There was no objection.

COAL LANDS IN ALASKA.

The next business on the Calendar for Unanimous Consent was the bill (S. 35) to provide for agricultural entries on coal lands in Alaska.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire whether this bill extends to others than qualified homestead entrymen?

Mr. TAYLOR of Colorado. I do not think so. I have not the general law before me, but it is to allow agricultural entries on lands reserved for coal lands.

Mr. STAFFORD. I wish to direct the attention of the gentleman to the designation that it applies to "actual settlers." That does not mean qualified entrymen. It would apply to any person who happened to locate upon Government land.

Mr. TAYLOR of Colorado. I do not think there was any intentional point in that matter. It was to make the law extend to the Territory of Alaska. We have a law allowing agricultural entries on the surface of coal lands.

Mr. STAFFORD. Is it the purpose to grant them the privilege of entering upon unsurveyed public lands?

Mr. TAYLOR of Colorado. I think so. My recollection is that there are great quantities of land in Alaska not surveyed and perhaps will not be for 50 years.

Mr. STAFFORD. Do we authorize entries in the States on unsurveyed public lands?

Mr. TAYLOR of Colorado. Yes, forest reserves; and survey it out by metes and bounds.

Mr. MANN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. The gentleman from Illinois asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

EXTENSION OF TIME FOR RECLAMATION OF LANDS IN OREGON.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13042) providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Let us have the bill read.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, within his discretion, to extend for a period of not exceeding 10 years the time of segregation in the Oregon Carey Act segregation list No. 13, comprising approximately 27,000 acres of land, same being situated in Deschutes County, Oreg., provided the Secretary of the Interior is further authorized to grant to the State of Oregon a similar extension of 10 years for the reclamation of said lands in addition to the time allotted under existing rules, regulations, contracts, and laws.

With the following committee amendments:

Strike out all after the enacting clause and insert:

That the Secretary of the Interior is hereby authorized, within his discretion, to continue to not beyond January 12, 1929, the segregation of the lands embraced in approved Oregon segregation list No. 13, under the Carey Act.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, may I ask the gentleman if it is customary to use in the law the expression "Carey Act"?

Mr. SINNOTT. Yes; it is referred to in those words in various statutes. This amendment came from the department and was recommended by the department.

Mr. GARRETT of Tennessee. The Carey Act has a well-defined meaning to our minds, but has it a well-defined meaning in the courts?

Mr. SINNOTT. I think it has a well-defined meaning in the courts. Everyone understands it as well as they do the "reclamation law."

Mr. GARRETT of Tennessee. It is referred to in the courts as the Carey Act.

Mr. SINNOTT. Yes. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was again read for amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SINNOTT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

AMENDMENT TO THE ESPIONAGE ACT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9094) to amend section 1 of Title VIII of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.

The SPEAKER pro tempore. Is there objection to the immediate consideration of the bill?

Mr. HUDDLESTON. Reserving the right to object, Mr. Speaker, this is an important bill, and it is too late to give it the consideration that it ought to have. I suggest to the gentleman from Ohio that it go over.

Mr. MANN. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Illinois makes a point of no quorum. Evidently there is no quorum present.

Mr. GARRETT of Tennessee. Mr. Speaker, would it be in order for me to move that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow?

The SPEAKER pro tempore. The Chair does not think that anything is in order after the fact is ascertained that no quorum is present.

LEAVE OF ABSENCE.

By unanimous consent, the following leave of absence was granted:

To Mr. TAGUE, leave of absence indefinitely, on account of illness.

To Mr. BRAND, for five days, on account of illness.

WITHDRAWAL OF PAPERS.

Mr. ZIHLMAN, by unanimous consent, was given leave to withdraw from the files of the House papers, without leaving copies, in the case of John T. Wheeler, Company I, Seventeenth West Virginia Volunteers, Sixty-fifth Congress, no adverse report being made thereon.

ADJOURNMENT.

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 11 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 8, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting estimate of appropriation, with the recommendation that it be given favorable consideration for inclusion in the sundry civil appropriation bill for the fiscal year 1920 (H. Doc. No. 1644); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Commissioners of the District of Columbia, submitting a supplemental estimate of appropriation required by the health department of the District of Columbia for preventing the spread of contagious diseases, fiscal year 1919 (H. Doc. No. 1645); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting a paragraph of legislation extending during the fiscal year 1920 the appropriation and authorization made by the act of July 1, 1918 (H. Doc. No. 1646); to the Committee on Appropriations and ordered to be printed.

4. A letter from the secretary of the Federal Trade Commission, transmitting a statement of the number of men in the service of the commission exempted from military duty or placed in deferred classification on request of the commission (H. Doc. No. 1647); to the Committee on Military Affairs and ordered to be printed.

5. A letter from the secretary of the United States Shipping Board, transmitting a statement of employees of the United States Shipping Board and Emergency Fleet Corporation who have been exempted from military duty or given deferred classification (H. Doc. No. 1648); to the Committee on Military Affairs and ordered to be printed.

6. A letter from the Secretary of War, transmitting a list showing the number of men in the service of the War Department at Washington for whom requests for exemption from military duty or deferred classification were asked and allowed (H. Doc. No. 1649); to the Committee on Military Affairs and ordered to be printed.

7. A letter from the Secretary of the United States Shipping Board, transmitting a statement showing all the employees of the Emergency Fleet Corporation who have been given deferred classification (H. Doc. No. 1650); to the Committee on Military Affairs and ordered to be printed.

8. A letter from the Attorney General of the United States, transmitting lists of employees of the Department of Justice for whom requests for exemption from military duty or deferred classification were asked and allowed (H. Doc. No. 1651); to the Committee on Military Affairs and ordered to be printed.

9. A letter from the Assistant Secretary of Labor, transmitting a list of employees of the Department of Labor for whom requests for deferred classification were asked and allowed (H. Doc. No. 1652); to the Committee on Military Affairs and ordered to be printed.

10. A letter from the Acting Secretary of the Treasury, transmitting a list of employees for whom requests for exemption from military duty or deferred classification have been asked and allowed (H. Doc. No. 1653); to the Committee on Military Affairs and ordered to be printed.

11. A letter from the Secretary of Commerce, transmitting a list of employees of the Department of Commerce for whom exemption from military duty or deferred classification have been asked and allowed (H. Doc. No. 1654); to the Committee on Military Affairs and ordered to be printed.

12. A letter from the Acting Secretary of War, transmitting names of men in the active or reserve forces of the Military Establishment, commissioned or enlisted, who have been assigned to clerical work and placed in deferred classification by reason of such assignment (H. Doc. No. 1655); to the Committee on Military Affairs and ordered to be printed.

13. A letter from the Secretary of the Interior, transmitting a statement showing the number of employees of the Department of the Interior for whom exemption from military duty or deferred classification has been asked and allowed (H. Doc. No. 1656); to the Committee on Military Affairs and ordered to be printed.

14. A letter from the President of the United States, transmitting, with a letter from the Secretary of State, the number of men in the service of the State Department for whom exemption from military duty or deferred classification has been asked and allowed (H. Doc. No. 1657); to the Committee on Military Affairs and ordered to be printed.

15. A letter from the President of the United States, transmitting the number of men in the service of the Food Administrator, Fuel Administrator, and all boards and commissions appointed by Executive order since April 6, 1917, for whom exemption from military duty or deferred classification has been asked and allowed (H. Doc. No. 1658); to the Committee on Military Affairs and ordered to be printed.

16. A letter from the Acting Secretary of the Treasury, transmitting reports from accounting officers of the Treasury Department, showing what officers of the Government were delinquent in rendering their accounts for the fiscal year ended June 30, 1918, with a list of such officers, who, upon final settlement of their accounts, were found indebted to the Government, and who at the date of the report had failed to pay the same into the Treasury of the United States (H. Doc. No. 1659); to the Committee on Expenditures in Treasury Department and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SHERLEY, from the Committee on Appropriations, to which was referred the bill (H. R. 13708) providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary, reported the same without amendment, accompanied by a report (No. 892), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DILLON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 5058) to authorize the counties of Morton and Burleigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak., reported the same without amendment, accompanied by a report (No. 893), which said bill and report were referred to the House Calendar.

Mr. SANDERS of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 4966) to extend the time for the construction by the Gulf Ports Terminal Railway Co., a corporation existing under the laws of the State of Florida, of a bridge or bridges over and across the headwaters of Mobile Bay and such navigable channels as are between the east side of the bay and Blakeley Island, in Baldwin and Mobile Counties, Ala., reported the same without amendment, accompanied by a report (No. 894), which said bill and report were referred to the House Calendar.

Mr. DEWALT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13446) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, Pa., reported the same without amendment, accompanied by a report (No. 895), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 13427) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, Pa., reported the same without amendment, accompanied by a report (No. 896), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 13429) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, Pa., reported the same without amendment, accompanied by a report (No. 897), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 12513) granting an increase of pension to Henry Robert; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12978) granting a pension to Hodges W. Drayton; Committee on Invalid Pensions discharged; and referred to the Committee on Pensions.

A bill (H. R. 12839) granting a pension to Bronislawa Wypiewski; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12938) granting an increase of pension to Joe Loudermilk, jr.; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOULD: A bill (H. R. 13671) to amend the act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the

abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915; to the Committee on the Merchant Marine and Fisheries.

By Mr. HUDDLESTON: A bill (H. R. 13672) for the relief of soldiers who have not had service overseas; to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 13673) authorizing the Secretary of War to donate to the city of Easton, Pa., four German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13674) authorizing the Secretary of War to donate to the city of Bethlehem, Pa., three German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. MAHER: A bill (H. R. 13675) to increase the compensation of pressmen in the Government Printing Office; to the Committee on Printing.

By Mr. BIRCH: A bill (H. R. 13676) authorizing the Secretary of War to donate to the city of Boonton, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13677) authorizing the Secretary of War to donate to the city of Dover, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13678) authorizing the Secretary of War to donate to the city of Madison, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13679) authorizing the Secretary of War to donate to the city of Morristown, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13680) authorizing the Secretary of War to donate to the city of Elizabeth, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13681) authorizing the Secretary of War to donate to the city of Rahway, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13682) authorizing the Secretary of War to donate to the city of Summit, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13683) authorizing the Secretary of War to donate to the city of Plainfield, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13684) authorizing the Secretary of War to donate to the city of Westfield, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BACHARACH: A bill (H. R. 13685) authorizing the Secretary of War to donate to the city of Cape May, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13686) authorizing the Secretary of War to donate to the city of Wildwood, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13687) authorizing the Secretary of War to donate to the city of Ocean City, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13688) authorizing the Secretary of War to donate to the city of Burlington, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13689) authorizing the Secretary of War to donate to the city of Mount Holly, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13690) authorizing the Secretary of War to donate to the city of Moorestown, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13691) authorizing the Secretary of War to donate to the city of Bridgeton, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13692) authorizing the Secretary of War to donate to the city of Millville, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13693) authorizing the Secretary of War to donate to the city of Vineland, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13694) authorizing the Secretary of War to donate to the city of Pleasantville, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13695) authorizing the Secretary of War to donate to the city of Mays Landing, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13696) authorizing the Secretary of War to donate to the city of Hammonton, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13697) authorizing the Secretary of War to donate to the city of Atlantic City, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13698) authorizing the Secretary of War to donate to the city of Cape May Court House, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KALANIANAOLE: A bill (H. R. 13699) to authorize the governor of the Territory of Hawaii to acquire privately owned lands and rights of way within the boundaries of the Hawaii National Park; to the Committee on the Territories.

By Mr. RAYBURN: A bill (H. R. 13700) donating captured cannon and cannon balls to the city of Bonham, Tex.; to the Committee on Military Affairs.

By Mr. SANFORD: A bill (H. R. 13701) to provide a commission to secure plans and designs for an arch to be erected in the city of Washington, D. C., to be known as the Arch of Victory, to commemorate the heroes and events of the great war; to the Committee on the Library.

By Mr. SNELL: A bill (H. R. 13702) authorizing the Secretary of War to donate to the town of Gouverneur, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DEWALT: A bill (H. R. 13703) authorizing the Secretary of War to donate to the borough of Catasauqua, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13704) authorizing the Secretary of War to donate to the city of Reading, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13705) authorizing the Secretary of War to donate to the city of Allentown, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 13706) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13707) to amend an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. SHERLEY: A bill (H. R. 13708) providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary; to the Committee on Appropriations.

By Mr. BAER: A bill (H. R. 13709) to create a department of education and human welfare and to arrange for the cooperation between the Federal Government and the States in the encouragement and support of education, and for other purposes; to the Committee on Education.

By Mr. HENRY T. RAINEY: A bill (H. R. 13710) authorizing the Secretary of War to donate to the town of Roodhouse, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13711) authorizing the Secretary of War to donate to the town of Carrollton, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13712) authorizing the Secretary of War to donate to the town of Mount Sterling, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13713) authorizing the Secretary of War to donate to the town of Winchester, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13714) authorizing the Secretary of War to donate to the town of White Hall, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KINCHELOE: A bill (H. R. 13715) authorizing the Secretary of War to donate to the Jefferson Davis Home Association one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HARRISON of Mississippi: A bill (H. R. 13716) authorizing the Secretary of War to donate to the Woman's College, Hattiesburg, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13717) authorizing the Secretary of War to donate to the Mississippi State Normal College, Hattiesburg, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13718) authorizing the Secretary of War to donate to the Gulf Coast Military Academy, Gulfport, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13719) authorizing the Secretary of War to donate to the St. Stanislaus College, Bay St. Louis, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13720) authorizing the Secretary of War to donate to the county of Covington, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13721) authorizing the Secretary of War to donate to the county of Stone, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13722) authorizing the Secretary of War to donate to the county of Simpson, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13723) authorizing the Secretary of War to donate to the county of Perry, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13724) authorizing the Secretary of War to donate to the county of Pearl River, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13725) authorizing the Secretary of War to donate to the county of Lamar, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13726) authorizing the Secretary of War to donate to the county of Marion, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13727) authorizing the Secretary of War to donate to the county of Lawrence, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13728) authorizing the Secretary of War to donate to the county of Jones, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13729) authorizing the Secretary of War to donate to the county of Wayne, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13730) authorizing the Secretary of War to donate to the county of Forrest, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13731) authorizing the Secretary of War to donate to the county of George, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13732) authorizing the Secretary of War to donate to the county of Greene, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13733) authorizing the Secretary of War to donate to the county of Hancock, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13734) authorizing the Secretary of War to donate to the county of Harrison, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13735) authorizing the Secretary of War to donate to the county of Jackson, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13736) authorizing the Secretary of War to donate to the county of Jefferson Davis, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. JONES: A bill (H. R. 13737) authorizing the Secretary of War to donate to the town of Amarillo, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13738) authorizing the Secretary of War to donate to the town of Childress, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13739) authorizing the Secretary of War to donate to the town of Memphis, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13740) authorizing the Secretary of War to donate to the town of Quanah, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13741) authorizing the Secretary of War to donate to the town of Clarendon, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13742) authorizing the Secretary of War to donate to the town of Lubbock, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13743) authorizing the Secretary of War to donate to the town of Snyder, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13744) authorizing the Secretary of War to donate to the town of Plainview, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13745) authorizing the Secretary of War to donate to the town of Canadian, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13746) for the erection of a public building in the city of Lubbock, the county seat of Lubbock County, State of Texas, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13747) for the erection of a public building in the city of Plainview, the county seat of Hale County, State of Texas, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13748) for the erection of a public building in the city of Canadian, the county seat of Hemphill County, State of Texas, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. DALLINGER: A bill (H. R. 13749) authorizing the Secretary of War to donate to the city of Medford, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13750) authorizing the Secretary of War to donate to the city of Cambridge, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WINSLOW: A bill (H. R. 13751) authorizing the Secretary of War to donate to the town of Hopkinton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13752) authorizing the Secretary of War to donate to the city of Worcester, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13753) authorizing the Secretary of War to donate to the town of Blackstone, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13754) authorizing the Secretary of War to donate to the town of Uxbridge, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13755) authorizing the Secretary of War to donate to the town of Northbridge, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13756) authorizing the Secretary of War to donate to the town of Milford, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13757) authorizing the Secretary of War to donate to the town of Westboro, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DALLINGER: A bill (H. R. 13758) authorizing the Secretary of War to donate to the city of Melrose, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GREENE of Massachusetts: A bill (H. R. 13759) authorizing the Secretary of War to donate to the city of Fall River, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANTRILL: A bill (H. R. 13760) authorizing the Secretary of War to donate to the city of Paris, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. CRISP: A bill (H. R. 13761) authorizing the Secretary of War to donate to each of the cities of Americus, Cordele, and Fitzgerald, Ga., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PAIGE: A bill (H. R. 13762) authorizing the Secretary of War to donate to the town of Gardner, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13763) authorizing the Secretary of War to donate to the town of Princetown, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13764) authorizing the Secretary of War to donate to the town of Palmer, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13765) authorizing the Secretary of War to donate to the town of Marre, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13766) authorizing the Secretary of War to donate to the town of Orange, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13767) authorizing the Secretary of War to donate to the town of Monson, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13768) authorizing the Secretary of War to donate to the town of Athol, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13769) authorizing the Secretary of War to donate to the town of Webster, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13770) authorizing the Secretary of War to donate to the town of Holden, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13771) authorizing the Secretary of War to donate to the town of Lancaster, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13772) authorizing the Secretary of War to donate to the town of Brookfield, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13773) authorizing the Secretary of War to donate to the town of Spencer, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13774) authorizing the Secretary of War to donate to the city of Leominster, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13775) authorizing the Secretary of War to donate to the town of Warren, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13776) authorizing the Secretary of War to donate to the town of Ashby, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13777) authorizing the Secretary of War to donate to the town of Ashburnham, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13778) authorizing the Secretary of War to donate to the town of Dudley, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13779) authorizing the Secretary of War to donate to the town of Oxford, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13780) authorizing the Secretary of War to donate to the town of Southbridge, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13781) authorizing the Secretary of War to donate to the town of Clinton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13782) authorizing the Secretary of War to donate to the city of Fitchburg, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13783) authorizing the Secretary of War to donate to the town of Winchendon, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13784) authorizing the Secretary of War to donate to the town of Templeton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13785) authorizing the Secretary of War to donate to the town of Sturbridge, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13786) authorizing the Secretary of War to donate to the town of Sterling, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEENERSON: A bill (H. R. 13787) authorizing the Secretary of War to donate to the city of Breckenridge, Wilkin County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13788) authorizing the Secretary of War to donate to the city of Roseau, Roseau County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13789) authorizing the Secretary of War to donate to the city of Red Lake Falls, Red Lake County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13790) authorizing the Secretary of War to donate to the city of Crookston, Polk County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13791) authorizing the Secretary of War to donate to the city of Detroit, Becker County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13792) authorizing the Secretary of War to donate to the city of Thief River Falls, Pennington County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13793) authorizing the Secretary of War to donate to the city of Warren, Marshall County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13794) authorizing the Secretary of War to donate to the city of Hallock, Kittson County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13795) authorizing the Secretary of War to donate to the city of Moorhead, Clay County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13796) authorizing the Secretary of War to donate to the city of Ada, Norman County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13797) authorizing the Secretary of War to donate to the city of Fergus Falls, Ottertail County, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13798) authorizing the Secretary of War to donate to the city of Mahnomen, Mahnomen County, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13799) authorizing the Secretary of War to donate to the city of Bagley, Clearwater County, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ELSTON: Resolution (H. Res. 495) requesting the President of the United States to open negotiations with the Republic of Mexico for the purchase of the peninsula of Lower California and contiguous territory; to the Committee on Foreign Affairs.

By Mr. SHERLEY: Resolution (H. Res. 496) for the consideration of House bill 13708; to the Committee on Rules.

By Mr. HAYDEN: Resolution (H. Res. 497) providing for the consideration of Senate bill 714; to the Committee on Rules.

By Mr. LAGUARDIA: Joint resolution (H. J. Res. 379) authorizing the War Department to employ civilians to perform clerical and manual work in order to insure the immediate discharge of soldiers now performing such duties; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARAWAY: A bill (H. R. 13800) for the relief of claimants of certain unsurveyed lands in Mississippi County, Ark.; to the Committee on the Public Lands.

By Mr. CRAMTON: A bill (H. R. 13801) granting an increase of pension to Horace E. Hand; to the Committee on Invalid Pensions.

By Mr. DILL: A bill (H. R. 13802) authorizing the Secretary of War to grant to John D. Sherwood, of Spokane, Wash., the right to overflow certain lands on the Fort George Wright Military Reservation, at Spokane, Wash., and to accept the conveyance to the United States of other lands to be designated by the Secretary of War and suitable for a rifle range in exchange for the land so overflowed; to the Committee on Military Affairs.

By Mr. ELLIOTT: A bill (H. R. 13803) granting an increase of pension to Catherine McQuade; to the Committee on Invalid Pensions.

By Mr. ELSTON: A bill (H. R. 13804) granting a pension to William Unfug; to the Committee on Pensions.

By Mr. FAIRFIELD: A bill (H. R. 13805) granting an increase of pension to John W. Paulus; to the Committee on Pensions.

By Mr. HOLLAND: A bill (H. R. 13806) for the relief of the Eastern Transportation Co.; to the Committee on Claims.

By Mr. JACOWAY: A bill (H. R. 13807) authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. L. McFarlin, of Little Rock, Ark.; to the Committee on the Post Office and Post Roads.

By Mr. LANGLEY: A bill (H. R. 13808) granting a pension to Annie K. Squier; to the Committee on Pensions.

By Mr. MERRITT: A bill (H. R. 13809) granting a pension to Bridget Finan; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 13810) granting an increase of pension to Joseph R. Wilson; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 13811) granting an increase of pension to Walter R. D. Vaughan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13812) granting a pension to Phillip Lockwood; to the Committee on Pensions.

By Mr. SHERWOOD: A bill (H. R. 13813) granting a pension to Sarah Jane Vanpelt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13814) striking from the pension roll the name of Sylvester Lane; to the Committee on Invalid Pensions.

By Mr. SNYDER: A bill (13815) granting a pension to George J. Cole; to the Committee on Pensions.

By Mr. TINKHAM: A bill (H. R. 13816) granting a pension to Eliza K. Leman; to the Committee on Invalid Pensions.

By Mr. WALSH: A bill (H. R. 13817) for the relief of Jose Lopezy Castelo; to the Committee on War Claims.

By Mr. WHITE of Maine: A bill (H. R. 13818) granting an increase of pension to Henry R. Huntley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13819) granting an increase of pension to R. Franklin Chase; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13820) granting an increase of pension to William L. Pratt; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Resolutions by Charles Schloeg, of Milwaukee, Wis., relating to the price of wheat; to the Committee on Agriculture.

By Mr. COOPER of Wisconsin: Resolutions adopted at a meeting of county superintendents of schools of Wisconsin, urging enactment of legislation to provide for a department of education; to the Committee on Education.

Also, resolutions adopted by the Senate of Porto Rico, praying the Congress of the United States to aid victims of earthquakes in Porto Rico; to the Committee on Insular Affairs.

By Mr. FULLER of Illinois: Petition of Lumberman's Exchange, of St. Louis, favoring placing the railroads under the control of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

Also, petition of Federal Labor Union, No. 15034, American Federation of Labor, of Streator, Ill., favoring a league of nations; to the Committee on Foreign Affairs.

By Mr. HAMILTON of Michigan: Resolutions by representative business men of the town of White Pigeon, Mich., praying support of Senate bill 4987; to the Committee on Education.

By Mr. LONERGAN: Resolutions by the common council of the city of New Britain, Conn., relating to the independence of Ireland and other countries; to the Committee on Foreign Affairs.

By Mr. RAKER: Resolution by the Portland (Oreg.) Traffic and Transportation Association, to restore to the Interstate Commerce Commission the powers taken away by the Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

Also, resolutions by the Vallejo (Cal.) Employees' Union, No. 76, recommending Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, resolutions by the Western Pine Manufacturing Association, petitioning the restoration to the Interstate Commerce Commission of the powers taken from it under the Federal-control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

Also, petition of West Coast Lumberman's Association to restore to the Interstate Commerce Commission the rights taken from it by the act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. STEENERSON: Petition of F. H. Staub, of Fergus Falls, Minn., relating to taxes on jewelry; to the Committee on Ways and Means.

Also, petition of Oscar M. Sullivan, chairman Commission on Rehabilitation of Industrial Cripples, St. Paul, Minn., urging early and favorable action upon Senate bill 4922 and House bill 12880; to the Committee on Education.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 8, 1919.*

The House was called to order by the Speaker pro tempore, Mr. GARRETT of Tennessee.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we stand before Thee with bowed heads and sorrowing hearts as a great leader, among the leaders of the Nation, is being laid to his final rest. Peace be to his ashes and rest to his soul.

A Nation is in tears. Many distinguished men, who loved and admired him for his sterling qualities, his energy, skill, and undaunted courage, will give their presence to the last rites that mortals can bestow upon the dead. Their tears will mingle with the tears of the bereaved wife and children.

Comfort them, we beseech Thee, with the promise handed down to us out of the ages.

> There is no death! What seems so is transition;
> This life of mortal breath
> Is but a suburb of the life elysian,
> Whose portal we call Death.

Thus comfort the Nation and the world and inspire the living with an earnest desire to follow his illustrious example; and Thine be the glory through Christ the Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed a bill and joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5192. An act for the construction of a bridge across Rock River at or near Jackson Street, in the city of Janesville, Wis.;

S. J. Res. 199. Joint resolution for relief in Alaska; and

S. J. Res. 202. Joint resolution requesting the Commission of Fine Arts to submit to the Congress certain suggestions.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 4240. An act for the relief of Alma Harris.

SENATE BILL AND JOINT RESOLUTIONS REFERRED.

Under clause 2, Rule XXIV, Senate bill and joint resolutions of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 5192. An act for the construction of a bridge across Rock River at or near Jackson Street, in the city of Janesville, Wis.; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 199. Joint resolution for relief in Alaska; to the Committee on Appropriations.

S. J. Res. 202. Joint resolution requesting the Commission of Fine Arts to submit to Congress certain suggestions; to the Committee on the Library

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BRAND, for 10 days, on account of illness; and

To Mr. MAYS, at the request of Mr. WELLING, indefinitely, on account of serious illness in his family.

RESIGNATION OF A MEMBER.

The SPEAKER pro tempore laid before the House the following communications, which were read:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
WASHINGTON, D. C., *January 6, 1919.*

Hon. CHAMP CLARK,
Speaker House of Representatives, Washington, D. C.

SIR: I hereby resign my office as Representative in the Congress of the United States from the at-large district of Pennsylvania.

Very sincerely,

JOHN R. K. SCOTT.

PHILADELPHIA, PA., *January 7, 1919.*

SECRETARY TO HON. CHAMP CLARK,
Speaker House of Representatives, Washington, D. C.:

My resignation to take effect January 5, 1919.

JOHN R. K. SCOTT.

RECESS.

Mr. KITCHIN. Mr. Speaker, as a further mark of respect to the distinguished ex-President of the United States, Mr. Theodore Roosevelt, whose funeral will presently take place, I ask unanimous consent that the House stand in recess until 2 o'clock p. m.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that the House stand in recess until 2 o'clock p. m. as a mark of respect to the memory of the late Theodore Roosevelt. Is there objection?

There was no objection.

Accordingly (at 12 o'clock and 14 minutes p. m.) the House stood in recess until 2 o'clock p. m.

AFTER THE RECESS.

The recess having expired, the House was called to order by the Speaker pro tempore.

Mr. BLANTON. Mr. Speaker, I request unanimous consent to proceed for five minutes.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to proceed for five minutes. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire on what subject the gentleman intends to address the House?

Mr. BLANTON. Mr. Speaker, I want to present to the House through a letter received from a sailor boy what I consider a very grave hardship which is being suffered by many sailors whose applications for discharge have been already approved.

Mr. STAFFORD. I have no objection.

Mr. FOSTER. Has the gentleman taken it up with the Navy Department?

Mr. POU. If the gentleman will refrain from making that request I will yield him five minutes on the discussion on the rule I now present.

Mr. BLANTON. I will be glad to do so.

MARY C. CARPENTER.

Mr. SANFORD. Mr. Speaker, I present the following privileged resolution from the Committee on Accounts.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 491 (H. Rept. No. 899).

Resolved, That the Clerk of the House be, and he is hereby, authorized to pay to Mary C. Carpenter, mother of John M. Carpenter, late an employee on the rolls of the House of Representatives, a sum equivalent to six months' salary, at the rate he was drawing at the time of his death, and an additional sum, not exceeding $250, to defray funeral expenses.

The question was taken, and the resolution was agreed to.

RELIEF FOR INFORMAL CONTRACTS.

Mr. POU. Mr. Speaker, by direction of the Committee on Rules I submit a privileged report (No. 902), which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report it.

The Clerk read as follows:

House resolution 487.

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 13274; that the amendment reported by the committee shall be read and considered in lieu of the original bill; that there shall be not exceeding three hours of general debate, to be equally divided between those supporting and those opposing the bill, which debate shall be confined to said bill, at the end of which time the bill shall be read for amendment under the five-minute rule, and at the conclusion of such reading the committee shall rise and report the bill to the House, together with the amendments, if any, whereupon the previous question shall be considered as ordered upon the bill and all amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. POU. Mr. Speaker, I ask unanimous consent that debate on the rule——

Mr. LITTLE. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LITTLE. Mr. Speaker, I make the point of order that this bill was erroneuosly referred to the Committee on Military Affairs, which had no jurisdiction over it, and that the Committee on Rules had no jurisdiction to report upon it at this stage and it is improperly before the House, and I would like to be heard on it.

The SPEAKER pro tempore. The Chair will hear the gentleman. Let the Chair get exactly the point of order that is made by the gentleman from Kansas.

Mr. LITTLE. Mr. Speaker, the point I make is that this bill was improperly referred to the Committee on Military Affairs, which never acquired any jurisdiction of it, and that by the method of procedure employed as yet the Committee on Rules has acquired no jurisdiction of it and has no authority to present it here, and it can not be considered by the House as yet.

The SPEAKER pro tempore. Well, now, the Chair will state to the gentleman that the point of order on which he would like to hear from the gentleman from Kansas is as to the question of jurisdiction of the Committee on Rules. The other question can be determined later.

Mr. LITTLE. Mr. Speaker, that is the point to which I was expecting to address myself. Section 4 of Rule XXI provides that no bill for the payment or adjudication of any private claim against the Government shall be sent to any committee other than four or five named there. The Committee on Military Affairs is not one of those committees. It is specifically omitted.

For that reason the Military Affairs Committee never acquired any jurisdiction of this bill. That committee could not report it to the House. It could not go to the Committee on Rules and that committee could not do anything about it. The only connection it could have with it would be to send it back to the Speaker's table and request that it be referred to the proper committee, which would be the Committee on Claims, the chairman of which agrees with me in the position I am taking here. Upon that question I assume there is no discussion.

It has been stated heretofore that this point is too late a point on which to raise this point of order. As a matter of fact, this is the first time this bill has come before the House and the first time anybody has had an opportunity to call attention to the fact that it is not in order and is not brought up at the proper time.

Mr. POU. Mr. Speaker——

The SPEAKER pro tempore. Does the gentleman yield?

Mr. LITTLE. I prefer not to be interrupted; the gentleman will have ample opportunity to reply.

Mr. POU. All right.

Mr. LITTLE. Now, as to that point, that has been ruled on some time ago. I raised a similar point on the woman suffrage amendment, which was in a committee that was not entitled to jurisdiction, and the Chair held against me. The Chair evidently had not read 15 or 20 precedents the other way, to which my attention has now been directed. Hinds, section 4382, says:

The erroneous reference of a private bill to a committee not entitled to jurisdiction does not confer it, and the point of order is good when the bill comes up either in the House or in the Committee of the Whole.

The SPEAKER pro tempore. Will the gentleman permit the Chair for a moment? The Chair is not now called upon to deal with the proper reference of House bill 13274. That which is before the House at this time is the resolution reported from the Committee on Rules, House resolution 487.

Mr. LITTLE. I am quite as familiar with that as the Chair is. I am reasonably well informed on it. That is the point. I say you had no business to bring it in here, and I am taking the first step on the stairs, and when I get to the top of the stairs I hope the Speaker will be with me; if not, very well, I will then have a decision on it. First, I have now established that the Committee on Military Affairs had no jurisdiction of it, and they are the people who brought it to you, and I have now established the fact that the point of order that they had no jurisdiction is in order at this time. Mr. Speaker Crisp ruled on that and said:

Mr. Joseph D. Sayers, of Texas, made the point of order that the bill was improperly referred to the Committee on Public Lands, and that under the rules that committee had no authority to report the bill, it being for the payment of a claim against the Government.

The Speaker sustained the point of order, holding in part as follows:

Therefore the Chair thinks that a private bill referred under clause 1 of Rule XXII to any other committee than one of those named in clause 4 of Rule XXI can not be considered or reported by such committee.

It does not make any difference what the Rules Committee would do with it. It can not be reported, under this ruling, by the Military Affairs Committee anyway, and they could not have taken it to them. But to continue:

And it seems to the Chair that the only time when the question can be raised is when the bill is called up for consideration, because these bills are reported just as they are introduced, through the box, and they do not come to the attention of the Chair at all until they are called up for consideration. The Chair never sees them or knows anything of them, because they are not presented as are reports or public bills in the open House, but they come in through the box.

The Speaker also stated that when a point of order shall be made that a private bill on the calendar had been reported by a committee not authorized to report the same, the Chair would, if the point be made before the consideration of the bill had been entered upon, direct that such bill be recommitted to the committee improperly reporting it for appropriate action under the rules.

The SPEAKER pro tempore. Can the gentleman give the citation of that?

Mr. LITTLE. This is section 4382 of Hinds' Precedents. I thought I stated that when I began reading.

On March 4, 1898, the House was in Committee of the Whole House considering the Private Calendar. They had passed from the House into the Committee of the Whole. Mr. Dalzell made the point of order that the bill was not properly within the jurisdiction of the Committee on War Claims, which had reported it, and the Chair held that it was not and that if the point was raised in the Committee of the Whole the Chair would have to rule that it had no place there. If this Committee on Rules should secure this rule and we should go into the Committee of the Whole, I would still be at liberty to raise the point of order that the Committee of the Whole had no business to take this up, because nobody with any jurisdiction had gotten to it yet. And it is perfectly plain that I am in proper time with this point of order. I have established, as I think, the fact that the Committee on Military Affairs had no jurisdiction and that I can raise the point now or in the Committee of the Whole, where it will have to go, I presume. Furthermore, the Committee on Rules had no jurisdiction of it, the Committee on Military Affairs had no jurisdiction of it, and had no authority to take it to the Committee on Rules. It should have gone to the Committee on Claims in the first place. If that committee had presented it to the Committee on Rules and the Committee on Rules had reported this rule, there would be no objection to it.

There is another theory that has been advanced to the effect that this is not a private bill. That matter has also been disposed of by this House. If you will turn to section 4265 of Hinds' Precedents, it says:

Appropriations for payment of French spoliation claims being included in a private bill reported by the Committee on War Claims, the Chairman of the Committee of the Whole House ordered them stricken out as belonging to the jurisdiction of the Committee on Claims.

That point was raised by the very learned, and probably the most learned, parliamentarian of the House, the gentleman from Illinois [Mr. MANN]. It says:

After the bill had been read, Mr. JAMES R. MANN, of Illinois, made a point of order, saying:

"I wish to make a point of order on this bill, or so much of it as relates to the French spoliation claims, on the ground that the Committee on War Claims has no jurisdiction to report a bill of this sort, it being a private bill, subject to a point of order at this time."

The Chair held with him. The French spoliation claims were a class, just as the claims involved here are a class. If the bill taking up the French spoliation claims as a class was a private claims bill, so is a bill taking up these bills as a class, and the pertinency makes a parallel, as I think will be conceded by any fair-minded man. If so, that matter is disposed of. This is a private claim. Nor is that all. If you return to 4381, you will find that Hinds says:

A bill to provide a commission to settle claims against the Government does not fall within the rule requiring private claims to be referred only to certain specified committees.

On July 18, 1894, Mr. Joseph H. Outhwaite, of Ohio, presented for consideration the bill (H. R. 5939) to appoint a commission to report and determine upon certain damages done to citizens of Lauderdale County, Ala., by the building of the Muscle Shoals Canal.

Mr. Joseph D. Sayers, of Texas, made the point of order that the bill having been erroneously referred to the Committee on Military Affairs, that committee had no jurisdiction to consider and report it, and that it should be committed to the proper committee.

After debate the Speaker overruled the point, holding that inasmuch as the bill did not provide for the payment or adjudication of a claim against the Government, it did not come within the purview of clause 4 of Rule XXI, and that unanimous consent was not required to refer the same to the Committee on Military Affairs.

If this were a bill to establish a commission to report to the House upon these claims—which would be a very proper bill, and I would be glad to support it—then my point of order could not be raised, but this is a bill authorizing the War Department to adjudicate and pay these claims, and, clearly, after this ruling, by implication would be involved in the error I have suggested.

And, furthermore, that was a general bill, like this, covering a whole series of claims. Nobody objected to that, Mr. Speaker, or suggested then that it was not a private claim. That was conceded. It was just such a bill as this in purpose, to omnibus certain transactions and bring them together in one fell swoop. If such a bill is not a private-claim bill, and there is a precedent for that, why should anybody suggest this is not? They were perfectly competent parliamentarians there. If they did not consider it proper, they would have raised the point. I would be sorry to see anybody suggest it was not. John Jones can bring in a bill, and it is a private claim, and John Smith can do so. If they are put together, they say it is not a private-claim bill, and if that is not true of two how can it be of the 6,669 that we have here, as the record shows? It does not make any difference, Mr. Speaker, how many thousands of claims are placed together, they still remain private claims, and if you argue the principle and not the precedent, although the precedent is with me, you must concede that this is an omnibus bill and covers a series of private claims. That is all it is in principle.

Now, I wish to say a word about the principles upon which are based the rules which I have suggested, and the reason why. To overrule this point of order would be in effect a destruction of all rules and orderly methods of procedure in the House. These rules are made, of course, as you all know, for the purpose of protecting and safeguarding the Treasury of the United States when such bills as this come forward.

This Committee on Claims, Mr. Speaker, is the oldest committee in the House, and this committee is fenced about by certain privileges. Why do the rules say it shall go there? So that it shall be investigated by a committee that is accustomed to this character of investigation. If you yank this bill out of their hands and throw it over to the Committee on Military Affairs and the Committee on Rules without any investigation whatever, if they have not time or opportunity to pass upon one single, solitary item here, and they did not, you destroy all the rules which the House has made; and if you are going to go whistling by every station that warns of danger and which recent rules have established, you might as well have no rules. These rules are put there, Mr. Speaker, so that that can not be done. They say, "Here is a station; stop here; leave it to the Committee on Claims and have them investigate it."

The Committee on Claims can report or go to the Committee on Rules and say to them, "We would like to have this bill hurried." But here is the Committee on Military Affairs, which has made in effect no investigation. Its report does not show the veracity of one item out of six thousand six hundred and sixty-nine, involving several billions of dollars. The Comptroller of the Treasury has decided that these claims are not legal, and yet they come in here and in three hours' time want to authorize somebody who has no jurisdiction to act like a court and pass upon these claims in violation of the Constitution of the United States, which fixes jurisdiction in courts only. There are plenty of people in this war, Mr. Speaker, that need help quickly, but there is no more hurry about these people than there is about plenty more.

Now, to review this particular bill and show how pertinent to it my point is, it develops from the hearings on this bill that early in the great Civil War it was ascertained that great contractors, supply men, and factories were in the habit of getting their friends into these departments and surreptitiously securing improper contracts. The statute was passed in 1862, and it went through the Civil War successfully, providing that everything should be done in writing, and requiring that the man who on the part of the Government made the contract should say under oath that he was not concerned in it. That rule prevailed in the Civil War. What happens in connection with this report? They have violated that statute. They have laid themselves open to criminal prosecution.

We know that many men came here as "experts" who were from some of those great factories. What implication is natural? These people come here and say, "Now, we have violated the law; we did not make a written contract." That was easy to do—to make a blank affidavit. "We did not make an affidavit. We want an amnesty proclamation; that is not all. We want authority to pass upon the contracts we did not make, and to pay out $4,000,000,000 and more concerning which there is no contract whatever." The bill speaks of "informal contracts." There is no contract in any of these claims. On the contrary, every one represents a violation of the law.

I doubt not, Mr. Speaker, that some of them are just claims for unliquidated damages and can be presented like other just claims, and should be, and that some method should be taken to meet them. But it is inevitable, when you allow a department that has thus violated the law to pay out billions of dollars, as this will, in 30 days, as they expect to, according to their own suggestion, that a large number of mistakes are bound to be made. Money is hard to get, Mr. Speaker, and the American people have paid taxes enough, "sight and unseen." I do not think this House should ever pay out billions of dollars any more without knowing what they are for. It is our duty to interpret the rules of this House, not loosely but strictly now, in defense of the taxpayers.

I want to leave that thought, including this suggestion in regard to this matter, and to show just briefly in review that I think this thing, more than any bill that has been before the House for years, should be proceeded with in a careful and orderly manner before we authorize somebody who has already violated the law to throw out billions of dollars. We have rules such as I have outlined and should use them. I ask that this bill be declared out of order and referred to the Committee on Claims for orderly procedure.

Mr. McKENZIE. Mr. Speaker, I am not going to take the time of the House to undertake to make a parliamentary argument. That is not my forte, and the question of the wisdom or the folly of enacting the proposed legislation is not involved in the point of order raised by the gentleman from Kansas [Mr. LITTLE]. In my humble judgment, this bill was properly referred to the Committee on Military Affairs, because it is not a claim bill. It is simply a bill which proposes to give additional jurisdiction to the War Department. And if we are going to add to the jurisdiction of the War Department or pass any legislation having to do with the War Department, or to create a tribunal where these claims may be settled—and the bill provides that that tribunal shall be in the War Department—surely no man can say that the bill was not properly referred to the Committee on Military Affairs.

Mr. STAFFORD. Mr. Speaker, may I present two or three citations to show that this is a public bill and not a private bill?

The SPEAKER pro tempore. The Chair will be very glad to hear from the gentleman on that proposition, but the Chair will state to the gentleman from Wisconsin that he does not think that that question is necessary to be determined by the present occupant of the chair.

Mr. STAFFORD. I agree with the Chair completely that it is not necessary in the ruling of the Chair. But as the gentleman from Kansas [Mr. LITTLE] has bottomed his whole argument on the fact that this is a private bill I merely wanted to call to the attention of the Chair two or three citations which show positively that it is not a private bill but a public bill. And if it is a public bill, the fact that it has been erroneously referred, after it is reported it is too late to raise the question of jurisdiction.

I wish to direct the attention of the Chair to the third volume of Hinds' Precedents, section 2614:

A bill which applies to a class and not to individuals as such is a public bill.

I shall not stop to read the decision of the occupant of the chair on that point. That is confirmed in volume 4 of Hinds' Precedents, section 3285, which reads as follows:

A private bill is a bill for the relief of one or several specified persons, corporations, institutions, etc., and is distinguished from a public bill, which relates to public matters and deals with individuals only by classes.

The Statutes of the United States provide:

The term "private bill" shall be construed to mean all bills for the relief of private parties, bills granting pensions, and bills removing political disabilities.

Mr. LITTLE. Mr. Speaker, will the gentleman yield for a question?

Mr. STAFFORD. I will be glad to.

Mr. LITTLE. Does that include the French spoliations, which the Chair has ruled are private claims, and has so held?

Mr. STAFFORD. In the case just referred to by the gentleman from Kansas, the French spoliation claims were claims payable to individuals per se and not to classes.

Mr. LITTLE. Every one of these claims is payable only to an individual.

Mr. STAFFORD. The framework of the bill itself shows that it is for the purpose of providing payment for classes and not to individuals; that it is for establishing the agency whereby the claims of the Government may be paid to certain classes. Under the statutes of the United States describing what a private bill is, and under the invariable precedents that have been made construing and distinguishing what are private bills and what are public bills, the bill that is now before the House is a public bill. It being a public bill, I do not intend to argue whether it should have been referred to the Committee on Claims or the Committee on Military Affairs, because the precedents are all on one side, that if a public bill is erroneously referred to a committee of the House, it is too late to raise that question after it is reported back to the House.

And then, going beyond that, the Committee on Rules have a right to make an order as to any character of legislation that they see fit, and that is the purpose of the rule now before the House. It makes in order a certain bill and states specifically that an amendment reported by the committee shall be considered in lieu of the bill. The mere fact that a committee may not have had jurisdiction to report a bill may be the very reason why the Committee on Rules should bring in a rule to make the bill in order to be considered. The Committee on Rules are supreme in determining what shall be considered. They can present a report making in order anything they see fit. They can make in order a private bill if they see fit. They can make in order a private and a public bill or they can link together and make in order a private and a public bill and say that that shall be the business in order before the House.

I merely rose to cite these precedents, which seem to be clear that this is a public bill and not a private bill.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). The Chair is prepared to rule. The immediate matter before the House is House resolution 487, presented by the gentleman from North Carolina [Mr. POU] as a report from the Committee on Rules. That resolution provides for the consideration of H. R. 13274. The gentleman from Kansas [Mr. LITTLE] makes the point of order that the bill, when originally introduced, was improperly referred, and further that because of the improper reference the Committee on Rules has no authority to bring in a resolution for its consideration.

Upon the question whether it was improperly referred the Chair does not feel that it is now necessary to pass. That point would involve the question of whether it is a public bill or a private bill. The Chair has a very clearly defined idea about the character of the bill, but so far as the immediate question before the Chair is concerned, it seems that the question is whether the Committee on Rules has the authority to report the resolution that has been presented by the gentleman from North Carolina [Mr. POU].

Paragraph 47 of Rule XI, touching the question of reference of resolutions, provides as follows:

All proposed action touching the rules, joint rules, and order of business shall be referred to the Committee on Rules.

Then paragraph 56 of Rule XI provides:

It shall always be in order to call up for consideration a report from the Committee on Rules, and pending the consideration thereof the Speaker may entertain one motion that the House adjourn; but after the result is announced, he shall not entertain any other dilatory motion until the said report shall have been fully disposed of.

Mr. LITTLE. I do not mean to interrupt the Chair, but may I ask a question? Suppose a Member should introduce a bill and mark it "Referred to the Committee on Rules," and it should go to that committee, would the Committee on Rules acquire jurisdiction of it by that and have the right to bring in a rule about it?

The SPEAKER pro tempore. The Committee on Rules is not a legislative committee. It is merely a procedure committee. This bill did not go to the Committee on Rules. That which the Committee on Rules has reported is a mere resolution providing for procedure.

Mr. LITTLE. That does not answer my question.

The SPEAKER pro tempore. The only limitation laid upon the Committee on Rules by the general rules of the House is that which I now read:

The Committee on Rules shall not report any rule or order which shall provide that business under paragraph 7 of Rule XXIV shall be set aside by a vote of less than two-thirds of the Members present—

That refers to the Calendar Wednesday rule—

nor shall it report any rule or order which shall operate to prevent the motion to recommit being made as provided in paragraph 4 of Rule XVI.

Those two propositions are the only limitations placed by the general rules of the House upon the Committee on Rules in reporting orders of procedure. The Committee on Rules can report a resolution discharging any committee of the House from further consideration of any bill that has been referred to it and providing that the bill shall be placed upon its passage. It always rests with the House whether it will adopt the rule reported by the Committee on Rules. The limitations upon the power of the Committee on Rules to report are the two that the Chair just read.

This is a resolution of procedure. The Chair overrules the point of order.

Mr. POU. Mr. Speaker, I ask unanimous consent that the debate on the rule be limited to 80 minutes, 40 minutes to be controlled by myself and 40 minutes by the gentleman from Kansas [Mr. CAMPBELL], at the end of which time the previous question shall be considered as ordered.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that the debate on the rule may proceed for not exceeding 80 minutes, one-half to be controlled by him and one-half by the gentleman from Kansas [Mr. CAMPBELL], at the end of which time the previous question upon the rule shall be considered as ordered. Is there objection?

Mr. MANN. Reserving the right to object, may I ask the gentleman from North Carolina or some one else whether it is expected that the consideration of this bill will be concluded to-day? In other words, whether we shall have a night session?

Mr. POU. I will say to the gentleman from Illinois that I can not answer that question. If I may express my individual opinion, it is that we will not be able to conclude this bill to-day.

Mr. MANN. That would be my opinion, but I did not know.

Mr. DENT. I should be very glad to stay here and finish this bill to-night, but I would not like to impose on the House.

Mr. MANN. There is no intention of doing that.

Mr. DENT. No present intention.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

Mr. MONTAGUE. Reserving the right to object, will the debate be upon the bill?

Mr. POU. The gentleman knows how debate is usually conducted here. The time that I am asking for is for debate upon the resolution now pending.

Mr. MONTAGUE. The resolution itself prescribes that the debate shall be upon the subject matter of the bill.

Mr. POU. That will be after we go into Committee of the Whole.

Mr. MONTAGUE. I simply threw out the suggestion to see whether the House desired to economize time.

Mr. MANN. Anybody can make a point of order in the debate on the rule.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none, and the gentleman from North Carolina is recognized for 40 minutes.

Mr. POU. Mr. Speaker, this rule provides for the consideration of one of the most important bills that this House has been called on to consider during this Congress. The bill comes, as I am informed, with almost the unanimous report from the Committee on Military Affairs. The action of the Committee on Rules, if I am not mistaken, was unanimous. The question as to the wisdom of the provisions of this bill would hardly be proper for discussion at this time. I understand that there have been two proposals; one is to give the Secretary of War the authority to adjust these claims, if you are pleased to call them so, and the other is that a commission shall be appointed to consider such claims.

I respectfully submit that the Secretary of War is the proper person to deal with this matter. He is the man that has been the central figure in making these contracts, and he is the man who is best fitted of all men to settle all differences to which the Government is a party. In any event, there ought to be action by this Congress, and action speedily, because there are men whose financial solvency depends on a speedy payment of whatever amounts they are to receive.

When America entered the war there were patriotic citizens who offered their all, who said to the Government, "Here is my business; take it." It was not an uncommon thing for a man with a large business to voluntarily surrender that business to the Government.

Suddenly the armistice was agreed to. Now it is of the supremest importance to these men that they be put back on a peace basis. I am informed that there are a number who can not be put back until after the settlement with the Government. We have got to trust some one in the adjustment of these matters. There is always a danger that there may be a mistake in the settlement of claims of this kind. I submit that the record of the War Department justifies this Congress in putting the settlement of these matters into the hands of the Secretary of War.

Mistakes may have been made. There may have been a waste of funds, always more or less unavoidable during war, but so far as I know, up to this good hour, there has been no finger of suspicion pointed at the distinguished gentleman who heads the War Department. He has gotten results far beyond the expectation of anyone, and his entire conduct has been above reproach.

As was so tersely stated by the gentleman from Kentucky [Mr. SHERLEY] in the hearing the other day, if this measure is postponed the Government will have to pay compound interest. If adjustment is postponed six months the claims get larger; if 12 months larger still; indeed the longer the postponement the larger the amount the Government will pay. Any gentleman who has had experience in dealing with claims against the Government knows that every day and every month matters of this kind are put off the Government is the sufferer.

Mr. DENISON. Will the gentleman yield?

Mr. POU. For a question.

Mr. DENISON. Will the gentleman explain upon what theory the claims could get larger?

Mr. POU. Well, men's memories are very elastic. Men forget about conditions. The gentleman from Illinois is a lawyer and knows how claims can grow. Witnesses who know about the transactions die. And that suggests to my mind the fact that men who know about these transactions are, a great many of them, at the present time at the call of the Government. A large number of witnesses who can give information with respect to these claims are at the call of the Government, but they are being rapidly demobilized. The persons are accessible, but every month that the settlements are put off men become scattered more and more, and as time goes by some at least will not be available to give the Government the information that it can get now.

Mr. DENISON. If the gentleman's statement is true that claims will increase as time goes on, is not that based on the theory that there is going to be dishonesty in connection with them?

Mr. POU. No; I would not charge that. The gentleman knows how after a lapse of time the Government is the sufferer. I do not believe the gentleman himself will controvert that proposition.

Mr. DENISON. I think that is true.

Mr. GREENE of Vermont. Will the gentleman yield for a suggestion?

Mr. POU. I will.

Mr. GREENE of Vermont. There is an element of increase in claims that does not pertain to honesty or dishonesty. It is a matter of interest charges as time runs on. Many a small contractor had to borrow money to finance his little plant or shop while the larger contractor was financed by the Government. These people who had to borrow money must pay interest, and as time goes on their claim for reimbursement must be larger.

Mr. DILLON. Will the gentleman yield?

Mr. POU. Yes.

Mr. DILLON. These claims are presumptively illegal. How can damages be increased on an illegal claim?

Mr. POU. The very fact that they are illegal opens the door for the very suggestion that I have thrown out. The reason the Government is going to pay them is because the Government realizes that they are equitable claims. The gentleman served in the Committee on Claims, and I do not believe that he can refute the proposition that the longer you put off matters of this kind the larger the amounts demanded become.

Mr. DILLON. They will only grow by the consent of Congress; being illegal claims they will remain illegal claims.

Mr. POU. Now, Mr. Speaker, I am going to conclude with this observation. We are now paying the penalty of this war. This is one of the many penalties that we are to pay. Others will come. The penalty in the loss of life is so great that the conscience of the whole world is shocked. I venture to express the hope that in the end some agreement will be arrived at among the great nations of the earth, that they will rise to the requirements of the hour, that they will satisfy the aspirations of the world, and in the end an arrangement will be made that such a tragedy will not be possible in the future. [Applause.] Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman has occupied nine minutes.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SNELL].

Mr. LITTLE. May I ask a question? Has any time been reserved for the opponents of the rule?

The SPEAKER pro tempore. The Chair can not answer that question. The time is in control of the gentleman from North Carolina [Mr. POU] and the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker, I am very much interested in the adoption of this rule which makes it possible to consider the legislation known as the Army contract bill. I listened very carefully to the statements made by Secretary Baker and his Assistant Secretaries before the Committee on Rules the other day. I have been over that testimony very carefully since and have tried to get as much information as possible from other sources, until I am thoroughly convinced that the needs of the Government, the needs of the individual contractor, and the needs of business at large demand some legislation along this line. By the signing of the armistice we find ourselves confronted with this situation: We have two kinds of contracts in the War Department, one which is recognized as a formal contract—that is, a contract that has been officially signed by the authorized representative of the Government and also by the individual contractor or corporation—and another which is known as an informal contract. And the only difference is, one has been all through all the red tape of the War Department, signed, sealed, and delivered, while the other has only been started on this long routine journey. The agreement has been made, quantity and price agreed upon, and in nearly all instances the contractors have begun on the work, and if the armistice had held off a few days longer the contracts that the Comptroller of the Treasury now rules as informal would have been completely signed and just the same as the others. The obligation and good faith of both contracting parties are exactly the same, only by cutting some of the red tape of the War Department and starting people working on these contracts before they were signed the department was able to expedite production of articles that were urgently needed by the Army.

There is absolutely nothing illegal about them. They are exactly the same in every way as the Government has used in the expenditure of billions of dollars, and all the department is asking for is the right to go along and close them up in a businesslike manner, which would have been done before now if it had not been for the ruling of the Comptroller of the Treasury. The comptroller has ruled that as long as these war supplies are no longer needed, it is not possible for the department to make contracts for them. Therefore, they come before us asking for an enabling act, which is nothing more nor less than authority to go along and justly, quickly, and economically meet their honest obligations that have been created in our strenuous and rapid accumulation of supplies.

Mr. LITTLE. Mr. Speaker, may I ask the gentleman a question?

Mr. SNELL. In just a moment and I will yield. The whole world, especially our own people, demanded that the War Department get material needed for the Army quickly, and in order to do that it was absolutely necessary for them to call in various contractors throughout the country and make arrangements with them to go forward at once producing certain kinds of supplies and material, with the understanding that in a short time or as quickly as possible a legal or formal contract would be forwarded to them, and that they in turn would sign the same and return it to the Government. As far as these formal contracts are concerned, they do not need any new legislation. The War Department is allowed to go on and settle up those contracts with as little loss as possible to the Government and every single thing that is asked at the present time, under the bill to be considered, is for authority to settle these informal contracts on the same basis that they are allowed by law at the present time to settle the formal contracts.

Mr. LITTLE rose.

Mr. SNELL. Not now; if I have time later I will be pleased to yield. As far as the informality of these contracts is concerned they are just as legally binding on this Government, and this Government is just as much under obligation to pay for

the material contracted for of the various individuals throughout the country on account of these contracts as it is on account of a contract which has been fully signed and executed. Our moral and legal obligation is just exactly the same, but on account of certain red tape that we all complain about in the War Department they have not been formally executed, and as I look at it the only thing they want to do is to be allowed to settle them up and that I believe is the sensible and businesslike thing to do.

We need this legislation specially to take care of the foreign situation, as we have millions of dollars of contracts over there, and the large majority of them, according to the comptroller's ruling, are informal ones.

For instance, we have in Great Britain three kinds of contracts: First, a contract direct with the British Government for artillery, which can only be purchased from the Government; second, contracts which were placed for us by the British with their manufacturers; they were simply our agents, and of these there are a very great number; third, contracts of more recent date, which have been placed with British commercial houses by the British Government for us, but made on their own responsibility, with the understanding that we would stand back of them. Now, all these English contracts have termination clauses, which the British Government are taking advantage of, and they will settle ours in the same way if we will only give the War Department power to go ahead and settle. They at the present time are settling their contracts with the individual contractors by paying them about 10 or 12½ per cent. If they had a contract with a man or a corporation for $100,000 worth of aeroplane supplies, none of these supplies having been delivered, but the contracting party having entered upon the manufacture of the same, they would go to the company and say, "Here, we will pay you $10,000 or $12,000; you keep all your raw material; and we to be free from any further obligations in regard to the contract." We can settle all of our contracts on practically the same basis if you will give the War Department authority to act, and act now. And I am frank to say that if we can get out of these foreign contracts on that basis, that is as cheap a settlement as you will ever be able to make, and one that should be entirely satisfactory to our Government. On the other hand, if we do not accept this at once, they are going right along and will manufacture and be ready to deliver to us hundreds of millions of dollars' worth of supplies and equipment of various kinds that we have absolutely no use for whatever and will be practically a dead loss to this Government.

Mr. GORDON. Mr. Speaker, the gentleman does not claim anybody would deliver any supplies under the contracts covered by this bill, because they are not contracts at all?

Mr. SNELL. That is exactly what I mean. The gentleman may have his time later. Let me make my statement in my own time. These contracts were entered into in good faith by the British Government, and they are just as morally and legally binding on the American people as they would be if they had all the seals of the War Department of Washington on them, and you will find they are so considered by the British Government.

In France, Italy, Spain, and Switzerland we also have similar contracts that must be settled, and there is no possible way of settling them except by some special legislation, and I maintain it is economy on the part of this Government to act at once and get out from under these foreign contracts as quickly as possible; that it is better to pay a few hundred thousand to settle than to continue hundreds of millions of dollars' worth of contracts for supplies in a foreign land that we have no use for. And I am entirely convinced that we can settle every one of our contract obligations now cheaper than we can at a later date, and the longer they go the more it will cost the Government.

Furthermore, the business conditions of our own country rightly demand to know what the immediate policy of the Government is toward its contractors. The larger part of our manufacturing power has been devoted to Government work. Thousands of small manufacturers have their entire capital tied up or obligated on these Government contracts, and they can not adjust themselves to peace-time industry or start their normal activities until they get their pay from the Government, and unless they know that they are going to get their pay from the Government and contracts satisfactorily adjusted at an early date a large number will be forced to suspend activity for the present.

Suspension of activity by any of our industries at the present time would be one of the greatest calamities that could possibly befall us. The question of surplus labor and what to do with the discharged soldiers and the thousands of men let out by munition, shipping, and various war manufacturers is most serious at the present time, and I know of no one thing that will go further toward solving the labor problem than the enacting of some enabling legislation whereby the War Department can immediately settle up its war contracts and give the various contractors throughout the country their money so they can at once begin to employ this surplus labor in the channels of legitimate peace industries.

Therefore I maintain by passing this enabling act you will not only save money for the Government but you will do something that will prove a positive advantage to the labor situation during the reconstruction period.

I am willing to join with you in placing all the safeguards possible around it, and no man can successfully contend but that this legislation is needed, and if there is any fault anywhere, it will be in the administration of the act rather than in the enabling principle contained in the act itself and for which I am contending at this time. [Applause.]

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the life of Col. Roosevelt.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD upon the life of Col. Roosevelt. Is there objection?

There was no objection.

Mr. FOSTER. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, I have asked for this time in order to call the attention of Members of the House to two matters which I deem of importance. One is a hardship which some men in our Navy now seem to be undergoing after having their application for discharges acted upon favorably, by reason of the fact that they are indebted to the Navy in a small sum and are kept in the service until they settle the account owing to the Government, illustrated by the following letter, which I have received from a young Concho County, Tex., constituent:

RECEIVING SHIP,
Mare Island, Cal., December 31, 1918.

Hon. THOMAS L. BLANTON,
Washington, D. C.

MY DEAR CONGRESSMAN: I desire to call your attention to a rule in the Navy that is working quite an injustice with many who have had their applications for discharges approved by the proper authorities.

It is this: Many drawing only $35 or $40 per month bought liberty-loan bonds, despite the fact that they had allotments and insurance. In quite a few cases (in their patriotic enthusiasm) they bought too heavily, and they will only draw one, two, or three dollars each month above the insurance, allotment, and liberty-bond payment. Many overdrew their clothing allowance and were a little overpaid by the Government.

Although they are now needed to farm or to return to some essential industrial occupation, and their applications for discharge are already approved, if they are a little in debt to the Government they can pay the debt only by serving it out. Since their salary is all taken up except a few dollars it may take quite a while in some cases to pay this amount to the Government.

Why couldn't he be trusted with this small sum, when it would mean so much to the men who bought more bonds than they were really able to pay for?

I call this to your attention, believing that it is your wish to aid these men in the service who have given their time and all to aid democracy.

Thanking you in advance, I am,
Most sincerely, your friend, EMSY H. SWAIN.

The question is simply this: These young sailors have made an allotment out of their salaries to their parents. They have purchased liberty bonds. They have taken out insurance, and it all leaves them with only two or three dollars each month for their own use. They have overdrawn their clothing allowance; their application for discharge has been granted, and yet because they owe some seven or eight or nine dollars to the Government are held in the service, so this young man claims, until that is paid from this one or two or three dollars a month which they are entitled to receive, left out of their salaries. If this is the case, it is an outrage and a disgrace upon our Government. A young man who has given his all in the service, after he is entitled to a discharge and his discharge is granted, is held in the service because he owes two or three or four or five dollars.

Mr. LAZARO. Mr. Speaker, has the gentleman taken this matter up with the Navy Department and gotten any reply?

Mr. BLANTON. I have not; but that leads me to another matter. Several months ago I received a telegram from one of my constituents in Ovalo, Tex., asking for a report on a young soldier, Clyde Enoch Shaw, giving his company number, and so on. I called on The Adjutant General's Department for a report. It reported to me from the casualty branch that no casualty has occurred to this soldier. I so wired my constituents that no accident or casualty had happened to the soldier, and in a few days received by mail from my constituent in Ovalo, Tex., the following telegram, dated October 2, 1918, from The Adjutant General's office advising that the soldier had been

seriously wounded in France on September 17, 1918, sent by the department several weeks previous to their report to me of no casualty:

WASHINGTON, D. C., *October 2, 1918.*

Mr. REUBEN S. SHAW,
Route 1, Ovalo, Tex.:

Deeply regret to inform you that it is officially reported that Pvt. Clyde Enoch Shaw, Infantry, was severely wounded in action September 17. Department has no further information.

HARRIS,
Acting The Adjutant General.

I then by telephone called upon the department time and again for them to ascertain and report to me what had become of this soldier, who was severely wounded September 17, 1918, but could not get any information whatever. Finally I wrote The Adjutant General on December 19, 1918, the following letter:

DECEMBER 19, 1918.

Hon. P. C. HARRIS,
The Adjutant General, Washington, D. C.

MY DEAR GEN. HARRIS: I herewith inclose a letter from one of my constituents, Miss Neeta Shaw, of Ovalo, Tex., requesting information concerning her brother, about whom I have had several conversations with your office over the telephone during the past four weeks.

Full data is given in this letter identifying this soldier, and as his family is very uneasy about him, and inasmuch as several incorrect reports were given me by the casualty division of your office, increasing their suspense, I will ask you to kindly give me a definite, correct report as to his present condition.

If it is possible for you to do so, I would like for you to cable for definite information, if same is necessary.

Kindly give this case prompt attention, and oblige.

Very sincerely, yours,

THOMAS L. BLANTON.

Not getting a reply, I continued to telephone the casualty branch of The Adjutant General's Department, but the only information I could get was that Clyde E. Shaw was severely wounded September 17, 1918. Finally, on January 3, 1919, I received the following letter from The Adjutant General advising that all the information he could give was that Clyde E. Shaw was severely wounded on September 17, 1918, and he referred me to the Red Cross here in Washington for further information:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, January 3, 1919.

Hon. THOMAS L. BLANTON,
House of Representatives.

MY DEAR MR. BLANTON: I have the honor to acknowledge your letter of December 19, 1918, and regret to advise that this office has received no further information concerning Pvt. Clyde E. Shaw, Company M, Three hundred and fifty-ninth Infantry, than that he was wounded severely in action September 17, 1918.

For more information concerning his condition his sister should write to Bureau of Communication, American Red Cross, Washington, D. C.

I have referred your letter to the Surgeon General for information concerning him, and you will be advised his report when received.

Respectfully,

P. C. HARRIS,
The Adjutant General.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BLANTON. I ask unanimous consent for two additional minutes.

The SPEAKER pro tempore. The time is in control of the gentleman from Kansas and the gentleman from South Carolina.

Mr. FOSTER. I yield two minutes to the gentleman.

Mr. BLANTON. I am referred to the Red Cross here in Washington, D. C., for a report concerning a soldier severely wounded in France on September 17, 112 days ago. On January 4, the day I received this letter from The Adjutant General, I wrote him another letter, giving him the facts in full and sending it by special delivery, stating that the man had been wounded 112 days ago in France—wounded severely; that I had called upon the department numerous times for information and asked for a definite report concerning his condition, which letter I insert:

[Personal.]

JANUARY 4, 1919.

Brig. Gen. P. C. HARRIS,
The Adjutant General, Washington, D. C.

MY DEAR GEN. HARRIS: For two months, by numerous requests over the telephone and in other ways, I have been trying to get some definite information concerning the condition of one of my constituents, Clyde E. Shaw, of Company M, Three hundred and fifty-ninth Infantry, American Expeditionary Forces, reported severely wounded in action on September 17, 1918.

I have just received your letter of January 3, 1919, answering a letter I sent you December 19, 1918, wherein you advise me that the only information you can furnish me is that this soldier was severely wounded in action September 17, 1918, and you advise me to call on the Red Cross here in Washington for further information.

It has now been 109 days since this soldier was severely wounded in France, during all of which time his family has been kept in suspense, notwithstanding the fact that they have called on your department numerous times, and my office has called on your department many times for information concerning him. Am I to understand that your office makes no effort whatever to furnish information of this character to a Representative, and that my only means of ascertaining what became of a soldier constituent, severely wounded 109 days ago, is to call on the Red Cross here in Washington?

If this is the last recourse, then in my judgment there is something radically wrong with the efficiency of such a system.

If this was the only case where upon urgent insistence I have been unable to get definite information from your department, I might not complain. But in numerous instances the casualty branch of your department has reported to my office by telephone that it had no casualty report upon soldiers when I would later find that several weeks previous to such a report your office had sent a telegram to the relatives of such soldier that he had either been severely wounded or killed.

I will thank you for a prompt answer.

Very sincerely, yours,

THOMAS L. BLANTON.

Up to this good day I have not received a reply. Since their notification October 2 that Clyde Shaw had been seriously wounded in France on September 17 the family of this soldier have suffered the tortures of the damned, waiting for news, yet I can get them no information.

Mr. REED. I want to ask the gentleman about the Red Cross. Do they say they are permitted to use the cables to inquire about wounded soldiers?

Mr. BLANTON. I do not know; but, as I say, this is in the hands of the War Department, and we ought certainly to be able to get information concerning a man who has been wounded since September 17, 1918, and I am getting tired of making the demand for information that the mother and the father of the soldier are entitled to receive and having my letter sidetracked and pigeonholed for a month and a half and not getting any reply. [Applause.]

Mr. JUUL. Will the gentleman yield for a brief question?

Mr. BLANTON. I do.

Mr. JUUL. Does not the gentleman know the cables have been pretty busy reporting the festivities abroad?

Mr. BLANTON. I can not help that, but I think we ought to be able to get this information from the War Department and ought not to be referred to the Red Cross for it.

Mr. McCULLOCH. Will the gentleman yield?

Mr. BLANTON. I do.

Mr. McCULLOCH. The gentleman's experience is no different, I apprehend, from the experience of every other Member. Does the gentleman expect to introduce a resolution so as to get some results about it or is he merely attempting to give the fact publicity? I believe some action should be taken.

Mr. BLANTON. I want some action to be taken. I want my constituents, the mother and father, in my district to be able to get information concerning the welfare of their son who was reported seriously wounded September 17 last year and concerning whom they have heard nothing for months and months.

Mr. LITTLE. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. LITTLE. Does the gentleman think a department that can not keep track of the people who were killed is a competent department to pass upon four billions of claims in 30 days?

Mr. BLANTON. I think he can pass upon it, because if he had the right to make the contract in the first place he has the right to adjudicate it now.

Mr. LITTLE. I am glad to get the gentleman's view.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FOSTER. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. EAGLE].

Mr. EAGLE. Mr. Speaker, if there are any constituents in my district who have any claims to adjust coming within this category I do not know it, and therefore I hope I will be acquitted in advance of any motive other than the presentation of the views which seem to me to be correct as applicable everywhere throughout the country. I understand there are, in round numbers, 6,700 such claims, aggregating, in round numbers, $1,600,000,000, involved in this measure. I think one of the most inspiring things that in all my life I ever witnessed was the unanimity with which the business men, small and great, throughout America and in every section and precinct of America responded to the call upon their ingenuity, their plants, their enterprises, and their capital when this war came. If they had not done it we would not have won this war by this time. If they had not done it ultimately we never would have won this war.

They came here by the thousands and the tens of thousands in person and through their accredited representatives in obedience to the printed invitation of those whom you had clothed with authority to make contracts for the supplies requisite to the mighty enterprise, in haste and in confusion, but nevertheless in the finest spirit of Americanism men can ever observe in this world, and they entered in good faith into these arrangements without employing counsel and wiring for their lawyers to come here to see whether technically the contracts were written down as by statute provided. They entered into the contracts with the War Department, as I say, in haste and confusion. They

made enormous investments of their own, enormous investments through capital or credit, going to their bank and bankers, and these funds they employed in the enlargement of plants and the acquisition of raw material, the hiring of labor at enormous figures, until the mighty wheels of industry of this country were set on foot as never before, and made this Nation hum with industry as never before on the face of this earth in all recorded time. They made this war machine so powerful and irresistible that we conquered the forces which were opposed to modern Christian civilization. Now, when the armistice comes because we have broken down the mighty plant of German autocracy and the military machine which had been built up for 60 long years, and the excitement passes away and men become economical and critical, it is found in 6,700 instances that an "i" was not dotted and a "t" was not crossed, and therefore the Comptroller of the Treasury rules, and properly so, that those sums of money which ought to be paid for this vast material which made up this mighty war machine can not be paid because the exact wording of the statute has not been followed—the technical requirements provided by statute as to the proper officers to execute the contracts, or only memoranda instead of complete executed contracts, and so forth, notwithstanding the Government got full value and appropriated their products as contemplated.

It is honest to pay it. We, a Nation of 100,000,000 people, with $300,000,000,000 of wealth, owe this money to these American business men. They paid it out for raw material and kept every raw material industry in this Nation going with prosperity; they paid out the money to the workingmen of the Nation at high wages and enabled them to keep pace with the high cost of living; but they can not now collect the money due them because of a technicality. What will you do about it? I hope this rule will be adopted and that this measure, with perhaps some amendments, will pass, in order that the very gentlemen who, with intelligence and patriotism and good sense and perfect honor, made these contracts may themselves settle those contracts and not compel the American business man to be hailed before a commission made up of five or six or seven people acting as a court of claims, and at the end of 18 months, finding a certain amount due, and then have a special bill brought in, many of the parties going bankrupt in the meantime, with their debts and interest falling on them and their resources so extended that they can not borrow again. It is simply common honesty to pay these men inasmuch as you invited them to furnish their money, plants, ingenuity, resources, and experience, all of which were mobilized in this mighty American cause. Just as we invited them to do that, so now we ought promptly to settle their just accounts so that they can run their businesses. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, I did not oppose the report on the rule, but I did ask for time enough to examine into the claims of the proponents of the bill in order that I might vote intelligently on the measure. I frankly say that when the suggestion first came up I had some prejudice against the curative legislation proposed. I have gone into the matter carefully by examining the hearings, conversing with some of the parties asking for this measure, and I have no doubt now as to what we ought to do, because these contracts or agreements that have been technically spoken of as illegal are not illegal in the sense that they are without just grounds for fulfillment and are therefore unjustifiable or unlawful, except that the terms of the contract were not written and fully set out, but are supplemental through additional authority, sometimes given over the phone, and at other times by personal instruction without a formal contract, as required by law, and at other times by letter which might alter or modify a former understanding which could not well have been ignored. There is no doubt in my mind about our justification in making these informal agreements legal in a technical way what now are illegal because of the lack of the things I have mentioned. I have noticed there are two elements here which should be considered in our decision as to our duty. If a contractor should have said to the Government, "I can not do what you ask unless I have the formal contract," and should have made that protection a condition of his agreement to respond to the Government's needs, he would have been placed under suspicion at once. In such case the War Department told him to go ahead and the formal contract will follow—should the contractor still refuse until he got the contract, when time was the essence of the completion of it—I am of the opinion that the contractor would have been subject to a charge that he was not loyal. He would have been charged with pro-German sympathies because he was not willing to cooperate with the Government to supply quickly what was necessary for the prosecution of the war. Quite naturally under that condition he would proceed with what he was asked to do, although the order may have gone over the telephone, with no written evidence of the supplemental authority, and no one would argue that he should suffer because he responded to the request. For if he would refuse to do it under those circumstances we all know the contractor would have been subject to adverse criticism.

Then, on the other hand, this contract or agreement made by the War Department is quite different from the usual agreement in that it sometimes took the form of an approach to commandeering. At least it was of the mandatory character. For example, I happen to know of one case, and it is but one of very many others, where an order was given by the War Department and the party said that he could not do it because he had not the necessary equipment, when the War Department requested him to get the equipment. It was found the contractor could supplement his inability by improving the plant just slightly. Such an order in time of war meant really if he did not do it the Government might be called upon to do it, using the equipment after making the necessary changes. The general effect of such a situation was mandatory on the part of the contractor to put the equipment in, which necessitated an additional expense of no permanent value to the plant.

Mr. JUUL. Will the gentleman yield for a question?

Mr. FESS. In a moment.

And if the contractor would refuse to respond, he would again be subject to adverse criticism on the basis that he was not cooperating to supply the needs of the Government. I am trying to see the situation of the contractor as well as the Government. And so there were two elements of contract which must be considered in this discussion—the willingness of a contractor to accept a favorable instruction in lieu of a written contract on the explanation that the written contract would follow after the order had been given. That was one of the elements upon which he operated, and notwithstanding the fact he must have known the effect such supplemental advices would work, yet I rather think he can not be condemned for doing it. If there is any condemnation, it would be on the War Department in not having the necessary comprehension of the needs of the Government so as to make the terms at once plain and ample. The War Department not having this comprehension but in a mandatory way the power to say, "I want you to do it; go to the necessary expense to put your plant in position to do it," the contractor who responded to the mandatory requirement should not be allowed to suffer. These facts fully explained remove the suspicion I had, and I am therefore in favor of this proposed curative legislation. The error, if error there is, should be placed where it belongs. If there is anything wrong, it is the short-sightedness of the War Department and not the contractor. I am not now assuming to say that the War Department could have under the circumstances prevented all this confusion. I am convinced, however, that with the progress of the preparation for our defense the grossest inefficiency and wasteful practices known to government were too apparent for comment.

Now I yield to my friend from Illinois.

Mr. JUUL. Now, in the case described by the gentleman from Ohio there would be a written memorandum on one side, at least, and probably on both sides?

Mr. FESS. Yes; quite likely that would be true.

Mr. JUUL. And if the Government made a proposition and that was accepted by a contractor there was a complete meeting of minds and a contract such as any honest man would respect. Is not that correct?

Mr. FESS. Assuming your premise is correct——

Mr. JUUL. I am basing my question on your statement. In the case stated by the gentleman from Ohio there was an actual offer made by the Government and it was accepted by the contractor, and I would suggest in such case no honest legislator would want to not pay the bill.

Mr. FESS. I do not think anyone would refuse to pay a bill based upon such a contract, and it seems to me we ought not to hesitate in our duty, even though there is a lack of business sense or a looseness in the method of procedure on the part of the Government, and we ought not to cause some one who had no choice in the matter to suffer because of that looseness. The Government's duty in the fulfillment of its obligations is clear even though there appear irregularities on the part of the Government. These irregularities whether caused by hopeless incompetency, which is too apparent throughout this administration, as attested in numberless cases, or whether due to a business too stupendous to be comprehended, should not be ground for discrimination against one who in good faith responded to the Government's needs.

Mr. JUUL. If he acted in good faith?

Mr. FESS. Yes; if he acted in good faith.

Now, I yield to my friend from Nebraska [Mr. SLOAN].

Mr. SLOAN. Has the gentleman received any evidence or does he know of any statement showing authoritatively what proportion of these informal contracts were entered into in the last five days preceding the 12th of November?

Mr. FESS. I do not have the information as to the proportion.

Mr. SLOAN. It would be an important fact, would it not, to know, and we ought to have it?

Mr. FESS. I am of the opinion that that would not change the duty on the part of the Government to fulfill its obligation, to pay the obligation that the contractor had undertaken, especially if the contractor had no choice in his contract, as was often the case.

Mr. SLOAN. It should probably prompt a special investigation, however, relative to it.

Mr. FESS. I reply to my friend that I am talking on why we submitted this rule and not on the merits of the bill. I am, however, of the opinion that there should be some amendments made to this bill.

Mr. LAZARO. Mr. Speaker, will the gentleman yield?

Mr. FESS. I yield to my friend.

Mr. LAZARO. Is it not a fact that any individual, any good business man, who would have a contract, as the Government did, under pressure, would want to settle these claims as soon as possible while his memory was fresh?

Mr. FESS. I am of the opinion that it would be rather unwise to allow any cumulative claims that might come with the lapse of time. We are all well aware of the ease with which claims against the Government are filed; and I would also frankly state, although I did not intend to say it at this time, that the question of submitting these points to commissions might delay the adjustment, and it might, since with the lapse of time of settlement claims multiply, increase the expense to the Government. However, with these considerations before us, I am not wholly satisfied in my own mind that it would be wiser for the Secretary of War to undertake all of these adjustments himself, for many reasons, among which I mention one: Not longer ago than this noon I was told that out of the 4,000 officers housed here in Washington under the War Department in our temporary quarters on the Mall, from 40 to 50 of the men are about to be detached, to be attached to the Judge Advocate General's office, in order to be ready and properly located in different sections of the country to make the adjustment of these claims before the proposed commission. I am also told that if that adjustment is not satisfactory to the parties in interest, they propose to appeal them to the Court of Claims. I do not like that suggestion at all. However, that is somewhat extraneous and is a mere mention of the reported expectation of some of our many officers stranded here in Washington on Uncle Sam's pay roll.

Mr. GORDON. In response to the last observation that the gentleman has made, I would say to him that under this bill there can not be any appeal from the Court of Claims because the decision of the Court of Claims is final, so that the gentleman may rest assured as to that.

Mr. FESS. I think that is a good point, and evidently has not been detected by the parties quoted.

Mr. GORDON. I would like, since the gentleman has investigated this question so closely and is an authority on constitutional law——

Mr. FESS. Oh, leave that out——

Mr. GORDON. To know what the gentleman has to say as to the propriety, from the standpoint of the public, of having these claims submitted to judicial scrutiny?

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. GORDON. Will not some gentleman yield to my colleague some more time?

Mr. FOSTER. I will yield to the gentleman two minutes.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. FESS] is recognized for two minutes more.

Mr. FESS. My colleague desires not to embarrass me, evidently, although that prefatory remark of his would indicate that he has some mischief in his make-up. [Laughter.]

Mr. GORDON. No; it is in good faith, I will say to the gentleman.

Mr. FESS. The adjustment of any point of dispute, I think, ought to entail the privilege of a judicial settlement.

Mr. GORDON. This does not, however.

Mr. FESS. And for that reason it seems to me that anything we can do in the way of expedition so as not to bankrupt innocent men who have gone into this business in good faith ought to be resorted to immediately.

Mr. GORDON. But the gentleman forgets that the whole argument for this bill is that if you subject these claims to judicial scrutiny you are going to bankrupt the contractor.

Mr. FESS. Yes. That danger comes through delay of adjustment. The reason I looked with suspicion originally upon this curative legislation was that in the stress of war we so readily do things which, if it were not war, we would not do at all, and we justify ourselves, and quite justifiably, on the grounds that we have no choice. This sense of compulsion excuses the most palpable and inexcusable wastefulness. We pass over what ordinarily would shock the Nation. I have in mind such cases as the Hog Island situation, for example, where $21,000,000 was the original contract, afterwards increased to $27,000,000, and now we find that it has reached $61,000,000, or 300 per cent above the original agreement. When we urge that there ought to be economy exercised we are told officially, "To hell with your economy; we intend to win the war." That was a very popular thing to do and say. It was an expression of the determined will of the Nation to win at all cost. No one will find fault with the determination, but it can not be the shield of rank inefficiency and a wastefulness that is simply appalling, as is evidenced in every activity of the War Department, not only while the war was on, but even to-day. We must put on the brakes to this wastefulness, and I know it will be done in time, but it must not work an injustice to men who are carrying out agreements because of some technicality caused by the Government. We have got to adjudicate these differences with the best facility possible, and with the least expense to the Government on the basis that it is a bad situation in which we have found ourselves, out of which we must emerge in the best way possible, and with the least injury to innocent parties.

The SPEAKER pro tempore. The time of the gentleman from Ohio has again expired.

Mr. FOSTER. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for five minutes.

Mr. HUMPHREYS. Mr. Speaker, I just wanted to ask some questions of somebody who is able to give me the information desired about this procedure. I gather that certain contracts were in process of negotiation when the armistice came. Now, suppose this armistice had not been signed for 30 or 60 days longer and these informal agreements had been entered into as they were. Following the procedure which the department had adopted heretofore, would they then have been properly signed by the department and thereby validated?

Mr. DENT. I suppose perhaps I may be able to answer that, in view of the fact that I heard the testimony before the Committee on Military Affairs and before the Committee on Rules. Of course, it was the purpose that these contracts should be executed in due form.

Mr. HUMPHREYS. And signed by the proper authorities?

Mr. DENT. Yes.

Mr. HUMPHREYS. What put a stop to that right?

Mr. DENT. The Comptroller of the Treasury has ruled that the representatives of the Government, the officers of the Government, have no authority to ratify any agreement not formally executed at the time it was made.

Mr. HUMPHREYS. I understand that; but do the contracts end with the armistice?

Mr. DENT. Oh, no; no, indeed; the contracts do not end with the armistice.

Mr. HUMPHREYS. The right to contract, as I understand it, extends through the period of the war?

Mr. DENT. Undoubtedly.

Mr. HUMPHREYS. Well, is the war over? Is the war ended?

Mr. DENT. No; the war has not ended.

Mr. HUMPHREYS. Then, why can not the official who would be authorized to sign it if the armistice had not been made—why can he not sign it now?

Mr. DENT. Because the Comptroller of the Treasury says he will not recognize any such contract.

Mr. HUMPHREYS. Is that because of the signing of the armistice?

Mr. DENT. No; because further production and delivery has been stopped.

Mr. GORDON. Let me give you an additional answer.

Mr. HUMPHREYS. I yield to the gentleman from Ohio.

Mr. GORDON. I will say to the gentleman from Mississippi that that precise question was put up to the Comptroller of the Treasury as to why these contracts could not be ratified by some officer down there after the signing of the armistice, and I am advised that his reply was that if they did, somebody would go to the penitentiary, under a statute which makes it a felony to buy goods that the Government does not need, or something of that sort. I have not examined into the question.

Mr. LITTLE. That is a simple explanation.

Mr. HUMPHREYS. My understanding is that there is a statute, passed many years ago, perhaps during the Civil War——

Mr. LITTLE. In 1862.

Mr. HUMPHREYS. In 1862, I am advised, requiring the Army officer who is authorized to make contracts not only to sign the contract but also to sign an affidavit——

Mr. LITTLE. That is the trouble. That explains the whole thing.

Mr. HUMPHREYS. Now, if these contracts could have been signed during the war why can not they be signed now? I should like to know if for all purposes the war is over?

Mr. DENT. Will the gentleman let me answer that?

Mr. HUMPHREYS. I will. I am asking purely for information.

Mr. DENT. As far as I know that suggestion was made in almost that identical language by a member of the Military Committee when we were considering that proposition, and Mr. Warwick, the Comptroller of the Treasury, who was before the committee, said it could not be done, that the Comptroller only recognized contracts which were coexistent with the trade itself.

Mr. CALDWELL. Will the gentleman yield?

Mr. HUMPHREYS. Not now. I will in a moment. Then I am to understand that the officer could not sign the contract and validate it if the armistice had not been signed?

Mr. DENT. That is true, as I understand——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HUMPHREYS. May I have five minutes more?

Mr. FOSTER. I can give the gentleman two minutes.

Mr. CALDWELL. Will the gentleman yield just for a moment? I think I can straighten this thing out. I have been practicing law some years——

Mr. HUMPHREYS. I want to make this statement.

Mr. CALDWELL. There is no use——

Mr. HUMPHREYS. I think there is. I think it is very necessary that I should make this statement. [Laughter.] The gentleman from Alabama says I have suggested nothing new. That is no surprise at all to me. I did not think I was bringing up any new proposition, and I hoped that as the question has been asked frequently and as the gentleman is familiar with it, he would be able to give some reply that would be satisfactory.

Mr. TILSON. Will the gentleman yield?

Mr. HUMPHREYS. Not now. I have but two minutes. As I understand, these contractors are in no worse situation because of the armistice than they would have been if there had been no armistice; that there never would have come a time when these contracts could have been signed. Now, that being true, I want to ask the gentleman this question—and I am going to vote for the rule, too—I ask this purely for information: Why would it not cure the whole trouble if you passed an act here to authorize the man, whoever he may be, who during the continuance of the war would have the right to make the contract and sign it to sign it now and let these contractors have whatever rights they would have had if they had legal contracts complying with all the requirements of the statute?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FOSTER. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. CALDWELL].

Mr. CALDWELL. Mr. Speaker, the gentleman from Mississippi [Mr. HUMPHREYS], wanted to know why it was necessary to have this bill in the form of the one presented. As I understand it, the trouble arose when they attempted to adjust the informal contracts. The Secretary of War assumed that certain sections of the Revised Statutes did not apply when we were in actual hostilities and made informal contracts to supply material to the Government without the formality of a written contract protected as required by the act of 1862 or 1863. When they came to cancel the informal contracts and adjust them they found there was no power by which they could adjust and pay out the money upon that kind of a contract, and it was necessary to authorize an adjustment of these contracts before the men who had in good faith supplied material to the Government could be paid for it. That is the reason why this act was asked of us. Unless you do this these men can not get pay for what they have actually done and for money laid out. It will amount to more than $2,000,000,000. The business of this country can not stand the loss of $2,000,000,000 at this time nor can they stand its being tied up for any considerable period. It is necessary that something should be done here, and at once, in order that the wheels of commerce may continue to turn without interruption.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. LAGUARDIA. What percentage of the $2,000,000,000 is due abroad and what in the United States?

Mr. CALDWELL. The $2,000,000,000 I refer to is due here.

Mr. FOSTER. Mr. Speaker, I yield four minutes to the gentleman from Ohio, Mr. GORDON.

Mr. GORDON. Mr. Speaker, it is a pretty good-sized rule and bill to discuss in four minutes. There is some misapprehension on the part of some gentlemen who have spoken here as to the rights of the Government and the rights of individuals. I take it that where a man has furnished and delivered supplies to the Government, without any contract at all, he is entitled to recover the value of the goods. In fact, he could sue in the Court of Claims for them, and any proper department of the Government has the right to allow and pay for the goods so delivered. This legislation is not invoked for any such purpose as that. It is intended to authorize the reimbursement to contractors for the equitable rights arising under contracts which were in fact and in law invalid contracts. They were no contracts at all.

It is an exceedingly difficult question which has confronted the committee. I think the bill should have gone to the Committee on the Judiciary or the Committee on Claims; but it came to us, and we did the best we could with it. We adopted 10 provisos to protect the public interest. The difficulty is that it attempts to confer judicial power on an executive department of the Government. The Constitution provides that all judicial power, in law and equity, shall be conferred on the courts. But we were confronted with the statement that if we undertook to take the time necessary to subject to judicial scrutiny the six thousand and more claims that the loss of time entailed in conducting that investigation would bankrupt some of these men. Personally, I do not think that is a sufficient answer. But none of the other members of the committee agreed with me, and therefore I did not feel justified in bringing in a minority report. The truth about it is that you are conferring upon an executive department of the Government power to adjudicate equitable rights, and that is an authority that ought to be conferred only on some court.

Mr. LONDON. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. LONDON. Do the formally executed contracts contain a method of settling disputes?

Mr. GORDON. Yes; our Supreme Court held in the 91st United States that a formal legal contract partially completed, executed in a time of war, might still be adjusted by the payment of a lump sum. Such a settlement as that was made; but that is in apparent conflict with the general rule of law that no executive department of the Government may settle and adjust any claim for unliquidated damages arising out of contracts or tort. That is a broad statement, but it is absolutely the law.

Mr. SANFORD. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. SANFORD. Under the authority that the gentleman has just cited, which holds that the settlement is not the exercise of judicial power, this bill does not confer any judicial functions.

Mr. GORDON. Yes; it does. There the contract was still in force and it was executed in part and was a valid existing contract. Here there is no contract, and you can not properly create equitable rights—I say you can not—Congress can pay the claim without any investigation at all.

Mr. BARKLEY. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. BARKLEY. Does the gentleman hold that if the Government agent and the contractor get together and agree on the price that that is a judicial proceeding?

Mr. GORDON. Oh, no; not in all cases. We were told in the public press that upon the signing of the armistice the War Department terminated these contracts, and if it did, that creates a claim for unliquidated damages which no executive department of the Government has any legal right to adjudicate.

Mr. CAMPBELL of Kansas. Mr. Speaker, if this bill validating informal or incompleted contracts had come to the Congress as a result of an armistice 30 days after the declaration of war some apologies might be made for the War Department because of its inability or inefficiency in the conduct of affairs relating to the war and providing for war materials; but in this case the War Department asks for the validation of certain contracts more than a year and a half after the declaration of war and now some 60 days after the signing of the armistice. There is no excuse that can be made for the War Department. Its incompetency to conduct the affairs of the Government in such great matters as providing munitions of war is so manifest that it seems to me men should hesitate before giving this same

department a new authorization to settle for the Government with more than 6,000 contractors on invalid contracts amounting to nearly a billion and three-quarters of dollars. The Navy Department is in no such dilemma. The conduct of that department has not been upon the same footing of incompetency as the War Department. They do not come here asking the Congress to validate unlawful, illegal, or incomplete contracts. Their contracts terminated with the signing of the armistice, as the contracts made by the War Department for munitions of war should have provided by their own terms for their termination. But no; "the most efficient public servant the President ever knew" has been so inefficient that he has made a mess of providing munitions of war that his conduct of war contracts will be a scandal in this country for the next quarter of a century.

Mr. LONDON. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. For a very brief question.

Mr. LONDON. Do not the formal contracts have some method of cancellation in the event of an armistice?

Mr. CAMPBELL of Kansas. Undoubtedly that is provided for. Of course, it should be. The War Department through its incompetency has gotten this Government into this mess. What did the War Department do? For months and months after the declaration of war contractors besieged the War Department for contracts. The hotels of Washington were filled with manufacturers seeking contracts. Nothing was done. May, June, July, August, September passed. Nothing was done. Few contracts were let, and God only knows why. We were in a great war. We needed munitions of war. Gen. Pershing said when the war terminated he had practically no munitions of war furnished by American contractors. Gen. Pershing was forced, so he says in his report, to go to French contractors for guns, for munitions, aeroplanes, artillery, tanks, everything that was essential in prosecuting the war.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. No. The inefficiency of the War Department in failing to provide munitions of war through American contractors is a reflection upon the War Department rather than upon American business men and American laborers.

Mr. SUMNERS. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. I would rather proceed. American business men were furnishing arms and ammunition to the belligerents in Europe before we entered the war. There is no excuse, therefore, for the condition in which our War Department found itself during the progress of the war and at the signing of the armistice.

I have no doubt there are many claims that should be adjusted. I have no doubt that many contractors have expended much money and material in preparing to supply the Government with the necessary munitions of war, for which they should be paid, but I doubt seriously that the War Department should make that adjustment. The War Department has not shown itself possessed of the business ability and the judgment necessary to the conduct of large business.

But it is through the War Department that this bill proposes to adjust a billion and three-quarters of dollars' worth of claims for the sincere, hardworking, conscientious body of the American people. Now, observe the attitude of the War Department in its enthusiasm and haste to validate informal or unlawful contracts so that it may be authorized to pay out a billion and three-quarters of dollars to contractors who have furnished so little of munitions of war, who have received from the American people, through the War Department, more money than was ever dispensed by any nation in time of war. We have received less units of arms, of ammunition, and of war materials than were ever received by any people at any time in the history of mankind for the money expended. Now, contrast the attitude of the War Department in its enthusiasm and haste to validate these informal or unlawful contracts with its attitude of inaction during the first months of the war. The War Department shows much zeal in its effort to see what contractors may have their money at the earliest date possible, while millions of men are held in the Army after the war is over, who have sacrificed their positions in civil life, many of them receiving salaries ranging from $1,000 to $5,000 or $10,000 a year, abandoning their business, merchandising, manufacturing, farming, every variety of industry, sacrificing their all to serve for $30 a month. They made allotments to their wives, their mothers, their sisters, their dependents. The soldiers are not paid promptly; the war is over—they are not discharged. The allotments are not being paid. The War Department shows no anxiety; it does not rush here urging that Congress do something to enable it to do what it already has the authority to do and should be doing. Oh, no. It is not even paying the men the $30 a month that is due the soldier. Men are wounded in every hospital along the coast who have been for months without pay, many of their families having been for months without information concerning them. There is much anxiety to pay the contractors who have furnished so little in munitions of war, but no anxiety to make good with the men who gave their limbs, who offered their lives in war, and the statement of the fact is a more serious reflection upon the War Department than I could make. The fact that stands out preeminent against the War Department is the colossal sums that have been expended by the War Department in so short a time, for which so little has been furnished to the men on the fighting front with which to carry on the war.

The fact is, on the other hand, that men from the beginning have suffered for want of hospital facilities and for want of nurses, for want of medical attention, are suffering to-day for want of pay, for want of the ordinary attention they should have. The War Department is conspicuous for its inability to conduct business upon a large scale. Of course, something must be done to have as early an adjustment as possible of these matters. The adjustment should not be made, as it provides in this bill, through the men who have failed even to make valid contracts and who now ask Congress to validate the contracts so they can make adjustments upon them.

I know how difficult it is to terminate the life of a commission. I know how long it takes to secure the completion of a large number of contracts before the committees of Congress. These are matters that should have been foreseen and probably were taken into account by the contractors when they entered into negotiations with the War Department. It is a serious mess we are in, and you can not gloss it over; you can not make excuses that are sufficient. It is a mess that the War Department has gotten the country into, and now seeks to get Congress to help it out of that mess.

Mr. BARKLEY. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I will.

Mr. BARKLEY. Does the gentleman think that this mess, upon which the gentleman has been deglutinating for some length of time, would have been made less by waiting for an interminable length of time in order to have new contracts made to get supplies?

Mr. CAMPBELL of Kansas. No; but these contracts should have been made according to law, as the Navy Department made its contracts.

Mr. BARKLEY. The contracts for the Navy were not one one-hundredth part as large as the contracts for the War Department, and the gentleman knows that.

Mr. CAMPBELL of Kansas. And the Navy Department did not have half the number of men making the contracts.

Mr. LITTLE. Just as they did in the Civil War.

Mr. CAMPBELL of Kansas. The truth of the matter is that the Secretary of War has failed to measure up to the standard by which the President measured him as "the most efficient public servant the President had ever known." Either the President is wrong in his judgment of efficiency or the Secretary of War has not given the Government the benefit of his great business ability.

Mr. SLOAN. Will the gentleman yield there?

Mr. CAMPBELL of Kansas. For a question.

Mr. SLOAN. The President stated that as a piece of humor, did he not, not seriously when he was speaking of the Secretary of War?

Mr. CAMPBELL of Kansas. Well, I do not know whether the President was joking or not; he may have been.

Mr. SNYDER. Everybody else thought he was.

Mr. CAMPBELL of Kansas. This bill should be very materially amended.

Mr. BLANTON. Will the gentleman yield for a question right there?

Mr. CAMPBELL of Kansas. No. This bill should be amended by the House in the Committee of the Whole and some method arrived at similar to that adopted by the Senate, or the amendment suggested by Mr. MOORE of Pennsylvania. Although I do not believe in the creation of commissions, yet somebody besides the War Department should adjust these claims against the Government upon these contracts that were not made according to law. And the War Department does not need further authority to discharge soldiers, and should show more consideration for the men who did the fighting than it has shown. It also should show more consideration for the dependents they left at home than it has been showing them by paying promptly the allotments that are due them.

Mr. ELSTON. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I will.

Mr. ELSTON. The gentleman just referred to the action of the Senate or the Senate committee. Do I understand the Sen-

ate committee has provided a different method for adjustment than was provided in the bill?

Mr. CAMPBELL of Kansas. I understand the Senate Committee on Military Affairs provided for the appointment of a commission.

Mr. ELSTON. I understand the Senate committee yesterday reversed that——

The SPEAKER pro tempore. The time of the gentleman has expired. All time has expired. The question is on the adoption of the resolution.

The question was taken and the resolution was agreed to.

Accordingly the House automatically resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, with Mr. CRISP in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the consideration of the bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon the basis of reasonable value but in no case greater than the agreed price that has been entered into, in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for any supplies, material, or equipment to be used in the prosecution of the war, when such agreement has been executed in whole or in part, or expenditures have been made or obligations incurred upon the faith of the same by any such person, firm, or corporation prior to November 12, 1918, and such agreement has not been executed in the manner prescribed by law: *Provided*, That payment under such agreement shall not exceed the fair value of the property transferred or delivered and accepted by the United States, as determined by the Secretary of War, and where no property has been transferred, delivered, or accepted payment shall not be in excess of the actual cost incurred in preparation for performance, as such cost is determined by said Secretary: *Provided further*, That this act shall not authorize payment to be made of any claim under such agreements after June 30, 1919: *And provided further*, That the Secretary of War shall report to Congress at the beginning of its next session following June 30, 1919, a detailed statement showing the nature, terms, and conditions of every such agreement and the payment or adjustment thereof: *And provided further*, That nothing in this act shall be construed to confer jurisdiction upon any court to entertain a suit against the United States upon any agreement of the character herein provided for: *And provided further*, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into, or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns, or any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statutes of the United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD, or in the Official Bulletin, or as a public document, 10 days before confirmation and payment is authorized upon such contracts.

During the reading of the bill, the following colloquy occurred:

Mr. LITTLE. Mr. Chairman, I make the point of order that this bill was improperly referred to the Committee on Military Affairs and is not properly before that committee, and should be before the Claims Committee. I argued the point a few moments ago, and I do not care to do so further now.

The CHAIRMAN. The Chair will state to the gentleman from Kansas that he was in the Hall when the gentleman made his point of order, while the Speaker pro tempore was presiding, and the present occupant of the Chair listened to the argument of the gentleman from Kansas. In the opinion of the Chair the gentleman from Tennessee [Mr. GARRETT], the Speaker pro tempore, correctly ruled upon the point of order, which I think is binding on the present occupant of the Chair as chairman of the Committee of the Whole on the state of the Union. The Committee on Rules brought in a rule providing for the consideration of this bill by number. Under the rules of the House, the Committee on Rules can bring in a special order changing and abrogating any rule of the House, with only two limitations, relative to Calendar Wednesday and a motion to recommit. It is in order for the Committee on Rules to bring in a rule providing that a bill that had never been before any committee at all, whether public or private, should be considered, and if the House adopts the special order it changes or abrogates any rules of the House conflicting with the special order.

Mr. LITTLE. How would the Committee on Rules get such a bill?

The CHAIRMAN. The Committee on Rules is not a legislative committee. The Committee on Rules is not now considering any legislation. The Committee on Rules can bring in a special order for the consideration of legislation and could provide that any Member of the House or any committee could offer a resolution or a bill for immediate consideration that had never been before any committee at all. In the opinion of the Chair, the House having adopted this special order providing that this bill should be considered, and determining how it should be considered, it is not proper for the occupant of the Chair as committee chairman to rule that the bill is not properly before the Committee of the Whole for consideration. The Committee of the Whole is simply a creature of the House. The House has provided that this bill shall be considered. Therefore the Chair overrules the point of order.

Mr. LITTLE. May I make one suggestion there?

The CHAIRMAN. Yes, sir.

Mr. LITTLE. Have not chairmen ruled, and I think properly, it could be done in Committee of the Whole?

The CHAIRMAN. I do not think the Chair held that. I think the Chair stated it was not for him to pass upon it. But that question was not up then for consideration. The present occupant of the chair has distinct ideas on the point of order, and while I do not think it necessary to rule on the point, the Chair will do so. In the opinion of the Chair, the bill before the House is a public bill, and it is too late to raise a question of jurisdiction. The question of estoppel would apply. If the bill—a public one—had been improperly referred, any time before it was reported to the House by the committee a motion would have been in order to correct the reference. Not having been made, it is now too late to make it.

Mr. LITTLE. How can the Chair dispose of the numerous rulings that the point can be made when we are in Committee of the Whole, as in section 4380 and the other sections to which I referred, I think by your distinguished father, where it is repeatedly ruled that after you go into the Committee of the Whole, if the point is made, it can be properly referred. The Rules Committee must certainly be subject to some orderly method of receiving jurisdiction of any bill.

The CHAIRMAN. None of those was considered under a special rule of the House directing that a special bill be considered. The Chair has not examined the precedents cited, but feels sure that if the gentleman will investigate it he will not find any of those bills were ordered considered under a special rule of the House providing for their consideration. The Chair believes that an investigation will show that in the cases cited the House was in the Committee of the Whole House considering the Private Calendar. That the bills were called up in regular order when reached on the calendar and the points of order then made. Under such circumstances it is undoubtedly in order to make a point of order as to jurisdiction of committee. Such a case is very different from the one at bar.

Mr. DENT. Mr. Chairman, I ask that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. STAFFORD. Mr. Chairman, this is a small bill, and I think it should be read in order to show what is to be considered.

The Clerk concluded the reading of the bill.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] is recognized.

Mr. DENT. Mr. Chairman, if possible, I would like to arrange as to who will have control of the time.

Mr. DENISON. Mr. Chairman——

The CHAIRMAN. The gentleman from Alabama has the floor.

Mr. DENISON. I would like to know what arrangement has been made about controlling the time.

The CHAIRMAN. No arrangement has been made, and the Chair was expecting to hear from the gentleman from Alabama as to that.

Mr. DENT. The rule provides for three hours of general debate. There is no arrangement about division of time. I should like to have an understanding that the time that is to be controlled by those who are in favor of the bill shall be equally divided between the gentleman from California [Mr. KAHN] and myself, or some other member of the Military Committee representing the gentleman from California. I see present the gentleman from Kansas [Mr. ANTHONY].

Mr. ANTHONY. What was it? I did not hear the gentleman.

Mr. DENT. I was suggesting that an hour and a half be consumed by those in favor of the bill, the time to be controlled one-half by myself and one-half by the gentleman from Kansas, as representing the other side of the House, and the other hour and a half I do not know who wishes to control.

Mr. ANTHONY. I will state to the gentleman that I am not entirely in favor of the bill as it stands, but I am in favor of its amendment.

Mr. GREEN of Iowa. May I make a suggestion to the gentleman from Alabama?

Mr. ANTHONY. I do not think there will be any difficulty about the control of the one hour and a half on this side.

Mr. DENT. Then I suggest that an hour and a half be controlled by myself, to be dispensed among those who are in favor of the bill, and the other hour and a half I do not know what gentlemen want to control. I do not know of any member of the committee who wants to oppose the bill. The committee reported the bill out unanimously.

Mr. GORDON. Mr. Chairman, if the gentleman will yield to me, he may have discovered from my few observations with respect to this bill that I am not entirely clear as to the attitude I should take about it. I feel strongly that these claims should be adjusted, but I believe the Government should be protected, and I do not believe it is sufficiently protected by the bill as it now stands. I want to act in good faith with the committee.

Mr. DENT. This statement surprises me, because the motion was made by the gentleman from California [Mr. KAHN] that the bill be reported out with several amendments, one of which was submitted by the gentleman from Ohio [Mr. GORDON], and there was no objection when the bill was reported out. I made the statement deliberately—and I thought I had the right to make it—that it was reported out by the unanimous report of the committee. I make this statement informally.

Mr. GORDON. If that statement was intended to apply to me, I would like to be heard in regard to it.

Mr. MANN. As I understand it, under the rule three hours' debate was provided for on the bill?

Mr. DENT. That is the case.

Mr. MANN. What will be the procedure as to recognition? Will the Chair recognize a gentleman for an hour, the time to be controlled by the gentleman recognized, and then a gentleman in opposition will occupy an hour, the time to be controlled by the gentleman recognized, or will the time be limited unless some arrangement is entered into?

The CHAIRMAN. Unless some arrangement is entered into, the Chair will recognize the gentleman from Alabama [Mr. DENT] for an hour, and if anyone opposed to the bill seeks recognition the Chair will recognize him for an hour. If the gentleman from Kansas [Mr. LITTLE], who led the opposition to the bill, wants recognition, the Chair would recognize him for an hour. Then the Chair would recognize some Member in favor of the bill for 30 minutes and some one opposed to it for 30 minutes, on the ground that the rule changes the general rule governing the disposition of time, giving each Member recognized an hour.

Mr. ANTHONY. I suggest that the time be divided in the regular way and that the gentleman from Alabama [Mr. DENT] control an hour and a half and that this side of the House control an hour and a half. A number of Members have spoken to members of the Committee on Military Affairs on this side of the House and the time has been promised to them regardless of whether they are for or against the bill.

Mr. DENT. I think that is reasonable.

Mr. POU. Will not the gentleman from Kansas and the gentleman from Alabama agree to divide the time as equitably as possible between gentlemen favoring and gentlemen opposed to the bill? If so, I think the membership are willing to trust the fairness of both gentlemen.

Mr. LITTLE. Mr. Chairman, I have no desire to dispose of the time, but I would be satisfied if the time were divided between both sides of the House, providing that those who are opposed to the bill shall have half of the time, if they want it, and that I have a reasonable time myself. If I have that assurance I shall be glad to accede to the suggestion of the gentleman from Kansas. If not, I think the time should be divided equally between those who favor and those who oppose the bill.

Mr. ANTHONY. How much time does the gentleman from Kansas desire?

Mr. LITTLE. About 20 minutes.

Mr. ANTHONY. I do not believe that 20 minutes can be yielded. I can yield 10 minutes to the gentleman. About a dozen gentlemen desire time. I shall be glad to give the gentleman as much as anybody else.

Mr. DENT. How much time does the gentleman from Kansas desire?

Mr. LITTLE. I would like to have about 20 minutes.

Mr. DENT. I will give the gentleman 10 minutes of the time allotted to this side.

Mr. Chairman, I ask that the time be equally divided, to be controlled equally by the gentleman from Kansas [Mr. ANTHONY] and myself.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the time be equally divided, to be controlled by the gentleman from Kansas [Mr. ANTHONY] and himself. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. ANTHONY. Mr. Chairman, I would like to have the attention of the gentleman from Alabama.

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Kansas?

Mr. DENT. I yield.

Mr. ANTHONY. Would the gentleman from Alabama indicate about how far he intends to go in the debate this afternoon before adjournment?

Mr. DENT. My idea is that we will run for about an hour. I thought that would be long enough. That would take us to half past 5. Then I would move to rise. As I understand it, this is a continuing order and the bill would be in order tomorrow morning under the rule.

The CHAIRMAN. The present occupant of the chair could not undertake to rule on that.

Mr. DENT. Mr. Chairman, the Committee on Military Affairs has given full and elaborate consideration, I may say, to the proposition involved in this proposed bill. We have had full and complete hearings. We did not adopt the bill as it was prepared in the War Department and sent to the committee. The committee itself worked out a solution, as it thought, of the problem.

I think there has been a great deal of misunderstanding, which can be easily cleared up, on the subject matter of this legislation. Under the provisions of sections 3445 and 3446 of the Revised Statutes it is provided that no Government contract shall be recognized as valid and binding unless it is in writing and signed at the end thereof by the contracting officer and the contractor and an affidavit is made by the contracting officer in the form and manner prescribed by those sections.

The testimony before the Committee on Military Affairs demonstrates that there were some 6,700 contracts, involving about $1,600,000,000, that were not executed with the ceremony and the formalities required by those two sections of the Revised Statutes. The object and purpose of this bill, as the Committee on Military Affairs understands it, is simply to do this, nothing more and nothing less—to authorize the Secretary of War to settle, adjust, and discharge the obligations of these contracts which were not executed with the formalities prescribed by law in the same manner and in the same way that the War Department will settle contracts that were duly and legally executed.

Now, to save my life I can not understand why it is that gentlemen will strain at a gnat and swallow a camel over a proposition of this kind.

I can not understand why we should undertake to have a commission to settle claims on contracts that were not formally executed, although the parties performed every obligation that was demanded of them, and yet allow the Government to proceed with the settlement of claims involving perhaps five or ten times more on contracts that were properly executed. If you are not willing to trust the War Department, if you are not willing to trust the authorities that made the contracts to settle the contracts, then you ought to bring in a bill and provide that the commission should not allow the War Department to settle those contracts that were legally executed and duly and ceremoniously signed, because they involve many more billions of dollars than are involved under the contracts that this bill undertakes to take care of.

Mr. DENISON. Will the gentleman yield?

Mr. DENT. I wish the gentleman would let me complete my statement, and then I will be glad to yield. When this bill was under consideration by the committee there was considerable opposition to it to begin with, but I thought the committee finally agreed to report it unanimously; certainly no one reserved the right to make any minority report and there was no objection to the bill being reported. As I stated to a member of the committee who seemed disposed to oppose this bill, let us take this concrete case: Suppose that on the 15th day of October, if that was a week day, the Quartermaster's Department wired some manufacturer to supply the Government with certain war materials needed in the prosecution of the war, and that manufacturer immediately proceeded to comply with the telegraphic

order, and the representative of the Quartermaster's Department immediately followed the telegram with a duly executed contract, which was signed by the contractor and the proper officer in the Quartermaster's Department. The goods were delivered and every requirement of the contract was complied with. Suppose on the same day a representative of the Ordnance Department sent a telegraphic order to some contractor or manufacturer to supply the Government with so many rifles or so much ammunition, but the contracting officer failed to follow his telegraphic order with a formal, written contract. In both instances the manufacturer complied with the telegraphic order, the Government received the goods, the Government got the benefit. I would like to ask if any honest man would discriminate between those two cases? Now, that is what this bill undertakes to correct.

Mr. HUMPHREYS. Will the gentleman yield now or would he prefer not to?

Mr. DENT. I would like to finish my statement first.

Mr. HUMPHREYS. All right.

Mr. DENT. In other words, this bill simply declares that the Secretary of War shall be authorized to discharge obligations which were entered into in good faith, where the contract was executed either in whole or in part or where the contracting party made expenditures or incurred obligations on the faith of it, although it was not signed and executed in the manner prescribed by law. Now, that is all that this bill does. I will state the proposition in other terms. I state without fear of successful contradiction that this bill does not do anything more than to authorize the War Department to discharge obligations which, had they been entered into between private parties under similar circumstances, would be enforced by any court of justice in the land.

Now, coming to the proposition that gentlemen are afraid that they are validating frauds, that they are perhaps putting their approval upon corruption, let me call attention to these facts: As I stated a few moments ago, the informal contracts, as they have been called, amount in number to some 6,679, I believe, and involve a little over $1,600,000,000. Now, let us see what we have done since the declaration of war, even during the last year. In the annual Army appropriation bill which became a law on the 9th day of last July Congress appropriated over $12,000,000,000 for the support of the Military Establishment. The Appropriations Committee, which handles appropriations for fortifications and heavy artillery, added $2,800,000,000 to that sum. In October of last year the Appropriations Committee were called on for a deficiency bill of over $6,000,000,000, which Congress passed, most of it applying to the Army. So that within the last seven or eight months we have appropriated over $21,000,000,000 in order to carry on the Military Establishment during the war. And now, because we come before Congress and ask that the Secretary of War be permitted to settle and discharge obligations involving $1,600,000,000, it is said to be a horrible and a terrible proposition that is presented to Congress.

Mr. DENISON. Will the gentleman yield?

Mr. DENT. I yield to the gentleman from Illinois.

Mr. DENISON. Of course when we appropriated all those vast amounts of money, we assumed that it would be expended legally and under legal contract. That was assumed, was it not?

Mr. DENT. Why, of course.

Mr. DENISON. Does the gentleman make a distinction between the settlement of legal contracts and the settlement of illegal contracts?

Mr. DENT. I do not make any distinction, and that is the very purpose of the bill. It says there ought not to be any distinction where the contracts are entered into in good faith and the Government got the benefit of it and the other party furnished the supplies.

Mr. DENISON. If all the contracts were entered into in good faith, the gentleman says, but how does he know that when the law was not complied with?

Mr. DENT. I know it as well in the contracts that were not signed as I do in those that are properly signed.

Mr. DENISON. But those that were legally signed have been accompanied with the affidavit that there was no interest on the part of the contractor and all competing bids were filed with the department. Now, that protects the people and protects the Government. But in these other contracts the affidavit of disinterestedness was not filed and the competing bids were not filed; can the gentleman make a distinction between the two classes of cases?

Mr. DENT. I do not think there ought to be any distinction between them. I get the gentleman's point, and although it puts me out of my line of argument I will say that if this bill is adopted I challenge any man, any lawyer of the House, to dispute the proposition that if it is discovered hereafter that the contract was made and that the usual affidavit was not filed because the contracting officer wanted to avoid responsibility that he would be guilty of conspiracy to defraud the Government.

Mr. DENISON. How are you going to find that out?

Mr. DENT. The same way that we find out fraud and conspiracy on a contract that was legally executed.

Mr. TILSON. Will the gentleman permit a single suggestion?

Mr. DENT. Yes.

Mr. TILSON. If there were any contractors who desired to practice a fraud, would not they see to it that their contracts were executed with the greatest minutia of detail?

Mr. DENT. Undoubtedly.

Mr. TILSON. And the honest contractors are the very ones that would enter into contracts with less formality.

Mr. DENT. I thank the gentleman for the suggestion. I think the man who went to work and supplied material under orders given by the War Department without hiring some lawyer to see that the law was complied with is entitled to more consideration than the one who hired a lawyer to see that the contracts were properly executed.

Mr. MANN. Will the gentleman yield?

Mr. DENT. I will.

Mr. MANN. Is it claimed by the War Department or the comptroller that because of the armistice the War Department could not go ahead and execute these contracts and then cancel them?

Mr. DENT. No; it is not claimed that they could not do it on account of the armistice.

Mr. MANN. If the war had continued could they have gone ahead and executed the contracts?

Mr. DENT. I can not answer that, but the comptroller holds, as I interpret his statement before the Military Committee of the House, that when the War Department issued orders on the 12th day of November to stop the delivery under the various contracts that had been made, that subsequent to that time a contract could not be formally executed because there was nothing to execute a contract upon, that it must be coexistent with the contract itself.

Mr. MANN. If that is the only reason, the War Department could revoke its order long enough to sign the contract and then order the delivery stopped.

Mr. ANTHONY. Will the gentleman yield?

Mr. DENT. I will.

Mr. ANTHONY. Did not the comptroller make a ruling to the effect that when the armistice was signed the emergency was passed, and that Congress having provided an appropriation to be expended during the emergency, after the armistice they could not be legally paid?

Mr. DENT. I do not so understand the comptroller's ruling. Perhaps I have not made myself clear. My understanding is this: Suppose the contract was made and the order was given by telegram or telephone, or by a memorandum on the 1st of October; the contractor had made partial delivery but had not delivered the whole, and no formally executed contract was made; that on the 12th of November the department notified the contractor not to make any further deliveries in the performance of the contract. The comptroller holds that subsequent to that time the officer representing the Government could not now sign a contract. In other words, a legally executed contract must take place at or about the time of the transaction.

Mr. MANN. That is based on the order of the War Department stopping deliveries?

Mr. DENT. Yes.

Mr. MAGEE. Will the gentleman yield?

Mr. DENT. Yes.

Mr. MAGEE. As I read this bill you would designate the formal contract as one executed in pursuance of law under the formalities of the Federal statute?

Mr. DENT. Yes.

Mr. MAGEE. And an informal contract as designated is one made by telegram or perhaps a memoranda, but not with the formalities required by statute? Does this bill do anything more, as a matter of fact and law, than place such an informal contract entered into in good faith upon the same basis as a formal contract?

Mr. DENT. That is exactly what the bill does, and I so stated, I thought.

Mr. MAGEE. And there is no question that the Secretary of War would have had ample authority to enter into a formal contract in any one of these instances in which you attempt to give relief?

Mr. DENT. Undoubtedly; and had he done it there would be no necessity for this legislation.

Mr. McCULLOCH. Has there been any question raised by anyone as to whether or not the Government should settle these contracts? Has anyone contended that the Government should not settle the contracts?

Mr. DENT. I have not heard of anyone that was contending it should not.

Mr. McCULLOCH. There have been, then, irregularities that this bill seeks to correct.

Mr. DENT. That is true.

Mr. McCULLOCH. So that the only question is who shall determine the irregularities, whether it shall be the Secretary of War or a commission?

Mr. DENT. Yes.

Mr. McCULLOCH. Mr. Chairman, will the gentleman tell the House why he believes the men who are responsible for the irregularities should settle the question or why it should not be settled by some one who is disinterested and impartial and who is not responsible for the error?

Mr. DENT. I expected to come to that point when I had an opportunity. I had not yet arrived at it.

Mr. McCULLOCH. Will the gentleman answer the question?

Mr. DENT. I expect to come to it in due order, but the gentleman will let me state it in my own way.

Mr. LITTLE. Is it not a fact that every one of these alleged informal contracts is a performance in violation of the law of 1862 and renders the men engaged in it all liable to go to penitentiary—every one of them?

Mr. DENT. I do not think there is any question but that a contract that was signed contrary to the act of 1862, passed during the Civil War, would make the officer liable. I do not remember what the punishment is.

Mr. CALDWELL. But, if the gentleman will yield, the question is whether it was done willfully or with an intent to defraud.

Mr. LITTLE. Is it the purpose of this to make an amnesty for these men?

Mr. DENT. Not at all. If the gentleman has read the bill, he will recall the clause in it that nothing in this act shall estop the Congress of the United States from reviewing it or the Government from recovering for fraud, nor shall it justify the failure of any officer to sign the contract which is prescribed by law.

Mr. LITTLE. May I ask why we should return to these gentlemen who are all sitting there with a rope around their necks the authority to execute and complete these performances by which they rendered themselves liable to punishment?

Mr. GREENE of Vermont. Mr. Chairman, may I ask a question in order to reply to the question of the gentleman from Kansas?

Mr. DENT. Yes.

Mr. GREENE of Vermont. How can we punish these men sitting around with ropes around their necks by denying money to honest men who have no ropes around their necks?

Mr. LITTLE. Everyone who got such a contract is liable to the same punishment as an accessory.

Mr. GREENE of Vermont. Then, when a fire breaks out, the village hose company must go to the place to find out where the fire is and then come back to the hose house to consult the statutes before they put out the fire.

Mr. LITTLE. Oh, there is nobody hollering fire except the fellows who started the fire.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. JUUL. I would like to ask the gentleman from Alabama whether, if the House votes the authority sought by this bill, all of the safeguards that the department failed to use when the contracts were let informally will be used before the money is paid? Will the affidavits and the formal protections called for by law be made use of before the money is paid?

Mr. DENT. I can not state to the gentleman that they will require an affidavit in order to do that, but I can state this to the gentleman, that the representatives of the War Department in the hearing before the Committee on Military Affairs of the House and before the Committee on Rules stated—I think they did before the Committee on Rules, and I know they did before the Committee on Military Affairs—that the War Department had a representative, an inspector, at each plant scattered throughout the country, or in different regional sections of the country, that they had a local board representing the Government there, that the contractor, together with the inspector and this local board, would get together upon a settlement of the contracts. This settlement is submitted to a board of review in that particular branch of the War Department and finally may be reviewed by a board acting directly under the Secretary of War. That is the way they settle the valid contracts, and they propose to settle these informal contracts the same way.

Mr. JUUL. If the gentleman will forgive me for just one more question. Is it the intention under this bill to attempt to draft some sort of a legal contract, a contract which they failed to draw up, before settlement is effected?

Mr. DENT. Not at all.

Mr. JUUL. They do not intend to legalize the illegal contracts?

Mr. DENT. On the contrary, there is a proviso in this bill expressly declaring that the settlement made under authority of this resolution shall not give any contracting party the right to sue the Government in any court in the land.

Mr. DILLON. Will the gentleman yield to me?

Mr. DENT. Yes.

Mr. DILLON. I want to propound a question to the gentleman relative to real estate. Suppose an officer should make a loose contract for a piece of real estate and some Army officer should enter into possession of that real estate. Does the gentleman think that a contract of that kind should be legalized and the Government compelled to take the land?

Mr. DENT. Well, I really did not catch the first part of the gentleman's question.

Mr. DILLON. The question is, Suppose an officer should make a loose contract with a landowner that the Government would buy his land for a certain purpose and should enter into possession of it and occupy it for a few days. Does the gentleman think that that contract should be legalized and compel the Government to take that land?

Mr. DENT. No; the contract would not be legalized. The gentleman does not catch the point. There is no legality, there is no validity, given to any of these contracts. It is simply intended to surmount the ruling of the Comptroller of the Treasury, so that the War Department can proceed to a settlement and an adjustment which will be recognized by the Comptroller but without recognizing the validity of the contract or giving the contractor the right to sue.

Mr. DILLON. Then would the gentleman say the Government should pay for the land under the circumstances I mentioned?

Mr. DENT. I do not know what the gentleman means by "loose" contract.

Mr. DILLON. Suppose he made a verbal contract.

Mr. DENT. If the Government did not get any benefit from it——

Mr. DILLON. But say the Government did.

Mr. DENT (continuing). And the contracting party did not suffer any liability or damages, then it would not be——

Mr. DILLON. But assuming the Government did enter into possession of it. Should not the damages be confined to the rentals rather than taking of the property?

Mr. DENT. Well, it would be confined to actual loss under this bill.

Mr. DILLON. I do not think so. Now, another question. I would like the gentleman to tell us what portion of contracts in Europe have been made by the English Government——

Mr. DENT. I can not tell.

Mr. DILLON. Acting for our Government and what the gentleman proposes to do with those governmental contracts?

Mr. DENT. The gentleman means the contracts made between this Government and the English Government?

Mr. DILLON. Where the English Government were acting for us through the English Government.

Mr. GORDON. If the gentleman will permit, I will state that it was testified before the committee that 90 per cent of the contracts this Government made with English manufacturers were made through the English Government, and if they were they would be subject to the English statute of fraud, which requires every such contract to be in writing and signed by the party to be charged.

Mr. DILLON. Suppose the English Government had a building in France for certain purposes and they should turn it over to the American Government. What would your bill do with that if they should prove an overcharge?

Mr. DENT. Well, of course, that is a matter of detail in the execution of it. If gentlemen are not willing to trust somebody to settle these things, of course we can not pass any legislation. Somebody must be trusted. You have to trust Gen. Pershing and his organization in France to carry out the obligations of the Government. You have got to trust the War Department to carry out the obligations which were made on this side, and if gentlemen are not willing to trust anybody, then let us not pass any legislation. So far as I am concerned, I

think if we can safely trust a department to handle $15,000,000,000 which we have given them we can safely trust them to handle a billion and a half more.

And that is what is involved in this proposition. I was coming to that when I was interrupted. Here is a letter which I received from the Assistant Secretary of War, Mr. Crowell, and I will ask that the Clerk read it at the desk, in order to show what the facts and figures are.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

JANUARY 8, 1919.

Hon. S. HUBERT DENT, Jr.,
Chairman of the Committee on Military Affairs,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: In response to your request for certain information as to the obligations of the War Department incurred on formal and informal contracts, I beg to state that the total obligations and disbursements of the War Department during the war and up to December 1, 1918, in the United States were $15,381,125,058.59. This includes sums transferred to the American Expeditionary Forces, but does not include expenditures and obligations of the American Expeditionary Forces. Of this sum of disbursements and obligations of the War Department in the United States the sum of $9,757,228,468.46 was disbursed up to October 31, 1918. There remains the sum of $5,624,906,590.13 obligated on contracts formal and informal in this country, less November disbursements on the same. As of December 28 suspension in whole or in part had been directed on outstanding obligations in the United States in the sum of $5,078,259,724.39. A recent cable states that the outstanding obligations of the American Expeditionary Forces on November 11, 1918, amounted to $1,183,130,000; that $73,640,000 had been paid on account of these obligations up to December 10, 1918, and that notification of cancellation had at that time been given as to $350,663,000. The cable further states that there are certain classes of obligations that this statement does not cover.

The number of contracts as to which no question of validity has been raised has not yet been computed. The number of informal contracts in the United States is approximately 6,250. The amount of the uncompleted portion of these contracts is approximately $1,600,000,000. There are in addition a considerable number of outstanding contracts in certain of the bureaus not signed by the person named therein as contracting officer. These are now being computed. Practically none of the contracts entered into by the American Expeditionary Forces comply with the statutory requirements. The number of such contracts outstanding has been roughly estimated at 8,000.

Very truly, yours,

BENEDICT CROWELL,
Assistant Secretary of War,
Director of Munitions.

Mr. DENT. Now, Mr. Chairman, I call attention——

Mr. LAGUARDIA. Will the gentleman yield?

Mr. DENT. I yield to the gentleman from New York.

Mr. LAGUARDIA. From what the gentleman has said, I take it the claims can be separated into two classes, one class where the goods have been actually delivered and accepted by the Government and the other where no goods have been delivered and there is a claim for loss. Does not the gentleman believe that the wording of the bill, where he uses the words "expressed or implied," would permit a big class of people who manufacture goods on speculation, if you please, by conversations with officers, to construe by implication that if the war continued these goods would be bought? I have told manufacturers that "if they could get those motors out that we would buy them." Suppose a claim of that kind is presented. We have an implied contract there. We have an implication that we would purchase these goods. Would the gentleman consent to strike out the word "implied" in the bill?

Mr. DENT. I do not think that would make very much difference. But I do not agree to the gentleman's suggestion, as a legal proposition, that because some Army officers told a man, "If you will go and do something, something will happen," that that is an implied contract. An implied contract would arise where the terms had not been thoroughly agreed upon, but something had been done under it, although the exact terms had not been fixed.

Mr. LAGUARDIA. The gentleman would expect that he would require as much as to make the contract valid under the common law, under the statute of fraud? Would the gentleman so word his bill?

Mr. DENT. I think the bill is so worded now. As between private parties there can be a recovery under the same circumstances, and we are simply authorizing the Government to fulfill its obligations under such circumstances.

Mr. LAGUARDIA. I think there should be no doubt about it, and I think the bill should be made clear.

Mr. DENT. I am perfectly willing to accept any amendment that will make it any clearer.

Now, I want to call attention to the fact disclosed by the letter of the Assistant Secretary, Mr. Crowell, to show that under existing conditions and under a condition that existed prior to the armistice, and when war was going on, the Government had disbursed through the War Department $15,000,000,000 in order to carry on the war. Now, you propose, you gentlemen who are in favor of a commission, who are in favor of the so-called Senate bill, to make a distinction between the men who have $14,000,000,000 worth of contracts and will allow the War Department to proceed with their settlement, and you have allowed them to proceed with their settlement, but put a burden on the honest contractor who did not hire a lawyer and have a contract duly executed, and will force him to go through the process of hiring a lawyer and appearing before a commission.

Mr. LITTLE. May I ask the gentleman a question?

Mr. DENT. Certainly.

Mr. LITTLE. Is it not a fact that many of these did hire lawyers and the lawyers advised that they had better not have the affidavits made?

Mr. DENT. I have no information about inside facts. I believe, as a Member of Congress, that it is just as much our duty to see that Uncle Sam acts fairly and squarely as it is to see that he is not defrauded. [Applause.]

Mr. McCULLOCH. Will the gentleman yield?

Mr. DENT. Yes.

Mr. McCULLOCH. Does the gentleman contend that an impartial judge would fail to do that?

Mr. DENT. Certainly I do not contend that.

Mr. McCULLOCH. Why does not the gentleman answer the question, then, as to why he objects to an impartial judge settling this, but desires to put it in the hands of the men who admit the irregularity?

Mr. DENT. The gentleman has got the notion in his head which has been in the heads of some others, and which I can not understand to save my life. It is true that I may be very obtuse on the subject, but I can not, to save my life, see that if you and I have an agreement and we get together and settle it, that that is a judicial question—that that is conferring judicial authority. I never have been able to get that proposition in my head, that it is a judicial question and conferring additional authority for us to settle a matter between ourselves.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield; and if so, to whom?

Mr. DENT. I will yield to the gentleman from Ohio.

Mr. McCULLOCH. I never contended that that was a judicial question; but there has been a question raised of irregularity. It is admitted by the War Department; and there have been other questions raised here, questions not only of irregularity, but questions of criminal action. That question has been raised here; and in view of the fact that it has been raised, as a Member of Congress I am called upon to say who is going to settle it. I would rather have somebody settle it who has not been under charges and against whom there is no implication made. That is my attitude; and as a Representative of my constituents and the taxpayers it is my duty to act upon it, and I will act upon it.

Mr. DENT. Of course, that is all right for the gentleman.

Mr. McCULLOCH. I am asking the chairman of the committee his opinion.

Mr. DENT. I have been trying to give my reasons for objecting to the commission. One reason I have just stated.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. GREENE of Vermont. I think the gentleman from Alabama is fully able to take care of himself, and I wish simply, as a comrade on the committee, to attempt to supplement his observation made to the gentleman from Ohio [Mr. McCULLOCH]. There seems to be a curious misapprehension to the effect that all obligations, express and implied, up to the armistice were all right, but that the last ones, that were not finished and were not put into formal contracts, are tainted with fraud and therefore must now go to a commission.

Mr. DENT. That is so. That seems to be the distinction.

Mr. GREENE of Vermont. If a few days more had elapsed these very same contracts would have been completed to a formal state, and they would have been paid, and you would not have heard anything about them.

Mr. DENT. That is so.

Mr. LITTLE. Why does the gentleman say they had disposed of all these claims that accrued at the beginning of the war?

Mr. GREENE of Vermont. There are some technicalities there that do not involve questions of good faith at all, such as the simple formal irregularity of a signature; and the substitution of another man's signature would completely validate them.

Mr. LITTLE. Not the affidavit. If anybody will make the affidavit, I will do the rest myself. [Laughter.]

Mr. GREENE of Vermont. Of course, the Government was originally divided into three parts. I did not know which one of them the gentleman had got. [Laughter.]

Mr. WATSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. WATSON of Pennsylvania. I recall that at the time of the declaration of war the newspapers had their columns filled with statements to the effect that the soldiers had no shoes and no clothing.

Mr. DENT. I do not want to yield for the gentleman to make a speech in my time.

Mr. WATSON of Pennsylvania. I do not want to make a speech. I want to ask the gentleman if it was not physically impossible for the Secretary of War to sign all agreements, and therefore he was compelled to sign some agreements by telegraph? I am in favor of the gentleman's bill. In one instance in Philadelphia a firm received a telegram asking for 100,000 yards of cloth for the boys, just before the armistice was concluded. Does not the gentleman think that contract should be paid?

Mr. DENT. Yes. As the gentleman stated, it would have been a matter of physical impossibility for the contracting officer, the chief of the bureau, in the big program that we have here, to have personally signed every contract and made the affidavit. It would perhaps have been a physical impossibility.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. PLATT. As a matter of fact, were not the contracts nearly always quite a way behind the orders for the goods?

Mr. DENT. Yes; that is true.

Mr. PLATT. And the manufacturers very often had to come down here to Washington and dig up the contracts?

Mr. DENT. Yes. And in that connection I want to call the attention of the committee to section 120 of the national-defense act, which in time of war or during imminence thereof gives the President the authority to make orders for war supplies, and requires the contractor to fill those orders, and makes it obligatory on him to give precedence to those orders over any other contracts he may have had before, and then gives the party the right to recover a fair and just value of the property that he delivered to the Government on the strength of that order. That is in the law passed in 1916, before we went into the war.

Mr. GORDON. That is still the law.

Mr. DENT. Yes; that is still the law; and the trouble about that is that there is no method provided by which the party who complied with the order can get his settlement made without going into the Court of Claims.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. FAIRFIELD. Will the gentleman inform the House as to whether any considerable number of these orders date back two or three or four or five or six or eight months? Are they not comparatively recent?

Mr. LITTLE. Are they not practically all after the 1st of July? A member of the committee told me so.

Mr. DENT. My recollection is that most of them did not run back beyond six months.

Mr. LITTLE. A member of the committee told me that they date mostly from the 1st of July.

Mr. GREENE of Vermont. Apropos to what the gentleman from Kansas says, it appears that the Engineer Corps during the war followed the practice that obtained in the Engineer Corps as to production before the war, and it went ahead in good faith and piled up a lot of contracts which were found subsequently to differ technically from the form of contracts by which the War Department generally was governed under the statutes. Therefore they were informal contracts, although they had been made in good faith and the memorandum of agreement had been written and was intended to be complied with.

Mr. DENT. I believe that is true, that they were following the rule of the Engineer Department.

Mr. LITTLE. I do not want to weary the chairman of the committee, but I have great confidence in him, and I want to get some information if I can. Is it not a fact that practically all of these claims are for what in the civil courts would be called unliquidated damages?

Mr. DENT. Oh, I do not agree to that at all.

Mr. LITTLE. I notice Mr. Warwick says that the agreements were not carried out.

Mr. DENT. I hope the gentleman will not take up my time.

Mr. LITTLE. Mr. Warwick intimates that it does not cover anything delivered.

Mr. DENT. I have stated already, as well as I could, what I thought it covered, and I would not like to repeat it, because I want to proceed further with the discussion of this question as to whether this should be done or we should relegate this to a commission or to the Court of Claims.

Mr. HUMPHREYS. I want to ask the gentleman this question about this affidavit: Under the general law, if an Army officer should be personally interested in one of these contracts he would be liable to criminal prosecution just the same, would he not, whether he had signed the affidavit or not?

Mr. DENT. I do not think there can be any question about that.

Mr. HUMPHREYS. The failure to sign the affidavit would not relieve him from criminal responsibility.

Mr. DENT. Not at all. The bill expressly says that it shall not relieve him.

Mr. HUMPHREYS. I know it is so in the event that that is the law.

Mr. DENT. I do not think there is any question in the world about it. If the gentleman will recall the conspiracy statute, covering conspiracies to defraud, it is about as broad a statute, I think, as I ever read in my life; and I am sure it would certainly cover a case where an Army officer and his subordinate deliberately entered into a scheme not to sign a contract in order to keep from making the oath. I do not think there would be any question in the world but what they would be guilty of a conspiracy to defraud the Government.

Mr. HUMPHREYS. Will the gentleman allow me to ask him one more question along that line? He said the officer would be guilty under the conspiracy act. Suppose it should develop that the officer was really personally and financially interested in a contract without entering into any conspiracy, the contractor not knowing it and nobody else knowing it. Is there any statute that would cover that case and render the officer liable to criminal prosecution and punishment?

Mr. DENT. I am not able to put my finger on such a statute, but I am sure that such a statute as that exists. I am sure there must be a statute covering a case of that kind.

I have been asked the question why it is that we should allow the War Department to proceed to settle these matters as they have been allowed to settle the $15,000,000,000 worth of other contracts.

Mr. GORDON. Will the gentleman yield right on that point? Does the gentleman think as a lawyer that where the War Department has terminated a contract it has a right to settle the unliquidated damages arising to the contractor out of that contract as a result of that termination?

Mr. DENT. Where the party——

Mr. GORDON. Where the Government has terminated a contract, just cut it off, as was done with thousands of contracts after the signing of the armistice. That, of course, would give rise to a claim for unliquidated damages, would it not?

Mr. DENT. It might.

Mr. GORDON. Is not the settlement of a claim for unliquidated damages the exercise of judicial power?

Mr. DENT. I do not think so.

Mr. GORDON. Then you and I do not agree about the law.

Mr. DENT. The gentleman from Ohio has had that notion in his mind all the way through. He is a good lawyer, but to save my life I can not see why parties can not agree together to settle their differences, and why that is a delegation of judicial authority.

Mr. ROBBINS. Would not the same power exist between private parties?

Mr. DENT. Yes.

Mr. GORDON. Private parties can do that, but the Government can not.

Mr. ROBBINS. Because this technical statute requires it to be in writing, you want to shut these people off.

Mr. GORDON. No; you do not understand the question at all. [Laughter.]

Mr. REED. Will the gentleman yield?

Mr. DENT. Yes.

Mr. REED. A farmer from my State came to me three days ago in great trouble. He said the Government had taken some of his land, had fixed the price, and had told him: "Unless you take this price we will take it anyhow and condemn it." They entered upon the land, plowed it up, dug the surface away, put in great concrete foundations; and then came the armistice, and everything was called off. He came to me and said they would not recognize the agreement to purchase the land, and would not recognize any claim for damages. Does this bill reach that?

Mr. DENT. This bill would cover that kind of a case. It authorizes the Secretary of War to settle a case of that kind.

Now, I am opposed to the proposition authorizing a commission, because I believe that you ought not to make a discrimination between the honest contractor who did not get the regular legally executed contract and the man that did get one. That

is the first thing. I think the War Department ought to be allowed to settle his contract just the same as the man who had a duly executed contract.

In the second place, I am opposed to it because I think it is straining at a gnat and swallowing a camel when gentlemen urge that there be a commission to settle claims amounting to $1,600,000,000, when the War Department has been allowed to settle fifteen billions of contracts. I think it is absurd. In the next place, the history of every commission that has ever been created in this country is that it is interminable, and you do not know when there will be a final disposition on the part of the commission. These are the three reasons why I am opposed to the commission idea.

Mr. McCULLOCH. Will the gentleman yield?

Mr. DENT. Yes.

Mr. McCULLOCH. Take the other end of it, take the case mentioned by the gentleman from West Virginia [Mr. REED], where his constituent had had his ground plowed up and went to the War Department and asked for justice, and they would not listen to him, would not do anything for him. If he has a just claim, if this bill passes he must go before that very officer who refused to do him justice. But if we had a commission he could submit his claim to the commission, and therefore he would have a better chance for justice being done.

Mr. DENT. The officer refused because he could not do anything. He could not do it unless this legislation passes. If it does pass, he has a right to go back to the officer, and he will see that justice is done. These are the reasons why I am in favor of this bill instead of a bill creating a commission.

Now, in conclusion—and I am going to reserve the balance of my time—I wish to call the attention of the committee to the fact that this same proposition came up during the Civil War, and it is an interesting fact to know that during the Civil War, and in the midst of that war, charges were made against the Government, and language was used by the investigating committee by Members of the House against the War Department that would make the record now appear as praise.

I would like to call the attention to some of it, although I am not going into it at length. This is some of the language used in the report of the committee of Congress investigating war contracts in 1863:

> The mania for stealing seems to have run through all the relations of the Government—almost from the general to the drummer boy; from those nearest the throne of power to the nearest tidewaiter; nearly every man who deals with the Government seems to feel the desire that it would not long survive, and each had a common right to plunder while it lived.
>
> Colonels intrusted with the power of raising regiments colluding with contractors. * * * While it is no justification the example has been set in the very departments of the Government. As a general thing none but favorites gain access there.

That is the kind of language used during the Civil War about contracts made by the departments until a number of Members of Congress, including Mr. Conkling, called attention to the fact that these charges were absolutely hindering the Government in the prosecution of the war, and finally Congress adopted a bill which has just been called to my attention and is so much like this that had we seen it beforehand we might have been charged with having copied it.

I quote from Bolles's Financial History, page 240:

> Many claims, however, were irregular, and these rapidly multiplied during the war. The Court of Claims investigated and reported on a large number; Congress adjusted others; many were referred back by Congress to the departments with special authority for their adjustment. Thus in 1863 Congress authorized the Secretary of the Navy to adjust and settle the claims of contractors for those naval supplies which had been furnished during the preceding year that exceeded by more than 100 per cent the quantities specified in their contracts and without their default.

Mr. ROBBINS. That is, authorized the Secretary himself to settle it?

Mr. DENT. Yes; just like this does.

Mr. DEMPSEY. The Senate bill provides, as I understand it, for the payment for all supplies. It only refers to a commission in the case of unliquidated damages. It does not deal at all with any goods that have been delivered.

Mr. DENT. I do not so understand it.

Mr. DEMPSEY. That is my understanding.

Mr. DENT. To continue:

> The chief of any bureau with which any contract of the kind was made could associate with himself the chief of any other bureau to hear the evidence relating to it, but an appeal lay from his decision to the Secretary. The law also provided that no contractor should be allowed, except on the excess furnished by him, and on this "not more than sufficient to make the price thereon equal to the fair market value of the supplies at the time and place of delivery." Nothing, however, was to be allowed any contractor unless there had been an actual loss to him on the whole contract. He was, moreover, required to present his claim within six months from the enactment of the law or be forever barred from "any equitable claim" against the Government.

That was adopted on March 3, 1863, and by permission of the committee I insert at this point a copy of that bill, passed, as I say, in 1863, showing that we have a precedent for doing exactly what we have done:

[Mar. 3, 1863. No. 32.]

Joint resolution authorizing the Secretary of the Navy to adjust the equitable claims of contractors for naval supplies and regulating contracts with the Navy Department.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to adjust and settle the claims of the contractors for naval supplies who during the last fiscal year ending June 30, 1862, have furnished to the department more than 100 per cent above the quantities specified in their contracts and without default therein; and for the purpose of hearing said claims may associate with the chief of the bureau with which the contract was made the chief of any other bureau, subject to an appeal to said Secretary from their decision: *Provided,* That no contractor shall be allowed, except upon the excess over the stipulated quantity and 100 per cent in addition thereto, and upon such excess not more than sufficient to make the price thereon equal to the fair market value of the supplies at the time and place of delivery; nor shall any contractor be allowed any amount under this section unless there has been an actual loss to the contractor upon the whole contract: *And provided further,* That all claimants under any such contracts shall present their claims to the department within six months after the passage of this joint resolution or be forever barred from any equitable claim on account of said contract.

SEC. 2. *And be it further resolved,* That the chief of any bureau of the Navy Department in contracting for naval supplies shall be at liberty to reject the offer of any person who, as principal or surety, has been a defaulter in any previous contract with the Navy Department; nor shall parties who have failed as principals or sureties in any former contract be received as sureties on other contracts; nor shall the copartners of any firm be received as sureties for such firm or for each other; nor, in contracts with the same bureau, shall one contractor be received as surety for another; and every contract shall require the delivery of a specified quantity, and no bids having nominal or fictitious prices shall be considered. That if more than one bid be offered by any one party, by or in the name of his or their clerk, partner, or other person, all such bids may be rejected; and no person shall be received as a contractor who is not a manufacturer of or regular dealer in the articles which he offers to supply, who has not a license as such manufacturer or dealer. And all persons offering bids shall have the right to be present when the bids are opened and inspect the same.

SEC. 3. *And be it further resolved,* That the Secretary of the Navy be, and he is hereby, authorized to release and discharge the penalties, or the provisions in the nature of penalties, in certain cases of unfulfilled contracts with the Bureau of Construction, and of provisions and clothing of the Navy Department, made by Nathaniel W. Coffin, William Lang, Henry Newton, Baxter & Summer, and Tilton, Wheelwright & Co., for the fiscal year ending the 30th of June, 1862, made prior to the proclamation of the President establishing blockades of the southern ports, or to the several acts of Congress passed subsequent thereto, imposing additional duties upon domestic and foreign products, wherein, by reason of said acts and failure of the Government to pay according to the prescribed terms, parties have been obstructed and prevented from a proper fulfillment of the same, to the end that these accounts may be settled and adjusted on terms of equity and justice; and in the settlement of such accounts there shall be associated with the chief of the bureau in which the contract was made the chief of some other bureau of the Navy Department, and their decision shall be passed upon, modified, abridged, rejected, or approved by the Secretary of the Navy as, in his judgment, the law and justice shall require.

Approved March 3, 1863.

Mr. JUUL. Will the gentleman kindly state the volume from which he quotes?

Mr. DENT. I have been quoting from Bolles's Financial History of the United States. Mr. Chairman, I reserve the balance of my time.

By unanimous consent Mr. DENT was granted leave to extend his remarks in the RECORD.

The CHAIRMAN. The gentleman from Alabama has consumed one hour. He has 30 minutes remaining, which time he has reserved.

By unanimous consent, leave was granted to Mr. SNELL, to Mr. FESS, to Mr. LITTLE, and to Mr. FOSTER to extend their remarks in the RECORD.

The CHAIRMAN. The Chair would ask the indulgence of the House to permit him to revise and extend his ruling, if he sees fit to do so. The Chair will state to the gentleman from Kansas [Mr. LITTLE] that his only purpose is to answer the suggestion of the gentleman, which the Chair did not do, relative to the point of order being made in committee. The Chair can state now that, in his opinion, in the cases cited the House was in Committee of the Whole considering the Private Calendar, and when those bills were called up then the point of order was made, and it was the proper time to make it. The Chair simply wanted to put that reason in his ruling.

Mr. LITTLE. The gentleman from Kansas is always glad to see any opinion of the Chair upon a parliamentary question inserted into the RECORD.

Mr. GREENE of Vermont. Mr. Chairman, in the absence of the senior member of the committee on this side, I yield five minutes to the gentleman from Pennsylvania [Mr. MOORE.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I am emphatically in favor of the payment of all just claims that have arisen during this war emergency, but I do not believe we should pass an omnibus bill validating more than 6,600 verbal contracts, if to provide for some good contracts we are to cover up loose

contracts that ought to have the scrutiny of the representatives of the people. At the proper time I shall offer an amendment to this bill proposing that the Secretary of War shall be joined in the oversight of these contract settlements by a congressional committee made up of two Senators and four Representatives—members of both parties.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I can not yield in five minutes.

Mr. GORDON. I would like to make a suggestion which, I think, would be of value.

Mr. MOORE of Pennsylvania. That amendment will bring assurance not only to the Congress, which has been ignored in many things up to date during this war, but to the country that the Congress does exercise some oversight over the expenditure of public money; and in this instance the preliminary expenditure is to aggregate $1,600,000,000, or twice as much as is necessary to conduct the Government under normal conditions for two years.

Those who have awarded these contracts should not object to an audit by those who desire to be satisfied about the validity of them; but this bill as presented proposes to keep with those who made the awards the exclusive right to audit and settle. There is danger in that proposition, as I shall endeavor to show in the few minutes at my command.

This Congress without a dissenting vote passed an appropriation for $640,000,000 to build aircraft and put the country in position to assert itself in the war on the other side of the water. There was delay in completing the work, and, charges having been made that it had fallen down, the Senate appointed a committee to investigate. The committee presented a report to Congress, in which it said that as a result of the expenditure of this $640,000,000—

(b) We have not a single American-made chasse (or plane of attack) upon the battle front.

(c) We have not a single American-made heavy bombing plane upon the battle front.

Six hundred and forty million dollars gone, and a senatorial committee made the bald statement that we had not a single battle plane abroad to show for that vast expenditure! How was that tremendous sum of money spent? Who audited the accounts? Evidently the very officials who made the contracts. The War Department was assailed for our failure in aircraft, and charges were made to the President. In his own time the President started an investigation. He appointed former Supreme Court Justice Charles E. Hughes to make an inquiry. I have the Hughes report before me. It goes into the matter of culpability at some length, and has this to say concerning one Col. Edward A. Deeds:

2. The evidence discloses conduct which, although of a reprehensible character, can not be regarded as affording a sufficient basis for charges under existing statutes, but there are certain acts shown, not only highly improper in themselves but of especial significance, which should lead to disciplinary measures. The evidence with respect to Col. Edward A. Deeds should be presented to the Secretary of War to the end that Col. Deeds may be tried by court-martial under articles 95 and 96 of the Articles of War for his conduct (1) in acting as confidential adviser of his former business associate, H. E. Talbott, of the Dayton Wright Airplane Co., and in conveying information to Mr. Talbott in an improper manner, with respect to the transaction of business between that company and the division of the Signal Corps of which Col. Deeds was the head; and (2) in giving to the representatives of the Committee on Public Information a false and misleading statement with respect to the progress of aircraft production for the purpose of publication with the authority of the Secretary of War.

3. The absence of proper appreciation of the obvious impropriety of transactions by the Government officers and agents with firms or corporations in which they are interested compels the conclusion that public policy demands that the statutory provisions bearing upon this conduct should be strictly enforced. It is therefore recommended that the officers found to have had transactions on behalf of the Government with corporations in the pecuniary profits of which they had an interest should be prosecuted under section 41 of the Criminal Code.

That report was made to the President of the United States, who is now abroad, October 25 last. Supporting that report of the Hughes investigation was a report by the Attorney General of the United States confirming it and suggesting that the War Department should proceed to court-martial Col. Deeds in accordance with the recommendation of Justice Hughes.

I quote from the Attorney General's report:

Of all the members of the aircraft boards, the one most severely criticized and against whom most charges have been brought has been Col. E. A. Deeds. The evidence does not disclose any violation by Col. Deeds of the criminal laws. In the early part of 1918 public statements were issued with official authority purporting to set out the progress which had then been made in the production of engines and planes and the prospects of the immediate future. These publications were not only misleading, but they contained false statements and were issued in reliance upon information principally furnished by Col. Deeds, who was acquainted with the actual facts. While the conduct of Col. Deeds in this matter was not criminal and can not be said to have affected actual production, it was inexcusable and reprehensible.

I also find that Col. Deeds was guilty of censurable conduct in acting as confidential adviser of H. E. Talbott and in conveying information to the latter with respect to transaction of business between the Dayton Wright Airplane Co. and the division of the Signal Corps of which Col. Deeds was the head.

Whether or not Col. Deeds should be subjected to disciplinary measures for the acts referred to is a matter to be determined by the War Department. I acquiesce in the recommendation of Judge Hughes that the facts be submitted to the Secretary of War.

President Wilson's Attorney General agreed with Justice Hughes that Col. Deeds should be court-martialed, and put the matter up to the War Department, the department that spent our $640,000,000 and did not give us a single fighting plane in France. And what did the War Department do? Court-martial Col. Deeds? Not yet. The War Department permitted Col. Deeds to spend a large part of that $640,000,000, and evidently it did not care to discredit the colonel's work. There is reason to believe it held the colonel in high esteem, notwithstanding the President's inquiry, the report of Justice Hughes, and the recommendation of the Attorney General. We obtain an inkling of the department's attitude in a report of a dinner given to Col. Deeds and reported in the Washington Star of December 21. All the official reports were in, but Col. Deeds had not yet been court-martialed. On the contrary, he was being dined and his praises were being sung by War Department officials, including the Assistant Secretary of War, Mr. Crowell, who is strongly advocating this bill to validate 6,600 oral contracts, and Gen. Squier, who is quoted as saying that the "irregular" things done by Col. Deeds were of considerable service in winning the war.

This "vote of confidence" on the part of those who might possibly be called upon to sit in judgment upon the colonel's alleged "irregularities," as reported by Justice Hughes, the President's investigator, and the Attorney General of the United States, induced him, according to the newspaper report, to rise and "address his associates," whereupon "he was applauded for several minutes." The $640,000,000 was no longer a matter of concern, for as the colonel stood waiting to speak "the assembly broke into song, declaring lustily that he was 'a jolly good fellow.'" It was at last the colonel's turn, and as placidly as though the Hughes report and that of the Attorney General had never been written, he proceeded to deal with what we might call "the tie that binds." In order that the newspaper report of the colonel's delicate dashes of sentiment may not be distorted, I quote it literally:

Col. Deeds said he hoped his friends, when they returned to private life, would show the unselfish devotion to humanity which characterized their conduct at Washington.

"But let us not in any way commercialize our experience here," said Col. Deeds. "It is quite enough that we have been able to be of some service to our country without advertising that fact. I hope that we will never read in a trade journal or any other newspaper any advertisement by any man who has worked here calling attention to what they did during the crisis through which we have just passed.

"It is too sacred a cause to be tainted by commercialism. Let us not forget that there is still work to do. We are going through a period of reconstruction when qualities which you have shown during the war will be in as great demand.

SPIRITUAL VALUE OF WAR.

"I am a little afraid that we will not get out of the war what France is getting out of it, what England is getting out of it, and what other nations allied with us are getting out of it. We, I fear, will not see and apply the spiritual value of the war."

Assistant Secretary Crowell, of the War Department; Admiral Taylor, representatives of the Italian and French missions, Lieut. Col. Horner, and Lieut. Col. Waldron, testified to the good qualities of Col. Deeds.

So it is seen that Col. Deeds, who was recommended for court-martial by rank outsiders, like Justice Hughes and the Attorney General, commends "his associates" for their splendid services. He was not court-martialed by them—or has not been so far, as we know—the expenditure of $640,000,000 for aircraft production to the contrary notwithstanding, and despite the fact that the Senate committee reported not a single American fighting plane in France.

Under such circumstances, Mr. Chairman, is it not wise to aid the Secretary of War with a little congressional oversight in relation to these 6,600 oral contracts, for more than $1,600,000,000, which we are asked to validate?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania (continuing). Unless we do cooperate with him, I fear we "will not see and apply the spiritual value of the war."

I wanted attention called to this matter, Mr. Chairman, so that in discussing the proposition to-morrow we may determine whether we shall have an amendment for some congressional supervision of these expenditures. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. DENT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. GARRETT of Tennessee having resumed the chair as Speaker pro tempore, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 13274, had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. EMERSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a resolution adopted by some Jewish citizens of Cleveland on the Poland situation.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing some resolutions adopted by some citizens of Cleveland on the Poland situation. Is there objection?

Mr. STAFFORD. I object.

Mr. LONDON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by incorporating remarks delivered during the last session of Congress, and which I failed to incorporate in the RECORD then.

Mr. STAFFORD. The gentleman's own remarks?

Mr. LONDON. My own remarks.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by incorporating his own remarks therein. Is there objection? [After a pause.] The Chair hears none.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the life of Col. Roosevelt.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD on the life of Col. Roosevelt. Is there objection? [After a pause.] The Chair hears none.

ORDER OF BUSINESS.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to say that the membership of the House is giving close consideration to the measure under consideration, and if we meet at 11 o'clock with only a handful of Members it might provoke the point of no quorum, and we would not get very far. There is a large number of committees now meeting. I do not think we would get very far by the House meeting at 11 o'clock. Therefore I object.

Mr. KITCHIN. I want to state to the House and to the chairman of the Committee on Military Affairs, the gentleman from Alabama [Mr. DENT] will try his best to finish his bill to-morrow, even if we have to stay here until 8 or 9 o'clock.

Mr. STAFFORD. There are but two hours left for general debate.

Mr. KITCHIN. I am not going to insist on the request, but I am going to give notice that we will try to finish the bill to-morrow, even if we stay until 9 o'clock. It is getting so late in the session now that we must use considerable time. We can not rise at 5 or half past 5 each night, but most of the time we will have to stay until 8 o'clock in order to get the appropriation bills to the Senate in time for action there.

Mr. STAFFORD. Will the gentleman yield in order to permit me to direct an inquiry to the gentleman from Alabama?

The SPEAKER pro tempore. Did the gentleman from Wisconsin [Mr. STAFFORD] object?

Mr. STAFFORD. I did object.

The SPEAKER pro tempore. That is the end of it.

Mr. KITCHIN. Mr. Speaker, I ask for two minutes.

The SPEAKER pro tempore. Without objection, the gentleman may proceed for two minutes.

Mr. CRISP. Mr. Speaker, I want to suggest to the gentleman from North Carolina that I am in thorough accord with what he says about expediting matters. It is absolutely sure that if we do not pass the appropriation bills an extra session of Congress will be forced. And it seems to me the condition of the calendar would warrant the Committee on Rules bringing in a rule changing the regular meeting hour of this House from 12 oclock noon until 11 a. m.

Mr. STAFFORD. Then the membership of the House would have notice of the meeting, whereas under the present exigency we would have only a corporal's guard here to-morrow at 11 o'clock, and some Member might make the point of no quorum.

Mr. CRISP. I am not making any criticism of the gentleman's course.

Mr. KITCHIN. I want to see that the chairmen of the committees hereafter pursue the policy, and I think the Members on both sides will agree, of getting through with the bills and finishing them, if it takes until 8, 9, or even 11 o'clock, because we must get these appropriation bills over to the Senate by at least the 15th of February, in order to give the Senate time to consider them. And they can not do this unless we take the extra time here. Members are in the habit of getting up and saying that it is time to rise, and that they will make the point of no quorum unless we will do so. But we will stay here if we have to stay until 11 o'clock, so that the House can pass the bills.

Mr. ROBBINS. Are there any bills now ready to report?

Mr. KITCHIN. Oh, yes; bills are ready. The diplomatic bill is ready and the Indian Affairs will be ready in a few days.

ADJOURNMENT.

Mr. KITCHIN. I will not insist on the request. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.) the House adjourned until to-morrow, Thursday, January 9, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of Agriculture, transmitting a statement showing the names of employees of the Department of Agriculture for whom requests for exemption or deferred classification have been asked and allowed (H. Doc. No. 1661); to the Committee on Military Affairs and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting a supplemental estimate of appropriation required by the Department for protecting timber on the Oregon & California Railroad lands and Coos Bay wagon-road lands from fire, for the fiscal years 1919 (H. Doc. No. 1662); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of State relative to housing American diplomatic representatives abroad (H. Doc. No. 1663); to the Committee on Foreign Affairs and ordered to be printed.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Chattahoochee River, Ga. and Ala. (H. Doc. No. 1664); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

5. A letter from the vice president of the Georgetown Barge, Dock, Elevator & Railway Co., transmitting annual report for the year 1918 (H. Doc. No. 1665); to the Committee on the District of Columbia and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting schedules of papers not needed in the transaction of business and of no permanent value or historical interest (H. Doc. No. 1666); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SINNOTT, from the Committee on Public Lands, to which was referred the bill (H. R. 10394) to add certain lands to the Minam National Forest, Oreg., reported the same without amendment, accompanied by a report (No. 898), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Miss RANKIN, from the Committee on Public Lands, to which was referred the bill (S. 940) to provide for the payment for certain lands within the former Flathead Indian Reservation, in the State of Montana, reported the same with amendment, accompanied by a report (No. 900), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

She also, from the same committee, to which was referred the bill (S. 932) to provide for stock-watering privileges on certain unallotted lands on the Flathead Indian Reservation, Mont., reported the same without amendment, accompanied by a report (No. 901), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BLAND of Virginia: A bill (H. R. 13821) authorizing the Secretary of War to donate to the city of Phoebus, Va., one

German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13822) authorizing the Secretary of War to donate to the city of Hampton, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13823) authorizing the Secretary of War to donate to the city of Fredericksburg, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13824) authorizing the Secretary of War to donate to the city of Newport News, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13825) authorizing the Secretary of War to donate to the town of Parksley, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13826) authorizing the Secretary of War to donate to the town of Onancock, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13827) authorizing the Secretary of War to donate to the town of Cape Charles, county of Northampton, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13828) authorizing the Secretary of War to donate to the town of Chincoteague, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13829) authorizing the Secretary of War to donate to the town of Yorktown, county of York, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13830) authorizing the Secretary of War to donate to the county of Essex, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13831) authorizing the Secretary of War to donate to the county of Warwick, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13832) authorizing the Secretary of War to donate to the county of Westmoreland, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13833) authorizing the Secretary of War to donate to the county of Mathews, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13834) authorizing the Secretary of War to donate to the county of King and Queen, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13835) authorizing the Secretary of War to donate to the county of Middlesex, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13836) authorizing the Secretary of War to donate to the county of Caroline, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13837) authorizing the Secretary of War to donate to the county of Northampton, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13838) authorizing the Secretary of War to donate to the county of Northumberland, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13839) authorizing the Secretary of War to donate to the county of Richmond, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13840) authorizing the Secretary of War to donate to the county of Lancaster, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13841) authorizing the Secretary of War to donate to the county of Gloucester, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13842) authorizing the Secretary of War to donate to the county of Accomac, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13843) authorizing the Secretary of War to donate to the county of Spotsylvania, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 13844) authorizing the Secretary of War to donate to the town of Anaheim, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13845) authorizing the Secretary of War to donate to the town of Elsinore, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13846) authorizing the Secretary of War to donate to the town of El Centro, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13847) authorizing the Secretary of War to donate to the city of Redlands, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13848) authorizing the Secretary of War to donate to the town of San Diego, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHN W. RAINEY: A bill (H. R. 13849) authorizing the Secretary of War to donate to the city of Chicago, Ill., 10 German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 13850) authorizing the Secretary of War to donate to the city of Belvidere, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RIORDAN: A bill (H. R. 13851) authorizing the Secretary of War to donate to the city of New York, Borough of Richmond, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SHACKLEFORD: A bill (H. R. 13852) authorizing the Secretary of War to donate to the city of Jefferson, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13853) authorizing the Secretary of War to donate to the city of Boonville, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13854) authorizing the Secretary of War to donate to the city of Columbia, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13855) authorizing the Secretary of War to donate to the city of Versailles, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 13856) authorizing the Secretary of War to deliver to the city of Plattsburg, in the State of New York, one cannon or fieldpiece with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13857) authorizing the Secretary of War to deliver to the city of Ogdensburg, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. PETERS: A bill (H. R. 13858) authorizing the Secretary of War to donate to the third congressional district in Maine 25 cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. CALDWELL: A bill (H. R. 13859) authorizing the Secretary of War to donate to the St. Albans Improvement Association one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LAGUARDIA: A bill (H. R. 13860) providing for the appointment in civil-service positions in the case of honorably discharged soldiers and sailors; to the Committee on Reform in the Civil Service.

By Mr. PARKER of New Jersey: A bill (H. R. 13861) to authorize the recovery of the value of unlawful rebates and discriminations and penalty therefor; to the Committee on Interstate and Foreign Commerce.

By Mr. EAGLE: A bill (H. R. 13862) authorizing the Secretary of War to donate to the city of Richmond, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13863) authorizing the Secretary of War to donate to the city of Hempstead, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13864) authorizing the Secretary of War to donate to the city of Houston, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13865) authorizing the Secretary of War to donate to the city of Navasota, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 13866) authorizing the Secretary of War to donate to the borough of Wilkensburg, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13867) authorizing the Secretary of War to donate to the borough of Braddock, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13868) authorizing the Secretary of War to donate to the borough of Pitcairn, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13869) authorizing the Secretary of War to donate to the city of McKeesport, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DALLINGER: A bill (H. R. 13870) authorizing the Secretary of War to donate to the town of Arlington, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13871) authorizing the Secretary of War to donate to the town of Belmont, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13872) authorizing the Secretary of War to donate to the town of Watertown, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13873) authorizing the Secretary of War to donate to the town of Winchester, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13874) authorizing the Secretary of War to donate to the town of Stoneham, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13875) authorizing the Secretary of War to donate to the town of Lexington, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13876) authorizing the Secretary of war to donate to the town of Wakefield, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CARLIN: Resolution (H. Res. 498) to pay R. T. Cook for extra services rendered in the folding room of the House; to the Committee on Accounts.

By Mr. WICKERSHAM: Joint resolution (H. J. Res. 380) to suspend the doing of assessment work on mining claims in Alaska for the years 1917, 1918, 1919, and 1920, and extending to that Territory the provisions of Public Resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and Public Resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and for other purposes; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DICKINSON: A bill (H. R. 13877) granting an increase of pension to W. W. Green; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: A bill (H. R. 13878) granting a franking privilege to Edith Carow Roosevelt; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 13879) granting a pension to Edith Carow Roosevelt; to the Committee on Pensions.

By Mr. QUIN: A bill (H. R. 13880) granting a pension to Robert H. Neyland; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 13881) granting an increase of pension to William Row; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 13882) granting a pension to John F. Ritter; to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 13883) granting an increase of pension to Joshua Westbrook; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE: Petition of conservation department of the Vermont State Federation of Women's Clubs, favoring proposed appropriation for the reclamation of waste lands; to the Committee on Appropriations.

By Mr. EMERSON: Resolutions adopted at a meeting of Jewish citizens of Cleveland, Ohio, protesting against atrocities in Poland; to the Committee on Foreign Affairs.

By Mr. KETTNER: Letter from William A. Manson, pertaining to revenue bill affecting jewelers; to the Committee on Ways and Means.

By Mr. OSBORNE: Memorial of Hon. Leon F. Moss, of Los Angeles, Cal., in the matter of Federal paved highways; to the Committee on Roads.

SENATE.

THURSDAY, *January 9, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee to worship Thee and seek Thy blessing and Thy guidance. Thou hast dealt with us very graciously. Thou hast led us by the hand. Thou hast manifested Thyself to us in plans, purposes, ideals, and achievements that are wonderful to contemplate. We put ourselves in Thy hands to follow the divine guidance, working out all Thy great plans for us. We pray that we may be willing and obedient servants of Thine own majesty. For Christ's sake. Amen.

JAMES W. WADSWORTH, Jr., a Senator from the State of New York, appeared in his seat to-day.

The Secretary proceeded to read the Journal of the proceedings of Tuesday last, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, schedules and lists of papers, forms, and so forth, not needed and of no historical value, and asking for action looking to their disposition. The communication and accompanying papers will be referred to the Committee on Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Massachusetts [Mr. WEEKS] and the Senator from New Hampshire [Mr. HOLLIS] as the committee on the part of the Senate. The Secretary will notify the House of Representatives thereof.

COST OF THE WAR (S. DOC. NO. 329).

The VICE PRESIDENT laid before the Senate a communication from the United States Fuel Administrator, transmitting, in response to a resolution of December 23, 1918, certain information relative to expenditures in the United States Fuel Administration to December 31, 1918, on account of the war with Germany and Austria, which was ordered to lie on the table and be printed.

EMPLOYEES OF THE WAR DEPARTMENT (S. DOC. NO. 331).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

EMPLOYEES IN INTERIOR DEPARTMENT (S. DOC. NO. 330).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

EMPLOYEES OF SHIPPING BOARD (S. DOC. NO. 333).

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Shipping Board, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees of the board January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

EMPLOYEES OF FOOD ADMINISTRATION (S. DOC. NO. 332).

The VICE PRESIDENT laid before the Senate a communication from the United States Food Administrator, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the Food Administration January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representaives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products, with amendments; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 4246. An act to increase the salary of the United States district attorney for the district of Connecticut;

H. R. 5989. An act to grant certain lands to the town of Olathe, Colo., for the protection of its water supply;

H. R. 8625. An act to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay wagon-road grant, to provide for the dispositon of said lands, and for other purposes;

H. R. 12210. An act to amend the act of May 14, 1898, as amended by the act of March 3, 1903, entitled "An act to ex-

tend the homestead laws and to regulate the sale and entry of public lands along the shore of navigable waters in Alaska";

H. R. 12579. An act to grant to citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg.;

H. R. 12881. An act to increase the cost of the public building at Eldorado, Kans.;

H. R. 13042. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act; and

H. R. 13306. An act to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued.

PETITIONS AND MEMORIALS.

Mr. MOSES presented a resolution adopted by the Central Labor Union of Portsmouth, N. H., favoring the extension of Federal control of railroads, express companies, and telephone and telegraph lines, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Council No. 195, United Commercial Travelers of America, of Manchester, N. H., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

Mr. FERNALD. I send to the desk a resolution adopted by Local Council No. 103, United Commercial Travelers of America, at a meeting held at Portland, Me. I ask that it may be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the resolution was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

PORTLAND COUNCIL NO. 103,
UNITED COMMERCIAL TRAVELERS OF AMERICA,
Portland, Me., January 6, 1919.

Hon. B. M. FERNALD,
United States Senate, Washington, D. C.

DEAR SIR: At the regular meeting of Portland Council of the United Commercial Travelers of America, held Saturday night, January 4, the following resolution was adopted:

"Whereas the emergency that existed making it necessary for the United States Government to take over the railroads of this country has ceased, and believing from our judgment founded on years of travel as commercial men that the people and business interests can be best served by private ownership, we ask that you, as our representative in Congress, use your best efforts to have the roads returned to their original owners under such restrictions as will be liberal and fair to them and just to the people whom they serve and whose servants they are."

A. M. MENISH, *Secretary.*

Mr. FERNALD. I also present a resolution adopted by Lithuanians at a mass meeting in Lewiston, Me., which I ask be placed in the RECORD without reading and referred to the Committee on Foreign Relations.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

LEWISTON, ME.

Senator BERT M. FERNALD,
Senate Office Building, Washington, D. C.:

A protest resolution voted upon by the Lithuanians at a mass meeting, all parties being represented, held January 5, 1919, in Lithuanian Hall, No. 133 Lisbon Street, Lewiston, Me.

We, the Lithuanians of Lewiston and vicinity, hearing that the Polish Army threatens to take Vilna, the capital of Lithuania, met in Lithuanian Hall, January 5, 1919, and decided that:

Whereas Lithuania, since prehistoric times, embraces the Baltic coast as a separate country and nation, whose language and customs have nothing in common with those of Poland;

Whereas Lithuania having been for a long time an independent nationality and since 1772, when Russia and Germany enslaved her, Lithuanians have not ceased to fight for their rights;

And whereas this war was waged for the freeing of all nations;

Therefore a great wrong would be done to the people of Lithuania if some other foreign nation would be permitted to thrust itself into Lithuania.

Protesting against the imperialistic steps of the Poles, we beseech the United States to use its influence so that this attempt of Lithuania's adversary be checked, and the Lithuanians be permitted to have their own government. We further ask the United States Government, which so generously aids other war-suffering nations, to lend a hand in behalf of the starving people of Lithuania.

LOUIS BANIULIS,
Chairman of the Committee on Resolutions.

Mr. KNOX presented resolutions adopted by the Philadelphia Bourse of Pennsylvania and resolutions adopted by the Maritime Exchange, of Philadelphia, Pa., favoring the enactment of legislation for the development of the American merchant marine, which were referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Harrisburg, Pa., and a petition of the Home Missionary Society of Nanticoke, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented a resolution adopted by the allied Irish-American Societies of Pittsburgh, Pa., and a resolution adopted at a mass meeting of sundry citizens of Sharon, Pa., in favor of freedom for Ireland, which were referred to the Committee on Foreign Relations.

He also presented a petition of Beaver Valley Lodge No. 607, Brotherhood of Railway Clerks, of Rochester, Pa., praying for the extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. HALE presented a petition of sundry Lithuanian citizens of Lewiston, Me., praying for the independence of Lithuania, which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Council No. 108, United Commercial Travelers of America, of Portland, Me., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (S. 5191) for the relief of private owners of lands within or near the Bitter Root, Lolo, or Missoula National Forests, Mont., reported it with amendments and submitted a report (No. 639) thereon.

Mr. CHAMBERLAIN. From the Committee on Military Affairs I report certain amendments intended to be proposed to the bill (S. 5261) to legalize informal or defective orders for war supplies and materials, to provide for the cancellation of orders and contracts, for the reimbursement of contractors or manufacturers, for the adjustment of claims on canceled or partially filled contracts and orders, and to provide relief for contractors pending final determination, which I ask may lie on the table and be printed.

The VICE PRESIDENT. Without objection, it is so ordered.

MEDALS FOR THE NAVY.

Mr. SWANSON. From the Committee on Naval Affairs I report back favorably without amendment the bill (H. R. 12194) to provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes, and I submit a report (No. 638) thereon. This is a bill providing for the award of medals of honor and distinguished-service medals for those in the Navy. A bill similar to this providing for medals for the Army was passed last July, but no bill of this character has been passed for the Navy. It is very urgent that it should be passed as early as possible, as a great many of the officers and men of the Navy are being demobilized, and these honors may be properly conferred now, when it can be done more efficiently. I ask unanimous consent for the immediate consideration of the bill.

Mr. SMOOT. I should like to have the bill read.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to present, in the name of Congress, a medal of honor to any person who, while in the naval service of the United States, shall, in action involving actual conflict with the enemy, distinguish himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty and without detriment to the mission of his command or the command to which attached.

SEC. 2. That the President be, and he hereby is, further authorized to present, but not in the name of Congress, a distinguished-service medal of appropriate design and a ribbon, together with a rosette or other device to be worn in lieu thereof, to any person who, while in the naval service of the United States, since the 6th day of April, 1917, has distinguished, or who hereafter shall distinguish himself by exceptionally meritorious service to the Government in a duty of great responsibility.

SEC. 3. That the President be, and he hereby is, further authorized to present, but not in the name of Congress, a Navy cross of appropriate design and a ribbon, together with a rosette or other device to be worn in lieu thereof, to any person who, while in the naval service of the United States, since the 6th day of April, 1917, has distinguished, or who shall hereafter distinguish, himself by extraordinary heroism or distinguished service in the line of his profession, such heroism or service not being sufficient to justify the award of a medal of honor or a distinguished-service medal.

SEC. 4. That each enlisted or enrolled person of the naval service to whom is awarded a medal of honor, distinguished-service medal, or a Navy cross shall, for each such award, be entitled to additional pay at the rate of $2 per month from the date of the distinguished act or service on which the award is based, and each bar or other suitable emblem or insignia in lieu of a medal of honor, distinguished-service medal, or Navy cross, as hereinafter provided for, shall entitle him to further additional pay at the rate of $2 per month from the date of the distinguished act or service for which the bar is awarded, and such additional pay shall continue throughout his active service, whether such service shall or shall not be continuous.

SEC. 5. That no more than one medal of honor or one distinguished-service medal or one Navy cross shall be issued to any one person; but for each succeeding deed or service sufficient to justify the award of a medal of honor or a distinguished-service medal or Navy cross, respectively, the President may award a suitable bar or other suitable emblem or insignia to be worn with the decoration and the corresponding rosette or other device.

SEC. 6. That the Secretary of the Navy is hereby authorized to expend from the appropriation "Pay of the Navy" of the Navy Department so much as may be necessary to defray the cost of the medals of

honor, distinguished service medals, and Navy crosses, and bars, emblems, or insignia herein provided for, and so much as may be necessary to replace any medals, crosses, bars, emblems, or insignia as are herein or may heretofore have been provided for: *Provided*, That such replacement shall be made only in those cases where the medal of honor, distinguished-service medal, or Navy cross, or bar, emblem, or insignia presented under the provisions of this or any other act shall have been lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was awarded, and shall be made without charge therefor.

SEC. 7. That, except as otherwise prescribed herein, no medal of honor, distinguished-service medal, Navy cross, or bar or other suitable emblem or insignia in lieu of either of said medals or of said cross shall be issued to any person after more than five years from the date of the act or service justifying the award thereof, nor unless a specific statement or report distinctly setting forth the act or distinguished service and suggesting or recommending official recognition thereof shall have been made by his naval superior through official channels at the time of the act or service or within three years thereafter.

SEC. 8. That in case an individual who shall distinguish himself dies before the making of the award to which he may be entitled the award may nevertheless be made and the medal or cross or the bar or other emblem or insignia presented within five years from the date of the act or service justifying the award thereof to such representative of the deceased as the President may designate: *Provided*, That no medal or cross or no bar or other emblem or insignia shall be awarded or presented to any individual or to the representative of any individual whose entire service subsequent to the time he distinguished himself shall not have been honorable: *Provided further*, That in cases of persons now in the naval service for whom the award of the medal of honor has been recommended in full compliance with then existing regulations, but on account of services which, though insufficient fully to justify the award of the medal of honor, appear to have been such as to justify the award of the distinguished-service medal or Navy cross hereinbefore provided for, such cases may be considered and acted upon under the provisions of this act authorizing the award of the distinguished-service medal and Navy cross, notwithstanding that said services may have been rendered more than five years before said cases shall have been considered as authorized by this proviso, but all consideration or any action upon any of said cases shall be based exclusively upon official records now on file in the Navy Department.

SEC. 9. That the President be, and he hereby is, authorized to delegate, under such conditions, regulations, and limitations as he shall prescribe, to flag officers who are commanders in chief or commanding on important independent duty the power conferred upon him by this act to award the Navy cross; and he is further authorized to make from time to time any and all rules, regulations, and orders which he shall deem necessary to carry into effect the provisions of this act and to execute the full purpose and intention thereof.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. JONES of Washington. I wish to ask the chairman of the committee a question. I notice that the bill provides for some increase of pay. Was there a corresponding provision in the military act?

Mr. SWANSON. I understand there is practically the same provision in both the military and naval bills for the increase of pay of enlisted men who receive the medals.

Mr. JONES of Washington. I do not remember that there was any increased pay provided for those in the Army.

Mr. SWANSON. I inquired at the Navy Department, and they assured me that it is true.

Mr. JONES of Washington. If this corresponds with the military bill, I do not object.

Mr. SWANSON. I understand it does. I did not look up the matter specifically myself, but I made inquiry at the Bureau of Navigation, that had charge of the preparation of the bill, and they stated that there was practically the same increase allowed in the Army.

Mr. JONES of Washington. The Senator says "practically the same." Is it the same or is there a difference?

Mr. SWANSON. There is a little difference in pay between the Army and Navy.

Mr. JONES of Washington. What I have in mind is that this bill provides for the payment of $2 a month additional.

Mr. SWANSON. Two dollars, and I understand in the Army the enlisted men get $2.

Mr. JONES of Washington. That is what I wanted to know. I have no objection then to the bill.

There being no objection, the bill was considered as in Committee of the Whole.

Mr. SUTHERLAND. I should like to ask the chairman of the Committee on Naval Affairs why the first section of the bill is different in language from the following section in that it provides for men in future and not those who have already distinguished themselves in action.

Mr. SWANSON. The other sections of the bill provide that these medals shall be bestowed upon anyone who has done service that justify the awarding of the medal since the 6th of April, 1916, since the declaration of war was made. Outside of the congressional medals I understand that there is a law authorizing the awarding of medals and crosses. The other section of the bill as passed by the House authorizes these medals to be awarded in the future to anyone in actual service subsequent to the 6th of April, 1916.

Mr. KIRBY. I did not hear the bill read and I do not know anything about it. Does it only provide for the awarding of medals. Is that the purpose of the bill?

Mr. SWANSON. That is the purpose of it.

Mr. KIRBY. It does not increase the rank of anyone?

Mr. SWANSON. It does not increase the rank of anyone.

Mr. KIRBY. Nor the pay of anyone in the Navy?

Mr. SWANSON. No; except that the enlisted men who get these medals awarded have an increase of $2 a month in their pay.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COURTS IN OKLAHOMA.

Mr. SMITH of Georgia. From the Committee on the Judiciary I report back favorably without amendment the joint resolution (S. J. Res. 208) providing that one term of the United States district court for the eastern judicial district of Oklahoma shall be held annually at Hugo, Okla. I ask the attention of the Senator from Oklahoma [Mr. GORE] to the joint resolution.

Mr. GORE. I ask unanimous consent for the present consideration of the joint resolution. It is purely a local matter.

There being no objection, the joint resolution was considered as in Committee of the Whole, and it was read, as follows:

Resolved, etc., That one term of the United States district court for the eastern district of Oklahoma shall be held each year on the second Monday in May at Hugo, in said State and district, and all acts and parts of acts not in accordance herewith are hereby modified in accordance with the provisions of this act.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN MINNESOTA.

Mr. KELLOGG. Mr. President, referring to the bill (H. R. 79) for the sale of isolated tracts of the public domain in Minnesota, which I explained to the Senate the other day, I desire to say that the Senator from North Dakota [Mr. GRONNA] then desired time to look into the bill. I understand he has stated that he has now no objection to the bill. A bill similar to this once passed the Senate, and the bill for which I now ask consideration has passed the House. I ask unanimous consent that the bill be brought before the Senate for consideration and passage at this time.

Mr. GRONNA. Mr. President, I will say to the Senator from Minnesota that I have examined the bill, and, as it only affects a few isolated tracts of land in the State of Minnesota, I have no objection to its consideration and passage at this time.

The VICE PRESIDENT. The Chair will state to the Senator from Minnesota that the bill has not been reported to the Senate.

Mr. KELLOGG. I introduced such a bill the other day.

The VICE PRESIDENT. Yes; but the bill is at present in the hands of the Committee on Public Lands.

Mr. KELLOGG. Then I shall have to secure a report from that committee.

The VICE PRESIDENT. The Senator from Minnesota can move to discharge the Committee on Public Lands from the further consideration of the bill.

Mr. KELLOGG. I move that the Committee on Public Lands be discharged from the further consideration of the bill, and that it may now be considered by the Senate.

The VICE PRESIDENT. The Senator from Minnesota moves that the Committee on Public Lands be discharged from the further consideration of the bill the title of which will be stated.

The SECRETARY. A bill (H. R. 79) for the sale of isolated tracts of the public domain in Minnesota.

Mr. SMOOT. Mr. President, will the Senator from Minnesota state what reason there is why the Committee on Public Lands should be discharged from the consideration of the bill?

Mr. KELLOGG. The Committee on Public Lands has considered a bill exactly like this one and has reported it favorably. That bill passed the Senate; but instead of the other House taking up the particular bill which passed the Senate, it took up the House bill, passed it, and sent it over here. The two bills are identical, and I simply ask that this bill be taken up and passed.

Mr. MYERS. Mr. President, there has been so much noise in the Chamber that I could not hear the statement of the Senator from Minnesota. I will ask the Senator to again state his request.

Mr. KELLOGG. I desire to state, in reply to the inquiry of the Senator from Montana, that the Committee on Public Lands once considered a bill similar to the one for which I now ask consideration, and recommended its passage. The bill simply provides for the application of the general statute providing for the sale of isolated tracts of an Indian reservation of the Chippewas in the State of Minnesota, the sale of such lands having been heretofore provided for by other laws.

Mr. MYERS. I thank the Senator for his explanation.

Mr. KELLOGG. As I have stated, the Senate has passed a similar bill.

The VICE PRESIDENT. Without objection, the Committee on Public Lands is discharged from the further consideration of the bill and the question is, on the request of the Senator from Minnesota [Mr. KELLOGG], for unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the provisions of section 2455 of the Revised Statutes of the United States as amended by the act of March 28, 1912 (37 Stat. L., 77), relating to the sale of isolated tracts of the public domain, be, and the same are hereby, extended and made applicable to ceded Chippewa Indian lands in the State of Minnesota: *Provided*, That the provisions of this act shall not apply to lands which are not subject to homestead entry: *Provided further*, That purchasers of land under this act must pay for the lands not less than the price fixed in the law opening the lands to homestead entry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LANDS IN MISSOULA COUNTY, MONT.

Mr. MYERS. I report from the Committee on Public Lands favorably and without amendment the bill (H. R. 9865) to authorize the sale of certain lands to school district No. 28 of Missoula County, Mont., and I submit a report (No. 637) thereon.

I desire to say a few words in explanation of the bill. The bill has passed the House and has come over to the Senate and is now favorably reported by the Senate Committee on Public Lands. The act opening the Flathead Reservation in Montana provided for the sale of a 10-acre tract of land to the town of Ronan, Mont., for school purposes, at not less than the appraised value, the funds to go to the Flathead Indians. The town of Ronan, however, is not the proper entity to which to convey the land. The conveyance should be to school district No. 28, of Missoula County, Mont., which should be the holder of title to the land. Under the laws of the State of Montana, the conveyance should be made to the school district. It is the district in which the town of Ronan is situate, but towns do not own land for school purposes in my State. This bill is merely to correct that error and to substitute school district No. 28, of Missoula County, Mont., for the town of Ronan. It will enable the 10-acre tract of land to be sold by the Secretary of the Interior, at not less than the appraised value, to school district No. 28, of Missoula County, Mont. The Interior Department urges that it be done. As I have already stated, the money is to go to the Indians, and Indian children are permitted to attend the school. So there is no objection whatever to the legislation. The Interior Department urges that the legislation be enacted promptly. In fact, a school building has already been erected on the land, on the supposition that the title to it would be made all right. I therefore report the bill and ask for its immediate consideration.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to sell and convey to school district No. 28, of Missoula County, Mont., the southwest quarter of the southwest quarter of the southeast quarter of section 36, township 21 north, range 20 west, on the Flathead Indian Reservation, in Montana, or so much thereof as may be required, for public-school purposes, under such terms and regulations as he may prescribe, at not less than its appraised value; and the net proceeds from the sale of said land shall be deposited in the Treasury of the United States to the credit of the Flathead Indians, to draw interest at the rate now provided by law, and to be used for the benefit of the Indians on the Flathead Indian Reservation: *Provided*, That the patent therefor shall contain the condition that Indian children residing in the said school district No. 28 shall at all times be admitted to the privilege of attendance and instruction on equality with white children.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. HITCHCOCK. Mr. President, I report favorably, with amendments, from the Committee on Banking and Currency the bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States, and I submit a report (No. 636) thereon.

I ask for the immediate consideration of the bill, the passage of which is urgently requested by the Federal Reserve Board. The committee has stricken from the bill some of the provisions which were asked for, so that the bill now only contains provisions which cover the following purposes:

First, to permit the Federal reserve banks to use their earnings and to increase their surplus until the surplus amounts to 100 per cent. The present law limits the surplus to 40 per cent, and that amount has almost been already reached.

The reason for desiring that the surplus may be increased is that the deposits of these banks have grown very largely, and also the note issues of the banks have grown, on account of the war very much beyond what had been anticipated, so that at the present time the Federal reserve banks of the United States have capital and surplus amounting only to 2 per cent of their total liabilities. This condition places them in an awkward position, particularly so far as any foreign relations are concerned. For instance, the Federal Reserve Bank of New York City has a capital of only $20,000,000. I do not remember exactly what its surplus amounts to, but it may amount to four million or five million dollars. It has, however, a capital of only twenty million. It has obligations greater than has the Bank of England, and yet the Bank of England has four times the capital of the Federal Reserve Bank of New York City. Therefore the Federal Reserve Board desires that these banks may be allowed to use surplus earnings year by year, including the year 1918 just passed—and that is the urgency of it—until the surplus aggregates 100 per cent.

I wish to say further that under the present law the surplus earnings, after the payment of 6 per cent dividends, are divided into two parts—one-half goes to creating additional surplus, which, however, is limited to 40 per cent, and the other part goes into the Treasury of the United States as a franchise tax, where it is used as a special fund either for the purchase of bonds or as a redemption fund for notes. It is an unimportant and unnecessary disposition of the money for that purpose, but if we are to have the Federal Reserve Banking System strong and to compare with the other great reserve banks of the world we certainly want a capital and surplus greater than 2 per cent.

Mr. GRONNA. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. GRONNA. I think it was understood that the third provision had relation to the engraving of signatures on notes.

Mr. HITCHCOCK. I am coming to that presently, if the Senator will wait.

Mr. GRONNA. Very well; but while I am on my feet, I wish to ask the Senator, who is acting chairman of the committee, if he is quite sure that the only change that this provision makes in existing law relates simply to the engraving of signatures on the notes? There was some question in regard to that.

Mr. HITCHCOCK. I can take that matter up now. The committee in ordering the report of the bill qualified it by saying that, as acting chairman of the committee, I must first assure myself that the third provision, which I have not read yet, related only to authorizing the use of engraved signatures and did not include anything else. That section is a reenactment of existing law, but the committee was not able to follow it out to the full extent. I telephoned to Gov. Harding, of the Federal Reserve Board, and asked him for a written statement on that point. I received his reply this morning—my colleague from Nebraska [Mr. NORRIS], who raised the point, has the letter—a reading of which convinces me that the provision changes the law in no respect except authorizing the engraving of the signatures on the notes instead of the names being signed, and it omits the authorization for $3 notes from the law, that provision being a dead letter. The Senator can see that letter if he so desires.

The other provision, which the committee reports favorably, provides for enlarging the amount of notes of any one customer that a Federal reserve bank can discount for a member bank. As the law is now a Federal reserve bank can only discount for a member bank notes of an individual customer of the member bank to the extent of 10 per cent of its capital and surplus; that is, if John Smith goes to a member bank, say a State bank, and discounts notes or borrows money to the extent of 20 per cent of the capital and surplus of the bank, that bank can only use one-half of those notes at the Federal reserve bank. This provision authorizes the Federal Reserve Board from time to time, by a general ruling covering all the districts, to permit the Federal reserve banks to discount for any member bank notes to the extent of 20 per cent of their capital and surplus for any one customer, provided United States bonds, in addition to the other securities, are deposited with the notes and bills so discounted.

The purpose of this is double—to facilitate the discount of notes and to afford an additional use for United States securities. The committee, on the motion, I think, of my colleague from Nebraska, struck out the provision which limited those securities to United States bonds issued during the recent war and provided that any United States bonds might be used as such security.

Mr. BORAH. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Idaho.

Mr. BORAH. This seems to be another step in the program of inflation.

Mr. HITCHCOCK. Well, Mr. President, I doubt that. I think it gives additional value to United States bonds. Where men have purchased in the stress of the war more bonds than they really were able to buy, it enables them to borrow money at their own banks, and it permits home banks to use those bonds as security if they wish to discount notes at the Federal reserve banks. It can only be done, however, in those cases where the Federal reserve bank authorizes it for all of the districts of the country.

I will say to the Senator from Idaho that I have stood strenuously in the committee against the repeated attempts that have been made to remove that limitation on borrowing. I believe that the banks ought not to be allowed to increase the amount of money they can loan to any one customer; but we have taken into the system a great many State banks, and under the State laws those banks are authorized in many cases to loan 20 per cent of their capital and surplus to a single customer on certain classes of security. So I yielded my judgment on this provision, and think no harm can come from it. It is in the direction of extending the credit of the Government; it is in the direction of maintaining the value of the liberty bonds that the people have in many cases been forced to buy.

Mr. SMOOT. Mr. President, will the Senator from Nebraska yield to me?

Mr. HITCHCOCK. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, there may be a few States in the Union that authorize the loaning of 20 per cent of the capital and surplus of a bank to one individual, but I can not recall a State that authorizes it. Generally the limit is 10 per cent, although in many cases it is 15 per cent, but 15 per cent is always considered rather extravagant.

Under this provision we authorize 20 per cent of the capital and surplus of a bank to be loaned to a single individual and the Federal Reserve Board to issue notes on the full face value, provided there are United States bonds back of them. States requiring by law that no larger amount than 10 per cent of capital and surplus shall be loaned to an individual can receive no benefit under this provision, if it should pass. It seems to me that it will simply give to a State that has authorized a loan amounting to 20 per cent of the capital and surplus to one individual an advantage over the State which has been conservative in the past in holding down extremely large loans to single individuals. On the face of it, Mr. President, I do not like it. There may be some special reason for it about which I am not informed, but I wish to say to the Senator now that from a casual reading of the bill I think it is very poor banking policy.

Mr. PAGE. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Vermont.

Mr. PAGE. Mr. President, referring to the amount which the banks may loan upon the security of Government bonds, my understanding is that in all the debates and discussions we have had in the last few months in regard to this matter we have stated that we wished to uphold and strengthen the position of the liberty bonds. Now, whether that is so or not may be a matter of debate. I am willing, however, to vote to allow banks in the Federal Reserve System to loan 20 per cent of their capital and surplus on liberty bonds. We must understand that to-day 2 per cent bonds, under the advantages given them, sell at 98 cents on the dollar, almost par, while poor people who have been urged to buy liberty bonds are compelled to accept 94, 96, and 98 cents on the dollar. I sincerely believe that we ought not to increase the amount which may be loaned on bonds by the amendment on lines 16, 17, 18, and 19 on page 3. I should like to have the Senator give me some information on that point.

Mr. HITCHCOCK. Mr. President, of course my request now is only for unanimous consent to consider the bill. When consent is given, it will be for the Senate to decide whether it will strike out that portion which is recommended by the committee giving preference to liberty bonds.

Mr. SMOOT. Mr. President, the statement made by the Senator from Vermont, I am afraid, will be misunderstood. This provision is not to enable loans to be made upon liberty bonds, but to enable loans to be made upon the paper of an individual who may borrow from the banks with an amount of liberty bonds to the face of the loan as security. That is what this provision is for. It is not a loan upon liberty bonds at all.

What I object to is this: I believe it is unwise and unsafe banking to allow banks in the United States to loan 20 per cent of their capital and surplus to any one individual or any one corporation. I make that as a broad statement, and I believe it is unsound to establish that principle. I think 10 per cent is safe, and in certain cases I am perfectly willing to say that it might be 15 per cent, just as many of the State laws have provided; but when it comes to saying that 20 per cent, one-fifth of all the capital and all the surplus of a bank, can be loaned to one individual, I say it is a poor business policy.

Mr. PAGE. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Vermont.

Mr. PAGE. I should like to have the Senator leave us clear about this matter. He says that under this provision 20 per cent of a bank's capital and surplus can be loaned to one individual.

Mr. SMOOT. Yes.

Mr. PAGE. I do not understand that this percentage may be loaned to anyone except on security of Government bonds.

Mr. SMOOT. Back of the loan that is made by the bank there are to be these liberty bonds, or under the provisions of this bill any other United States bonds can be held by the Federal Reserve Board as security for the payment of the loan. That is all this bill provides.

Mr. PAGE. But it really means that we are loaning on Government bonds, does it not?

Mr. SMOOT. Oh, no, Mr. President; we are virtually loaning to the bank. The transaction has to originate in the bank, and then the bank must have a similar amount in liberty bonds as additional security. That is all there is to it. It is authorizing the bonds to be deposited as security for the loan.

Mr. PAGE. But it is really an inhibition against loaning money to anybody up to the amount of 20 per cent unless there are Government bonds behind the transaction.

Mr. SMOOT. Of course, I think the Federal Reserve Board will see to that. I am not objecting to that. I think these bonds are the very best security. There could not be better security. What I am objecting to is the unsound business policy of allowing a bank to loan one-fifth of its capital and surplus to one individual.

Mr. SWANSON. Mr. President, I should like to ask the Senator by whom this legislation is recommended. Is it recommended by the Federal Reserve Board?

Mr. HITCHCOCK. It is recommended by the Federal Reserve Board, and it is rather an urgent matter, not only because they want to have it apply to the surplus which has been accumulated during the year 1918 but because they want to give relief to those people who, under stress of great agitation, have gone to their banks and borrowed money to purchase United States liberty bonds. They do not want those people compelled to throw those bonds upon the market and sell them. They want to permit them, under regulations of the board, to use them as security for maintaining their loans.

Mr. SWANSON. Is any limit contained in the bill as to the time in which this can be done? Is any limited number of years prescribed?

Mr. HITCHCOCK. No; but it is provided that upon the affirmative vote of not less than five of its members the Federal Reserve Board shall have power from time to time, by general ruling covering all districts alike, "to permit Federal reserve banks to discount for any member bank," and so forth. It is a temporary matter, to be used when it is necessary to relieve the country on account of the purchase of these bonds.

Mr. SMOOT. I want to say this further to the Senator: This would never affect an individual who had not bought more bonds than one-fifth of the capital and surplus of the bank upon which the loan could be made; and, Mr. President, the policy has always been for a bank to accommodate not merely one person in the community in which it is located, but to accommodate all of the people in that community, and therefore the law has justly held that it was unwise to allow a bank to loan more than 10 per cent of its capital and surplus to any one person. As I said, however, in some instances the limit has reached as high as 15 per cent. That is the principle involved in this proposition that I do not like.

Mr. SWANSON. Mr. President, I should like to make this suggestion to the Senator——

Mr. HITCHCOCK. What the Senator from Virginia says is very true. It is only intended as a temporary expedient from time to time, when by the affirmative vote of five members of the board it is deemed desirable to do it. It will only be a temporary matter.

Mr. SWANSON. At the present time, when people all over the country have bought bonds with the understanding that their loans would be renewed by the banks two or three times before payment would be required—and, of course, they made the purchases largely on borrowed money, and a great many of these notes were discounted by the Federal reserve banks—I can see where there is necessity for legislation to prevent peo-

ple who thus bought bonds from having to sacrifice them; but it does seem to me to be inconsistent with the principles of sane banking to allow for a long time to come—for years to come—big borrowers to get 20 per cent of all the capital and surplus of a bank; to allow, for years and years to come, big borrowers to absorb all the money in the market and let the small manufacturers and merchants and people conducting other enterprises be debarred from borrowing. That is legislation that I think ought to be avoided.

It seems to me that if we should limit this to a certain length of time, so as to get rid of the present conditions in connection with the sale of liberty bonds, it would be wise; but to have a law passed under which for all time five or six big borrowers in any community can take the resources of a bank and absorb them and small borrowers will have no opportunity to go there and get their notes discounted would be unwise legislation. It seems to me that the committee ought to limit this to meet the present emergency.

One of the great advantages of the Federal Reserve System to the entire country was the fact that it limited loans to 10 per cent. Nobody could get in excess of 10 per cent of the capital and surplus of a bank; so the money was in the bank, and small manufacturers and merchants and the masses of the people, this fund being unabsorbed by large borrowers, were able to get bank accommodations. I can see that the Senator is right in saying that something ought to be done to relieve this emergency; but I should like to see the legislation limited to a certain number of years during which this privilege can be extended.

Mr. HITCHCOCK. Personally I am disposed to agree with that view of the case. I will say to the Senator that I have made, not once but repeatedly, fights in the committee to oppose the modification of the law limiting individual loans to 10 per cent; and personally I should be glad to support the proposition of a three-year limit.

Mr. SMOOT. I will say to the Senator that this provision is going to apply to only a very few people in the United States. If a bank's capital and surplus is a million dollars, 20 per cent of that is $200,000. Fifteen per cent, under the laws of the States now, is $150,000; and there are very few people in the United States who have bought $150,000 worth of liberty bonds and borrowed money to carry them.

Mr. SWANSON. Mr. President, this emergency has arisen: A manufacturer or a merchant needs so much money to conduct his business. Heretofore he has been doing it under the 10 per cent limitation of the Federal reserve act. But these manufacturers and merchants and people who have bought these bonds not only have to take care of their business now, but they have to take care of the bonds until they can be paid for. Consequently under those circumstances they might need 20 per cent now to take care of their business and to prevent the sale of these bonds. It seems to me that if we should limit this provision to two years or three years we would get rid of this emergency, and we would not have a law here that could be used for the next 20 years to give the entire resources of a bank into the hands of a few of these big borrowers.

Mr. SMOOT. Mr. President, I am going to ask the Senator if he will not allow this bill to go over. If it is absolutely necessary to have legislation of this kind I am not going to object; but I really believe it would be better for the United States, in the few cases that will be affected by this bill, to compel the borrowers, if necessary, to sell their bonds upon the market rather than to have put upon the statute books here a provision stating that 20 per cent of the capital and surplus of a bank can be loaned to one individual.

Mr. POMERENE. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Ohio.

Mr. POMERENE. I am not going to oppose the consideration of this bill at the present time, but I want to make my position clear to the Senate.

I am in favor of the first section of the bill, which provides for the increase of the capital of the reserve banks, because I realize that one of the criticisms of this system was that probably we did not provide a sufficient capital for the Federal reserve banks at the time the legislation was enacted, and I think that appeals with a very great deal of force to foreign banking interests; but I am unalterably opposed to the second section of the bill. I do not think this country is interested in having some one get off of the Federal Reserve Board and immediately get into one of these member banks, and I am opposed to it.

As to the third proposition, the effect of it is going to be this: It is going to encourage the loaning of all the deposits of member banks to five borrowers. That is what it means; and I will never give my consent to that provision.

It is true that some reference is made here to the bond market, to the effect that we want to increase the use of these bonds. Of course, I am in harmony with that; but if one of these member banks has a large number of Government bonds it is not necessary for that bank to go to a regional reserve bank in order to use those bonds. It can either go out in the market and sell them, or it can go to other banks and get accommodations there with that security. I can never give my consent to a proposition which means that any bank can invite deposits from all of the community, and then loan out all of these deposits to five men. It is vicious banking; and while I have the profoundest respect for the Federal Reserve Board, I never can give my consent to a modification of the law which will permit that method of banking.

Mr. HITCHCOCK. Mr. President, the Senator is mistaken in saying that it is proposed to allow any bank to loan out all of its deposits to five men.

Mr. POMERENE. No, Mr. President; I simply said that it encourages that proposition. That was my statement.

Mr. HITCHCOCK. It may have only $100,000 capital and it may have $1,000,000 of deposits. If it loans $20,000 to each of five men, it has only loaned $100,000, and it still has $900,000 to loan, or at least it has several hundred thousand dollars.

Mr. POMERENE. I do think that to that extent my statement should be corrected.

Mr. HITCHCOCK. But at the present time all I am asking for is the immediate consideration of the bill; and if the Senate wants to adopt only the first provision I am willing to submit to that by a simple vote, without any discussion, so far as that is concerned.

Mr. SMOOT. Mr. President, I do not want to go that far; but I do want the Senator to let the bill go over, and then I want a little time to study it more than I have in the casual reading of it to-day. So far as the Senator from Nebraska is concerned, he can bring it up to-morrow.

Mr. HITCHCOCK. Unfortunately, the Senator from Nebraska can not do that. He is leaving town to-night; and the board is very urgent about this, because the surplus earnings of 1918 are the ones as to which Congress has got to say now, or very soon, what shall be done with them.

Mr. SMOOT. I am perfectly willing to vote for the enactment of that provision, because it tends toward safety. Nobody will object to that. If the balance of the bill is stricken out, as far as I am concerned, it can pass right now—I mean with only that one provision in it.

The VICE PRESIDENT. Have the Senators agreed on what shall pass?

Mr. HITCHCOCK. I do not know that that can be done very well by unanimous consent.

Mr. SMOOT. The safest way is to let the bill go over. I object to the consideration of the bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

THE COAL SITUATION.

Mr. SMOOT. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate resolution 405, submitted by the Senator from Mississippi [Mr. VARDAMAN] on the 3d instant, and I ask for its immediate consideration. I will say that it will not lead to any discussion.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That S. Res. 374, instructing the Committee on Manufactures to make inquiry into the coal situation, its production, transportation, and consumption, to require the attendance of necessary witnesses, the production of books, documents, and papers, etc., be, and it hereby is, amended so as to authorize the employment of counsel to assist in the inquiry aforesaid.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 5306) to recognize the patriotic services of members of the district and local draft boards of the United States; to the Committee on Military Affairs.

By Mr. NELSON:

A bill (S. 5307) for the relief of the Red Wing Brewing Co.; to the Committee on Claims.

By Mr. SWANSON:

A bill (S. 5308) for the relief of the Eastern Transportation Co.; to the Committee on Claims.

By Mr. NORRIS:

A bill (S. 5309) granting a pension to Erastus A. Buck; to the Committee on Pensions.

By Mr. LA FOLLETTE:

A bill (S. 5310) granting an increase of pension to Charles F. Hahn (with accompanying papers); and

A bill (S. 5311) granting an increase of pension to Henry L. Bannow; to the Committee on Pensions.

By Mr. KNOX:

A bill (S. 5312) to donate a piece of field artillery to Girard College, of Philadelphia, Pa.; to the Committee on Military Affairs.

By Mr. SPENCER:

A bill (S. 5313) authorizing the Secretary of War to acquire and maintain a cemetery in France in the name of the United States for the reception and interment of the bodies of American officers and men who lost their lives in connection with the European war, and to appropriate $500,000 therefor, and for other purposes; to the Committe on Foreign Relations.

By Mr. FLETCHER:

A bill (S. 5315) authorizing the Secretary of War to deliver one cannon to the city of Orlando, in the State of Florida; to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 5316) granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington; to the Committee on Commerce.

REPEAL OF ESPIONAGE ACT.

Mr. FRANCE. I introduce a bill and give notice that at the close of the morning business to-day I shall ask to submit some brief observations upon it.

The bill (S. 5314) to repeal "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," and the act amendatory thereof, was read twice by its title.

THE GREEK SITUATION.

Mr. GRONNA. I present resolutions from a Greek association. They are brief, and I ask that they may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

AN IMMEDIATE APPEAL TO AMERICA BY THE PEOPLE OF GREECE.

To whom it may concern:

In view of President Wilson's principle of "self-determination," as enunciated by him in his desire to see justice established in a free world, the people of Greece, as well as the 3,000,000 unredeemed Greeks now under Turkish and Bulgarian rule, feel that the people of America will take a special interest in the danger which threatens the just cause of Hellenism through the continued German and Bulgarian influence, which is still being exerted and always will be, in some form or another, unless the present favorable opportunity is seized of checking once and for all this evil tendency.

Up to the present time, owing to the lack of communications, very little information has apparently reached this country with regard to the heroic part played by the Greek Army in the military operations which led to the complete defeat of the Bulgarian forces on the Balkan front. And yet, it should be borne in mind that it was the mobilization and actual presence on the front of the Greek Army which rendered the general offensive on the Balkan front possible, while, on the other hand, the excellent conduct of the Greek soldiers, their bravery and discipline, their surprising rapidity in attack and pursuit, and, generally, their first-rate military qualities, have repeatedly been the object of unstinted praise and admiration on the part of the commanding French and British generals, who did not hesitate to assign to the Greek Army an important share in the final victory.

Of the hardships and sufferings endured by the Greeks under Bulgarian rule, and for centuries under Turkish tyranny, there is, of course, much to be said. Their history is just one long reign of terror, a good idea of which can be gained from Mr. Ward Price's dispatch to the New York Times, which has thrown a flood of vivid light on what has hitherto been willfully shrouded in darkness, and has revealed to the world at large the truth about the inhuman savagery of the Bulgarians. As the Times editorial of November 20 aptly says: "It is a horrible story, but Americans may read it with profit." Certainly, when the whole truth becomes known, the American people will realize that the fate of the inhabitants of Belgium and northern France during these last four years of German occupation has in no way been more terrible than that of the Greeks under Bulgarian and Turkish rule.

Abandoned by indifferent Europe in 1453, in the face of overwhelming Turkish hordes, the enslaved Greeks of the Ottoman Empire, in whose native language the gospels and epistles of St. Paul were written, still remain to-day the sole bulwark of the Christian faith in the East, while their achievements, under the most adverse conditions, in commerce, science, and all intellectual spheres, are such as to warrant unlimited faith in their rapid development, when the shackles of tyranny are lifted. To quote from a letter written by President Wilson to Mr. Frank W. Jackson, chairman of the relief committee for the Greeks of Asia Minor: "Their steadfast allegiance to their Christian faith in the face of every inducement and threat to abandon it, commends them most strongly to all who believe in the principles of religious freedom, and their adherence to the ideals of constitutional government should make them peculiarly the object of the cordial sympathy of the American people, the foundation stones of whose political structure are freedom and liberty."

Now, that the supreme moment is at hand, when, at the peace table, the fate of Hellenism will be decided, enemy influences are being exerted to mislead the American people and to circumvent the rules laid down by President Wilson, whereby all people should be free to determine for themselves their own existence. Therefore we say, let the American people be on their guard and, with wise discrimination, pluck forth this poisonous weed and in its place sow the seeds of everlasting love and gratitude, that will unite forever the people whose ancestors more than 2,000 years ago first established and used this Greek word "democracy," and the great free Nation of the New World, which has carried the old idea to its present perfection.

All we ask for is justice, the return to their motherland of the following unredeemed Greek regions:

1. Epirus, including Himara, Korytza, Kastoria.
2. Macedonia, including the purely Greek towns of Xanthi and Dedeagatch.
3. Thrace, including Constantinople and the country surrounding the sea of Marmara.
4. Asia Minor, Smyrna, and the contiguous territories, inhabited by nearly 2,000,000 Greeks.
5. The islands of the Dodecanese, which are inhabited only by Greeks, with the exception of 11,000 Turks in Rhodes and Cos and 4,000 Jews in Rhodes.

In thus pointing to the injustice so long endured by Greece we appeal to the American people to make use of every constitutional means at their disposal in order that the glorious deed of restitution should be accomplished; we appeal to them to make their wishes known to their Representatives in Congress, both by letter and telegram, so that the principles upheld by their President should be vindicated the whole world over and become an article of faith for regenerated mankind when the Prince of Peace shall have come into His own.

JOHN N. METAXA,
Former Governor of Salonika, Greece.

REPUBLIC OF COSTA RICA.

Mr. MOSES. I present an address presented to the President of the United States by the President of the Senate of Costa Rica, and I ask that it may be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SECRETARY OF THE CONGRESS,
SAN JOSE OF COSTA RICA, *21 November, 1918.*

His Excellency PRESIDENT OF THE UNITED STATES OF AMERICA,
Washington:

In fulfillment of the resolution that was unanimously, by acclamation, adopted by the Senate and Chamber of Deputies of this Republic, at the session of the 19th instant, and as an interpretation and manifest spirit of that resolution, we have the honor to address the following communication to your excellency, by wireless telegraphy, whilst a formal transcription thereof is proceeding by mail:

"Upon the proclamation, through the illustrious medium of your excellency, of the very beautiful program of ideals for men, for nations, and for humanity, the United States of America entered upon the gigantic conflict of the world war, originally provoked in defense of the rights of small nationalities.

"Adopting those beautiful ideals, and acting through a lofty sentiment of continental solidarity, the little Republic of Costa Rica, through the medium of its constitutionally organized powers, declared a state of war to exist between it and the German Empire, in order thus to profess its profound sympathy and unconditional support of the doctrines proclaimed by the allied nations—this being the extent to which, because of its size and the meagerness of its sinews of war, Costa Rica could aid.

"Costa Rica to-day celebrates with the greatest enthusiasm the favorable outcome of the war and, with the most sincere rejoicing, the triumph of the doctrines proclaimed by your excellency and by the American armies gloriously established upon the fields of battle.

"Your idea of the league of nations is firmly grounded on nature considered as a social factor and is altogether an indispensable complement to the establishment of the loyal and enduring peace throughout the world.

"Such a peace you have admirably planned to found upon three immovable bases; the right of peoples to freely govern themselves; the right of nations to freely control their destinies; and the right of humanity to freely pursue the course of its perfection.

"Your conception works for redemption and for this reason, chiefly, Costa Rica, fully aware of the consequences, did not hesitate to align itself by the side of her great sister whose destiny so brilliantly directed in this awful conflict, must be the betterment of humanity.

"In these memorable moments in which your excellency raises on high the standard of humanity this small country ventures to acclaim the fact of its devotion to that standard, because the fundamental principles which you have written upon that banner have been at all times adhered to by the Republic of Costa Rica; its people now and always have freely chosen its governors; as a nation it has always been able to maintain its sovereignty with dignity and prestige; as an integral part of the world it has never placed obstacles in the way of others, but, on the contrary, it has contributed, within the small means at its disposal, to the progressive march of humanity.

"Costa Rica, through the medium of its legally constituted representatives, expresses the hope that your excellency will accord to our Government the place in the family of sovereign nations to which it is entitled, for Costa Rica has always respected the rights of peoples, of nations, and of humanity.

"To this end the Senate and Chamber of Deputies has authorized us, under the circumstances, to respectfully inform Your Excellency and the Congress of the United States of North America that the Government of Senor don Federico A. Tinoco, as well as all powers instituted thereunder, are constituted by the suffrage of the Costa Rican people, convoked in free election, extended to all the peoples by which said Government, as well as all constituted authorities, exercise their functions; that the Government of Senor Tinoco, as well as the legislative and judicial powers of this Republic, are not only founded upon incontestable legality but legally exercise their functions and for that reason are justly entitled to look for recognition by other States.

"The investiture of President Tinoco and other members of the legislative and judicial powers with their respective authority is based upon the suffrage and the fundamental law.

"Such, then, is the correct aspect in which the political situation of the Republic should be viewed, and it is respectfully brought to Your Excellency's attention in order to realize the aspiration of the Costa Rican people which the Congress has embodied in the resolution. It justly claims the honor and the benefit of recognition on the part of nations that so far have not deigned to favor this country with official

relations, and for that reason the legislative bodies hope that such desire will be favorably considered by Your Excellency, who is the apostle of equality and liberty of nations, and who has made his apostolicy felt in a form that will be preserved ever after in history."

We are Your Excellency's most respectful servants,

DR. RAFAEL CALDERÓN MUÑOZ,
President of the Senate.
LIC. FRANCISCO FAERRON,
President of the Chamber of Deputies.
RICARDO COTO FERNANDEZ,
DR. FRANCISCO A. SEGREDA,
Secretaries of the Senate.
JULIO ESQUIVEL,
FRANKLIN JIMÉNEZ,
Secretaries of the Chamber of Deputies.

INTERNATIONAL RELATIONS.

Mr. GRONNA. I present a sort of a brief entitled "Reciprocal Representation in the World's Assembly and International Bonding Remedies against Recurrence of War," by Emil G. Beck, M. D., of Chicago, Ill. It contains, I think, some very useful suggestions, and while I do not want to say that I either approve it or disapprove it, I ask that it may be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

RECIPROCAL REPRESENTATION IN A WORLD'S ASSEMBLY AND INTERNATIONAL BONDING REMEDIES AGAINST RECURRENCE OF WAR.

[By Emil G. Beck, M. D., Chicago, Ill.]

The essential points:

A. An international legislative body, with judicial powers, chosen by reciprocal method: Each nation to send at least seven representatives, but instead of choosing all members from its own citizens each nation to select two from its own country and one from each of five foreign countries. This reciprocal method of choosing representatives will form an extraordinary assemblage of statesmen who will form a very impartial world's parliament and not likely to form cliques.

B. All nations to enter into a universal alliance treaty (bond) which contains the provisions against hostilities between nations and which is secured by heavy bonds of the cosigners—bonds not their own issue.

C. A suggestion for the formation and economical upkeep of an international army (reciprocal) which in peace times serves as a national police and serves part time in foreign countries.

In his epoch-making address of January 22, 1917, President Wilson said:

"In every discussion of the peace that must end this war it is taken for granted that the peace must be given by some definite concert of power which will make it virtually impossible that any such catastrophe should ever overwhelm us again. Every lover of mankind, every sane and thoughtful man, must take that for granted."

This lofty declaration of our President, no doubt, voices the most intense desire and sentiment of every well-meaning person. The only excuse for a repetition of this terrible catastrophe would be the failure of the nations to devise a plan by which future wars would be made impossible.

The world's greatest statesmen and political economists are now at work devising plans by which a fraternity among all nations may be maintained, of which the league of nations stands foremost. In the upheaval and chaos which exist at present the task is most difficult, but they have already defined the principles on the bases of which the problem will be worked out.

The main obstacle to a lasting peace is the fact that it is almost impossible to secure a court of arbitration which would be regarded by all nations as absolutely impartial. It lacks in one essential, namely: It does not provide against the possible danger of combinations by the representatives from the different countries who, in deciding matters of vital interest, might cast the weight of their votes to that country to which they owe allegiance. A nation is not willing to submit its case for arbitration to a body of judges unless they are convinced that in the hands of these judges its interests would be safeguarded to at least the same degree as they were before being placed before these judges.

A world's court, composed of delegates chosen by each country from its own citizens, when put to a test is likely to fall in its mission. Men with the highest ideals and regard for the rights of others, with the best intentions to be impartial, will, when the fate of their own country is in the balance, sway to the side of their native land. A Frenchman will remain a Frenchman, a German will remain a German, and a citizen of the United States will always remain a true American when his own country is in danger. Men who can divest themselves of the love for their native land in order to become international citizens are yet to be found; in times of peace, possibly, but when the country which gave them birth and education and protection is endangered their instinct will paralyze their impartiality and they will cling to their mother country. Quoting Prof. Adler: "The judges you secure may be upright men, but the bias in the blood will tell. We had this exemplified amongst ourselves in the case of the Hayes-Tilden commission. The country was on the verge of civil war. It was finally decided to pass the matter in dispute over to 15 jurists, the best in the country. No one doubted their uprightness nor their disposition to be fair. But every time they voted on a material question the commission stood eight to seven—eight Republicans to seven Democrats. And the impartial historian says that it was the bias of party which in this crucial instance, though they were not conscious of it, gave direction to the legal mind."

Since it is the duty of every thoughtful citizen to be helpful in solving this intricate problem, I hope it will not seem presumptuous for a man of the medical profession to contribute his small part in its solution.

The plan herein submitted does not come into competition with or overthrow any of the plans proposed by others; it simply adds several new ideas. It is based upon two fundamental principles:

First. That reciprocity is a most potent factor in retaining the friendship of your neighbor.

Second. That a bond is stronger than a mere promise.

Both these principles are embodied in the plan—one in the formation of an impartial international legislative and judical assembly, choosing its members reciprocally, and the other suggesting an international alliance treaty secured by heavy bonding.

INTERNATIONAL LEGISLATIVE BODY WITH JUDICIAL POWER (RECIPROCAL).

This assembly shall, as far as possible, consist of representatives from all countries. But instead of each nation electing its representatives from its country alone each should choose two from its own and five additional representatives from other nations, but no more than one from any one foreign country. Thus all nations would have an opportunity in time of peace of choosing men well known to them, in whose integrity and honesty they have the fullest confidence and to whom they would unhesitatingly submit matters of international dispute and by whose decision they would abide.

By this system of choosing representatives the danger of partiality to one's own country would materially diminish. Each representative would then consider it a point of honor to deal fairly with the country which placed implicit confidence in him. As a matter of self-interest he would act squarely and impartially, because his own country is in turn dependent upon the honesty and fairness of the foreign representatives his own country selected. Such interlocking representation would thus blend the interests of all nations, and the personal contact of the representatives would inevitably result in a very friendly relationship among nations. Reciprocity of delegates would thus create the strongest link possible between the powers, each realizing that it is to their mutual interest to treat one another with fairness and justice.

A very valuable suggestion was offered to me by one of the United States Senators to whom I submitted this problem, namely, that this assembly would necessarily have legislative power as well as judicial, since they could not decide international disputes unless they had international laws and rules as a basis for their discussions. He states:

"It is apparent, therefore, that the first step is a great international legislature rather than an international court, a legislature that shall determine and agree upon fundamental international rights which in themselves will include fundamental international duties of the countries toward each other. Having determined just what these rights are, having by the very instrument itself pledged all to protect the rights of each, then, and then only, can we provide for a great international court which must be guided by those fundamental rights and corresponding duties. Nations are free. Nations must agree together just to what extent the freedom of each may be curtailed. Having entered into that agreement there will be little difficulty in providing for an international court to decide all of the minor questions of differences under the guidance of this supreme international law."

Since the assembly would be composed of the ablest and most high-minded men in the world, the legislative duties could also be intrusted to them so that it would not only dispose of cases of international litigation but would also pass new international laws and work out other problems relating to the welfare of the whole human race.

Furthermore the nations joining this international brotherhood would no more surrender any part of their sovereignty than the original thirteen Colonies gave up their State rights when they formed the United States.

The members of this international assembly might select from their midst a smaller number, say 15, to form an international supreme court of appeals, to whose final decision any dispute might be appealed should it fail to obtain satisfactory settlement by the international court of justice.

This legislative and judicial assembly, once established, would systematize international administration similar to that of a democratic government.

INTERNATIONAL ALLIANCE TREATY.

When the belligerents meet to adjust their differences one question will stand out most prominently, namely, What measures shall be taken to compel all nations to live up to their treaties? New treaties will have to be entered into, and here the difficulties will arise. At present, treaties are not regarded with the same sacredness, confidence, and respect by all the powers as they were before this war. Striking examples have given us sufficient proof of this fact. Nations will now be reluctant in signing new treaties unless they receive the absolute assurance that some power even greater than the sword will compel the cosigners to live up to their agreements. They will demand a positive guarantee that the papers they sign are not mere formalities, which might again be thrown into the wastebasket when at any time the terms of the treaty do not suit one or the other party to the contract.

What satisfactory guarantee could be given to induce the powers to sign treaties and abide by them? To this question I desire to make the following suggestion:

Let the nations enter into a treaty which shall be so carefully worked out as to cover all the essential points necessary to maintain peace and secure its fulfillment by demanding the cosigning nations to put up a bond. The terms of such a treaty must necessarily cover many points embodying a code of international laws to be drafted by the international assembly.

Certain basic and essential principles must be included, some of which I mention herein:

First. All international disputes shall be submitted to the international assembly described above.

Second. In case the verdict of the international assembly be rejected by one of the contestants, it shall be submitted to the international court of appeals, whose decision shall be final.

Third. To prevent the violation of this international-alliance treaty, each country shall deposit a most substantial interest-bearing bond.

Fourth. Gradual disarmament of all nations to such a degree as to leave an army and navy for protection against internal violence and international police only.

Fifth. All countries shall be prohibited from manufacturing armament and munitions to any greater extent than agreed upon by the international assembly.

A serious violation by a nation of the international alliance treaty shall constitute sufficient cause for the forfeiture of its bond. As to what should be done with the forfeited bonds is a question which could easily be decided by those elaborating on the treaty. It could either be used for current expenses of the international assembly or in paying indemnities to any nation which has been unjustly attacked or injured, or for other purposes.

Special treaties between individual nations need not be secured by any additional bonds, because all questions of dispute would be settled by an international assembly and its decision made binding.

The bonds shall be placed in the hands of an international board of trustees, chosen by all the countries which enter into this international agreement.

The objection that a nation might repudiate its bond should a real emergency arise is met by the provision that the bonds furnished should not be paper of its own issue but securities issued and purchased from other countries, thus making their repudiation practically impossible.

To illustrate the latter proposition: Germany, for instance, would deposit securities purchased from other countries. The amounts purchased from each country to be so proportioned as to furnish a variety of securities of as many countries as possible—for instance, 10 per cent of French bonds, 10 per cent of English bonds, 10 per cent of United States bonds, 5 per cent of Swiss bonds, 5 per cent of Argentine bonds, 60 per cent of all other countries, government or industrial.

England, Russia, the United States, and all other countries entering the alliance to do likewise. The aggregate value of deposit by each nation must be so large as to make it prohibitive for that nation to forfeit it.

Judging from the opinions of statesmen and professors of international law to whom a previous copy of this paper has been submitted, I am confident that an international assembly chosen by the reciprocal method and a joint treaty of all nations diplomatically constructed (with the additional safeguard of a heavy bond against its violation) would be a sure step toward the realization of a lasting peace.

AN INTERNATIONAL RECIPROCITY ARMY.

We must, however, bear in mind that in the present turmoil it would be inexpedient to make a very radical reduction in the naval or military strength of the world. Radical changes must not be made suddenly; improvement must take place by a slow process. For this reason it will be necessary, for the present, for each country to maintain a certain military and naval force until there is a readjustment of present international affairs. Time will change conditions; the relations among nations will again become fraternal, but until such time we must retain a weapon aside from these agreements. A more potent restraint must be kept as a safeguard in order to check an ambitious belligerent who might suddenly break all rules and promises should he become involved in a controversy which he believes is not adjudicable.

If, then, for the present, it is absolutely necessary to retain a certain amount of force as a safeguard, could we suggest some practical and economical upkeep of an international army?

If the nations were assured that they could count upon each other for their combined but small forces against an aggressor, it would be entirely superfluous for each of them to maintain a large military organization. On the other hand, if each nation must individually protect its own rights and interests, each would be obliged to maintain an army so large that at any time it might be pitted against a combination of other powers who are equally prepared. This stupendous competition for preparedness is absorbing the greater part of the energy and the savings of the human race. They are now kept busy devising plans to kill human beings and destroy property, instead of being employed in the wholesome pursuits of life and in the development of the races. A small force allotted to each nation in its proper proportion would be just as effective in deciding the so-called "nonadjudicable" questions as a large force on each side, and it would be vastly more economical. I would, therefore, suggest a plan which would be most economical and at the same time sufficiently effective to check any attempt on the part of any nation to create war.

A. Each nation to have a standing army of well-trained, well-paid soldiers, not larger than is actually necessary to protect itself against internal disturbances.

B. The size of this army should be in proportion to the population.

C. The armies of all countries should have a combined general staff, so that the armies may be trained on the same principles of warfare and should be so organized that on the shortest notice a call would bring together a force large enough to check an unjust aggression.

D. Finally, a number of regiments of the army of one country should be stationed in different sections of foreign countries for a stated period. For illustration, an American soldier would serve one year at home, six months in France, and six months in Germany, and the French or German soldier would have a like experience. This would give all armies an equal chance to perfect themselves in military training and become acquainted with the military tactics of allied countries. At the same time, the military force of all countries would become familiar with the terrain of the various countries, which, in case of a sudden outbreak of war, would be of great advantage to the combined powers in checking the aggressor.

Such military education might create a friendly spirit among the different armies. It would work out in a manner similar to that of the reciprocal representation of jurists of all countries. Aside from policing the country in peace times, the armies could be of service in many ways as teaching citizenship to immigrants and maintaining a merchant marine.

I realize that this plan is not worked out in detail, and there are, no doubt, many points not covered. But if I have succeeded in convincing those who are now studying this question, that reciprocity is fundamental for international harmony, and that bonds will be an added safeguard against the recurrence of war, I will be satisfied that I have helped in bringing this problem nearer its solution.

EMIL G. BECK, M. D., F. A. C. S.,
2632 Lake View Avenue.

LIGNITE COAL.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat to determine the practicability of their utilization as a fuel and in producing commercial products.

Mr. HENDERSON. I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. HENDERSON, Mr. WALSH, and Mr. POINDEXTER conferees on the part of the Senate.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 5989. An act to grant certain lands to the town of Olathe, Colo., for the protection of its water supply;

H. R. 8625. An act to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay Wagon Road grant, to provide for the disposition of said lands, and for other purposes;

H. R. 12210. An act to amend the act of May 14, 1898, as amended by the act of March 3, 1903, entitled "An act to extend the homestead laws and to regulate the sale and entry of public lands along the shore of navigable waters in Alaska";

H. R. 12579. An act to grant to citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg; and

H. R 13042. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act.

H. R. 4246. An act to increase the salary of the United States district attorney for the district of Connecticut was read twice by its title and referred to the Committee on the Judiciary.

H. R. 12881. An act to increase the cost of the public building at Eldorado, Kans., was read twice by its title and referred to the Committee on Public Buildings and Grounds.

H. R. 13306. An act to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued was read twice by its title and referred to the Committee on Military Affairs.

LEAGUE OF NATIONS FOR PEACE.

Mr. MYERS. Mr. President, day before yesterday I gave notice that it was my intention to submit some remarks to-day on the proposition of a world league of nations and on the coming peace conference and connected subjects. However, I forgot and left at home this morning a book from which I want to read some extracts when I submit my remarks, and I will not be able to make to-day the remarks that I intended to make. I hope to-morrow at the close of the morning business, if I may be permitted to do so, to submit the remarks that I had intended to make to-day on a league of nations, the coming peace conference, and some incidents connected therewith.

Mr. STERLING. Mr. President, I desire to give notice that on Saturday, at the close of the morning business, I shall ask permission to address the Senate on the subject of a league of nations.

AFFAIRS IN RUSSIA.

Mr. HITCHCOCK. Mr. President, I ask the consent of the Senate to make a short statement in reply to a number of addresses that have been made here upon the subject of affairs in Russia.

The VICE PRESIDENT. Is there further morning business? There is none. Is there any objection to the Senator from Nebraska proceeding? The Chair hears none.

Mr. HITCHCOCK. Mr. President, recently the administration has been criticized from two standpoints on the Russian situation. First, it has been criticized to some extent because it did not yield to the urgent desire of Great Britain and France and enter Russia with a large force for the purpose of establishing or reestablishing an eastern front against Germany. More recently it has been criticized on the floor of the Senate by a number of Senators because it has sent soldiers into Russia. On these two criticisms it seems to me proper to make a short statement, which can not in the nature of the case be authoritative, because I only speak from what knowledge I have been able to gain, which is, perhaps, not much better than that any other Senator has secured. These two attacks, however, come from directly opposite directions, and they indicate the embarrassment that confronted President Wilson in deciding what policy to adopt.

Geographically, of course, there is a Russia. Politically there has not been a Russia for probably a year. When we entered the war we entered it side by side with Russia, as well as with the other nations that were allied with Russia to fight Germany. When the Russian revolution first developed and Kerensky came to the head of the Russian Government, it still retained a semblance at least of a national shape and form. We recognized that Government of Russia. We sent a commission over there, as will be remembered, headed by ex-Senator Root. That Russian Government along about the month of October or November, 1917, was overthrown, and since that time it is not too much to say that there has been no government, as civilization understands government, in Russia, except a series of local governments throughout the vast expanse of that Empire.

The Lenine-Trotsky government has been far more prominent than any other in Russia, because it held Petrograd, the capital, and Moscow, the ancient city of Russia, and some of

the other industrial centers. It was prominent because it was recognized by Germany. Germany had been the only nation which recognized it as a national government.

The statement has been made that the Lenine-Trotsky government was not pro-German. I am unable to see how that statement can be believed by anyone who has read the history of the last year. In the first place, Lenine and Trotsky got into Russia by the grace of Germany. There is very substantial reason for believing and considerable evidence to prove that Lenine and Trotsky operated with German credit. Certainly in everything that they have done they have carried out the will of Germany. They signed with Germany a treaty which practically gave Germany everything she asked for, including a large sum of money, which they had already begun to send to Germany when the belligerent nations fighting Germany put a stop to it. They established in Petrograd, near by, a German ambassador, and Russian and other travelers who have come to this country from Russia have told me that he rules virtually as a king in Petrograd.

Not only that, but the Lenine-Trotsky government has driven out of Russia every representative of every civilized country on the face of the earth, including our own, and to-day, except for the German representative in Petrograd, there is not a single representative of any nation in the world except, perhaps, of Switzerland, and he is in jail.

To say under those circumstances that there is either a national government in Russia or that it is not pro-German seems to me to be going entirely too far. Whatever Germany asked for she got from Russia. German officers and German soldiers who were captured and prisoners held in camp have been released and permitted to organize forces which undertook, in connection with the Bolsheviki, to crush the little Czecho-Slovak Army in Russia.

I have in my hand a photograph, which I procured from the State Department, showing Russian soldiers gathered in a large group and among them German officers in uniform. The statement attached to this photograph reads as follows:

> The attached photograph was obtained from an official Bolsheviki photographer through a dependable intermediary; it was taken shortly after the capture of Yaroslavl northeast of Moscow by the Bolsheviki forces in the latter part of July, 1918. The photograph was sent to the department as confirming information previously obtained from independent sources that the Bolsheviki forces were enabled to drive their opponents from Yaroslavl by reason of direct German military aid, reference apparently being had to the German uniforms to be noted.

Mr. President, I have in my hand here among other things a statement made by Capt. Vladimir S. Hurban, of the Czecho-Slovak army in Russia, when he came to the United States to visit Prof. T. G. Masaryk, then in this country and now the duly elected President of the new Czecho-Slovak Government. He described in this statement how the Czecho-Slovak Army, 50,000 or 60,000 strong, as I recall it, was formed in Russia at the time Russia was fighting Germany. Those Czecho-Slovaks had been originally in the Austrian Army and refused to fight their Russian brothers, and had gone over and surrendered in a great body to the Russians, and by the Russians at the time Russia was fighting Germany, before the days of the Lenine-Trotsky revolution, the Czecho-Slovaks were organized into a force fighting Germany among the Russians.

After Trotsky-Lenine surrendered to the Germans this sturdy band of Czecho-Slovaks resolved neither to surrender to the Germans nor to accept the clemency offered by the Emperor of Austria. They could not fight all Germany alone. They resolved, if possible, to go through Russia and reach Vladivostok, to cross the Pacific, to cross North America, and then to go to the western front in France in order to continue the war for liberty upon which they had entered. Capt. Hurban says:

> Our army in Russia was organized from Czech and Slovak prisoners of war under almost insurmountable difficulties. We were cooperating with the Russian Army, and since 1917 we were practically the only army on the Russian front capable of any military action in the proper sense of the word. In July, 1917, during the first revolutionary offensive under Kerensky, it was only our army that really attacked and advanced.
>
> When the Bolsheviki-Soviet government signed the peace treaty at the beginning of March, our army of about 50,000 men was in Ukraine, near Kiev.

Then he goes on to describe what they did, and says:

> The Germans advanced against us in overwhelming numbers, and there was danger that we would be surrounded on all sides, on the right and left flank; our rear was not covered, and the Germans were liable to attack us from the rear. We had no lines of communication behind us, no stores of materials, and no reserves; everywhere there was disorganization and anarchy, and the Bolsheviki red guards seized the locomotives and were fleeing east in panic.
>
> Under these circumstances Emperor Charles sent us a special envoy with the promise that if we disarm we will be "amnestied" and our lands will receive "autonomy." We answered that we will not negotiate with the Austrian Emperor.
>
> As we could not hold a front, we began a retreat to the east. Already then in agreement with the allies (our army had been proclaimed a part of the Czecho-Slovak Army on the western front, and thus allied with the French Army), it was decided to transport our army over Siberia and America to France. We began the difficult retreat from Kiev. The Germans in an overwhelming force were trying to prevent our escape. About a hundred miles behind us they seized the important railroad junction at Bachmac, which we were obliged to pass in our trains on our retreat to the east.

Then he goes on to describe the contests not only with the German Army but with released German prisoners in Russia, released on orders of the Bolsheviki for the purpose of attacking and annihilating this Czecho-Slovak Army.

The story is too long for me to read, and I shall not encumber the RECORD with it, but I only cite it to show that we have an authoritative statement here to the effect that these Czecho-Slovak armies stood at that time in Russia as the one organized body to fight Germany as we were fighting Germany. This not only shows the pro-German character of the Trotzky-Lenine government, but it shows that Russia, which had ceased to be a nation, and over which anarchy and civil war were spreading, was the battle ground upon which Germany must be fought, and here were fifty or sixty thousand men trying to wage that war.

Under those circumstances Great Britain and France were very urgent that America should do her part in entering by way of Vladivostok on the Pacific Ocean and making safe this long line of communication, 5,000 miles, to the Ural Mountains in Russia. What was to be done? Was the President to ignore that body of Czecho-Slovaks? Was he to refuse entirely the request of the nations that we were cooperating with? Was he to permit the Germans absolutely to get control of Russia and use it as an instrument in the war? It seems to me he could do nothing less than he did. He finally consented that a small force of Americans, 10,200, should be landed at Vladivostok in connection with the Japanese, British, and French forces there, and not only take possession of the great stores of munitions, which had come from America, but also to undertake to perfect in connection with the other forces this long line of communication so that the Czecho-Slovaks could either get out and get to France, or if they remained there to fight to have supplies brought to them.

We landed 10,000 men. The Japanese landed a much larger force, which they have since been reducing. The effect of that landing was to put a stop to the organization of German prisoners, of whom there were 58,000 in that part of Siberia. It made it impossible for them to capture Vladivostok, as was intended. The effect of that landing was to restore to a more or less perfect extent that long line of communication, and to-day for over 5,000 miles from Vladivostok to the neighborhood of the Ural Mountains that line of communication is in more or less constant operation.

It is idle to say under those circumstances that the 2,000 men we sent in and the small body of Japanese and British sent in could have subjugated that whole country. The fact is that they were received with open arms. They went in as allies and friends of all that part of Russia. They did not go in as conquerors, and they do not leave there as conquerors to-day. There is a local government functioning at Vladivostok in entire harmony with the allied troops that are there. There is local government at Omsk functioning in entire harmony. Of course, it is a dictatorship at the present time, under Kolchak. For a while it was five men, and now it is practically one man, who has perhaps 200,000 under his control. He is maintaining a front there against the Soviet powers, supported by German officers and German men. There is a government at Vladivostok; there is a large force operating down in south Russia near the line of the Caucasus; and there is the government which has been organized at Archangel and down the Murman coast, also recognizing the Kolchak government and a Russian Army outside of the Lenine-Trotzky government.

Now, can it be said that we have gone in to fight the Government of Russia when over this whole region of 5,000 miles we are received with satisfaction and applause and cooperation? Can it be said that when we went in to fight Germany on ground chosen by Germany against agents chosen by Germany we went in illegally to fight the Russian Government and the Russian people? No, Mr. President; I think there was every justification for going in.

I have spoken of landing at Vladivostok with 10,200 men. We also made a landing at Archangel. Archangel has been the port at which vast supplies of war munitions and coal have been landed from Great Britain. Our army of occupation went in there to save those supplies, for one thing. It went in there also on the Murman coast, just across the White Sea, for the purpose of preventing Germany from carrying out the purpose which she evidently had at that time to secure a port and a base for her submarine vessels.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. Assuming that there was sufficient justification for sending an armed force into Russia at the time it was sent, when we were fighting Germany before the armistice was signed, and that there was a German force there, do I understand from the Senator that we are still contending against the same enemy with whom we were contending prior to the signing of the armistice?

Mr. HITCHCOCK. I shall come to that a little later. I am trying to develop this in some order.

Mr. TOWNSEND. May I interrupt the Senator for a moment?

Mr. HITCHCOCK. Certainly.

Mr. TOWNSEND. I understood the Senator to state that our troops at Archangel and Vladivostok were there in harmony with the people of those communities. The information comes to me directly that we are fighting there.

Mr. HITCHCOCK. I will take that up. At Vladivostok there has been no fighting. It is entirely peaceable, and the normal course of business has been resumed. It is one of the most orderly places in all Russia at the present time. There has been some fighting at Archangel and some fighting on the Murman coast, very close to that. We have, as a matter of fact, only 5,000 men between Archangel and the Murman coast combined. France and Great Britain have larger bodies of troops; I do not know exactly how many; perhaps 15,000. We seized those ports because they had great supplies there which had to be protected, which had been made with American and British and French labor and paid for by American, British, and French money when we thought we were sending them to a nation allied with us. We not only took those ports because we had a right to protect those supplies, but because we wanted to head off Germany, that then had 30,000 men crossing Finland for the purpose of seizing the Murman coast and establishing there a port for her submarines.

There is another reason. We know how anxious we were in this country concerning our diplomatic representatives in Petrograd, who finally were compelled to move to Vologda, which is in the direction of Archangel. By seizing Archangel we made means by which they could get out of Russia, and they might have had none other. We know that several murders and assassinations had occurred there; that there were most disgraceful, barbaric assaults upon the British Embassy there in which a fine British officer—I think a naval attaché—was shot down in cold blood. Before our ambassador left a sentry had been placed in front of his door and he had been practically notified that he would be under military surveillance and control unless he came back to Petrograd.

With such barbaric treatment of diplomatic representatives, it was a very wise thing to have possession of some ports, in order that there might be, if necessary, a means of getting out. The idea that a government exists under the administration of Lenine and Trotzky to-day in the sense that civilized people could call it a government is absolutely preposterous. There is not any government there; it is the most absolute tyranny; and if we were against the idea of the old autocratic form of government, we certainly must condemn, as we have refused to recognize, the form of an absolute tyranny of the most brutal character, which recognizes no law whatever.

I was talking the other day to one of the secretaries of our embassy, who has recently returned from Russia, and who has now already left this country for another post. He told me of sitting in the office of a commissaire, I think, and it was in Vologda, and talking to him and endeavoring to get a permit or some better treatment for the embassy, when a clerk brought in a number of documents and placed them on his desk, and he took up his pen and signed them, one after another, without even reading them. They were so near to him that this gentleman was able to see what they were, and each one of them was a sentence of death, which that man signed just as though it had been a formal letter.

That is what is going on in Russia, and when this man undertook to leave Vologda, practically under compulsion, as it was unsafe longer to stay there, he went to the railroad station to buy his ticket an hour before leaving. He was told that there was no place on the train. He protested that that could not be so; that he must be able to buy a ticket. A commissaire was standing near, and he stepped up to him and said, "I have a friend who has a ticket which I can get for you." "What will he charge extra—anything?" "Yes; he wants"—I think he said—"50 rubles." The ticket only cost 50 rubles; but he said, "He wants to get 50 rubles extra for it if he sells it to you." So this American representative agreed that he would pay 50 rubles extra in order to get this ticket. The commissaire said, "You have got to pay me something for finding him for you"; and finally the official was compelled to pay this man 25 rubles for the privilege of paying 50 rubles extra for the ticket! Then the commissaire went around in the room and got the ticket from the man who had just refused to sell it to the American.

This American got aboard the train, which started. After the train had passed over the first division and into the second division it came to a stop. The passengers waited half an hour, then an hour, and finally they had a committee go to inquire what was the trouble, why the train did not go on. The reply was that the train crew was striking, and that they were not going on until the passengers raised a hundred rubles per car. The passengers went to work and they raised a hundred rubles per car. The train then proceeded. When it got to the next division of the road it stopped again, and they made more prompt inquiry this time to find out what the trouble was. They were told that the men in the roundhouse would not let the engine out to draw the train unless they raised a hundred rubles per car. They had to raise another hundred rubles per car. So it took them 40 hours to make a 10-hour trip. I merely cite that to show the absolute economic and industrial demoralization there. To say that that is a country with a government is absolutely absurd. There is no government in Russia.

Mr. BORAH. Mr. President, I do not want to interrupt the Senator from Nebraska in the logical presentation of his view, but I hope before he closes that he will make it plain whether, all this being true, it is any justification for our being in Russia.

Mr. HITCHCOCK. Mr. President, I will take that up immediately. We went in there, I say, as a war measure; we went in there last June, when the war was at its height. So far as Vladivostok was concerned we saved those supplies; we saved a long line of communications; we saved the Czecho-Slovak Army; we defeated the purpose of the Germans to destroy that army and to get possession of the country. We went into the Murman coast and prevented the Germans from getting a warm-water harbor there for their submarines as a base. We got Archangel, and kept that port with its supplies and the means of escape of our ambassador, who was still at that time in Russia. We accomplished what we went there for, but we went in by an agreement with Great Britain and Japan. We went in with them, and, as I have said, at the height of the war. We have not yet come to the end of the war, although we have an armistice. We could not instantly leave the minute the signing of the armistice had come. We could not abandon the stores there; we could not open the door and invite Germany now to make an offensive in that direction. We could not violate the agreement we have with those with whom we went in. We are under some obligations to them.

Mr. JOHNSON of California. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from California?

Mr. HITCHCOCK. I yield to the Senator.

Mr. JOHNSON of California. Will the Senator from Nebraska state the agreement which we have?

Mr. HITCHCOCK. I do not know it.

Mr. JOHNSON of California. That is what we seek to know. That is why I have been listening so intently to the Senator as the chairman of the Foreign Relations Committee, in the hope that we might learn some of the details. I take it that his speech is wholly authoritative, or the chairman of the Foreign Relations Committee would not make it.

Mr. HITCHCOCK. Mr. President, I hope the Senator from California will not assume that there was a written agreement that we would do certain things. The entrance into those ports was undertaken on the recommendation, if not by the demand, of the supreme war council in Paris as a war measure and when the war was at its height. I suppose that we have no more an agreement in writing to do that than we had with France and Great Britain when we joined the French and British in France. We went there, though, for the purpose of cooperating with them, and we are remaining to cooperate with them. We are on the Murman coast to cooperate with them, we are in Archangel to cooperate with them, and we are in Vladivostok to cooperate with them. We can not throw them down and abandon them in the twinkling of an eye while Germany is still threatening possibly to undertake war measures.

Mr. JOHNSON of California. If the Senator will yield, I simply repeated the very language that he used in respect to an "agreement" that we have with these various powers, and, repeating that language, I ask him what the agreement was? I do not mean that it was a written agreement. I do not know but it is a secret treaty. I do not know what it is.

Mr. HITCHCOCK. I think I should withdraw the word "agreement." I think I should say in cooperation with those powers we went in there.

Mr. JOHNSON of California. While I am on my feet, so that I may not again interrupt the Senator—and I shall not do so, because I shall take the opportunity, with the permission of the Senate, at some time in the future to respond—but if the Senator will permit me one further question, How far inland are American troops now? Can the Senator tell me?

Mr. HITCHCOCK. The American troops are at Vladivostok, on the Pacific coast.

Mr. JOHNSON of California. I do not mean there; I mean on the Murmansk coast—from Archangel?

Mr. HITCHCOCK. I will make this statement complete. The American troops are at Vladivostok and in the immediate neighborhood, as I understand, on the Pacific coast. The Japanese troops are largely at Lake Baikal, which is perhaps a couple of thousand miles inland. Another body of French and British are cooperating with the Czecho-Slovaks perhaps 4,500 miles inland. The American troops are at Archangel and at Murman with the French and British. Their outposts have proceeded as far inland, possibly, as 80 or 100 miles in some cases, merely for the purpose of protecting those bases. We did not want to let the opposing forces under German leadership come right up to the ports. They have thrown these outposts out and they are merely holding them against attack.

Mr. JOHNSON of California. Can the Senator from Nebraska tell how far Kadish is from Archangel?

Mr. HITCHCOCK. I can not. I only have general information. It is somewhere in the neighborhood.

Mr. JOHNSON of California. Is the Senator able to say how many towns and cities and villages the American troops have taken?

Mr. HITCHCOCK. No.

Mr. JOHNSON of California. Does the Senator say that he does not know?

Mr. HITCHCOCK. I do not know.

Mr. JOHNSON of California. Is the Senator able to say how great an area of square miles the American troops are operating in?

Mr. HITCHCOCK. No; I have not any knowledge of that sort; that is military knowledge which I have not.

Mr. JOHNSON of California. Is the Senator aware that there are various towns that have been taken by American troops advancing into Russia and that they have been taken in each instance against troops stationed in those various towns?

Mr. HITCHCOCK. I have not any doubt that not only the American troops, but that the British and the French troops, have advanced far enough inland to protect those bases, and that they are now acting on the defensive. The Senator from Virginia [Mr. SWANSON] stated yesterday they are making no further advance, and that they only went far enough to protect their bases and to carry out the purposes for which they went there.

Mr. JOHNSON of California. Mr. President, will the Senator say when the advance was discontinued?

Mr. HITCHCOCK. No; I have not that date, and I do not consider it of any importance.

Mr. JOHNSON of California. They have, I believe, taken town after town as they have gone forward, have they not, and only ceased to advance because winter has made it essential that they cease?

Mr. HITCHCOCK. I think the Senator is entirely mistaken. My information is that they merely advanced far enough to set up the usual posts that are required to protect their bases, the base being in one case Archangel and in the other Murmansk; that the fighting that has occurred since then has been defensive; and that the Americans were expelled from one town by the Russian Bolsheviki, with their German assistants, but have recovered it. That is the only advance that I have heard of in recent months.

Mr. JOHNSON of California. May we take it, then, as authoritatively announced by the State Department that no other advance is to be made?

Mr. HITCHCOCK. I should not like to speak for what may happen in the future.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. May we assume, from the Senator's argument, that if it were not for the presence of the German influence in that country there would be no occasion for our remaining in Russia?

Mr. HITCHCOCK. That is my judgment. The German danger is the real cause of our presence there.

Mr. BORAH. Then I assume we are there under and by authority of Gen. Foch.

Mr. HITCHCOCK. Undoubtedly. He insists, I understand, on maintaining the status there; in fact, he is anxious to have more done.

Mr. BORAH. Now, Mr. President, we are arriving at a point from which we may reason as to our duty. The complaint which may be justly lodged against the situation, it seems to me, is that we have been in utter darkness as to why we are there, what the object to be attained is, or under whose authority we were there. Now, does the Senator say that we are there under the authority of Gen. Foch?

Mr. HITCHCOCK. We are there under the authority of the United States in cooperation with the other forces of which Foch is the generalissimo. We went in there to fight the Germans, as I have stated, at the time when the war was at its height and bid fair to continue for years, and at a time when Russia had been largely brought under German control, not only military control, but commercial and banking control, to the extent that the national-bank notes of Russia were being printed in Germany.

Mr. BORAH. To my mind there can be only one justification for our being in Russia, and that is because of the situation superinduced by German activities. If I may be permitted to express my view, it is none of our business so far as military intervention is concerned as to what is going on in Russia. Unless it is part and parcel of the conflict in which we have been engaged, which is the defeat of Germany, we can not justify remaining there any longer than it will take to get out.

Mr. HITCHCOCK. I agree with the Senator.

Mr. BORAH. It ought to be made so plain that there could be no possible mistake about it that we are there by reason of that fact; that we have remained there by reason of that fact; and what it is that we are to accomplish before we leave there.

Mr. JOHNSON of California. Mr. President, will the Senator permit me to interrupt him further?

The PRESIDING OFFICER. Does the Senator from Nebraska yield further to the Senator from California?

Mr. HITCHCOCK. I yield to the Senator.

Mr. JOHNSON of California. If the facts are as just stated, to which a ready acquiescence is yielded by the Senator from Nebraska, I ask what possible objection can there be to the Government of the United States saying why it is over there, what it intends to do, and what it expects to accomplish? The Senator rises as the chairman of the Foreign Relations Committee and says he does not speak authoritatively or for the Government. I observe by the RECORD that when I was absent day before yesterday the chairman of the Naval Affairs Committee [Mr. SWANSON] expressly disclaimed that he spoke authoritatively or for the Government. Why is it that our Government can not tell us why we are there, what we intend to do, and what our ultimate purposes are? If that were done, then, with some degree of intelligence, we might debate at least what the Government says to us.

Mr. HITCHCOCK. Mr. President, of course I realize that our form of government is not like the form of government they have in Great Britain, where the representative of the administration sitting in the legislative hall answers questions and makes authoritative statements, but I have endeavored to meet the Senator's request for information, and I think I have gone to a legitimate extent concerning the facts as they actually exist. I do not see how anyone can have any doubt in reviewing those facts that we went in there to fight Germany when the war was at its height; that the Germans were there ahead of us; that the Bolsheviki had thousands and perhaps hundreds of thousands of men on the ground who were being released from prison under German influence; that those men were getting arms; that they were going to seize Vladivostok; that they were going to seize other harbors in Russia; and that they were going to use Russia as a military base. We were justified in connection with the other countries with which we are cooperating in going in there.

There will be a time when we will have to come out. We evidently did not go in there as conquerors of Russia. I have endeavored to set forth that the result of our presence there has been that over a distance of 5,000 miles, a whole empire, our people have been received in a friendly manner and are acting in cooperation with the Russian local government.

Mr. CALDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New York?

Mr. HITCHCOCK. I yield.

Mr. CALDER. I listened to the Senator's statement a moment ago relative to the number of British and French troops operating in the neighborhood of Archangel. My information is—and this information was as of November 10, given to me by a naval officer who had returned from Archangel—that on that date we had something in the neighborhood of 2,000 troops there, and that France and England each had less troops than we had in that country.

Mr. HITCHCOCK. I have no warrant for speaking as to the French and the British, but I have warrant for saying that we have 10,200 troops at Vladivostok, and that we landed about 5,000 troops at Archangel for use there and on the Murman coast.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield to the Senator.

Mr. BORAH. I do not know whether the Senator has the information or not, and I do not know whether he would feel authorized to give it if he had it, but an interesting situation is presented by reason of the fact that Japan is withdrawing her troops. Can the Senator tell why it is that Japan, with whom we entered Russia, feels that the situation is such that she may properly withdraw her troops?

Mr. HITCHCOCK. I have some knowledge that I do not know that I am justified in giving. Japan landed a much larger body of troops than we had expected would be landed, a body of troops larger than we thought was necessary to be landed. I say "we," I mean the administration. I do not know what influences are now inducing Japan to reduce those numbers so that they will conform more nearly with the number of men that we landed; but that is the fact the number is being reduced; and the very fact that it is being reduced shows that there is no great danger there from the Russian people; that they are in a friendly country, and feel safe with a much smaller body of troops than they went in with.

Mr. BORAH. In view of the fact, Mr. President, that it is pretty generally understood, as nearly as we can understand anything in regard to the situation, that the small number of American troops in Russia are pretty hard pressed and are in great danger not only from weather and disease, but from being so surrounded as that they may never get out at all, I hardly suppose that our Government requested that the forces there, from whatever source they were supplied, should be reduced.

Mr. HITCHCOCK. The men at Archangel are not hard pressed. The fighting has ceased there, and has ceased for months. There is order there. There is merely an army of occupation. The only fighting that is going on now is along the Murman coast and above Archangel, on the river; and the fighting there has evidently been grossly exaggerated in the newspaper reports, because we have, under date of January 4, a report by cable from that point that the total number of men killed in battle since we landed there is only 126; so the mortality indicates that the fighting is not of a very desperate character.

Mr. BORAH. Are there no Japanese troops in the near vicinity of the place where the fighting has been going on?

Mr. NELSON. No; there are none there. They are all on the Siberian Railroad.

Mr. BORAH. How long would it take them to get from the point where the fighting has not been to the point where the fighting is going on?

Mr. HITCHCOCK. The Japanese are not near the scene of the fighting. They are only an army of occupation and support. They are keeping open the trans-Siberian line. They entered by way of Vladivostok, and, of course, they are not on the Murman coast, nor near Archangel. They are 800 miles from that point.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. HITCHCOCK. I yield to the Senator.

Mr. NELSON. The farthest west that the Japanese have gotten is a point near Irkutsk, and from there over to where our troops are, south of Archangel, is probably from 500 to 700 miles. You have to go west on the Siberian Railroad, beyond Perm, in the Ural Mountains, and then west of that—I do not remember the name of the station—is a station where the railroad runs up to Archangel. The Japanese have not been within, I think it can safely be said, five or six thousand miles of our forces in Archangel.

Mr. BORAH. I understand there are no Japanese, then, at points where the fighting has been going on?

Mr. HITCHCOCK. That is my impression. That is, there was some fighting immediately upon their landing at Vladivostok. That fighting was largely with German-officered Bolsheviki—Germans who had been released from camps in Siberia near Vladivostok, some 50,000 in number—and the fighting occurred there months ago and has not been repeated for months.

Mr. NELSON. Mr. President, will the Senator allow me a minute there?

Mr. HITCHCOCK. Certainly.

Mr. NELSON. The situation is this: Our troops are in and about Vladivostok on the east. The Japanese have gotten as far west as Irkutsk, the capital of trans-Baikalia, near Lake Baikal. The Czecho-Slovaks, with the aid of Russians and a naval officer whose name I can not pronounce, have advanced along the Siberian Railroad as far as Omsk, the capital of western Siberia; and their latest report is that they have advanced as far as Perm, the principal point in eastern European Russia west of the Ural Mountains. They are advancing in that direction, and there has been no particular fighting. The only fighting that the American troops have had anything to do with is in the country south of Archangel; and if Senators will study the geography of the country they will find that that country to the south from the Murman coast and the Kola Peninsula and from Archangel, at the south of the White Sea, is a swampy, timbered country, thinly and sparsely settled, and there are no great towns and no great villages in that country. As the Senator from Nebraska has well said, the troops have just advanced along that line, which runs at right angles to the Siberian line, far enough south to protect their base and the country they have gone into. There may be a few scattered villages; but close to that country in northern Russia, south of the Kola Peninsula and south of the White Sea, is a wilderness of swamps and timber and all kinds of country, very sparsely settled. It does not include what may be called the agricultural or civilized, developed portions of Russia.

Mr. JOHNSON of California. Mr. President——

Mr. KING. Mr. President, will the Senator permit a suggestion there? My information is that during the summer of 1917 allied troops, including American troops and some Russians, anti-Bolshevists, advanced a short distance south of Archangel for the purpose of establishing, if it became necessary, winter quarters, and they erected some structures. The Bolshevists later on made an advance and captured some of the buildings which had been erected. As I understand, there has been some fighting between the allies and American forces in their efforts to regain and hold against the Bolshevists these buildings and outposts, constituting in part their winter quarters.

Mr. NELSON. Mr. President, I want to say to the Senator that I am taking the time of the Senator from Nebraska.

Mr. JOHNSON of California. Mr. President, I want to propound one more interrogatory to the Senator from Nebraska, if I may, and then I will cease.

Day before yesterday, or day before that, I observed a press dispatch—I am entirely skeptical of press dispatches about Russia—but, nevertheless, this one said that England had determined to withdraw her troops from Russia. The Senator may have observed it as well. I ask whether or not he can enlighten us on that subject, whether it is a fact or whether it is not a fact?

Mr. HITCHCOCK. I have no knowledge as to what the intentions of the British Government are in this respect.

Mr. JOHNSON of California. The Senator probably observed the press dispatch.

Mr. HITCHCOCK. I noticed something to that effect. I presume that all the troops are coming out of Russia. It is merely a matter of time when that will be done.

Mr. KING. Mr. President, if the Senator will permit me just one minute——

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield, and, if so, to whom?

Mr. HITCHCOCK. I yield to the Senator from Utah.

Mr. KING. In reply to the Senator from California, I should like to state that Lord Milner, who has been looking after the Russian military situation for Great Britain, gave out a statement in which quite the contrary appears, although he states in conclusion——

Mr. JOHNSON of California. That was some weeks ago, though, if the Senator will observe.

Mr. KING. No; December 18.

Mr. JOHNSON of California. Yes; but this dispatch was within the last three days, I will say to the Senator.

Mr. KING. I saw that dispatch, but I have also seen it contradicted.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Virginia?

Mr. HITCHCOCK. I yield to the Senator.

Mr. SWANSON. I should like to suggest to the Senator from Nebraska, since inquiries have been made regarding the purpose of the President in Russia, that the President, in the sixth of his 14 points which have been agreed to for the making of peace, has a specific declaration in reference to Russia, which I should like at this time to read. First:

The evacuation of all Russian territory.

That has been agreed to, and that is one of the conditions of peace.

Mr. KING. It has been agreed to by Germany.

Mr. SWANSON. The evacuation of all Russian territory by the peoples who have agreed to it; I mean, ultimately, when the time comes for peace, when peace is made.

Second—

Such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing.

Mr. JOHNSON of California. Mr. President, may I call to the Senator's attention the fact that the sixth term of peace that he reads is the sixth term of peace with Germany, not with Russia?

Mr. SWANSON. If the Senator will remember, this is a condition upon which the allies, including France and England, agreed to make peace with Germany and Austria and among themselves; and, as I understand, this is intended as a settlement of this great world war.

Further permit me to say the sixth of the 14 items continues:

And, more than a welcome, assistance also of every kind that she may need and may herself desire.

But it goes farther than that to warn other nations that they have no right to despoil Russia, and that the test of their fairness will be their treatment of Russia. On that point the President says:

The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

It seems to me that the sixth of the conditions upon which peace will be made with Germany assures to Russia no spoliation of her territory.

Mr. BORAH. That does not throw any light at all upon what our troops are at the present time doing in Russia. Do we understand that they are to remain until the 14 points are established?

Mr. SWANSON. It throws this light on it absolutely: That they went there for correct purposes; that they are not there for any improper purpose, as has been intimated. It shows clearly that the President, when these troops were sent there, sent them there under that condition, as far as he had power to pledge this country.

Mr. BORAH. Mr. President, at the time the President delivered that address covering the 14 points the President had a policy with reference to Russia which, in my humble judgment, was a very correct policy. The President, however, through the persuasions of others, modified that policy afterwards. I have reason to believe that he modified it with a great deal of reluctance, and it is with the modification now that we are dealing and not with the policy which the President originally outlined and which, in my judgment, had he been permitted to do so, he would have followed.

Mr. SWANSON. Mr. President, if I may be permitted to reply to the Senator, I will say that I understand that there has been no modification of the ultimate policy with reference to Russia. Conditions arose, after the collapse of Russia, in which it was necessary to hold these two places for warlike purposes.

Mr. BORAH. Mr. President, at the time the President made that address he had nothing in view in the way of sending troops into Russia, and it was some time before he consented to it.

Mr. SWANSON. But—if the Senator will permit me, and then I will not interrupt further—in his address to Germany and to the allies transmitting the communications of Germany, this treatment of Russia is reiterated as one of the 14 articles of the basis upon which peace is to be made. This is what he has pledged as a basis of peace, as one of the 14 points upon which the world shall make peace.

Mr. BORAH. And with which I thoroughly agree so far as Russia is concerned. But we are not in Russia to establish the 14 points, I suspect.

Mr. HITCHCOCK. Mr. President, I think there is another answer to the point made by the Senator from Idaho, and that is that an authoritative statement was given out by the State Department at the time our troops were sent to Russia, and that statement was given wide publicity at the time, and with the consent of the Senator I will read a paragraph of it:

As the Government of the United States sees the present circumstances, therefore, military action is admissible in Russia now only to render such protection and help as is possible to the Czecho-Slovaks against the armed Austrian and German prisoners who are attacking them and to steady any efforts at self-government or self-defense in which the Russians themselves may be willing to accept assistance. Whether from Vladivostok or from Murmansk and Archangel, the only present object for which American troops will be employed will be to guard military stores which may subsequently be needed by Russian forces and to render such aid as may be acceptable to the Russians in the organization of their own self-defense.

I have already recited how eminently welcome these American troops have been. They are cooperating with the local governments of the people, the soviets, not only in Vladivostok but from Vladivostok to the Ural Mountains—5,000 miles. It can not be said under those circumstances that we have sent in those troops to fight Russia, when they are welcomed by these soviets and are cooperating with the forces that up to very recently were fighting Germany.

Mr. KING. Mr. President, will the Senator from Idaho permit a question?

Mr. BORAH. Yes.

Mr. KING. Does the Senator think that when the Government of the United States and the allies learned that there were 300,000 or more German and Austrian prisoners between a point perhaps four hundred or a thousand miles west of Lake Baikal and Vladivostok, many of whom were in the vicinity of Vladivostok, that they were being released and armed by the Bolsheviks, so far as the Bolsheviks could arm them, for the purpose of utilizing them to fight not only Japan but the United States and the allied Governments, and keeping in mind the further fact that there were 50,000 Czecho-Slovaks fighting battles for the same cause that the allies were fighting for, there was no obligation resting upon the allied Governments and the United States to try to protect the Czecho-Slovaks and at the same time to prevent the 300,000 liberated prisoners being molded into an instrumentality for use against the allied forces?

Mr. BORAH. I take it that the Senator from Utah is stating his own view, because the Senator from Idaho has made no suggestion from which such a suggestion could be drawn. I have not criticized the sending of troops into Russia in the first instance. I assumed that when it was done it was done in order to carry out the view of Gen. Foch with reference to taking care of the military situation, and I, therefore, was naturally not disposed to question it; and I do not now question the wisdom of having them sent there at that time. I simply say that at the present time I am unable to understand why the fighting should be continued under present conditions. That has nothing to do with the original sending of the men over there. That was, we will assume, the proper thing to do; but they are there now, and they have apparently engaged in conflict and are marching to some destination—the particular destination is unknown—having in view some object or purpose, which object or purpose we do not know.

Now, if it is distinctly understood here to-day that the American troops are in Russia at the present time performing no duties other than those of protecting those stores and those provisions which they went there to protect, so far as I am concerned I have no criticism to offer; but if the facts which are published coming from Russia be true, it is a most peculiar and extraordinary way which they have of protecting those stores. They are apparently marching inland, or fighting their way inland, for a reason which is not made plain even by the very able statement of the Senator from Nebraska.

If, however, the Senator from Nebraska states and the Senator from Utah states that the sole and only purpose or object which those troops have there at the present time is to protect those stores in an intelligent way, then, so far as I am concerned, I have no criticism to offer.

Mr. KING. Mr. President, will the Senator yield?

Mr. BORAH. Yes.

Mr. KING. I can assure the Senator, so far as I have obtained information—and I have inquired of the State Department and various sources where information can be obtained—that there is no present purpose upon the part of the allied governments to make any further advancement southerly from the Murman coast or from Archangel than was made for the protection of the supplies and their base of operations. There were, as I suggested to the Senator from Minnesota [Mr. NELSON] a few moments ago, some outposts or winter quarters provided in anticipation that the troops might have to remain in northern Russia during the winter months and at some distance south of Archangel, but only at such points as were necessary for the protection of their base of operations. Some of the Bolsheviks invaded the winter quarters some time ago;

and it is merely for the purpose, as I am advised, of maintaining their position and rendering their base of operations secure that a slight advance was made, with a view to recapturing the outposts taken by the Bolsheviks. This constitutes the attacks, as they are called, to which the press refers. The American troops, as well as the allied forces, are acting merely defensively and not offensively.

But, speaking for myself, I regret that the allied Governments—and I include the United States in the words "allied Governments"—have not taken in the past stronger measures for the purpose of protecting Russia as well as themselves, and in order that they might wall in the Bolshevik murderers and madmen, so that the fires which they are lighting in Europe might not spread into Germany and other European lands and undo much that has been accomplished by the allied Governments. I believe that if the allied Governments had sent into Russia in June and July of last year fifty or one hundred thousand troops and given heart to the Russians and to the Czecho-Slovaks the Bolsheviki would have been overcome before this time, and the Russian people would have had an opportunity to organize a government that would have afforded them protection and been an agency under which they could have worked out their destiny and salvation.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 11984) to provide for the fourteenth and subsequent decennial censuses.

Mr. THOMAS. The Senator from Idaho has the floor.

Mr. BORAH. I have not yielded the floor. Does the Senator desire to ask me a question?

Mr. THOMAS. I wish to ask the Senator from Utah a question.

The PRESIDING OFFICER. Does the Senator from Idaho yield for that purpose?

Mr. BORAH. I yield.

Mr. THOMAS. From what the Senator from Utah stated just before taking his seat, I am led to the conclusion—I hope he will correct me if I am wrong—that the policy to be pursued in Russia from now on is so purely defensive that the Czecho-Slovaks will be abandoned to their fate. Is that the situation?

Mr. KING. I am afraid that is the situation, although I would not want to state that definitely. With respect to the northern part of Russia that is my information; that is, that a defensive course only will be pursued. I sincerely hope the allied governments will not abandon the Czecho-Slovaks. I think it would be an act of cowardice. I can not find a strong enough term to characterize an act of such infamy and cowardice.

Mr. THOMAS. I agree with the Senator.

Mr. BORAH. Mr. President, I have no desire to be considered as advocating the abandonment of any nation, great or small, that could have been considered as an allied power in this conflict. The only thing that has confused me with reference to this situation was how we were going to accomplish anything other than the physical fact of the protection of stores by our military forces in Russia.

I do not agree with the Senator from Utah [Mr. KING] that you can deal with the Bolsheviki situation in a military way. It is one of those things that, in my judgment, can not be controlled by outside military force. In the first place, I should think it would be very confusing for a man in Russia to be able to distinguish upon all occasions a Bolshevik from a Russian. It is easy enough here in the Senate to speak of the Russians and the Bolsheviki, but if I were going out to kill a Bolshevik, in all probability I would kill just as many Russians as Bolsheviks. I would not be able to distinguish the Russians which were Bolsheviks and those which were not.

We are dealing with a situation in which nothing can be achieved from a military standpoint. On the other hand, no one knows to what extent what is called the Bolshevik government is accepted by the Russian people.

The trouble is, Mr. President, that we can not get the real facts. The people who come from Russia, who have seen, and have recorded in their own way the facts with reference to that country are not permitted to tell the story. Men have come back from Russia who have spent months in that country, who have a feeling that we do not understand the situation; that all the facts with reference to the soviet government have not been given; that the Russian people very largely support the soviet government; but they are not permitted to state the facts to the American people. Therefore it is almost impossible to deal with the situation here. We do not know to what extent the soviet government represents the Russian people. I take the position that the Russian people have the same right to establish a socialistic state as we have to establish a Republic.

Mr. KING. Will the Senator yield for a question?

Mr. BORAH. Certainly.

Mr. KING. I hope the Senator will not call the soviet government or the Bolshevik government a socialistic government. While I have no sympathy with socialism, socialism, as I understand the term, is as far above Bolshevism as the heavens are above the earth. Bolshevism is madness and destruction, it is murder and assassination. It is a negation of everything. Socialism does speak for order. I am speaking of purified socialism, such as——

Mr. BORAH. You are giving your kind of socialism?

Mr. KING. No; I am speaking of what might be denominated orthodox or true socialism, the creed of Marx, and what has been called the purified socialism of Schaffle. I do not have in mind the teachings of Berger or those who under the guise of socialism have attempted to destroy government, and who have been traitors to our country in its war against Germany. Genuine, orthodox socialism does have some merit; but Bolshevism stands out condemned by God, and man, and even by hell itself.

Mr. BORAH. The Senator from Idaho is not familiar with that region. He has no communication with it.

Mr. KING. If the Senator knows anything about Bolshevism, he has.

Mr. BORAH. Mr. President, I know how earnestly the Senator from Utah feels about the matter. If he will confine his idea of Bolshevism to Lenine and Trotsky I will agree with him. I think they are disloyal to every one on earth except themselves. I have no doubt they went into that country through the influence and protection and as corrupt representatives of the German Government. But I disassociate those two men and the few men who surround and support them from the great body and mass of Russian people. Even though those people be supporting them in a measure at this time, even though they recognize them as leaders at this time, I believe you can not bring an indictment against the whole people. There is a vast amount of good in the Russian people which may be properly organized and brought into order, and a sane and stable government be established. I am not willing to place, in other words, the standard which Lenine and Trotsky have raised as the standard which represents the intelligence or the capacity of the Russian people. I have great faith that they are yet to prove that they are the worthy and estimable people we have always believed them to be.

Mr. KIRBY. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. KIRBY. Is it the Senator's theory that we should reorganize the Russian Government and establish a government there according to our ideas?

Mr. BORAH. No, sir. I do not want this Government to go into Europe to set up governments.

Mr. KIRBY. Should we overthrow the Government that they are recognizing as authoritative? That is what I want to get at.

Mr. BORAH. If the Senator desires to know my exact position, I want to get out of Russia and let Russia settle her own affairs, so far as military intervention is concerned, just as soon as we can do so, with due deference to the military situation which has been superinduced by this war. If we ever go into Russia to set up a government by force we will leave millions of our boys in nameless graves, bankrupt our Treasury, and in the end come out something as Napoleon did.

Mr. SMITH of Arizona. Does the Senator know how many hundreds of thousands of Germans are still left in what was formerly Russia, and how many there are in Russia to-day through whose influence was probably brought about the condition that exists and has been made possible?

Mr. BORAH. I do not know how many are there. I have no doubt a number are there, and they are doing the same thing in Russia that they are now doing in Germany. They are superinducing and bringing on chaos. I have no doubt about that.

Mr. SMITH of Arizona. I will thank the Senator to permit me to make just one other suggestion. It was one of the 14 principles, as I conceive it, that the Germans should leave Russia and all other invaded territory under the terms of the armistice, and can we shift all the responsibility by saying that she can turn loose half a million Germans in Russia for the purpose of running amuck in the world as bad as she did when she started the war?

Mr. BORAH. That brings up another proposition. If that is the reason for our being there, if we believe that Germany has such a hold upon Russia that we must deal with Germany through the Russian territory, does anybody expect to whip Germany in Russia with 5,000 or 10,000 troops? That is the difficulty of the whole situation. If we have a task there to

perform, we have no one with whom to perform it; but the poor fellows who are there are suffering and dying without any particular object in view and without any hope of accomplishing anything.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Washington?

Mr. BORAH. I yield.

Mr. POINDEXTER. I should like to ask the Senator if he has formed any conclusion from his investigation of this matter as to who is responsible for this situation, particularly as to whether this action in Russia on the one hand and inaction on the other, this indecisive course of proceeding, is due to any law of Congress, and if not, to what is it due? Who directed it and who is responsible to the American people for it?

Mr. BORAH. As I said a few moments ago, I understood from the Senator from Nebraska [Mr. HITCHCOCK] that they were sent over to protect certain stores and certain bases, under the direction and order of Gen. Foch, and with that I have no fault to find. It was a part of the military strategy of the war.

They desired to organize an eastern front and to bring about a condition which would compel the Germans to divide their forces. Certainly I would be far from criticizing that course. That has nothing to do with the present situation, however, because we have ceased fighting in Germany. We are at peace with Germany. The treaty has not been signed, but we are no longer fighting, although we are killing these people in Russia. That is confusing to a man who has no more information to-day than I have.

Mr. POINDEXTER. Mr. President——

Mr. BORAH. I yield.

Mr. POINDEXTER. I notice that the press dispatches, with apparent reliability, state that the British and French Governments have been endeavoring to secure from the United States some declaration of policy in regard to what the United States is going to do in Russia, and stating that their view is that we apparently have no policy at all.

Mr. BORAH. And they have not, either.

Mr. POINDEXTER. Oh, but they have. According to these dispatches they have a policy in regard to Russia and have been endeavoring to cooperate with the United States. I am only basing my statement upon public press dispatches, but I noticed, following upon the statement that they were unable to get any declaration of policy from the United States, a statement from the Government of Great Britain, made to the soldiers of their returning armies who desired to be demobilized and who are opposed to the beginning of what they term a new war, that the British Government will not send any additional troops to Russia, which, of course, means that as soon as possible they are going to bring out of Russia those they have already sent there. They seem to have a definite policy, but the dispatches coming from those Governments are to the effect that they have been unable to ascertain from the United States what we propose to do.

Mr. BORAH. The dispatches of which the Senator speaks did not seem to me to outline any policy upon the part of our allies; but here is where the difficulty arises: There is now being considered this policy or this program as to whether or not we will go into Russia and undertake to restore order and establish a stable government by force or whether we will simply confine our activities to the protection of the stores and to the stabilizing of the situation so as to protect whatever property we have there. The former proposition of going into Russia and establishing a sane and stable government, of interfering in the internal affairs of Russia, is one thing to which I would not, if I were consulted, give my consent.

The reason why, in my judgment, the able Senator from California [Mr. JOHNSON] and others are so much interested in this subject is because we are of the opinion that there is no disposition to limit these activities to the mere question of protecting the military situation which is brought on by reason of the war, but there is a disposition to go there and, as a very distinguished ex-President still living said, "shoot Bolshevism out of Russia."

In 1791 Mr. Pitt, of England, thought that they could shoot the revolutionary spirit out of France, and Edmund Burke figured that they could strangle it. Both of those distinguished statesmen were in favor of dealing with it purely from the military standpoint. They denounced it in terms scarcely less graphic or less pointed than the able Senator from Utah [Mr. KING] uses in his denunciation of Bolshevism. They said it was spreading the world over and would destroy all the stable governments. But they could not put it down by force. In their own fearful way the French people finally settled the matter among themselves and established through long years a Republic. It is worth all it cost. It has stood for four bloody years between civilization and barbarism. Robespierre and Marat were vicious and brutal, but the French people were a noble people. Whatever we think of Lenine and Trotsky, the Russian people are a noble people, and I venture to hope that even in travail and anguish they, too, will work out their salvation. If we are going to help the Russian people, let us not delude ourselves that we can help them by force of arms. Have we caught the Prussian disease, that we can think of nothing but force?

Mr. VARDAMAN. Mr. President, I wish to suggest to the Senator from Idaho that I read an interesting article a day or two ago in one of the newspapers—I can not now recall what paper it was—which suggested that one of the main reasons now for entering with our military forces into Russia was the appointment of a receiver for that Government in order that Great Britain, the United States, and France might collect about $10,000,000,000 of claims held against the Russian Government and the Russian people.

Mr. NELSON obtained the floor.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Minnesota yield to the Senator from New York?

Mr. NELSON. I yield to the Senator from New York.

MEMORIAL EXERCISES FOR THE LATE EX-PRESIDENT ROOSEVELT.

Mr. WADSWORTH. Out of order, I ask unanimous consent to submit a concurrent resolution and that it be read and properly referred.

The PRESIDING OFFICER. The Chair hears no objection, and the resolution will be read.

The concurrent resolution (S. Con. Res. 28) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved by the Senate (the House of Representatives concurring), That Sunday, the 9th day of February, 1919, be set aside as the day upon which there shall be held a joint session of the Senate and the House of Representatives for appropriate exercises in commemoration of the life, character, and public service of the late Theodore Roosevelt, former President of the United States, Vice President of the United States, and President of the Senate.

That a joint committee, to consist of five Senators and seven Members of the House of Representatives, to be appointed by the Vice President and the Speaker of the House of Representatives, respectively, shall be named, with full power to make all arrangements and publish a suitable program for the joint session of Congress herein authorized, and to issue the invitations hereinafter mentioned.

That invitations shall be extended to the President of the United States, the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, and such other invitations shall be issued as to the said committee shall seem best.

That all expenses incurred by the committee in the execution of the provisions of this resolution shall be paid, one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives.

Mr. SMOOT. Will the Senator from Minnesota yield to me for just a moment?

Mr. NELSON. I yield.

Mr. SMOOT. I have already polled the Committee to Audit and Control the Contingent Expenses of the Senate upon the concurrent resolution, and I am authorized to report it favorably and to ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

The concurrent resolution was considered by unanimous consent and agreed to.

Mr. SHEPPARD. I ask that the unfinished business be laid before the Senate.

Mr. NELSON. The unfinished business has already been laid before the Senate.

The PRESIDING OFFICER. The unfinished business was formally laid before the Senate at 2 o'clock.

AFFAIRS IN RUSSIA.

Mr. NELSON. Mr. President, I propose briefly to discuss the Russian situation from an impersonal point of view. In order that we may understand exactly what it is, I shall go back and partially trace the history of the war and of the two revolutions that have occurred in Russia.

The question is asked, Why have we not helped Russia, and why do we not help her now with military forces, in conjunction with the allies, to establish law and order and a stable government?

To answer this question properly it is necessary to point out in what condition the war with Germany left Russia, to point out her present condition and what has already been done for her relief, and to briefly outline how and in what manner regeneration must come to her.

Russia entered the great war in August, 1914, apparently with a whole heart and united purpose, both on the part of the Government and the people. During the continuance of the war she scored great successes and sad failures, and it was apparent that the failures came, in the main, not from any lack of fighting ability on the part of the officers and men of her armies but from the neglect of those in high authority, who had the power, but not the will, to furnish the armies with the necessary supplies of food, ammunition, and equipment.

Germany carried on a double system of warfare against Russia—one by her trained armies in the field, the other by an army of spies and emissaries of bribery and corruption. She found an ample field for these spies and emissaries among the radical socialists and the remnants of the old nihilists; but beyond this, and fully as dangerous, was the disguised treachery that prevailed in the purlieus and environment of the court, and among some of the higher officials of German origin, and whose sympathies were with Germany.

The Czar was a weakling, the Czarina was a German, and both came under the sinister influence of the Monk Rasputin, who was evidently a tool of Germany, and aided in carrying on the German propaganda for the termination of the war and a separate peace.

One of the methods pursued by the plotters was to tighten the strings of autocracy so that they might the more easily break. At the direct instance of Prime Minister Goremykin, the Czar was induced to prorogue the Duma—the Russian Congress—at a time when this body was loyally supporting the war and was only asking for a responsible ministry and an amnesty for political offenders.

Proroguing the Duma led to the resignation of Goremykin, but he was succeeded by Boris Sturmer, a man of German blood and sympathy and a friend and associate of Rasputin. Sturmer soon began operations secretly and by roundabout methods to secure separate peace with Germany, and with this in view he brought about the removal of Sazonov, the minister of foreign affairs, a thorough friend of the allies, and he continued to still further tighten the strings of autocracy and to pursue his peace propaganda by securing the appointment of Protopopoff as minister of the interior. Shortly after this Sturmer, on account of corruption in office, was forced to resign, and he in turn was succeeded by Trepov, who was a weak man and never cut much of a figure.

The controlling spirit in the ministry after Sturmer was the minister of the interior, Protopopoff, who began an insidious campaign by drastic means to foment trouble and disturbance and to bring on a revolution for the purpose of furthering his sinister peace program. The Czarina and Rasputin were in league with him and held the poor Czar in their toils.

In the meantime the baleful influence of Rasputin had become so pronounced and acute that it was deemed necessary, by those who were really friendly to the Czar and hostile to the German influence and propaganda, to do away with him once for all, and he was accordingly lured to the house of a member of the royal family and there killed at the instance of a group of men who had assembled there for that purpose. His body was put under the ice in the River Neva, but was afterwards recovered. All this proved a great shock to the Czarina, Protopopoff, and the other members of the court who were friendly to Germany, and the remains of Rasputin were in fact given a quasi royal funeral.

It was hoped that the German influence with the court and Government would subside with the death of Rasputin, but the German intrigues continued, and Protopopoff seemed to step into the shoes of Rasputin, and proceeded to remove from the Government all those who were not friendly to Germany. Through his secret agents he fomented strikes and then proceeded to arrest the labor leaders, who were preaching and working against strikes. Then he halted and retarded the trains that were bringing food supplies to Petrograd to such an extent that not only the workmen but the troops suffered for want of food. He wanted dire distress to prevail in order to make it easier to come to terms with Germany to end the war and to secure peace; but his methods and his work brought on the upheaval and revolution of March, 1917, which led to the abdication of the Czar and the establishment of the Kerensky Government.

Up to this time the war against Germany had proceeded with varied successes and failures, but I will not weary you with any details of this. It is sufficient to say that aside from the bad generalship of the Tannenberg campaign, the Russians were, in the main, successful when they were provided with ample supplies of food, ammunition, and equipment. It was only where these failed that the Russians were forced to retreat, with empty guns and cannon, coupled with a lack of food. This failure to supply the army with food and ammunition was a part of the baleful and sinister German propaganda, participated in and promoted by high officials of the Russian Government.

The Russian officers and soldiers were brave men, and their heart was in the war, but they could not stem the tide of invasion with empty stomachs and empty rifles. Their heroic retreat, under these conditions, can not but meet with our sympathy and admiration for their valor and endurance.

One of the first acts of the Kerensky government was to pardon all political offenders at home and abroad. This brought Lenine from Siberia and Trotzky from the United States, to whom I shall refer later.

The Kerensky government proceeded to carry on the war, and at first was partly successful, but soon found itself handicapped by a spirit of the most radical socialism, which not only possessed the workmen and peasants but had also entered the ranks of the army to such an extent that the rank and file insisted on the right to remove and appoint their officers, high and low. This, of course, would inevitably lead to the disintegration of the army.

Nikolai Lenine, whose real name is Vladimir Utulyanov, had returned from Siberia by way of Switzerland and Germany in April, 1917, and at once proceeded to denounce the provisional government of Kerensky and the allies and to advocate a separate and immediate peace. He was through and through of the most radical order of socialists, and he no doubt obtained his cue in Germany on his way from Switzerland. He had an aggressive helper and coadjutor in Leon Trotzky, whose real name is Leber Braumstein and who had returned from America, where he had resided for some time and was known as a most radical and extreme socialist. The agitation of these two and that of their associates so affected the army that the Russian soldiers began to fraternize with the enemy soldiers, to desert, and to leave for home, and even in time of battle refuse to fight and go over to the enemy. This brought on a collapse of the war.

In the meantime Germany and Austria continued to vigorously prosecute the war and to press the Russian Army farther and farther back—back to a line running from Riga by way of Smorgon, Pinsk, Lutsk, Tarnopal, Czernowitz to Galatz, near the mouth of the Danube.

While the Russian armies were being pressed farther and farther back for lack of leaders and of a warlike spirit, Lenine and Trotzky and their associates and followers, who had assumed or acquired the name of "Bolsheviki," vigorously pursued their peace propaganda, and with that end in view sought to undermine and destroy the Kerensky government. In this they were soon successful, and in November, 1917, the Kerensky government was overthrown and was succeeded by a Bolsheviki Government under the lead of Lenine and Trotzky, who announced their program, through Trotzky to a representative of the Associated Press, to be, among other matters, an offer of an immediate armistice on all fronts for the conclusion of a democratic peace, transfer of all lands to the peasants, State control of industries, and delivery of all authority to local soldiers and workingmen's deputies. Lenine further announced that he and his government were for immediate peace without annexation and without indemnities.

Trotsky in the meantime sought to get the allies to join him in his armistice and peace propaganda. In this he, of course, failed.

During these maneuvers on the part of Lenine and Trotzky there had been a 10 days' suspension of hostilities. This was succeeded by an armistice to extend from December 17, 1917, until January 14, 1918. In the meantime sinister negotiations continued between the Bolsheviki government and the representatives of Germany and Austria, but I will not weary you with the details of these. It is sufficient to state that they all culminated in the treaty of Brest-Litovsk.

Before calling your attention to some of the provisions of this treaty, I will bring your attention to some other important matters which serve to explain some of the provisions of this treaty.

During this period of revolutions and the collapse of the war, Germany had embarked on a plan of establishing a kingdom of Finland, with a German prince as king, and she had also been instrumental in bringing forth and nursing a so-called Ukraine republic, to be independent of Russia. This last-mentioned scheme was the most sinister, and would prove the most destructive to the future welfare of Russia.

The proposed Ukraine nation or republic was to include 17 Provinces of Russia lying north of the Black Sea and the Sea of Azov, and watered by the Rivers Dneister, Dneiper, Don, and their tributaries. It embraces an area of over 300,000 square

miles and constitutes the best agricultural portion of European Russia, the famous black belt. It is also the home and the heart of the great Slavic race. To deprive Russia of this vast and rich domain would be to wrench her very vitals from her, and render impotent and abortive her future rehabilitation.

In addition to these matters, Germany was also nursing a scheme to cut off the Baltic Provinces of Russia, namely, Courland, Livonia, Esthonia, and Lithuania, with a view of establishing some kind of independent governments for them or perhaps, which is more probable, of ultimately absorbing them into the German Empire.

Peace negotiations were opened at Brest-Litovsk, between the Bolsheviki government of Lenine and Trotzky on the one part and Germany, Austria, Bulgaria, and Turkey on the other part in December, 1917, but were postponed and continued on various grounds until March 3, 1918, when the final treaty was signed, which was afterwards accepted by the so-called Pan Soviet Congress at Moscow on March 14, 1918. By this treaty Russia was divested of Finland, Esthonia, Livonia, Courland, Lithuania, Poland, Ukraine, and Russian Armenia. In short, her northern, southern, southeastern, and western borders were all stripped. She was cut off from the Black Sea, with a mere look-in at the easternmost end of the Gulf of Finland, and remitted for sea outlets to Vladivostok, Archangel, and the Kola Peninsula. The greater and most serious of these territorial losses, the Ukraine, seems to have been cheerfully acquiesced in by the Bolsheviki representatives.

When Chairman Kuhlman at the peace conference inquired of Trotzky whether he and his associates desired to represent diplomatically Russia as a whole, Trotzky replied:

> Being informed of the note of the general secretary of the Ukrainian people's Republic, which has been communicated by the Ukrainian delegation, the Russia delegation, for its part, declares that, acting in full recognition of the principles of the right of self-definition for every nation, it finds no objection to the participation of the Ukrainian delegation in the peace negotiations, even if this should involve the complete secession of the latter from Russia.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Minnesota yield to the Senator from Utah?

Mr. NELSON. Certainly.

Mr. KING. I understood the Senator's preceding sentence to indicate that the Bolshevists cheerfully consented to a dismemberment of Ukraine from Russia and the setting up under self-determination of an independent government. Is it not a fact, however, that later the Bolshevists attempted, and are now attempting, to destroy all forms of government and of order in the Ukraine, the same as they are trying to destroy it in Esthonia, in Courland, or in Finland, and indicate that they are going to invade the entire world and destroy government wherever it does exist?

Mr. NELSON. I have not any doubt about that.

In the light of and inspired by this suggestion, which I have just quoted of Trotzky, a separate treaty was made with the Ukraine representatives who were in attendance at the peace treaty. I need not go into other details of the Russian treaty of Brest-Litovsk than to say that it bears the clear earmarks of the fact that Trotzky and Lenine and the other leaders of the Bolsheviki government were wholly oblivious to the welfare and best interests of Russia and were evidently the conscious tools of Germany. In any event the most charitable view that can be taken of their conduct is that they were so eager to establish a most radical and thorough socialistic state that they were willing to sacrifice all other vital essentials and interests for that purpose. If they were not financially corrupt, they were certainly morally and mentally corrupt, and poor Russia was the main sufferer and chief victim.

The peace propaganda of Germany in Russia has proved more fatal than her war propaganda. The germ of Bolshevikism was imported and, in the first instance, insidiously nursed and spread by Germany. The strife on the battle field has long since ceased, but the strife engendered by the invasion of spies and emissaries of treachery, fraud, and corruption is still rampant and a festering sore.

Conditions are still chaotic and mob rule seems still rampant. Russia has had and still needs relief and help, and the allies have already done much to help her. First and foremost of all they have vanquished and brought to her knees the enemy of Russia, and that common enemy of the civilized world—Germany—and through that has relieved Russia from the burden of the treaty of Brest-Litovsk, which is now a dead letter; and the large quantity of gold money taken by Germany from Russia has been recovered by the allies, and is held by them in trust for the Russian people. They have opened to her the ports of the Black Sea and given her an outlet to the Mediterranean and have recovered for her from the enemy her fleet in that sea.

With Odessa and Sevastopol and the shores of the Black Sea in control of the allies, the people of the Ukraine will soon see the folly of separating from the rest of Russia, and the Ukraine Republic, breathed into life by Germany, will soon be a mere saga.

The ports on the Baltic and the Gulf of Finland, namely, Riga, Pernau, Reval, Kronstadt, Helsingfors, and the Aland Islands, are fast being cleared of the enemy, and the interned Russian fleet in those waters will soon be recovered, and the German fleet will no longer be a menace. The port of Vladivostok, on the Pacific; the port of Arkangel, on the White Sea; and the port of Alexandria, on the Murman coast; and the Kola Peninsula, with all the shipping supplies and ammunition in those ports, have been saved and conserved for the benefit of the Russian people.

On the west—as a shield against Germany—a new Poland is fast rising from the turmoils and afflictions of the past, to regain the place she once held among the nations of the Old World, with a port at Danzig or Konigsberg giving her an outlet to the sea.

All these matters which I have thus briefly enumerated have been and will be of great help for the restoration and regeneration of Russia; but regeneration must come from within and not through the sword of an outsider, however friendly he may be.

Already the anti-Bolshiviki elements have obtained control of nearly all of Siberia and the Siberian railroads as far west as Omsk in western Siberia, and by the very latest accounts as far west as Perm, across the Ural Mountains in the eastern part of European Russia.

In the Ukraine, the Bolsheviki are fast losing their grip, and I think from there and from Siberia will come the elements and forces that will ultimately vanquish the Bolsheviki government and bring order out of chaos.

The Bolsheviki government can no longer lean upon Germany or receive material support from there, and all the civilized world is opposed to the system and methods of this government. It will be an Ishmaelite among the enlightened nations of the world, and soon the mass of the Russian people will become weary and sigh and labor for something better.

I have great faith in the recuperative vitality of the Russian people. They have always, in the past, succeeded in recovering themselves from what seemed hopeless adversity and chaos. I have acquired this faith from scanning the past history of the race.

The origin of the Slav race is somewhat obscure. When first known to history, the Russian Slavs, consisting of several tribes, occupied the territory extending from the region of the lower Danube, thence northward along the Rivers Dniester and Dnieper to Lake Ladoga on the north.

There was much strife among the various tribes, and finally in the ninth century some of the leading northern tribes invited Ruric, a Scandinavian chief, who with his followers had previously invaded the country from the north by way of the Neva and Lake Ladoga, to come to rule and lead them. He came, and under him and his successors the several tribes gradually coalesced and expanded their possessions in a northerly, easterly, and southeasterly direction and assumed the form of a nation and a homogeneous people.

Novgorod, on the River Volkhov, north of Lake Ilmen, was the first capital. From there Ruric and his successors proceeded southward to Smolensk and Kiev, and the latter place became for a while the capital of the embryo State, but Moscow ultimately became the seat of the Empire.

Christianity as well as culture came to them from the Grecks of the Byzantine Empire at Constantinople.

Many vicissitudes and many drawbacks were encountered by the new State, which, however, were gradually overcome; but the greatest calamity which befell the country was the great Mongol or Tartar invasion which began near the close of the thirteenth century and continued intermittently for upward of 200 years. During the confusion which ensued the chief band of cohesion was the church, which remained uncontaminated and was the chief rallying ground. The metropolitan had in the meantime transferred his see and seat to Moscow.

By the latter part of the fifteenth century the Tartar invasion had been stopped and ceased, and internal dissensions which had prevailed were suppressed and terminated, and Ivan the Third assumed the title of autocrat of all Russia and proceeded to consolidate and expand the Empire.

The Slav race had overcome the invasions, the vicissitudes, and the confusion of centuries and had emerged as a strong nation imbued with the spirit of expansion and growth.

Vassil the Third succeeded his father, Ivan the Third, and was succeeded by his son, Ivan the Fourth, known to history as Ivan the Terrible, who assumed the title of Tsar, and who, in many respects, was the greatest prince of the line of Ruric, and who further consolidated and enlarged the empire, extending it to the Ural Mountains and Caspian Sea. In his latter years the spirit of cruelty got the better of him and in a rage he killed his oldest son. He died in 1584, after a long reign, in which he had greatly enlarged, expanded, and consolidated his empire.

Three years before Ivan died the noted Yermak, at the head of his Cossacks, had entered upon the conquest of Siberia, which was pursued with such vigor by his successors that within 50 years thereafter the Russians had reached the shores of the Pacific at Kamchatka and Bering Strait and had, in the meantime, crossed three mighty rivers—the Ob, the Yenisei, the Lena, and their chief tributaries.

The death of Ivan brought on a collapse of the Government and the end of the rule of the line of Ruric. A period of disintegration, confusion, and chaos set in. Several pretenders appeared in the meantime and had many followers. The situation was more chaotic and more hopeless than it is to-day. For a time there was not even the semblance of a government of any kind, but finally, after the lapse of some 28 years of turmoil and confusion, the Russian people recovered themselves, and by the aid of the church placed Michael Romanoff on the throne, who succeeded, by the aid of the church and the better elements of the Russian people, in restoring law and order and in establishing a stable Government.

Under him and his successors the Russian Empire has continued to grow and expand into a mighty nation, although handicapped by its oriental origin and its lack of the general diffusion of knowledge. Serfdom, which had become established by custom and had retarded the progress of the Russian peasants, was finally abolished in the latter half of the nineteenth century, and Siberia and the shores of the Pacific were in the early part of this century united to European Russia by the great Siberian Railroad.

The descendants of Michael Romanoff continued at the head of the Russian Government until the revolution of 1917, to which I have already brought your attention.

I have thus briefly called your attention to and dwelt upon these two noted events in Russian history, namely, the Tartar invasion and the chaotic chasm which intervened between the extinction of the house of Ruric and the advent of the house of Romanoff, for the purpose of bringing your attention to the recuperative vitality of the Russian people.

A people who under such adverse conditions and drawbacks as then prevailed could thus recover themselves and expand and grow into a mighty empire have certainly the innate force, vigor, and vitality to restore order and to again establish a stable government.

The Bolsheviki government of Lenine and Trotsky without the aid of Germany, which it had when it was first launched, and without help or recognition from any outside source, and cut off from access to the sea at all points, can not long survive. It is based on false economic principles and is in the hands of treacherous, unscrupulous, and corrupt leaders. It is a moral excrescence which will inevitably slough off. The Russian people will soon by their own efforts come to their own. It will not be the old-time autocracy—they are scarcely fit for a republic—but a limited monarchy, with a legislature elected by manhood suffrage and a responsible ministry, after the pattern of England or the Scandinavian countries, would furnish them a stable government, suitable for their condition and their intelligence; and such a government, by the aid and encouragement of the allies, I believe they will establish in the near future, without the aid of outside military forces.

REPEAL OF ESPIONAGE ACT.

Mr. FRANCE. Mr. President, this morning I introduced a bill to repeal the so-called espionage act and the act amendatory thereof, and I desire to submit a few observations upon that subject.

On the 3d day of last December the Senator from Idaho [Mr. BORAH], one of the ablest and stanchest champions in the Senate of free speech, of a free press, and of full publicity in connection with the business of the Government, introduced a bill to repeal that portion of the espionage act which empowers the Postmaster General to exercise his discretion as to publications which should be admitted to the United States mail. I find myself in entire sympathy with the measure offered by the Senator from Idaho; indeed, I had for some time contemplated introducing a bill to repeal this whole act. The enactment of the espionage law was, in my judgment, unnecessary, unjustifiable, unconstitutional, and a usurpation of power by the Congress under the direction of an executive department of the Government. The enactment of this legislation seemed to me at the time to be a direct affront to the people of this Republic.

Mr. KING. Mr. President, will the Senator yield?

Mr. FRANCE. I yield.

Mr. KING. The Senator will recall that upon a number of occasions Congress has committed to the Postmaster General the discretion to exclude from the mails obscene matter, matter criminal in character, lottery matter, and so forth. Does the Senator think that committing to the Postmaster General the discretion to refuse the use of the mails to literature of that kind was unconstitutional?

Mr. FRANCE. Mr. President, I have a great regard for the Senator from Utah, as he knows. I only desire to speak very briefly, but I shall endeavor in the remarks which I intend to present to make my opinion perfectly clear to everybody.

Mr. KING. Does the Senator think that the answer just made is a full and fair reply to the question which I have propounded, and is it the only reply the Senator cares to make?

Mr. FRANCE. I think that the language of the Constitution is very clear, and I think it is beyond dispute that the States, in language as plain and definite as could be written, reserved to themselves the right to legislate with reference to the freedom of the press and the freedom of speech.

Mr. President, I do not hesitate to say that when the enactment of such legislation as this is no longer resented by the American people, and when such a serious invasion of their inalienable rights shall not be summarily punished at a subsequent election by the repudiation of the party in power responsible for it, then, indeed, will the end of this great enterprise and experiment in free government upon this continent be not far distant.

The people of the United States bore this invasion of their rights with patience. It was not because of but in spite of such legislation as this that more than 20,000,000 of our people brought their savings, many of them taking upon themselves unaccustomed debts and obligations in order that they might buy the bonds, without which the preservation of our liberty would have been impossible. It was not because of but in spite of such legislation that there could scarcely be found within the confines of this great Republic a humble cottage or a stately mansion in which there did not hang a food-conservation card, a liberty bond emblem, a cross of red, or a black or golden star of unselfish service and of supreme sacrifice. I feel confident that there were many Members of the Congress who supported this legislation because under the extraordinary conditions they deemed it to be their duty, for the sake of harmony of action, to waive their own better judgment, even at the cost of following for a time a blind and reactionary leadership; but I fear that there were also those who voted for this legislation because they had lost faith in the Republic and in the love of the millions of our people for our country and their loyalty under all circumstances to her free institutions.

I was one of a small minority of Senators who voted against the passage of this espionage act. Minorities are generally mistaken. Surely, in view of the clear constitutional provision and of the extraordinary conditions which then prevailed, there was ample room for a legitimate difference of opinion. A large minority, made up chiefly of those on this side of the Chamber, contended for an amendment which would have assured the American people that, even after the enactment of this drastic law, they would be protected in their right to speak or publish "what is true, from good motives and for justifiable ends." But even this amendment, after it had been adopted once by the Senate, was stricken out upon what amounted to a peremptory order from an official in an executive department. But whatever room there might have been at the time this legislation was enacted for legitimate differences of opinion, I personally can not see how there should now be any difference between us as to the wisdom and, indeed, the necessity for its prompt repeal.

Now, as never before in our history, as we face momentous questions, and as we are approaching the time when we must consider treaties which may fix the obligations of our country to other nations for generations to come, are the absolute freedom of the press and fearlessness and freedom of speech and discussion indispensable.

I shall not now enter upon a prolonged discussion of this subject of a free press and of free speech. Yesterday a Nation stricken and bereaved mourned at the bier of him who had the courage of his convictions, whose heroic deeds made realities of his high ideals; and last night by many a hearthstone strong men and weeping women knelt down to pray that since Theodore Roosevelt's mighty spirit has been summoned to a higher sphere there may be raised up new champions to plead with his fearlessness and power for the restoration of the people's rights

as against this tyrannical executive oligarchy which we, with the best of motives, have permitted to usurp them.

If there be any timorous one, I would commend to him the immortal words of the Areopagitica of Milton:

> Though all the windes of doctrin were let loose to play upon the earth, so truth be in the field we do injuriously by Licencing and prohibiting to misdoubt her strength. Let her and falsehood grapple; whoever knew truth put to the worse in a free and open encounter? What a collusion is this, when as we are exhorted by the wise Man to use diligence, to seek for wisdom as for hidden treasures, early and late, that another Order shall enjoin us to know nothing but by statute.

I would that such a trembling one might become imbued with the spirit of Jefferson and with his faith in the Republic as revealed in his inaugural address, March 4, 1801, when he said:

> If there be any among us who wish to dissolve this Union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated, where reason is left free to combat it.

He was, of course, referring only to errors of opinion, and not to disloyalty and criminality of action, which, of course, can and should be punished under statutes which did before exist and which will remain in force after the espionage act has been repealed.

For myself, I shall contend here for an absolute freedom of speech and of the press, for full publicity in connection with the business of the Government, for a diplomacy absolutely open at every stage to the public view, for an immediate release from the clutch of a reactionary administration of the cables, the telegraph and telephone systems, the myriad swinging wires of which, like the tenuous web of association fibers within the brain of man, make possible that communication, association, and comparison of thought and ideas which compose the common public mind, the all but infallible conclusions of which, when its processes are undisturbed, are wise beyond the wisdom of any man and are the nearest approach in this sphere of many limitations to the absolute reason and wisdom of the Diety.

Referring to this question of free speech and of a free press, to the question of secret diplomacy, to which this administration seems, contrary to its many professions, to be committed, to the questions of the consideration of treaties behind closed doors, and of that rather suspicious secretiveness on the part of those who are dealing, it seems to me destructively rather than constructively, with the complex problem of our relations with Russia, I would call your attention to the words spoken by Lord Northcliffe at Paris recently:

> Nothing can be worse for the prospects of the coming conference than an atmosphere of secrecy and half truths.

And we have been hearing some half truths to-day, Mr. President, from the State Department.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. I yield, with pleasure.

Mr. KING. Does the Senator think that the statement he has just made is entirely fair? The Senator will take into account the fact that we have been, and still are, at war with the greatest military government of all times. The Senator knows that one of the first obligations resting upon a country at war is, so far as it may be done, to prevent the enemy from obtaining information as to the plans of his opponents. Does the Senator think——

Mr. FRANCE. Ah, Mr. President, I have heard that argument before.

Mr. KING. May I complete my sentence? If the Senator objects, I shall be glad to take my seat.

Mr. FRANCE. I do not object, of course.

Mr. KING. Does the Senator think that there was anything improper in Gen. Foch and the military staff failing to disclose to Germany or to the Bolsheviks their plan in sending troops to Russia? Does not the Senator think, in other words, that it was a proper and prudent thing to do not to disclose their military plans in sending troops not only to Siberia but to the White Sea?

Mr. FRANCE. Of course, the able Senator from Utah opens up a large subject, and it is difficult to know where to attack it, but I will attack it right here.

I listened with profound interest to the remarks—I believe the authoritative remarks—of the Senator from Nebraska [Mr. HITCHCOCK] this afternoon. I did not care to interrupt him, but if I had done so I would have asked him this question, which I now ask the Senator from Utah, who is an able lawyer: Was not Russia legally, when we invaded her territory, a neutral country? And if we invaded that neutral country in order to fight the Germans, as the Senator from Nebraska very clearly said to-day, what grievance can we justly urge against Germany because she had invaded helpless Belgium to fight the French and English? I think both of these invasions were inexcusable, and I also believe that there was no authority existing to send American troops to invade Russia until that authority was given by the Congress of the United States, into whose hands the fathers very wisely committed the decision of the momentous questions as to whether we should enter upon war; and it was largely because that very function of declaring war had not been securely lodged in the representative chambers of Germany that we called Germany an autocracy. Now, either the Senator must contend that Russia was not neutral territory, that we did not invade her to fight Germany, that it is no war to march troops for belligerent purposes onto a foreign soil, or he must see the impropriety of the whole procedure.

Mr. KING. Mr. President, I do not know whether the Senator intended me to reply to the interrogation which culminated in a speech which was just submitted. If so, I shall be very happy to submit in a few words at least an attempt to reply to the question.

Mr. FRANCE. I shall be very glad to have the Senator do so, although I know that the Senator from New York [Mr. CALDER] has some very important observations to submit upon a most important subject, and I had assured him that I would not take over 15 minutes. In fact, I thought the remarks which I had intended to make would scarcely consume more than 10 minutes. If the Senator from New York does not object, I think it would be only fair to allow the Senator from Utah to answer some of those questions, and I hope he does so upon the authority of the administration.

Mr. KING. I do not want to intrude upon the Senator from Maryland, nor upon my good friend the Senator from New York. I shall be very happy, however, to reply to the questions of the Senator from Maryland.

Mr. FRANCE. I hope the Senator from Utah will explain this to me most unexplainable and inexcusable action at some future time, because I think it will require even his great ability as a lawyer—for which I have the highest admiration—to defend such an act and the men responsible for it. I do not hesitate to say, right here, that I hope the Senator has had some experience in criminal law, if he undertakes to defend that action.

Mr. KING. I would only need a knowledge of equity to defend that.

Mr. FRANCE. I will resume my quotation from Lord Northcliffe; and this is a question also which I should like the Senator from Utah to answer when he speaks in defense of this administration—the administrations, rather, because there are several of them in Europe which seem to be committed to a secret negotiation of these treaties of peace:

> Shall the destinies of millions of people in all quarters of the globe be left to the tender mercies of a comparative handful of delegates, against whose enactments there is no public appeal? Such would be mockery of that principle of self-determination of free nations which has been fought for and won in this war.

And, again, in this connection, I would call your attention to the words of grand old Samuel Adams, who in his great defense of American independence, delivered on August 1, 1776, said:

> Truth loves an appeal to the common sense of mankind. Your unperverted understandings can best determine on subjects of a practical nature. The positions and plans which are said to be above the comprehension of the multitude may always be suspected to be visionary and fruitless. He who made all men hath made the truths necessary to human happiness obvious to all.

And I want to say that I know Maryland farmers, not acquainted with political life, who are more competent to pass upon some of these mysterious problems now being considered by the Department of State than some of the men who are in that department drawing large salaries, which these same farmers help to pay.

So spoke Adams and the other fathers. May we never lose their faith, either in times of peace or in periods of stress and war, in these principles which they enunciated, the great fundamental principles upon which are laid the everlasting foundations of this Republic.

I desire to give notice that I shall press, with whatever resources are at my command, the enactment of this repealing legislation. I trust that the Judiciary Committee may find an opportunity to report this bill favorably at a very early date, but I feel it to be my duty, whatever the action of the committee may be, to secure an early vote, in order that the attitude of the Senate upon this question may be determined.

In speaking as I have I have spoken for myself alone, and not for the Members upon this side of the Chamber. I have no doubt, however, that when this question shall come to a vote, a very large number of those upon this side of the Chamber will vote for the repeal of this espionage act. For if they did not do so, it seems to me that they would be violating the best traditions of our party, the party which has always been the great progressive, constructive, liberal party of the Republic.

Our party does not believe in democracy disorganized and disorderly. We have faith in the Republic so constituted that, if its public officers observe and obey that constitution, liberty is

insured to each citizen, and all are secured against every form of tyranny, even the tyranny of majorities over minorities.

The PRESIDING OFFICER. The bill introduced by the Senator from Maryland [Mr. FRANCE] will be referred to the Committee on the Judiciary.

SHIP CONSTRUCTION.

Mr. CALDER. Mr. President, the urgent deficiencies act of June 15, 1917, authorizes the President during the period of the war to requisition any existing or future contracts for the building, construction, or purchase of ships or material, and further authorizes him to confer upon the Shipping Board and the Emergency Fleet Corporation powers to carry out his orders in connection with the purchase, construction, and operation of all merchant vessels.

This act also provides that all authority granted to the President herein or by him delegated shall cease six months after the final treaty of peace is proclaimed between this Government and the German Empire. Under the terms of this and subsequent bills the Shipping Board and the Emergency Fleet Corporation have been authorized to expend nearly $4,000,000,000. By the powers given them they have requisitioned ships under construction and have made contracts for the construction of steel, wooden, and concrete vessels of every sort. The fact that six months after peace is declared much of the power of the Emergency Fleet Corporation will cease has prompted me to address myself to the subject and to offer to the Senate some suggestions regarding this problem.

In considering the work of the Emergency Fleet Corporation up to the time of the signing of the armistice on November 11 last, it is necessary to take into consideration certain facts at the time work was started.

First. There were under construction or contracted for by private owners in American shipyards, some of these being British and Norwegian, over 400 steel ships of approximately 2,900,000 dead-weight tons. A very large proportion of these contracts were in yards on the Pacific coast. These ships were requisitioned by the Fleet Corporation and the deliveries made have been included in the total tonnage reports. They constitute two-thirds of the total delivered since the Fleet Corporation began operation. These ships would have been constructed without reference to the activities of the Fleet Corporation, but it is possible that their delivery has been hastened to some extent by the payment of bonuses for overtime and allowances for increases in wages paid.

Second. In addition to the well-developed shipyards on the Pacific coast, there were in operation a dozen or more yards on the Great Lakes. All of these yards were well organized and had regular forces of skilled ship workers. It was necessary only to expand and enlarge these yards for the increased output made necessary by the war. Approximately 96 per cent of the steel ships actually built and delivered under contracts made by the Fleet Corporation up to November 11 last have come from the Pacific coast and Great Lakes yards.

Third. Practically all of the established shipyards on the Atlantic seaboard were filled to capacity with Navy Department work or with a part of the private work contracted before the war.

Fourth. In order to put into construction the immense tonnage of new ships demanded by the war situation it was necessary to contract for the building of many new yards and to make contracts for ships with new and entirely inexperienced organizations, whose yards were still to be constructed.

Fifth. Facilities had in many cases to be provided or enlarged for the manufacture of machinery and special equipment required for the ships.

Sixth. Shipbuilding has not been one of the really great American industries. This meant that the supply of men for all branches of the work—mechanical, designing, and administrative—was very limited and that a large share of the contracts must be made with untrained organizations. Even this supply was cut down to a certain extent by the operation of the draft law.

With these facts in mind, an examination of the accompanying tabulations will give a clear understanding of the good and bad points of the work performed.

Several things are evident:

(1) The established yards, working on both requisitioned and contract steel ships, rendered excellent service and have practically fulfilled their delivery promises.

(2) The new yards which have been constructed for the building of steel ships have not been able to produce ships either rapidly or economically. In fact, their contribution in finished ships has been practically nothing and their costs of production exceedingly high. There have been a few exceptions to this where the builders were men of wide shipbuilding experience and utilized part of their trained organization to operate new yards.

(3) Entirely too much dependence was placed in wooden ships. The only possible justification for an extensive wood-ship program in these times was the belief in certain quarters that the ships, hundreds of them, could be built and put into operation in a few months after the signing of contracts. Contracts were made without proper investigation as to the responsibility of the contractors, their knowledge of the work, or the probable source of their supply of materials.

It was evident to any well-informed observer at the end of a few months that the wood-ship program must be a great disappointment. Nevertheless, contracts for more wood ships continued to be let. In the month of October, 1918, contracts were placed for 47 wood cargo ships of 197,500 dead-weight tonnage; a total of 731 wood cargo ships were contracted for, and so unsatisfactory were they that immediately upon the signing of the armistice contracts for 160 were canceled.

Experienced shipping men of the country from the very beginning insisted that the wooden-ship program could not hope to be of real value, and already the Shipping Board has offered these vessels for sale. They were never fit for overseas traffic. In fact, very early in the war, Mr. Homer Ferguson, president of the Newport News Shipbuilding Co. and reputed to be the best-informed shipbuilder in the country, stated before the Commerce Committee of the Senate that they could never be utilized permanently for overseas traffic.

Of the 92 that were accepted by the Government up to the time of the signing of the armistice, 2—the *Blackford* and the *Coos Bay*—have already sunk, and 10 others were compelled to lay up for repairs after a voyage of less than 1,000 miles. These wooden ships, unless disposed of by our Government, may be utilized for coastwise trade, but have little value outside of that. If the Government could sell them at 50 per cent of their cost, it would be an excellent bargain.

The contracts entered into by the Fleet Corporation were of several kinds, including lump-sum contracts for ships, cost-plus-fee contracts for ships, cost-plus-fee contracts for both yards and ships, and those which provided allowances of various kinds for plant extensions or other items of expense.

In practically all instances the contractors are protected against advances in wages and cost of material, both items being to a large extent controlled by the various governmental war boards.

This means that the actual cost of the ships under contract can not be determined in advance and will in nearly every case very largely exceed the estimates.

The very high prices paid for materials, the large wage increases allowed, the exceedingly small output of work per man, the cost of the many and varied social and industrial service activities fostered by the Fleet Corporation, and the necessity for charging off a very large part of the plant investment in these contracts have resulted in a total cost for these ships approximately three times that of similar ships in a normal prewar period and nearly five times the cost in British yards. In addition to these costs, there must be charged the expense of the Fleet Corporation's own activities and much of the money expended for housing and transportation facilities.

Contracts for approximately 35 per cent of the total tonnage of new steel ships were let on some form of cost-plus contract to five shipbuilding concerns, only one of which had previous experience in the work. These were as follows:

	Ships.	Dead-weight tons.
American International, Hog Island, Pa	180	1,385,000
Merchant Shipbuilding Corporation, Bristol, Pa	60	540,000
Submarine Boat Corporation, Newark, N. J	150	785,400
Bethlehem Shipbuilding Corporation, five yards	111	783,400
Carolina Shipbuilding Corporation, Wilmington, N. C	12	115,200
Total	513	3,609,000

The total estimated cost of these ships, including cost of yard construction where that was a part of the contract, was approximately $745,000,000.

The probable cost of these ships will be nearer $1,000,000,000. This makes an average cost per dead-weight ton of approximately $275, without the cost of supervision and control by the Fleet Corporation.

Of these 513 ships, only 4 had been delivered up to November 11, 1918, out of 103 promised by that date.

An analysis of the results obtained under the contracts with the American International Shipbuilding Corporation, the Merchant Shipbuilding Corporation, and the Submarine Boat Corporation is given in tables and notes attached hereto.

The Carolina Shipbuilding Corporation laid its first keel on November 2, and its work has not reached a point where analysis is possible.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Utah?

Mr. CALDER. I yield.

Mr. KING. I wish to inquire of the Senator whether the International Shipbuilding Co. is the one which was operating at Hog Island?

Mr. CALDER. Yes.

Mr. KING. Does the cost which the Senator gave of $275 per ton, dead-weight, include the fifty or sixty million dollars which the Hog Island plant cost, or is it exclusive of that?

Mr. CALDER. In my statement I averaged the cost of all the ships being constructed in the agency yards, and I include the cost of the yards. The ships being built at Hog Island will cost more than those being built at the other agency yards. Some of the ships being built there will cost over $300 a ton. I will get to that in a moment, if the Senator will permit me. I have some figures dealing in detail with the costs at the Hog Island yard.

Mr. KING. Will the Senator give any information, in the course of his remarks, with reference to the comparative cost between ships built at Hog Island and other shipyards on the Atlantic coast and ships constructed on the Pacific coast?

Mr. CALDER. I have not in my remarks any such information, but I will say that the average price per dead-weight ton of steel ships throughout the country runs about $180 a ton.

Mr. KING. Does the Senator mean exclusive of the cost of supervision of the yards by the Government?

Mr. CALDER. About $185 is the cost on the Pacific coast.

Mr. FLETCHER. May I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Florida?

Mr. CALDER. I do.

Mr. FLETCHER. I should like to direct attention to the fact that it is quite impossible now to tell what the cost of the ships will be when there have been only two or three ships out of a total number of 120, for instance, contracted for. I think the Senator must be aware of the fact that we have not proceeded far enough yet to ascertain fully the cost per dead-weight ton of the ships that are under construction. It may be that a person can make a sort of an estimate about what one ship would cost, but as to the cost of a number of ships or the cost of all the ships under construction it is quite impossible to say what it will be.

I think the Senator can not produce sufficient data to show what the cost has been in the different yards, because all the evidence before the committee, I believe the Senator will agree, is based upon the estimated cost. The contract price is based upon the estimated cost, but the cost of completing a ship can not be said to be greater at Hog Island than at any of the other yards, because we have not up to this time the data upon which to base that calculation. For instance, they have only delivered three ships at Hog Island. There are 58 under construction, all told; that is to say, 8 or 10 have been launched and new ones are taking the place of those on the ways, and the other ways are occupied by ships in various stages of construction, some of which are nearly 75 per cent completed.

How can it be said we are in a position to tell the cost of constructing these ships? It seems to me it is quite a guess. The estimate at Hog Island was about the same as the estimate on the Pacific coast. I doubt very much, when the facts are all given, if it can be established that the cost of the construction of ships on the Pacific coast is less than it is at Hog Island or on the Atlantic coast. By taking one ship and estimating the total amount of the investment and the fact that only one ship has been turned out you will have one figure, but if you distribute the cost of the yard over the whole number of ships under construction, you will get an entirely different figure and, it seems to me, the only fair figure.

Mr. CALDER. Mr. President, I know that it is impossible at this time to say definitely just what these ships will cost, particularly in the agency yards, but we have had an experience in these yards, where we estimated that the construction of the yards would cost a certain amount, and then we find that in nearly every case the cost of equipping the yards has been 100 per cent more than was estimated. Then, too, Mr. President, I have collected here some tables that I know the distinguished Senator from Florida will examine, and that I have no doubt the Fleet Corporation will examine, and I will venture to place my estimate of the cost of these ships in their completed program against what they may say is the maximum. I have gone out of my way to obtain estimates from men in the shipping line who have given me their best judgment, and I base my estimate upon my own knowledge of the situation upon the Fleet Corporation reports and other information I have been able to obtain. I feel reasonably certain, when we have the full report after these ships are completed, they will be found to have cost fully as much as I am estimating their cost to be.

A short résumé of the cost-plus contracts with the Bethlehem Shipbuilding Corporation follows:

Number.	Kind.	Dead-weight tons.	Estimated cost.	Estimated cost per dead-weight ton.	Probable cost per dead-weight ton.
40	Tankers	382,000	$86,993,000	$228	$270
29	Cargo	251,400	49,582,800	197	240
12	Transports	150,000	53,713,200	358	430
30	Tugs		10,013,000	[1] 333,766	[1] 400,000
111			200,302,000		

[1] Each tug.

Mr. VARDAMAN. May I inquire of the Senator if those are the companies owned and controlled by Mr. Schwab?

Mr. CALDER. I am under the impression that Mr. Schwab is interested in the Bethlehem Shipbuilding Corporation, although I do not know positively.

There remain the three great "fabricated" yards at Hog Island, Pa.; Bristol, Pa.; and Newark, N. J.

The work in these yards was arranged for under what are known as agency contracts. The Fleet Corporation furnishes all the funds required for the construction of the yards and the building of the ships, placing these funds at the disposal of the contractors, who act as agents of the Fleet Corporation in its expenditure. All expenditures incident to the operation, including salaries of executives and all overhead, are considered a part of the cost and are paid directly from the funds provided by the Fleet Corporation.

The contractors receive a fee of approximately 5 per cent on the estimated cost of the ships, with no fee on the cost of yard construction. This fee may be raised or lowered to the extent of about 25 per cent through the operation of bonus and penalty clauses in the contracts. In the case of the Submarine Boat Corporation, the effect of the change from the agency contract to a lump-sum contract is to give the contractor a price in which is included an estimated profit equal to the maximum profit which could have been earned under the original contract. So that this company, if it makes good on its revised estimates of cost, profits largely by the increased cost of the ships while the American International and Merchants suffer a very considerable loss of profit through the same causes.

The cost of the ships built in these yards, including the cost of yard construction, will be approximately as follows:

	Per dead-weight tons.
Hog Island, transports	$340
Hog Island, cargo ships	267
Bristol, cargo ships	240
Newark, cargo ships	206

The attached tabulations show in detail the results obtained in these three yards and the present rate of progress in construction work.

The salient points brought out by the tables are the following:

Complete failure to deliver ships in time to be of actual use in the war program. Ninety-three were promised, none were delivered.

Failure to the extent of 87 per cent in the number of ships launched. One hundred and sixty-four were promised, 22 were launched.

Failure to the extent of 57 per cent in the number of ships placed in construction. Two hundred and forty-nine were promised, 107 were laid down.

Failure to the extent of 66 per cent in the amount of steel erected and of 74 per cent in the number of rivets driven.

The supply of steel from the mills was nearly up to scheduled requirements and much in excess of the quantity actually used in construction.

The supply of fabricated steel was 35 per cent short of estimated requirements, but exceeded actual erection requirements by many thousands of tons.

The construction progress being made in the month from October 15 to November 15 shows the following:

The number of ships launched and in process of outfitting is 69 per cent below normal for scheduled speed. This fact will seriously limit deliveries of finished ships for some months.

There are a full number of ships under construction on the ways, so that the limiting factor in launching from now on will be labor and its turnout.

The actual construction work, I am informed, is progressing at approximately 40 per cent of scheduled speed.

This means that the yards are a very long way behind in work done to date and that they are losing ground rapidly in comparison with scheduled requirements.

The final completion of the work under contract will probably take nearly a year longer than the time allowed in the contracts.

The effect of spreading the work over this longer period will be to very largely increase the overhead costs through the payment of salaries and incidental expenses for the added time.

There are certain facts which have been made plain to the trained observer as the work has progressed and which must be taken into consideration in judging the results obtained.

(1) The Shipping Board has at no time been made up of men with a knowledge of shipping or shipbuilding problems.

(2) There have been many changes in the personnel of the Shipping Board and consequently in its policies.

(3) A very large part of the time and the energies of the Fleet Corporation has been given over to the building up of a great and cumbersome system of supervision, reports, statistics on every conceivable subject connected with the work. In other words, the emphasis has been put upon the building of an organization and compilation of information which might be useful in a long-extended shipbuilding enterprise rather than upon the building of ships as an emergency measure. Most of this information is practically valueless, as it is taken from an emergency operation being carried on under abnormal circumstances and is not applicable to ordinary conditions.

(4) Another very large part of the efforts of the Fleet Corporation has been devoted to a wide range of social and industrial work—investigations, statistics, welfare work, technical and trade instruction, speech making, and so forth.

(5) In the policy adopted toward labor there has been practically no effort made to enforce ordinary discipline or to indicate to the workingmen generally that they were expected to render a fair return of work for the high wages paid. The records indicate that in many instances men being paid by the piece with the possibility of making from $20 to $30 a day did three times the quantity of similar work performed by men on a per diem basis. This condition is due in large measure to the apparent disregard for expense, the grossly excessive office and supervisory forces employed, and the knowledge among the workingmen of the very high salaries being paid. It is an interesting fact that the Hog Island shipyard's overhead expenses are averaging to-day the sum of $1,700,000 a month, and since the start of the work in this yard the overhead charges up to December 1 have exceeded $16,800,000.

Mr. VARDAMAN. Will the Senator pardon me for an inquiry?

Mr. CALDER. Certainly.

Mr. VARDAMAN. Unless I misunderstood the Senator, the overhead charges are paid out of the Public Treasury and not by the private corporation that is conducting the operations.

Mr. CALDER. The Senator is correct. They go as a contribution to the cost of building the ships. The money is taken out of the Public Treasury.

Mr. KING. Will the Senator yield?

Mr. CALDER. Certainly.

Mr. KING. Is Admiral Bowles still in charge at Hog Island?

Mr. CALDER. I believe he is.

Mr. KING. He is the officer who sent an offensive and highly improper telegram to the Senator from Florida [Mr. FLETCHER], denouncing a Senator who had called attention to the extravagance and waste at the Hog Island yard.

Mr. CALDER. I do not recall the telegram.

Mr. KING. There was such a telegram. A sheet is published under the authority of those directing operations at Hog Island at a considerable expense to the Government. I saw on the front page of that sheet the telegram to which I referred. It appeared in bold type, and its place in the publication, together with the editorial comment, as I recall, clearly manifested a purpose to attack Senators for daring to criticize Government functionaries and agencies.

I have been waiting to see whether the Secretary of the Navy would call Admiral Bowles to account. If he does not do it, I think that a resolution would be proper asking why action was not taken looking to an explanation of conduct so deserving of censure. No official occupying the position held by Admiral Bowles, or one similar, is warranted in denouncing a member of the legislative branch of the Government as he did. The criticism by the Senator from Mississippi [Mr. VARDAMAN] of conditions at Hog Island was made in the discharge of his duty as a Senator and as a member of the committee charged with the responsibility of investigating the work at Hog Island. If the Senator and the committee found conditions that were improper, or if they believed that there was waste and inexcusable extravagance, it was their duty to challenge attention to the same. It is little less than an outrage that Government funds should be employed to publish libelous screeds, in which officials are denounced as "liars" for their fearless exposure of wrongs and the reckless waste of the taxes of the people.

Mr. CALDER. I would say in response to the Senator from Utah that Admiral Bowles is a retired naval officer, and I doubt whether he is under the control of the Secretary of the Navy.

Mr. KING. The attitude of this officer, his lack of appreciation of the proprieties, his violent outbreak, his utilization of a sheet, doubtless under his control, to give this intemperate telegram to the country, indicate that he is not the proper man for the place and that he should be retired therefrom.

Mr. CALDER. Before entering upon a discussion of terms of the contracts for building ships and shipyards, may I for a moment bring the attention of the Senate to some matters included in a report of the Shipping Board recently filed indicating that it has spent upward of $75,000,000 for housing during the past year? In my judgment, much of this was unnecessary. Many shipyards throughout the country have taken care of the housing of their employees. I believe that this could have been done in other places if the Shipping Board had insisted.

I was interested in the statement made by the senior Senator from Florida [Mr. FLETCHER] the other day, in which he called the attention of the Senate to the extraordinary amount of money spent for housing ship workers in northern and eastern States as against the small amount in South Atlantic and Gulf States. I am not here to defend the acts of the Shipping Board in this regard, but to add just a word or two to what the Senator from Florida has stated. He pointed out the amount of money spent in his own State, comparing it to the amount spent in New York.

I remember the figures. They indicated that the amount spent in Florida about equaled the total housing expenditures in New York, despite the fact that in 1918 the State of New York paid into the Federal Treasury over four times as much money as all of the South Atlantic and Gulf States put together.

The thing that interested me most in his statement was the reference to the expenditure of $1,300,000 at Groton, Conn., for the housing of about 300 men. This would seem to indicate that it cost about $4,000 to house the ship workers at this point, a sum which all will agree is most extraordinary, and in my judgment inexcusable, unless these houses are built in a location where they could be easily disposed of after the war is over without regard to whether or not the shipyard at Groton remains.

It is impossible to criticize these matters justly without first-hand information, and that is only obtainable where one can visit the place of expenditure or have a personal representative visit it for him.

In this connection I might add that this morning a representative of the Emergency Fleet Corporation, who has charge of housing, appeared before the Committee on Commerce and discussed with the committee some of the expenditures for this purpose. I was quite surprised to find that the average cost of the frame houses of three, four, and five rooms built at Jacksonville, Fla., including land, was over $4,000. This gentleman stated that in his judgment the Government will be able to sell these houses after the war is over and business is adjusted again at about 60 per cent of their cost to the Government.

I will venture the statement here and take the chance of being a good prophet that in my judgment the Government will be doing very well indeed if we are able to sell these houses for 40 per cent of their cost. If it were left to me to determine the question to-day, and I could sell them for that price, I would make the bargain immediately.

Mr. LENROOT. Will the Senator yield?

Mr. CALDER. Certainly.

Mr. LENROOT. During the Senator's absence from the Committee on Commerce this morning another matter came up that I think should be mentioned in this connection. The Government has an agency yard, as the Senator is aware, at Wilmington, N. C.

Mr. CALDER. The Carolina Shipbuilding Corporation.

Mr. LENROOT. Yes; the Carolina Shipbuilding Corporation, at which there are four ways. There was a proposition to construct houses there at an expense of $500,000. Mr. Piez informed the committee last week that this proposition would be abandoned. A committee from Wilmington, N. C., are here in Washington, and this morning officials of the Shipping Board came before the committee and stated that although not

one dollar of expense has thus far been incurred for the houses, in their opinion we should proceed with the construction of the $500,000 worth of houses, where it is admitted that the Government will lose 50 per cent of the cost. Unless some committee of Congress shall express itself in opposition to that waste, that money will be wasted, because there is very great pressure being brought to bear to secure that expenditure.

Mr. CALDER. I thank the Senator for calling the Wilmington, N. C., operation to the attention of the Senate. In my judgment it is inexcusable. There ought to be sufficient housing facilities there to take care of the ship workers at the ship plant at Wilmington, and there ought to be people enough interested in this great project in that city to provide housing facilities for the people employed in the shipyards. That has been done at many points all over the country, and there is no reason why it should not be done at this place.

Mr. JONES of Washington. Mr. President, I was not able to be present at the committee meeting this morning, and I should like to ask the Senator from Wisconsin [Mr. LENROOT] what showing was made as to the necessity for building houses there now? The winter has been on for some little time and this shipbuilding corporation has been in operation for some time. They certainly have been able to take care of the housing necessities thus far. What was the showing made as to the necessity for this work?

Mr. CALDER. I think perhaps the Senator from Wisconsin can answer that question better than I. He was present at the committee meeting this morning.

Mr. LENROOT. I will state that the yard has just been completed. The first keel was laid last month. My information is that there are 900 men employed there and that it will require a much larger number when they proceed with four ships. Speaking individually, there can be no possible reason for the construction of four ships at a time now at such a very greatly added expense. They have sufficient housing facilities if they will construct two ships at a time.

Mr. CALDER. Mr. President, in my judgment, certain modifications of the existing conditions should be made at once.

(1) The general policies of the Shipping Board and the scope of its activity should be determined by Congress.

(2) The board should be composed of men whose business experience qualifies them to work out the details under these policies and within the limits set.

(3) The Emergency Fleet Corporation should be organized on a strictly business basis as the construction branch of the Shipping Board. The executive head of the Fleet Corporation should have sufficient authority to enable him to make decisions promptly and to carry on the work as private business is carried on.

(4) The activities of the Fleet Corporation in connection with the work of privately owned yards having contracts for ships should be limited to the proper inspection of the work and to rendering assistance in the supplying of materials and facilities.

(5) The work in the Government-owned yards should be carried on as a direct Government work, under the immediate control and direction of the Fleet Corporation. The assumption that the corporation now acting as agents of the Fleet Corporation under these contracts were really furnishing the "know how" in return for the fees to be paid them is shown to be founded upon a fallacy. They did not "know how" when they began the work; their records show practically no progress toward "knowing how" at present; they have spent and are spending enormous sums of the Government's money unnecessarily; their organizations are unwieldy and extravagant. The cost of the operations would be very much reduced under Government direction.

It would be quite impossible to convert these into lump-sum contracts under existing conditions without paying a price which would be exorbitant in every way. The best results can only be obtained by direct Government operation. Such operation would also make it possible to close out these emergency operations without the complications which must result from working through an agent. The work has gone too far to be canceled to advantage.

Mr. VARDAMAN. Mr. President, will the Senator from New York yield to me at this point?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Mississippi?

Mr. CALDER. I yield.

Mr. VARDAMAN. There would be an additional saving if the Government should take over the Hog Island shipyard, for instance, of not less than $8,000,000 in fees and possibly $14,000,000 in fees that go to the agent corporation, which has rendered no service at all to the people of the United States.

Mr. CALDER. I thank the Senator from Mississippi.

I have here the total of the requisitioned ships which were contracted for and were under construction at the time of the organization of the Emergency Fleet Corporation that were taken over by them. The summary of these vessels is as follows:

Requisitioned ships.

Kind of ship.	Total contracted for.		Deliveries required to Oct. 31, 1918.		Actual deliveries to Oct. 31, 1918.		Required deliveries not made.		Per cent of failure.
	Ships.	Dead-weight tons.	Ships.	Dead-weight tons.	Ships.	Dead-weight tons.	Ships.	Dead-weight tons.	
Steel cargo	318	2,096,652	231	1,356,762	230	1,346,802	1	9,960	.....
Steel tankers	62	594,830	29	335,235	35	354,405	6	19,170	6
Steel refrigerator	12	77,700	12	77,700	5	33,200	7	44,500	57
Steel transports	7	34,558	7	34,558	4	18,972	3	15,586	45
Steel colliers	9	70,350	9	70,350	8	61,750	1	8,600	12
Total requisitioned ships	408	2,874,090	288	1,874,605	282	1,815,129	6	[1] 59,476	3

[1] Surplus.

These vessels, Mr. President, were all contracted for and under construction before we entered the war.

I also submit a table which indicates that the Emergency Fleet Corporation has contracted for the construction of 10,393,000 dead-weight tons of steel vessels, of which only 612,200 tons were delivered up to October 31, 1918.

Mr. President, I ask unanimous consent to insert this table in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

Contract steel ships.

Kind of ship.	Total contracted for.		Deliveries required to Oct. 31, 1918.		Actual deliveries to Oct. 31, 1918.		Required deliveries not made.		Per cent of failure.
	Ships.	Dead-weight tons.	Ships.	Dead-weight tons.	Ships.	Dead-weight tons.	Ships.	Dead-weight tons.	
Cargo	1,298	8,859,380	225	1,484,748	106	612,200	119	872,548	59
Tanker	80	737,000	.....	.....	.....	.....	.....	.....	.....
Refrigerator	4	37,600	.....	.....	.....	.....	.....	.....	.....
Transport	86	704,250	.....	.....	.....	.....	.....	.....	.....
Hospital	2	20,000	.....	.....	.....	.....	.....	.....	.....
Barges	8	34,800	1	7,500	.....	.....	1	7,500	100
Tugs [1]	97	.....	3	.....	.....	.....	3	.....	100
	1,573	10,393,030	229	1,492,248	106	612,200	123	880,048	60

[1] Dead-weight tons not given for tugs.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Washington?

Mr. CALDER. Yes.

Mr. JONES of Washington. The Senator from New York may show it a little later on; but I wonder whether he does show just what time these ten-million-odd tons are to be completed under the contract?

Mr. CALDER. I have not those figures, Mr. President. I have the figures here indicating the total tonnage that should have been delivered on the day of the signing of the armistice; and those figures are 1,492,248 tons, of which only 612,200 tons were delivered. I have not, however, the facts asked for by the Senator from Washington.

It is an interesting fact that of 106 steel ships delivered up to October 31, 43 of these were constructed on the Pacific coast, 60 on the Great Lakes, and 3 on the North Atlantic seaboard. The question undoubtedly will be asked why were more not delivered from the Atlantic coast yards. This can be answered by the statement that these yards were all filled by orders for naval ships and merchant vessels requisitioned by the Shipping Board.

I ask unanimous consent to print in connection with my remarks a table showing the cost and progress of the ships being constructed by the American International Shipbuilding Corporation at Hog Island, Pa. This statement shows that the yard construction exceeds by $34,000,000, or 113 per cent of the original estimates, and that the ship construction will probably exceed the estimates by the sum of $81,000,000, or 32 per cent of the total. These figures indicate a careful analysis of the whole project. Under the schedule agreed upon 15 ships should have been delivered by November 11. None were delivered by that date.

The PRESIDING OFFICER. In the absence of objection, permission to print the table referred to will be granted.

The table referred to is as follows:

Statement of cost and progress.

	Estimated cost.	Probable cost.	Excess cost.	Per cent excess.
Yard construction	$30,000,000	$64,000,000	$34,000,000	113
Ship construction	256,000,000	337,000,000	81,000,000	32
Contractor's fee	11,825,000	9,061,000	[1] 2,764,000	[1] 23
Total	307,825,000	410,061,000	112,236,000	36

[1] Reduction.

Production.

Cumulative results.	Required to Nov. 11, 1918.	Actual to Nov. 11, 1918.	Shortage.	Per cent of shortage.
Ships delivered	15	.....	15	100
Ships launched	46	4	42	91
Ships placed in construction	91	49	42	46
Steel laid on ways.....tons..	198,000	80,000	118,000	60
Rivets driven	32,000,000	9,300,000	22,700,000	71
Steel fabricated.....tons..	340,000	230,000	110,000	32
Steel rolled.....do....	510,000	427,000	83,000	16

Current work.	Required.	Actual.	Shortage.	Per cent of shortage.
Ships in outfitting basin	31	4	27	89
Ships on ways	45	45	.....	.....
Steel on ways.....tons..	70,000	68,800	1,200	.....
Rivets in ships on ways	9,000,000	7,200,000	1,800,000	20
Steel laid last month.....tons..	50,000	15,300	34,700	69
Rivets driven last month	9,000,000	3,196,000	5,804,000	64

Mr. CALDER. The first ship launched was scheduled for delivery 51 days after launching. On November 11, 98 days after launching, she was still undelivered.

I ask also unanimous consent to print in the RECORD a statement of the cost and progress of the Merchants Shipbuilding Corporation, at Bristol, Pa. These figures indicate that the cost of the yard construction exceeded the estimates by the sum of $6,500,000 and that the probable cost of the ship construction will exceed the estimates by over $31,000,000.

Under the schedule agreed upon 25 ships should have been delivered by November 11. Not one was delivered.

The PRESIDING OFFICER. In the absence of objection, the table referred to by the Senator from New York will be printed in the RECORD.

The table referred to is as follows:

Statement of cost and progress.

	Estimated cost.	Probable cost.	Excess cost.	Per cent excess.
Yard construction	$7,450,000	$14,000,000	$6,550,000	88
Ship construction	78,324,480	109,654,000	31,329,520	40
Contractor's fee	3,840,000	3,000,000	[1] 840,000	[1] 22
Total	89,614,480	126,654,000	37,039,520	41

[1] Reduction.

Production.

Cumulative results.	Required to Nov. 11, 1918.	Actual to Nov. 11, 1918.	Shortage.	Per cent of shortage.
Ships delivered	25	.....	25	100
Ships launched	29	3	26	90
Ships placed in construction	41	15	26	63
Steel laid on ways.....tons..	102,000	30,000	72,000	70
Rivets driven	18,500,000	3,900,000	14,600,000	79
Steel fabricated.....tons..	125,400	65,400	60,000	48
Steel rolled.....do...	155,000	113,000	42,000	27

Current work.	Required.	Actual.	Shortage.	Per cent of shortage.
Ships on outfitting basin	4	3	1	25
Ships on ways	12	12	.....	.....
Steel on ways.....tons..	17,550	21,000	[1] 3,450	[1] 20
Rivets in ships on ways	2,640,000	2,250,000	390,000	15
Steel laid last month.....tons..	10,000	4,800	5,200	52
Rivets driven last month	1,743,000	900,000	843,000	48

[1] Surplus.

Mr. CALDER. The first ship launched was scheduled for delivery 28 days after launching. On November 11, 89 days after launching, she was still undelivered.

Mr. President, in my judgment it will be found that the change in the contract between the Emergency Fleet Corporation and the Submarine Boat Corporation from cost plus with fixed profit modified to a lump-sum price will be profitable to the Government. It is true that the ships being constructed by this concern will cost $27,000,000 more than at first estimated, but most of this increase can be accounted for by the increased cost of labor and material, and while the Submarine Boat Corporation will apparently earn $2,000,000 more than the profit originally fixed in the contract, in the end this will be advantageous to the Government, for here the contract is really an incentive for the builder to finish his work expeditiously and economically.

I ask unanimous consent to insert in the RECORD a table with total figures on the progress and cost of the work of the Submarine Boat Corporation.

Under the schedule agreed upon, 53 ships should have been delivered by November 11, and not one was delivered.

The PRESIDING OFFICER. In the absence of objection, the table referred to by the Senator from New York will be printed in the RECORD.

The table referred to is as follows:

Statement of cost and progress.

	Estimated cost.	Probable cost.	Excess cost.	Per cent excess.
Yard construction	$8,500,000	$17,000,000	$8,500,000	100
Ship construction	109,500,000	136,500,000	27,000,000	25
Contractor's fee	5,475,000	[1] 7,500,000	2,025,000	37
Total	123,475,000	161,000,000	37,525,000	30

[1] Profit estimated.

Production.

Cumulative results.	Required to Nov. 11, 1918.	Actual to Nov. 11, 1918.	Shortage.	Per cent of shortage.
Ships delivered	53	.....	53	100
Ships launched	89	15	74	83
Ships placed in construction	117	43	74	63
Steel laid on ways.....tons..	182,000	55,000	127,000	70
Rivets driven	31,000,000	8,060,000	22,940,000	74
Steel fabricated.....tons..	193,000	133,000	60,000	31
Steel rolled.....do....	240,000	[1] 262,000	[1] 22,000	[1] 9

[1] Surplus.

Production—Continued.

Current work.	Required.	Actual.	Shortage.	Per cent of shortage.
Ships in outfitting basin	36	15	21	58
Ships on ways	28	28		
Steel on ways, tons	25,000	26,500	[1] 1,500	[1] 6
Rivets in ships on ways	3,472,000	3,610,000	[1] 138,000	[1] 4
Steel laid last month, tons	17,700	9,000	8,700	49
Rivets driven last month	3,100,000	1,650,000	1,450,000	47

[1] Surplus.

Mr. CALDER. The average time on the ways for the 15 ships launched previous to November 11 was 191 days.

The first ship launched was scheduled for delivery in four months from date of launching. On November 11 she had been in the water nearly six months and was still undelivered. Three others were in the water nearly four months and still undelivered.

In considering time consumed on these ships, it must be considered that they are only about 65 per cent as large as those in the other two yards and are simpler in many ways.

The figures I have quoted indicate that, including the requisitioned contract steel ships and wooden cargo ships, when completed, the United States will have a net tonnage of 16,000,000 tons. This is, of course, exclusive of privately owned American ships, which will total about 4,000,000 dead-weight tons.

If this fleet of vessels are of a character that can compete with the tonnage of England and other maritime nations of the world, then, indeed, the United States has made a real advance toward a permanently successful merchant marine.

Recently in the hearings before the Committee on Commerce Mr. Piez, general manager of the Emergency Fleet Corporation, stated in reply to a query that the Fleet Corporation was carefully examining into the question as to whether or not the ships being built by them were competent to compete with the ships being constructed in England and Japan and other maritime countries. This is a very important matter, for if this great tonnage, when completed, is not of a character to carry freight as expeditiously as other nations, then, indeed, our ships will have been built in vain.

This question is one that has been occupying the attention of the maritime powers of the world for the past year. They knew that we were building a great fleet of fabricated vessels that could be operated at a speed of 10 knots an hour, and I am told that Great Britain a year ago began the construction of ships that would outsail ours. The Shipping Board denies that this is so and insists that our vessels can compete with the rest of the world. I sincerely hope that this is true.

Newspapers indicate that the Shipping Board have purchased the International Mercantile Marine. I do not know whether or not this is so, but with the war over I can not understand the necessity of this purchase. Many of the ships owned by this company are splendid vessels. Others are old and antiquated, some of them having been in commission for over 30 years. Newspapers suggest that these vessels were purchased by the Shipping Board only because an English company was about to take them over. The war is over, and I can not see any reason why we should pay an exorbitant price for these ships simply because some one else wants them. Surely in the course of a year or two, when business is normal again, we could duplicate this fleet for less money than the Government is paying for it. If we did that we could build modern vessels which could compete in speed and in equipment with any other fleet afloat.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Florida?

Mr. CALDER. Yes.

Mr. FLETCHER. May I ask the Senator, just on that point, not committing myself one way or the other, or going into any details regarding that transaction, if he would not think that $90 a ton in cash for those ships would be getting them at very much less than we could build them for, and be a very fine bargain?

Mr. CALDER. In answer to the Senator from Florida, I will say that there are many ships owned by the International Mercantile Marine that would be cheap at $90 a ton—very cheap—and a great many of them would be very dear at that figure.

Mr. FLETCHER. I am speaking now of the whole tonnage, of about 850,000 tons. The fleet includes such ships, as the Senator knows, as the *Olympic*, the *Adriatic*, the *Celtic*, and other ships which originally cost over $200 a ton. Taking the whole tonnage of 850,000 tons at $90 a ton, would not the Senator think that was a bargain?

Mr. CALDER. That would seem to be a bargain, I will admit, at present prices and under present conditions, but I am convinced that before two years roll by we can in this country duplicate that fleet for very nearly the price we are asked for it by the International Mercantile Marine. For my part, as between purchasing them at that figure and not purchasing them at all under present conditions, with the tremendous tonnage that we now have in sight, I should prefer not to purchase them.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Washington?

Mr. CALDER. Yes.

Mr. JONES of Washington. Will the Senator from New York tell me under what flag those ships are now operating?

Mr. CALDER. I understand that most of them are now operating under the flag of Great Britain.

We will have when our present shipbuilding program is completed a large number of cargo ships with speed ranging from 10 to 14 knots, but so far as I have been informed we will have no greater passenger ships, and the money spent by the Shipping Board for the purchase of the International Mercantile Marine might better be utilized for this purpose.

As I indicated in the opening of my remarks, the law provides that the authority granted to the President in relation to the construction and operation of these vessels shall cease six months after the final treaty of peace is proclaimed between this Government and the German Empire. This presents a problem to the Congress which warrants their beginning at once an intimate study of our whole maritime problem.

What disposition shall we make of this fleet of vessels that cost this country nearly $4,000,000,000? Will it be the determination of Congress to permit the Shipping Board to operate these vessels permanently? Shall we lay down a governmental policy by which ultimately we shall drive out of business every privately owned vessel in America, or shall we offer for sale this fleet to men accustomed to the operation of ships at a reasonable price, marking off their cost the additional war-time expenditures, and then, after that is done, can we operate them successfully in competition with our maritime rivals?

Robert Dollar has suggested the sale of this entire fleet at a reasonable figure and its operation under the American flag, paying to the seamen employed on the vessels the difference in pay between that given by foreign shipowners and the amount usually paid to American seamen? We are informed by the newspapers that Mr. Hurley, the president of the Shipping Board, is in Europe seeking to make arrangements with our maritime competitors by which they will increase the compensation of the men who sail on their ships to the same rate we give ours. A moment's consideration of this statement will stamp the suggestion as absurd. Does anyone suppose that Japan, Norway, Italy, or Spain, without considering Great Britain, France, or Germany, will ever agree to any such proposal?

Shall we, as has been suggested, organize a corporation under Federal charter, the stock of which shall be purchased by individuals, and to which the Government shall guarantee a reasonable return, this fleet to be turned over to this corporation at a fair price and then conducted by it as a private enterprise?

To any student of American shipping it must be apparent that no American fleet of merchant vessels can be operated without Government aid either in one form or another. If it is operated as a Government enterprise the loss will be covered up in appropriations by Congress for the maintenance of the fleet. This sort of business everyone knows will be extravagant and inefficient and can not hope to be permanent, and, so far as I am concerned, it is my purpose to oppose permanent control and operation of a Government-owned merchant marine.

The seaman's act, too, must be modified. I have offered amendments to it which I am hopeful after a thorough examination of the subject may meet with the favorable consideration of Congress. I believe these amendments will not injure the men who sail the seas and will be most helpful to the owners. We lacked sufficient seamen to operate the vessels sailing under our own flag before the war began.

We have brought a great many men into the service, but those who have examined this subject know that most of the men recruited into the merchant marine during the war will go back to their former vocations. With a fleet five times as large as we had in 1916, we can not hope to operate it under the present regulations. I would not for a moment take away from these men the additional safeguards and comforts given them by this measure, but a modification would be welcomed by those who have examined into the subject fully. Never since the Civil War has such an opportunity presented itself to this country to have

a merchant marine as it does to-day. We are building one at enormous expenditure—three times what it would have cost in peace days—but somehow or other we could not agree upon the terms of building one in less perilous times. It has seemed to those who live on the seaboard that the people back in the country have failed to understand that if we hope to maintain a permanent foreign market for the products of the factory and the farm we must maintain a merchant marine under the American flag to carry our American goods to the places where they could be sold advantageously.

To-day that fleet is in sight. Shall we dissipate it by lack of foresight? Shall we not begin by telling the American people the truth, explain to them that we can not hope to succeed unless they are willing to contribute each year some little part toward the maintenance of this fleet, or shall we pretend that American ingenuity can outstrip England, Japan, and other maritime competitors?

We need to look back to the history of other days to realize the part the American Nation played in trade on the seas; how in the years following the Revolution American vessels carried 92 per cent of our overseas trade, and this was built up through preferential customs duties and tonnage taxes. We saw this business dwindle until in the spring of 1914 only 8 per cent of our foreign trade was carried in ships flying the American flag. Will we permit this condition to exist again? We brag of our greatness and our capacity to supply the world, and yet in the days before we entered the European war south of Panama a Bank of England note was worth more than our gold. We insist that we were the first country to open the door to China—and we did—but China has not seen us since. Nor does she know why the American flag never flies in her ports. We were the first Nation to open the door to Japan, and if we cross the ocean and enter her island empire we must do so under her own flag. The Philippines are ours, but Japan controls the trade of the islands. Hawaii is a Province of this country, but her great trade is with the Orient. Porto Rico is under the dominion of the United States, but much of her trade is still with Spain. South America is nearer to us than she is to Europe, and by every rule of business ought to be our customer; but England and Germany have dominated her commerce for half a century. Our Monroe doctrine has protected Mexico, but she laughs at our protestations of friendliness.

American ingenuity first thought out water transportation by steam, and we are now for the first time in 50 years actually considering the creation of a permanent merchant marine. American shipbuilders conceived the iron ship, and until the surrender of the German fleet we were fourth in the navies of the world, and before the outbreak of the European war our overseas merchant marine was less than that of Norway, although we have forty times her population and three hundred times her wealth.

In our War with Spain the United States was compelled to rake the shipping of the world to get sufficient transports and colliers to carry an army to Cuba and the Philippines and to supply auxiliary craft for the Navy. In 1907, when our fleet sailed around the world, we did not have enough American colliers to furnish coal for our ships of war. In the present war we were compelled to move an army from our shores to France, and if it had not been for the transports furnished by England and France instead of having 2,200,000 men in Europe on November 1 and to have supplied them with the things that an army needs we would not have had one-third of that number there.

The first 1,000,000 tons of steel ships delivered by American shipbuilders to our Shipping Board since the war began would not have been obtained but for the foresight of English and Norwegian companies, who had contracted with American shipbuilders for them, and these ships were requisitioned by our own Government. We must have the best of ships so that we may compete under the best circumstances. I have already referred to the fact that the creation of this great merchant fleet now under construction would cost when completed upward of $4,000,000,000, and of that sum at least $1,500,000,000 is still to be spent. Will the American people stand for this additional outlay? I am hopeful that they will.

Let us modify the law so that these vessels may be sold to private interests and operated by them for the benefit of the American people. I am sure a method can be evolved that will save the country the least possible loss and assure the effective utilization of this great national investment. I am mindful of the fact in considering this whole problem that we must contend with two great competitors.

First, England, with her capacity for the sea, her great shipyards, and her ability to build and operate vessels much cheaper than we can, with her colonies and island possessions all over the face of the earth, enabling her to trade to and from these places profitably, while ships with American cargoes sailing from American ports for other countries will often have difficulty in obtaining return business. England has built up through her banking and other trade facilities business connections in the remotest corners of the world. To compete successfully with her we must establish trade relations and be prepared to extend the same credits as any other nation. We must know the methods of the rest of the world and be prepared to meet them with an American system and American goods better than theirs, or else our merchant marine will be of little value, for without trade to carry our ships are useless.

Second. Our second serious competitor is Japan, that wonderful country, that has already driven our merchant marine from the Pacific Ocean and can at much less cost build and man a merchant marine. We can not hope to regain our former position in the trade with the Orient unless the Government is willing to assist.

These are serious questions which require the careful consideration of the wisest men of the Nation. I have wondered if our present Shipping Board, which is apparently committed to a policy of Government ownership, has had the sort of experience that equips them to handle a problem of this magnitude. I regret that the President has not seen fit to place upon the board men of wide experience in the building and operating of ships.

This is the first genuine opportunity the United States has had for a real merchant marine in the past 60 years, and if we had the courage to go to the American people, explain to them that we have invested nearly $4,000,000,000 of their money in this undertaking, and that to maintain it we must have their support—if we do this in an intelligent way without partisan bias I am sure they will respond.

PRICE OF WHEAT.

Mr. GRONNA and Mr. FLETCHER addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. GRONNA. Mr. President, I listened this afternoon to the very interesting debate with reference to the situation in Russia. It is too late to now enter into any further discussion of that matter. I simply wish to say that I agree with the statements made by the Senator from Idaho [Mr. BORAH] that we can hardly expect to restore peace in that great domain by sending armies there. I believe we can accomplish more by feeding that hungry nation. We know that in the case of an individual when he is hungry he is dangerous, and it is even more true that a starving nation is dangerous. For that reason, Mr. President, I am going to take the time of the Senate for a few moments to address myself to the question of production and the question of the prices of foodstuffs.

A great many communications with reference to the price of wheat for 1919 are addressed to me, and every day I am receiving letters asking for information relative to the guaranty by the Government for the 1919 crop.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Florida?

Mr. GRONNA. I am sorry, Mr. President, that I can not yield to the Senator. I shall finish my remarks in the course of 10 or 15 minutes.

On the 4th day of December last there was printed in the CONGRESSIONAL RECORD a letter written by Judge Glasgow, chief counsel for the Food Administration, which letter was addressed to me. This letter fully explains the act fixing the price of wheat for 1918, and also the power extended to the President of the United States to guarantee the price for 1919. It also shows very clearly that the administration intends to fulfill the promises made by Congress and by the administration to the wheat growers of the country, and will ask that the law shall be enforced.

I regret to say, however, that I have observed statements credited to some of the officers of the Food Administration, and also to the chairman of the Committee on Agriculture of the House, giving an estimate of the losses which the Government is about to sustain because of this guaranty. I fear that such statements will have their damaging effects upon the production of wheat for 1919.

It has frequently been stated that agriculture is the real foundation of all our industrial wealth. If that be true, everything possible should be done to encourage this industry.

We are just emerging from a world's war, and we have learned from experience that wheat is an indispensable article of food, especially so in times of war, because of its keeping qualities; but it is also an indispensable article of food in times of peace, as it is the most nutritious, wholesome, and by far the cheapest and best cereal in the production of bread.

Those of you who are representing States where manufacturing is the leading industry and where labor is necessarily largely employed are naturally concerned about the protection of these manufactures, as well as in the welfare of the factory workers; but have you carefully considered the fact that without this article of food—bread—your men would have to stop work and your factories would cease operation?

You have had an opportunity recently to try substitutes for wheat bread, and I know that you do not like them.

Now, I ask you to continue to help not only the American farmer who produces wheat, but the laboring man, the people of the United States as a whole, in securing the most nutritious, wholesome food article, and at a lower price—yes, not even one-half the cost of other articles of food on the world's market to-day.

For fear that you have forgotten our admonitions and advice, I am going to ask you to listen to me for just a moment—long enough to tell you what it is costing the American people for bread.

The present price of wheat will average in the various markets in the United States a little less than $2.25 per bushel. Four and a half bushels of wheat will make one barrel of flour. Most people believe that the average consumption of flour per capita is one barrel for the entire year. The Agricultural Department estimates that 5.3 bushels are consumed by one individual person a year. At $2.25 per bushel, using the estimate of the Agricultural Department that it takes 5.3 bushels to feed a human being for an entire year, the cost would be $11.93 at the mill. This would make a little more than a barrel of flour.

Now, I want to be perfectly fair, and will allow $1.07, or at the rate of $1 per barrel, for marketing and the profit to the retailer, which would make the cost of flour to the consumer $13 per barrel, or a little less than 3.6 cents per day, providing you make your own bread; and let me say right now that on the 7,000,000 farms in the United States every ounce of bread is made by the housewife. The housewife on the farm is not depending on somebody else to manufacture the bread for the farm, and I think I might say with perfect safety that nowhere on the face of the earth will you find as nutritious and as wholesome, good bread as may be found on the farm. If the people of the cities refuse to use economy and manufacture their own bread, that should not be laid at the door of the American farmer. Perhaps your bread is costing you more than it ought to cost you, but if it does, it is your fault and not the farmers' fault.

Anyone who has taken the time to study the production of wheat for the entire world knows that there is to-day no great surplus. If we take all the countries into consideration, there is no surplus. The average world production of wheat from 1909 to 1916, inclusive, was about 3,700,000,000 bushels. The estimated population of the world is approximately 1,650,000,000. It may be said that we have different races, and some of the human race do not eat wheat, but we do know that the white, or Caucasian race, the black race, and the red race, all use wheat for bread. It is perhaps true that the yellow, or Mongolic, race, does not use as much wheat as the other races, but the yellow races constitute about 581,000,000, and they use some wheat. But, at any rate, it leaves more than 1,000,000,000 people whose chief article of food is bread. So that with a production of 3,700,000,000 bushels of wheat and a population of more than 1,000,000,000, which for centuries have used wheat as the chief cereal for bread, it is evident that if wheat is distributed to all these people who desire this article for food, there is a large shortage, and not a surplus. Of course, it may be said, and I take it that to a certain extent it is true, that not all of these people are able to purchase wheat. They use other cereals for bread.

I have a statement issued by the Agricultural Department on January 7, 1919, which shows that the visible supply in the United States on December 1, 1918, was only 175,000,000 bushels, and in Argentina less than 2,000,000 bushels. Of course, by including the harvests of 1918 and 1919, it is estimated that Argentina may have a surplus of 185,000,000 bushels, but that is entirely problematical—it is only a guess—nobody knows what the crop is really going to be. The department estimates that Australia has 170,000,000 bushels, and by including the harvests for 1918 and 1919, it estimates that there may be a surplus of 210,000,000 bushels; but we are not certain about that.

Now, outside of Canada and British India, no other countries can be expected to raise a surplus. The war-stricken countries of Europe, with their soils devastated, their labor disorganized, will not be able to produce enough to feed themselves, and they must depend upon America and upon the countries which I have named for the necessary food products.

Those who complain about the fixed price of wheat should know that the best information obtainable shows that the average cost of producing a bushel of wheat, based upon the labor cost of 1917, is $2.47. The average maximum price at the terminals, which does not mean that price to the farmer, is $2.25. Now, if it cost the farmer $2.47 to produce a bushel of wheat in 1917, what did it cost him in 1918, when wages were much higher? And I dare say they will be higher in 1919 than they were in 1917. Why all this cry about the loss to the Government of the United States in guaranteeing a price at least 22 cents less per bushel than it cost to produce it? Where is the injustice to the American consumer? Do not you know that it costs the American farmer more to produce wheat now than it did before the war? Do not you know that the articles which he must buy and the labor which he must hire are costing more?

I have before me a pamphlet issued by the American Exchange National Bank, of New York City, under date of January 1, 1919. I want to read from this pamphlet a short paragraph:

> Buying on a gold basis, inflation of the currency amply secured by gold and other legal resources does not depreciate paper money as measured in gold; but the money of the country, including gold coinage, may be depreciated when measured in commodities. The value of a bushel of wheat as food never varies, but a bushel of wheat commands more dollars and cents just now than it did before the war. The outstanding circulation of the United States is about $54 a head, or about $20 above the average of prewar days. The average price of commodities is now about 290 per cent, or almost three times the average price before the war.

Now, these are matters to think about. The average price of commodities is now about 290 per cent, or almost three times the average price before the war.

The farmer is necessarily a much heavier purchaser than the common laborer; he must buy his mechanical tools and machinery and all things necessary to carry on his farming operations besides what the laborer who works in the factory necessarily must buy. In other words, besides food and clothing, the farmer must buy all articles necessary to carry on his business, and it often happens that the farmer is compelled to buy more machinery during a single year than the value of his entire crop for that year.

I said a moment ago that we have testimony from the most reliable sources that it cost to produce wheat in 1917 $2.47 a bushel. Dr. Spillman, one of the ablest men in the service of the Department of Agriculture, has made a statement that in accordance with his estimates, based upon reports for a number of years, wheat cost to produce not less than $2.47.

We ought to remember that most people now believe that the war is over. During the war the farmers felt that it was their patriotic duty to plant wheat and other grains, regardless of whether they made or lost money. It is different now. Believing that the war is ended the farmers feel that they are not now under the obligation of planting and producing a crop which will sustain a loss, and it is my judgment that we should not discourage the production of wheat, because the farmer may turn his energies to the production of other commodities. More than that, it may, as has been so often the case, discourage him from engaging in the industry altogether.

We hear so much about the "back to the farm" movement, and we are asked why is it that the farm boys are leaving the farms and going to the cities to engage in other industries and in other work? The answer is plain. It is because the farm boy and the farm girl can make more money in the cities. They can get more wages and work less hours, and it is human nature to want to make as much, and with as little expended energy, as possible.

I am writing this letter in the RECORD in the hopes that it may help to counteract the statements which have been made and circulated through the press that the Government may lose hundreds of millions of dollars because the President and Congress have indicated a willingness to enforce the contract made with the individual producers of wheat in this country. I do not believe that the farmers should be compelled to continue to sell their products at a loss, and I have shown that the average cost of wheat to the farmer is more than the price fixed by the Government.

There will be no loss to the Government, unless some genius should undertake and succeed in perfecting an organization which would control the world's market and use such organization to depress prices.

Let us remember that before we entered this war wheat sold in the American markets for a dollar a bushel more than the price we fixed. But when the legislation which was finally enacted was pending we were told by Mr. Hoover that the reason for fixing the price of wheat was to stabilize prices in order to assure production. He stated and restated the proposition that

he was opposed to a maximum price and that he wanted only a minimum price fixed. Everybody knows that the minimum price was made the maximum price. The price of wheat was controlled absolutely by the organization known as the Grain Corporation, and for two years we controlled the price of the farmers' most valuable crop at a price per bushel of at least $1 less than what it would have brought in the market if it had been left to the laws of supply and demand.

Do you mean to tell me that, now that the war is over, you are going to repudiate the contract which in times of war took from the pockets of the farmer one-third of what he would have received for his crop if he had been left alone, and that, now you believe there is going to be a surplus, you are going to begin to further discourage him by refusing to fulfill a contract made by Congress and approved by the President of the United States? But you say the farmers have made money out of their crops during the war. In some localities they have; in others they have not made any money; and the most money has been made by the farmer who has been fortunate enough to have most of his own help. If any one of you have visited the farms in this country during the war, you must have seen that old men and women who had retired, and who really felt that they were unable to perform any hard labor, were found in the fields from early morning until late at night, assisting as best they could in the production of food. You must have seen young boys and girls struggling from sunrise until dark, bending all their energies, doing everything possible to perform a man's work. Labor was not only high in price but was scarce and inefficient.

To those of you who believe that the farmer is making large profits let me say to you that the West stands with open arms to receive you and to encourage you to engage in that industry. We are not asking for any exclusive rights to engage in this industry at all. We say to the people of the world: We are glad to have you within the borders of our State; we are glad to have you with us and to compete with us in this great industry. We will not discourage you, but help you if we can. At least we will be neighborly and friendly.

The unfortunate situation, so far as the farmer is concerned, has always been that his organization has never been completed. It has generally been ruined by some ambitious genius who, through his own selfishness, has succeeded in keeping from the farmer the facts, and in that way misled him, and instead of perfecting the organization so necessary to his success, both in production and in marketing his products, it has generally gone on the rocks and been made a regretable failure.

It must be apparent to every citizen that a man who begins his labors at early dawn and works all day until night, and very often part of the night, that he is not in a position to keep posted on affairs. It is for that reason that the farmer has been unable to perfect his organizations, and it is because he has been imposed upon by unscrupulous men who have posed as his friends but in reality have been his worst enemies. These are the reasons why the farmer has not succeeded. The labor organizations of this country are now demanding that those who go out on the farms to work shall insist on an eight-hour day. You know what that would mean to the consumers. Let us suppose that all the farmers in the United States resolved to work only eight hours a day. What do you suppose wheat would cost you per bushel if they should insist on making a profit in their business?

These are matters which must be solved in the near future. There is as much necessity for reconstruction and readjustment in the great industry of agriculture as there is in the enterprise of any other industry, and all the farmers ask is that the same standard of justice shall be applied to them and their industry that is applied to labor and to those who are engaged in the business of manufacture.

It is remarkable, and I might say regretable, to note how apt we are to forget the importance of agriculture, and when questions of which we may be somewhat ignorant are presented we are not only indifferent but we see ghosts, because we do not understand or realize the importance of the matters.

I have often been met with the suggestion that agriculture is as old as the world, and while that may be true I doubt if the United States and the allies could have been successful in the recent war if the old method of farming had not been improved upon. If our people had not emerged from the old system of using a crooked stick for a plow, I am fearful that we would have been in the same condition that Jacob and the Israelites were some 17 centuries before the birth of Christ, when the people of Israel had to go to Egypt for their corn. We would have been in a great deal worse situation than the Israelites were, because there would have been no place for us to go to to secure food products.

If we want peace restored in the world we must first provide the people with food. A hungry man is a dangerous man, and we can hardly expect that the starving people of the world are in a position or in a frame of mind to help restore the peace of the world so that it will be safe for democracy.

Mr. President, I ask to have printed at the conclusion of my remarks a statement prepared by the Department of Agriculture.

The PRESIDING OFFICER (Mr. JONES of New Mexico in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

Wheat—Production, visible supply, and surplus.

Country.	Production, 1918.	Visible supply Dec. 1, 1918.	Estimated surplus.
	Bushels.	*Bushels.*	*Bushels.*
United States	917,100,000	175,000,000	.....
Argentina	219,431,000	1,850,000	[1] 185,000,000
Chile	28,292,000	.....	.....
Uruguay	12,800,000	.....	.....
Italy	176,308,000	.....	.....
Spain	127,981,000	.....	.....
Switzerland	7,095,000	.....	.....
British India [2]	379,829,000	.....	75,000,000
Japan	31,127,000	.....	.....
Egypt	32,555,000	.....	.....
Tunis	8,451,000	.....	.....
Union of South Africa	8,833,000	.....	.....
Australia	121,772,000	170,000,000	[1] 210,000,000
New Zealand	6,274,000	.....	.....
United Kingdom	(3)	17,500,000	.....
Canada	(3)	55,388,000	100,000,000
Afloat	.....	19,248,000	.....
Total	2,077,971,000	439,052,000	570,000,000

[1] Including harvests of 1918–19. [2] Includes native States. [3] No data.

Mr. GRONNA. I also ask to have printed an article which will be found in the Nation's Business, written by Mr. Howard Heinz. I desire the entire article to be printed in connection with my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From The Nation's Business, January, 1919.]

A HEART-TO-HEART ABOUT THE FARMER—"BACK TO THE LAND"—CERTAINLY! BUT WHAT ARE WE DOING FOR THIS "LAND"?

(By Howard Heinz, vice president H. G. Heinz Co.)

America has always had vastly greater natural resources than it has had capital or organization to use. Stimulated by war's necessities and assisted by governmental support, our mining and manufacturing industries have been reequipped and reorganized up to a plane that has more closely approximated these resources; and while this has also been measurably true of our agricultural industry, agriculture, during the war period, has made less advance proportionate to the increased demand upon it. And with half the world facing starvation through the devastation of its soil and the division of its man power into nonproductive channels, the problem of world food production during the reconstruction period becomes one of the first magnitude.

Perhaps the principal reason for the failure of our agricultural progress to keep pace with the growth of the Nation, even in normal times, has been a lack of understanding on the part of our urban population of the farmer's problem and a consequent lack of cooperation and encouragement, but this condition has doubtless been improved by the economic lessons which the war has taught us. The farmer and his usefulness to the community is perhaps held in higher appreciation to-day than at any time before in the entire period of our marvelous industrial development, but there remains much to be accomplished before we can reach anything approaching an ideal condition.

For the most part wholly unorganized in any practical way that looks to cooperative productive effort, and to improvement in marketing and distribution methods, a constant prey to the whims of changing weather conditions and compelled to battle unceasingly against the ravages of innumerable pests, it is safe to say that the financial return to the average American farmer is less than that received by the lowest-paid mechanic in any established trade.

With conditions such as described, how can the farmer compete in the labor market for his necessary help, especially when it is remembered that in place of eight hours and time and a half for overtime the farmer's daily work begins with the rising sun and is more often than otherwise finished by the light of the moon. How can he raise the necessary capital out of his meager returns for drainage, fertilizing, and other means of soil improvement? How can he avail himself of costly mechanical tools in substitution for the needed man power which is equally beyond his reach?

The wholesale desertion of eastern farms in recent years, the change from proprietary to tenant farming that is constantly taking place in all sections, the emigration of the bred-in-the-bone western farmer to Canadian land to secure the easier primitive conditions there prevailing, and the flocking of the young people from farms to cities to engage in commercial pursuits all tell an eloquent story of the lack of appreciation and suitable recognition hitherto given to the tiller of the soil.

OVERWORKED AND UNDERPAID.

Every laborer is worthy of his hire, and as labor that is underpaid and especially that which is both overworked and underpaid will seek new channels of effort, it is to be devoutly hoped that war's lessons concerning the importance to our general welfare, and even to our permanent safety, of a thriving and prosperous farming community may not go unheeded.

That the farmer is in some degree to blame for his present condition may not be denied, but far more blameworthy are those interests which have failed to lead, encourage, and support him or which have exploited him.

Successful agriculture constitutes the very foundation of a nation's prosperity. If we are to continue to have available that food surplus for export that is needed to help maintain our balance of world trade, if we are even to continue to be a self-supporting nation in the matter of food supply, there must be a more effective support given to our farming interests; financial, educational, moral, social.

MORE ADVANTAGES FOR THE FARMER.

There must be leadership where we naturally look for leadership in our other lines of activity; intelligent leadership by our men of affairs that will point the way and provide the means to better practical education in improved farm methods, better and more practical local organization of farm interests that will result in more cooperative buying and that will gain for the farmer the advantage of collective bargaining for the sale of what he produces.

The more economical purchase and more intelligent use of fertilizers; seed selection on a large scale; the proper adaptation of soil; rotation of crops as well to meet prospective market conditions as in the interest of soil improvement; the cooperative purchase and cooperative use of farm tractors and other devices calculated to increase production and lighten labor; increase and improvement in stock breeding; a degree of efficiency in scientific management that while increasing product will decrease costs; and an adequate financial backing should be some of the beneficial outgrowths of proper organization in our farm communities that may be depended upon to put our farm operations on a reasonably remunerative basis and encourage the "back to the land" movement advocated by our theoretical economists and with so negligible a result.

Much is being done for the uplift of the farming industry by our Government departments and educational institutions. Our Federal and State departments of agriculture, with their local agents in practically every country, have developed a marvelous efficiency in recent years and the results of their labors are manifest on every hand. Our agricultural colleges have gone far in the dissemination of practical farm knowledge, but the influence of these institutions is not far enough reaching; the process is too slow to meet the urgent need of the day; the work they do must be augmented and extended by the public-spirited men of every community before it will become really effective in influencing general results in any larger way.

With no possible prospect of restoring normal crop conditions in Europe under two or three years or of reconstituting its animal industry in a decade, there is an assured market for all that we can produce in cereals, roots, dairy products, and live stock, including hogs and oil-bearing vegetables, for of all food shortages the most distressing world need is to-day, and will be for some time to come, of animal and vegetable fats, the lack of which has been most acutely felt with marked effect upon the health of the people in all European countries, including the neutrals, throughout practically the entire war period.

Our manifest duty, then, as business men is not only to encourage food conservation by rational living and the avoidance of waste but to encourage and help the food-producing class by lending to it our leadership, our financial support, and our business ability for organization.

THE CENSUS.

Mr. SHEPPARD. I ask that the unfinished business be laid before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. SHEPPARD. I ask that the formal reading of the bill may be dispensed with.

Mr. FRANCE. I object, Mr. President. I think that is a very important bill, and it should be read in full.

Mr. SHEPPARD. I will say to the Senator that I had the bill published in the RECORD day before yesterday.

Mr. FRANCE. I should not be willing to consent to the rushing through of this bill. I think it should be read very carefully. It is a most important piece of legislation. I should be opposed to anything which would be in the nature of an attempt to rush it through.

Mr. SHEPPARD. I know the Senator will acquit me of any intention or desire to rush the bill through.

Mr. FRANCE. I do acquit the Senator of that. I know that he wishes to have a clear understanding of the bill, but I merely wish to have the bill read in full.

Mr. SHEPPARD. The bill will be read for action on the committee amendments.

Mr. FRANCE. Then I will withdraw my objection, if it is to be read for action on the committee amendments. I did not understand the status.

Mr. SHEPPARD. Has the formal reading of the bill been dispensed with?

The PRESIDING OFFICER. It has not. Does the Senator from Maryland withdraw his objection?

Mr. FRANCE. I do, with the understanding that the bill will be read for action on the committee amendments.

The PRESIDING OFFICER. Without objection, the formal reading of the bill is dispensed with.

Mr. SHEPPARD. I ask that the bill may be read for action on the committee amendments.

The PRESIDING OFFICER. The bill will be read for that purpose.

AFFAIRS IN RUSSIA.

Mr. THOMAS. Mr. President, I had intended during the course of the day to say something on the subject of our attitude toward Russia and our troops in the Russian territory, but the hour is too far advanced, so I shall content myself by giving notice that when the Senate reconvenes I may have something to say upon the subject.

ALEXANDER F. M'COLLAM.

Mr. MYERS. Mr. President, I ask leave to make a favorable report from the Committee on Public Lands on the bill (H. R. 1423) for the relief of Alexander F. McCollam, and I submit a report (No. 640) thereon. I wish to say a word in regard to the bill.

This is a bill which was favorably reported by the House Committee on Public Lands and has passed the House. It is to convey title to 1.16 acres of land in Placer County, Cal. It is in a forest reserve, but was classified as agricultural land. It was homesteaded by a homesteader who died before making the final proof. He left no widow, but his estate was administered on and closed up in the courts of California; and this little tract of land, comprising an area of 1.16 acres of land, was sold for a valuable consideration to a purchaser by order of court, and some improvements have been made upon it; and this bill is to convey title to him. The Agricultural Department recommends it, and the Interior Department has no objection to it. Therefore, I ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. Mr. President, I wish to ask the Senator a question.

Mr. MYERS. Certainly.

Mr. SMOOT. Do I understand from the Senator that the homesteader just settled upon this 1.16 acres of land?

Mr. MYERS. So far as the record discloses, that seems to be the case.

Mr. SMOOT. What purpose did he have in mind in settling upon that little piece of land?

Mr. MYERS. He owned some land adjoining, I am told, and he simply wanted this land. I think he built a house on it. It was thrown open to homestead entry by order of the Department of Agriculture. He was intending to homestead it. Everything was done with the approval of the Department of Agriculture, so everything went nicely.

Mr. SMOOT. And he died before it was concluded?

Mr. MYERS. He died, and it was sold by the court.

Mr. SMOOT. He died before he had lived long enough to secure title?

Mr. MYERS. At least before he had made application to make final proof, and it went through the courts, and it was sold for a valuable consideration. Improvements have been put upon it, and this is just simply to straighten out the title.

Mr. SHAFROTH. It is not located in a town or near a town?

Mr. MYERS. No; the record does not disclose that at all.

Mr. SHAFROTH. It might be that there was only a fractional piece of land left, and he located upon that because of its proximity to other land.

Mr. MYERS. I think that is the case. I have read carefully the reports of the Secretary of Agriculture and the Secretary of the Interior on the bill, and they disclose, I am told, about all that is disclosed.

Mr. SMOOT. What surprised me was that he should have located upon that 1.16 acres if he had the right to locate upon 160 acres. It rather made me suspicious that there was some real reason why he should only take this little piece of land.

Mr. MYERS. None was disclosed by the record. None appears at all.

Mr. SMOOT. I understood the Senator to say that the Secretary of Agriculture and the Secretary of the Interior both approve it.

Mr. MYERS. Yes; they do. They have looked into it thoroughly, and ask its passage.

Mr. SMOOT. I have no objection.

Mr. MYERS. I ask that the unfinished business may be temporarily laid aside so that this bill may be considered.

The PRESIDING OFFICER. Without objection, the unfinished business will be temporarily laid aside.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1423) for the relief of Alexander F. McCollam, and it was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent to Alexander F. McCollam, of Yankee Jims, Placer County, Cal., for the lands described in homestead entry No. 07349, Sacramento series, being homestead-entry survey No. 147, in section 28, township 14 north, range 10 east, Mount Diablo meridian, in Sacramento land district, in Placer County, Cal., and containing 1.16 acres, according to official plat of homestead-entry survey No. 147, in the Tahoe National Forest, made July 19, 1915.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IRA G. KILPATRICK AND GUY D. DILL.

Mr. MYERS. Mr. President, I desire to make another report. This is on a bill in which the Senator from Indiana [Mr. WATSON] is interested. That Senator called it to my attention, and in his absence I am giving it attention for him. It is the bill (H. R. 8444) for the relief of Ira G. Kilpatrick and Guy D. Dill. I submit a report (No. 641) to accompany the bill. Its passage was recommended by the House Committee on the Public Lands and by the Interior Department. It has passed the House. This is to issue patent to 88 acres of land in Indiana upon the payment to the Government of $1.25 per acre for it. I have read the report made in the House and the report of the Secretary of the Interior, and they set forth in brief these facts:

The land has been occupied by the owners of it and their predecessors in interest for 50 years. It is located in a thickly settled portion of Indiana, and the title has passed a number of times, and there is simply no record of any patent to it. It is one of those cases where, if a patent was ever issued, it was lost or not put on record; and the land has been for 50 years in private ownership. This is simply a piece of legislation to validate the title, and its passage is recommended by the Interior Department.

The bill has passed the House, and I send it to the desk and ask leave to make the report. I also ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8444) for the relief of Ira G. Kilpatrick and Guy D. Dill, which was read, as follows:

Be it enacted, etc., That the title of Ira G. Kilpatrick and Guy D. Dill, as tenants in common, in and to the west half of the southeast quarter of section 3, township 32 north, range 8 east, in the district of lands subject to sale at Fort Wayne, Ind., in Whitley County, Ind., as assignees from Jonathan Pearson, by conveyance be, and the same is hereby, quieted and confirmed, and patent therefor shall issue to the said Ira G. Kilpatrick and Guy D. Dill as tenants in common, upon payment to the United States of $1.25 per acre.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE CENSUS.

Mr. SHEPPARD. I ask that the unfinished business be laid again before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

ADJOURNMENT TO MONDAY.

Mr. MARTIN of Virginia. I move that the Senate adjourn until 12 o'clock meridian on Monday next.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until Monday, January 13, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 9, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Be graciously near, O God our heavenly Father, to our brave and gallant soldiers overseas. Their task having been accomplished, their hearts long for their beloved country and their dear ones at home, who are anxiously waiting their coming. Give them patience, endurance, fortitude, in the long hours they must wait; and bring them all back in safety. Especially be near to the wounded and sick, to comfort and sustain them; and Thine be the praise, through Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE RAILROADS.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to print in the RECORD a series of four letters which passed between Judge McChord, Interstate Commerce Commissioner, and Mr. Sisson, vice president of the Guaranty Trust Co. of New York, on the question of railroad rates, management, and so forth, which I think, in view of the fact that we are soon to have railroad legislation, should be printed in the RECORD for the information of Members of this House.

The SPEAKER. The gentleman asks unanimous consent to incorporate certain letters in the RECORD on the subject of railroad rates. Is there objection?

There was no objection.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 4240. An act for the relief of Alma Harris.

LEAVE OF ABSENCE.

Mr. MANN. I ask unanimous consent for leave of absence for my colleague [Mr. GRAHAM of Illinois] on account of illness.

The SPEAKER. The gentleman from Illinois asks indefinite leave of absence for his colleague [Mr. GRAHAM of Illinois] on account of illness. Is there objection?

There was no objection.

RELIEF FOR INFORMAL CONTRACTS.

The SPEAKER. Under the rule the unfinished business is the contract bill.

Mr. DENT. Mr. Speaker, if necessary, I move that the House resolve itself into the Committee of the Whole House on the state of the Union.

The SPEAKER. That is not necessary. Under the rule the House resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from Georgia [Mr. CRISP] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, with Mr. CRISP in the chair.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] has 30 minutes remaining, and the gentleman from Kansas [Mr. ANTHONY] 1 hour and 30 minutes. The Chair will recognize the gentleman from Kansas.

Mr. ANTHONY. I yield 10 minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, I had expected to support this measure, because I believe the Government of the United States, like every one of its honest citizens, should live up to all its obligations and not repudiate them because of mere informality under any circumstances; but I was somewhat shaken in my purpose when I found the bill to be in the form in which it has been reported, with an entire absence of information which Members of the House, in my opinion, were entitled to receive.

This bill is to validate 6,600 and more contracts, involving one and three-quarter billion dollars, and to place that power in the hands of one individual, who, by the request for this measure, has made evident the fact that of the contracts drawn 12 per cent can not pass the auditor, the proper accounting officer.

The chairman of the Committee on Military Affairs said that the Secretary of War should be allowed to pass upon this matter, as he has already passed upon the remaining portion of $15,000,000,000 of expenditure. I wonder what would take place in any well-regulated business in this country if the man in charge of that business should make the abject confession that 12 per cent of his contracts were not according to instructions or law?

But I object to this bill in its present form and shall insist upon its amendment before it shall receive my feeble support, so that the Treasury may be reasonably safeguarded.

The War Department seems to regard informality as an unpardonable sin where the amount involved is small, but almost a virtue where the amount involved is large. From the statements that have been made it is evident that it has been much easier for a man to come to Washington and obtain a million-dollar contract—so far as formality is concerned—than it has been for a soldier who has served his country in the trenches to obtain the small monthly amount which is due him. And I want to remark also—this is the main purpose for which I took the floor—that it has been easier for a more or less insolvent nation of Europe to borrow $100,000,000 from the Treasury of the United States than it has been for a soldier, sick or wounded even unto death, to obtain the money that was justly due him for patriotic services rendered. I speak by the card as to a number of cases. So I believe that we should be careful in giving to one man the power of settling according to his sweet will this billion and three-quarters of contracts without our having any evidence whatever of what number of these 6,600 contracts, or what portion of the gross amount, were contracted 15 minutes before the armistice was agreed upon.

This bill in its present form gives all of the 11th of November to have entered into these informal contracts. It seems to me that anything like a good-faith inquiry, before the head of the

department should have been listened to by the committee with anything like favor, would have demanded of that department a classification of these informal contracts to show what ones were entered into on the 11th day of November. My recollection is that we received the news of the armistice being signed before the opening hours of business on the 11th of November. The more nearly the dates of these contracts approach the 11th of November the more I would look upon them with suspicion, or the more, I should say, they would demand careful investigation. Yet the House has been denied any statement or classification of these contracts, what they were or what their general nature was.

Think for a moment what you propose to do—to place in the hands of one man the power to validate these contracts for nearly one and three-quarter billions of dollars. What does that mean? It means the settlement of claims which amount to more than the total wealth of each of a number of the States of this Union. It means the placing in the disposition of the department practically judicial powers to settle this vast sum, an amount so large that it would take a train of cars more than a mile long, carrying 50,000 avoirdupois pounds of gold each, to pay it. It means the settling of claims amounting to a sum equal to one-half of all the assets of the Treasury of the United States which the Treasurer of the United States sees fit to state to the public. The total assets of the Treasury of the United States, outside of one asset, which I intend to refer to in a moment, are about $3,500,000,000, fluctuating from day to day. This sum which they ask us to allow them to settle without a proper hearing, without a report that presents the salient and important facts, equals half of all the assets of the Treasury outside the loans to foreign nations, that institution which we pay thousands of men every year to carefully guard.

But, as I said, informality is an unpardonable sin only in small contracts. We strain at gnats, and sometimes, as they said in olden times, swallow camels. But when I recall the fact that in this same department, if a soldier boy happened to be taken from his own company because of a disease breaking out to which he was absolutely immune, put into a detention camp, he would be sent overseas to serve months in the United States service and not given a dollar of pay due him.

Mr. QUIN. Will the gentleman yield?

Mr. SLOAN. I will.

Mr. QUIN. I thoroughly agree with the gentleman about that part; but as far as these contracts are concerned, does not the gentleman think the Government ought to be square and honest with the contractors?

Mr. SLOAN. Absolutely. The gentleman is quoting practically the language I used in opening my speech. We want to be square, and we want to see to it that we put it in the hands of a tribunal that will be square with the contractors and square with the people of the United States.

Mr. SANFORD. Will the gentleman yield?

Mr. SLOAN. I will.

Mr. SANFORD. Take the case of a corporation that now has on hand $5,000,000 worth of war material that has become practically unsalable—material made to carry on our Government in its effort to win the war—does the gentleman think that it would be good for the business interests of the country for a claim of that kind to await the adjudication of any tribunal that might take years?

Mr. SLOAN. That would be better than to place it in the hands of a tribunal that would not do justice, that had failed in small things. Those who are faithful in small things may be presumed to be faithful in large things; but those who are unfaithful in small things are apt to be unfaithful in large things.

Mr. SANFORD. I think the gentleman's Bible quotation is correct, but that kind of justice is pretty costly for the business interests of this country.

Mr. SLOAN. If the gentleman repudiates the Bible, I can not agree with him.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. SNYDER].

Mr. SNYDER. Mr. Chairman, there can be no question in the mind of any Member as to the advisability of adjusting and paying the so-called illegal claims against the Government as quickly as possible. Gentlemen, it is absolutely necessary for many reasons. Most of these contractors have obligated themselves to banks and the banks have turned their obligations over to reserve banks, and these obligations can not be continued indefinitely.

Another reason is the necessity of getting as many of these items cleared up as possible before we go to the country with the next liberty-loan issue.

If it is admitted that these bills ought to be paid, then it comes down to the point of who should have charge of these settlements.

It has been charged—with a great deal of justification, in my judgment—that the War Department has been inefficient and has not shown good business judgment, and that they have not used promptly the machinery that they had to make legal contracts after the order for goods or property had been given. It is easy to see, from a business standpoint, how many errors have been made. The officers, under the lash of criticism that they were moving too slowly and that red tape should be cut, were working at high speed. Also we must consider the fact that nearly 100 per cent of the contractors were patriotic and anxious to do what they could to help win the war; and inasmuch as it is common practice in business to take the word of both parties to a contract for their authority to at least start the work, it seems that there is some excuse at least for many of the difficulties that surround this question.

For my part, I fear that difficulties will arise in the adjustment of these matters if they are left in the hands of the War Department, and I am sure that many difficulties will arise if it is left to a commission to determine. It is certain that the War Department at this time must have more information with regard to these matters than anyone else could have, and it seems to me it must be admitted that very much of the business of the War Department has been satisfactory to the public. Further, as it has been shown that this $1,600,000,000 is only about 20 per cent of the amount that the War Department has already contracted for, for which settlements have been made, it would seem that they might be trusted to finish up the job. [Applause.]

Therefore, unless some substitute is offered that, in my judgment, would make it possible to close up these accounts quicker and get the money into the hands of the contractors and from them into the hands of the public, I shall favor this bill; and I want to say I am looking at this proposition from the standpoint of a manufacturer, contractor, and banker. I know of my own knowledge of a number of situations that are acute where adjustments must be made quickly or trouble will ensue.

Mr. GORDON. Will the gentleman yield?

Mr. SNYDER. I will.

Mr. GORDON. If the gentleman is looking at it from the standpoint of a manufacturer and a banker, of course his position ought to be for the payment of the claims without any investigation at all.

Mr. SNYDER. I am in favor of paying claims as quickly as possible where the matter has been properly adjusted. I will say further that I shall be satisfied with an adjustment that is made between the manufacturer and some one who is competent in the department to make that adjustment.

Mr. GORDON. But the gentleman wants an honest adjustment?

Mr. SNYDER. Yes; and I believe you will get an honest adjustment by this bill as well as you would by sticking in four or five other men.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ROBBINS. Mr. Chairman and gentlemen of the committee, I think we ought to start in our investigation into this question with the national-defense act of the 3d of June, 1916. At that time, before we entered into the war, we passed an act of Congress to prepare this Nation for the conflict that Congress believed was inevitable. That act contained this provision, and I think it is important, because it imposes a penalty on every manufacturer and every citizen engaged in business in this country who does not comply with its provisions. I am not going to read all of it, but it provides, in section 120, among other things, as follows:

> The President, in time of war or when war is imminent, is empowered, through the head of any department of the Government, in addition to the present authorized methods of purchase or procurement, to place an order with any individual, firm, association, company, corporation, or organized manufacturing industry for such product or material as may be required, and which is of the nature and kind usually produced or capable of being produced by such individual, firm, company, association, corporation, or organized manufacturing industry. Compliance with all such orders and materials shall be obligatory and shall take precedence over all other orders and contracts—

And so forth. And it winds up with this provision:

> Any individual, firm, company, association, or corporation, or organized manufacturing industry, or the responsible head or heads thereof, failing to comply with the provisions of this section shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment for not more than three years and by a fine not exceeding $50,000.

We went into the war without making any preparation for the national defense practically, except in the Navy Depart-

ment; and the President, under the provisions of this bill, when war was declared on the 6th of April, 1917, began to commandeer the enterprises in this country and the industries of this country to get ready for the war. The Government went into my district—and I want to say right here that I am not interested in any of these contracts. No man has spoken to me about the breach of a Government contract, except in one instance, and I said to him that I would only call it to the attention of the department and would introduce him to the proper accounting officers, but could not represent him. But I know of car works in my district that stopped manufacturing cars, in which they were engaged in a profitable business, and converted one entire part of their plant into the making of shells. I visited the Baldwin Locomotive Co. in company with other Members of the House in September and we found a large part of that manufactory had stopped making cars and locomotives and was manufacturing explosive shells and munitions of war.

On the 11th day of November, while the country was at the highest speed of munition production and most intensely engaged in preparation for war, an armistice was suddenly signed. At that time in the Eddystone plant there were 15,000 employees, 3,500 of whom were women and young girls, working with a zeal and a rapidity that startled every person who went through that plant. At 11 o'clock on the 11th day of November last the armistice was signed, without being anticipated or expected, and immediately the War Department—and I praise them for it—set about canceling these war contracts and stopping the manufacture of these materials. We all understand what a contract is; that it may be in writing, or it may be by parole or oral, or it may be expressed or it may be implied. We are told, and we know, that in this zeal and haste to prepare for war contractors and manufacturers from all over the United States were summoned to Washington and were told, as the testimony of the Secretary in the hearings before the committee states, that as soon as he found they could make the materials, why the War Department ordered them to proceed at once, and to do so without waiting to reduce the contracts under which they worked to the formality required by the practice of the department and the Revised Statutes. The distinction between the United States Government as a contractor and a private individual is that the Government is not bound by a contract unless it is in writing, signed at the end thereof by the proper officer and accompanied by an affidavit that the contracting party is not interested therein. That is not so with a private individual, a partnership, or a corporation. A private contract may be in writing or it may be by parole; it may be express or it may be implied. In either case, however, the parties are bound by its terms, but not so with the United States Government; and so it happens, gentlemen of the committee, that on the 11th of November, when Germany suddenly collapsed and when this armistice was quickly signed, there were 6,600 of these agreements to purchase war supplies that had not been reduced to the formality of written contracts.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. ROBBINS. Mr. Chairman, I will ask the gentleman from Alabama [Mr. DENT] to grant me five minutes, which he promised to do.

Mr. DENT. Mr. Chairman, I did promise the gentleman five minutes, and I told the gentleman from California [Mr. KAHN] that he could use whatever time I had left, and in his absence I yield five minutes to the gentleman from Pennsylvania.

Mr. ROBBINS. Mr. Chairman, is it right, is it fair, to repudiate these informal contracts or obligations of the United States Government arising out the conditions that I have briefly stated? No private contractor, no corporation or individual, would repudiate them. They would be taken up at once for adjustment, and that is exactly what this bill proposes to do—to allow a proper, equitable, and just adjustment of these claims promptly and without delay or expense. It is true that they may involve more than mere compensation. It may be that it will involve a recompense for speculative damages or profits, and it ought to, if such profits can be justly shown to arise out of the contracts if properly carried out.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. ROBBINS. I yield for a brief question.

Mr. McCULLOCH. Has anybody contended at any time or anywhere upon this floor or any place that these contracts that were just and equitable should be repudiated by the Government?

Mr. ROBBINS. The contractors have been assailed here, I do not know whether by the gentleman or not——

Mr. McCULLOCH. Not by me or by anybody else that I heard.

Mr. ROBBINS. As if they were a band of harpies who came here to Washington to plunder the Government. I deny that; on the contrary they were patriotic. These men came here because they were summoned, in the first instance, to come here and help to prepare this Government to defend its very life, and, in the second instance, because this statute, entitled "An act to provide for the national defense," passed on June 3, 1916, compelled them to come here on the summons of a responsible officer of this Government and compelled them to turn their factories over as the War Department directed they should turn them over and devote them to the manufacture of munitions of war. If that be true, the question is, Who is to adjudicate these claims? That, I think, is the pivotal question arising here. I believe that no Member of Congress wants to be unjust or wants to put the United States Government in a position where it is not fair toward the men who have furnished the instruments, the accouterments and equipments with which our soldiers fought and won this war. We have a court established already, called the Court of Claims, and I took up with the clerk of that court the question whether or not this court could adjudicate these cases. It is a court particularly constituted and established to adjudicate and determine the justness of claims against the Government of the United States. It is established here in Washington exclusively for that purpose. I have a letter from the clerk of that court dated December 28, and he seems to object that I even questioned him as to whether they could adjudicate these claims. He tells me they are busy with cases growing out of the War of the Rebellion; the destruction of cotton and other things of that sort. I admit that if they are still working on cases growing out of the Civil War that then this court could not meet the emergency here, because what we want in these claims is promptness. One billion six hundred and seventy-five million dollars of unsettled claims against this Government can not and ought not to be held up at this time. We want prompt adjudication. The clerk of the court goes on to tell me that they have 57 cases appealed to the Supreme Court of the United States, and 684 cases are awaiting disposition, and he adds that where cases are promptly prepared they are tried and promptly disposed of in this court. I shall not take the time to read the letter at this time, but with the permission of the committee I herewith insert it as a part of my remarks:

UNITED STATES COURT OF CLAIMS,
Washington, D. C., December 28, 1918.

Hon. EDWARD E. ROBBINS,
House of Representatives of the United States.

DEAR SIR: I am replying to your letter of December 23, in which you ask to be advised as to the condition of business in this court.

I am at a loss to know why this court is so frequently and continuously criticized for being slow in the transaction of its business. I think perhaps it is due to the fact that special acts of Congress from time to time confer jurisdiction on the court in cases which have been pending in the departments or before Congress for many years, and when it is known that they are pending before this court people jump to the conclusion, without investigation, that they have been pending here ever since they arose. A good illustration of this is the claims for abandoned and captured property taken by the Government from southern territory immediately after the Civil War. This court had jurisdiction of those cases at the time the property was taken and under the then existing law adjudicated and disposed of all of them. In 1911 a new and enlarged jurisdiction in these cases was conferred upon the court and some 500 of the cases came back here. I think it is the general impression throughout the country that they have been pending here ever since 1864.

Answering specifically the question as to the amount of undetermined business in this court, permit me to explain by way of introduction that many cases are filed in this court involving identically the same state of facts and the same question of law, and therefore the trial of only one case is necessary. I shall refer to these hereafter as class or group cases.

There are on the dockets of this court about a hundred cases filed before January 1, 1917. Of these about 50 are class or group cases, to be filed with other cases filed since January 1, 1917. The other 50 cases are undisposed of for various reasons which have appealed to the court as equitable; for instance, attorneys reprcsenting them have entered the military and naval service of the United States during this war and it has not been thought fair to press their cases to trial, and civil and military officers of the Government who are necessary witnesses in these cases are scattered about over the earth by reason of the war.

Of the cases filed since January 1, 1917, not falling under the class or group cases, but to be tried as individual cases, about 150 in various stages of preparation remain undecided. The trial of something like a dozen cases will dispose of the class or group cases.

There are pending in the Supreme Court of the United States on appeals from this court 57 cases, and there are 684 cases in this court awaiting the action of the Supreme Court on said appeals and which will be disposed of promptly in accordance with the decision of the Supreme Court.

In this court, as in all other courts, the speed with which the court disposes of its business must in some manner depend upon the speed with which cases are prepared for trial. This court has a rule, I believe, not usual in other Federal courts, of calling its docket from time to time and ordering the parties on pain of dismissal of the cases to get them ready promptly. On the first day of the present term, December 3, 1918, the court entered an order in all cases filed prior to June 1, 1918, in which no steps had been taken for the preparation of the cases for trial, that the same be set for trial for December 16, 1918, and on

that day dismissed all cases in which no preparation had been made unless reasonable assurance was given that preparation would be promptly made.

Permit me to add that when a case is prepared and stands for trial in this court it is usually reached within a few weeks, and when argued and submitted is decided within a few weeks later. From this summary you will see that this court is probably as near abreast of its business as any State or Federal court in the country.

I have referred above to the abandoned and captured property cases. These are claims for cotton taken by agents of the United States Government immediately after the war and sold, and the proceeds turned into the Treasury of the United States. The jurisdiction of this court under the act of 1911 is to render judgment not to exceed the proceeds in the Treasury of the United States. That act gave the claimants until January 1, 1918, to file their cases, and in order that the aggregate of the judgments of this court might not exceed the sum in the Treasury it was considered necessary to defer the adjudication of the cases until all cases were filed or barred from being filed by the statute of limitations. In the meantime, there were several questions which required adjudication in a preliminary way; for instance, much of this cotton which was claimed by individual claimants was shown by the archives of the Confederate Government, now in the possession of the United States, to have been sold to the Confederate Government for Confederate bonds. It was necessary to determine whether this was a valid sale, divesting the claimant of title to the cotton. That question was decided by this court adversely to the individual claimants, and on appeal was affirmed by the Supreme Court and its mandate was filed in this court on May 27, 1918. On December 3, 1918, the court set down for hearing all of these cotton cases—443 in number—for December 18, 1918. On that day 210 cases were dismissed and 5 cases argued and submitted to the court. The remainder of the cases are set for Monday, January 6, and the trial of about a half dozen of them will practically determine the entire cotton jurisdiction.

I hope this gives you the information you desire, and if it does not I shall be pleased to furnish you anything else within my power.

Respectfully,

SAML. A. PUTMAN, *Chief Clerk.*

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. ROBBINS. I yield for a brief question.

Mr. DENISON. As a matter of fact, of course, the gentleman from Pennsylvania, as a lawyer, knows that the Court of Claims has no jurisdiction to hear and determine any of these claims involved in this bill unless Congress should give it jurisdiction.

Mr. ROBBINS. Certainly; and that is why I obtained the letter. We would have to pass an act of Congress turning these claims over to the Court of Claims for disposition. Do not misunderstand me. I hope I made that clear, and if I did not I do so now. I understand it perfectly well. We are passing an act of Congress establishing not a judicial tribunal but establishing an authority, consisting of the Secretary of War, to pass on these claims; and if we are not satisfied with that, by amendment to this act of Congress we can place them in the hands of the Court of Claims.

Mr. DENISON. The gentleman does not think these claims will be adjusted by the Secretary of War himself, does he?

Mr. ROBBINS. This act provides that he shall examine into them, and I know that he is not going to adjust 6,660 claims himself. If the gentleman has visited any of the industrial plants, he must know that in every one of them there was an officer of this Government standing by and inspecting every particle of war material that was manufactured before it was sent out. The War Department already has the information and the organization to promptly investigate and properly and justly decide all these claims, and ought to be allowed to do so.

And you will know also that there is no source of information so valuable as that which is under the control of the War Department, by reason of its not only making these contracts but by reason of the fact that it has inspected war material made under the contracts from time to time.

It must be borne in mind also that the War Department was compelled to expand its personnel from less than 1,000 clerks to some eight or ten thousand clerks. Many of these are inexperienced men. This could not be avoided, and in the great haste to get war materials orders were necessarily given by letter, by telegraph, and in many instances over the telephone. The work was new. It was done under great pressure, the orders being to win the war at all cost. Get the guns, munitions, and equipment for our brave boys on the battle line, and in the haste and zeal to carry out these orders the contracts were not all reduced to writing, as required by the three thousand seven hundred and forty-fourth section of the Revised Statutes, and signed at the end thereof, and having thereto attached an affidavit that the parties signing were not interested. When these informal contracts were presented to the Comptroller of the Treasury for payment they were promptly refused on the ground that they were not contracts such as were required by the Revised Statutes and binding upon the Government. Moreover, by the sudden declaration of peace on November 11 it became impossible to complete these contracts. The Comptroller of the Treasury ruled as follows:

There are in the hands of contractors many informal papers, such as letters, purchase orders, procurement orders, etc. These papers generally are intended to be and are preliminary to the execution of contracts. In themselves they place no obligation on the Government. The latter may be liable on a quantum meruit for the fair value of articles delivered and accepted, but it has no legal obligation for expenses incurred, value of incomplete work, material on hand or arranged for, etc., unless a contract in legal form has been made. Of course it is understood a legal contract can not be made now for articles the Government does not need, and this is true regardless of prior negotiations or understandings, written or oral.

This ruling made it impossible to execute in a formal manner these contracts, and hence, as the comptroller says at another places in his ruling, "cases involving only equitable claims can not be settled by executive officers without new legislation," and it is necessary to pass this act and place the settlements of these claims in the hands of some tribunal, or refer them to some one with authority to adjust and settle them.

The Secretary of War is the most competent official to take charge of this matter. He has the machinery. These contractors were summoned by his department to make the contracts for which claim is now made. The contracts were not formally executed, because the officials of his department were unable, for lack of time or information, to complete these contracts. It is a maxim of the law, "Where one of two innocent parties must suffer, he whose act caused the loss should bear it." In this case, certainly the contractors who furnished the goods are not to blame. The Government will make no contract except on forms approved by the Attorney General. The War Department itself could not make the contracts because of lack of time and lack of information, but relying on the good faith of the War Department, moved by a patriotic devotion to do their utmost for the Government in time of stress, these 6,600 citizens provided munitions of war or furnished something of value to the Government or prepared to render service for the purpose of aiding in the prosecution of the war against our enemies. It would be an act of bad faith now to refuse to pay merely because the contract is not in writing on the form prescribed by law in order to bind the Government.

In many of these cases large sums of money were tied up, and financial embarrassment will in many cases overtake these claimants if prompt relief is not extended to them. They have been compelled to pay for labor, material, insurance, and transportation, all of which was necessary expense in the production of the munitions, supplies, and equipment manufactured and furnished to the Government and used in the prosecution of the war.

I do not believe the people of the United States want any such claims repudiated and those who furnished the material either financially embarrassed or driven into bankruptcy, and I do not believe that this Congress should for a moment tolerate any action that would bring about such a direful result.

We must place our confidence in the War Department and permit it to promptly take up and adjudicate these claims. This act amply protects the Government. The claims must be presented within six months, only fair value is to be paid for the product, only the actual cost incurred in the preparation for the manufacture of war supplies is to be allowed. Great care is taken not to confer jurisdiction on courts, so that the Secretary of War is practically the final arbiter in all these cases, and where criminality or fraud is discovered criminal prosecutions are preserved against the malefactors.

I favor the passage of this bill because I believe it is just, and I believe that the Secretary of War will promptly carry out its provisions and pay these just claimants who have aided the Government at the time of its distress.

I hope, Mr. Chairman, that the bill will pass.

Mr. ANTHONY. Mr. Chairman, I yield seven minutes to the gentleman from New York [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Chairman and gentlemen of the committee, the question involved here is a business one and not a political question, and it is a most important business question to contractors and the business community, and by discussing it from the political standpoint and criticizing either the Secretary of War or anyone else we jeopardize the interests of this great body in the community in which we are interested at this time. Now, let us see. The question here is a very narrow one. In the first place, it is provided by the bill in the Senate, which will be offered as a substitute here, that in all cases where goods have been delivered the goods can be paid for by the Secretary of War, and there will be referred to the commission provided for in that bill only cases where damages are involved.

Mr. SANFORD. Will the gentleman yield?

Mr. DEMPSEY. For a question.

Mr. SANFORD. Perhaps the gentleman could be assisted in his argument if he knows that the Senate committee has just withdrawn that bill, revised its judgment, abolished the commission plan——

Mr. DEMPSEY. I did not yield for a speech.

Mr. SANFORD. That is the information I get.

Mr. DEMPSEY. I doubt the statement of the gentleman from New York. I heard the same report upon the floor yesterday, and I went over with the gentleman from Illinois and we inquired of Senator HITCHCOCK and found that it had not been withdrawn; that it had passed the Senate committee unanimously.

Mr. SANFORD. The gentleman had better go over again.

Mr. DEMPSEY. I beg not to be interrupted.

Mr. DENT. Will the gentleman yield?

Mr. DEMPSEY. I will yield after a moment. So that under that bill there is a very narrow question presented. It is simply a question of referring to a commission disputed claims, claims which involve damages, claims which are in their nature judicial. I call the attention of the committee to the argument of the chairman of the committee, which was twofold. He said, first, we should refer these claims to the Secretary of War because the Secretary already has considered $15,000,000,000 of claims, and why not add a billion and a half more? Why, it seems to me you could not possibly present a better argument for withdrawing from the consideration of the Secretary this billion and a half of disputed claims. Is it an argument to say that because a man is already overburdened and overloaded with work you should add to his shoulders that which he clearly can not do? Now, I am not saying a word in the way of criticism at all. We all know the difficulties which the War Department had in performing its ordinary work.

We all know the difficulties which the insurance department had, and we all know the difficulties the allotment division had. It was all admitted here on the floor only two or three days ago when a bill introduced by Mr. SAUNDERS of Virginia was under consideration. Do you know only two days ago the Secretary of War appeared before a committee and said he had added 3,000 clerks within a few weeks last past, and he was about to add a thousand more? Why should you add to his work?

Then the chairman of the committee said, second, we should refer these to the Secretary of War because the parties will get together, and he said he could not understand the position of the gentleman from Ohio, that the question was not a judicial one, that he could not see why two business men should not get together. Why, suppose that I and another business man have a dispute, and I know that the other business man is judge as well as party, that he can absolutely determine the question, that I have to submit to his determination. Is that a getting together? Is that a standing of the parties on an equality? Does not that involve a judicial determination and is not that a judicial determination by one of the parties to the controversy against the other party to the controversy? Is not that the real situation and not the situation presented by the chairman of the committee?

Mr. DENT. Will the gentleman allow an interruption?

Mr. DEMPSEY. I will.

Mr. DENT. Does the gentleman contend if this bill is passed by Congress that the contractor will be compelled to accept its benefits?

Mr. DEMPSEY. I contend if this bill is passed by the committee the procedure as laid down by the chairman is this: That in case of any dispute the matter is referred to a subordinate committee in the War Department, and some small employee who receives a small salary, and in case the committee finds against the chairman he can appeal to another committee of subordinate employees in the department from that decision. I contend this, that in neither case is the class of employees the class of men who are fitted to pass upon questions of this kind which involve judicial discretion, which involve ability of a high order, which involve also acting in a way of absolute indifference on the part of the party, an ability to determine without being interested in any way; and instead of that if you refer it to one party who is interested by that proceeding the contractor may be apt not to get a fair, honest, judicial determination of this claim to which he is honestly and fairly entitled and which is what this House wants to give him.

Mr. DENT. Yes; but the gentleman has never yet answered my question, that if this bill becomes a law will the contractor be compelled to accept its benefits? If the Secretary of War does not give him that to which he thinks he is entitled he will still have recourse——

Mr. DEMPSEY. Whether he will have to accept it as an ultimate result or not, should he be compelled first to face the finding of facts by one of the parties and then go to a court with an adverse finding of facts? He must face two trials instead of one, and should he face a second trial with a finding of facts against him we all know it will be practically impossible to reverse the finding of facts, while it may be easy to reverse the finding upon the law. In other words, under this bill you force upon him at the best two trials and you force him to go into an appellate court with a finding of facts against him.

Mr. DENT. That same thing applies to $15,000,000,000 worth of contracts.

Mr. DEMPSEY. The gentleman's argument is twofold. He says, first, because this man is overburdened with the consideration of $15,000,000,000 worth of contracts we should load him down with a billion and a half more. And he says, second, that a fair trial is a trial where you make one of the parties to the controversy the judge, and he says that that is two business men getting together. And I say that is not at all the situation. When you make one of two business men judge as well as party, you are not giving the other party that fair and just determination to which he is entitled.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. MCCULLOCH].

Mr. MCCULLOCH. Mr. Chairman, the distinguished gentleman from Alabama [Mr. DENT] on yesterday, in making his adroit argument in favor of this bill, spent the major portion of his time dealing with a proposition about which there is not the slightest dispute in this House, and gave very scant consideration to the only question about which there is dispute.

No man who is honest will deny that every just claim against this Government, whether it be the claim of a contractor or anybody else, should be paid. Every man who is honest will admit that all just claims should be paid promptly. There should be no delay about it. Payment should be made just as quickly as it can be done equitably and justly to all concerned. But the only question in dispute here is who should settle the claims. Now, why is it that the claims aggregating $1,600,000,000 have not been paid? Why is it that the Comptroller of the Treasury has refused to pay them? He has refused to pay them because there were irregularities. Now, the chairman of the committee would have the House believe that all of the irregularities were trivial; but according to the charges and statements that have been made upon the floor of this House during the course of this debate all of the irregularities are not trivial. They were not mere informalities in procedure. It was charged here yesterday that there were irregularities that might, if pursued and carefully investigated, involve criminality. In view of the fact that the Comptroller of the Treasury has refused to pay these bills because of irregularities, and in view of the further fact that the charge has been made upon this floor that those irregularities were not mere informalities but went deeper, is not that enough to place the representatives of the people, who are charged with safeguarding the funds of the United States, upon guard and give them notice?

Is not that sufficient to make you men here, who are charged with this great responsibility under the Constitution, place about the settlement of these claims every reasonable safeguard? Is it the part of good judgment or good business or is it common sense for you to say, "We will disregard all that; let the Secretary of War and the officers who are responsible for the irregularities go ahead and settle them"? Let them cover up, if you please, the fact that they failed to file the affidavit which would prove, or tend to prove, that they had no personal or pecuniary interest in the contract they were entering into for the Government. To my way of thinking, the safeguard that requires the filing of an affidavit that the officer has no interest in the contract he is making is most important, as are many other checks and balances provided by law, which, it appears from this debate, have been either evaded or disregarded by officers. I do not want to see this Government permit its officers to enter into contracts with themselves or their former employers without being called to account and the transaction carefully examined into from all angles. I do not believe it is a good thing to be lax or indifferent about those matters. Therefore I believe that there should be some provision in this bill which will safeguard these settlements but not delay them.

I am in favor of the amendment that will be offered by the gentleman from Pennsylvania [Mr. MOORE], which requires a committee to assist in the settlement of these contracts. I can not now give the language of the amendment, but it provides for a committee which shall have the power to authorize payment of all claims. It does not take away from the Secretary of War any power, except that it supervises the settlement. It would not cause any delay, because under the act all these claims must be paid by June 30, 1919. There will be no delay about it; there will be no injustice about it. It simply means that the Congress is placing a safeguard around the settlement of these claims, which it is its plain duty to do.

Now, I do not say that I will not vote for this bill if it is not amended, because I think all just claims ought to be paid and paid promptly, but being on notice, the charges referred to having been made, it is our duty to see to it, in so far as we can, that proper safeguards are placed around the payment of these vast sums of the people's money, and the chairman of the committee, in my opinion, should accept the Moore amendment without a single word of protest.

Mr. DENT. Will the gentleman allow a question?

Mr. McCULLOCH. Yes; I will.

Mr. DENT. What is the amendment? I did not get it.

Mr. McCULLOCH. It is an amendment the exact language of which I can not give you, but which was referred to by the gentleman from Pennsylvania [Mr. MOORE] last night before we adjourned. It provides that there shall be a committee composed in part of Members of Congress—of the House and Senate—which committee shall supervise the settlement of these claims.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. It is not, then, to create a commission?

Mr. McCULLOCH. No; it is a different proposition entirely.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Chairman, in the presence of a great number of things to be criticized, I know there is an irresistible temptation to use such an occasion as this bill presents to indulge in criticism. I am not going to find fault with anyone who has seen fit to use this occasion for that purpose, although I think that there is far less ground for criticism in connection with this particular matter than with many others. If those who are inclined to criticize the War Department rely upon criticism of this character, such as informalities in contracts, and thus indicate that there are no more serious matters to be criticized, in my judgment they substantially give away their case.

There will undoubtedly be a time for proper investigation and criticism of expenditures under the War Department. There will be an opportunity to inquire as to whether those expenditures have been made wisely and whether we have had a full return for our money.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. TILSON. In just a moment.

It does not seem to me, however, that this is the occasion. I think we shall make a great mistake if we choose this absolutely necessary legislation as a vehicle and occasion for general criticism of the wisdom or lack of wisdom in the expenditures of the War Department.

Mr. DOWELL. Mr. Chairman, will the gentleman yield there?

Mr. TILSON. I yield to the gentleman for a brief question.

Mr. DOWELL. Does the gentleman believe that it is better to have the commission now to pass upon these claims as to their justness than, after they are paid, to appoint an investigating committee to determine whether or not they have been rightfully paid?

Mr. TILSON. I do not. I think it would be far better to make mistakes in the payment of a few claims that ought not to be paid than to withhold payment upon a billion and a half of just claims, when such delay is a substantial denial of justice. If afterwards it should be revealed that a few are erroneous, even then it is possible in most cases to right the wrong. In other words, it would be better to make a few mistakes now than to do the injustice of holding up hundreds and thousands of claims which mean so much, not only to the contractors, but to the general business of the country.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. TILSON. For a question; I yield.

Mr. SNYDER. In other words, the gentleman means just what I attempted to state, that it is better to pay 75 or 85 per cent of these just claims, even if errors are made, on account of the great necessity on the part of the contractors in having the money that is due them.

Mr. TILSON. Yes. The whole question is this: Shall we put the United States Government in the position of being able to do what any honest, reputable business man would do under like circumstances? Under governmental restrictions and laws, some of them proper and some of them in my judgment useless, the War Department is hampered in doing what an individual would do under like circumstances. By this legislation we simply permit the Government to do what any honest business man in private life would do under similar circumstances and for which he would be considered a crook if he failed to do.

Let us assume the case of two business men, one a building contractor conducting large operations, the other a man who furnishes supplies. Suppose there was a great fire or an earthquake and great structures are necessary immediately. The contractor goes hurriedly to the man who furnishes supplies and in the haste of the occasion there are informal contracts—items of supplies furnished in the confusion concerning which it is not easy to find out what are the real facts in the case. What would they do? Men representing these two concerns would immediately come together and in a very short time they would adjust the matter and go on with their business. Owing to the restrictions that I have mentioned, the Government can not do that. We propose to authorize the Secretary of War to do just that by this legislation.

Mr. KING. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Not now. Let us consider this legislation under three heads: First, what is for the best interest of the country at large as distinguished from the interests of the Government as representing the taxpayers and from the interests of the contractors themselves? What is best for the people as a whole? As we all know, industrial conditions are abnormal on account of the war. Capital has been tied up in war work and labor has been earning its bread in war activities. It is highly important for all that at the earliest possible moment the capital thus tied up be released so that business may resume its normal course. Those who may choose to oppose legislation absolutely necessary for this return to normal business conditions will assume a serious responsibility.

Second. What is best for the Government and the Treasury? It will surely be for the best interests of the taxpayers to settle these claims as soon as possible. Claimants will accept less if they can get it promptly in order to return to their peace-time business. They can afford to take less, and less will be due, for if prompt settlement is not made interest and resulting damages must and should be added. It is a well-known fact that claims for damages grow in geometrical progression with the time taken for settlement.

Third. What is fair and right as between the Government representing all the people and an individual or group of individuals? Delay in settlement means distress or financial ruin for many honest, patriotic creditors who placed their all at the disposal of the Government in order to win the war. We can not afford to place the Government in the attitude of a shifty, evasive, delinquent debtor. If legislation effecting substantially the purposes of this bill is not speedily enacted, we shall do just that thing.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LAGUARDIA].

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. LAGUARDIA. Mr. Chairman, it seems to me the committee is borrowing trouble in insisting upon the passage of this bill as it is worded.

If the committee will classify these claims and separate those claims where the goods have been delivered in toto, providing that the proper affidavits are filed, and permit the Secretary of War to pay such claims, I am sure there is no objection on the part of any Member of this House to the payment of such claims.

Mr. GORDON. Mr. Chairman, will the gentleman yield right there?

Mr. LAGUARDIA. Yes.

Mr. GORDON. You are wasting time there, because this bill is not necessary to pay for goods that have been delivered. The War Department has authority to pay for them now under an implied contract.

Mr. LAGUARDIA. Good. Now, then, we come to the class of cases where the goods have not been delivered, and while some of these claims are made in absolute good faith and the claimants are entitled to payment we are going to have a large number of claimants that will come in and try to seek profits which they would have gained if the war had continued, and for goods which they manufactured on speculation.

The gentleman from New York [Mr. SNYDER] suggested that perhaps 75 per cent of the claims are good, and he asks, "Why not pay 75 per cent of the claims and let the other 25 per cent follow in?" The trouble is that the 75 per cent of honest claims will amount to 25 per cent of the amount and the 25 per cent of dishonest claims will amount to 75 per cent of the amount we will appropriate. I want to protect the Treasury against dishonest claims.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. In a moment. I know of a case where in my own personal experience there was an implied contract. The material was offered. I found the material defective and rejected every bit of it. This manufacturer could come in and

claim a million dollars and call me as a star witness. I hear he is now seeking to adjust that claim for a hundred thousand dollars, and that is every cent he is entitled to, if that much.

Mr. SNYDER. Mr. Chairman, will the gentleman yield right there for a question?

Mr. LAGUARDIA. Yes.

Mr. SNYDER. I would like to know if the gentleman can point out any particular case that is so glaringly dishonest.

Mr. LAGUARDIA. Certainly. Let us take the case of the raincoats in New York, where, if we should follow the suggestion of the distinguished gentleman from Pennsylvania [Mr. ROBBINS] to have the Government inspector adjust these claims, we would have to go to the Federal penitentiary in Atlanta to have this man pass upon the claim of the fraudulent manufacturer.

I introduced here on the first day of the Sixty-fifth Congress, my first day in this House, a bill which would have sent that dishonest contractor and that dishonest inspector to the gallows, and not to jail; but you did not have courage enough to pass upon it. It is still sleeping in committee. What we want to do is to separate the dishonest claims from the honest claims. Why let the Department of War pass upon it? You say this is purely a commercial proposition, in the cases of unliquidated claims; I consider it is a judicial proposition. Let the Secretary of Commerce pass upon it, and let the Attorney General look after the interests of the Government.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield there?

Mr. LAGUARDIA. Yes.

Mr. MONTAGUE. How would the gentleman's bill send somebody to the gallows?

Mr. LAGUARDIA. I introduced a bill on the first day of the Sixty-fifth Congress providing death penalty for dishonest contractors, to anyone who defrauded the Government in contracts in time of war. That is the logical, decent thing to do. Hang the man who will defraud his own country in time of war, while his countrymen are dying for it.

Mr. MONTAGUE. You mean to send somebody to the gallows for a crime committed before or after the passage of the law?

Mr. LAGUARDIA. The gentleman knows you can not pass a criminal law which is ex post facto.

Mr. MONTAGUE. I asked the gentleman that question because I thought the gentleman intimated that we could.

Mr. LAGUARDIA. The gentleman could not possibly have misunderstood what I said.

Mr. MONTAGUE. The gentleman possibly did not express himself as clearly as he intended.

Mr. LAGUARDIA. That is a difference of opinion between us. I "have" given that subject considerable study, more than many certain learned committees that had no experience and no information as to what they were trying to do, and refused to listen to others when they passed a very poor bill. I trust I have made myself clear on that point. [Laughter.]

Now, if the Senate comes back with this bill as it now stands, and takes out the amendment providing for a reviewing commission, I shall support the amendment sent up by the gentleman from Pennsylvania [Mr. MOORE]. Otherwise it is our duty to defeat this bill as it stands, and let the committee come in with a logical bill to look after the interests of the Government. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ANTHONY. I yield five minutes to the gentleman from Illinois [Mr. DENISON].

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. DENISON. Mr. Chairman, this bill contains 15 lines. There are 15 lines in the bill proper and 45 lines in the provisos. There are 8 provisos to the bill as it has been reported, and I understand it is the intention of the chairman of the committee to offer one or two more, so that when the bill is finally voted upon it will be a bill consisting of 15 lines itself and 50 or 60 lines of provisos, all of which shows, at least to my way of thinking, that we are trying to do something by this bill that we ought not to do. Any bill that contains only 15 lines and that has 50 or 60 lines of separate provisos is, to say the least, a rather unusual bill.

Mr. DEMPSEY. Provisos inserted after the bill was introduced?

Mr. DENISON. Yes. All of these provisos were added by the committee after the bill was introduced.

Now, as a Member of this House, I am not going to vote for any bill that will authorize or empower any man who has been a party to an illegal contract to settle unliquidated damages growing out of that illegal contract. [Applause.] And that is just exactly what this bill does in its present form. There were a number of speeches made here yesterday which tried to leave the impression with the House that the only difference between the claims that will be settled under this bill and those that have been settled under legal contracts is a mere matter of informality.

Gentlemen, that is misleading. That is sugar-coating the whole proposition. Let me tell you what this bill does. The War Department now has the authority to settle for any materials that the Government has actually received, I do not care whether under a legal contract or an illegal contract. The War Department already has that power, and the Court of Claims has jurisdiction to settle every liquidated or unliquidated damage claim growing out of any legal contract; but the Court of Claims has no jurisdiction to settle any one of the claims covered by this bill; neither has the War Department jurisdiction to do so, because the claims that are to be settled under this bill are so-called equitable claims and are not legal claims growing out of any express or implied legal contracts. Now, if I have the time I want to call your attention to this provision in the act of Congress that was passed during the Civil War; and it has been rather amusing to me to see the members of the Military Affairs Committee of this House standing here and saying that this law was an obstruction to the War Department and that we ought to disregard it, although it is a valid existing law. That law provided that any officer in the War Department who signed a contract purchasing supplies for the Government should file with it his affidavit that he had no interest in the contract, direct or indirect, and that he should file with the department all bids, offers, and advertisements, and so forth, connected with the letting of the contract. Now, I would like to have some members of the Military Affairs Committee who have been belittling this law explain to the House what the purpose of it was. This law was passed by the Congress for some good purpose, and if it is not a good law it ought to be repealed, and I do not believe in letting the department ignore it absolutely when it is a valid existing law passed to protect the people and the Government.

The chairman of the committee [Mr. DENT] stood here yesterday and said that there is no difference between the contracts to be settled under this bill and those that are valid except a mere informality. Why, gentlemen of the House, if there has been any dishonesty in connection with the letting of war contracts—and I have heard a great deal of talk, and so have you, about graft and dishonesty in connection with the letting of some of these contracts—this bill will whitewash the whole thing.

The act of Congress under which these thousands of war contracts are absolutely void and illegal was passed in 1862, during the Civil War. It is a statute of frauds, as the Supreme Court has said, enacted for the very purpose of protecting the Government against fraud and dishonesty on the part of Government officials. It provides that all contracts made with the Government must be signed by the officer who makes the contracts, and he must attach to the contract an affidavit to the effect that he has no interest, direct or indirect, in the contract. He must also file with the contract, and attached to it, all offers, bids, advertisements for bids, and all other papers connected with the letting of the contract.

Now, here are nearly 7,000 contracts that we already know of, involving several billion dollars, that everyone of them are illegal and worthless because they were not signed by the officers who made them, nor were the affidavits of such officers made and filed with them, nor were the bids and other data filed as required by law. In other words, this statute of frauds, enacted to protect the public Treasury, was entirely ignored and disregarded, and Members stand here and argue that this default on the part of the officers of the War Department was a mere informality. If this bill is passed, all kinds of padded, fraudulent, and dishonest claims for damages, both actual and speculative and imaginary will be presented, and in my judgment they will aggregate twice as much as has been estimated by the War Department.

The idea that Congress should by law authorize the same officers of the War Department who have made these illegal contracts and failed to do their duty to the Government to settle the claims for damages that will be presented under them is preposterous to me. Now, I am in favor of paying every single just claim any person has against the Government, and doing so promptly. None of us, I think, want to deny to anyone a prompt settlement of his legitimate claim growing out of any expense he has incurred or liability he has contracted in helping the Government in the prosecution of the war.

But the end to be accomplished does not always justify the means provided to accomplish it. Let us provide for the payment of all these claims that are proper just as promptly as is possible. But let us also protect the people we are representing and guard the public Treasury while we are doing so. Surely Congress can adequately provide for the settlement of these claims without necessarily letting the settlements be left to the very officers who made the illegal contracts—who failed to do their duty when the contracts were made.

If this bill can be amended by the House so as to authorize some one else besides the War Department to make the settlements, I am willing to vote for it. If we can amend it so as to protect the Government from swollen and fraudulent claims, I will support it. But in its present form it is simply an omnibus whitewash, which I fear will in the end cover up a whole lot of waste, extravagance, graft, and possibly fraud; and, however urgent it may be that the valid claims ought to be settled promptly, I am unwilling to vote to allow them all to be settled in the manner provided by the bill in its present form.

Mr. SNYDER. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. I yield five minutes to the gentleman from Nebraska [Mr. SHALLENBERGER]

Mr. SHALLENBERGER. Mr. Chairman, I do not care to take the time of the committee in a discussion of this bill, but there are a few things that have been touched upon that I think ought to be brought to the attention of the House. In the first place, the same action that is proposed in this bill has been required of Congress, and the same duty has been performed by the Secretary of War, following the Civil War and also the Spanish-American War. The chairman of the committee [Mr. DENT] read to the House yesterday the legislation similar to this enacted during the Civil War, and action exactly similar to that intended at this time was taken by the Secretary of War in settling claims against the Government following the Spanish-American War; and the Spanish War claims were carried to the Supreme Court of the United States, and the action of the Secretary of War was declared valid by the highest court in the land. So we have got warrant for what we are seeking to do.

Now, there is one thing particularly that I want to impress upon the House, because I think we have had an erroneous idea of it presented here, and that is that these claims are to be adjusted by the men who were responsible for making the contracts. That is not correct. On the contrary, 34 regional boards have already been constituted by the Secretary of War. They are civilian boards, made up of the representative business men of the different communities in which they are acting. For instance, in the city of Chicago and for that region John J. Mitchell, president of the great Illinois Trust and Savings Bank, is a member of the board. These men are already acting. They are men selected because of their high character and sound business judgment.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. SHALLENBERGER. I yield to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. Where is there anything in the pending bill that will insure the appointment of a commission headed by John J. Mitchell, or of which he is a member?

Mr. SHALLENBERGER. This bill authorizes the Secretary of War to adjust these claims, and the Secretary of War has already constituted these boards, and Mr. Mitchell is a member of one of them.

Mr. COOPER of Wisconsin. Exactly; but this bill does not authorize the Secretary of War to appoint anybody.

Mr. SHALLENBERGER. These boards are already settling the claims which have arisen from formal contracts.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. SHALLENBERGER. I want to get into the RECORD——

Mr. LITTLE. If what the gentleman has stated is true, why do we not pass a law to authorize the appointment of these commissions?

Mr. SHALLENBERGER. You are authorizing it when you pass this bill.

Mr. LITTLE. Why not say so in the law then?

Mr. SHALLENBERGER. The Secretary of War is authorized to do so. It has already been done. And I want to say further that I have here a statement showing that 685,872 contracts and purchasing orders were executed during this war. In other words, almost 700,000 contracts and purchasing orders have been made by the War Department with the different business men of this country, and only 6,000 of them are unconsummated and at issue in this particular case and to be settled under the terms of this bill.

Mr. JUUL. Will the gentleman yield for a very brief question?

Mr. SHALLENBERGER. I have only five minutes. Just wait until I finish my statement, and then if I can I will yield. I want to get this into the RECORD. I asked the Secretary of War and the Assistant Secretary of War and the munitions director if there was any evidence before the War Department that one single one of these so-called informal contracts was tainted with fraud, in the opinion of the War Department, and their reply to me was that so far as they knew there was not one scintilla of evidence that a single one of these contracts was tainted with fraud, but that every contract as to which there had been any suggestion of fraud was a valid, formal contract. Therefore there is no warrant for the insinuation, and no evidence to imply that there is any suggestion of fraud in connection with these particular informal contracts. They were caught unfulfilled by the armistice, and that is the reason for this legislation.

Mr. KING. Will the gentleman yield there for a question?

Mr. SHALLENBERGER. I want to make one more statement. The proposition is made, in controverting our plan, to create a commission. A commission means delay, interminable delay and enormous expense. We now have boards composed of high-class business men operating all over the country settling the formal contracts. If any man were to come before Congress and propose to constitute two commissions—one to settle one class of contracts which are valid and another commission to settle claims in controversy, I do not think he would have any hearing before the House. But that is what you propose to do if you appoint a commission. You will have the commission and also these regional boards of high-class business men, who are settling valid claims.

Mr. DENT. Will the gentleman yield?

Mr. SHALLENBERGER. I yield to the gentleman from Alabama.

Mr. DENT. In that connection a statement was made by the gentleman from New York [Mr. SANFORD] a little while ago, that the Senate Committee on Military Affairs had recalled the Hitchcock bill. That statement is absolutely correct. A member of the Senate Military Committee called me over the phone a little while ago and informed me that the Senate Military Committee had recalled the Hitchcock bill and abandoned the commission proposition.

Mr. KING. I would like to ask the gentleman this question.

Mr. SHALLENBERGER. I will yield to the gentleman from Illinois.

Mr. KING. Can the gentleman give the House any light as to who these 6,500 people are making these claims?

Mr. SHALLENBERGER. No; I have not that information. A few of them were mentioned casually in the hearings. They are representative men and business corporations scattered all over the country who were doing things necessary for the United States to win the war.

Mr. KING. Are there any aircraft contracts in this proposition?

Mr. SHALLENBERGER. I was informed by the Assistant Secretary of War that, as far as he could state, the Hughes investigation aircraft contracts are not included in this bill.

Mr. MILLER of Washington. Will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. MILLER of Washington. Did the War Department furnish the committee with any data as to who the men are that have these informal contracts and the names of the officers on the part of the Government who are supposed to have made the contracts?

Mr. SHALLENBERGER. We had only a general statement; no detailed list was made. That list is being prepared, but it will take some time. We were given a brief summary of the entire amount, about a billion and a half of money and something like 6,600 contracts, scattered all over the country.

Mr. DOWELL. Will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. DOWELL. Does not the gentleman think that Congress ought to know who composes the boards that the gentleman has referred to?

Mr. SHALLENBERGER. I will say that these boards have all been appointed and are known and now acting upon the formal contract claims.

Mr. DOWELL. We have not that knowledge.

Mr. ANTHONY. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, I ask leave to extend and revise my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, as I stated yesterday, I am anxious that all legitimate contracts shall be paid as promptly as possible. There ought to be no delay. People who have done service for the Government during the war should receive their money, but I believe there should be some supervision over so large a transaction as this. There really should be a limitation put upon the total amount to be expended. All we know is that it is to approximate $1,600,000,000, but I have heard rumors that it may run up to $4,000,000,000. Being on the revenue-raising committee, that strikes me as a serious matter. Business men are appealing to us to reduce taxes, and this seems to be an effort to increase taxes. Something has been said about the amendment that I propose to offer and concerning which notice was given late last evening. I wish to explain the amendment, and in explaining I desire to say that it should not embarrass the Secretary of War in the slightest particular, nor cause any delay whatever, but if adopted, it seems to me that it will satisfy the Congress and satisfy the people at large. The amendment does not alter the present bill in any respect, except that it creates a committee on war-contract expenditures. Following the syllabus of the bill, it inserts the following:

> There is hereby created a committee on war-contract expenditures, to consist of the Secretary of War, two Members of the Senate, one a Democrat and one a Republican, to be appointed by the President of the Senate, and four Members of the House of Representatives, two Democrats and two Republicans, to be appointed by the Speaker of the House of Representatives.

I think I shall add to the committee the Attorney General, along with the Secretary of War, so that the legal department will be represented in the approval of these claims. That clause creates a committee on war-contract expenditures.

Section 2 provides that the Secretary of War, "with the approval of the committee on war-contract expenditures," which we have just created, is authorized to do all that this bill proposes. So that there is absolutely no hindrance, no stumbling block placed in the way of the Secretary of War.

All that we do is to satisfy the people and satisfy the Congress that there will be some intelligent supervision of these more than 6,600 contract claims. What will the Secretary of War do under these conditions? Once a week, or once in two weeks, or once a month, if he pleases, he may call together this committee on war-contract expenditures. They will assemble, and if the Secretary is ready with his audited accounts, with his bills, or his statements, he will lay them before the committee, and they will say, "All right, 1, 2, 3, 4, 5, 10, 20, or 100 contracts are clear as a whistle; we are satisfied with the audit and they should be paid."

We authorize them to be paid; but No. 59, No. 62, No. 1132 do not look exactly right to us and are laid aside for further information. What hindrance is there; what stumbling block in the way of the Secretary with an arrangement like that? What objection can any honest man have to it? Why would it not be a relief to the Secretary of War to have the sanction of the Attorney General and of the Representatives of the Congress in this regard? That is all the amendment proposes. There is no delay in settlement, and every condition of the bill will be followed.

Mr. EAGLE. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. EAGLE. I would like to say to the gentleman that I should favor his amendment if I were convinced of one point, and, therefore, I ask in good faith to have his views on that point. It is in my own mind as a reason against the amendment, otherwise the amendment seems to me to be sound. I doubt if there is a single Member of the 435 of us who, with his committee work, with his attendance here from noon until 6 o'clock each day, with his from 50 to 150 letters each day and from 5 to 10 or 20 telegrams each day——

Mr. MOORE of Pennsylvania. The gentleman should ask his question.

Mr. EAGLE. Oh, I want to get this off my chest.

Mr. MOORE of Pennsylvania. If the gentleman will ask for more time for me I am satisfied.

Mr. EAGLE. I will beg hard. Is not each Member so loaded with responsibility that any one of the four appointed would find it almost impossible to give a fair, intelligent, judicial investigation to any one of these claims of the whole 6,700? Now, is it fair to appoint four men and charge them in the eyes of the country with the knowledge and responsibility which lack of time probably will not permit them to fulfill?

Mr. MOORE of Pennsylvania. I know the gentleman put his question in good faith, but in putting it he has made an argument. I think I can answer it by saying that no Member of Congress, no matter how busy, will refuse to serve the country in this regard without compensation, and that is just exactly what I propose. I propose to leave it to the Speaker to appoint four men, two Republicans and two Democrats, and to the President of the Senate to appoint one Republican and one Democrat, and I venture to say that no man named by either of those gentlemen will refuse to serve in this capacity without compensation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EAGLE. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The time has been fixed by rule.

Mr. MOORE of Pennsylvania. All I wanted to do was to explain this amendment. It is a fair proposition and one which I think the House can very properly consider.

Mr. DENT. Mr. Chairman, I yield seven minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Chairman, I am opposed to appointing commissions for the purpose of investigating claims of this sort. It just means a divided responsibility and getting nowhere. Now, the suggestion which has just been made to the House by the gentleman from Pennsylvania [Mr. MOORE] of appointing a commission of Congressmen to act with and supervise the Secretary of War is wholly fallacious, it seems to me, so far as any practical results are concerned. If this House is anxious to do what ought to be done, then what it desires to do is to pay every honest and just claim with as much speed as possible, but to submit every claim to proper investigation to know what you are talking about. I am not going to spend any time answering the argument of those gentlemen here who say we ought to turn this thing over to a commission of bankers and manufacturers, who have these contracts, and let them decide themselves what they ought to have. I think it is a perfectly foolish or worse proposition for a Member of Congress to stand on the floor of this House and advocate to intelligent men. It is not necessary to indict these people for crime; it is not necessary to charge anybody with dishonesty. What we actually know is that there are 6,600 claims here, aggregating $1,600,000,000. Of course, we want them paid, but this House is here supposed to represent the public interest, and if it is necessary to take time and investigate these claims, and, of course, it is necessary, whatever time is required ought to be taken and this talk about stopping the wheels of progress and ruining business men is a fallacious sort of argument that is designed to prevent these claims being examined properly and the amount actually and properly due determined. Now, of course, it is not very strange that men come here and say that they need the money, but that is not a new thing with Congress. I suppose the older Members who have been here for years have been confronted with that right along. But the question for us to determine is what is our duty in this matter. I say that our duty is to require investigation of these things. I have been very strongly of the opinion, and am yet, that there ought to be an investigation amounting to a judicial inquiry. Of course, they say it will take time. Of course it will, but Congress is not going to vote any lump sums here to anybody without any knowledge of the facts unless provision is made for a possible tribunal for determining the question. Now, of course, the War Department is one of the executive departments of the Government. This bill is advocated here upon the ground that the man upon whom the authority is conferred will not exercise it. The gentleman from Nebraska [Mr. SHALLENBERGER] said they had a commission appointed of a prominent banker in Chicago and somebody else and what they were going to do, but this bill does not confer any authority on any other man.

It says the Secretary of War. Of course, there is just this difference between conferring authority upon a Cabinet officer and conferring it on a court. The court can not delegate its authority, while the Cabinet officer can; but, of course, no pretense is made that the Secretary of War as a lawyer is going to sit down and make investigation of these claims before they are approved; no pretense of that sort is made. I take it we ought to amend this bill. It will help it some by providing that before any claim under this bill shall be allowed the Attorney General shall certify in writing upon the bill that the allowance of it is authorized by this statute which we now are passing or something to that effect, and I wish the gentlemen of the House would consider that, as I think it will be an additional safeguard. Of course, if these 6,600 claimants came here to Congress individually and introduced a bill to pay their claims in the regular order, the bill would go to the Court of Claims. They would write to the War Department, get a report on that

particular claim, and they would probably report it back to Congress with the recommendation of the War Department, and the War Department would get this information largely from the sources relied on under this bill; but the truth about it is gentlemen come to Washington and parade certain claims concerning which there is no dispute and ask this Congress to pass a blanket authority to pay 6,700, about only two or three of which we know anything.

Mr. MADDEN. Will the gentleman yield?

Mr. GORDON. I will.

Mr. MADDEN. I suppose there are claims not yet presented?

Mr. GORDON. Oh, unquestionably. When we had this hearing there was a million dollars' worth there and before the hearing was printed it reached $1,600,000,000.

Mr. MADDEN. I understand there are $4,000,000,000 not yet presented——

Mr. GORDON. I do not know about that; it is big enough as it is; but these claims ought not to be paid and they ought not to be authorized to be paid until they have been properly investigated.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. GORDON. I will.

Mr. COOPER of Wisconsin. I was not here yesterday, being in attendance upon the funeral of Col. Roosevelt, and I do not know just what the discussion was, but here is a question I would like to ask the gentleman. The gentleman is a member of the Committee on Military Affairs——

Mr. GORDON. Yes.

Mr. COOPER of Wisconsin. I see from the record the gentleman from Alabama said:

Suppose that on the 15th day of October, if that was a week day, the Quartermaster's Department hired some manufacturer—

And so forth. And a little later he said:

Suppose on the same day a representative of the Ordnance Department sent a telegraphic order—

And so forth. They did some of that, did they not, by telephone?

Mr. GORDON That I do not know. Our committee has reported an amendment to this bill that will cut out the telephone conversations.

Mr. COOPER of Wisconsin. Were there any of these orders given by dollar-a-year men in the War Department or in any department anywhere?

Mr. GORDON. I am not prepared to answer that question. There have been orders given by different individuals. The gentleman from New York [Mr. LAGUARDIA] had a conversation with somebody, and he is now present——

Mr. LAGUARDIA. I wish to say that the aeroplanes were not accepted.

Mr. GORDON. You can not allow every Tom, Dick, and Harry to tell the people to make goods to win the war, and then present claims to the Government.

Mr. BLANTON. Will the gentleman yield?

Mr. GORDON. I will.

Mr. BLANTON. Suppose the gentleman's contentions were correct and were carried out, and one of these claims should come regularly before the Claims Committee; for instance, of the House; the Claims Committee submits that to the War Department, and that department reports favorably on it. Is there a single instance of that kind where the Claims Committee would not bring it before the House and ask the House to pass it? So, after all, it is left to the Secretary of War.

Mr. GORDON. I think that is true, the only difference being in the aggregate amount. These amounts here aggregate over $1,600,000,000 up to date, and there are more than 6,600 claims. Now, the argument is made that any sort of judicial investigation will take too much time. The very claims that ought to be examined are likely to be passed without proper examination. You can not undertake to say that because 25 per cent of them are just or that 25 per cent are unjust we will authorize the payment of all of them. I do not think any sensible man with sound common sense or honesty will advocate any such proposition as that.

Mr. McKENZIE. Will the gentleman yield?

Mr. GORDON. I will.

Mr. McKENZIE. Does not this bill provide that these settlements have to be filed with Congress, stating the exact facts in connection with the settlement, after the settlement?

Mr. GORDON. Yes; afterwards.

Mr. McKENZIE. Does the gentleman believe that any man in the War Department or any other official of the Government would enter into some shady arrangement under those conditions?

Mr. GORDON. Oh, no. It is not the man in the War Department that is going to do it. It is the man that is getting the money that is going to do the shady things. I am not charging anybody in the War Department with intent to defraud.

Mr. McKENZIE. Does not this bill also provide that if any gentleman does enter into this shady transaction we can pursue him?

Mr. GORDON. Of course, you can pursue him on a criminal indictment for felony if he conspires to defraud the Government.

Mr. LAGUARDIA. In France or England or Italy?

Mr. GORDON. In this country.

Mr. BENSON. Will the gentleman yield?

Mr. GORDON. I will.

Mr. BENSON. What remedy does the gentleman offer?

Mr. GORDON. I think the bill ought to be amended in two particulars. I think that before being paid they ought to be approved by the Attorney General of the United States. I think, furthermore, they ought to be compelled to make this affidavit. A majority of these claims, it was testified, were rejected because the man who made the contract did not sign it and make the affidavit provided by law. I believe before these claims are paid that an affidavit ought to be made by the man who made the contract to the effect that no one but the Government and the contractor had any interest in it and that the terms claimed were agreed upon. And an amendment ought to be adopted so that he would be rendered liable to the same extent he would have been if he had signed and sworn to the contract in the original instance.

Mr. ANTHONY. Mr. Chairman, I yield the remainder of my time to the gentleman from California.

Mr. COOPER of Wisconsin. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COOPER of Wisconsin. Is this general debate?

The CHAIRMAN. General debate; yes.

Mr. DENT. Mr. Chairman, I yield the balance of my timo to the gentleman from California [Mr. KAHN].

The CHAIRMAN. The gentleman from California is recognized for 27¼ minutes.

Mr. KAHN. Mr. Chairman, this legislation is asked for by the War Department because there are some 6,600 agreements to be settled under this bill in this country alone, and the amount involved in these agreements is $1,600,000,000. It is a very large amount, and if these contracts or agreements had been formally executed according to law the War Department would not be put to the necessity of asking for this legislation.

On the 11th of November last year, when the news came that an armistice had been signed, the War Department did that which any good business house would have done. It immediately notified the contractors of the country right there and then to stop the further making of supplies that were being turned out to win the war. Now, those gentlemen who had contracts that were properly executed in accordance with the provisions of the Revised Statutes have had no trouble at all in getting a settlement. There are local boards composed of men in the various departments who have been engaged in supervising the actual production prepared for or carried on and who know the nature of the contracts. They call to their assistance the officers and Government inspectors, who watch the making of the supplies for the Government and who have direct supervision thereof in the factories that are turning out the supplies. These inspectors and officers are there with their records to give assistance to the local boards that are investigating the matter. The Government, so far as I am informed, up to the present time has had excellent service at the hands of these inspectors. They have been a very efficient class of men. They have frequently rejected supplies that did not come up to the specifications. I want to say now that I think the country owes a debt of gratitude to the manufacturers and producers of the United States for their willingness to turn over to the Government all their facilities to speedily produce the supplies that were necessary for the winning of the war. And the workmen in the factories who gave their best ability toward turning out these supplies deserve the thanks of the country.

There are about four classes of cases that are involved in this legislation. The first class comprises agreements made by the Ordnance Department, which should have been signed by the Chief of the Procurement Division of that department. Instead they were signed by one of his principal assistants. The Comptroller of the Treasury ruled that the signature of this assistant did not comply with the statutory requirements for the execution of valid contracts. This legislation is required so as to enable the Government to settle all cases of this kind.

It often happened that the manufacturer was told that time was the essence of the contract; that he ought to put all his energy into the task of supplying the Government rapidly, be-

cause upon the rapidity with which the supplies could be secured would depend the duration of the war. The manufacturers went ahead in good faith to turn out their products as speedily as possible.

Now, when their claims were sent to the comptroller for his approval he called to the attention of the War Department the fact that the contracts on the part of the Government had not been properly executed by the Government and refused to authorize the payment of those claims. Of course later on the War Department corrected anything of that kind. No such contracts or agreements were entered into later than the comptroller's decision, because the War Department realized that the contracts would be invalid, and the contractors could not be paid.

Then there was a second class of cases. The Engineer Department for years had been in the habit of getting merchants to furnish them supplies, especially for river and harbor work, upon blank forms, the validity of which had never been questioned. Those forms were used in the early days of the war by the Engineer Department, and the supplies were furnished the Government. The forms specified consider in detail the character, amount, price, and time of delivery of the required articles. But the comptroller said: "That is invalid; you can not do it," and therefore a large number of cases of that kind are held in suspension.

A third class is that in which the War Department called manufacturers before it and informed them that the Government required a certain article. The manufacturer probably had never turned out that article, but he had certain machinery that could be adapted to the manufacture of that class of goods, and he said frankly to the Government: "I do not know what I can do in the matter of making a price for you. What I will do will be this: I will turn over my factory to the manufacture of this commodity. You put in your official inspectors. We will open our books; we will show you exactly what the cost will be, and then we will agree upon a price." There were no formal contracts entered into, because they could not enter into a formal contract under a condition of that kind.

Then there were, finally, other cases where the Government contemplated taking over large tracts of land for the purpose of manufacturing trinitrotoluol, or TNT, as it is usually called. They went on tracts of farm land and told the men owning it, "We are going to commandeer this land," or "We are going to condemn it, because we need this land for the manufacture of those commodities that will help us to win the war." In many cases the farmers went elsewhere and entered into contracts for the purchase of land many miles away from where they had been formerly. But they were dispossessed. Then the armistice was signed. The Government has not paid these farmers anything for the land. Later the Government found it would not require the land.

Now, those farmers, those men who gladly, in many instances, went off the land in order that the Government might have the proper acreage on which to build factories—and the most notable case is the one at Racine, Wis.—those farmers ought not to be compelled to wait indefinitely for their pay, because they have probably entered into contracts, into agreements for the purchase of new lands, and upon the payment to them of the price of the land taken by the Government depends their ability to pay for the new lands upon which they proposed to settle.

Now, those are the four classes of cases, as nearly as I can recall them.

Mr. HAMILTON of Michigan. Mr. Chairman, may I ask the gentleman a question?

Mr. KAHN. Yes.

Mr. HAMILTON of Michigan. I do not know whether it would be possible, but I want to ask the gentleman if he thinks it would be possible to so frame a bill as to validate those contracts which have been erroneously signed, and then put the others in a different class?

Mr. KAHN. That is one thing that the committee did not want to do. They did not want to validate the contracts, because they felt that these claims ought to be settled, and that by failure of the passage of legislation to validate the contracts the probability of a speedy settlement would be more likely to be accomplished.

Mr. HAMILTON of Michigan. May I further suggest this to the gentleman: Clearly where the contracts have been erroneously signed by some one in the War Department—for illustration, in a case where the other party to the contract has gone on providing material—clearly there is a case where the party ought to be paid, and the contract is there to speak for itself. There are two kinds of contracts that the gentleman has described.

Mr. KAHN. True; but if I can bring it to the gentleman's attention more specifically, I want to say that while the Government itself dealt generally with only one individual, there were numerous subcontractors who obtained contracts from the main contractor, and the main contractor must take upon himself the settlement with his subcontractors. We felt that by refusing to validate those claims the contractor would speedily make his settlement with the subcontractors, and the thing would be wound up without unnecessary delay, whereas in all probability there would be indefinite delay by pursuing the other course.

Mr. HAMILTON of Michigan. Then you could have validated those contracts upon certain conditions specified?

Mr. KAHN. Probably in every contract that is involved there is a certain condition that involves just that particular contract. They are not all alike. They have variations. And so, in order to bring the thing to as speedy a conclusion as possible, the bill was agreed to by the committee in the form in which it is presented to the House.

Mr. REED. Mr. Chairman, will my colleague yield?

Mr. KAHN. Yes.

Mr. REED. Is it true that the comptroller has in the past approved and ordered payment upon improperly executed contracts?

Mr. KAHN. Well, I want to say that, so far as my knowledge of the present comptroller is concerned, I do not think that any invalid contract was recommended for payment by him.

Mr. REED. It has been stated on this floor to-day that, following old forms, certain departments had been in the habit of making unlawful contracts and these have been paid. When did this spasm of infallibility and efficiency strike the office of the comptroller?

Mr. KAHN. No; they have not been paid. That is the very reason why this legislation has been asked for, because the comptroller himself refused to pass favorably upon those contracts.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Certainly.

Mr. GREENE of Vermont. I think perhaps what the gentleman from West Virginia has in mind is the fact that one branch of the War Department in peace times——

Mr. REED. The engineering branch?

Mr. GREENE of Vermont. Yes; the engineering branch had been authorized to make what were called purchase contracts, and when the officers were called upon to make contracts for the department generally they used that form of contract until they were notified that they could not do it.

Mr. REED. By the new comptroller?

Mr. GREENE of Vermont. No; by the comptroller.

Mr. KAHN. Mr. Warwick has been in office for some time. Now, what is proposed by this legislation is to give these men who entered into agreements with the Government to turn out supplies for the winning of the war, or to do something that would help to win the war, the same right for the settlement of their claims as those contractors who have duly executed contracts.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield for a question?

Mr. KAHN. Certainly.

Mr. BANKHEAD. I would like to have the gentleman's construction of the proposition where a man who really had a bona fide contract which was invalid. If this bill passes, the question of the adjudication of the amount would be left entirely in the hands of the Secretary of War?

Mr. KAHN. The final payment; yes.

Mr. BANKHEAD. Now suppose, as a matter of fact, the Secretary of War was not willing to award to that man an amount which he held was due him; in other words, that the Secretary of War wanted to settle upon a basis which was not satisfactory, and that the facts might tend to prove were not satisfactory and just to the contractors. What remedy would the contractor have?

Mr. KAHN. He would have no remedy whatever. Even if we pass this legislation, he will have no remedy. He can not go into any court of the United States and establish his claim.

Mr. DENISON. His remedy would be to have a bill introduced in his behalf?

Mr. KAHN. Yes; exactly. He could go to the Committee on Claims or the House or the Senate with his claim, but Members are aware how few claims of that kind are ever passed by Congress.

Now, there is a serious condition that confronts many of these men. They have their capital tied up in this work. Many of them have had to borrow from their banks in order to meet the requirements of this Government. They now are paying interest every day, because their banks are carrying them along. I am told that several of these concerns have already gone into

bankruptcy and that many others are threatened with bankruptcy. Do you know what that means? It means the closing of many of these concerns before they can adjust their business so as to return to a peace-time basis. It means the throwing out of employment of their mechanics and laborers and forcing them upon the labor market of the country. I do not think the Members of this House want to see such a condition prevail. I imagine that the Members of this House feel that the Government ought to be just as honest as the citizens of the Republic; that every just claim ought to be paid, and that the men who, in the hour of the country's stress, came to the country's assistance should not be penalized because of some informality in the proper execution of their agreements with the Government.

Mr. EMERSON. This bill proceeds upon the theory that the War Department will deal fairly with these contractors. Now, perhaps it will. But should there not be some one—for instance, the President—to whom they could appeal in the event that they thought that they were unfairly dealt with?

Mr. KAHN. The process of dealing with these claims is this: I should state, however, that the War Department officials are dealing with the claims arising under properly executed contracts every day. Before the gentleman was here I stated that the matter is first taken up by a local board composed of officers of the Army who are attached to the particular branch of the military service that negotiated the agreement. In other words, if it be an ordnance matter, ordnance officers pass upon the claim. If it be a quartermaster's matter, officers of the Quartermaster's Department pass upon it. They make a finding. Then later the claim is presented to a second board, which is here in Washington, and is composed of officers in the respective bureaus who are specially selected for this purpose of review. Then the claims are finally sent to the Board of Contract Adjustment in the War Department. They pass upon these claims. They go over the papers. They review the whole matter and finally reach a determination. This is the third board to pass upon the claim. In the process of adjustment it goes through three separate and distinct boards, until it finally gets to the Secretary of War for his approval.

Mr. DENISON. Do these boards have a definite personnel?

Mr. KAHN. Yes.

Mr. DENISON. Would the gentleman object to putting into the bill an amendment requiring these claims to go in that way?

Mr. KAHN. I certainly would not object, but I am told, or rather the committee were told by the War Department that that is the very course they are now following and that they propose to continue to follow. They propose to continue to follow the same course which they have followed in adjusting all the differences heretofore. I do not think it is really necessary to put that in the proposed legislation, because that is the procedure that has been in vogue at the War Department since we have been in this trouble.

Mr. LEA of California. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. LEA of California. Can the gentleman tell me whether or not the Secretary of War has expressed any intention of so adjusting these claims as to protect the legitimate rights of subcontractors?

Mr. KAHN. Well, I do not know positively what it is their intention to do. I understand that it is the purpose of the War Department, before they make final settlement with the contractor, to see that he makes his settlements with his subcontractors, so as to fully protect them, before the War Department finally will pass upon his claim. I understand that is the department's purpose.

Mr. BLANTON. The gentleman has stated that these agreements should be treated with the same consideration as bona fide written contracts.

Mr. KAHN. Certainly.

Mr. BLANTON. Could any honest contractor object to a requirement being placed in the bill that would provide that the officer who caused the goods to be ordered should make the customary affidavit?

Mr. KAHN. That officer may be dead now.

Mr. BLANTON. But where he is living. I take it that 99 per cent of them are living.

Mr. KAHN. Oh, no. In the early stages of the war they were shifted around very rapidly, and many of the officers were sent right over to France to carry on the work there.

Mr. BLANTON. But is there any objection to that where the officer is living and accessible?

Mr. KAHN. I do not think that would meet with the requirements of the Revised Statutes. In fact, we were so told.

Mr. BLANTON. Should not the officer make an affidavit that he had no interest in the contract?

Mr. KAHN. I rather think that ought to be the case, but that is a matter that could be investigated by the men who will be charged with the duty of passing upon these agreements.

Mr. BLANTON. Several of them have been dismissed from the Army and Navy for having an interest in the contracts that they let, have they not?

Mr. KAHN. I do not know whether there were any dismissals. I know that in the Aircraft Board investigation it was brought to light that some of the Army officers had knowledge of what was going to be done and they gave the information to the concerns with which they had previously worked.

Mr. BLANTON. Have there not been courts-martial and convictions?

Mr. KAHN. I doubt whether there have been any convictions or courts-martial. I believe, however there were some indictments.

Mr. DENT. Will the gentleman yield to me?

Mr. KAHN. Certainly.

Mr. DENT. As to the suggestion that we should require the officer who made the contract to file an affidavit, he may be dead; he may be inaccessible; it may be practically impossible, and it is not fair to the honest contractors to put the burden on the officer to say that that must be done before the contractor shall be paid.

Mr. KAHN. And, furthermore, the contracts were entered into so rapidly at the beginning of the war, the requirements of the Government were so great, that I doubt whether a single officer who in this way was representing the Government could recall all the facts connected with the making of the contracts or agreements. It would be almost a physical impossibility for him to remember all the details. Take the Members of this House, who get dozens of letters every day, and ask a single one of them what was in a certain letter that he received three or four months ago. Without refreshing his memory from the files of his office, he probably would not remember the incidents referred to in the letter. So it would be almost a physical impossibility for an officer to recall all the conditions surrounding every agreement that was entered into by him on behalf of the War Department.

The Secretary of War has specifically stated to the committee that time is the essence of this thing. Many men who have their money tied up in various manufacturing plants are very anxious to get back to a peace basis. They want to continue the manufacture of those goods or commodities that they were accustomed to manufacture before we got into this war. We should help them in every way possible. We should provide them with the method by which their proper claims can be paid so that they can begin peace-time activities.

Mr. WINSLOW. Will the gentleman yield?

Mr. KAHN. Certainly.

Mr. WINSLOW. Does the gentleman think there was any good reason why the contracts could not have been executed concurrently with the execution of the orders themselves?

Mr. KAHN. Yes; I stated a little while ago that there was one line of claims where that was absolutely impossible. They were the claims of a concern that was called upon to manufacture a class of goods that had never been manufactured by them at any time. But they had machinery which could be converted to the use of manufacturing that class of goods. The manufacturer would say to the agent of the Government, "I will do this, I will turn over my facilities, but I can not tell what the thing is going to cost the Government because I have to find out what the cost is going to be to me. But I will let you put your inspectors into my factory, I will open the books, and you will have every facility for learning what it is going to cost, and then we will agree on the price and make the written contract."

Mr. WINSLOW. Very good, but could they not make the agreement or contract with that very condition in it?

Mr. KAHN. I do not think they could, because the Revised Statutes are specific upon the subject of making valid contracts and the provisions have to be followed; certain things have to be done, and they could not be done under such a condition of affairs as I have stated.

Mr. WINSLOW. Would the gentleman justify the department in urging manufacturers to begin the manufacture of articles when the Government knew that there was no immediate need for them?

Mr. KAHN. The purchasing department was trying to help win the war and the people of the country were anxious to win the war. The War Department's agents went to the factories. They knew they could not get all the supplies that were needed

in many different directions without having the cooperation of many new concerns that they induced to go into the manufacture of war materials for the purpose of turning out the needed quantities of these supplies. They went to the business concerns frankly and stated the Government's case. The manufacturers just as frankly stated their case to the Government. The Government said, "We need the stuff; go ahead." That was done in innumerable cases all through the war. The manufacturer, as a patriotic citizen, relied upon the good faith of his Government that he would ultimately get his pay. And it would be bad faith, in my opinion, on the part of the Government now to refuse to pay these claims for the settlement of which this law is now asked.

Mr. WINSLOW. I can agree to that; but the point I want to get at is whether or not the buying department was clothed with the proper commercial authority when they ordered manufacturers to produce articles when they could get the articles to meet the war necessities through the regular channels.

Mr. KAHN. Of course, every branch of the Navy and War Departments that could enter into contracts authorized the officers of these branches to enter into agreements for the furnishing of the required supplies. The gentleman from New York [Mr. LAGUARDIA] a while ago stated that anybody could issue orders for the manufacture of goods. The gentleman is entirely mistaken. The business of the country is not done quite as loosely as that. The departments had men whose duty it was to negotiate these contracts, and the men so designated were the only ones that could negotiate the contracts. But that is only one line of cases.

Mr. WINSLOW. A very small line.

Mr. KAHN. No; it is a considerable line, and a good deal of money is involved. There is another class of cases sought to be covered by the law. I stated a while ago that farmers in several parts of the country were told to quit their land; that the Government needed the land for erecting factories thereon that were to turn out munitions—turn out supplies that were needed to win the war.

The farmers got off the land. Their claims have not been paid. In some cases before the Government could get control of the entire tract of land that was needed for its purposes the armistice was signed. The farmers were told that the War Department would settle with them. They had no agreements that fixed amounts would be paid. Under the comptroller's decision these men, who in good faith moved upon new land, expecting to pay for that new land out of the funds which they would be paid by the Government, now find themselves high and dry because they can not get their money. It was intended to build a great big T. N. T. plant at Racine, Wis. They required some 2,000 acres at that place. There were two or three other parts of the country where the Government had practically condemned the land. The farmers were ordered off. They were told, at any rate, that no crops would be allowed to be planted during the current year. Those men have legitimate claims against the Government. They ought to be paid their claims. And yet without the passing of this legislation the Government is not in a position to enter into an agreement with these men. What is more, these men have no remedy in any court against the Government.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. GREEN of Iowa. Is not my friend in error about that. In the deficiency appropriation bill we appropriated $15,000,000 to pay for lands that the President might requisition and take over and pay for in his discretion. That is the effect of it.

Mr. KAHN. There is no appropriation provided in this bill at all. The President undoubtedly took over those lands, or some of them, but the legal formalities that the comptroller requires were not complied with.

Mr. GREEN of Iowa. But under the provisions of the deficiency bill none of those requirements was necessary. The President could pay what he pleased.

Mr. KAHN. Under section 120 of the national defense act we thought that we gave the War Department full authority to commandeer every business concern of the country if that were deemed necessary to win the war, if we got into a war. We found out that the language there was not broad enough to cover all of these cases.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. KAHN. I will.

Mr. KEARNS. Take, for instance, the land that was taken at Racine from the farmers. That was taken back in July some time.

Mr. KAHN. I do not remember just what the date was. My impression is that it occurred later than July.

Mr. KEARNS. Why has not the War Department made contracts with those farmers long before this time?

Mr. KAHN. I understand they were in process of negotiating at the time the armistice was signed.

Mr. KEARNS. But the armistice was not signed for five or six months after the land was taken. Why have they not made contracts with them?

Mr. KAHN. I do not know why they did not. I am not running the War Department.

Mr. KEARNS. The only question in my mind is why they should come in at this late day and ask for authority?

Mr. KAHN. The armistice was signed on the 11th of November. On the 12th of November the War Department immediately stopped all contracts. The department came to Congress as speedily as possible and asked for authority to pay these claims.

The CHAIRMAN. The time for general debate under the rule has expired. Under the terms of the rule the bill will be considered under the five-minute rule. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon the basis of reasonable value but in no case greater than the agreed price that has been entered into, in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for any supplies, material, or equipment to be used in the prosecution of the war, when such agreement has been executed in whole or in part, or expenditures have been made or obligations incurred upon the faith of the same by any such person, firm, or corporation prior to November 12, 1918, and such agreement has not been executed in the manner prescribed by law: *Provided*, That payment under such agreement shall not exceed the fair value of the property transferred or delivered and accepted by the United States, as determined by the Secretary of War, and where no property has been transferred, delivered, or accepted payment shall not be in excess of the actual cost incurred in preparation for performance, as such cost is determined by said Secretary: *Provided further*, That this act shall not authorize payment to be made of any claim under such agreements after June 30, 1919: *And provided further*, That the Secretary of War shall report to Congress at the beginning of its next session following June 30, 1919, a detailed statement showing the nature, terms, and conditions of every such agreement and the payment or adjustment thereof: *And provided further*, That nothing in this act shall be construed to confer jurisdiction upon any court to entertain a suit against the United States upon any agreement of the character herein provided for: *And provided further*, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into, or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns, or any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statutes of the United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD, or in the Official Bulletin, or as a public document, 10 days before confirmation and payment is authorized upon such contracts.

Mr. DENT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

Mr. MANN. Mr. Chairman, a parliamentary inquiry?

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Under the rule which, I believe, provided for consideration of the amendment of the committee, is the committee amendment to be treated as original matter, so that an amendment to it is subject to an amendment?

The CHAIRMAN. Reading the section of the rule that the amendment reported by the committee shall be read and considered in lieu of the original text, the Chair would feel authorized in construing that to mean that the committee amendment shall be treated as the original text.

Mr. MANN. I think the Chair is right about that, but we ought to have the ruling.

Mr. CAMPBELL of Kansas. Mr. Chairman, I will say to the Chair and to the Members of the House that was the intention of the Committee on Rules in preparing the rule.

The CHAIRMAN. The Chair will so rule. The gentleman from Alabama offers an amendment, which the Clerk will report:

The Clerk read as follows:

Page 3, line 10, after the word "any," insert the words "foreign government or with any."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DENT. Also the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 3, line 15, after the word "such," insert the word "Government."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MANN. Mr. Chairman, I would like to ask the gentleman from Alabama a question about this. Is there any knowledge as to the number of contracts that were entered into with foreign governments?

Mr. DENT. I have no knowledge as to the number.

Mr. KAHN. Mr. Chairman, if the gentleman from Alabama will permit, so far as the committee was informed, the agreements with foreign governments were not negotiated in accordance with the procedure set forth in our Revised Statutes, and practically all of the claims of the foreign governments will have to be settled under this provision of law.

Mr. MANN. Can the gentleman say how much they amount to?

Mr. DENT. I put that in the RECORD yesterday, from a letter written to me by the Assistant Secretary of War, Mr. Crowell. In one portion of the letter he says:

A recent cable states that the outstanding obligations of the American Expeditionary Forces on November 11 amounted to $1,183,130,000.

The number of them he does not state.

Mr. MANN. What governments were they owing to?

Mr. DENT. The French, the British, and the Italian.

Mr. MANN. Does anyone know what the amounts were?

Mr. DENT. I do not know.

Mr. MANN. Of course the War Department knows, but does not give us that information.

Mr. DENT. I have not that definite information.

Mr. MANN. It would be a very easy matter, it seems to me, to divide the total and find out what each Government has owing to it if they wanted to give the information.

Mr. FOSTER. I think Mr. Stettinius was asked about that before the Committee on Rules, and he said he did not know the number of the contracts.

Mr. MANN. How can they reach the amount in dollars and cents without knowing?

Mr. FOSTER. I do not know, either.

Mr. MANN. Well, the gentleman, my colleague, knows they can not do it without knowing, and if they know it would be very easy to give the information.

Mr. FOSTER. Mr. Stettinius had charge of the work over there.

Mr. DILLON. Will the gentleman yield for a question?

Mr. DENT. I yield to the gentleman.

Mr. DILLON. Can the gentleman give any information as to the foreign government, whether such foreign government was allowed to represent this Government and at the same time the foreign government represented itself?

Mr. DENT. I really would like the gentleman to restate that question.

Mr. DILLON. I wanted to know if such foreign government could represent its own Government at the same time it represented our Government, so that it occupied a dual position of dealing with both parties?

Mr. DENT. Why, certainly not. Our Government would have its own representative, if that is what the gentleman means.

Mr. DILLON. Well, for instance, suppose that the Government now is binding our Government, could it sell something to this Government——

Mr. DENT. Oh, it can not do that. This simply adds to the bill authority to make settlement with foreign governments as well as contractors in this country.

Mr. DILLON. I have been informed in some instances those foreign governments have represented our Government and at the same time sold government property to our Government, and I wanted to know whether there was any truth in that.

Mr. DENT. I have no information upon it at all.

Mr. ALEXANDER. I read the hearings on that question and they are to this effect, that the foreign government had contracted with their nationals for certain supplies at certain prices, and our Government, our agents, through the foreign government, had their nationals furnish supplies at the same price. That was the form of the negotiation.

Mr. DENT. As I understood the gentleman, he seems to think the foreign government represented itself and our Government at the same time in the transaction.

Mr. ALEXANDER. There is nothing in the hearing showing there was anything like that.

Mr. MOORE of Pennsylvania. Mr. Chairman, I am glad the gentleman from Illinois [Mr. MANN] has raised this question with the gentleman from Alabama, because it affords a better understanding as to why there is confusion in the minds of Members of Congress with regard to these bills. Anyone reading the hearings before the Committee on Rules would assume that the American manufacturers were rushing into bankruptcy because the Government has refused to pay their claims. There was such meager testimony in regard to these oral contracts that some good may have resulted from this discussion in this House. When the gentleman from Kansas asked the Secretary of War how much these claims amounted to in the aggregate, the Assistant Secretary of War, Mr. Crowell, promptly responded that there were as the present, so far as they knew, approximately 6,600 oral contracts, not written contracts, and that the aggregate amount they represented was about $1,600,000,000.

Mr. KAHN. That is in America.

Mr. MOORE of Pennsylvania. Now, we find that the gentleman from Alabama answers that of this total amount of $1,600,000,000 Mr. Crowell tells us he knows about $1,183,130,000 goes to foreign governments.

Mr. KAHN. This is the additional amount.

Mr. MOORE of Pennsylvania. If it is additional, then, instead of these oral contracts amounting to $1,600,000,000 they amounted to $2,700,000,000; and yet the taxpayers of the Nation are appealing to the Committee on Ways and Means and the conference committee now in session to cut down the burden that must be levied upon them. Oh, I want these facts brought out. Let us understand the status of the American taxpayers. Granted that we had to do these things suddenly, granted that our agents had to do things in France, Italy, and in England, but also remember the American manufacturer has been suffering from embargoes, and can not to-day obtain shipping space to send his manufacturing material into some of the countries that now assume to control the high seas. We were asked in the Ways and Means Committee only two or three weeks ago to authorize another foreign loan of $1,500,000,000, and we refused to do it. I presume there are some generous souls who think that unpatriotic, even though we have already lent $8,500,000,000. Though we are not going to lend this additional $1,500,000,000 we are going to pay——

Mr. LONGWORTH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I do.

Mr. LONGWORTH. I do not think the gentleman stated it exactly correctly when he said we were to lend it. We were to authorize the Secretary of the Treasury to lend any part of it, or all of it, to such nations as he might see fit at any time.

Mr. MOORE of Pennsylvania. The gentleman states the case correctly, but what I wanted to do was to bring to the attention of my Republican friends and my patriotic Democratic friends, who must answer to the people for the tax burdens we are imposing, that the little bill of $13,000,000,000 which France has presented to Germany for the destruction of property over there, some of which we are paying in this appropriation now, is almost exactly the amount of the deficit in the Treasury of the United States for the year 1919.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALDWELL. Mr. Chairman, it is rather amusing to us on this side of the House to hear Republican critics go after this bill. In times gone by it has been the boast of Republican critics—and they were here in the times gone by—that the Republican Party was the party that looked after the business interests of our country, and yet all yesterday and all to-day we hear the criticism of the war horses on the Republican side of this House of the Democratic administration trying to take care of the business interests of this country, and the criticism that is made here is that we have not a sufficient amount of detailed evidence upon which we can base this legislation.

And if the gentleman would take time to look at the hearings before the Military Committee he would find that the greatest Republican that was drafted and brought into the War Department, Maj. Gen. George Goethals, of Panama Canal fame, was the man who came and stood sponsor for this bill and who failed to give the detailed information that a Democrat on this side of the House asked for, and the only criticism that was justified by the gentleman from Pennsylvania [Mr. MOORE] and his esteemed associates, that he distinguished from the patriotic associates on this side, was criticism that ought to have been thrown at the Republican official who is responsible for this condition having grown up in the Quartermaster's Department while he was there.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. CALDWELL. I think I can not, my time has expired.

Mr. MOORE of Pennsylvania. I would like to call the gentleman's attention to the fact that I have read the hearings and am familiar with them.

Mr. KAHN. Mr. Chairman, I have listened with a great deal of interest to what the gentleman from Pennsylvania [Mr. MOORE] has said. In fact, I always like to listen to him. But these agreements that were entered into with foreign Governments were made necessary because Congress itself in the years gone by refused to prepare this country for war. [Applause.] When we got into the war we had not the proper facilities for making heavy guns, for making aeroplanes in quantities, and for doing other things that were essential for engaging in or winning a war. England made them for us, and France made them, and Italy made them. We had to appeal to the Governments that were cooperating with us in this war to furnish us with needed ammunition, with needed guns, with flying machines, with powder and shells—with all those facilities that were required in carrying on the military operations of this Government. And so the Government of the United States got the Governments of England and France and Italy to appeal to their nationals in the various manufacturing lines to furnish our Government with the supplies that we needed over there to help win the war.

Mr. MADDEN. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. MADDEN. Right in that connection I would like to ask if the gentleman from California can tell us how many American guns we shot during the time of the American Army on the other side? I think it is true that there were none at all.

Mr. KAHN. I do not believe it is true. We had some naval guns over there which were used, and we had some hundreds of guns that we had sent from this country.

Mr. MADDEN. Sent them but did not use them?

Mr. FOCHT rose.

Mr. KAHN. Just a moment. I want to repeat my answer to my friend. Of course, the guns that we were sending over—and we were able to send them complete with carriages and all the appurtenances—were beginning to go over in considerable quantity at the time the armistice was signed; but, as a matter of fact, there were fully 500 American guns of various calibers that went over. But that is an object lesson for Congress. You can not make a cannon in a month. It takes six months in ordinary times to turn out a single piece of ordnance. A single cannon in ordinary times is six months in building. We turned them out in this war in as low a period as three months.

Mr. MADDEN. How long were we in the war?

Mr. KAHN. Eighteen months.

Mr. MADDEN. We did not get the cannon out.

Mr. KAHN. Let me tell the gentleman that in order to make a single cannon you have got to make gauges, and jigs, and tools, and dies, that require many months in their manufacture, before the Government can turn out a single cannon.

Mr. MADDEN. We heard many scientific lectures on that question in the House, urging the department to make the jigs and dies and tools and machines, but it is evident that they were asleep on the job.

Mr. KAHN. I want to say to my colleague that we gave the Ordnance Department the money to make these gauges and tools and dies, and they never used the money at all. Congress did that before the war. Congress appropriated the money. [Applause.]

Mr. SNYDER. Which side of the House did it?

Mr. KAHN. The Republicans and Democrats.

The CHAIRMAN. The gentleman from Kentucky [Mr. FIELDS] is recognized.

Mr. FIELDS. Mr. Chairman, the purpose of the bill under consideration is to confer upon the Secretary of War authority to settle a certain class, or classes, of claims against the Government growing out of informal contracts during the war or out of uncompleted contracts at the time the armistice was signed. During the war the needs of the War Department naturally appealed to the patriotism of the people, and acting through purely patriotic motives and in the belief that the Government would keep faith with the people and meet its moral obligations, the manufacturers and producers, the people generally, who were in position to contribute to the needs of the War Department, did so, and in many instances without waiting for the execution of formal contracts, as required by statute; and it was most advantageous to the Government for them to do so, for in many instances—in fact, in every instance—the necessity for speedy production was so great that the department could ill afford to have production delayed for the completion of formal contracts, which, as a general proposition, would have required considerable time because of the continuous transferring of officials and the many changing conditions incident to the speedy building up of our Military Establishment from what it was when we entered the war to what it was when the armistice was signed. It was therefore patriotic on the part of those furnishing supplies to the Government to push production without awaiting the execution of formal and legal contracts. In fact, their failure to have done so would have subjected them to severe criticism; and, now that they have fulfilled their obligations to the Government, the Government must, in common decency and self-respect, fulfill its obligations to them, which it can not do without additional legislation. Hence the necessity of the passage of this bill.

Mr. Chairman, referring to some of the objections that have been raised to the bill, and especially to the objection of my friend from Ohio [Mr. GORDON], that the bill confers judicial powers upon the War Department, I will say that the bill is not so designed and will not confer such powers. Its purpose is to remove certain limitations which, under present circumstances, renders the War Department unable to meet its moral obligations over which there are no controversies. There is nothing in the bill to provide for or force the settlement of claims in controversy. There is nothing in the bill to force claimants to accept the terms offered by the Secretary of War when, in their opinion, his terms fail to meet or satisfy the moral obligations of the Government. If such controversies arise and can not be amicably settled by the Secretary of War and the claimant, the latter will have the same remedies at law that now exist. I therefore maintain that the objections of the gentleman from Ohio are not well founded.

The discussion of the merits of the bill was not, however, my object in taking the floor, as it has already been explained in detail by the chairman of the committee and others who have preceded me.

I desire to refer briefly to the reference that was made to the manufacture of guns by the gentleman from Illinois [Mr. MADDEN]. And in that connection to the criticism, severe and vicious criticism, of the Secretary of War that was made upon the floor on yesterday by the gentleman from Kansas [Mr. CAMPBELL].

Mr. MADDEN. Will the gentleman yield? I did not say anything about the manufacture of guns. I said there were no guns on the battle line.

Mr. FIELDS. I accept the gentleman's statement. The gentleman from Kansas [Mr. CAMPBELL] on yesterday delivered a tirade against the Secretary of War, and it seemed that the basis of his complaint was the fact that certain orders for munitions of war had been placed with foreign Governments by the War Department.

Mr. Chairman, I have observed that those who hang their hearts upon and wrap their souls around the great manufacturers and the special interests of the country have groaned in their agonies ever since the War Department placed certain orders with French manufacturers.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. I want to finish my statement first. But I will say for the information of the gentleman from Kansas that the Secretary of War explained that transaction fully when he appeared before the Senate committee, after the same criticism had been made of him last year, and showed that the placing of those contracts with the French Government was not an additional burden upon the French Government, as had been charged by some of his critics, but that in a conference between himself and the French and British commissioners it was decided that the placing of such contracts would be in the interest of the prosecution of the war, because France had the factories already equipped and was anxious to secure the orders, whereas it would have required, and did require, several months to equip American factories to do that particular character of work.

Mr. CAMPBELL of Kansas. Now, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. CAMPBELL of Kansas. If I made myself clear, as I intended to do, what I stated was that Gen. Pershing had to go to foreign contractors because of the failure of the War Department to make contracts early enough with our own manufacturers.

Mr. FIELDS. Does the gentleman know of any manufactories in America that were idle during the time that we were en-

gaged in the war? Were they not all operated to their maximum capacity? And since the Secretary of War and the British and French commissioners decided that the placing of these contracts with the French Government was to the best interest of the allied cause, should the gentleman from Kansas now criticize the American Secretary of War for so placing them? I maintain that he can not afford to do so.

It has been intimated that in the manufacture of guns by foreign Governments American manufacturers were not doing anything toward the preparation of these guns. Probably the public generally does not understand that the principal part of the work on 25,750 of these guns was completed by American manufacturers. In other words, they were furnished to the foreign Governments in the shape of forgings. The term "forgings" as applied to a gun would, if applied to a house, mean the completion of the house, all but the paint. The guns were completed in this country on through the forgings, and it was the finishing process which was completed by the foreign Government after the forgings were delivered to them; and the report of the War Department shows, as I have stated, that there were 25,750 of these forgings furnished by American manufacturers.

That should therefore relieve to a considerable extent the agonies of these gentlemen who have been registering such vicious complaints because these orders for guns were placed with French manufacturers.

The gentleman from Kansas alleged, if I heard him correctly, that the War Department had broken down, and that the American Secretary of War had shown his inability to meet the responsibilities imposed upon him, and as proof of his allegation he referred to the fact that dependents or beneficiaries of soldiers are not receiving their allotments, and so forth. I agree with him on that criticism. I believe that the men responsible for those delays should be criticised and even punished. But their failure to disburse allotments promptly does not go to prove that the War Department has broken down or that the American Secretary of War has proven himself inefficient in the prosecution of the war, because those delinquencies, unfortunate and deplorable as they are, are as a drop of rain to the ocean when compared with the achievements of the department since we entered the war.

Mr. Chairman, I have just received from the War Department a report showing its achievements, which I will print for the information of the House and the country, and which is as follows:

STATISTICS BRANCH, GENERAL STAFF, WAR DEPARTMENT.

Summary of all forces in the Army at time of its greatest strength, Nov. 11, 1918.

[Figures are the latest available and are subject to revision.]

	Officers.	Men.	Total.
Army personnel in Europe	75,333	1,868,216	1,943,549
At sea, en route to Europe	1,162	21,072	22,234
Total	76,495	1,889,288	1,965,783
Marines (on duty with Army in Europe)	784	26,504	27,288
Total, including marines	77,279	1,915,792	1,993,071
Siberian expedition	298	8,806	9,104
Total A. E. F. in Europe and Siberia	77,577	1,924,598	2,002,175
In United States	104,069	1,572,441	1,676,510
In insular possessions, Alaska, etc	1,977	53,758	55,735
Grand total in Army, excluding marines	182,839	3,524,293	3,707,132
Grand total in Army, including marines	183,623	3,550,797	3,734,420

Troops embarked and transported, by flag, of tonnage employed.

[Not including 30,600 marines and 9,677 nurses.]

	American.	British.	French.	Italian.	Total.
1917.					
May	1,033	685			1,718
June	12,261				12,261
July	5,437	7,551			12,988
August	5,458	12,793	72		18,323
September	14,813	18,809			33,622
October	28,216	14,913			43,129
November	10,518	12,498			23,016
December	37,471	11,369			48,840
1918.					
January	24,388	22,388			46,776
February	38,765	9,259	3		48,027
March	54,280	27,726	1,805		83,811
April	65,456	49,963	1,793		117,212
May	94,562	135,611	2,044	12,128	244,345
June	115,903	145,188	3,412	13,385	277,888
July	103,213	178,361	7,236	14,540	306,350
August	112,353	145,038	16,400	7,725	281,516
September	100,851	137,518	7,774	5,758	251,901
October	64,779	95,348	5,999	8,072	174,198
Nov. 21	5,692	22,356	2,153		30,201
Total	898,449	1,047,374	48,691	61,608	2,056,122

Cargo transported to the American Expeditionary Forces, April, 1917, to Nov. 1, 1918, short tons, by Supply Service.

[It has not been possible to separate shipments of Signal Corps proper and aviation material prior to August, 1918. Similarly, motor-transport cargo is distributed among the other services prior to August, 1918.]

	Quartermaster.	Engineer.	Ordnance.	Signal.	Medical.	Motor transport.	Aviation.	Red Cross.	Miscellaneous.	Total.
1917.										
June	11,000		4,400		400					15,800
July	5,700	400	800	3,700	1,200					11,800
August	14,100	2,100	500	900	1,400			400		19,400
September	24,600	9,600	12,900	1,300	3,000			1,600		53,000
October	35,700	55,600	10,400	7,600	2,500			2,800	300	114,900
November	22,600	44,000	7,000	1,700	700			1,200	700	77,900
December	62,900	65,700	36,700	6,100	2,200			4,900	1,000	179,500
1918.										
January	51,900	35,600	26,600	6,100	700			600	500	122,000
February	106,800	49,200	56,900	10,700	1,400			500	2,000	227,500
March	128,000	84,200	58,400	10,300	4,200			1,600	2,500	289,200
April	171,600	112,500	72,000	7,500	6,700			300	2,600	373,200
May	240,300	110,800	77,100	10,900	7,500			1,900	1,500	450,000
June	201,300	108,600	89,800	11,800	10,300			1,200	2,200	425,200
July	244,700	129,000	118,400	27,500	10,400			2,200	3,500	535,700
August	223,600	148,500	127,600	3,200	11,200	25,000	21,000	3,900	7,700	571,700
September	270,900	194,100	129,700	2,800	11,600	33,300	22,400	5,600	10,900	681,300
October	333,700	164,400	160,700	3,400	13,500	55,000	8,000	3,200	7,600	749,500
Total	2,149,400	1,314,300	989,900	115,500	88,900	113,300	51,400	31,900	43,000	4,897,600

Production of munitions in the United States for the United States Army from Apr. 6, 1917, to Nov. 11, 1918.

Artillery (complete units):	
75-millimeter guns	932
3-inch and 75-millimeter A. A. guns	97
4.7-inch guns	157
155-millimeter 5-inch and 6-inch guns	121
155-millimeter howitzers	144
Railway artillery	20
Heavy howitzers	176
Total guns	1,647
Artillery ammunition (complete rounds):	
75-millimeter gun	15,164,000
3-inch and 75-millimeter A. A. and mt. gun	561,000
4.7-inch gun	342,000
3.8-inch and 4.7-inch howitzer	113,000
155-millimeter 5-inch and 6-inch gun	96,000
155-millimeter howitzer	751,000
Railway artillery	20,000
Heavy howitzer	156,000
Total rounds	17,203,000

Other ordnance:		
Helmets		1,975,000
Machine guns		130,000
Machine rifles		52,000
Rifles		2,507,000
Pistols and revolvers		666,000
Rifle and machine gun ammunition	rounds	2,879,000,000
Pistol ammunition	do	328,000,000
Tractors		3,249
Tanks		69
Smokeless powder [1]	pounds	198,000,000
T. N. T. [1]	do	101,000,000
Ammonium nitrate	do	91,000,000
Picric acid [1]	do	37,000,000

[1] Large quantities also manufactured for France and England.

Ordnance material shipped or delivered to American Expeditionary Forces.

	Floated to Nov. 15.	British and French deliveries to Nov. 11.	Total.
Artillery (complete units):			
75-millimeter guns	143	1,888	2,031
4.7-inch guns	64		64
155-millimeter howitzers		747	747
5-inch S. C. guns	26		26
6-inch S. C. guns	72		72
155-millimeter guns	[1] 16	226	242
8-inch howitzers	96	141	237
9.2-inch howitzers		37	37
8-inch S. C. guns, railway mounts	3		3
14-inch navy guns	8		8
75-millimeter A. A. guns	26	52	78
Total guns	454	3,091	3,545
Artillery ammunition (complete rounds):			
75-millimeter ammunition	8,595,000	2,614,000	11,209,000
4.7-inch ammunition	242,000		242,000
155-millimeter howitzer ammunition	199,000	1,126,000	1,325,000
155-millimeter gun ammunition		39,000	39,000
5-inch and 6-inch S. C. gun ammunition	19,420		19,420
8-inch howitzer shell		311,000	311,000
9.2-inch howitzer shell	109,000	104,000	114,000
8-inch S. C. gun shell			
14-inch gun shell	1,000		1,000
Total rounds	9,066,420	4,194,000	13,260,420
Other ordnance:			
Rifles	1,800,000		1,800,000
Pistols and revolvers	615,000		615,000
Machine guns	49,350	4,158	53,508
Machine rifles	38,000	33,915	71,915
Rifle and machine-gun ammunition	1,629,900,000	95,900,000	1,725,200,000
Pistol and revolver ammunition	233,848,000		233,848,000
Grenades	1,745,000	5,508,000	7,253,000
Caissons (75 and 155 millimeter)	5,000	2,676	7,676
Tractors	1,547	348	1,895
Tanks	25	341	366

[1] Without recuperators.

Total floated in column 1 includes quantities later sunk.

British and French deliveries in column 2 exclude guns lent temporarily to the United States, and ammunition furnished direct by the French and British to troops in the field. They also exclude guns shipped to the United States for training purposes or turned over from British orders in United States.

Production of munitions in the United States for Great Britain and France from Apr. 1, 1917, to Nov. 11, 1918.

ARTILLERY.[1]

	Complete units.	Extra guns.	Extra carriages.	Limbers and vehicles.	Forgings. Tubes.	Recuperators.	Sets of jackets.	Extra jackets.
For Great Britain:								
18-pounder field guns	38	200	.....	.....	.....	.....	.....	.....
4.5-inch howitzers	97	4	.....	44	.....	.....	.....	.....
8-inch howitzers	92	.....	.....	100	.....	.....	.....	.....
9.2-inch howitzers	134	12	.....	[2] 134	.....	.....	.....	.....
Total	361	216	.....	278	.....	.....	.....	.....
For France:								
37-millimeter infantry guns	70	.....	.....	70	.....	.....	.....	.....
75-millimeter field guns	.....	.....	.....	.....	10,020	575	3,432	.....
120-millimeter guns	.....	100	.....	.....	312	.....	326	72
145-millimeter guns, model 1916	.....	.....	.....	.....	148	.....	33	275
155-millimeter howitzers	.....	[3] 275	.....	.....	2,259	.....	2,244	167
155 Schneider guns	.....	100	.....	.....	1,189	.....	356	1,652
155 Filloux guns	.....	[3] 50	[3] 50	.....	326	.....	55	.....
220-millimeter howitzers	.....	.....	.....	.....	290	.....	242	.....
220-millimeter guns	.....	.....	.....	.....	79	.....	110	18
Total	70	525	50	70	14,623	575	6,798	2,184
Grand total	431	741	50	348	14,623	575	6,798	2,184

[1] Excluding naval guns.

[2] Sets, plus 16 extra transport wagons.

[3] Allotted to French from Ordnance Department orders.

***Production of munitions in the United States, etc.*—Continued.**

ARTILLERY AMMUNITION.

	Forgings.	Machinings.	Complete rounds.
For Great Britain:			
13-pounder shell	.....	.....	57,300
4.5-inch howitzer shell	100,310	.....	.....
6-inch howitzer shell	2,000,491	2,599,371	.....
8-inch howitzer shell	855,228	167,712	.....
9.2-inch howitzer shell	610,972	121,290	.....
12-inch shell	.....	467	.....
For France:			
37-mm. gun shell	.....	.....	3,519,740
Total	[1] 3,568,001	[1] 2,888,840	3,577,040

[1] In addition to rounds fully completed.

Airplanes and engines produced and shipped to the American Expeditionary Forces Apr. 6, 1917, to Nov. 11, 1918.

PLANES.

Type.	Produced.	Shipped overseas.
Combat—DH-4	3,227	1,885
Combat—Handley Page (parts)	101	100
Training—Elementary	5,346	.....
Training—Advanced	2,474	.....
Total	11,148	1,985

ENGINES.

Combat—Liberty	13,574	[1] 4,383
Combat—Hispano (180)	469	245
Training—Elementary	10,568	.....
Training—Advanced	5,221	200
Total	29,832	4,828

[1] Does not include 1,025 consigned to allied Governments.

In addition, 2,676 combat planes equipped with engines were received from allied Governments.

United States squadrons at the front.

A squadron is equipped with from 15 to 25 planes:

Apr. 30, 1918	3
May 31, 1918	12
June 30, 1918	13
July 31, 1918	14
Aug. 31, 1918	26
Sept. 30, 1918	32
Oct. 31, 1918	43
Nov. 11, 1918	45

Comparison enemy planes brought down by United States forces and United States planes brought down by the enemy.

United States planes lost to enemy	271
Enemy planes lost to United States forces (confirmed losses; in addition there are 354 unconfirmed)	491

Transportation equipment produced and shipped to American Expeditionary Forces Apr. 6, 1917, to Nov. 11, 1918.

RAILROAD TRANSPORTATION.

	Produced.	Shipped overseas.
Standard gauge locomotives	1,691	[1] 1,111
Narrow gauge locomotives	455	406
Standard gauge cars	19,516	[1] 16,372
Narrow gauge cars	4,038	3,651

[1] 350 standard gauge locomotives and 791 standard gauge cars have been purchased in Europe for the A. E. F.

AUTOMOTIVE TRANSPORTATION.

Trucks, two-wheel drive	55,563	30,417
Trucks, four-wheel drive	16,931	9,423
Ambulances	10,893	6,981
Motor cars	17,666	6,983
Motorcycles	28,310	16,188

Clothing and equipage stocks overseas, Nov. 1, 1918.

[Stocks on hand in France and days' supply, based on Gen. Pershing's new automatic allowances effective Nov. 1, 1918.]

	Stock in United States.	Stock overseas.	Number of days 2,000,000 men could be supplied with stock overseas.
Blankets	4,291,000	1,119,000	425
Drawers, winter	15,746,000	5,304,000	202
Jerkins	1,405,000	1,044,000	159
Coats, denim	3,991,000	1,419,000	154

Clothing and equipment stocks overseas, Nov. 1, 1918—Continued.

	Stock in United States.	Stock overseas.	Number of days 2,000,000 men could be supplied with stock overseas.
Puttees, woolen	5,231,000	3,356,000	149
Trousers, denim	3,374,000	1,842,000	140
Boots, rubber, hip	1,199,000	551,000	140
Shirts, flannel	6,710,000	3,033,000	136
Stockings, wool, heavy	16,200,000	8,753,000	134
Coats, wool	4,142,000	2,141,000	126
Shoes, field	8,850,000	2,033,000	103
Gloves, wool	3,734,000	2,682,000	82
Paulins	38,000	21,000	80
Breeches and trousers, wool	6,791,000	1,789,000	75
Overcoats	3,691,000	477,000	73
Raincoats	1,620,000	550,000	59
Undershirts, winter	13,806,000	1,231,000	55
Mittens, leather	3,070,000	664,000	51
Caps, overseas	2,931,000	189,000	14

Mr. Chairman, this report shows that the American Department of War under the management of Newton D. Baker, whom the gentleman from Kansas [Mr. CAMPBELL] criticizes and indicts for incompetency, sent more men to France from May, 1917, to November, 1918, than Great Britain sent during the entire four and a third years that she was engaged in the war and moved more tonnage across the seas than was ever moved in a like period, and that in each activity of the department directed to the prosecution of the war it has made the world's greatest record, a record that has never been equaled and that will, in my opinion, never be excelled. Oh, but the gentleman from Kansas said, "What have we got for all this expenditure of money?" Mr. Chairman, I thought that every American citizen, and especially every Member of the American Congress, felt and believed that America had played a potent part in the winning of this war until I heard the remarks of the gentleman from Kansas.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. Not just now. The gentleman said, "What have we got?"

Mr. CAMPBELL of Kansas. What I said was that we had less in units of arms and less in units of ammunition and less in munitions of war for the money we spent than any country engaged in this war and that we had spent more money than any country had ever spent in the history of mankind.

Mr. FIELDS. Oh, I will let the gentleman make his speech in his own time.

Mr. CAMPBELL of Kansas. That is what I said.

Mr. KAHN. Mr. Chairman, will the gentleman yield to me?

Mr. FIELDS. Mr. Chairman, when we entered the war the world recognized the fact that the entente allies were fighting with their backs to the wall, and as a result of our entry into the war we have overthrown the German military machine and got the Kaiser's goat. [Applause.]

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. KAHN. In answer to the statement of the gentleman from Kansas [Mr. CAMPBELL], I would also call his attention to the fact that this Government pays its soldiers more than any other country in the world. [Applause.]

Mr. FIELDS. Certainly; and so are labor and transportation charges greater here than in any other country; in fact, every commodity, everything, is higher here than anywhere else in the world, and in view of that fact and the unparalleled achievements of the Secretary of War and the department of which he is the head, it ill becomes the gentleman from Kansas to rush to the floor of this House, after the victory we have won, and try to create the impression throughout the country and the world that the Government of which he is a part has not been a potent factor in the winning of this war. [Applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired. The gentleman from Vermont [Mr. GREENE] is recognized for five minutes.

Mr. GREENE of Vermont. Mr. Chairman, it is obviously impossible to discuss this bill from all the angles that have been suggested in this debate in a simple five minutes, and one must be content therefore to take up only one or two phases of the subject.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. GREENE of Vermont. Yes.

Mr. MADDEN. I would like to have the gentleman discuss the bill.

Mr. GREENE of Vermont. That is what I will do if I get the time.

Mr. MADDEN. And the importance of passing these claims, and omit discussing how the war was fought.

Mr. GREENE of Vermont. That is exactly what I had in mind to do. It is not a question of reviewing the conduct of the War Department in this war, but the question of the Government of the United States paying its just and lawful debts, whether anybody has a legalized scrap of memoranda of them or not.

Now, that is the view and intent of the committee, notwithstanding the necessary policy of the War Department in making tentative contracts, either orally or in the shape of memoranda in one form or another, in order that the work might commence immediately, and without waiting for some decision or the completion of some convenient detail, for a formal contract to be signed. We have sought to take into account all those conditions and perplexities attending the last few contracts that did not happen to be formally completed in writing as required by law when the clock struck 12 on this armistice.

For a year and six months and more we have gone on allowing the War Department to do these various things. Sometimes it started out with nothing but a telephone message over the wire directing somebody to go ahead and begin operations, saying the papers would follow. This would be done by the contractor, and finally the formal contract required by the statute would come along and be signed. These contractors have gone on with the work, and in the course of time the formal contract has been forwarded to them and signed and returned and filed, and the Comptroller of the Treasury has allowed payment. That same process has gone on over and again in thousands and thousands of cases all through the year and seven months. Then all at once the great warp and woof of these enormous activities has been cut, because the clock struck at midnight on a certain day, the edge where the cutting took place becomes a selvage, and those people who are left on that selvage are suddenly suspected by some gentlemen as somehow being possible parties to a possible fraud, simply because their edge is not like the complete pattern that runs up to it. I can not understand why that should be.

Mr. GOOD. Will the gentleman yield?

Mr. GREENE of Vermont. I should be glad to yield, but I have not the time. The gentleman is experienced on the floor, and knows how difficult it is to make a statement like this in five minutes.

I can not understand why we should undertake to hold up the payment on these last transactions and still permit the long succession of similar processes to stand because they had come to completion and to the formal signing of statutory contracts. I do not see why we should hold up the last ones and allow the others to pass unchallenged. I do not see why any man should be put to any greater burden in this matter than the others, so long as he has rendered his service and given what was contracted for to the Government.

Neither can I understand another phase of it, which comes about in the practical operation of this thing. I have a case in mind which does not involve a great trust or one of these great munition monopolies that people seem to be so afraid of. It involves a typical case that probably is duplicated all up and down the land, where people owning a machine shop, comparatively small and unpretentious as modern industrial plants go, the capital stock probably not amounting to more than $100,000, found that their machinery was adaptable to the making of shrapnel shell and went to work on it at the instance of the Government. They performed several contracts for the Government, all of which went through these stages of development, from the first verbal instructions to the final completion of the papers according to the statute, and the payment of the money by the Treasury. They did that several times, and then, just a few weeks before the armistice, they got the usual informal telegram or telephone message, "Go ahead and make us some more of these things." Being good patriots they took the Government at its word. They trusted to the good faith of the United States of America and went on and started another order, got their raw materials, engaged their workmen in the various processes, and bought or used $50,000 or $60,000 worth of material which will be spoiled if the work is not completed. At a certain time on a certain day, let us say, because of the armistice, everything was stopped, leaving them just short by a few days of having a formal written contract. Therefore, there is now no authority of law to pay these men. If we hold payment up by any commission or board, or reference to any long-drawn-out process of that kind, you and I know what will

happen. The concerns like this one that have got $50,000 or $60,000 worth of money tied up in raw materials and labor will simply be wiped out of existence by the delay. They can not finance themselves in such a delay.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREENE of Vermont. I ask for five minutes more.

The CHAIRMAN. The gentleman from Vermont asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. GREENE of Vermont. We know what will happen. Those people will simply be wiped out of existence. And their case is duplicated all up and down this land from one end of it to the other, where patriotic men were able to turn some little plant of one kind or another over to the service of the Government and were patriotic enough not to require the Government to give a bond to pay the bill before they went ahead to help the Government to fight the enemy in a war.

Now, here is another phase of this matter: We understand from a statement from Mr. Dorr, of the War Department, which has been put into the report, that certain of these transactions, having been made formal contracts and reduced to writing, and, as it was supposed, having been completed in accordance with law, turn out upon second inspection to be missing in some technical detail or to be wrong in some technical detail. Nobody at the time suspected that there was any disagreement as to the terms, nor is there now. Nobody had any thought about the matter until the comptroller, whose business it is to see if he can find flies on barn doors, has found a fly on this barn door. He has found that some contract does not literally comply with the statute, although it was meant to comply with it in honest intention. So he says, "I can not by authority of law pay you any money on that contract until it is amended."

Mr. HASTINGS. Give us some illustrations of that.

Mr. GREENE of Vermont. There are illustrations in these purchase orders of the Engineer Corps, and also in the Ordnance Department, where the wrong man signed the papers.

There is another phase of this thing which to my mind is a great deal more significant, perhaps, than any of the others. It is claimed by our friends who object to this that somehow by this statute we are going to invest the War Department with judicial powers, that we are going to erect in the War Department a court, and curiously enough we are going to allow one party in the contest to be the judge of the case. That is not true. That is a misunderstanding and a misapprehension of the facts. If you will look at formal contracts that were completed you will find that the Secretary of War reserved the right of cancellation at any stage of the fulfillment, and if he had—as he did in instances—invoked his right to cancel the contract before the term of it had been completed, then there would have been left for the War Department to adjudicate precisely the same condition of affairs that arises under these other contracts that were not reduced to writing, contracts that had been suddenly stopped by the armistice.

Under formal contracts men had begun to go into the process of manufacturing; they had purchased raw material; they had engaged labor and begun to expend money, when all at once the Secretary of War invoked the right of cancellation. What happened? There were certain damages that had to be ascertained, there were uncertain damages that had to be determined. Parties had to get together, as between the contractor and the War Department, and arrive at the damages under the contract. That has been going on through a year and six months, through the machinery of the War Department, and we have not complained.

Now this bill proposes to take care of these cases of informal contracts just the same as was done by reason of the cancellation clause written into the formal contracts.

We have cases now where contracts have not got to the written stage, but where the cancellation clause may be said to be injected into them just the same by the effect of the armistice. The Secretary of War wants to do the same thing by these honest men that he did with other honest men who had their contracts in writing. But people are suspicious and say it is making him a court. It is not making him a court now any more than in the other case.

Mr. LONGWORTH. Will the gentleman yield?

Mr. GREENE of Vermont. I will.

Mr. LONGWORTH. Was it not expected by everybody that these contracts would be carried out by both parties in good faith, and was it not only the position taken by the comptroller that has brought about this situation?

Mr. GREENE of Vermont. Absolutely. On the morning of the day that the armistice was signed the War Department and these contractors were going ahead with the utmost good faith; the patriotic manufacturer was doing the work and trusting in the good faith of the Government, and the Government relied upon the patriotism of the manufacturer to do it.

The CHAIRMAN. The time of the gentleman from Vermont has expired.

Mr. GREENE of Vermont. I ask for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREENE of Vermont. So that on this morning when this business was going along in absolute good faith between the contractor and the department, nobody had the faintest idea that a to-morrow was going to see any change in the relations between the parties. And there never has been any change between the parties. Nor has the contractor and the War Department come to any disagreement about these contracts. Time was the essence in the case, and the haste occasioned by it brought about the failure to start with formal contracts. And so time, unfortunately, swinging back on the return beat of the pendulum, has been the cause of failure of payment, because the clock struck on a certain day before the agreements had been put into writing.

If we are to go in now on the theory that, because the War Department has done something technically wrong in working in great haste under pressure of war, so men who are honestly creditors of the Government to-day shall be penalized for the department's omission by withholding their pay, what sense of justice will the people of the United States think there is in the proposition? These men are not responsible.

I do not doubt that the War Department has been guilty of errors in the conduct of these war preparations, and I have no doubt that some of the contracts that have been made have been used as a means by which unscrupulous men have imposed upon the good faith of the Government. I do not doubt that some bad contracts were made, filled, and settled by payment in the course of this year and a half of unparalleled war emergency. Perhaps some bad contracts are actually on the way to settlement now. But I think it is still fair and reasonable to believe that the most of these contractors were honest, as I presume 90 per cent of our whole American society is, and we might wisely apply the spirit of the well-known proposition of Blackstone by saying that we can well afford to pay 10 dishonest men so that the 90 per cent of honest men will be done no wrong but will get what is due them. [Applause.]

Mr. TOWNER rose.

Mr. DENT. Mr. Chairman, I have no desire to cut off debate, but I hope the gentleman will let me pass these other committee amendments.

Mr. TOWNER. I shall only take five minutes and perhaps not that. Mr. Chairman, I desire to correct what perhaps may be a wrong impression which the committee may have received from some remarks by the gentleman from New York [Mr. CALDWELL]. The gentleman from New York gave the impression, I am quite sure, that he himself was strongly in favor of this bill. I was surprised in reading the hearings, because I read this on page 7 of the hearings before the committee. Mr. CALDWELL, the gentleman from New York, was interrogating Gen. Goethals, and this was the question he asked, or rather the statement that he made:

> Mr. CALDWELL. Here is the proposition: A law was on the statute books stating that these contracts should be made in such and such a way. This being a country of laws, it was expected that the men who hold executive office would comply with the laws passed by the Congress of the United States. Yet, in utter disregard of the law they continued to make these agreements or contracts which are not legal, and now they are asking Congress to say that what they, God's annointed, did shall be paid for with the people's money.

And then the gentleman from New York, doubtless with great emphasis, added:

> And I will not vote for such a proposition as that.

[Laughter and applause.]

Mr. Chairman, the second proposition that I was surprised to ascertain from these hearings was this: I understood the gentleman from New York [Mr. CALDWELL] to say to the committee that Gen. Goethals was very strongly in favor of the propositions contained in this bill, and immediately following Mr. CALDWELL'S statement I read the following from the hearings:

> Gen. GOETHALS. That is all right. We are just telling you the conditions, and it is up to you to pass the bill or not, as you see fit. I am perfectly willing to tell the contractors that they have their recourse to the Court of Claims.

So it would hardly be proper or fair to Gen. Goethals to say that he himself was in favor of this method of settling these claims. He himself declares that he would be perfectly satisfied if these gentlemen had their recourse in the Court of Claims.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. TOWNER. I see the gentleman from New York about to rise, and I should be very glad to yield to him if he so desires. [Laughter.] I yield to the gentleman from Pennsylvania.

Mr. CALDWELL. I gladly give way to the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. I wanted to refer the gentleman to page 31 of the hearings, where the gentleman from New York [Mr. CALDWELL], in interrogating the comptroller, said:

Why would it not be the best plan to give the Court of Claims authority over these cases?

And I would like the gentleman to refer to page 34 of the same hearings, in which the gentleman from New York [Mr. CALDWELL] is made to say:

Would there be any provision under this bill by which anyone could restrain the Secretary of War? Do you not say in this bill the allowance made by the Secretary of War shall be final and conclusive? Neither you nor I nor anybody else expects the Secretary of War himself to pass on these things.

Then, if the gentleman will permit, I would like to quote the gentleman from New York still further. Interrogating the comptroller he said:

When these contracts were made there was talk in the Halls of Congress and on the streets of our country to the effect that men formerly employed by these great contractors were the people who were giving the contractors all the contracts. Under this bill those men will be put on boards to pass on the question as to what their former bosses are going to get when the war is over. After we have won there is no need of paying tribute for winning the war.

[Laughter.]

Mr. TOWNER. Mr. Chairman, in reply to the gentleman's interrogatory, I will say that he himself has stated all that is necessary.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. CALDWELL and Mr. MADDEN rose.

Mr. CALDWELL. Mr. Chairman, I think I am entitled to recognition.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. CALDWELL. I think I ought to be entitled to five minutes now.

Mr. MADDEN. But the gentleman just talked.

Mr. CALDWELL. I know; but the gentleman must understand that I am both a Democrat and a Republican.

Mr. MADDEN. I do not think the gentleman is either. [Laughter.]

Mr. CALDWELL. And now they have jumped on me as a Republican. [Laughter.]

The CHAIRMAN. The gentleman from New York, the Chair thinks, is entitled to be recognized.

Mr. MADDEN. The Chair is always fair, and I would like to be recognized after the gentleman from New York.

Mr. CALDWELL. Mr. Chairman, I will frankly admit that the bill that was presented to us by Gen. Goethals was so far objectionable that I could not support it, but if the Committee of the Whole will look at the bill it will see that every word of the original bill has been stricken out, and the Military Committee has in effect proposed a new bill which carries checks and balances that relieve it of the trouble that was presented by the Republican, Goethals. Notwithstanding the fact that the record shows that Gen. Goethals said he was willing to send the matter to the Court of Claims, the accent of his voice was such as to indicate that he felt that it would be a shame to do so. The gentleman from Iowa [Mr. TOWNER] was not there, and I was, and I will leave it to the Republican members of the Committee on Military Affairs if I have not properly interpreted the remarks.

Mr. KAHN. The chairman of the committee introduced the bill and he was requested to do so by the Democratic Secretary of War.

Mr. CALDWELL. And he sent the Republican, Goethals, down there to follow it up.

Mr. LONGWORTH. He was the only able one they had.

Mr. MADDEN rose.

Mr. DENT. Mr. Chairman, before the gentleman from Illinois uses his time, I ask unanimous consent that at the conclusion of his remarks all debate upon this amendment be concluded.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate upon the pending amendment be closed in five minutes. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, I was very much gratified to learn from the gentleman from New York [Mr. CALDWELL] that the Committee on Military Affairs had sense enough to provide checks and balances with which to pay these bills. [Laughter.] Of course, you could not provide the checks unless you had the balances, and now I am surprised to find that this very same committee, with all these wise men aboard, are coming before the House requiring the Treasury of the United States to furnish the balances, while they are providing the checks. Seriously, however, the Government of the United States was compelled to enter into the contracts, and whether it entered into contracts with France or England or Italy or with American citizens or corporations makes no difference. We were engaged in a great struggle. We tried to do the best we could. We were being urged to win the war, to speed up, and it took some urging on the part of Congress sometimes to force the executive branches of the Government to speed up; but when they finally did awaken to the importance of the situation they got busy. Whether it was necessary to make a written contract, or a telegraphic contract, or a verbal contract, or a telephonic contract makes no difference. The object was to get results, and it would not make any difference if you continued the war for the next 10 years. When the war was over the same condition would obtain that applies now. Unfinished contracts would be in existence, claims for damages would be justified, factories that were turned over to the Government would be where they had to be converted to civil use. These factories during the process of conversion to civil use will be idle, and claims, and proper claims, must be made against the Government. Supplies that have already been furnished by contractors not now needed are on hand ready for sale to somebody who will buy them, and they ought to be paid for. Whether the contract was completed or only begun, the measure of damages must be ascertained. The Government of the United States can not afford to be less than just, and it will be just.

No man should receive a dollar that is not due him. Every man should receive every dollar due him. [Applause.] The United States Government has its reputation at stake. It can not afford as a Government to do what an individual would not be permitted to do, and we, as the representatives of the American people, can not afford to say that any man living within the confines of America patriotic enough to turn everything over to the Government to win the war must now be considered as an outcast and unworthy of confidence. We can not afford to say here that the Secretary of War, who had power to adjust a contract legally made, must not have the power to adjust a contract, whether legally made or not, if it was made in good faith. The time has come when somebody must be trusted. These adjustments must be made. Losses on the part of American citizens can not be tolerated by the Congress or by the Government.

We can not afford to take the chances of creating panic, and whether the claims amount to $1,600,000,000 for American citizens and European governments, or $1,100,000,000 more for European governments, or whether those two figures measure the amount of responsibility, or whether the responsibility is twice as great, yet if there is a legal claim against the Government it must be met, and it ought to be met in all fairness as promptly as possible, trusting somebody to do the thing that should be done, assuming that the Government functionaries, whether they be the Secretary of War or the President of the United States, or whomsoever may be charged with this responsibility, will do his duty as he understands it. He should ascertain the facts, report upon the conditions as they are found to be, and pay the balance due to whoever it may be found to be due without any undue delay, and if in the consideration of the settlement of this question any person is found to have done wrong we have our remedy in the law. [Applause.]

The CHAIRMAN. Under the order of the committee all debate is closed on this amendment, and the question is on the committee amendment.

The question was taken, and the committee amendment was agreed to.

Mr. DENT. Mr. Chairman, I offer the following additional committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add as an additional proviso: On page 5, line 10, at the end of the bill, add the following:

"Nothing in this act shall be construed to authorize payment to be made upon any agreement of a character other than referred to unless the agreement or some memorandum thereof was at the time reduced to writing by an authorized officer or agent of the Government."

Mr. DENT. Mr. Chairman, I do not know but what that amendment might embarrass the department in the settlement of these contracts. This is a committee amendment which was agreed to in the committee, and it was agreed to because the Secretary of War stated before the Committee on Rules emphatically that practically all of these contracts had been reduced to some sort of written form in the War Department, and

it was on such written memoranda that they expected to settle those contracts, and it is for that reason that the amendment is offered.

Mr. MANN. Will the gentleman yield?

Mr. DENT. I will.

Mr. MANN. Many of these contracts, so called, were entered into, and orders were made by telegraph, possibly by mail and by long-distance telephone. Of course, the person furnishing the material had no knowledge and could have no knowledge as to whether the officer who telegraphed him or wrote him or telephoned him sat down and made a written memorandum of what he had done. Now, this is a bill by which you select one man out and pay him and on the same terms, as far as another contractor is concerned, you do not pay him.

Mr. DENT. I agree with the gentleman from Illinois; but the information that the Rules Committee had was to the effect that every one of these telegraphic and telephonic orders had been put in some sort of a written form by the officer who dealt with the transaction, and that is the reason——

Mr. MANN. Well, a copy of the telegram would not be a written memorandum, and a letter itself would not be a written memorandum.

Mr. DENT. A copy of the telegram would not be a written memorandum?

Mr. MANN. Certainly not.

Mr. DENT. It depends on whether it is broad enough.

Mr. FOSTER. I think what the War Department claims is that where they gave a telegraphic order it was based on previous memorandum made by War Department officials.

Mr. MANN. There were may cases throughout the country where officials of the War Department went to cities, went to factories, and themselves personally gave orders which had been under consideration. They could have no written memorandum made at the time.

Mr. FOSTER. They stated it was within the War Department now—all of these—and that all of these were based on that sort of a memorandum.

Mr. MANN. There is so much inefficiency in the War Department I doubt very much whether they have half of such cases with proper memoranda.

Mr. DENT. As I said at the beginning, I rather question whether or not the committee was wise in offering this amendment now, upon reflection, but it was offered in the committee and adopted by the committee upon the statement that there was a written memorandum of every contract, and they propose to settle on these memoranda.

Mr. BARKLEY. Will the gentleman yield?

Mr. DENT. I will.

Mr. BARKLEY. If this amendment was adopted and there was one case where that sort of a memorandum may not have been made, then it can not be paid?

Mr. DENT. That is true, and that is the reason why I am inclined to think perhaps——

Mr. McKENZIE. Will the gentleman yield?

Mr. DENT. I do.

Mr. McKENZIE. Was it not stated before our committee that there were no such cases where there was not a memorandum of some character in the War Department?

Mr. DENT. That is true.

Mr. McKENZIE. And it seems to me it would be a most violent presumption for the Congress of the United States to assume that some man should after the armistice had been signed come out and say, "Well, I had some certain form of contract with the War Department," and not a single memorandum of any character there. While this legislation may be considered of doubtful wisdom, judging from such speeches we have heard here to-day, surely this amendment would not make it more doubtful.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. The gentleman from Alabama asks that his time be extended for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. ELSTON. Does the gentleman have any apprehension that the use of the word "memorandum" here will put it in the class of construction that the word bears in connection with the statute of frauds? Does not the gentleman think that possibly the use of the word "record" would be better than the word "memorandum"? That is, the word "record" would be much less formal, I think.

Mr. DENT. I see the gentleman's point. There might be something in that.

Mr. ELSTON. After this becomes a law, of course, the word "memorandum" would be susceptible of the very strict construction it has in connection with the statute of frauds.

Mr. DENT. I do not think so, in view of the fact that the amendment as originally offered by a member of the committee contained the language of the statute of frauds, and if I may, without violating the rules of the House, I will say that the gentleman from Illinois [Mr. McKENZIE] moved to amend so as not to make this apply.

Mr. ELSTON. If the gentleman will permit a moment, that, of course, would not be a part of the statute and would not be read with it. I think the use of the word "record" there would cover most any kind of a memorandum in connection with the contracts.

Mr. LaGUARDIA. Is not the purpose of this amendment to do what the gentleman from California [Mr. ELSTON] seeks to avoid? Is it not the purpose to have this come within the requirements of the statute of frauds, and so to shut out all claims of speculative profits?

Mr. ELSTON. I had reference to the matter of time.

Mr. DENT. No; it is not the purpose.

Mr. LaGUARDIA. I was in hopes that it was.

Mr. DENT. It is not the purpose of this amendment to make the contract come within the provision of the statute of frauds. If it did, that would destroy the purpose of the bill.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask that the amendment of the gentleman from Alabama may be read once more. There is confusion here as to just what it is.

The CHAIRMAN. The Clerk will report the amendment.

The amendment was again reported.

Mr. COOPER of Wisconsin. Mr. Chairman, that amendment, should it be made law and be enforced, would work a great hardship to some innocent people, for it would absolutely deprive them of any opportunity to have their claims settled. I can make this plain by presenting some of the principal facts of a case in which a number of my constituents are interested. These facts were told me at my home in Racine on November 19 last by three farmers, whose farms were all located a few miles north of Racine. These men said that in September last—about the middle of the month, I believe—a man representing himself to be an agent of the United States Government came to their homes and endeavored to secure 30-day options on their farms, at the same time saying that the Government was going to buy 2,000 acres there of contiguous land, with a view to establishing a great T. N. T. plant. The farmers who called on me had some of the option blanks which the agent had left with them. These were not printed at all, being merely typewritten carbon copies, from which the words "the United States Government" or "the Government of the United States," customary in blanks used by or for the Government, were omitted. Blank spaces were left for these words. The agent went from farmer to farmer and said, "We want your land for the purposes of a T. N. T. plant. We want you to sign this option. Of course, it is really immaterial to us whether you sign or not, for in any event the Government of the United States will take your land."

These farmers told me that when they asked for evidence of his authority to act for the Government he pulled something out of his pocket and read it without showing it to them. They took it for granted that he had the authority. And I believe that he had. Although the blanks contained the customary statement, "In consideration of $1 in hand paid," they told me also that none of them had ever received one cent of the dollar which those who signed options had receipted for.

Before the 30-day options had expired men claiming to be agents of the Government took 2,000 acres of contiguous land, land on which options had been given and land on which options had not been given, and put up all over it signs bearing the words "Property of the United States Government"

The men who called on me had given no options. They said to the agent, "When are we going to get our money?" The reply was, "You will get it very soon. The Government will settle up with you." Thereupon all the farmers on the 2,000 acres moved away with their families. Some of them took options on homes in the city of Racine, and others on farm lands elsewhere.

They received nothing, as I have said, for their farms. This left some of them without means to pay for the property on which they themselves had taken options. Winter was coming on, and there they were.

Most, if not all, of this land was taken about the middle of October, when everybody knew that the Germans were defeated.

Now, we want these men to be paid. Their property was trenched—dug up; railroad tracks were put down; buildings were erected; and all without paying even one penny to any of the owners of the farms thus seized.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to have three minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. DUPRÉ. Has the gentleman any doubt in his mind as to the authority of these men who came along and made those contracts? It seems to me it is a very dubious proposition.

Mr. COOPER of Wisconsin. Well, it looked dubious to me, Mr. Chairman, until I went up to the War Department and was informed that these agents had acted with the authority of the Government. In the office of the Assistant Secretary of War I dictated to a stenographer a statement of the facts of the Racine case. Two or three days later—I think the next day—some one, I do not know who, telephoned me from the War Department saying that the Racine case was one of great merit, and that it would receive prompt attention.

On November 19, after these farmers called on me, I telegraphed a statement of the facts to the Secretary of War and asked what the department was going to do about the matter. On December 6 I received a letter from the Assistant Secretary of War in reply to my telegram, in which he says:

The situation which you mention seems to require immediate attention. I have therefore caused a special investigation to be instituted in this matter, and it will be expedited as rapidly as possible.

Yours, very truly,

BENEDICT CROWELL,
Assistant Secretary.

Over to the left and near the signature were the initials "C. W. H." I do not know who he is.

Now, as I say, those farmers ought to be paid. Some of the property is practically destroyed for agricultural purposes. They are bound by contracts into which they subsequently entered for the purchase of other real estate. They are subject to a very great hardship. The question is, Mr. Chairman, whether this bill, which would authorize the Secretary of War to settle and adjust these cases, would allow the Secretary of War to appoint for the adjustment of these claims or other claims arising out of similar circumstances any of the men who authorized or conducted the negotiations or work on behalf of the Government. The farmers and other honest claimants ought to be paid promptly and in full. We ought to insist on knowing all about why there was such haste in attempting to establish a great T. N. T. plant to cover 2,000 acres during the very closing days of the war, when we knew that the German armies had met with overwhelming defeat.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. GORDON. Does the gentleman think these people ought to be paid for the land and keep it, too?

Mr. COOPER of Wisconsin. No; but I think they ought to be paid for the land, those who gave options and those who did not give options, the Government having taken over the property of all.

Mr. GORDON. Do you claim that would not be exercised under this authority if the bill is adopted?

Mr. COOPER of Wisconsin. There is no memorandum nor option in some cases. They took the land of some men who had given no option. And if this amendment should be adopted, then in cases where there is no memorandum or option the farmer could not have his claim settled.

Mr. GORDON. There is an implied contract on the part of the Government if it took it.

Mr. COOPER of Wisconsin. But does not the gentleman from Ohio see that there is no written memorandum?

Mr. GORDON. But there is an implied contract by the very act of the Government.

Mr. COOPER of Wisconsin. But this provision that I have read specifically provides that there shall be a memorandum, or otherwise there can be no adjustment or payment of the claim. There would have to be a suit.

Mr. GORDON. But this does not preclude payment by the Government for stuff that it has actually taken. Those claims are not covered by this bill.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I want three minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. In view of what has been said by gentlemen, I would like to ask the chairman of the Committee on Military Affairs if the contention of the gentleman from Ohio [Mr. GORDON] is correct. Under the amendment now pending, which would specifically prohibit the payment of any claim for which there is not a memorandum, if a man's property has been taken without any option, there being no written agreement signed by him at all nor by the Government, would he get any pay?

Mr. DENT. I will say to the gentleman very frankly that if this amendment is adopted it is my construction of it that unless the officer or the agent of the Government who handled the transaction did file some written memorandum as to the transaction, he could not get payment.

Mr. COOPER of Wisconsin. That is as I understand it, and in the absence of anything of that kind these farmers in my district whose property was taken without their having signed an option and without there being any written agreement by the Government to take their property or any memorandum made at that time would be absolutely barred.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. GOOD. Without that agreement they would not fall within the class provided for by this bill.

Mr. COOPER of Wisconsin. I think they would.

Mr. GOOD. It applies to those between whom there is an agreement of some kind with the Government—between the Government and the claimant.

Mr. COOPER of Wisconsin. I think the gentleman is mistaken. If he will look at line 17 he will see the language, "and such agreement has not been executed in the manner prescribed by law." That language covers implied contracts. Moreover, in line 4, page 3, the bill specifically mentions agreements "express or implied."

Mr. GOOD. But there was no meeting of the minds in those instances.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. COOPER of Wisconsin. Yes; I yield to the gentleman from Illinois.

Mr. McKENZIE. I simply desire to ask the gentleman from Wisconsin if he does not understand it to be the law that where the Government of the United States takes property under its power to commandeer—takes possession of any property, either real or personal—it is bound to pay the fair valuation of that property, regardless of whether there is a contract or not?

Mr. COOPER of Wisconsin. That is very true.

Mr. FIELDS. They did not resort to commandeering proceedings there.

Mr. COOPER of Wisconsin. Very true; but if Congress should pass a law providing that no claim of that kind shall be adjusted, paid, or discharged unless there is a memorandum, then the law which the gentleman has just cited would not control. The last law passed by Congess would govern that transaction, and these farmers could not have their claims adjusted or paid through negotiation or mutual agreement. They would have to litigate.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing therein a letter which I wrote on the subject of this T. N. T. plant at Racine.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The letter referred to is as follows:

WASHINGTON, D. C., *December 6, 1918.*

Mr. VINCENT NOVAK,
Box 85, R. F. D. 1, Racine, Wis.

DEAR SIR: Referring to the subject of the proposed T. N. T. plant, North Racine, about which we had a conversation, I have to inform you that a letter from the War Department addressed to me at Racine was forwarded and received here. The letter is dated November 25, but did not reach me until yesterday. This is the first word in reply to my telegram to the War Department, sent November 19, that I have received.

After some preliminaries the letter, which is signed by the Assistant Secretary of War, concludes as follows:

"The situation which you mention in your telegram seems to require immediate attention. I have therefore caused a special investigation to be instituted in this matter and it will be expedited as rapidly as possible.

"Yours, very truly,

BENEDICT CROWELL,
"Assistant Secretary of War."

The letter also contains the statement that the department is making every effort to determine as soon as possible all the questions involved in each of the problems which have arisen out of the sudden cessation of hostilities, and that upon the determination of such questions in each case where the department has caused damage every law-

ful step toward making prompt reparation will be made. The Assistant Secretary says also that some of the cases are more urgent than others by reason of the hardships which may result from delay, and then says that he will take up the Racine case at once.

I will call at the War Department this afternoon or to-morrow morning and do everything that I can to have the difficulties with the property owners properly settled.

Yours, very truly, HENRY ALLEN COOPER.

Mr. SHALLENBERGER. Mr. Chairman, I want to call to the attention of the gentleman from Wisconsin the fact that the very case he refers to was brought before the committee. The gentleman from Illinois [Mr. MCKENZIE] asked Mr. Dorr, who represented the War Department upon this particular matter, to give a specific case that would be affected by this law, a case that they sought to remedy under this law, and his reply was:

Mr. DORR. I might mention one which was brought to my attention this morning. That was the case where the Government was planning to build a T. N. T. plant at Racine, Wis. At the time the armistice was signed it became evident that that plant ought not to be proceeded with. The plant was just beginning, and it had been necessary to get some land for it, and that land had been occupied; options had been given; there was a question of titles to look up; and the whole matter could not wait for the adjustment of the technicalities of the real estate law in the matter, and the Government was occupying the land. There were farmers who had their all in their little places and had turned over the occupancy of that land to the Government, and the Government naturally wants to make some compensation to the owners, to give them relief, and I do not see how we are going to do it. There was a very urgent telegram from that locality urging the department to make prompt settlement in the matter. I do not see how that can be done without enabling legislation.

He asked this law for the express purpose of taking care of this case and others like it, and this bill is drawn to enable the War Department to take care of it, and his statement is that options and memoranda had been given which will enable them to do so.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. SHALLENBERGER. Certainly.

Mr. COOPER of Wisconsin. The gentleman will observe that in that statement the witness declares that options had been given.

Mr. SHALLENBERGER. Yes.

Mr. COOPER of Wisconsin. But options were not given in some cases, but the property was taken.

Mr. GORDON. There is an implied contract to pay for it, then.

Mr. COOPER of Wisconsin. Exactly; but if you abrogate the implied contract by a specific statute which says you shall not pay on the implied contract, that you shall not pay unless there is a written memorandum of agreement, that repeals it pro tanto, of course.

Mr. SHALLENBERGER. I will say to the gentleman from Wisconsin that the general statement was made to the committee that there was no case where a memorandum did not exist. Therefore we propose this amendment to the bill. Furthermore, in this particular case Mr. Dorr stated that options had been given, and that these men did have memoranda showing the contract and the amount the Government was to pay. Of course, if that is not true, then it does not come within this amendment.

Mr. COOPER of Wisconsin. Mr. Chairman, the farmers who called on me on the 19th of November last, intelligent, educated men, were positive in declaring that they had not given options, and had nevertheless been compelled to move off of their property. They knew better about the facts than did the witness just quoted by the gentleman from Nebraska [Mr. SHALLENBERGER].

The CHAIRMAN. The time of the gentleman has expired.

Mr. GORDON. Mr. Chairman, the case cited by the gentleman from Wisconsin [Mr. COOPER] of these men who refused to give an option is a case where there was no contract and no pretense of a contract, of course; but if the Government took possession of their land, by operation of law an obligation was created for the Government to pay the reasonable value of that land.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption right there?

Mr. GORDON. Yes.

Mr. COOPER of Wisconsin. These men did not refuse. They were handed this document to read over, and before they consented or made up their minds what to do the property was taken.

Mr. GORDON. Oh, well, then, that does not alter the facts at all. If the Government takes property, which the Government can only lawfully do in time of war, that creates an obligation on the part of the Government to pay the reasonable value of that property.

Mr. VENABLE. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. VENABLE. Of course I suppose it is generally conceded that if the Government takes the property of a citizen, the citizen has a right to go into court, vindicate his rights, and receive payment?

Mr. GORDON. Certainly. He could sue in the Court of Claims on that very thing.

Mr. VENABLE. But do you contend he could do it under this bill?

Mr. GORDON. No; not under this bill.

Mr. BLANTON. He would not be limited to the Court of Claims. He could go into the Federal court of his locality.

Mr. VENABLE. However, if this amendment is adopted, will it not be a prohibition upon the Secretary of War to prevent his paying any claim, however meritorious, unless there was some sufficient memorandum in writing?

Mr. GORDON. Not if the goods have been delivered; certainly not; and this statute is not intended to cover those cases at all.

Mr. VENABLE. When it specifically states that no claims shall be paid unless there was a memorandum?

Mr. GORDON. Certainly. The purpose of this legislation is to provide for the adjudication of contracts not executed. Now, in the case cited by the gentleman from Wisconsin [Mr. COOPER] the contracts were executed and possession of the property was taken. In two instances no agreement had been entered into, but the Government seized the property, anyway, and thereby, by operation of law, there arose an obligation upon the part of the Government to pay the reasonable value of that property.

Mr. VENABLE. Is there anything in the bill which confines it to contracts that are not executed? Regardless of what you construe the intent to be, does it not prescribe a number of informal claims that were bad because they did not come up to the statutory requirement as to form?

Mr. GORDON. Yes; but the cases which the gentleman refers to do not come within this statute.

Mr. VENABLE. And then you say that none of these contracts shall be satisfied and the moral obligation discharged unless there is a sufficient memorandum.

Mr. GORDON. Yes; sufficient to determine the contract.

Mr. VENABLE. Would not the court construe that as prohibiting the payment by the Government in the case mentioned by the gentleman from Wisconsin [Mr. COOPER]?

Mr. GORDON. Certainly not; and I will tell you why.

Mr. VENABLE. I wish to understand why.

Mr. GORDON. These men to whom the gentleman from Wisconsin referred as not having given an option upon their land, but whose land was seized by the Government, can present a claim for the value of that land to the War Department. If the War Department refuses to pay it or they are unable to agree upon a price, they can commence a suit in the Court of Claims against the United States for the recovery of it. Not a single one of the claims covered by this bill can be sued for in the Court of Claims without express authority of Congress.

Mr. DILLON. Will the gentleman yield?

Mr. GORDON. I will.

Mr. DILLON. Suppose the Government took possession of the business, or took possession of the land, and holds it a week or a day through the commandeering process, does the gentleman claim that the Government has got to buy the land or pay for the use?

Mr. GORDON. Of course, the Government has got to make some just settlement in the matter.

Mr. JOHNSON of Washington. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Washington. Is debate exhausted?

The CHAIRMAN. The Chair will read the rule:

When general debate is closed by order of the House, any Member shall be allowed five minutes to explain any amendment he may offer, after which the Member who shall first obtain the floor shall be allowed to speak five minutes in opposition to it, and there shall be no further debate thereon.

Mr. STEVENSON. Mr. Chairman, I offer an amendment to the committee amendment. I think it will not be objected to by the committee.

The Clerk read as follows:

Strike out of the proposed amendment the words "at the time," and insert the words "on or before November 12, 1918."

Mr. STEVENSON. Mr. Chairman, I do not care to take up much time in the discussion of this proposed amendment. The term "at the time" is exceedingly indefinite. Certainly none of the quasi contracts were entered into after the 12th of November. The armistice took effect at midnight, the 11th of November, 1918. In order to give them sufficient latitude to get in, if you adopt the amendment you ought to allow the memorandum

to be made during the period up to the 12th of November, 1918, and remove all discussion that will arise over what "at the time" means. Does that mean some hour, some day, or some week? "At the time" is indefinite.

Now, there is one other matter I wish to allude to. It seems to be advocated here—and I was at first impressed with it—that where the Government took possession of property, as related by the gentleman from Wisconsin [Mr. COOPER], and received property, that that was provided for under the general law, and the Government had it to pay for, regardless of this act. But this act undertakes to deal with that very condition, because you find in the proviso, line 18, the following:

Provided, That payment under such agreement shall not exceed the fair value of the property transferred or delivered and accepted by the United States, as determined by the Secretary of War, and where no property has been transferred, delivered, or accepted payment shall not be in excess of the actual cost incurred in preparation for performance, as such cost is determined by said Secretary.

That brings the case cited by the gentleman from Wisconsin within the control of this act. I am inclined to think that the whole amendment is vicious, and if it is adopted it ought to be adopted with the provision fixing an absolute date on which the memorandum was filed.

Mr. DENT. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto be concluded in 30 minutes.

Mr. MANN. Debate on what?

Mr. DENT. On the committee amendment and all amendments thereto.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on the amendment proposed by him and all amendments to that amendment be concluded in 30 minutes. Is there objection?

Mr. ELSTON. Reserving the right to object, I would like to ask the chairman of the committee whether he expects to continue the session until this bill is disposed of?

Mr. DENT. I certainly do. This is the last committee amendment.

The CHAIRMAN. Is there objection to the request?

Mr. MANN. Reserving the right to object, if 30 minutes' time is allowed and members of the committee seeks recognition in favor of the amendment, will they first be entitled to recognition?

The CHAIRMAN. Under the rules of the House, as the gentleman knows, each member of the committee is entitled to preferential recognition. The Chair does not think that when a member of the committee has spoken once that he is entitled to preferential recognition again.

Mr. MANN. That is true, with the modification that first a member of the committee in favor of the amendment is entitled to recognition and then one who is opposed to the amendment.

Mr. FIELDS. I am a member of the committee and have been trying to get recognition for some time.

The CHAIRMAN. The Chair has recognized the gentleman from Kentucky once. [Cries of "Vote!" "Vote!" "Vote!"] The question is on the amendment offered by the gentleman from South Carolina to the committee amendment.

The question was taken, and the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the committee amendment as amended by the gentleman from South Carolina.

Mr. GREEN of Iowa. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Page 5, line 10, after the word "contracts," strike out the period and insert a colon, and add the following:

"*Provided further*, That no payment shall be made on any claim made under this act until affidavit has been made by the officer or agent, if living, who, on behalf of the War Department, made the agreement or arrangement upon which said claim is based, that it was entered into or made without any benefit or advantage to himself, and that he is not interested, directly or indirectly, in whatever may be paid thereon."

Mr. DENT. I reserve a point of order on that.

Mr. PARKER of New Jersey. Mr. Chairman, I make the point of order that that is not an amendment to the amendment.

The CHAIRMAN. The Chair will state to the gentleman from Iowa that the amendment of the gentleman from South Carolina has already been adopted.

Mr. GREEN of Iowa. Mr. Chairman, I was under a misapprehension and I withdraw the amendment.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Alabama as amended by the gentleman from South Carolina.

The question was taken; and on a division (demanded by Mr. DENT) there were 50 ayes and 67 noes.

So the amendment was rejected.

Mr. McKENZIE. Mr. Chairman, I offer the following amendment, to come at the end of the bill, which I send to the desk and ask to have read.

The Clerk read as follows:

At the end of the bill add the following:

"*And provided further*, That all authority heretofore authorizing the Secretary of War to acquire real estate, by purchase or otherwise, by any act or acts of Congress providing for the existing emergency is hereby repealed, and that any unfinished contracts for the acquiring of real estate are hereby canceled, and that hereafter the Secretary of War or his agents shall not be permitted to acquire title to any real estate, by purchase or otherwise, until specifically authorized so to do by act of Congress and the providing of an appropriation by Congress to pay for the same when such purchase is duly authorized."

Mr. DENT. Mr. Chairman, on that I reserve the point of order.

Mr. McKENZIE. Mr. Chairman, I am not going to take up the time of the committee to discuss this amendment at any length. I think you all understand the purpose of it. The purpose is to prevent the War Department from purchasing any more real estate. Under the war power and under the law passed by Congress they have been enabled to buy large tracts of land, and the testimony before our committee a few days ago on a proposed artillery field gave notice to the committee that they are going right along taking options and buying land, and while we are now involved in the discussion of this bill to make settlement for these hundreds of contracts that have been heretofore entered into, many of them irregular or informal, it seems to me time now, since we are at peace, to stop the further purchase of real estate unless it is specifically authorized by Congress and an appropriation made to pay for it.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. McKEOWN. I will ask the gentleman if the War Department has not now, at this time, title to a large acreage at Fort Sill, Okla., where they are conducting artillery schools, without buying any more land?

Mr. McKENZIE. That is true. I do not care to say anything further.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. MAPES. The gentleman's amendment contains this language:

And that any unfinished contracts for the acquiring of real estate are hereby canceled.

Mr. McKENZIE. Yes.

Mr. MAPES. In my district there is a case somewhat similar to the situation in the district of the gentleman from Wisconsin [Mr. COOPER]. The Government established a picric-acid plant and took possession of the land of about 40 people. Options were given in most cases, but those options have now expired. The Government took possession of the land, but the owners have not yet received pay for their land, although they were obliged to get off the land and they lost their crops and the use of the land entirely. Substantial buildings were put up on the land and it is no longer suitable for the use of the original owners. What effect would the gentleman's amendment have on a situation like that?

Mr. McKENZIE. I would say to the gentleman from Michigan that under the bill now pending in the committee those gentlemen will get settlement through the War Department, and what I am aiming at is to cancel all unfinished contracts and prevent the War Department from entering into any more, in order that we may get a final settlement of this whole thing and know where we are at.

Mr. MAPES. Is not the language of the amendment so broad that it would cancel these proposed contracts and prevent those men from getting pay for their land?

Mr. McKENZIE. No; it would cancel the contract, but they would get their pay under the legislation now pending.

Mr. ELSTON. Does the gentleman mean by "unfinished contracts" contracts on which full payment has not yet been made? Let us say a contract was entered into where payment is to be made in installments, where the Government has made improvements and wants to keep the land. Suppose the Government has not paid in full, would that be an unfinished contract?

Mr. McKENZIE. It would not be, because in that case the title has passed.

Mr. ELSTON. Oh, no; the title has not passed. I am speaking of an executory contract, where all payments have not been made and the deed, therefore, has not yet passed to the Government. I think the phrase "unfinished contracts" is rather dangerous to use for the object the gentleman wishes to accomplish, viz, to prevent the Secretary of War from making further contracts for the purchase of land.

Mr. SUMNERS. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. SUMNERS. I would like to ask the gentleman how he construes his amendment as applied to this situation, where the Government has an option on real estate and has erected valuable improvements and contemplates availing itself of them? If the contract is canceled, the Government is left with a valuable improvement upon land which it does not own, with no power to acquire title save through condemnation, and I am not sure that in a condemnation suit any estimate of the value of the land covered would be such as to take advantage of the improvements that have been put upon the land.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DENT. Mr. Chairman, I make the point of order much as I dislike to make the point of order on an amendment of this kind.

The CHAIRMAN. What is the gentleman's point of order?

Mr. DENT. That it is not germane to the purposes of the bill.

The CHAIRMAN. The Chair is ready to rule.

Mr. McKENZIE. I do not care to argue the question, because I think the Chair is familiar with parliamentary procedure.

The CHAIRMAN. The Chair has nothing to do with the merits or demerits of the proposition, but the Chair is called upon to rule upon the technical proposition as to whether or not the amendment is in order on this bill under the rules of the House. The subject matter before the House is a bill "to provide relief where informal contracts have not been made in the manner required by law." The amendment offered, in the opinion of the Chair, does not relate to the subject matter of this bill at all—is not germane to it—but repeals certain statute law and provides that hereafter officials of the department shall not buy land for Government use unless they have specific authorization from Congress so to do. The Chair does not believe the amendment is germane to the subject matter of this bill and sustains the point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following amendment to the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. MOORE of Pennsylvania offers the following amendment to the bill: "Strike out all after the word 'that,' on line 3, page 3, and insert"——

Mr. STAFFORD. Mr. Chairman, a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. I wish to offer an amendment to perfect the text.

The CHAIRMAN. The Clerk will have to report the amendment.

Mr. STAFFORD. But the motion, as disclosed by the reading, is to strike out all and offer a substitute——

The CHAIRMAN. The Clerk will report the amendment.

Mr. MOORE of Pennsylvania. That is not correct, I include the whole bill.

The Clerk read as follows:

Strike out all after the word "that," on line 3, page 3, and insert the following:

"There is hereby created a committee on war-contract expenditures, to consist of the Secretary of War, the Attorney General, two Members of the Senate, one a Democrat and one a Republican, to be appointed by the President of the Senate, and four Members of the House of Representatives, two Democrats and two Republicans, to be appointed by the Speaker of the House of Representatives.

"SEC. 2. That the Secretary of War, with the approval of the committee on war-contract expenditures, be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon the basis of reasonable value but in no case greater than the agreed price that has been entered into, in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, with any foreign Government or with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for any supplies, material, or equipment to be used in the prosecution of the war, when such agreement has been executed in whole or in part, or expenditures have been made or obligations incurred upon the faith of the same by any such government, person, firm, or corporation prior to November 12, 1918, and such agreement has not been executed in the manner prescribed by law: *Provided*, That payment under such agreement shall not exceed the fair value of the property transferred or delivered and accepted by the United States, as determined by the Secretary of War, and where no property has been transferred, delivered, or accepted payment shall not be in excess of the actual cost incurred in preparation for performance, as such cost is determined by said Secretary: *Provided further*, That this act shall not authorize payment to be made of any claim under such agreements after June 30, 1919: *And provided further*, That the Secretary of War shall report to Congress at the beginning of its next session following June 30, 1919, a detailed statement showing the nature, terms, and conditions of every such agreement and the payment or adjustment thereof: *And provided further*, That nothing in this act shall be construed to confer jurisdiction upon any court to entertain a suit against the United States upon any agreement of the character herein provided for: *And provided further*, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns, or any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statutes of the United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD, or in the Official Bulletin, or as a public document, 10 days before confirmation and payment is authorized upon such contracts.

Mr. DENT. Mr. Chairman, I reserve a point of order.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Is it in order for the gentleman to offer his amendment as a substitute before amendments to perfect the text are included?

The CHAIRMAN. The Chair would state that the substitute, of course, is nothing but an amendment, and the Chair thinks it is in order at this time to offer an amendment in the nature of a substitute. The Chair, however, believes that if any of the Members have an amendment to perfect the text those amendments should be voted on before the vote is taken on the substitute.

Mr. STAFFORD. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Whether the gentleman is now in order to proceed to discuss his amendment and after he has had the floor whether it is then in order to offer an amendment to perfect the text?

The CHAIRMAN. The Chair thinks so.

Mr. STAFFORD. I desire to offer an amendment to perfect the text.

The CHAIRMAN. The gentleman from Pennsylvania has the floor.

Mr. MOORE of Pennsylvania. Mr. Chairman, the amendment before the committee now is the committee amendment to the House bill literally as printed, except that it includes the two amendments which were just passed by the committee as offered by the Committee on Military Affairs, and which have been inserted at the proper places, and a new provision, which is as follows:

That there shall be created a committee on war-contract expenditures, to consist of the Secretary of War, the Attorney General, two Members of the Senate, one a Democrat and one a Republican, to be appointed by the President of the Senate, and four Members of the House of Representatives, two Democrats and two Republicans, to be appointed by the Speaker of the House of Representatives.

That is new. It creates a committee on war-contract expenditures. That is all. The next paragraph starts out with the declaration "that the Secretary of War"—and this is new—"with the approval of the committee on war-contract expenditures, be, and he is hereby, authorized," and so forth, to do everything that is set forth in the printed bill. The whole proposition is that we, in response to what appears to be a public demand, shall offer to the Secretary of War congressional cooperation in the matter of the settlement of these large contracts.

I endeavored a little while ago to explain just how this might be done and how simple it would be. It should be no embarrassment to the Secretary, except that of fixing a time for meeting this congressional committee, and the Attorney General to cooperate with him as to those particular contracts he properly audited, and which are ready for approval, or for further investigation if it be found that there should be any newly discovered evidence or any reason why they should be further examined.

I hesitated about placing with the President the authority to appoint a committee or a commission, because it might be said that putting the power in the hands of the President at this time and requesting him to appoint a commission—he being absent from the country—would mean delay. For the same reason I am not quite satisfied that the Senate amendment creating a commission would avoid delay, which everyone seems to want to avoid, because the Senate amendment proposes to create a commission that shall be paid a salary of $10,000 per member. That, of course, as we all understand, would mean a long period of service. There is nothing in this proposed amendment except the creation of a committee to cooperate and, if need be, to assist the Secretary of War to see that these contracts are valid, that there is no imperfection or irregularity with regard to them, and that they are properly and promptly paid if found correct. That is the sum and substance of the

proposition—that the Congress of the United States shall have oversight and supervision along with the Secretary of War as to contracts, both foreign and domestic, that we are now informed will mount up to more than $2,700,000,000. How many I am unable to say. The Assistant Secretary of War has indicated in the hearings that the American contracts will number six thousand six hundred and odd.

Mr. TILSON. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will.

Mr. TILSON. I would like to know from the gentleman what he thinks six Members of Congress, two Senators and four Representatives, could do toward informing this House as to the details of 6,000 contracts in addition to other duties that they must perform, in view of the fact that most Members of Congress, perhaps I might say all of us, would have very little, if any, technical knowledge of the subject covered by those contracts?

Mr. MOORE of Pennsylvania. That is a fair question. It was asked by the gentleman from Texas [Mr. EAGLE] a little while ago, and I attempted to answer it then. The answer was this: The public would be better satisfied and Congress would be better satisfied to know that Members appointed by the Vice President and the Speaker had satisfied themselves that the procedure at the War Department was regular. As to the matter of time and the excess of service that some of us think we perform, I stated then, and I repeat, that no Member appointed upon this committee by the Vice President or the Speaker would hesitate one minute about responding to the call of the Secretary of War to look over his lists. There are 435 Members of the House and 96 Members of the Senate——

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. There are 435 Members of the House and 96 Members of the Senate. And every one of them is in direct communication with the American public. More than 100,000 people do their official correspondence with and through these Members of the Senate and the House. We know, just as the gentleman from New York stated in the case that was brought to his attention a little while ago, when some one "read the hearings on him," that the Secretary of War personally can not attend to all the details of his department. We have multiplying evidence of that fact now, with respect to war-risk claims, contracts, and all sorts of business respecting the discharge of soldiers, and things of that kind.

If the Secretary of War relies upon his subordinates and those subordinates in the matter of contracts are men who have had some interest in the contracts or the awarding of contracts, what more reasonable than that he should welcome the cooperation of Members of Congress to look at his lists? There are six thousand six hundred and odd contracts. Yes; it would take a long time to look over that list. But I assume when the Secretary of War calls its first meeting and this Committee on Expenditures should assemble, he would have a list of at least a thousand contracts ready for their approval or their disapproval, and if they observed that contract No. 1 was made by a distinguished firm of builders, that it had been properly audited, that the amounts were accurately stated, it would not take that committee long to say, "Pass that," and "Pass No. 3; pass No. 4. But hold up No. 1102. I have had a communication about that from one of my constituents. A gentleman has complained to me through the House or the Senate in respect to that contract. Lay that aside until we can make an investigation." And it might happen that there would be dozens of such contracts necessitating further examination and inspection for reasons not known to the Secretary.

Gentlemen, never in the history of the world have we entrusted to individuals such power and confidence as have been reposed by Congress in our public officials in this war. And they have done some extraordinary things. Give them credit for that. But we must not let them get it into their heads that Congress does not still exercise its powers and its prerogatives. We are voting away, if we pass this bill, $2,700,000,000. That is a tremendous tax against the people of the United States. Over in a small room across the way we are now discussing the problem of how to cut down the tax bill from $8,000,000,000 to $6,000,000,000, and here you are spending, or proposing to spend, nearly one-half of the latter amount, about which as a tax proposition there is so much complaint.

I do not reflect upon a single officer of the department with respect to this bill, except to say that sometimes they are overconfident and sometimes they have not welcomed that scrutiny which we, if we had been elected by the people, would have welcomed if we had been in their places.

Mr. PURNELL. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. PURNELL. Does not the gentleman think that this committee ought to be composed of high-class expert accountants, who can devote all their time to this business and receive pay for it?

Mr. MOORE of Pennsylvania. My information is that they have all the expert accountants down in the War Department now that the country and the Government affords.

Mr. PURNELL. Well, then, say business men.

Mr. MOORE of Pennsylvania. Then it would mean compensation and delay—the very thing that most of the people have been protesting against. You appoint this congressional committee and let the Secretary lay his cards on the table—that is all he has to do—and if that committee has no information, if no one has made complaint, if there has been no correspondence affecting the contract, if the audit seems clear and plain and just, let the settlement be made. But if there shall be one in a hundred, or two in a hundred, or one in a thousand that savors of crookedness or connivance or favoritism, let it be held up for further information.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. JUUL. I would like the gentleman to say whether he knows if there is an itemized list, or what is approximately an itemized list, in the possession of any Member of this House as to the number of items, and what they consist of, and their amount?

Mr. MOORE of Pennsylvania. I read the hearings as carefully as I could, and I did not find that any officer of the War Department was prepared to give that list, and I have heard it stated that one of them said it would take as many as 200 clerks quite a long period of time to prepare the list, which seems to justify the suggestion that congressional oversight would do no harm.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SLOAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Nebraska, as the Chair understands, offers an amendment to perfect the text. The Clerk will report the amendment.

Mr. SLOAN. My amendment is at the desk.

The Clerk read as follows:

Amendment offered by Mr. SLOAN: Page 3, line 8, strike out "twelfth" and insert "eleventh."

Mr. SLOAN. Mr. Chairman, I move to strike out the date, the 12th, which is selected as a focal date here, and insert "eleventh," for the following reasons: First, there was no occasion for any officer of the War Department to enter into any new contracts on the business day of November 11; second, there was no reason why any contractor should impose upon his country, even if the opportunity should present itself for a new contract, after the armistice was signed.

The armistice was signed in the morning of November 11 over there, which was late at night November 10 over here. I read from the Washington Post of November 11—and the Washington Post is a morning paper—this statement:

Germany surrenders. The war is over. The armistice has been signed. It was signed at 5 o'clock this morning, French time. This announcement was made at 2.45 o'clock this morning officially at the State Department.

Now, at that time there is a record, I understand, which shows that the Government had charge of the means of communication, the wires of this country, and there was communication available to every part of this country, and there was no officer in this country but who was reachable at that time, to have stopped further negotiations and entering into new contracts. It seems to me that if we would safeguard the Government's interests and at the same time have due regard for the rights of contractors who were careful in making their contracts, we should change that date from the 12th of November to the 11th.

As I suggested this morning when I was speaking to this question in a general way, the nearer you come to the final time fixed in the bill the closer should be the investigation given to each of these alleged contracts and the greater likelihood there would be that they might be fraught with fraud or irregularity. I do not think we should attempt to validate any contract that was made after the armistice was signed, after an opportunity was given for every official of the War Department and everybody interested to know that fact, and therefore for preparing themselves and protecting themselves against a mistake in the contract or a question of authority.

I want to say in passing at this time that I do not understand that there are many Members of this House who do not desire to pay every obligation honestly entered into by the Government with any contractor. The Government should pay every dollar honestly due, regardless of the formality or informality of these contracts. But I think the American people would be better satisfied if the tribunal that determines their validity, or determines the good faith of these contracts, were some other tribunal than the tribunal named in this bill, and for that reason I heartily agree with the proposition presented by the gentleman from Pennsylvania [Mr. MOORE].

Mr. DENT rose.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] is recognized. Is the gentleman opposed to the amendment?

Mr. DENT. I am opposed to the amendment.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. DENT. Mr. Chairman, I reserved a point of order on this amendment. I am under the impression that this amendment is not germane to the proposition involved here. But I am going to withdraw that reservation and leave it to the House to say whether or not at this particular stage of the game they are willing to say that the War Department shall not settle the contracts that happen not to have been formally and ceremoniously executed when they have the right to settle millions of dollars of contracts that were formally executed; and I ask unanimous consent that all debate on the amendment of the gentleman from Pennsylvania [Mr. MOORE] and the amendment thereto be now concluded.

Mr. GARRETT of Tennessee. Does the gentleman withdraw his point of order?

The CHAIRMAN. The gentleman withdraws his point of order.

Mr. GARRETT of Tennessee. I am very much disposed to renew the point of order. I make the point of order, Mr. Chairman, that the amendment of the gentleman from Pennsylvania is not germane.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. MANN. It is clearly germane, and there is no use in wasting time upon it.

Mr. GARRETT of Tennessee. It goes entirely outside of the machinery of the bill.

Mr. MANN. It provides for the payment of the claims. To say that we can not affect the machinery for the payment of the same claims would put us in a very ridiculous attitude.

The CHAIRMAN. The Chair will hear from the gentleman from Tennessee.

Mr. GARRETT of Tennessee. The only point I make is that it is not germane to the purposes of the bill. It creates machinery that lies outside of the scope of the bill.

This is a bill to authorize the War Department to make settlements, and the amendment proposed by the gentleman from Pennsylvania is to create an entirely different machine for carrying out the purposes of the bill.

That is all I care to say about it, Mr. Chairman.

The CHAIRMAN. The Chair is ready to rule. The bill before the House has for its object the validating and settling of damages arising out of informal contracts made by the War Department. The bill before the House provides that the Secretary of War, or any of his agents or representatives, can adjust and settle these differences. The amendment of the gentleman from Pennsylvania [Mr. MOORE] provides a different method or a different agent or a different tribunal to settle these differences. The Chair believes it is germane to the bill before the House. The Chair does not believe the House is confined to the particular method of settlement of these claims that the committee reports. The Chair believes the amendment is germane proposing another vehicle, and it is for the House to determine which shall be adopted. The Chair overrules the point of order.

The Chair understood the gentleman from Alabama [Mr. DENT] to ask unanimous consent that the debate on this amendment of the gentleman from Pennsylvania [Mr. MOORE] as a substitute and the amendment of the gentleman from Nebraska [Mr. SLOAN] be now closed. Is there objection?

Mr. DILLON. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. DILLON. I have an amendment to perfect the text. I would like to have five minutes upon that.

The CHAIRMAN. The Chair does not think the request submitted would preclude debate on other amendments.

Mr. MANN. It would not. The request was made to close the debate on——

The CHAIRMAN. The Chair understood the request was on the substitute of the gentleman from Pennsylvania and the amendment of the gentleman from Nebraska.

Mr. MANN. The amendment offered would affect the amendment of the gentleman from Pennsylvania.

Mr. DILLON. But not an independent amendment to perfect the text.

Mr. GREEN of Iowa. Mr. Speaker, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GREEN of Iowa. I understood that there was an amendment pending offered by the gentleman from Nebraska [Mr. SLOAN].

The CHAIRMAN. There is an amendment of the gentleman from Nebraska [Mr. SLOAN] pending to perfect the text, to strike out "twelve" and substitute "eleven."

Mr. GREEN of Iowa. And until that is disposed of no other amendment to perfect the text would be in order.

Mr. STAFFORD. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. I assume that after the amendment of the gentleman from Nebraska [Mr. SLOAN] is voted on, then other amendments to perfect the original text would be in order.

The CHAIRMAN. The Chair thinks so. Is there objection to the request of the gentleman from Alabama?

Mr. MANN. Temporarily I will object, because I want to make a statement.

The CHAIRMAN. The gentleman from Illinois objects. The Chair will recognize the gentleman from Illinois.

Mr. MANN. Mr. Chairman, I am not so much interested in the amendment of the gentleman from Nebraska [Mr. SLOAN] as to the date, nor even the amendment of the gentleman from Pennsylvania [Mr. MOORE], which probably could do no great harm, but, in my judgment, would do no great good, because I think the committee that would be appointed would have to act pro forma and leave it to the War Department in the end. Now, what is the situation? We went into the war without preparation, without organization, without soldiers, without guns, without ammunition, without methods of transportation, without an army, or the supplies for an army. Everyone understood that great difficulties confronted us in making an army and providing the materials for the Army. By the solemn declaration of Congress we had pledged the resources of the entire country behind and back of the war. We as a part of the Government, and the Government itself, called upon the people throughout the country to aid in furnishing the necessary supplies and in furnishing the soldiers. We passed the selective-draft law, which eventually provided the soldiers.

But soldiers without equipment are not very valuable in fighting in modern days. We had no method arranged in advance to acquire what was necessary to carry on the war. We pleaded that the people from patriotic motives should practically turn over their factories and their business to aid the Government, and we did not stop with pleading patriotic motives. We conferred upon the President autocratic powers over their establishments, and he exercised those powers in many cases.

The great trouble with the Government in all its dealings is red tape. Red tape is necessary in ordinary times, but the commander in chief of an army has to cut red tape frequently if he wins. The criticism that I would have made of the War Department was not that it was too hasty in obtaining supplies, but that it was too slow to begin with, by reason of the red tape provided by law and by regulations. They finally went in and commenced to get the supplies. They practically said, "Red tape be damned! Get the things for the boys, furnish the guns and the ammunition, furnish the machinery and the transportation, do everything that is necessary to hurry up the Army and finish the war." The sooner the war was over the better for the country. The sooner the war was ended the fewer lives would be lost. These people went to work and urged the people throughout the country to aid in furnishing supplies without formal contracts. If the war had continued until now, these agreements would have been disposed of and formal contracts would have been signed; but almost like a flash out of a clear sky came the sudden ending of the war. Few here or elsewhere thought that it was to be ended so soon. The War Department was at the height of its activity in obtaining supplies. I believe that the dignity of the country requires that we should treat these people in absolute good faith and pay our bills; that we should not take advantage of technicalities when we urged them not to [applause]; that we can not afford to repudiate obligations which we were seeking to incur; that when we asked the people of the country to respond and they did respond, we ought not now to plead the baby act and say, "We have no formal contracts with you." [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska to strike out "twelve" and substitute "eleven."

The question was taken, and the amendment to the amendment was rejected.

Mr. DENT. Mr. Chairman, I ask unanimous consent that all debate on this bill and all amendments thereto be concluded at half past 5.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that debate on the bill and all amendments thereto be closed at 5.30. Is there objection?

Mr. BENSON. Mr. Chairman, I want to ask the gentleman whether I can get five minutes?

Mr. KEARNS. I object.

Mr. DENT. Then, Mr. Chairman, I move that debate on the bill and all amendments thereto be concluded at 5.30 o'clock.

Mr. KEARNS. Mr. Chairman, I have an amendment to offer to the motion.

The CHAIRMAN. The gentleman from Alabama moves that all debate on the bill and amendments thereto close at 5.30.

Mr. KEARNS. I move to amend that motion by substituting 5 o'clock for 5.30.

The CHAIRMAN. The vote will first be taken on the amendment to the motion offered by the gentleman from Ohio.

The question was taken, and the amendment to the motion was agreed to.

The CHAIRMAN. The question now is on the motion of the gentleman from Alabama, as amended, to close debate at 5 o'clock.

The question was taken, and the motion was agreed to.

Mr. NEELY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 3, line 4, after the word "adjust," strike out the words "pay or discharge" and insert in line 5, after the word "implied," the following: "or pay or discharge any liability or damage arising out of or resulting from such agreement."

Mr. NEELY. Mr. Chairman and gentlemen of the committee, the purpose of the amendment just read, and of additional ones that I shall offer if this one is adopted, is to confer upon the Secretary of War authority to settle claims by paying damages to persons who have been injured by the Government's operations during the recent emergency.

The bill authorizes the Secretary to adjust, pay, or discharge agreements, express or implied, when expenditures have been made or obligations incurred upon the faith of such agreements. It is clear to my mind that this language means that the adjustment may be made when expenditures have been made or obligations incurred by the injured party, and not by the Government itself.

Under the strict construction now being observed by the War Department and the Comptroller of the Treasury, I doubt if the bill in its present form will provide relief in those cases in which the Government has appropriated lands under informal agreements and injured the landowner by the erection of buildings or factories that are now worse than useless. In cases of this kind the Government ought to have the authority to make settlements by paying adequate damages to the owner of the injured land and leaving the same in his possession. Does anyone believe that the War Department will construe this bill as conferring any such authority?

Without amendments, I doubt if the bill reaches cases like the following one, which arises near Fairmont in the district which I have the honor to represent:

Several months ago representatives of the War Department notified Hon. John F. Phillips, of Fairmont, that they purposed taking about 12 acres of his land, situate on the Monongahela River, for war purposes. Mr. Phillips, not wanting to part with his land, offered the Government the use of his whole farm of 200 acres for the duration of the war without cost, but upon condition that after the emergency was past the land should be restored to its former condition. This offer was refused, and the Government's agents fixed the price of the land at $2,000 per acre and directed Mr. Phillips to execute an option to the Government at this price upon pain of having the land condemned. Mr. Phillips complied. The Government wired an acceptance of the option from Washington, took possession of the land, and destroyed its value, so far as the former owner is concerned, by building a number of massive reinforced-concrete foundations thereon. Soon after the armistice was signed the work on the land in question was abandoned. The Government never completed its contract with Mr. Phillips. The latter brought here a deed, properly executed, and tendered it to the War Department's representative on last Monday in my presence. Thereupon the official having the matter in charge simply said, "Mr. Phillips, your agreement is not binding on the Government, because the Government's agents have not signed the same." Personally I know of no language sufficiently vigorous to describe such an intolerable outrage. It is to provide a remedy for such abuses that I have offered the pending amendment, and purpose to offer others, if this one is adopted, to make it effective.

Mr. CALDWELL. Will the gentleman yield?

Mr. NEELY. Yes.

Mr. CALDWELL. Has the gentleman called the attention of the War Department to the act of June 19—the Hay bill?

Mr. NEELY. No; for it would be a waste of time to do so.

Mr. CALDWELL. The Hay bill provided that in case of war the Government could take any property, business, material, or anything else and pay for it, and if it could not agree with the owner it could pay three-quarters and the man could go to the Court of Claims for the balance?

Mr. NEELY. In this case the War Department refuses to pay anything, on the ground that there is no law authorizing payment in the premises.

Mr. CALDWELL. I know; they do not recognize that the Hay bill is law, and perhaps never will.

Mr. NEELY. But that does not help Mr. Phillips, whose land has been seized and its value destroyed.

Mr. GORDON. With whom did the gentleman talk in the War Department?

Mr. NEELY. With Capt. Dykema.

Mr. GORDON. He has no authority to bind the War Department.

Mr. NEELY. As a matter of fact, Capt. Dykema very frankly admitted that he had no authority to pay Mr. Phillips for his land.

The CHAIRMAN. The time of the gentleman from West Virginia has expired. The question is on the amendment offered by the gentleman from West Virginia.

The question was taken, and the amendment was rejected.

Mr. GREEN of Iowa. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 5, line 10, after the word "contracts," strike out the period, insert a semicolon, and add the following: "*And provided further*, That no payment shall be made on any claim made under this act until an affidavit has been filed, made by the officer or agent, if living, who, on behalf of the War Department, made the agreement or arrangement upon which such claim is based, to the effect that the claim was entered into or made without any benefit or advantage to himself and that he is not interested directly or indirectly in whatever may be paid thereon."

Mr. DENT. Mr. Chairman, I reserve the point of order.

Mr. GREEN of Iowa. Mr. Chairman, I do not want to take up the time to discuss the amendment if it is not in order. It seems to me so clearly in order that I do not care to argue it.

The CHAIRMAN. The gentleman will state the point of order.

Mr. DENT. I will withdraw the point of order.

Mr. GREEN of Iowa. Mr. Chairman, I do not know how anyone who desires that only fair and honest claims shall be paid can object to this amendment. The gentleman from New York [Mr. CALDWELL], it seems from the hearings as read by my colleague [Mr. TOWNER], stated that it was rumored around the lobbies that certain gentlemen were making contracts on behalf of the War Department with their former employers. I will put it much stronger. I know that parties were here making contracts with their former employers. Now, I want to know, this House ought to know, and the country wants to know whether these gentlemen have any interest in these contracts that they have been making. We ought to have known this before any of these contracts were made. We should know it now before any payments are made on them. Gentlemen have objected to criticisms of the War Department in this connection. How is it possible to discuss this question fairly and not make some criticism of the War Department? Nearly all of these contracts date back some six months before the armistice was entered into, and yet gentlemen say the execution of the armistice was the reason why these contracts are not validated. The real reason is that the War Department was paying no attention to the law.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. KAHN. I just want to ask the gentleman how those officers who are now dead can make the affidavits?

Mr. GREEN of Iowa. I have provided for that in my amendment. Unless the agent is alive the affidavit is not required.

Mr. ELSTON. Will it be necessary before any contract can be validated to have it shown affirmatively that the agent who made it for the Government is living? Suppose he is out of the employ of the Government and can not be found.

Mr. GREEN of Iowa. The gentleman has not listened carefully to the reading of my amendment. It simply provides if the man is living he shall make the affidavit.

Mr. ELSTON. That it must appear affirmatively that he is not dead. Suppose he is crazy or that he has left the Government's employ and can not be located. They have to have that information before the money can be paid.

Mr. GREEN of Iowa. Oh, the gentleman could abrogate almost any law we have with reference to the making of affidavits of lack of interest in the contracts Government agents make on that theory.

Mr. TILSON. Suppose he is in Siberia?

Mr. GREEN of Iowa. Yes; and suppose the sun does not rise to-morrow. The point is that the War Department knows where these men are who have been in the service. This objection of the gentleman from California [Mr. ELSTON] is purely fanciful. If gentlemen want contracts to go through where they know men have been making contracts with their former employers, without an affidavit saying that they are not interested in the contracts, let them say so fairly and squarely. Any Member who has been paying any attention to the letting of these contracts knows that this has been going on. Is it possible that Members care nothing about it?

Mr. McKENZIE. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. McKENZIE. On the point of the practicability of the gentleman's amendment, if an officer was crooked enough to take graft in one of these contracts, does the gentleman think he would hesitate to make an affidavit that he did not?

Mr. GREEN of Iowa. Does not the gentleman know that his argument would apply against any restriction we have in the statute? We have a number of important restrictions in the law as it stands. Would the gentleman repeal them? This bill has been offered to get around parts of them. It is not necessary we should avoid that part of it. These claims can be paid without any trouble upon these affidavits being made. There will be no difficulty in locating the agents nor, as far as the Army officers are concerned, in obtaining the affidavits, but how some of these men, who were still being paid their salary by their former employers, could make the affidavits is another question in which the country is very much interested.

Mr. NORTON. Mr. Chairman——

The CHAIRMAN. Is the gentleman opposed to the amendment?

Mr. NORTON. Yes.

The CHAIRMAN. The Chair recognizes the gentleman from North Dakota until 5 o'clock.

Mr. NORTON. Mr. Chairman, this amendment provides that no contract or agreement shall be paid until an affidavit is made to the effect that the party who made the contract or entered into the agreement verbally or informally for the Government is not in any way interested personally in the payments to be made under the contract and is not to receive or be the beneficiary of any part of the sum paid by the Government on account of the contract.

Now, it seems to me that in this proposed legislation there should be some clear and well-defined provision for having a careful examination and check made of all these informal and irregular contracts which we are providing for to be settled and paid. This careful examination and check should be made by disinterested persons who are in no way under obligations to the War Department and who have not been parties to any of the carelessness and extravagances of the War Department during the war.

The gentleman from Pennsylvania [Mr. MOORE] proposes a disinterested check upon these contracts in his amendment now pending before this committee, which amendment provides that before payment shall be made on these irregular and hastily made contracts they shall be approved by a committee composed of the Secretary of War, the Attorney General, two Members of the Senate, and four Members of the House. Notwithstanding the fact that there is a general and widespread feeling throughout the country that many of these claims should be more carefully examined into and more carefully checked up than they are likely to be by the Secretary of War or his representatives, I fear the influence of several thousand war contractors, whose greed for big and easy war profits is yet unsatisfied, will result in having the settlement of these claims placed in the hands of those who will be likely to give the least attention and consideration to the interest of the Government in the settlements and payments to be made.

I listened with a great deal of interest to the very eloquent and pleasing argument made by the gentleman from Illinois [Mr. MANN], telling of the wonderful accomplishments of the big business interests of the country since the beginning of the war and urging that the payment of these claims be left in the generous hands of the Secretary of War. An argument in favor of open-handed generosity and liberality always appeals strongly to expectant beneficiaries and their friends. Such an argument will always find ready response in the hearts of those who have war contracts with the Government.

While I agree entirely with what the gentleman from Illinois has said in regard to our unpreparedness at the time we entered the war, and while I agree with him that governmental red-tape rules and regulations must be and should be cut in war times, I do not believe that the urgent need of the Government in time of war for war supplies justifies administrative officers of the War Department in paying wholly outrageous and exorbitant prices for supplies furnished to or work done for the Government, nor do I believe such need justifies or excuses administrative officers of the Government in wildly and hysterically spending and wasting millions of dollars of the money of the taxpayers of the country on carelessly considered and impractical projects. I have not been able to learn from anyone acquainted with payments that have been made by the Government on its war contracts that the business interests that have performed these contracts have done so at any loss or at any great business sacrifice. On the contrary, the thing that I have invariably heard from those having these contracts was that there were large, fat, and easy profits in them. The unbridled extravagances in expenditure of the Government's money during the war by the War Department, the Ship Building Corporation, and the Housing Bureau is to-day the common talk of thousands of the employees of these departments of the Government. The time should come, and I trust that the time will come, when the executive and administrative officials responsible for allowing and sanctioning these wild and extravagant expenditures will be held to an accounting by the taxpayers of the country.

In the light of the liberality and abandon with which the Secretary of War has allowed the money of the Government to be spent on regular and formal contracts is it at all surprising that there is a well-grounded general public feeling that if the settlement and payment of these claims growing out of irregular and informal contracts is left entirely with the Secretary of War his generosity and openhandness in the matter of expenditure of public funds will be such as to require the Government to pay millions of dollars more on these claims than in all fairness and justice to all parties concerned should be paid on them? It is well time to call a summary halt on the careless abandon with which administrative officers of the Government are permitting funds of the Government to be paid out in order to make of themselves good fellows with the trade and business interests of the country. If the House does not have the good sense and judgment to provide for a check outside of the War Department upon the settlement and payment of these claims, I trust that such will be done before this measure finally passes the other branch of the Congress.

The CHAIRMAN. The time of the gentleman has expired; all time under order of the committee has expired. The question is on the amendment offered by the gentleman from Iowa [Mr. GREEN].

The question was taken, and the amendment was rejected.

The CHAIRMAN. Under order of the committee no further debate is in order; amendments are in order. The Chair will recognize gentlemen having amendments to offer to perfect the text before a vote is taken on the substitute offered by the gentleman from Pennsylvania.

Mr. BENSON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BENSON: Page 3, line 18, after the word "law," strike out, beginning with the word "*Provided*," down to and including the word "Secretary," in line 25.

Mr. GORDON. Mr. Chairman, can we have the matter striken out reported?

The CHAIRMAN. Without objection, the Clerk will report the part of the bill stricken out.

The Clerk read as follows:

Page 3, line 18, after the word "law," strike out the following language:

"*Provided*, That payment under such agreement shall not exceed the fair value of the property transferred or delivered and accepted by the United States, as determined by the Secretary of War, and where no property has been transferred, delivered, or accepted payment shall not be in excess of the actual cost incurred in preparation for performance, as such cost is determined by said Secretary.

The question was taken, and the amendment was rejected.

Mr. WOOD of Indiana. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WOOD of Indiana: Page 3, line 20, before the word "transferred" insert "taken"; also, before the word "transferred" in line 22 insert the word "taken."

The question was taken, and the amendment was rejected.

Mr. CALDWELL. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CALDWELL: Page 3, line 20, after the words "United States" insert "and in addition a payment not in excess of the actual cost, as such cost is determined by the said Secretary, incurred in preparation for performance of said agreement and the actual outlay incident to cancellation and not included in the cost of articles."

The question was taken, and the amendment was rejected.

Mr. FESS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FESS: Page 4, line 2, before the word "after" prefix the word "filed."

Mr. FESS. So it will read——

The CHAIRMAN. Without objection, the Clerk will report the language as amended.

The Clerk read as follows:

So as amended the lines will read:
"*Provided further*, That this act shall not authorize payment to be made of any claim under such agreement filed after June 30, 1919."

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. FESS) there were—ayes 56, noes 76.

So the amendment was rejected.

Mr. FESS. Mr. Speaker, I ask for a division.

The CHAIRMAN. The gentleman from Ohio asks for a division.

The committee divided; and there were—ayes 56, noes 74.

So the amendment was rejected.

Mr. GORDON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GORDON: Page 5, line 10, at the end of line 10, insert the following:
"*And provided further*, That before the payment of any claim authorized to be settled by the terms of this bill, the Attorney General of the United States shall certify thereon that the amount allowed is authorized by the provisions of this enactment."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 4, line 2, after the word "nineteen," insert:
"*And provided further*, That this act shall not authorize payments to be made of any claim under such agreements for aircraft production, including motors and aircraft supplies."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. LAGUARDIA. Division, Mr. Chairman.

The committee divided; and there were—ayes 32, noes 83.

So the amendment was rejected.

Mr. GOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Page 3, line 25, after the word "Secretary," add the following:
"*And provided further*, That this act shall not apply to any agreement which in the opinion of the Secretary of War was entered into through misrepresentation or fraud or where the price agreed upon was unreasonable."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that it was in doubt.

Accordingly the committee divided; and there were—ayes 56, noes 76.

So the amendment was rejected.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 3, lines 4 and 5, after the word "express," strike out the words "or implied" and insert "or provable at common law under the statute of frauds."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. DILLON. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DILLON: Page 3, lines 10 and 11, after the word "corporation," strike out the words "for the acquisition of lands, or the use thereof" and insert in lieu thereof the words "for the use of any lands."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. DILLON. Mr. Chairman, I offer a second amendment.

The CHAIRMAN. The gentleman from South Dakota offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DILLON: Page 3, line 25, after the word "Secretary" insert "and that no adjustment or payment shall include prospective or possible profits on any part of the contract beyond the goods and supplies received and actually delivered to the United States."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. STAFFORD. Mr. Chairman, I offer an amendment to give the committee an opportunity to have it railroaded.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 3, line 5, after the word "value," insert "after deducting all claims the Government has against the claimant."

Mr. STAFFORD. So that the phraseology will read——

The Clerk read as follows:

So that the line as amended will read:
"That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon the basis of reasonable value after deducting all claims the Government has against the claimant."

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now recurs on the substitute of the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. MOORE of Pennsylvania. Division, Mr. Chairman.

The committee divided; and there were—ayes 60, noes 104.

So the substitute was rejected.

Mr. FESS. Mr. Chairman, I would like to offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

Mr. CALDWELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CALDWELL. Is an amendment in order now?

The CHAIRMAN. The Chair can not tell until the amendment is read.

Mr. CALDWELL. I mean now that the motion to substitute has been passed and voted on?

The CHAIRMAN. The Chair can not tell until the amendment shall have been read. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FESS: Page 4, line 2, strike out the word "after" and insert in lieu thereof the words "not filed prior to."

Mr. FESS. So that it will read——

The Clerk read as follows:

So that, as amended, the line will read:
"*Provided further*, That this act shall not authorize payment to be made under such agreements not filed prior to June 30, 1919."

Mr. GARRETT of Tennessee. Mr. Chairman, I make a point of order on that. I do not care to insist on it. It was voted on only a few minutes ago. It was exactly the same thing.

Mr. FESS. The other one was affirmative and this is negative.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. SANDERS of Indiana. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SANDERS of Indiana: Page 5, at the end of section 1, insert a new section, as follows:
"SEC. 2. If the person, firm, or corporation to whom funds shall be payable under the terms of this act shall be in bankruptcy, in receivership, or an assignment shall have been made for the benefit of the creditors of such person, firm, or corporation, then in such event the

amount due any subcontractor, laborer, or material man on account of the carrying out of said contract shall become preferred claims over all other claims in the hands of any such trustee or assignee to whom the funds shall be paid."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. DENT. Mr. Chairman, I move that——

The CHAIRMAN. The committee amendment is not yet adopted.

Mr. STAFFORD. Mr. Chairman, I move to strike out, on page 5, from the last proviso, the following phraseology, found in lines 7, 8, and 9, "and printed in the CONGRESSIONAL RECORD or in the Official Bulletin or as a public document," so that the language will read:

Provided further, That the names of such contractors and the amount of such partial or final settlements shall be filed with the Clerk of the House for the information of Congress 10 days before confirmation and payment is authorized upon such contracts.

The CHAIRMAN. The Chair will not have the Clerk again read it. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the committee amendment striking out all after the enacting clause of the bill as introduced and substituting therefor the committee amendment as amended.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. Under the order of the House providing for the consideration of this bill, the committee will now rise.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, and had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is, Shall the bill pass?

The question was taken, and the Speaker announced that the "ayes" seemed to have it.

Mr. KING. Mr. Speaker, I demand a roll call.

The SPEAKER. A roll call is demanded. Those in favor of taking this vote by yeas and nays will rise and stand until they are counted. [After counting.] Twenty-five gentlemen have arisen—not a sufficient number.

Mr. NORTON. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. KING. I raise the point of no quorum.

The SPEAKER. The Chair will count. [After counting.] Two hundred and ten gentlemen present, not a quorum. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. Those in favor of passing this bill will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 270, nays 30, answered "present" 3, not voting 127, as follows:

YEAS—270.

Alexander	Candler, Miss.	Davis	Fisher
Anderson	Cannon	Dempsey	Focht
Anthony	Cantrill	Dent	Fordney
Aswell	Carlin	Denton	Foss
Ayres	Carter, Okla.	Dickinson	Foster
Bacharach	Cary	Dies	Frear
Bankhead	Chandler, Okla.	Dill	French
Barkley	Church	Dixon	Fuller, Ill.
Barnhart	Clark, Pa.	Dominick	Gallagher
Beakes	Classon	Donovan	Gallivan
Bell	Cleary	Doremus	Gandy
Benson	Coady	Doughton	Gard
Beshlin	Collier	Drukker	Garner
Birch	Connally, Tex.	Dunn	Garrett, Tenn.
Black	Connelly, Kans.	Dupré	Garrett, Tex.
Bland, Ind.	Cooper, Ohio	Eagan	Gillett
Bland, Va.	Cooper, W. Va.	Eagle	Glynn
Blanton	Copley	Edmonds	Goodwin, Ark.
Booher	Crago	Elliott	Gordon
Brodbeck	Cramton	Ellsworth	Gray, Ala.
Browning	Crisp	Elston	Greene, Mass.
Buchanan	Crosser	Emerson	Greene, Vt.
Burnett	Currie, Mich.	Esch	Griest
Burroughs	Curry, Cal.	Fairfield	Hadley
Byrnes, S. C.	Dallinger	Farr	Hamilton, Mich.
Byrns, Tenn.	Darrow	Fess	Harrison, Va.
Caldwell	Davey	Fields	Haskell
Hastings	McFadden	Pou	Stiness
Hayden	McKenzie	Powers	Strong
Hayes	McKeown	Purnell	Summers
Heflin	McLaughlin, Pa.	Quin	Sweet
Hensley	McLemore	Rainey, H. T.	Tague
Hersey	Madden	Rainey, J. W.	Taylor, Ark.
Hicks	Magee	Raker	Taylor, Colo.
Hollingsworth	Mann	Ramsey	Temple
Houston	Mansfield	Randall	Thomas
Hull, Iowa	Mapes	Rayburn	Thompson
Hull, Tenn.	Martin	Reed	Tillman
Humphreys	Merritt	Riordan	Tilson
Igoe	Miller, Wash.	Robbins	Timberlake
Jacoway	Mondell	Rodenberg	Treadway
Johnson, Wash.	Montague	Rogers	Venable
Jones	Moon	Romjue	Vestal
Juul	Moore, Pa.	Rose	Vinson
Kahn	Moores, Ind.	Rouse	Voigt
Keating	Morgan	Rowe	Volstead
Kehoe	Mott	Rubey	Walton
Kelley, Mich.	Mudd	Sabath	Ward
Kelly, Pa.	Neely	Sanders, Ind.	Wason
Kennedy, Iowa	Nelson, A. P.	Sanders, La.	Watkins
Kettner	Nelson, J. M.	Sanders, N. Y.	Watson, Pa.
Kincheloe	Nicholls, S. C.	Sanford	Weaver
Kinkaid	Nolan	Scott, Mich.	Welling
Kitchin	Oldfield	Shallenberger	Welty
La Follette	Oliver, Ala.	Sherley	Wheeler
Lampert	Olney	Sherwood	White, Me.
Larsen	Osborne	Shouse	White, Ohio
Lazaro	O'Shaunessy	Siegel	Wilson, Ill.
Lee, Ga.	Overmyer	Sinnott	Wilson, La.
Lesher	Overstreet	Small	Wilson, Tex.
Lever	Padgett	Smith, Idaho	Wingo
Lobeck	Paige	Snell	Winslow
Lonergan	Parker, N. J.	Snook	Wood, Ind.
Longworth	Peters	Snyder	Wright
Lufkin	Phelan	Stafford	Young, Tex.
Lunn	Platt	Steagall	Zihlman
McAndrews	Polk	Stedman	
McCulloch	Porter	Stevenson	

NAYS—30.

Almon	Green, Iowa	LaGuardia	Sloan
Baer	Hawley	Little	Steenerson
Campbell, Kans.	Hilliard	Lundeen	Stephens, Miss.
Denison	Huddleston	Norton	Towner
Dillon	James	Ramseyer	Williams
Dowell	King	Rankin	Woodyard
Fairchild, B. L.	Knutson	Sells	
Good	Kraus	Sisson	

ANSWERED "PRESENT"—3.

Flood	Kearns	London

NOT VOTING—127.

Ashbrook	Ferris	Kennedy, R. I.	Saunders, Va.
Austin	Flynn	Key, Ohio	Schall
Blackmon	Francis	Kiess, Pa.	Scott, Iowa
Borland	Freeman	Kreider	Scully
Bowers	Fuller, Mass.	Langley	Sears
Brand	Garland	Lea, Cal.	Shackleford
Britten	Godwin, N. C.	Lehlbach	Sims
Browne	Goodall	Linthicum	Slayden
Brumbaugh	Gould	Littlepage	Slemp
Butler	Graham, Ill.	McArthur	Smith, Mich.
Campbell, Pa.	Graham, Pa.	McClintic	Smith, C. B.
Caraway	Gray, N. J.	McCormick	Smith, T. F.
Carew	Gregg	McKinley	Steele
Carter, Mass.	Griffin	McLaughlin, Mich.	Stephens, Nebr.
Chandler, N. Y.	Hamill	Maher	Sterling
Clark, Fla.	Hamilton, N. Y.	Mason	Sullivan
Claypool	Hamlin	Mays	Swift
Cooper, Wis.	Hardy	Miller, Minn.	Switzer
Costello	Harrison, Miss.	Morin	Templeton
Cox	Haugen	Nichols, Mich.	Tinkham
Dale	Heaton	Oliver, N. Y.	Van Dyke
Decker	Heintz	Park	Vare
Delaney	Helm	Parker, N. Y.	Waldow
Dewalt	Helvering	Pratt	Walker
Dooling	Holland	Price	Walsh
Doolittle	Hood	Ragsdale	Watson, Va.
Drane	Howard	Reavis	Webb
Dyer	Husted	Roberts	Whaley
Essen	Hutchinson	Robinson	Wise
Estopinal	Ireland	Rowland	Woods, Iowa
Evans	Johnson, Ky.	Rucker	Young, N. Dak.
Fairchild, G. W.	Johnson, S. Dak.	Russell	

So the bill was passed.

The following pairs were announced:

Until further notice:

Mr. SIMS with Mr. HAMILTON of New York.

Mr. HOLLAND with Mr. KENNEDY of Rhode Island.

Mr. FLOOD with Mr. WATSON of Virginia.

Mr. SEARS with Mr. COOPER of Wisconsin.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. SAUNDERS of Virginia with Mr. WALSH.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. HELM with Mr. KIESS of Pennsylvania.

Mr. SULLIVAN with Mr. GOODALL.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. CARAWAY with Mr. BROWNE.

Mr. RAGSDALE with Mr. TINKHAM.

Mr. BLACKMON with Mr. LEHLBACH.

Mr. SCULLY with Mr. MILLER of Minnesota.

Mr. DOOLITTLE with Mr. AUSTIN.

Mr. STEELE with Mr. BUTLER.

Mr. BRAND with Mr. GEORGE W. FAIRCHILD.
Mr. FERRIS with Mr. LANGLEY.
Mr. CLARK of Florida with Mr. HUSTED.
Mr. MCCLINTIC with Mr. MCARTHUR.
Mr. PARK with Mr. SWIFT.
Mr. THOMAS F. SMITH with Mr. BRITTEN.
Mr. DOOLING with Mr. GARLAND.
Mr. CAREW with Mr. MASON.
Mr. HAMILL with Mr. HUTCHINSON.
Mr. ESTOPINAL with Mr. NICHOLS of Michigan.
Mr. PRICE with Mr. DALE.

Mr. EAGAN. Mr. Speaker, my colleague, Mr. SCULLY, has authorized me to say that he was unavoidably absent, but if present he would vote for the bill.

Mr. SIEGEL. Mr. Speaker, my colleague, Mr. GOULD, was called out of the city. If present he would vote "aye."

The result of the vote was announced as above recorded.

On motion of Mr. DENT a motion to reconsider the vote whereby the bill was passed was laid on the table.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. MANN. Will the consideration of the river and harbor bill be resumed?

Mr. KITCHIN. Yes.

EXTENSION OF REMARKS.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DENT. Mr. Speaker, I ask unanimous consent that all Members who have spoken on the bill have five legislative days in which to extend their remarks on the contract bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent that all those Members who have spoken on the bill have five legislative days in which to extend their remarks. Is there objection?

Mr. MANN. I object.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Friday, January 10, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting a letter from the Chief of Engineers of the United States Army submitting a statement showing the name of each civilian engineer employed between July 1, 1917, and June 30, 1918, in work of improving rivers and harbors (H. Doc. No. 1667), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GANDY, from the Committee on the Public Lands, to which was referred the bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes, reported the same with amendment, accompanied by a report (No. 904), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GORDON, from the Committee on Military Affairs, to which was referred the bill (H. R. 13440) transferring jurisdiction and control over Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war, reported the same without amendment, accompanied by a report (No. 903), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GRAY of Alabama: A bill (H. R. 13884) authorizing the Secretary of War to donate to the county of Washington, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13885) authorizing the Secretary of War to donate to the county of Marengo, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13886) authorizing the Secretary of War to donate to the county of Choctaw, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13887) authorizing the Secretary of War to donate to the county of Clark, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13888) authorizing the Secretary of War to donate to the county of Monroe, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13889) authorizing the Secretary of War to donate to the city of Mobile, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. CRAMTON: A bill (H. R. 13890) authorizing the Secretary of War to donate to the town of Capac, Mich., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. BENSON: A bill (H. R. 13891) for the relief of commissioned officers and enlisted men of the Army recommended for promotion; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 13892) to amend and repeal certain provisions of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13893) to repeal title 7 of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13894) authorizing the Secretary of War to donate to the city of Sandwich, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13895) authorizing the Secretary of War to donate to the village of Kirkland, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13896) authorizing the Secretary of War to donate to the city of Rockford, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANTRILL: A bill (H. R. 13897) authorizing the Secretary of War to donate to the city of La Grange, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WARD: A bill (H. R. 13898) authorizing the Secretary of War to donate to the town of Catskill, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13899) authorizing the Secretary of War to donate to the town of Cobleskill, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13900) authorizing the Secretary of War to donate to the town of Saugerties, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13901) authorizing the Secretary of War to donate to the town of Liberty, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13902) authorizing the Secretary of War to donate to the city of Hudson, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13903) authorizing the Secretary of War to donate to the city of Kingston, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 13904) to expel and exclude from the United States aliens who, to escape military service, have withdrawn their declaration of intention to become citizens; to the Committee on Immigration and Naturalization.

By Mr. SMITH of Idaho: A bill (H. R. 13905) to provide for the erection of a Federal building at Blackfoot, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13906) to donate a captured German cannon or gun to the cities of Boise, Twin Falls, Pocatello, Idaho Falls, Blackfoot, St. Anthony, Montpelier, Hailey, Buhl, and Burley, in the State of Idaho; to the Committee on Military Affairs.

By Mr. POU: A bill (H. R. 13907) authorizing the Secretary of War to donate to the town of Smithfield, Johnson County,

N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CLARK of Missouri: A bill (H. R. 13908) authorizing the Secretary of War to donate to the town of Bowling Green, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SCHALL: A bill (H. R. 13909) to provide for a motto upon silver dollars coined; to the Committee on Coinage, Weights, and Measures.

By Mr. SIEGEL: A bill (H. R. 13910) regulating the salaries of Army field clerks; to the Committee on Military Affairs.

By Mr. CLARK of Florida: A bill (H. R. 13911) providing for the transfer of a portion of the old public-building site at Baltimore, Md.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13912) authorizing the Secretary of the Treasury to accept a correctionary deed for land of new post office at New York, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13913) providing for the sale of abandoned customs boarding stations, New Orleans, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13914) providing for the purchase of certain land in the District of Columbia; to the Committee on Public Buildings and Grounds.

By Mr. DILL: A bill (H. R. 13915) granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington; to the Committee on Interstate and Foreign Commerce.

By Mr. SNOOK: A bill (H. R. 13916) authorizing the Secretary of War to donate to the village of Fayette, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13917) authorizing the Secretary of War to donate to the village of Fort Jennings, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MARTIN: A bill (H. R. 13918) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities; to the Committee on Military Affairs.

By Mr. BURROUGHS: A bill (H. R. 13919) authorizing the Secretary of War to donate to the town of Sandwich, N. H., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13920) authorizing the Secretary of War to donate to the town of Manchester, N. H., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 13921) donating two captured German cannon or field guns and carriages to the Bellows Falls Company of Vermont State Militia for ornamental purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 13922) donating a captured German cannon or field gun and carriage to the village of St. Johnsbury, Vt., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 13923) donating a captured German cannon or field gun and carriage to the village of Newfane, Vt., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 13924) donating a captured German cannon or field gun and carriage to the village of Island Pond, Vt., for decorative purposes; to the Committee on Military Affairs.

By Mr. JONES: A bill (H. R. 13925) authorizing the Secretary of War to donate to the town of Crowell, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13926) authorizing the Secretary of War to donate to the town of Tahoka, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13927) authorizing the Secretary of War to donate to the town of Post City, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13928) authorizing the Secretary of War to donate to the town of Dalhart, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13929) authorizing the Secretary of War to donate to the town of Crosbyton, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13930) authorizing the Secretary of War to donate to the town of Floydada, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13931) authorizing the Secretary of War to donate to the town of Lamesa, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13932) authorizing the Secretary of War to donate to the town of Haskell, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13933) authorizing the Secretary of War to donate to the town of Paducah, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WALSH: A joint resolution (H. J. Res. 382) directing the United States Coast Guard to resume its operations under the Treasury Department; to the Committee on Interstate and Foreign Commerce.

By Mr. SHERLEY: Resolution (H. Res. 499) for the consideration of H. R. 13708; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEAKES: A bill (H. R. 13934) granting a pension to Sabina McCaughen; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 13935) granting an increase of pension to Frank West; to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 13936) granting an increase of pension to Richard Trist; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 13937) granting an increase of pension to John Van Etton; to the Committee on Invalid Pensions.

By Mr. DALE: A bill (H. R. 13938) granting an increase of pension to George H. Bishop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13939) granting a pension to Catherine Celley; to the Committee on Invalid Pensions.

By Mr. DRUKKER: A bill (H. R. 13940) granting an increase of pension to John H. Doremus; to the Committee on Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 13941) granting an increase of pension to Albert M. Kenyon; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 13942) granting a pension to Henry Houghton; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 13943) granting an increase of pension to William Edwards; to the Committee on Pensions.

By Mr. SNOOK: A bill (H. R. 13944) granting a pension to Chancey Worline; to the Committee on Invalid Pensions.

By Mr. SCULLY: Joint resolution (H. J. Res. 381) to enable prompt liquidation of claims for damages to persons and property occasioned by an explosion or explosions at the plant of the T. A. Gillispie Loading Co., at Morgan, N. J.; to the Committee on Appropriations.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of The William Rahr Sons Co., of Manitowoc, Wis., relating to Senate bill 5234; to the Committee on Ways and Means.

Also, resolutions by executive committee and legislative committee of Wisconsin Teachers' Association, indorsing Senate bill 4987; to the Committee on Education.

By Mr. EMERSON: Resolutions of the Cleveland Independent Aid Society, protesting against the admission of nations to the league of nations that do not protect all their citizens; to the Committee on Foreign Affairs.

By Mr. GRIFFIN: Resolutions of Bronx Congress, 914 Prospect Avenue, New York City, favoring Britten resolution (H. Res. 485) creating peace conference, Versailles, France; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Washington: Resolutions of the California Redwood Association, San Francisco, Cal., favoring the restoration to the Interstate Commerce Commission of its powers which were suspended by the Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Western Pine Manufacturers' Association, Portland, Oreg., favoring the restoration to the Interstate Commerce Commission of its powers which were suspended by the Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Traffic and Transportation Association of Portland, Oreg., favoring the restoration to the Interstate Commerce Commission of its powers which were suspended by the Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of West Coast Lumberman's Association, Seattle, Wash., favoring the restoration to the Interstate Commerce Commission of its powers which were suspended by the

Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. NOLAN: Petitions and resolutions by the California Redwood Association, of San Francisco, Cal., favoring Senate bill 5020, to revive and restore to the Interstate Commerce Commission powers taken away or suspended by Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

Also, resolutions by the Federal Employees' Union, No. 76, Vallejo, Cal., favoring Government ownership of the railway systems of the country; to the Committee on Interstate and Foreign Commerce.

By Mr. VARE: Resolutions of Philadelphia Maritime Exchange, favoring legislation relating to the validation of informal war contracts; to the Committee on Military Affairs.

Also, resolutions of the Trustees Fairmount Park Art Association, Philadelphia, favoring completion of Government housing projects; to the Committee on Public Buildings and Grounds.

Also, resolutions of the Pennsylvania Manufacturers' Association of Philadelphia, favoring legislation relating to the validation of informal war contracts; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 10, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, lead us we pray Thee, by Thy spirit through this day; that in thought, word, and deed we may make dominant all that is purest, noblest, best in our being; and thus reflect Thy glory round about us; after the similitude of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 79. An act for the sale of isolated tracts of the public domain in Minnesota; and

H. R. 9865. An act to authorize the sale of certain lands to school district No. 28 of Missoula County, Mont.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 208. Joint resolution providing that one term of the United States district court for the eastern district of Oklahoma shall be held annually at Hugo, Okla.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producting commercial products, had requested a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HENDERSON, Mr. WALSH, and Mr. POINDEXTER as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following concurrent resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 28.

Resolved, by the Senate (the House of Representatives concurring), That Sunday, the 9th day of February, 1919, be set aside as the day upon which there shall be held a joint session of the Senate and the House of Representatives for appropriate exercises in commemoration of the life, character, and public service of the late Theodore Roosevelt, former President of the United States, Vice President of the United States, and President of the Senate.

That a joint committee, to consist of five Senators and seven Members of the House of Representatives, to be appointed by the Vice President and the Speaker of the House of Representatives, respectively, shall be named, with full power to make all arrangements and publish a suitable program for the joint session of Congress herein authorized, and to issue the invitations hereinafter mentioned.

That invitations shall be extended to the President of the United States, the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, and such other invitations shall be issued as to the said committee shall seem best.

That all expenses incurred by the committee in the execution of the provisions of this resolution shall be paid, one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 1423. An act for the relief of Alexander F. McCollam;

H. R. 8444. An act for the relief of Ira G. Kilpatrick and Guy D. Dill; and

H. R. 12194. An act to provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes.

The message also announced that the Vice President had appointed Mr. WEEKS and Mr. HOLLIS members of the Joint Select Committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Treasury Department.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 208. Joint resolution providing that one term of the United States district court for the eastern judicial district of Oklahoma shall be held annually at Hugo, Okla.; to the Committee on the Judiciary.

MEMORIAL EXERCISES FOR THE LATE EX-PRESIDENT ROOSEVELT.

Mr. MANN. Mr. Speaker, I ask unanimous consent for the present consideration of Senate concurrent resolution 28, which has just come over, which I ask that the Clerk report.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Senate concurrent resolution 28.

Resolved by the Senate (the House of Representatives concurring), That Sunday, the 9th day of February, 1919, be set aside as the day upon which there shall be held a joint session of the Senate and the House of Representatives for appropriate exercises in commemoration of the life, character, and public service of the late Theodore Roosevelt, former President of the United States, Vice President of the United States, and President of the Senate.

That a joint committee, to consist of five Senators and seven Members of the House of Representatives, to be appointed by the Vice President and the Speaker of the House of Representatives, respectively, shall be named, with full power to make all arrangements and publish a suitable program for the joint session of Congress herein authorized, and to issue the invitations hereinafter mentioned.

That invitations shall be extended to the President of the United States, the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, and such other invitations shall be issued as to the said committee shall seem best.

That all expenses incurred by the committee in the execution of the provisions of this resolution shall be paid, one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The Chair announced the following committee: Mr. KITCHIN, Mr. CANTRILL, Mr. RANDALL, Mr. CALDWELL, Mr. MANN, Mr. TEMPLE, and Mr. SCHALL.

Mr. MANN. Mr. Speaker, I shall ask the Speaker to excuse me from membership upon the committee and, if I may be permitted, to suggest in my place the name of Mr. GEORGE W. FAIRCHILD, of New York.

The SPEAKER. The Chair appoints Mr. GEORGE W. FAIRCHILD in place of Mr. MANN.

MEMORIAL EXERCISES FOR THE LATE REPRESENTATIVE TALBOTT.

Mr. MANN. Mr. Speaker, Sunday, February 9, 1919, has heretofore been set aside for exercises in commemoration of the late Representative TALBOTT, of Maryland. By authority of two gentlemen from Maryland—Mr. LINTHICUM, who had the day set aside, and Mr. BENSON, who is the successor of Mr. TALBOTT—I ask unanimous consent that the order setting aside February 9 be changed to February 16, on which to hold the exercises upon the life, character, and public services of Mr. TALBOTT.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the memorial services for the late Representative TALBOTT be changed from the 9th of February to the 16th of February. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. GRIEST. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the river and harbor appropriation bill.

The SPEAKER. Is there objection?

There was no objection.

PAYMENT OF SOLDIERS' ALLOTMENTS, ETC.

Mr. MANN. Mr. Speaker, I have here a letter from the Secretary of War in reference to the payment of allotments, which I think ought to be read to the House. I ask unanimous

consent that the letter may be read, and also that my reply thereto may also be read.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

WAR DEPARTMENT,
Washington, January 6, 1919.

Hon. JAMES R. MANN,
House of Representatives.

MY DEAR MR. MANN: My attention has been called to the statements which have been recently made on the floor of the House concerning the delay in making payment to the enlisted men of the Army and of their allotments, and I feel that there is some misunderstanding in the matter which, in justice to the War Department, should be clarified.

With respect to the matter of allotments, I wish to state that the War Department has jurisdiction only in cases where the allotments do not carry family allowances, and that those which do carry family allowances come within the jurisdiction of, and are paid by, the Bureau of War-Risk Insurance, Treasury Department.

Concerning the allotments which are payable by the War Department, I wish to state that these payments are being made promptly and that they are not in any way in arrears. There may be, and probably are, cases where there has been some delay due to inability to locate the allottee, but these are few in number, and even in these cases it is hardly likely that any hardship has resulted, as these allotments are not made for the benefit of families. Allotments which are made for the benefit of families and which carry family allowances are not paid by the War Department, but by the Bureau of War-Risk Insurance of the Treasury Department. The War Department is cooperating heartily with the Treasury Department in its efforts to solve the intricate business imposed by the sudden assumption of this great undertaking. I do not comment here upon the work of the War-Risk Insurance Bureau, because the committees of Congress have already looked into it and have been made acquainted with the almost endless detail which the inauguration of this new and helpful system of insurance and payment entailed, and I refer to the subject only in order that the line of division and responsibility may be made clear, and to assure you that the War Department is in hearty cooperation with the Treasury Department in its effort to solve the problem.

Concerning the pay of enlisted men, I believe that this matter can best be understood by dividing the men into two classes—those who remained in the United States and those who went overseas. With reference to the men who remained in the United States, I wish to state that during the past year the troops at the large camps and cantonments have been paid their monthly pay in full at an average of the fifth day of the month. In many instances payment at these camps, each containing from 40,000 to 60,000 men, has been completed on the last day of the month in which the pay accrued, and in a great many cases payment has been fully made on the first day of the succeeding month. In the early months of the war there was some delay in the payment of the individual cases of men who were transferred from their organizations, which was due to the system then in effect of transmitting their service records. This situation was met and overcome by the inauguration of an individual pay card which the soldier carried in his personal possession, and upon which he could be paid, even though his official service papers were not available at his new station. I mention this so as to show that the department did not fail in its duty to initiate new methods which were required to meet the new conditions of service.

With respect to the troops overseas, payment has not been made as promptly as has been the case of the men who remained in the United States, and it is known that a great many of the sick and wounded who are being returned from overseas, and of whom I shall speak later in this letter, are several months in arrears in their pay. It is to be borne in mind that from July to November of last year the overseas troops were actually in the fighting line, and I think that any delay in their payment can properly be attributed to the conditions of their service rather than to any lack of effort on the part of the authorities of the American Expeditionary Forces. It requires no stretch of imagination to realize the vast difference between paying troops which are in camps or cantonments and paying troops which are in actual action along a wide battle front and operating under conditions of intensive offensive campaign.

It is cases of sick and wounded men coming back to the United States from the field of operations in France which have given rise to the statement that there has been a serious and unwarranted delay in the payment of troops, and when consideration is given to the conditions under which these men were operating in France it is not strange that they should be returned to the United States in arrears in their pay or without proper records showing the condition of their accounts with respect to pay and other items which enter into the computation of their pay and allowances.

When these men reached the United States the department was confronted with the problem of making payment to men who had no records whatever showing the date to which they were last paid, or the condition of their accounts with respect to allotments, insurance, or any other items which enter into the computation of pay. To meet this situation the department made partial payments to these men upon their arrival at the ports of debarkation in the United States, and also partial payments upon their arrival at the various hospitals to which sent, anticipating that the necessary official records would be received shortly after the arrival of the men so as to enable settlement of their accounts in full. When it was ascertained that it would probably be impossible to obtain these records from France, instructions were issued on December 12, 1918, to take the personal affidavits of the men as to the date to which they were last paid and the status of their accounts with respect to their allotment and insurance and to pay them all the arrears of pay due as shown by these affidavits. There is no sanction of law for the action taken by the department, but the situation demanded that measures be adopted to effect payment in full to these sick and wounded men, and the only way to accomplish this was to take the affidavits of the men themselves and accept these affidavits as establishing the correct amounts due them.

The department has made a full and complete report to Congress of its action in issuing these instructions to have the men paid in full on their personal affidavits and has requested that legislation be enacted which will sanction the steps so taken.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

UNITED STATES HOUSE OF REPRESENTATIVES,
Washington, D. C., January 9, 1919.

Hon. NEWTON D. BAKER,
Secretary of War, Washington, D. C.

DEAR MR. SECRETARY BAKER: I am in receipt of your favor of the 6th instant, which I shall ask to have read in the House.

The inefficiency of the Bureau of War Risk Insurance would be a burlesque if it were not a tragedy.

Unless the many letters which come to me and other Members of Congress misstate the facts, you are in error in believing that the allotments payable by the War Department are being made promptly and are not in any way in arrears. Nor do I understand that the allotments made by the soldier are not made for the benefit of families. The allotment made by the soldier, as I understand, is made for the benefit, usually, of somebody more or less dependent upon him even in those cases where there is no family allowance by the Bureau of War Risk Insurance.

I beg to say, also, that I am receiving many complaints from soldiers that they are not receiving their pay and have not received it for many months, in many cases though in dire need of money. That there is unwarranted delay in the payment of sick and wounded men coming home is beyond question, unless the many soldiers who write are all lying about it, and I do not believe that. The Government is utterly failing in its responsibility to the soldiers and to their dependents in regard to pay and allowances. Excuses, of course, will be offered, but what is needed is attention to the business.

My mail is filled with complaints and I am informed the same is true of other Members of Congress.

These are not the only complaints being made against the War Department. While the Government is maintaining an expensive system of officers under the Department of Labor to secure employment for discharged soldiers, the soldiers in the service who have employment awaiting them, and where they are needed, find it in many cases difficult or impossible to secure discharges. It is, I think, just a pure lack of proper attention or proper consideration and humane concern.

Another matter to which I call your attention is the refusal of the War Department to obtain information concerning soldiers who are reported wounded and referring them to the American Red Cross. If a soldier under the War Department has been wounded abroad and is in a hospital of the United States abroad, surely the War Department ought to obtain information and give it to relatives here instead of advising relatives to communicate with the Red Cross. Such action on the part of the War Department seems to indicate an absolute insensibility to humane feeling.

Just as an illustration of the very many letters which are being received by me and others at the Capitol relating to the payment of soldiers in hospitals, I inclose you one letter from Sergt. John J. McAvoy, Company A, One hundred and twenty-seventh United States Infantry, Thirty-second Division, General Hospital 28, Fort Sheridan, Ill., though I confess I fear to send such letters to the War Department for fear it will result injuriously to the soldier. Of course, a part of his letter refers to the failure of the War Risk Insurance Bureau; but how can you reconcile your apparent complacent satisfaction with the pay department of the Army with the statements in this letter, if they be true?

Yours, very respectfully,

JAMES R. MANN.

CHANGE OF REFERENCE—TUNNEL UNDER HUDSON RIVER.

Mr. SMALL. Mr. Speaker, I ask unanimous consent that reference of the bill H. R. 12588, introduced by the gentleman from New Jersey [Mr. EAGAN] to provide for the construction of a tunnel under the Hudson River between the States of New York and New Jersey, which has been referred to the Committee on Rivers and Harbors, be rereferred to the Committee on Interstate and Foreign Commerce.

The SPEAKER. Is there objection?

There was no objection.

PURCHASE OF BONDS BY SOLDIERS.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LITTLE. Mr. Speaker, I am glad to see from the reading of the reply of the letter from the gentleman from Illinois [Mr. MANN] to the letter of the Secretary of War that it is quite evident that the gentleman from Illinois has fully recovered his health. [Laughter.] Along that line there is one other suggestion that I desire to make. A new trouble has arisen, and I do not know that anyone else seems to have heard of it. I am getting quite a number of letters from soldiers who have paid for their liberty bonds but who can not get them. It appears that they have made an arrangement by which the money would be taken out of their pay and sent to the Federal Reserve Bank at New York City, the bonds to be then sent to the place designated by the soldier when paid for. They do not get the bond. The soldier writes to me, and then I write to the bank, and find that the matter has passed out of their hands, I do not know how, to the Department of Allotments or to some of their branches. They write back something about the bank, and they have no definite information about the matter. I write back rather briskly, and I get this answer, that they are now waiting for a report from the company commander as to whether or not the soldier has paid for the bonds or not. The bank that got that money and the department that got it knows whether the bond has been paid for. The paymaster's office knows whether it has been paid for, whether the soldier got the pay, or whether it was reserved from his pay. The idea of sending off to France to ask

some company commander who may have died in battle, or whose whole company may have died in battle, is absurd and ridiculous. If they have arranged it so that they have to depend upon the company commander to determine whether or not the soldier has paid for his bond, the whole thing has gone to pieces, because every record might be lost in 10 minutes on the battle field and never recovered. I hope somebody may take this in hand and get as much interest in it as I have, so that we may see to it that these soldiers who have paid for their bonds get them and without any delay. [Applause.]

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SMALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13462, the river and harbor appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor bill, with Mr. BOOHER in the chair temporarily, in the absence of the permanent Chairman, Mr. BYRNES of Tennessee.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13462, the river and harbor bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. FREAR. Mr. Chairman, at this point I believe it is proper to introduce amendments, because the first paragraph in the bill has been read. Am I right?

The CHAIRMAN. That is right.

Mr. FREAR. I wish to offer an amendment at this time—in fact, four amendments—which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FREAR: At the end of page 1 insert the following after the word "named," in line 9:

"*Provided*, That no contract for work herein appropriated for shall be entered into unless the President or the Secretary of War shall first declare that immediate commercial or other public necessity exists for the prosecution of such work and for the use of such project at this time."

Mr. FREAR. Mr. Chairman, we have made conditions on many projects that have been placed in this bill. Some of them relate to contributions by the locality, others to the performance of conditions. Frequently we have provided that a project shall not be advanced until the Secretary of War is satisfied as to certain conditions. I have gone a step further, and it seems to me at this time of all times it is very important that we should know there is a commercial necessity existing or something imperative that requires the insertion of 70 new projects in this bill and a large increase of appropriations placed in the bill after the engineers make the first recommendation to the committee. And in order that that may be passed upon with some degree of judgment by those who are not interested in the project themselves but who understand the condition of the Public Treasury at this time, I believe this amendment of all amendments should be passed. Now, what does it provide? That no new contract for work herein appropriated for shall be entered into unless the President or the Secretary of War shall first declare that immediate commercial or other public necessity exists for the prosecution of such work and for the use of such project. The Army engineers have not said these 70 projects should be advanced at this time. No one except the committee has placed them there, and I ask if the House is going to permit the committee to say that these 70 projects are important, that these additions which have been made to the various projects—sometimes $2,000,000 in amount—are important and of immediate necessity?

Mr. DUPRÉ. Will the gentleman yield?

Mr. FREAR. No; not just this moment; I will later. We have the position confronting us, and with that position confronting us and with the fact that we are going to sell public bonds to raise money for the improvement and to levy a direct tax I submit, Mr. Chairman, of all times that the President of the United States and the Secretary of War ought to be permitted to pass upon the question, that it ought not to be taken out from their authority, and that this House, without any knowledge of the importance of these projects, should determine if they should be a tax upon the Treasury. I now yield to the gentleman.

Mr. DUPRÉ. I was going to ask the gentleman if every project in this bill has not been heretofore recommended by the Secretary?

Mr. FREAR. That is not the point. The point is the immediate necessity after they have recommended. Yes; the Trinity River was recommended, the Missouri River was recommended, any number of worthless projects, and some of them have been abandoned. However, that is not the point. The point is the question of immediate necessity. You ought not to be afraid to leave it to the President of the United States or to the Secretary of War.

Mr. DUPRÉ. My first inquiry was to be followed by this one, if I may make it of the gentleman: Does the gentleman think it is the function of the Secretary of War or the President of the United States to appropriate money, or is it the duty of the Congress to do so in its wisdom if it sees fit?

Mr. FREAR. I believe that this House—that we, as the Committee of the Whole House here—are derelict in our duty if we pass this bill in its present form, without the condition put there that the Secretary of War, in certain conditions, may determine whether or not it is proper and timely to make the improvements.

Mr. KENNEDY of Iowa. Will the gentleman yield for a question?

Mr. FREAR. I do.

Mr. KENNEDY of Iowa. Does not the gentleman know that if we impose that condition that the President or the Secretary of War will send this matter to the engineers in order to get an expert report?

Mr. FREAR. Conceded. Now, the engineers themselves have not asked for these 70 new projects, not one of them. That is the point I make—the engineers themselves have not submitted these. The Chief of Engineers, whatever may be his disposition, determines these questions. Then we have got the responsibility fixed that this is an immediate commercial necessity in his judgment, and we can hold him to that responsibility.

Mr. CALDWELL. Will the gentleman yield?

Mr. FREAR. I will.

Mr. CALDWELL. Was the gentleman in the Hall when the President delivered his message at the opening of Congress?

Mr. FREAR. I have been in the Hall when the President delivered many messages.

Mr. CALDWELL. At the opening of the Congress?

Mr. FREAR. Yes. Go on and ask the question.

Mr. CALDWELL. Does not the gentleman remember the President said——

Mr. FREAR. I do not care to answer questions of that kind. I believe if the President of the United States or the Secretary of War, if they are willing to pass upon it, we have got something to go upon, but to-day we have not.

Mr. TREADWAY. Will the gentleman yield?

Mr. FREAR. I will.

Mr. TREADWAY. The gentleman is a member of the Committee on Rivers and Harbors and has the testimony before him, of course, as to the relative merits of the projects suggested.

Mr. FREAR. There was no testimony. That is the point; there was no testimony before the committee outside the engineers' reports, and some of them were back five years and more ago.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. I ask for five minutes more. I may not take more than a moment.

Mr. TREADWAY. May I ask the gentleman one other question?

The CHAIRMAN. Is there objection to the gentleman proceeding for five minutes? [After a pause.] The Chair hears none.

Mr. TREADWAY. Has not the gentleman sufficient confidence in his colleagues on the Rivers and Harbors Committee to allow them to pass on the merits of the various projects they recommend?

Mr. FREAR. I will say, in answer to that, that the distinguished gentleman from Massachusetts [Mr. TREADWAY] who questions me was one of those who led one of the recent fights on this very bill two years ago, and for the very reason he did not have confidence in a majority of his colleagues.

Mr. TREADWAY. If I may be allowed to interrupt the gentleman in his time, I will say that that was not the reason.

Mr. FREAR. Then let me say this, that the gentleman from Massachusetts at that time presented a statement, with which I was agreed, that there was a balance of over $30,000,000 in the hands of the Chief of Engineers, which was sufficient for all purposes. At this time $45,000,000 is in the hands of the Army engineers, and you are adding 70 new projects to this bill and you are increasing by several million dollars—yes, a good many million dollars—some of the old projects. Over $15,000,000, as nearly as can be estimated, in all, is the amount that has been added since the engineers first reported to the committee. They

reported upon a war basis. Is there anything that can be objectionable to gentlemen on the other side that the President or Secretary of War shall be permitted to pass upon this? If you have an immediate project you want put in without examination, yes. Why not be willing to leave it to the Executive? I certainly am, because I believe you fix responsibility and determine then the importance of the particular project.

Mr. MOORE of Pennsylvania and Mr. DEMPSEY rose.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] is recognized.

Mr. MOORE of Pennsylvania. I would like to ask the gentleman from Wisconsin if he is not a member of the Rivers and Harbors Committee, and has not been for several years?

Mr. FREAR. I believe the gentleman is quite familiar with the fact that I have been. We have had a good many controversies on the floor and do not always agree on the subject in controversy.

Mr. MOORE of Pennsylvania. That is true, but the gentleman has been or is a distinguished member of the Committee on Rivers and Harbors.

Mr. FREAR. With the exception of the adjective, I accept the correction.

Mr. MOORE of Pennsylvania. I placed the adjective, because it is well bestowed.

May I ask the gentleman further if he presented the amendment he now presents to the Committee of the Whole to the Committee on Rivers and Harbors?

Mr. FREAR. No; but I did this: I asked when the Committee on Rivers and Harbors met that the Chief of Engineers or his representatives should come before the committee, and that a stenographer should be there to take the proceedings, both of which requests were refused.

Mr. MOORE of Pennsylvania. May I ask the gentleman if he was a faithful attendant on all the meetings of the committee held on this bill?

Mr. FREAR. I have been as faithful as the average member.

Mr. MOORE of Pennsylvania. The gentleman did not attend all the meetings?

Mr. FREAR. Oh, no. I was in attendance here on some very important meetings, where I had the encouragement of the gentleman from Pennsylvania who is now addressing us.

Mr. MOORE of Pennsylvania. That may be true.

Mr. FREAR. And certainly I could not be in two places at the same time.

Mr. MOORE of Pennsylvania. There are some things that the gentleman from Wisconsin does that the "gentleman from Pennsylvania" approves.

Mr. FREAR. I appreciate it.

Mr. MOORE of Pennsylvania. "The gentleman from Pennsylvania" was inquiring whether, in view of the fact that the gentleman from Wisconsin has started his fight against the River and Harbors bill this morning on the basis of the amendment that he now proposes, which would tend to revolutionize the entire system, he had presented this in good faith to the membership of the Committee on Rivers and Harbors, of which he is a member?

Mr. FREAR. If the gentleman wants a reply to that, I will say that for four years I presented almost this identical amendment at the beginning of the discussion on this floor. It is not a new amendment. Every member of the Committee on Rivers and Harbors who has followed the discussion knows that it has been offered by other Members here on the floor, including the gentleman from Massachusetts [Mr. TREADWAY], who spoke a moment ago. It is my recollection that he introduced it and asked that the President and Secretary of War be permitted to do what my amendment asks.

Mr. MOORE of Pennsylvania. Would it not have been the regular order for the gentleman to have presented his amendment to the Committee on Rivers and Harbors, so that it might have been discussed by that committee before it came here?

Mr. FREAR. It seems that a member of the committee would have a right to raise that objection, but the gentleman who has spoken, and who has many important projects in this bill, has not the right to take to task any member of the committee, who has a right to do his duty here or elsewhere.

Mr. MOORE of Pennsylvania. I will say to the gentleman that if I had a very important proposition to lay before the House and country, as the gentleman has, because his is a country-wide proposition, I would lay it before the committee of which I was a member and fight it out there; and if it was defeated there, then, giving notice to my colleagues on the committee, I would bring it into the House.

Mr. GALLAGHER. Will the gentleman from Pennsylvania yield?

Mr. MOORE of Pennsylvania. I will.

Mr. GALLAGHER. Do you think it would have made any difference in the results of the committee deliberations if the gentleman from Wisconsin had presented it to the committee?

Mr. MOORE of Pennsylvania. It might not if all the members of the Committee on Rivers and Harbors agreed with the gentleman from Illinois who just asked the question and the gentleman from Wisconsin [Mr. FREAR], with whom he agrees; of course not.

Mr. GALLAGHER. It might make some difference if it was offered to the committee.

Mr. MOORE of Pennsylvania. If those two gentlemen were unalterably opposed to river and harbor improvements—and I would not say in favor of railroad domination of the country—then it might be we could never get the question I am raising before the House unless some gentleman outside of the committee ventured to do what I am doing now—call the attention of the larger body to the fact that when a member of the committee had a chance to present his amendment to his own committee he did not do it, but brings it suddenly on the full membership of the House when the members of his committee did not have full notice.

Now, I yield to the gentleman from Alabama.

Mr. BANKHEAD. I do not know whether I correctly understood the gentleman from Wisconsin or not, but I gathered the inference from his remarks that there were some of these new projects incorporated in this bill that did not have the specific recommendation or indorsement of the Board of Engineers. Is that true?

Mr. MOORE of Pennsylvania. I am not a member of the committee. I can not answer that.

Mr. FREAR. The gentleman is mistaken.

Mr. MOORE of Pennsylvania. Let me say this to the gentleman from Alabama, however: That the time has come for new projects to go into this bill. The people of this country, this United States, have been waiting since the war began for improvements in their own country. They have been making vast appropriations and great sacrifices to help the people of other countries. They have been aiding canals elsewhere. Their money has gone to the construction of railroads in France while they have been suffering in the United States for lack of decent and sufficient transportation facilities.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes.

Mr. BANKHEAD. I would like to interrupt the gentleman with a question.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. I yield to the gentleman.

Mr. BANKHEAD. Understand, I am not in opposition to the bill.

Mr. MOORE of Pennsylvania. I understand the gentleman is not.

Mr. BANKHEAD. But it has been my impression heretofore that it was impossible to procure the insertion of any item in the river and harbor bill without the backing of the Board of Engineers. That has been the policy, as I understand.

Mr. MOORE of Pennsylvania. I understand that has been so; otherwise there would be fair ground for the criticism of the gentleman from Wisconsin.

Mr. KENNEDY of Iowa. Mr. Chairman, will the gentleman yield right there?

Mr. MOORE of Pennsylvania. Yes.

Mr. KENNEDY of Iowa. I want to say to the gentleman from Pennsylvania and to the gentleman from Alabama that there is not a project incorporated in this bill but has the indorsement of the Board of Engineers.

Mr. BANKHEAD. I think for myself that there ought to be some which have not got the indorsement of the Board of Engineers.

Mr. MOORE of Pennsylvania. If that statement were agreed to, it would be up to the gentleman from Wisconsin to challenge it. He is a member of the committee.

Mr. FREAR. I have specifically admitted it, and the gentleman knows it.

Mr. MOORE of Pennsylvania. Then the gentleman from Wisconsin stands in direct opposition to the Army engineers.

Mr. FREAR. They have abandoned some of the projects they urged years ago.

Mr. MOORE of Pennsylvania. Are any of those abandoned projects in this bill?

Mr. FREAR. One is modified. It has not been abandoned. But that is immaterial. I speak of that simply as regards their own judgment.

Mr. MOORE of Pennsylvania. I speak of the gentleman from Wisconsin as in general opposition to the bill and in general opposition to the War Department, and he does it in a broad, general way apart from the Committee on Rivers and Harbors, of which he is a member, where, if he had attended regularly the meetings of that committee, he might present his opposition.

Mr. FREAR. I presume I have attended the meetings of the committee as regularly as the average Member, and as regularly as the gentleman from Pennsylvania has attended the meetings of the committee to which he belongs. But I have not discussed or criticized the War Department any more severely than has the gentleman who has just spoken, and that within the last two or three days, and I believe that is his province and his duty.

Mr. MOORE of Pennsylvania. I have done that in regard to the failure of the War Department to pay soldiers' allotments and allowances and to make discharges, and I will continue to do so as long as it appears that our public officials are not making prompt settlement with our soldiers and their dependents.

But that has nothing to do with this. I am in favor of construction and reconstruction within the United States. I was just pointing out that we have made liberal appropriations and allowances, and have undergone vast sacrifices and imposed heavy taxation upon our people for reconstruction in other climes than our own; and during all this time, when we have been sapping the business life blood of our Nation and the physical life blood of our men and women for the benefit of other peoples, our new river works have remained idle, have stood still. We have failed to make appropriations for ourselves. We have fallen behind in the matter of our commercial relations with foreign nations. We have not brought ourselves up to date in the vital matter of transportation, and we have permited ourselves to go almost exclusively into the hands of those controlling existing transportation methods without giving ourselves the benefit of a competitive means of transportation.

Now, this bill proposes to reconstruct—to construct and reconstruct—the waterways of the United States in order that this infernal railroad inadequacy and congestion may be relieved. [Applause.] And the gentleman from Wisconsin, who opposes this bill in toto, and who seems opposed to the principle of waterway improvements, who rejects the recommendations of the United States Army Engineers who are endeavoring to give us a competitive transportation system in this country, stands to hamstring the business people of the United States, to compel them to pay the highest possible freight rates, to compel them, when there is plenty in certain parts of the land, to pay the highest prices in other sections where they can not get food supplies, and to hold back and throttle forever the opportunity that the people generally demand.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. DEMPSEY rose.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. SMALL. Mr. Chairman, pending the gentleman's remarks, may I ask unanimous consent that all debate on this amendment close in five minutes?

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on this amendment close in five minutes. Is there objection?

There was no objection.

Mr. DEMPSEY. Mr. Chairman and gentlemen, the gentleman from Wisconsin [Mr. FREAR] advocates the abdicating by Congress of its function of legislating as to all new projects included in this bill. The proposition is not a new one. It was presented last year by the gentleman from Massachusetts [Mr. TREADWAY], who urged it because we were in the midst of war, with war facing us with all of its difficulties. But this House, none the less, decided to hold the legislative part intact and firm in its own hands; and to-day the gentleman from Wisconsin again urges that we place the function which belongs to us in the hands of the President, that we abdicate and give to him the right to legislate, regardless of the fact that we have considered deliberately and in the regular way the subjects as to which he says we should hand over to the Executive our rights and our functions.

And does he in any way justify the abdicating by Congress of its rightful function? Does he point to any unworthy project in the bill? Does he give a bill of specifications, and does he turn to the items and say, "Here is an unworthy project"?

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Just a moment, and then I will. Does he say, "There are 70 new projects, and among those new projects I specify that such and such projects are unworthy of being improved"? Oh, no. He makes a general indictment. He does not turn to any one item and show that that project should not be improved. He says, generally, we should turn our back upon progress. We should not in this great and growing country of ours, with all its need of increased transportation, have any new projects, however worthy, unless after we have passed the bill with deliberation and consideration the President says we are right by specifically writing his approval of each new project. That is the proposition in its nakedness, and that is all there is to it. Now I yield to the gentleman and ask him to specify which one of these 70 projects he criticizes, which of them is wrong, which of them this Congress should not approve? Or, I ask him the broad and general question, Is he opposed to all improvements unless, after Congress has passed the bill, the President invests himself with our functions and relegislates in our behalf? Is that his proposition?

Mr. FREAR. The gentleman asks me a question, and he makes a long and extended argument in regard to it. I will say this in response, that when this country is facing a deficit of $18,000,000,000 in the Treasury I do not feel that it is dangerous to submit to the President or to the Secretary of War the question of the commercial necessity of these 70 new projects, and I ask the gentleman to say which of these 70 new projects he considers is of vital necessity at this time that he thinks the President or the Secretary of War would not approve of?

Mr. DEMPSEY. I will say in answer to the gentleman two things. He asks me to specify a project, and I will give him one as an illustration. I will point the gentleman across the country to Beverly Harbor, and I will tell him that if Beverly Harbor had been improved as we propose to improve it, New England last winter, that great and prosperous part of the country, which contributed as much as any other part of this Nation to the waging of the war, would have been warmed; that its people would not have suffered for lack of coal, because we would have been able to furnish a way to distribute by water the coal to those people who needed it.

Mr. FREAR. Will the gentleman yield?

Mr. DEMPSEY. Now, I will specify that as one of the instances. And then, on the general proposition, I will say to the gentleman that the Secretary of War has already approved of each one of these projects, approved of it specifically after thorough examination, and that approval was before this committee, and was one of the things that influenced us; not all, because we do not believe that we ought to be bound solely and wholly by the judgment of the Secretary of War. We believe we are sent here ourselves to legislate, and that we ought to give the country the benefit of our own thought and consideration.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. FREAR. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FREAR: At the end of page 1 insert the following:

"*Provided*, That prior to any expenditure of public moneys under this bill the Secretary of War shall be satisfied that there now exists, or shall secure satisfactory assurances that local interests will provide sufficient areas of water frontage and suitable public water terminals adequate for the traffic which shall be open to the public on equal terms and as conditioned in the upper Cumberland project contained in this bill."

Mr. FREAR. Mr. Chairman, this subject has been discussed not only in the committee but on the floor by the chairman of the committee. We are all familiar with the fact that the Government heretofore has gone on in the case of the Ohio River and has expended something like $59,000,000 without a single water terminal. We are asked here to improve many different waterways without public terminals; and if we are going to be consistent we will make the same condition that we have made in the case of the upper Cumberland and other waterways without favor, and say, "If this project is to be improved, you must provide satisfactory terminals before the Government will put its money into this project."

Now, the Chair is well aware of this fact, and so is the committee, that after an amendment is offered different members of the committee or Members of the House have the privilege, particularly if they are interested in projects in this bill, of assailing the Member who offers the amendment, and that there is no chance to answer them. For instance, the gentleman from Pennsylvania [Mr. MOORE], who just spoke, has more money se-

cured for Philadelphia in this bill, and for its immediate neighborhood, than any gentleman—nearly one-quarter of the bill. I do not question his interest, but I do say that when he says I am opposed to the principle of waterway improvement he must know that that statement is untrue. I have approved constantly of the improvement of deserving waterways. Why, as the gentleman himself said a day or two ago on this floor, we are taking the blood from the people of this country. We certainly are. We are facing a deficit of $18,000,000,000. Six and a half million dollars are appropriated in this bill for the Delaware River and the waterways immediately surrounding Philadelphia when only $900,000 were recommended by the engineers to the committee in the first place, and $5,500,000 have been added for the Delaware River, for the Chesapeake & Delaware Canal, and for the Schuylkill. When this is proposed, I ask that the Secretary of War may tell the country of the immediate necessity for that expenditure, because when we are taking the money out of the blood of the people, as the gentleman from Pennsylvania well says, it seems to me it is time for us to know the importance of these expenditures.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FREAR. I yield to the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. I wish the gentleman's statement were true about the Delaware River and about the gentleman from Pennsylvania. I wish it were true that we were getting so much as the gentleman indicates. I am glad to take the gentleman on his own proposition as to whether the Delaware River is worthy of improvement or not.

Mr. FREAR. That is not the question. The question is that the gentleman has just charged me with not being willing to improve waterways, and the gentleman has secured $6,500,000 for projects around Philadelphia.

Mr. MOORE of Pennsylvania. I challenge that.

Mr. FREAR. Let me enumerate them: Two and a half million dollars for the Delaware River, $1,000,000 for the Schuylkill, right there at Philadelphia, and $3,000,000 for the Chesapeake & Delaware Canal, which the gentleman time after time and year after year, and I am afraid successfully, has been urging as a project which the United States Government should take over.

Mr. MOORE of Pennsylvania. The Chesapeake & Delaware Canal is in the States of Delaware and Maryland.

Mr. FREAR. And Pennsylvania and Philadelphia hold practically all the stocks and bonds that are invested in that canal, and the gentleman has been a most ardent exponent and advocate of that canal.

Mr. MOORE of Pennsylvania. The gentleman admits that.

Mr. FREAR. Yes. I am pleased to yield to the gentleman, whose eloquence could secure almost anything. But let me say this——

Mr. MOORE of Pennsylvania. We need these improvements for national reasons.

Mr. FREAR. Oh, there is no project in the bill but what is put in as a national proposition. Now, in regard to the statement of the gentleman from New York [Mr. DEMPSEY], I made a statement which was not repeated correctly. I said, Is there a proposition which the gentleman knows of that the President and Secretary of War would not approve? He says Beverly Harbor—would not the Secretary of War approve it? That is the only question, and I had no fear or question about it. The House votes down the proposition. We required proper terminals on some of these propositions, and why not on all of them?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. FREAR. Mr. Chairman, I offer a third amendment.

The Clerk read as follows:

At the end of page 1 insert the following:

"*Provided*, That no contract for work hereinafter appropriated shall be entered into until the city, county, or State, or any other agency, shall have deposited with the Secretary of War, in some bank to be designated by him, an equal amount for the sum herein appropriated, which sum shall be expended by the Secretary of War in the prosecution of said work."

Mr. FREAR. Mr. Chairman, this is a question of contribution. It has been urged in this House and in the Senate on various occasions. There is no reason why, as suggested in the amendment, Nawiliwili Harbor, Hawaii; the Sandusky port, on Lake Erie; and many other different projects which I can enumerate are required to contribute to the improvement, while nine out of ten of the other projects do not contribute a dollar. Why is this partiality shown? Let us, if we are going to give them these sums, do as they do in European countries, say to the localities that they must give a certain amount to show their earnestness in regard to the improvements. Do not make the Government contribute at all. And if we are going to contribute it all, let us say we will do so impartially. What right have we to say to Nawiliwili Harbor that they shall contribute $100,000 and make good terminals before a dollar will be expended by the Secretary of War? What right have we to do that except that they have not a Delegate with a vote to cast? He can only speak on the floor. I know the islands give a great deal more to the revenue of the Government than they have got back. If we are going to be fair, just, and honest in this thing with these various communities let us treat them all alike. Let us have good faith on the part of the community in that they are willing to make some contribution, that they believe in the improvement.

Mr. ROBBINS. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. ROBBINS. Does the gentleman's amendment apply to new improvements?

Mr. FREAR. Yes; and necessarily so.

Mr. ROBBINS. If you take Pennsylvania, no county could contribute anything to rivers and harbors under the constitution.

Mr. FREAR. The answer obviously to that is that I believe in changing the present system and adopting one so that communities may contribute. You could change the constitution of Pennsylvania. Why should Pennsylvania get $6,500,000 in this bill while Nawiliwili Harbor only gets a few thousand dollars and is obliged to contribute $100,000?

Mr. ROBBINS. That is no answer.

Mr. FREAR. It is an answer.

Mr. MOORE of Pennsylvania. It is because $21,000,000 per annum comes in through Philadelphia and nothing comes in through Nawiliwili.

Mr. FREAR. Oh, yes; Hawaii contributes more to the country than she gets out of it.

Mr. MOORE of Pennsylvania. I am speaking of Government revenue that comes in through the improvements.

Mr. FREAR. I am speaking of revenue that comes from Hawaii, and I know they give far more to the Government than they ever receive.

Mr. ROBBINS. Take the harbor of Erie, Pa.; we know that it is necessary to improve it by reason of the damage to the breakwater by a storm.

Mr. FREAR. Just as at Nawiliwili Harbor, which has a breakwater, and we say to them, "You must give $100,000 before the Government will contribute a dollar. You people have not any vote on the floor, although you pay more taxes than you receive back, but we make that as a prior condition." Why should we do that?

Mr. ROBBINS. Because Nawiliwili Harbor is a Territory.

Mr. FREAR. Yes; but they pay more money to the Government than they get back.

Mr. ROBBINS. You can not apply your rule to any State in the Nation.

Mr. DEMPSEY. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. DEMPSEY. Why not make your rule work the other way and abolish all contributions? You would reach the same result logically.

Mr. FREAR. Let me say that many projects in this bill would never appear here if the people were obliged to make contributions. They will get all they can from the Government Treasury because they have no responsibility on their side. All they have to do is to come and beg first of the Army engineers and then put the thing through the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. FREAR. Mr. Chairman, I have another amendment here which I send to the desk and ask to have read.

The Clerk read as follows:

At the end of page 1, insert the following:

"*Provided*, That work on any new project herein adopted shall not be commenced until the Secretary of War is satisfied that railroad connections have been made or will be made within reasonable time to make the project accessible to the communities whose commerce is properly tributary to such waterway, as provided in conditions for improvement of Nawiliwili Harbor in this bill."

Mr. FREAR. Mr. Chairman, that relates to the same general proposition, excepting here in that case they require them to establish railways to bring all of the traffic down to the harbor of Nawiliwili. That is, the committee has done that in addition to their paying $100,000 into the Treasury before a dollar will be expended upon the part of the Government. I did not mean to say that there was no Delegate from the Hawaiian Islands. There is, but he has not a voice in the determination of this bill; as we all know, he can not vote. We can tax Hawaii as we choose. We can give them whatever we choose

and make whatever conditions we choose. They have no one here who can tell on the floor what should be done who can vote. That is the point I make. Here is a condition, and I do not know that it is not a proper condition. I rather think it is, but it should be generally imposed, if so, on all projects.

Mr. MOORE of Pennsylvania. Mr. Chairman, the gentleman from Wisconsin knows that the Delegate from Hawaii has a right to speak on the floor.

Mr. FREAR. Oh, yes; but he has not the right to vote.

Mr. MOORE of Pennsylvania. I know the gentleman wants to do justice to the Delegate from Hawaii, with whom he is on very good terms.

Mr. FREAR. Oh, surely. We are all on good terms with him, a very estimable man, and I do not think that project should be singled out and such conditions made there unless the condition is made on projects generally. The chairman of the committee on the floor talked for half an hour almost on that one subject of terminals, and let me say that he talked well, and I think no one can fairly raise any objection to that proposition, that the Government should not make expenditures unless there are terminals built by localities, and he was addressing himself largely to the Ohio River. If the Ohio River ought to have it—and we have spent $59,000,000 there with very little result—and if the Missouri River ought to have it—and we have spent $24,000,000 there with very little result—why not make it general with all? That would seem to me the only fair condition, and that is the reason that I have offered the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The amendment was rejected.

The Clerk read as follows:

Tenants Harbor, Me.: Completing improvement in accordance with the report submitted in Rivers and Harbors Committee Document No. 12, Sixty-second Congress, third session, $12,500.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. The other day at the conclusion of his remarks the chairman of the committee made a statement which in substance was that men who objected to this river and harbor bill were not intellectually honest. That would include a large part of the House membership, if true. I desire to present just a few brief remarks in this connection, which I think may be of interest at the outset of this bill. I oppose this 1919 river and harbor bill, not from any personal or local injury, fancied or real, but because the bill is vicious and wasteful in character. I am not acting alone as a Representative from Wisconsin in this opposition, but for taxpayers throughout the country, who are equally concerned in its defeat.

Members of the committee in past years have poked fun at all western waterway traffic. Let me say my own State represents more actual waterway traffic than that of any other member of the committee, with one exception. Wisconsin stands second in waterway commerce of all the States in the country. Last year four of its harbors, taken from a dozen of its ports, handled over 70,000,000 tons of waterway traffic, hauled on the average over 800 miles. The total appropriations for these four harbors reached $11,670,000 in the last 50 years. The greatest river in the world, without a boat line upon it, also flows past my district, a hopeless, deserted stream.

In general debate on this bill I was severely criticized by Chairman SMALL of the committee, who hails from North Carolina. I ask the House to judge between us as to our comparative interests and intellectual honesty. On pages 8, 9, and 10 of this bill over $1,500,000 is carried for North Carolina rivers, canals, and rivulets that were placed in the bill after the engineers' reports were first sent to the committee, according to the committee memorandum book. This is more than ten times all amounts in this bill appropriated for Wisconsin's waterways, and yet all the actual North Carolina waterway traffic does not reach one-hundredth part of that of Wisconsin. The chairman of the River and Harbor Committee comes from North Carolina. One river in North Carolina—the Cape Fear—with its tributaries, has already received from the Government Treasury for so-called improvements $7,730,168, or more than has been given the second harbor in the world at Superior-Duluth; yet this river's commerce last year was less than 1 per cent of that of this Wisconsin harbor.

The bill before us carries $554,000 more for that one North Carolina stream, or over five times as much is in the bill for that river, as for all the Wisconsin projects put together. Again, $1,000,000 more is carried in the bill for two insignificant North Carolina waterways that do not handle in real commerce 5 per cent of the waterway traffic of the little harbor of Ashland, in my own State. North Carolina, the home of the chairman of the committee, also gets six new projects in the bill, more than any other State in the Nation; and with this astounding record of having four feet in the hog trough, the chairman of the committee from that State seeks to distract attention from his many appropriations by criticizing me personally.

Returning to other waste contained in the bill, Wisconsin has one harbor, Superior-Duluth, that has received from the Government in the past about the same amounts as the Cumberland River, and yet that Wisconsin harbor handled over five hundred times the actual commerce of the Cumberland River last year and shipped it ten times as far. In this bill the Cumberland River will receive $340,000, in addition to $7,108,767, which will begin another hopeless $4,500,000 canalization project on that river. Yet I am criticized by the chairman for protesting against this indefensible waste of public money. Again, one of Wisconsin's five largest harbors last year handled three thousand times as much traffic as the hopeless Missouri River, which project was first rejected by Col. Townsend. The Missouri River, in addition to over $24,000,000 thus far received from the Government, gets $400,000 more in this bill for a so-called commerce of less than 15,000 tons last year. Compared with this, about $100,000 is given in this bill for all the Wisconsin harbors, that handled over 70,000,000 tons last year.

Yet I am criticized for exposing such colossal waste contained in this bill. I could extend comparisons to many other old and new wasteful projects in the bill, but I am content to place these facts, taken from the 1918 engineers' records, before the country, and to say that with $45,000,000 balance on hand at this time for waterway expenditures and $18,000,000,000 indebtedness confronting the Nation, it is worse than foolhardy to finance such miserable reckless waste through liberty-bond sales and burdensome direct taxes. That is the issue, and no effort of the chairman of the committee or anyone else can sidetrack that issue.

Mr. SMALL. Mr. Chairman, I move to strike out the last word. I suppose a brief comment is in order. In reply to the gentleman from Wisconsin [Mr. FREAR], I desire to say that after the gentleman made almost an hour's speech upon this bill, when the committee was considering it under general debate, I used this language with reference to the gentleman and his speech:

He says this "wicked" bill is going to pass the House, carrying with it the indictment that the membership of this House will support a bill not in the public interest, involving a waste of the public money. It is an unfair, unjust, unjustifiable criticism of the committee and of the House. I make this expression immediately after the gentleman has concluded. I do not make it unkindly; but the gentleman has not made a criticism of this river and harbor bill creditable to a man seeking only the truth and desirous of doing only justice and fairness. I do not impute the slightest moral turpitude to the gentleman from Wisconsin. I have studied the gentleman from Wisconsin, trying to ascertain something about his mental methods. The only way I can account for them—because I do not impute the slightest lack of moral conception to his make-up—is that for some reason or other on river and harbor legislation the gentleman has great difficulty in being intellectually honest. In all truth and fairness I commend that criticism to the gentleman, with the hope that in good time he will reform.

I made that statement extemporaneously, but deliberately. I have had no occasion to palliate it or withdraw it. I do not think anything has occurred this morning which justifies any withdrawal of the statement.

The gentleman says a good deal about North Carolina and North Carolina projects. The gentleman intends, I presume, to say that as chairman of the committee I took advantage of my position to favor unworthy projects in North Carolina. If there is a single member of the committee other than the gentleman from Wisconsin who believes it, I not only invite but I urge him to say so. If there is a single Member of this House who has the slightest idea that the gentleman's imputation is correct, I invite and urge him to say so. This is a great body. This House makes up its mind about Members. It is not what the gentleman from Wisconsin says, it is not what I may say about myself. It is the verdict of the House that counts, and the verdict of this House, based on my experience of 20 years, is honest and just to every Member of the House. I am willing to leave my reputation for fairness and integrity and for such intelligence as I may possess to the membership of the House. The gentleman from Wisconsin, whether he likes it or not, must do likewise.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Boston Harbor, Mass.: For maintenance, $40,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. The chairman of the committee has stated that this is in no sense a personal controversy, and I do not believe that either of us will engage in that, because he is not built along those lines, nor am I. He says as chairman of the committee that it is charged that he took advantage of his position, and that is the criticism. Is there such a criticism? I have simply

stated the facts. There are many things which I did not wish to state until the gentleman impugned my intellectual honesty, but I now say that his State, by a peculiar accident, let us say, gets more projects than any other State in the Union; that it gets $1,500,000, that do not carry one one-hundredth part of the commerce of my own State.

It was added after the engineers had reported, and the chairman from North Carolina, passing upon the 70 projects, recommended them to the committee. Is not that so? Now, with that situation, can he challenge me with intellectual dishonesty when a proposition like that confronts the House? Think of it! Take this proposition just passed. I do not oppose it. I do not intend to move to strike it out. The proposition in regard to Tenants Harbor—why, it is for the benefit of one boat, one single boat. Read the engineer's report on page 7:

The chief reason for the demand for increased depth in Tenants Harbor is the need for a channel that can be used at all stages of the tide by the sea boat which connects Tenants Harbor with Rockland and Portland, Me., and affords the customary means of transportation. This vessel draws about 13 feet. The business of the steamboat above referred to which is operated by the Eastern Steamship Corporation, amounted during the calendar year 1911 to 1,339 tons of freight and 1,000 to 1,200 passengers.

I am not going to move to strike it out, but at this time in the history of the country, with the condition of the Treasury as we know it, you ask that the item here ought not to be allowed. I am going to ask after a while what projects should be allowed that are of imperative necessity. Are you going to permit six projects of North Carolina to go into the bill, the Newbegun, Scuppernong, and other creeks down there? I am afraid they are to go in. But I do not propose to permit the chairman or anyone else on this floor to question my intellectual honesty in order to cover up such matters. I leave it to the House to determine who selected these new projects carrying a million and a half dollars for North Carolina when he presented the 70 projects which were adopted in this bill to the members of the committee.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

There was no objection.

The Clerk read as follows:

Gloucester, Beverly, Salem, Lynn, Plymouth, and Provincetown Harbors, Mystic, Malden, Weymouth Fore, and Weymouth Back Rivers, and Dorchester Bay and Neponset River, Mass.: Completing improvement of Weymouth Fore River, $183,000; completing improvement of Beverly Harbor in accordance with the report submitted in House Document No. 220, Sixty-third Congress, first session, and subject to the conditions set forth in said document as modified in the report printed in Rivers and Harbors Committee Document No. 8, Sixty-third Congress, second session, $61,500; in all, $244,500.

Mr. SMALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 11, strike out "completing" and substitute in lieu thereof "for."

Mr. SMALL. Mr. Chairman, this simply corrects a clerical error. The appropriation does not complete it, and therefore the word "for" should be substituted.

M. TREADWAY. Will the gentleman yield?

Mr. SMALL. I will.

Mr. TREADWAY. As I recollect the item, this amount of $61,500 is one-half of the total appropriation required to complete Beverly Harbor?

Mr. SMALL. Yes.

Mr. TREADWAY. It is $123,000, if I remember rightly the engineers' estimate.

Mr. SMALL. I think the gentleman's recollection is correct.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Pollock Rip Shoals, harbor of refuge at Nantucket, New Bedford and Fairhaven Harbors, Fall River Harbor, and Taunton River, Mass.: Continuing improvement and for maintenance of Pollock Rip Channel, $200,000.

Mr. GREENE of Massachusetts. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question if the gentleman from North Carolina will yield for that purpose.

Mr. SMALL. I will.

Mr. GREENE of Massachusetts. I would like to inquire with reference to the intent of carrying out this project at Pollock Rip Shoals, Harbor of Refuge at Nantucket, New Bedford, and so forth, continuing improvement, and for maintenance of Pollock Rip Channel, $200,000. When does this sum of $200,000 become available and how is the money to be expended?

Mr. SMALL. I will say the appropriation becomes immediately available upon the approval of the act, and this is a continuation of the improvement which has heretofore been carried on at Pollock Rip Shoals, and I may say to the gentleman that with which he is entirely familiar, that the result of this matter has been most favorable and the channel has remained stable.

Mr. GREENE of Massachusetts. I am very glad to hear the chairman make this statement, because there was considerable opposition at the time the improvement was begun there for fear the same would not become permanent. But what I wanted to ascertain was, as the probability is there will be little, if any, expenditure in the Fall River Harbor, because the tide is very strong in that harbor, and therefore the harbor will naturally be provided for in the cleansing, and I was only inquiring what the expenditure would probably be in the other places, if estimated by the engineers. Does the gentleman know?

Mr. SMALL. There was so much confusion, I could not hear the gentleman.

Mr. GREENE of Massachusetts. I asked as to the probable expenditure in the Harbor of Refuge, Nantucket, New Bedford, and Fair Haven Harbors, Fall River Harbor, and Taunton River, Mass. I presume the expenditure will be very small in the places mentioned.

Mr. SMALL. Yes; there is no estimate of appropriation for any of the places mentioned. The $200,000 is intended exclusively for the continuing of the improvement at Pollock Rip Shoals.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Connecticut River below Hartford, Conn.: For maintenance, $15,000; for improvement in accordance with the report submitted in House Document No. 132, Sixty-fifth Congress, first session, $75,000; in all, $90,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I approve of this item included in the bill, which is a new project, in accordance with the report submitted by the Engineers in reference to the lower Connecticut River. There are two sections of the Connecticut River, so called, as far as improvements are concerned, the lower section being that from Hartford down and the upper section running from Hartford to Holyoke, Mass., which is in my district. For some time an effort has been made to improve navigation in the so-called upper Connecticut River. A new survey was authorized in the Sixty-second Congress and a report was incorporated in House Document No. 417, Sixty-fourth Congress, first session. The Chief of Engineers, Gen. Kingman, in that report made distinct recommendations relative to the improvement of the upper Connecticut River. His recommendation in brief was:

That the Government should appropriate $1,870,000, with $65,000 for annual maintenance, and that there should be constructed a lock and dam at Enfield under private interest, and that the total expense of $3,950,000 should be met by the Government if this lock and dam was not commenced within a reasonable time by the private interest referred to.

Mr. KENNEDY of Iowa. Will the gentleman yield?

Mr. TREADWAY. I do.

Mr. KENNEDY of Iowa. That was the recommendation, I understand, of the district engineer, but it was not approved by the division engineer, the Board of Engineers, the chief, that part of it?

Mr. TREADWAY. This is a report, if this quotation is correct, of Gen. Kingman, Chief of Engineers, to the Secretary of War, paragraph 3.

Mr. KENNEDY of Iowa. The gentleman does not mean to say the Chief of Engineers approved of that recommendation?

Mr. TREADWAY. The Chief of Engineers, Gen. Kingman, approved the statement I make, quoting from him, which appears in House Document No. 417, Sixty-fourth Congress. I think the chairman of the committee has the report before him or on his desk, and will vouch for the correctness of my statement.

Mr. SMALL. The gentleman has read correctly from the report. Would the gentleman from Iowa care to have the report referred to to read?

Mr. TREADWAY. Now, Mr. Chairman, my particular interest in the adoption of this report comes from the definition of what may or may not be regarded as a reasonable time. I misunderstood that phraseology when I first read the report, but was corrected by Gen. Taylor in a conversation with him in reference to the subject matter. The "reasonable time" would date from the time of the adoption of the project by the Federal Government. So I submit that, in view of the dire need of the improvement of the upper Connecticut River, we should adopt the project and have that time underway to which he refers as reasonable, up to the time the Government should expend the total sum of $3,500,000.

Now, the upper Connecticut River project has been before Congress for many, many years, long before I was a Member of this body. In the Sixty-second Congress the project at that time, as favored by the Board of Engineers, became a part of the river and harbor bill in the Senate. When the bill went to conference the Senate amendment, including this project, was not agreed to. So it never has become a law. The whole matter hinges on the possible cooperation between private interests, anxious to secure the development of water power, and the Government's desire to secure navigation. The interest of Congress, of course, is solely that of navigation. The interest of the people involved is both, one as necessary as the other. The adoption of that project as a navigation project means 12 feet of water from Hartford to Holyoke, passing through a most fertile section of the country, a very thickly populated section, offering and having great industrial possibilities. There probably is no section outside of thickly metropolitan settled districts more industrially occupied and engaged than the particular reach within the Connecticut area. In addition, there is the greatest need of hydroelectric power.

The document to which I referred called attention to the saving of one item of coal alone in transportation for the population as then reported upon. There would be an annual saving on the basis of coal consumption at the time this report was made by Col. Abbot of from $200,000 to $300,000 annually. The various kinds of freight available, both outgoing and incoming, is almost unlimited. The mills of that immediate vicinity need the raw material. They need to get their finished product to the market. And it seems to me that we ought, as the representative body of the people——

The CHAIRMAN. The time of the gentleman has expired.

Mr. TREADWAY. May I have five minutes more?

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. TREADWAY. We ought to begin the period, wherein the Government may or may not cooperate, to secure this 12 feet of navigable water in this reach of 34 miles from Hartford to Holyoke. There is no question of the merit of the project. The only question involved is this relationship between the development for navigation and the development for power purposes. I realize that that subject has been a mooted question before Congress. This body has passed one bill, the Senate has passed another, and there it has been hung up almost indefinitely, certainly during the life of the last two Congresses, and what the prospect may be of amendments to the so-called Adamson general dam act, in a way that will permit of this dual relationship, nobody knows. Therefore when there is so much involved in the commercial welfare of a section as is based solely on the navigation feature, as provided by this report, it seems to me that we could do no more than to include this as one of the projects well worthy of adoption by Congress.

Mr. TILSON. Will the gentleman yield?

Mr. TREADWAY. Certainly.

Mr. TILSON. It has not been the fault of the private individuals, either, that this improvement has not taken place, I would suggest to the gentleman, but the fault was with Congress or with the Government in not permitting them to go on with this improvement.

Mr. TREADWAY. The gentleman is absolutely correct. I am glad he refreshed my mind on that point. At the time it seemed probable that this project would be adopted in the Sixty-second Congress a large private corporation stood ready to undertake the private development to which the gentleman from Connecticut refers, and while, of course, we have no positive assurance that that cooperation could be secured to-day, nevertheless it is fair to assume that it could be secured, because the possibility of the development of 30,000 or 40,000 horsepower annually makes a satisfactory and desirable business proposition. It is only fair to anyone who is asked to put their personal money into such a project that the Government show its good faith by first adopting the project. That is why I am bringing the matter before the House to-day; not for its immediate action, because I am willing to bow at the present time in deference to the judgment of the committee that it should not be included in this present bill.

I appeared before the committee, stated the case as best I could, and am willing now to accept the judgment of the committee that the relationship between the two features, namely, navigation and power, should take further form before this project is adopted. But I do not think we should be asked to wait indefinitely for general legislation. I personally do not think that should apply to this particular project. I realize that the action of the committee was in their best judgment. They did not, as I understand it, pass an adverse judgment on the project, but asked for its further delay. Our people hope that that period of further delay is soon to expire. We have been very patient, have waited long and as patiently as we could, but if within a short period the judgment of the committee should be reversed it certainly would be very beneficial to the sections which I in part have the honor of representing.

I think I have made all the statement in connection with the matter that I care to, other than to ask, Mr. Chairman, that I may be allowed to extend my remarks and incorporate a memorandum that I left with the committee at the time of the committee hearing.

HOUSE OF REPRESENTATIVES,
WASHINGTON, D. C., *December 14, 1918.*

Hon. JOHN H. SMALL,
Chairman Committee on Rivers and Harbors,
House of Representatives, Washington, D. C.

MY DEAR MR. SMALL: In compliance with your suggestion made when I appeared before your committee on December the 11th advocating the adoption of the Connecticut River improvement project, I am pleased to submit the accompanying statement to the committee supplementing the testimony I then presented.

Sincerely, yours,

ALLEN T. TREADWAY.

Statement furnished the Rivers and Harbors Committee by Representative ALLEN T. TREADWAY, of Massachusetts, in support of the adoption of the Connecticut River project between Hartford, Conn., and Holyoke, Mass., in accordance with Document No. 417, Sixty-fourth Congress, first session.

1. The subject of Connecticut River navigation has been so continuously before Congress that only the briefest review need be made of its history. In the Sixty-first Congress, second session, Document No. 818, the Secretary of War transmitted a favorable report from the Chief of Engineers upon the project in cooperation with private enterprise which would secure a development of power. Following this report, in the Sixty-second Congress extended hearings were held before your committee upon a bill introduced by Representative GILLETT carrying out the details of the proposed cooperation between the Government and private interests. This bill was attached to the rivers and harbors appropriation bill in the Senate, but was not agreed to in conference. A new survey was then ordered, which resulted in the report contained in Document No. 417, Sixty-fourth Congress, first session, already referred to. It will thus be seen that the Connecticut River project has been the typical case of interrelation between governmental appropriation for navigation and private construction for power purposes.

2. The division officer at the time of the survey in 1909 was then Maj. Harry Taylor, now Gen. Taylor, of the Board of Engineers, to whom I gladly refer you for any details.

3. Document No. 417, Sixty-fourth Congress, first session, transmitted by the Secretary of War on December 15, 1915, distinctly recommends the improvement of this stretch of the Connecticut River at a total first cost to the Government of $1,870,000 and $65,000 annually for maintenance and operation, basing the estimate on the construction of the Enfield Lock and Dam by private interests. The district officer recommends that if private interests should not "in a reasonable time construct this lock and dam that the United States should undertake the entire work and lease the power created. On this basis the cost to the United States will be increased to $3,950,000." Adoption of either method by Congress would be acceptable to all interested. I do not need to make further quotations from the report, which is available to your committee and which in all details is favorable to the adoption of the project.

4. At the time the report was submitted the population directly affected was over 200,000. The saving in coal transportation alone would have been from $200,000 to $300,000 per annum. It was computed that 30,000 horsepower could be developed.

5. The need both of the transportation facilities through navigation and the hydroelectric power that could be developed never was greater than at the present time. The section to be served is growing in population and the industrial possibilities would be limited only by the power that could be developed and sold. A channel 12 feet in depth from Hartford to Holyoke would accommodate barges using the Erie Canal and the neighboring waterways from New York, relieving in a very large measure the congested freight shipments so well recognized at the present time.

6. At the last session of the present Congress a general bill passed the House substantially in the form presented by the special committee and would have permitted such a development as the one under consideration. The Senate has previously passed a particular bill for the Connecticut River, so it is submitted for your consideration that the two branches have virtually gone on record in favor of the Connecticut River, but that no positive law has yet been adopted. As a result, the citizens continue to pay unnecessarily high freight rates, traffic is congested, industrial development is delayed, and the water power is not only unavailable for commercial needs, but is absolutely wasted. The Connecticut River is a typical case of the combination of navigation and creation of power. I therefore submit that an initial appropriation should be included in your present bill.

7. Should the committee favorably consider the adoption of the project, it could readily incorporate such conditions as would place the project in harmony with the intent of Congress in the effort to pass the so-called Sims bill. I respectfully submit that the initial appropriation should be made by Congress before it could be expected that private interest should construct the lock and dam. The friends of Connecticut River navigation have waited patiently, but conditions are now so acute that patience in this case does not seem longer to be a virtue. We earnestly ask for inclusion of the project in the present rivers and harbors bill.

8. Attention should be called to the fact that improvement of the Connecticut River above Hartford to Holyoke, a distance of 34 miles, would not only make that stretch available to a large amount of commerce but would increase the use of the river below Hartford to the Sound by that amount of tonnage. The benefit can also be regarded as relieving the freight conditions from the points of loading of the tonnage for the upper Connecticut which would be New York, Perth Amboy, Norfolk, or other ports. The improvement, therefore, would not be affected solely on the stretch from Hartford to Holyoke.

9. I beg to again call attention of the committee to the specific phraseology of Gen. Kingman in his report, to be found on page 3, Document No. 417. He recommends a channel 12 feet deep at mean low water, 100 feet wide, between Hartford and Holyoke, at an estimated cost of $1,870,000 and $65,000 annually thereafter for maintenance. He designates four conditions which must be complied with, having to do with the lock and dam and terminal facilities. Under condition A reference is made to construction of the lock and dam at Enfield in accordance with plans approved by the Chief of Engineers and the Secretary of War "under the general provision of law applicable to such cases." I submit that the project should be adopted in the present rivers and harbors bill with the initial appropriation, that a reasonable time be given to any interested parties to lay before the Secretary of War such proposition as may be in accordance with statutes, and that he, the Secretary of War, can then pass upon the plans in accordance with statutes and that he, the Secretary of War, can then pass upon the plans in accordance with this condition "under the general provision of law applicable to such cases."

I would ask that the documents already referred to and my testimony before the committee on December 11 be incorporated with this statement as part of your records.

Respectfully submitted.

ALLEN T. TREADWAY.

WASHINGTON, D. C., *December 14, 1918.*

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend and revise his remarks. Is there objection?

There was no objection.

Mr. SMALL. Mr. Chairman, I wish to supplement with a brief statement what the gentleman from Massachusetts [Mr. TREADWAY] has just said, not for the purpose of clarifying his explanation of this project or of adding anything thereto, but to draw the attention of the House to an inference respecting this project.

This project involves both navigation and the development of water power. It is one of the most attractive propositions of its kind in the United States. As the gentleman says, it traverses a section teeming with industrial plants, with a large population, using very large quantities of coal and other raw products, and producing a large volume of finished products. All of these require transportation, and there can be no doubt that if this part of the river between Hartford and Holyoke were improved, commerce would follow.

As I said, the development of water power is involved here, and I think I may without impropriety state that the committee were not unfavorable to this project, but after some hesitation believed it ought to be postponed until we had some general water-power legislation, such as has been under consideration for so many years in Congress, legislation which would attract capital and protect the public.

This is simply another instance—and that is the main purpose for which I rose to speak—showing the necessity of some general legislation, in order that navigable improvements of this kind involving water power may not be longer delayed, against the public interest.

Mr. TREADWAY. Mr. Chairman, may I ask the gentleman a question?

Mr. SMALL. Certainly.

Mr. TREADWAY. I understood the gentleman to say that he considered that this particular project—or rather the committee did—I wish to inquire whether the committee thought it should delay the adoption of this project until general legislation is enacted?

Mr. SMALL. Yes.

Mr. TREADWAY. Is that the attitude of the committee, in view of the recommendation of the engineer, Gen. Kingman, that this particular project should be adopted, and that such laws as now apply should be complied with by private interests?

Mr. SMALL. I probably should not have discussed in any way the action of the committee, but I thought it fair to say that there was no vital objection to the improvement itself, and that the only reason for delay was the absence of any general legislation.

Mr. GILLETT. Mr. Chairman, I am glad to hear what the gentleman from North Carolina [Mr. SMALL] has stated. I have made so many speeches on this question that I am not going to take up the time of the House with one now. I began to work for this project when not a Member who is now present was a Member of the House. I hope the project will be adopted when every Member who is now present will still be a Member of the House. I feel, as the gentleman has said, that the one imperative and only necessity for the adoption of this project and its completion, which will add both to the industrial resources of the district and to navigation, is the general water-power legislation to which the gentleman referred, and I sincerely trust that the gentleman and others associated with him on the committee will hasten the passage of that legislation.

Mr. TILSON. In view of the very fair statement of the gentleman from North Carolina [Mr. SMALL], I rise simply to call the attention of the committee to the extreme modesty of the people most vitally affected by this particular legislation.

As stated by the gentleman from North Carolina, this locality already has the commerce; there is no doubt about that; and yet, because there is a water-power proposition tied up with it, we are delaying the furnishing of navigation facilities.

In other parts of the country where there is only speculative commerce, where there is only hope that it will follow the improvement in navigation, we have expended large sums for locks and dams and for otherwise improving rivers and building canals. Here we have the business already. There is no doubt about the commerce that will use the improvement.

I wish to call attention to and emphasize the fact that the people in the Connecticut Valley have been unusually modest in their demands. Private individuals representing the water power at this point for 10 years, to my personal knowledge, have been asking for legislation, either special or general, that would permit them to go on with the water-power development. They have not been permitted by Congress to do so, and now the project that would make this great stream navigable, where the commerce is, is still held up for lack of legislation, lack on our part, on the Government's part, of legislation under which this improvement can be begun as a water-power project. I think I am justified in rising to call attention to the modesty of the demands of our good New England population.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. TREADWAY. The gentleman notes that the lower Connecticut is to be improved in this bill. The project we are now speaking about is for the upper Connecticut. If that should be adopted, would not the lower Connecticut, for which there is an appropriation, be benefited by just that much commerce?

Mr. TILSON. Yes. The lower stretch of river that we have already improved would be used very much more if all the commerce of Holyoke, Chicopee, Springfield, and the other Connecticut River towns of that industrial region should have facilities for water transportation.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Duck Island, Branford, New Haven, Milford, Bridgeport, Southport, Norwalk, Five Mile River, Stamford, and Greenwich Harbors, Westport Harbor and Saugatuck River, breakwaters at New Haven, and Housatonic River, Conn.: For maintenance, $23,000; for improvement of Bridgeport Harbor in accordance with the report submitted in House Document No. 898, Sixty-third Congress, second session, $111,300; for improvement of Norwalk Harbor in accordance with the report submitted in House Document No. 1143, Sixty-third Congress, second session, $88,000: *Provided*, That no part of the latter amount shall be expended until the Secretary of War shall have received satisfactory assurances that local interests will construct such public wharfage facilities as, in his opinion, are required in the interest of commerce; completing improvement of Stamford Harbor in accordance with the report submitted in House Document No. 1130, Sixty-third Congress, second session, $183,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement: *Provided further*, That no part of the latter amount shall be expended until the Secretary of War shall have received satisfactory assurances that local interests will construct a suitable public wharf; completing improvement of Greenwich Harbor in accordance with the report submitted in House Document No. 289, Sixty-third Congress, first session, $35,000; in all, $440,300.

Mr. FREAR. Mr. Chairman, I hesitate, after the few recent remarks just made in passing, to question anything in New England, but for fear I may be challenged later on with sectionalism when I oppose one or two other projects and explain them in other parts of the country, I desire to refer incidentally to two or three projects contained in this one paragraph.

Let me read in regard to Bridgeport from the 1918 report of the Army engineers. This is not the project that is reported on by the engineers for this improvement. This improvement is not for the harbor. It is for Johnsons Creek and to reach up to a boat yard away up at the edge and not on the main harbor. Here is what the report of 1918 says, in volume 1:

No estimate is submitted for maintenance during the fiscal year ending June 30, 1920, and it is expected that the completion of the above work, if necessary before the above date, will furnish adequate channels for the accommodation of the commerce of the harbor.

And yet you are asked in this bill to appropriate $111,000 for Bridgeport, Johnsons Boat Landing, away up the creek, that carries several thousand tons.

Let me refer again to Stamford Harbor here. Let me show what they say about Stamford Harbor. I am reading now from page 225 of the Report of the Engineers for 1918, where they reported favorably for the improvement. Here is what they say of it:

No estimate is submitted for maintenance during the fiscal year ending June 30, 1920, for the reason that the work to be done under the above estimate, if accomplished before that date, will leave the improvement in such condition that no further maintenance will be necessary during the fiscal year 1920.

There is no suggestion in this report but what, so far as present needs are concerned, these improvements are able to accommodate all the commerce.

Now, I have no objection to these projects any more than to many others that are there, but I do say that the Army engineers in 1918 determined that no appropriation for maintenance is necessary. They are not coming in and demanding these new projects. When they say they have enough money for the commerce there in that stream, and that they have enough for the maintenance for present needs, I say that you take it away from the President and from the Secretary of War to pass upon these things and you put it in the hands of the chairman of this committee, who comes to the committee with 70 new projects, and they adopt all that he recommends.

I say that is unfair at a time when we are facing a deficit of $18,000,000,000, when you have got to raise the money for these projects and others by the sale of liberty bonds and by a direct income tax. At such a time I can not see how any man can go to his constituents and justify this expenditure, in view of the report of the engineers.

Awhile ago the gentleman from New York [Mr. DEMPSEY] said, "You have not given a bill of particulars." He wanted me to make an hour's argument here in two minutes. I can give you project after project, and I ask you to answer if you can. Explain the immediate necessity, if you feel that it exists, some one, excepting those whose districts will receive all the money that is appropriated here for these different projects. New York is interested in what is in this bill. New York has important commerce, and I admit it; but in the substitute bill which I propose to offer for $12,000,000, which is more than the amount added here to the first report of the engineers, New York and everything else that has any real commerce is included.

These new projects are generally not needed and not important at this time. These are the things on which I could comment; I could comment on the Norwalk project in the same way. There are three new projects here. Let me suggest in passing that under this new system this committee embodies a number of projects in one paragraph, and all the projects in one paragraph, involving over $300,000, have got to be discussed in five minutes, if the committee members are technical, which I suppose they will not be.

In the Engineer's Report for 1918 there is no claim of immediate necessity. No one contends that there is immediate necessity for either of these projects, such as under present circumstances would justify this contribution out of the Federal Treasury at this time.

Mr. SMALL and Mr. MERRITT rose.

The CHAIRMAN. The gentleman from North Carolina.

Mr. SMALL. I yield to the gentleman from Connecticut [Mr. MERRITT.]

Mr. MERRITT. Mr. Chairman, the report to which the gentleman from Wisconsin [Mr. FREAR] has alluded was made by the engineers during war time, and at that time the committee and everyone agreed that even necessary matters might wait. The gentleman has not alluded to the necessity for the improvement of these harbors in Connecticut. As he says, they are all treated together. The reason why they are all treated together, I take it, is that the same reason exists for the improvement of all of them.

Mr. FREAR. Will the gentleman yield for a correction?

Mr. MERRITT. I will; yes.

Mr. FREAR. The report which recommends these improvements was made in 1913. The report from which I read is this year's report of the Army engineers, which says that no money is necessary at this time.

Mr. MERRITT. For the completion of these projects?

Mr. FREAR. For the present projects, or for the use of commerce in the harbor, as I read.

Mr. DEMPSEY. What the gentleman read stated that two harbors out of five do not immediately need a maintenance allowance, but that allowance may be needed during the year for the five as a whole, and the amount is $23,000. That is the report of the engineers.

Mr. MERRITT. I was especially addressing myself to what I think the gentleman refers to, the new projects, and for the information of the committee I should like to point out that all these harbors are really a part of the great New York terminal. It has been shown during the war that the railway facilities for handling coal and merchandise into New England through the port of New York are absolutely inadequate to meet the requirements of commerce, and the physical conditions render it impossible to make those railway facilities equal to those requirements, because all that commerce for New England has to come over the New York & New Haven Railroad from New York. That railroad is already overburdened with passenger traffic, and the freight conditions must be ameliorated in order to help New England. Now, all these harbors need deepening and increasing, so that bulk freight coming into the harbor of New York can be delivered into Connecticut and so distributed through New England without burdening that small railroad throat from New York.

That in brief is the necessity for this increase. A further reason is that the schooners and barges which handle the commerce of New York are being made larger constantly, and where a depth of 9 feet was sufficient a few years ago a depth of 12 feet is necessary now. One member of the committee, who is familiar with that branch, being interested in it, so stated when I was before the committee, and that is the fact.

While this seems local, it helps the national commerce by relieving the port of New York, and by relieving the connection with the whole of New England through New York; and therefore, while in the case of Bridgeport it refers to Johnsons Creek, that is none the less a part of the harbor of Bridgeport, because the requirements of that harbor and of the country in order to meet the facilities of commerce have gone up by leaps and bounds, and this is not by any means a local project, but on the contrary is a New England project, and beyond that a national project, and therefore it is entitled to the support of this House. [Applause.]

Mr. SMALL. Mr. Chairman, I would not consume the time of the committee except to point out as an illustration the fallacious argument made by the gentleman from Wisconsin against Stamford Harbor, and I invite the attention of the committee to it. The gentleman read from the annual report substantially to the effect that no recommendation or estimate was submitted, and none was required. The gentleman should know that that extract he read from the annual report referred to existing projects. The bill adopts a new project, and the gentleman deliberately attempts to have the committee believe that the Chief of Engineers has recommended no appropriation for this new project when the committee have deliberately adopted this new project with an appropriation. The annual reports of the Chief of Engineers discuss only existing projects which have heretofore been adopted by Congress.

Now, the gentleman was either ignorant or he was not sincere with the House. I have before me the Report of the Chief of Engineers, House Document No. 1130, Sixty-third Congress, submitted to Congress July 29, 1914, which contains an affirmative and strong recommendation for this project, with an estimate of an appropriation of $183,000, the same amount carried in the bill.

The pro forma amendment was withdrawn.

The Clerk read as follows:

East River, N. Y.: Continuing improvement, $4,000,000.

Mr. FREAR. Mr. Chairman, I rise to reply to the gentleman from North Carolina, who has six new projects in the bill, all added after the bill was first agreed to, and who gets a million dollars for his two canals that have practically no commerce. He says the gentleman from Wisconsin is ignorant or insincere, and I repeat that compliment to him, because he is unfair in urging his own projects.

Let us see. I did not say that it was a question of maintenance of the present projects, and to use his own discourteous terms I say that he deliberately misrepresents my statement. It was not in regard to the present projects, I said.

How shrewdly he dodged the proposition of the first and how quickly he got away from it.

Now, you can deepen a harbor to 35 feet if you want to. It is not a new project, it is not necessary for commerce, and you can not get away from it.

Mr. DUPRÉ. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. DUPRÉ. Was the gentleman measuring his words when he said that the chairman of the committee had six new projects in the bill after it was completed?

Mr. FREAR. After it was reported by the engineers the first time, and the gentleman from Louisiana has five, almost as many, and he is going to be a very active assistant, and I shall be glad to have him because there is something else that I may want to say in regard to that. The gentleman has five, and will make a very good assistant to the chairman.

Mr. DUPRÉ. I hope I shall in the discussion of the bill before the House.

Mr. FREAR. Yes; and the gentleman at the head of a "national" waterways organization also comes from Louisiana, and is a distinguished Member of another legislative body. The vice president of another waterway organization comes from North Carolina, and happens to be the chairman of the Committee on Rivers and Harbors.

The pro forma amendment was withdrawn.

Mr. MAGEE. Mr. Chairman, this improvement is of vital interest to New York City and to the Nation. I want to do a simple act of justice in connection with this improvement to the Member from New York [Mr. DEMPSEY], a member of the Committee on Rivers and Harbors.

The Hon. Murray Hulbert, formerly a Member of this House, issued a statement in the form of a letter on December 23, 1918, the signature of which is typewritten, but I assume there is no question as to the authenticity of the communication. It contains this statement:

The press, and especially the newspapers, have been very generous in giving me full credit for the humble part I have had in these matters, but this reversal in the treatment of New York Harbor could not have been achieved without the splendid cooperation of Secretary Daniels and Secretary Redfield and the entire New York congressional delegation, of whom Hon. WILLIAM E. CLEARY, my successor on the River and Harbor Committee; Mr. RIORDAN, of New York; Mr. MAHER, of Brooklyn; and Mr. CALDWELL, of Queens, are deserving of special mention.

May I not suggest that a word of commendation for these gentlemen is not only their just due but would doubtless spur them to greater deeds for the future of the port.

The secretary to the commissioner writes as follows:

MY DEAR CONGRESSMAN: The commissioner directs me to inclose you herewith a copy of a letter this day sent to the various newspapers, which is self-explanatory.

Yours, very truly,

WM. S. PRINCE,
Secretary to the Commissioner.

I do not speak in any spirit of criticism, but it is only just to other Members of the House that I call the attention of the House to the amendment which was offered in connection with this improvement. On April 9, 1918, at a time when Mr. Hulbert was not a Member of the House, because he had resigned as Member of the House on December 31, 1917, to accept a more lucrative position as commissioner of docks of New York City, the gentleman from New York [Mr. DEMPSEY] introduced this amendment:

Amendment offered by Mr. DEMPSEY: After the figures "$2,200,000," on page 2, line 24, add the following: "And the Secretary of War is hereby directed to prosecute the work of improvement, with a view to securing a depth of 40 feet in the channel through East River and Hell Gate as soon as practicable."

I was present on that day in the House when this amendment was under consideration. There were many Members in the House from different States who took an active part in bringing about the adoption of the amendment. Great credit is due to the gentleman from Illinois [Mr. MADDEN] and to the gentleman from Minnesota [Mr. MILLER] and to the gentleman from New York [Mr. SIEGEL] and to other Members of the House. The votes pertaining to the adoption of this amendment were fairly close. Upon the motion of the distinguished chairman of the committee that the committee rise, the vote, on division, was ayes 49, noes 58, and the vote on appointment of tellers was ayes 53, noes 59. The vote upon the amendment itself was ayes 62, noes 51. I do not wish to detract any credit from any person in reference to the institution of this great improvement, but I do wish to give credit where credit is due, and my observation and judgment is, and there is not any doubt in my mind about it, and I do not think there is any doubt in the minds of the Members of the House about it, that the adoption of this amendment by the House upon that day was due to the earnest and indefatigable efforts of the gentleman from New York [Mr. DEMPSEY], and I want to give him the credit which is his due. [Applause.]

Mr. CLEARY. Mr. Chairman, I want also to give Mr. DEMPSEY great credit for what he did that day. He did lead in this matter, and we supported him. My name appears in the letter which the gentleman from New York has just read. I might say that my own modesty would never have suggested that it appear there. I had nothing to do with it, and knew nothing of it, but while I am on my feet perhaps I might say one word for this bill. Before I do so, I wish again to state that Mr. DEMPSEY is entitled to all credit the gentleman asked for. He is a very fine gentleman, always in favor of these great improvements, and on that day he did lead the fight and we all supported him.

As the New York matter is up it brings various things to my mind. It brings the discussion of the New England coast, and the matters in respect to Connecticut, and so on; and as a man who has had experience in transportation matters for a lifetime, I might say that these projects are good; that they are necessary. The coal all does go up through New York from South Amboy and Elizabethport and Weehawken and these other New Jersey ports, through the terminals, through New York up to New England. We have often carried coal a long distance up the Sound much more cheaply than we did a short distance, because in one place we could load our boats full, had 9 or 10 feet of water, while in such places as Stamford and other places we would perhaps only have 6 or 7 feet of water. We had to have so much money for the trip, so that the places that had little water had to pay the excess freight, which, of course, is unfair and improper. That is one of the things that shows the necessity and the justice of these river and harbor bills. Wherever you see throughout the country great cities have grown up through their commerce, you will find that they are on the water. Take Chicago, New York, Philadelphia, Baltimore, Boston—all of these great cities have grown up because of water transportation. Everyone who has looked up the history of it remembers that the city of New York was third in population and commerce when the Erie Canal was built. It is historically interesting to note that it was George Washington himself who first suggested a great waterway connecting the Lakes with the ocean down through the Hudson River by way of the Mohawk Valley. I might say here a word or two in regard to the great citizen who has just died. I remember appearing before him when he was governor of our State on two different occasions, urging improvement of this Erie Canal. Gov. Roosevelt appointed a committee, the result of whose labors was the improvement and enlargement of the Erie Canal. And we should never lose sight of the fact that he is the same Roosevelt who built the Panama Canal. Everybody recognizes that, and that will go down in history perhaps as his greatest achievement.

He was a great patriot; no one dare deny that. Yet he was a great canal man, and he never hesitated in small things. He wanted to improve them and make large things out of them. So when we can mention such men as Washington, Clinton, and Roosevelt as men who supported water transportation and who dug out harbors and made the cities and the country great because of its water transportation before it had rail transportation, then I think we should be liberal in all of these projects. I would rather make a mistake on the wrong side—that is, I would rather be more liberal and give every American city a good improvement in the way of harbor facilities in the rivers and harbors of the country—than to neglect the water altogether. Our business is here. This country is only very meagerly developed as yet in reality. When we have developed all of these rivers and harbors, built them up, the man who lives 100 years from now will not be able to realize how much has been done in his time, just as it is difficult for us as we look back 100 years. Let us not be niggardly; let us go ahead, and wherever there is a proper proposition, wherever there is a reasonable opportunity to improve the rivers and harbors of the country I want to see them improved, whether they be in Florida, in Massachusetts, or in New York. [Applause.]

It is a great national matter. Of course, New York does not need any talk from me. New York is recognized as the gateway of the Nation. Nobody will condemn the improvement of the harbors there, not even men who hate water transportation. No one will put anything in the way of New York's improvements. All of the Nation uses New York, every section of it, when you go abroad or when you come home, and all transportation, east, west, north, or south. [Applause.]

Mr. DONOVAN. Mr. Chairman, I move to strike out the last word. I have a good deal the same attitude of the Irishman who went to Paris. When he came home he was telling his friend of his delightful trip, how he enjoyed the sights and the interchange of conversation with its people. His friend said to him, "Why, what are you talking about? You do not talk French, do you?" "No," he replied, "I do not talk French, but I had with me an interrupter." [Laughter.] Like the Irishman, I feel that I am an interrupter in these proceedings, but at the same time I may in a small measure be an interpreter. I can not let the occasion go by without subscribing to the sentiments of the gentleman from New York [Mr. MAGEE] relative to the other gentleman from New York [Mr. DEMPSEY], who in April last, when the rivers and harbors bill was under consideration, succeeded in procuring by amendment authority for a 40-foot Hell Gate channel. I think, however, that tribute is also due to another New York Member, Representative SMITH, and I know Mr. DEMPSEY will agree with me that it was largely through their joint efforts that said authority for the great and necessary New York Harbor improvement was consummated.

To my colleague, Mr. MAGEE, I am pleased to state that before this good day I have placed on record by written word to the mayor of the city of New York the substance of what he has just so well stated of the great work of Mr. DEMPSEY. I believe that I express the opinion of the entire New York City delegation, as well as that of his colleagues throughout the State of New York, who so ably assisted him, in paying a tribute of gratitude for the masterful manner in which he made that accomplishment. [Applause.]

Mr. THOMAS F. SMITH. Will the gentleman yield?

Mr. DONOVAN. I will.

Mr. THOMAS F. SMITH. When the gentleman refers to Representative SMITH the gentleman is referring to Representative CHARLES B. SMITH?

Mr. DONOVAN. No; the gentleman is modest. I refer to Representative THOMAS F. SMITH. [Applause.]

I need not urge upon the committee the necessity and demand for the improvement of New York Harbor which the bill under consideration proposes. The port of New York, not only being the largest in this country, but in the world, should have added to its great natural advantages as a waterway and for the handling of its immense tonnage all the mechanical and scientific equipments that can be given.

The appropriation for the removal of Shell Reef, the dredging of Ambrose and Anchorage Channels, and the improvement of Newtown Creek will supply the needed improvements. Better navigation, lessening of congestion, and increase of commerce will then follow.

I would, in fact, be an interrupter if I were to continue longer to detain you with arguments, and therefore I will now conclude. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

New York Harbor, N. Y.: For maintenance of entrance channels and for continuing improvement of Ambrose Channel, Craven Shoal Channel, and Anchorage Channel, $300,000.

Mr. FREAR. Mr. Chairman, let me not detract by anything I might say from the eulogies paid my friend Mr. DEMPSEY, a member of the committee, or any other member of the committee who can point to a very large amount or number of projects which he has secured in this bill, or any of the gentlemen who are outside of the committee who have been equally successful. I will say this, that the genial gentleman from New York is entitled to credit, because he certainly worked hard, but I can not conceive why the House of Representatives is paying compliments to this individual and that individual, however well-deserved they are, for their energy in getting projects or getting appropriations. Why, Mr. Chairman, it ought to depend and depend entirely, as I assume it does in New York, on the commercial necessity. Why, that ought to be behind it. I have never questioned appropriations for the commerce of New York, if they were deserving of support, urged by either Mr. DEMPSEY or any other Member on the New York delegation for their rivers. All Members of this House stand together—we all stand together—for waterway improvement. But I do not quite understand that sentiment which would pay a special compliment, except for a Member's arduous labors on this committee and every other committee, to a Member because of the appropriations which come for his community in this bill. I can not understand that method of reasoning, and that is without any criticism of those who have paid the high compliments to my friend. I agree so far as the general speeches are concerned. Now, Mr. Chairman, the question was raised a few moments ago about opening wide the Treasury doors, so as to improve the waterways of the country. Oh, yes, you have; you have given $150,000,000 to the Mississippi River, which has not got a boat line of importance. You have given $24,000,000 to the Missouri River, without a single boat line of any kind, with less than 15,000 tons of commerce last year. You have given seven or eight millions to the Hennepin Canal, which I think had 8,000 tons, including sand, last year; I may be mistaken in the exact freight. Why, you have not any commerce upon the inland waterways, so far as I can recollect, with one or two exceptions. Why, there is no boat line yet upon the $150,000,000 canal of New York State, and if any canal ought to be successful it is that, and I hope it will be. New York has shown its public spirit by paying for it out of its own treasury.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FREAR. I will.

Mr. LAGUARDIA. That $150,000,000 is appropriated by the State of New York.

Mr. FREAR. I say New York appropriated for it out of its own treasury. I want to give due credit; you are entitled to it; your State is entitled to it; but the canal is yet a doubtful experiment. I say some of these projects are desirable and worthy—we all know it—in this bill, but many are not.

Mr. HUMPHREYS. Mr. Chairman, I move to strike out the last word just to make this suggestion: The gentleman says $150,000,000 has been spent on the Mississippi River and no boats are there. He is not accurate as far as that is concerned. Boats are there, and there is some little commerce, not enough to justify the expenditure of $150,000,000, but this $150,000,000 of which the gentleman speaks has been spent there from the beginning of time down to date. There was a time when part of this money was being appropriated when the Mississippi River was the greatest highway of commerce in the world. There was a time when the commerce of the Mississippi River was 30,000,000 tons annually.

Mr. FREAR rose.

Mr. HUMPHREYS. Now just wait a second. I just want, not denying what the gentleman said about the totals, to explain it. During those days certainly no man would criticize the appropriations which were then made. They were necessary in order to further commerce and to make it possible. Why, I remember the statement of the president of one of the great barge lines on the Mississippi River to the effect that there were 5,000 wrecks scattered along the banks of that river and in the stream at the time he testified, which was many years ago, caused by snags and bars which had been permitted to accumulate in the river. It was for the purpose of removing those obstructions to commerce that much of the money was appropriated and was justified then by the facts. Now, in recent years appropriations for the Mississippi River have increased and the commerce has decreased, but in fairness it ought to be said that in recent years the large appropriations made for the lower river were not for the purpose largely of improving the river for commerce, but were expended in the interest of flood control, so that whereas we have spent $150,000,000 in many years, I do not know just how many, but since we began these appropriations, and whereas the commerce now on the river is small, it ought to be stated——

Mr. GARD. Will the gentleman yield?

Mr. HUMPHREYS (continuing). It ought to be stated that while this $150,000,000 was being expended in the years gone by, which was then justifiable on account of the large commerce then upon the river, in later years a large amount of it has been devoted to flood control. I yield to the gentleman from Wisconsin.

Mr. FREAR. Is it not a fact before one dollar was ever spent upon the Mississippi River by the Government the commerce was then much larger than it is to-day, that there is not a boat line, not a single boat line, upon the river to-day, and that the $150,000,000 has not developed any commerce——

Mr. HUMPHREYS. No.

Mr. FREAR. And was for that purpose, at least according to the statement made upon the floor year after year, until the Flood Control Committee was appointed, of which the gentleman from Mississippi is chairman, and that up to that time it was always said that it was for commerce, and yet we have no commerce appreciably, compared with the enormous expenditures made upon the river?

Mr. HUMPHREYS. Now, the gentleman asks a question as to whether or not this, that, or the other is not true. Now, I will answer, Mr. Chairman, in the negative. None of the statement is correct. There is more commerce to-day, very much more, though the river carries very little, than there was before the Government of the United States ever made any appropriations for the river. There are boat lines now on the river, a number of them. I have not looked into the engineers' report this year, but I take it that the commerce from Baton Rouge—and I think that is the point at which they divide it—south would show something like a million tons. When considering the commerce on the river it is difficult to avoid duplication. The reason I said from Baton Rouge south is because there can not be any duplication there. But there are many hundreds of thousands of tons of freight more. There are many boat lines on the Mississippi River to-day and local and through barge lines.

The third point, as I recall now, is that these appropriations, until I became chairman of the Flood Control Committee, were always predicated on the theory that the money was spent for the purpose of developing the commerce on the river. That is not the fact. The act of Congress which created the Mississippi River Commission in 1881 particularly and specifically states it is for the control of floods as well as for navigation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Without objection, the gentleman will be allowed to proceed for two minutes more.

There was no objection.

Mr. HUMPHREYS. The fact that all the engineers agree that there was but one way to improve the river for navigation, and that was the identical method by which it was necessary to improve it for the purpose of flood protection, was frequently stated in answer to the suggestion by Members of Congress that Congress had no constitutional warrant for making the appropriation. That is all. The arguments were always made that here was a great enterprise, so great in its area, so great in

its possibilities for benefits to the whole people, that it did, in fact, involve the general welfare of the people, that it justified appropriations being made by Congress, $1 being given by Congress where the local interests put up $3. Now, these facts, I think, ought to be submitted in fairness, in view of the criticism in the statement of the gentleman that $150,000,000 had been spent without securing any commerce. The $150,000,000 does not go in this bill. Nothing is carried in this bill for the lower Mississippi from Cairo down.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. GARD. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended three minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the time of the gentleman from Mississippi be extended three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GARD. I wanted to ask what was the total average of the commerce on the Mississippi River last year?

Mr. HUMPHREYS. I do not know. The chairman of the committee can state it, probably. I imagine that the commerce on the lower Mississippi perhaps ran, if you could eliminate the duplications, probably around 1,000,000 tons. That is merely a guess.

Mr. GARD. I wanted to know whether there was a severance between the amount said to be appropriated for navigation purposes and the amount for flood-control purposes on the Mississippi River.

Mr. HUMPHREYS. The flood-control act passed a few years ago contemplated an improvement on the Mississippi River below Cairo by the Mississippi River Commission, and the jurisdiction of that commission extends to the entire subject of flood control and navigation. I will state that perhaps $1,000,000 will be about the amount spent annually—perhaps not quite that much—directly in the interest of navigation, without reference to flood control, and the other would be spent for the construction of levees and revetments, both in the interest of navigation and of flood control. Now, that is about, approximately, the situation.

Mr. WHEELER. Will the gentleman yield for a question there?

Mr. HUMPHREYS. Yes.

Mr. WHEELER. In the appropriations made for flood control would not some of that money be spent in deepening and widening the channel in order to control the water?

Mr. HUMPHREYS. Yes.

Mr. WHEELER. If so, it would not be necessary to appropriate money in the river and harbor bill for the improvement of the Mississippi River?

Mr. HUMPHREYS. No. There is no appropriation carried in this bill for it.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Newtown Creek, N. Y.: For improvement of Newtown Creek and tributaries in accordance with the report submitted in House Document No. 936, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $205,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

Mr. CLEARY and Mr. FREAR rose.

The CHAIRMAN. The gentleman from Wisconsin [Mr. FREAR] is recognized.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The gentleman who has just spoken, the gentleman from Mississippi [Mr. HUMPHREYS], chairman of the Flood Control Committee, was a member of the Committee on Rivers and Harbors for many years, and a very active member. This House, in its wisdom, passed a bill giving $45,000,000 from the Treasury toward work on the lower Mississippi on condition that the people along the lower river gave one-third as much, if I remember correctly the condition made in the bill. I can speak from positive knowledge of portions of the Mississippi River when I say that on the upper Mississippi, with practically $30,000,000 expenditure—and that was for the purpose of improving navigation—the commerce to-day amounts to practically nothing in view of the enormous expenditure made; that the engineers figured, in order to get their commerce, the cost of automobiles ferried across the river, and added over $40,000,000 to it last year for automobiles ferried across the river. They do not have the item in it now, but they put in sand and logs floated down the river.

Mr. GARD. To what does the gentleman attribute the condition of the commerce?

Mr. FREAR. To the railroads, largely. The Government to-day is endeavoring to test it out by building boats and barges, because private investment will not do it.

Mr. DEMPSEY. Will the gentleman advise the House how they float sand and gravel down the river?

Mr. FREAR. I will state that I went down the Mississippi from St. Paul to St. Louis, and paid my own fare, for the purpose of seeing how the commerce on the Mississippi River, which I had heard spoken of frequently on this floor, really existed. For 300 miles we never passed a freight boat on the Mississippi River—and that was three years ago—until we passed a barge of sand, and you have practically 6 feet of water there in the river at all times of the year.

Mr. HUMPHREYS. Did you meet any?

Mr. FREAR. Nothing except Government boats. These were everywhere, carrying materials for the improvement of the river, and not a single boat carrying commerce, unless it was an excursion boat. But we met this sand. I put these facts in the RECORD at the time when I made the trip.

Now, the gentleman from Mississippi has been a very faithful and ardent supporter of these matters. No appropriation has ever been too large to excite his attention. He has been satisfied. I have no criticism to pass upon him. He has been very kind to me at times when I criticized these matters. But I do want to say that the $150,000,000 spent on the Mississippi was ostensibly expended for commerce, and you have not any commerce to speak of. I have tried to find out where it is on the lower river by reading page after page. There is a little commerce below. But one port in our State has over 50,000,000 tons, and the gentleman takes a great deal of satisfaction because, after an expenditure of $150,000,000, you have got possibly a million tons.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. HUMPHREYS. The gentleman will be fair enough to state that the $150,000,000 has been expended in the past 80 or 90 years?

Mr. FREAR. Yes; for a long period.

Mr. HUMPHREYS. And during that time there has been tremendous commerce on the river?

Mr. FREAR. Yes. I agree that before a single dollar was ever expended they had 130 boats on the upper river, but there is not a single boat there now. We spent $30,000,000 on the upper river, and we have had commerce there in the past; but now the commerce is almost completely wiped out, except for these proposed Government barge lines. Last year we gave $3,600,000 to Mr. Goltra, the chairman of the Democratic National Committee, for barges built by the Government. We are still building them.

Mr. KENNEDY of Iowa. You say "we." Who does "we" mean?

Mr. FREAR. I mean the Government—one of the so-called war boards—for the purpose of carrying ore from St. Paul to St. Louis.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. CALDWELL. Have conditions developed in the Mississippi River similar to those in Long Island Sound with respect to the railroads?

Mr. FREAR. I can not be interrupted for that. You must take your own time. The conditions are very different. In the Mississippi you can have only a limited depth. Beyond that the water is not there to fill the river, any more than in the Missouri or in the Cumberland or in the Ouachita. There is no commerce there. The railroads take it away.

Mr. CALDWELL. Did the railroads drive out the boats?

Mr. FREAR. Yes; frequently they have driven the boats out of business. That is a matter of public knowledge.

Mr. CLEARY. Mr. Chairman, the last item read was "Newtown Creek." Inasmuch as it is called a "creek" I thought perhaps I ought to explain it to some Members present who may not know the facts.

Newtown Creek is only a portion of the East River, running up between the Borough of Queens and the Borough of Brooklyn. It has a tremendous business, which runs into the millions of tons. There are tremendous factories there, and there is a tremendous commerce on it. I want you to know it is not an ordinary creek. It is simply a great slip, a part of East River, in Brooklyn, built up for the advantage of the people so that they can get their water business up into the heart of the city of Brooklyn. That is what Newtown Creek is.

Now, while I am on my feet I want to call attention to another feature of this water transportation, which was suggested by a gentleman who said something about it, that even

where a railroad does parallel a water line and where as the result of the use of that railroad, which gets most of its money out of passenger traffic, and so on, it is able by its large capital for the time being to reduce the tonnage of that river to a small percentage, all the same in the judgment of the people of those localities, the industries that have been built up, the country that has been developed by the simple existence of that river, justifies the improvements that were put on it, if it never carried another pound. I want you to remember that. [Applause.]

Mr. GALLAGHER. Mr. Chairman, it seems to me that it is a great deal more popular to throw bouquets and compliments at one another here in this committee than it is to stand up and oppose the bill. It is not popular to oppose a river and harbor bill. If the engineer's report to the committee that $11,750,500 for waterway expenditures for this year is sufficient for all purposes, with a balance of $45,000,000 on hand, then under what reasoning do we propose to go to work and propose to spend $27,000,000? Why do we do that when the engineers, who have authority and whose judgment should govern appropriations, say $11,000,000 is enough?

I was in hopes that we could hold down the appropriations to the amount asked for this year by the engineers. I think under existing circumstances it would be far more popular to do that than to spend $27,000,000 in the face of the conditions that confront the Treasury of the United States. We are exacting every dollar we can get from the people by taxation, and we are trying to expend it in the most economical way that we can; and to propose to expend $27,000,000 for waterway improvements at this time, when the engineers say $11,000,000 is enough, requires a considerable nerve to override the engineers' recommendation and estimate.

Now, we hear a great deal of rates being regulated by waterway improvements. I have been on the Committee on Rivers and Harbors for a number of years, and I have seen a great many millions of dollars expended for waterway improvements, but I would like to know who will contend that the ultimate consumer gets any benefit whatever from these improvements? We hear a great deal of talk about how coal is transported on water, and how the people are benefited by such transportation of coal because they can get a cheaper rate by water than they can by railroads. Does anybody believe that they can buy a pound or a ton of coal any cheaper, whether the coal is transported on water or by rail?

Mr. CLEARY. Mr. Chairman, will the gentleman allow an answer to his question?

Mr. GALLAGHER. Yes.

Mr. CLEARY. I will say I know of one case. The Delaware & Hudson Railroad monopolizes the carrying of all the coal in northern New York, and it runs partly up into New England. I was for many years vice president of the Lake Champlain Transportation Co. We used to deliver coal parallel to the Delaware & Hudson Railroad right up into Vermont, and we sold coal right straight along for a dollar a ton less than the railroads. Coal in the village of Whitehall was continually $1 a ton less than it was in Fairhaven, 20 miles away, and the farmers used to haul it from there in sleighs in order to get the benefit of the dollar a ton difference in the price. The railroad had a regular rate. The canal had no rate. It carried it the cheapest it could.

Mr. GALLAGHER. That was some time ago, was it not?

Mr. CLEARY. Up to five or six years ago. I have not been in that business since then.

Mr. GALLAGHER. I have been buying some coal since then.

Mr. CLEARY. I do not mean the last year, during war time.

Mr. GALLAGHER. Everybody who has to buy a ton of coal knows that the price of coal is regulated at the mines.

Mr. CLEARY. Oh, no.

Mr. GALLAGHER. It is regulated by transportation.

Mr. CLEARY. By transportation; yes.

Mr. GALLAGHER. And the small dealer in coal who sells you a ton of coal below the regulated price is put out of business.

Mr. CLEARY. That is governmental.

Mr. GALLAGHER. That is the way they are doing business now, and you are proposing to spend millions to open up water transportation for coal, when the price is regulated to the consumer.

Mr. CLEARY. It can only be lowered by water competition.

Mr. GALLAGHER. The consumer can not buy it unless he pays the price put upon it by the manipulators in the market.

Mr. CLEARY. That has only been during the war. I have been cutting the price of coal all my life, and selling it here and there for whatever we could get for it, and selling it more cheaply because of the water transportation lines.

Mr. GALLAGHER. It is known by everybody who has to buy coal that the price is regulated. So it is with other commodities. After we have spent millions of dollars in opening up creeks and rivers for the improvement of water transportation, everybody knows that we can not buy anything a dollar or a cent cheaper than the regulated price.

The gentleman from New York [Mr. CLEARY] spoke about the Erie Canal, and what a great benefit it is. The State of New York has spent millions of dollars to develop the Erie Canal, but where are the boats? They have got no boats on the Erie Canal, and there is no transportation on the Erie Canal.

Mr. CLEARY. That is not true.

Mr. GALLAGHER. Not any to speak of.

Mr. CLEARY. The Erie Canal was only finished this year.

Mr. GALLAGHER. But one of the alarming conditions about the Erie Canal is that after it was finished they found they had no boats for it.

Mr. CLEARY. They had to build new ones, but they will come on, just as the rivers produce the commerce when they are deepened.

Mr. WHEELER. There have been about $24,000,000 expended on the Missouri River. How much benefit have the people received in the way of decreased freight rates there?

Mr. GALLAGHER. They have not received any benefit, and there is no boat line on the Missouri River.

Mr. SNYDER. I should like to say a word about the Erie Canal. I live on the Erie Canal, and the gentleman is absolutely correct about there being no boats on it.

Mr. GALLAGHER. They have made no preparation for boats for it.

Mr. SNYDER. The Government has been operating that canal for the past year, and I have ridden up and down beside it 40 or 50 miles day after day during the summer, and nine times out of ten I never saw a boat on it. A year ago I suggested here how easy it would be for the Government to arrange it so that we could get some benefit out of it.

Mr. GALLAGHER. That is the condition practically of nearly all these rivers. There are no boats on them. Here is the Missouri River, on which we have spent millions, more than $20,000,000 in all, and a short time ago they were going to put a boat line on the Missouri River. There is an appropriation of $400,000 in this bill for the Missouri River, and not a boat on it, and no possible chance for a boat to be operated on it.

Mr. SNYDER. Thirty years ago all of our coal was carried by canal, and many times in those days we received our coal at a cost of not to exceed $2 a ton on the yard. This year, by reason of no boat transportation and several other reasons, I received the coal on my yard inventoried at $7 a ton.

Mr. CLEARY. By reason of no boat transportation—the best possible argument in favor of boat transportation.

Mr. GALLAGHER. The trouble with the Erie Canal, like the trouble with the rivers, is that there are no boats on them. We have been pouring millions of dollars into these waterways to make them ready for transportation, and there are no boats.

Mr. WHEELER. Is it not true that the owners of the boats that were on the Missouri River disposed of them to the Government, so that there are no boats there to-day?

Mr. GALLAGHER. They sold them out to get rid of them, because they were unprofitable.

Mr. PLATT. Is it not true that the Railroad Administration have fixed the rates on the Erie Canal, and other water-transportation lines, so high that nobody will use them?

Mr. GALLAGHER. There are no boats on the Erie Canal.

Mr. RUCKER. Mr. Chairman, there seems to be some kind of a malignant feeling about the Missouri River, and I wish to notify the Chair that I would be grateful if gentlemen would discuss the paragraph under consideration, in accordance with the rules of the House. [Laughter.]

Mr. GALLAGHER. A gentleman asked me about the Missouri River, and I want to tell him about it. There is an appropriation of $400,000 in this bill for the Missouri River, and there is not a boat line on the river, and no prospect of a boat line. I asked the engineer, "What are you going to do with the $400,000 appropriation for the Missouri River?" He said: "The soldiers are coming home, and there is great need for opportunity to put men to work. You can use it very nicely by putting men to work." "For what purpose?" "To improve the river." Yes; and there are no boats on the Missouri River.

Mr. RUCKER. Does the gentleman say that there is no boat line on that river?

Mr. GALLAGHER. There was one; but it was unprofitable to the Kansas City people, who put up the money for that boat line, and they were glad to sell it and get rid of it.

Mr. RUCKER. The gentleman is assuming part of that. The Government recently took possession of a great many profitable businesses.

Mr. GALLAGHER. They were very glad to get rid of the boats, a great many people that had stock in the company.

Mr. RUCKER. When the Government gets through improving the Missouri River I want the gentleman to come there and ride down that majestic river, and then he will change his mind about it.

Mr. GALLAGHER. I have been up and down that river.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent that my colleague's time be extended five minutes and that he be given at least one minute of that time for himself.

The CHAIRMAN. The gentleman asks that the time of the gentleman from Illinois be extended five minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, I just want to quote from the Engineer's report to show that the boats were laid up for the winter and that the boats were there then. That was before the Government took them. We have spent $24,000,000, as shown by the report, and after deducting the sand, the commerce was less than $15,000.

Mr. GALLAGHER. Mr. Chairman, the whole question resolves itself into this: The people are paying taxes and the Government is trying in every direction to get money to pay our war bills, and now, notwithstanding these enormous amounts that we have to raise, we propose to spend a number of million dollars for the improvement of rivers where there are no boats and no commerce to speak of. I have been on the committee for years, and we have been making appropriations every year for the improvement of rivers. But there are no boats on any of the rivers worth speaking about, and we are simply throwing the money into the rivers and into the creeks without getting any return for the people's money. Now, if we would take the millions that we are spending on rivers and creeks and put that money into good roads, does anybody doubt that that money would bring great returns to the farmers and everybody else? They could not control the farmers coming to town with produce; they could not control the traffic on the highways, and we would get some benefit from the money put in good roads that we now put into rivers and into creeks. We put the money into waterways where there is no attempt by the people along the rivers to make any provision for harbors. How are you going to tie up boats where there are no harbors? If there were boat lines or prospective boat lines, I would be in favor of improving the rivers. If there were boat lines I would be in favor of appropriating this money, but that is not the case. Why should we spend enormous amounts of the people's money in the improvement of rivers every year where there is no commerce. I am opposed to it. I am in favor of improving every harbor where there is commerce to justify it. I do not find any fault with the improvement of the harbors of New York or Boston, or any great port where they make provision for commerce, but I do object to the present bill in the face of the report of engineers, and I say it is not fair to the public to expend millions where we do not get a cent of return.

Mr. WHEELER. As I understand, the committee recommended $15,000,000 more than was recommended.

Mr. GALLAGHER. I think the engineers reported a recommendation of $15,000,000 and said it could be reduced to about $11,000,000, and the bill carries $27,000,000.

Mr. DUPRÉ. When was the Engineer's report made up and sent to the Congress?

Mr. GALLAGHER. I can only tell when it reached the committee.

Mr. DUPRÉ. The gentleman knows when the annual report is made up, does he not?

Mr. GALLAGHER. No; when I am called upon to act on the report of the engineers is when it is presented to the committee.

Mr. DUPRÉ. If the gentleman does not know about the law and the practice in that respect, that is all right.

Mr. GALLAGHER. I know all about the engineer's report and when it was presented to the committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALDWELL was recognized.

Mr. SMALL. Mr. Chairman, we are not discussing any amendment to the bill, the amendment is a pro forma one. I ask unanimous consent that after the gentleman from New York [Mr. CALDWELL] concludes that we proceed with the reading of the bill. Does the gentleman from Pennsylvania want time?

Mr. ROBBINS. I want to answer the argument in regard to the rates on coal. I am willing to do it on the next paragraph.

Mr. SMALL. Very well; Mr. Chairman, I ask unanimous consent that debate on this amendment and paragraph close in five minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that debate on the paragraph and amendments thereto close in five minutes. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Newark Bay, N. J.: Completing improvement in accordance with the report submitted in House Document No. 2110, Sixty-fourth Congress, second session, and subject to the conditions set forth in said document, $105,600.

Mr. ROBBINS. Mr. Chairman, the gentleman from Illinois [Mr. GALLAGHER], who just addressed the committee, made the assertion that the waterways of the country were of no benefit in the transportation of coal, and indeed he took the stand that the waterways of the country were declining in the matter of transportation everywhere. The district that I have the honor to represent has bordering it and adjoining it two navigable streams—the Allegheny and the Monongahela. The Government has expended approximately $6,000,000 on the Monongahela River and has installed therein 15 locks and dams and carried slack-water navigation from Pittsburgh to the city of Fairmont, in the State of West Virginia. The average freight on coal within 40 miles radius of the city of Pittsburgh by rail is 40 cents per ton, and it has been that for the last 10 years. The average freight by water transportation, not for 40 miles but for 80 miles within a radius of the city of Pittsburgh, which is the great consuming coal market of western Pennsylvania, is 18 cents per ton, and as proof of the fact that industrial interests that are available and accessible to this slack-water navigation make use of it as a means of carrying coal let me read to you from the lock master's report of Lock and Dam No. 3 in my district to show the amount of coal the industries and consumers of coal generally take by water, because they can purchase it at lower rates, and in order to show that the rivers are not declining in their commerce. I may say parenthetically that when the Government took this system of navigation on the Monongahela over in 1887 the entire traffic of coal, freight, merchandise, and miscellaneous freight was less than 5,000,000 tons. In 1913 12,000,000 tons of freight passed through this lock and 43,598 passengers on passenger boats. In 1914 there were 37,092 passengers and 10,374,000 tons of freight. There was a decrease there because we were coming into the war.

In 1915 there were 27,800 passengers and 11,816,000 tons of freight; in 1916, 32,513 passengers and 12,876,000 tons of freight; while in 1917 the latest available statistics say there were 23,078 passengers and 16,900,000 tons of freight. This freight, according to the lock master's report, was made up as follows: Coal, 76 per cent; coke, 2 per cent; building material, sand, gravel, and so forth, 12 per cent; waste from our furnaces, 7 per cent; miscellaneous 2 per cent; showing that the river traffic, at least in western Pennsylvania is not only increasing in volume and value, but is a positive benefit to our manufacturing industries, and that coal is procured there at so much less per ton that our industries and consumers of coal resort to and use this navigable stream in order to procure fuel.

Talk about river traffic declining! Listen to this: The lockages upstream in this lock—and I give it because it is in my district—were 5,720 in 1917, and the lockages downstream were 6,045. The steamboat lockages upstream were 4,398 and downstream 4,369. As further evidence of this important river traffic and of its constant, continuous, and great increase, let me cite the number of barges that these boats tow. The upstream lockage was 21,000 and the downstream lockage 21,046. When a gentleman gets up on the floor of this House and asserts that we are wasting money on these improvements and that the people receive no benefit from them he is talking either without accurate information or the district that he represents does not avail itself of what the Government is endeavoring to make available for its benefit. Western Pennsylvania has no greater improvement, no greater stimulus to the great industrial center of Pittsburgh, than its water transportation, bringing cheap coal, cheap transportation, cheap raw material to the furnaces and forges of that great industrial center and workshop of the world, the city of Pittsburgh. [Applause.]

Mr. FREAR rose.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, the gentleman who last spoke selected the one project in the United States—the inland waterway that is not a ship canal—that is known as a success, and that is the only one, so far as I know, unless he calls the Ohio River a success, which, with $59,000,000 of expenditure, has an average traffic of only a few miles; but a gentleman from Pennsylvania, not far distant from the gentleman who has spoken, suggested to me that I look at the other locks and see what is doing there. I hold in my hand page 2989 of the Engineers' Report, the last one, and of the 15 locks only those that are down near the mouth are the ones that carry commerce. The upper ones average four and five thousand tons, and so on, and they have cost an immense amount of money. I got the suggestion from a gentleman from Pennsylvania, and he says he knows the condition thereof.

Mr. ROBBINS. Does the gentleman deny the statistics that I have given as to Lock No. 3?

Mr. FREAR. The gentleman has taken the statistics of the lower locks, of course, but on the river itself——

Mr. ROBBINS. I took only one lock.

Mr. FREAR. I have got them all here.

Mr. ROBBINS. I do not care; the commerce there will be developed, just as it has been developed in pools Nos. 1, 2, and 3.

Mr. FREAR. The gentleman from Illinois told the fact and called attention to the decrease. Here are nine locks where there is an infinitesimal commerce to-day. It is only near the mouth where commerce is important. The Monongahela is known as a peculiar river, because it has coal close to the place of manufacture, and it resembles in that particular the Rhine River in Germany, which is practically the only river over there which is a success. The gentleman from Illinois in making his comparison of the Mississippi and the Missouri and the Cumberland and the Tennessee, the conditions are as he states, and in North Carolina and in the lower reach of one of the rivers, of course, the traffic does exist, but it is practically the only river which has been cited——

Mr. WHEELER. Is not there a canal to Philadelphia supposed to haul coal to Philadelphia?

Mr. FREAR. I do not know——

Mr. MOORE of Pennsylvania. That shows how carefully gentlemen study river and harbor matters.

Mr. FREAR. I do not know to what the gentleman refers. That is all I care to say about this, except that the Monongahela, because of its peculiar situation, with the mines close by and the great industrial center of Pittsburgh, is a success, but it is not a success on the rivers generally. The gentleman from Illinois stated the fact, I believe, correctly, as can be evidenced by the statistics. On the Monongahela, I believe, it is only near the mouth where they use it, according to the figures I have read.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

There was no objection.

The Clerk read as follows:

Keyport and Shoal Harbors, Woodbridge, Cheesequake, Matawan, and Compton Creeks, Elizabeth, Raritan, South, and Shrewsbury Rivers, and Raritan Bay, N. J.: For maintenance, $15,000; for improvement of Raritan River in accordance with the report submitted in House Document No. 1341, Sixty-second Congress, third session, $250,000; for improvement of Shrewsbury River in accordance with the report submitted in House Document No. 1296, Sixty-second Congress, third session, $100,000; in all, $365,000.

Mr. FREAR. Mr. Chairman——

Mr. SMALL. Mr. Chairman, if I may be permitted to make a statement. Mr. Chairman, may I say to the committee that we are exceedingly anxious to conclude this bill to-day, and if gentlemen will confine their remarks to the paragraph under consideration and will not make pro forma amendments, for the purpose of discussing extraneous matters or matters not involved in the paragraph under consideration, we will save a great deal of time. There is no purpose on the part of the committee to curtail discussion or bona fide criticism of the bill or any inquiries for information.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. SMALL. And I would be glad if we could make some substantial progress. The gentleman from Wisconsin has the floor. He yielded to me for the purpose of making a statement.

Mr. LAGUARDIA. Will the gentleman yield to me for a question?

Mr. SMALL. If I have the time.

Mr. FREAR. I yield to the gentleman.

Mr. LAGUARDIA. I only want five minutes to speak on another matter, which I believe is very important, something I very seldom do, and I hope the gentleman will not object.

Mr. SMALL. Well, the gentleman can make his request to the House when the gentleman from Wisconsin has concluded.

Mr. FREAR. Mr. Chairman, this is the Raritan River, which carries a quarter of a million dollars in this new project, on page 5 of the bill. The gentleman from North Carolina, the chairman of the committee, took me to task a little while ago because I read the last Engineers' Report, which is old. I read the report of 1918, of the conditions there to-day. Page 360 of the Report of the Army Engineers of 1918:

Proposed operation. The balance available will be expended in maintenance dredging.

There is a small balance they have there, and there has been an appropriation for this work.

Channels of the present completed width will conveniently accommodate present and reasonably prospective commerce.

That is the Engineers' Report of this year:

It is accordingly not proposed, at the present time, to prosecute the project for its completion.

They will not complete the project, and yet we have a proposition facing us when the engineers say they have enough money, that the harbor will accommodate present commerce, we have $250,000 for a new project coming in here. Let me take up another. The Shrewsbury project. There are two or three others I want to speak of incidentally as I am passing. The Shrewsbury: How much is added here? A hundred thousand dollars. I do not know but what there is more, but that is all that appears in the bill here. Now, let me read from page 375:

The funds available will be expended for maintenance, dredging of shoals at the Highlands Bridge, in Reeves Channel, and in the Upper and Lower Crossovers, provided a suitable contract can be secured.

It is proposed to expend the fund appropriated by the river and harbor act of July 18, 1918 ($10,000) for maintenance dredging by contract where needed in any part of the river covered by the project.

Now, remember, $100,000 in this bill, in addition to $2,805,000 that has already been expended, and a gentleman, a member of the committee, within my hearing says that they have got fine commerce there now. Let me tell you what they have: 411,000 tons in 1917, 95,000 tons last year, a failure of over 80 per cent of reasonable tonnage, and you are asked for another new project on an 80 per cent loss showing.

Mr. KENNEDY of Iowa. What is the value?

Mr. FREAR. Oh, its value. They do not ask anything more; they do not need anything more, and yet with a loss of 80 per cent in their commerce there is added another project to this bill, and you are going to tax the American people and sell liberty bonds for that purpose.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, while I was home Christmas a neighbor of mine informed me that she had received a letter from a comrade of her husband in the Marine Corps informing her that her husband had been killed. She telegraphed the Navy Department, but received no reply. At her own expense she cabled the chaplain of the regiment, the company commander, and tried for a month and a half to get some word concerning her husband, but was unable to get any replies to her cables. Finally, just at Christmas she received this letter from the War Risk Insurance Bureau.

It is addressed to Mrs. Catherine Euphrasia O'Donoghue, 270 West Eleventh Street, New York City. It says:

TREASURY DEPARTMENT,
BUREAU OF WAR RISK INSURANCE,
Washington, December 21, 1918.

In re: #2,186,969. O'Donoghue, Michael Thomas, MCR, MB. Paris Island, S. C.

Mrs. CATHERINE EUPHRASIA O'DONOGHUE,
270 West Eleventh Street, New York, N. Y.

MADAM: The award of $30 per month granted in your favor on the application of the above-named enlisted man was paid up to and including October 31, 1918, but as this man died October 4, 1918, there resulted an overpayment of $26, which amount you will please refund immediately.

This refund should be made by money order or draft, drawn to the order of the Treasurer of the United States, and mailed to the Office of Receipts and Disbursements, Bureau of War Risk Insurance, Washington, D. C., with this letter or a copy thereof.

Respectfully,

BUREAU OF WAR RISK INSURANCE,
DEPUTY COMMISSIONER, ACCOUNTS.
By W. DU R.

5
A. D. 104/sw
Form #2002
Feb. 5/19.

This is a regular shyster-style demand for a refund made upon a poor woman, and the first official notification from her Government that she received of the death of her husband. To my mind, a most disgraceful procedure. Gentlemen, hostilities have ceased for over a month and a half, and there is no reason why these records are not in shape and why the people of this country can not have timely and complete information concerning their boys.

Here is my reply to the War Risk Insurance Bureau, and I ask that the Clerk read it.

The CHAIRMAN. Without objection, the Clerk will read the communication.

The Clerk read as follows:

DECEMBER 30, 1918.

BUREAU OF WAR RISK INSURANCE,
Washington, D. C.

DEAR SIRS: In reference to your letter of December 21, in re No. 2186969, O'Donoghue, Michael Thomas, Marine Corps Regiment, Marine Barracks, Paris Island, S. C., marked "5 A. D., 104/sw, Form #2002, Feb. 5/19," signed Deputy Commissioner, Accounts, by W. du R., addressed to Mrs. Catherine Euphrasia O'Donoghue, 270 West Eleventh Street, New York City, you are informed that I have instructed Mrs. O'Donoghue to ignore that letter and all similar communications from your bureau. You will hereafter communicate in this matter direct with me.

You will inform me at once who is the author of this crudely drawn, shyster-style form letter. You will also inform me at once why it is that an overpayment of this nature is not debited to the account of the insurance and taken out of the final payment when it is made.

I want an immediate reply from you, inasmuch as I shall take this matter up in the House.

Very truly, yours, FIORELLA H. LAGUARDIA.

Mr. LAGUARDIA. No reply as yet has been received by me from the bureau.

Mr. LINTHICUM. Will the gentleman yield?

Mr. LAGUARDIA. I will.

Mr. LINTHICUM. Was the boy killed in action?

Mr. LAGUARDIA. Yes; killed in action, or died of wounds received in action. He was a marine.

Mr. McKENZIE. Will the gentleman yield?

Mr. LAGUARDIA. For just a question. I have something more to say.

Mr. McKENZIE. The gentleman can get more time. First, I want it understood that I do not approve of this character of letter.

Mr. LAGUARDIA. Which one? Mine or the department's?

Mr. McKENZIE. The one that was written to the widow.

Mr. LAGUARDIA. Thank you.

Mr. McKENZIE. But I do think in the interest of truth we ought to get the facts before the House and the country. What I want to ask you is whether or not under the law that the Congress enacted some time ago this widow would not be entitled to compensation under that law from the date of the death of the soldier, and whether or not, if she received allotment pay after the death of the soldier, and then entitled to compensation, she would not be getting double pay?

Mr. LAGUARDIA. That is true. My reply was, as I stated in the letter, that there is insurance coming to this widow and compensation coming to her. Now, with all the clerks that we have, with all the officers that we have, and all the bookkeepers that we have, they can at least debit that account with $26, and when they pay the widow the insurance deduct that amount and not write a letter of that kind.

Mr. BARKLEY. Does not the gentleman know that the compensation, allotment, and insurance features are all kept separate, and that no one department can keep everything of that sort?

Mr. LAGUARDIA. I do not care. If it is wrong, let us fix it.

Mr. BARKLEY. If the fault is in the Congress, then your letter is not justified.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. McKENZIE. I ask unanimous consent that the gentleman may proceed for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. McKENZIE] that the gentleman from New York may proceed for five minutes? [After a pause.] The Chair hears none.

Mr. LAGUARDIA. I do not care where the blame is; we must correct it. Surely a system of credit and debit between these departments can easily be established. I do not believe legislation is necessary for that—common sense and ordinary intelligence is all that is required. What I want to make clear is that I do not want to blame any department. If it is up to us, let us get together and do it; but I do not see that there is a tendency here to do those things.

Mr. BARKLEY. Will the gentleman yield?

Mr. LAGUARDIA. No. We passed a sloppy bill yesterday with the pretense of taking care of honest claims. We passed a bill by which every dishonest profiteer and crooked money grabber can catch onto the wagon and get his bills paid. And the tendency is keeping on.

If a Congressman goes to a petty officer of the Army he is treated with arrogance and impertinence. Now, there is no reason why we can not take matters in our own hands, and it is up to us to do it. If we do not do it, there is no use of complaining about the attitude of the departments.

Mr. DUPRÉ. If they treat brother officers in that way, what does the gentleman think of the way they treat ordinary civilians who have never been in uniform? [Laughter.]

Mr. LAGUARDIA. Just think of it! I can imagine. The gentleman has my sympathy.

The War Department has issued a circular, known as Circular No. 77, in which they stated the policy by which they would discharge certain classes of men, and yet when an application is made and the man is squarely within the requirements of that circular the answer comes back that "the services of the man can not be spared." I had a case where a boy is detailed to selling tickets for the Long Island Railway, and they told me that his services could not be spared, and yet he is a former employee of that railway, and if he were discharged he would be placed in exactly the same position where he is now as a soldier—except, of course, the railway company for whom he is selling tickets would necessarily have to pay him and not the United States Government.

Mr. KEARNS. And get more money, too.

Mr. LAGUARDIA. Of course.

I introduced a resolution yesterday authorizing the employment of civilians in all positions of a clerical nature or where it is just purely manual labor and not of a strictly military nature. It will cost the Government less than it does under the present system of maintaining ten soldiers to do one man's work.

If you consider the pay of a soldier, his food, his clothing, the cost of administration, and the overhead charges, we can employ men in the localities where the services are needed at the standard wages for such services and save money, besides discharging thousands of men who are now involuntarily kept in the Army away from their families and their usual productive pursuits. The resolution has been referred to the Committee on Military Affairs. I sincerely hope it will not be kept there until the war is over, or until demobilization is complete—in about two years from now, at the rate we are going.

But, gentlemen, these men can be spared. We can get every soldier in Europe back. I will tell you how to begin demobilization and actually produce results. Take every officer of the Army and put him back to his original rank in the Regular Army and you will see how quickly demobilization will start. There is no need of that army in Europe. There is no need of that army in Russia. Their duty is completed; it has been gloriously performed. The thing to do is to get the men back as quickly as we can and to demobilize the troops that we have here now. The purpose of our National Army has been served and there is no reason for the continuance of this large number of men in the Army.

Mr. ROBBINS. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. ROBBINS. Is it not because all these regular officers have been elevated in rank and hold commissions with larger salaries? Is not that the reason why they do not want the demobilization?

Mr. LAGUARDIA. Yes. Put them back into the Regular Army at their regular rank. Why, there are mere lads out of West Point but a few years holding the rank of lieutenant colonel. And as for generals, there are hundreds of them. Take the Aviation Service—all Regulars holding high ranks and very few of them flying across the lines; it was the civilian soldiers who did that.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. SNYDER. I know of a lieutenant colonel who, with his friends, is doing the best he can to get out of the service, and he can not do it.

Mr. LAGUARDIA. Is he in the Regular Army?

Mr. SNYDER. He is in the National Army and serving as adjutant of a division. Everything under heaven has been done to get him out, even offering to pay his transportation home, and they will not let him come.

Mr. LAGUARDIA. Certainly. They want to keep a large establishment over there. No large Army; no high ranks. We must take the matter in hand and compel prompt return of our troops from overseas and immediate demobilization at home.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. HASKELL. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from New York moves to strike out the paragraph.

Mr. HASKELL. I do so, Mr. Chairman, for the purpose of calling the attention of the House to some correspondence which I have here, in brief two letters, in which it is charged

that Maj. T. M. Lynch, of the Quartermaster Corps, died of pneumonia in the Walter Reed Hospital through neglect.

Mr. LINTHICUM. Mr. Chairman, I want to know if this appertains to this bill or not?

Mr. HASKELL. Oh, no.

Mr. LINTHICUM. Then I object to it.

Mr. KEARNS. The gentleman from Maryland is too late.

Mr. HASKELL. This correspondence makes the charge that Maj. T. M. Lynch, of the Quartermaster Corps, died of pneumonia in Walter Reed Hospital because of neglect and inhuman treatment, and I ask that these letters be read for the information of the House.

The CHAIRMAN. Without objection, the Clerk will read them.

Mr. LINTHICUM. I object.

Mr. MADDEN. The gentleman from New York has the right to have them read.

Mr. DUPRÉ. I hope the gentleman from Maryland will not do that.

Mr. HASKELL. I will read them myself.

Mr. MADDEN. It will take more time if you object to this than by letting it go.

Mr. LINTHICUM. My only object is to get through with this bill.

The CHAIRMAN. Is there objection?

Mr. LINTHICUM. I withdraw the objection.

The CHAIRMAN. The gentleman from Maryland withdraws the objection. The Clerk will read.

The Clerk read as follows:

NEW YORK, *December 27, 1918.*

Congressman HASKELL,
Care Continental Hotel, Washington, D. C.

DEAR CONGRESSMAN HASKELL: I am taking the liberty of sending you herewith copy of my letter to Mr. William A. Graham, Chief of the General Supplies Division of the Quartermaster Corps, in which department my brother and associate member of my company, Maj. T. M. Lynch, worked for the past seven months in the position of chief of the administrative branch.

The facts mentioned in the inclosed letter all came under my personal attention at the Walter Reed Hospital, where my brother died solely because of lack of attention and inhuman treatment—the same kind of inhuman treatment, I have since learned, is existing throughout various other hospitals on this side.

I have also since learned, from first-hand evidence of physicians and laymen, who have recounted to me their personal experiences, that they have seen instances almost without end that were even much worse than that mentioned in my letter to Mr. Graham.

I sincerely hope that you can and will take such measures as you deem best to throw the light of publicity on these conditions, and thus minimize, at least, the terrific loss of life that is being needlessly wasted daily, but which fact is being kept hidden from the public.

Nothing can be done, naturally, to bring back my brother to his wife and family; but I would feel that I was remiss in my own personal duty if I omitted taking this step in asking your good offices to try and prevent a continuous recurrence of such catastrophes among not only those who are at the present time in these hospitals, but also those who, in all likelihood, will be accorded similar incompetent treatment for the future if something is not done to change the situation.

Sincerely, yours,

JOSEPH J. LYNCH.

NEW YORK, *December 23, 1918.*

MR. WILLIAM A. GRAHAM,
Chief General Supplies Division, Quartermaster Corps,
Washington, D. C.

DEAR MR. GRAHAM: Permit me to express, in behalf of Maj. Lynch's wife, his mother, and myself, our sincere appreciation of the courtesy and service rendered his immediate family subsequent to his death, as well as for the representation the division accorded him at his funeral.

We all feel very kindly toward you and the division. Likewise did my brother, whose almost last conscious thought was given to the handling of his work and how best to administrate the duties intrusted to him. He had no idea whatsoever that he was going to die, and his mind was almost continuously given to the work needing his immediate attention.

I am very sorry indeed, however, and if I were to permit myself to give free rein to expression I am afraid I might say something with reference to the medical attention given my brother which would not look well in type. I had a five months' experience last winter with a very virulent pneumonia case of my youngest son, and consequently am a little qualified to pass judgment on the methods of treating pneumonia cases. I had, in all, 8 physicians and 16 nurses ranging over these five months, not to mention a number of specialists. There is hardly a phase of the case which I have not studied, because it meant a matter of life and death with my son, and I left nothing undone, from a human agency standpoint, to bring him back to health, which, with God's help, was accomplished.

The surrounding conditions in which I found my brother on my arrival at the hospital absolutely forbade his recovery. In the first place I am not at all in sympathy with the allopath treatment of pneumonia cases. Their record of "cures" is so terrifically low on a percentage basis when compared with the homeopathic treatment thereof as to leave no doubt in anyone's mind (other than an allopath) of how very abortive are their ideas and how dogmatic they uniformly are in adhering to them in spite of the terrific loss of life accruing from their treatment.

Nothing, of course, can be done to bring back my brother and business associate to me or to his wife or his mother: that is all past. But I would like to, in some measure, at least, try to help, if possible, to remedy the situation for the poor devils that have to undergo such treatment as I saw given my brother on my arrival at the hospital.

Under the plea of, "he needs fresh air," my brother's cot was placed on a screened piazza, and, while the folding doors on this piazza were both open and the temperature very low, a window back of his cot was also open, permitting a terrific draft over his bed. Moreover, insufficient clothing was on the cot, with the consequence that the vitality needed to offset the effect of the pneumonia disease itself had to necessarily be dissipated in counteracting the effect of the terrifically cold draft blowing over his bed from the open window. My wife and I called the nurse's attention to this condition immediately on arriving at his bedside. No justification was attempted for such a condition, as no justification was permissible.

Notwithstanding the fact that I had previously telephoned the officer of the day or the adjutant (Maj. Roberts) offering to bring on two or three nurses from New York with me on the 3.30 Congressional Limited, he told me that he had plenty of nurses and did not need them. I found to be the fact that two nurses only were employed in ward No. 21, where my brother was located, and these two nurses were supposed to look after all the patients in that entire building—a physical as well as mentally impossible task for them to do and render service to any given case like my brother's.

By feeing the nurses and getting them interested in my brother's case, I succeeded in getting an additional special nurse for the remaining few hours of his existence—too late, however, to undo what had gone before.

Toward the end I asked permission to have oxygen administered to my brother, and Capt. Durgin, who was on night physician duty, told me I would have to take this up with the chief. He admitted that the chief was not on duty at night and would not be there until the next day. He suggested, however, I take it up with the captain on the desk at the "entrance" section of the hospital—I believe his name is Haxes—which I did, with the result that he also claimed having no authority to even suggest, let alone request, Capt. Durgin to use some oxygen, and, of course, did nothing. An hour or two later my brother died.

In connection with the handling of pneumonia cases I was further shocked to learn from Capt. Durgin, as well as the nurses, that trips to the ward were made but once every three or four hours, if then, hardly a method of medical procedure that will give any assurance whatsoever of successful results, particularly in the treatment of pneumonia cases wherein the heart becomes such a vital factor, needing close, immediate attention continuously.

Further, one of the nurses admitted frankly that even in a case of necessity they were supposed not to notify or call the physician or to make any suggestions regarding a patient's condition, which would warrant an additional visit of the physician; in other words, medical attention was to be given at the specific periods of the three to four hour interval visits and at no other time. You can imagine my feelings in the matter when I learned this phase of the "treatment."

The whole hospital "treatment" from the start to the finish is absolutely the most incompetent and inhuman I have ever seen or experienced and among my many business clients I have numbered quite a few representative hospitals, and I know whereof I speak.

The foregoing incidents are but a few of the things that I encountered during my comparatively brief stay at my brother's bedside. One further illustration of the obvious incompetency that exists throughout was evidenced to me before I even left New York. I telephoned the officer of the day, or the adjutant, and I had to be very insistent in my statements that my brother was registered at their hospital and, in reality, compel them to go and look it up three different times before they were in position to verify my statement as being correct—hardly what one might term an "efficient" method of administration, particularly so in reference to cases like pneumonia that need continuous, close, personal contact and supervision if the patient, whoever he may be, is to get any show whatsoever for his life.

I am very sorry, indeed, that such a situation as this should have eventuated, not only for my brother's and his family's sake but also for yours. I don't want you to think for one moment that I have any feelings whatsoever toward any other than the hospital administration. I admit frankly, however, that the hospital phase of the matter is one concerning which I have very strong opinions—opinions which are irrefutable because they are backed by indisputable facts, knowledge, and experience that can not be gainsaid by anyone. I only hope that my bringing this matter to your attention may in some way alleviate the condition for those who may have the ill fate to follow Maj. Thomas M. Lynch.

It certainly has been a terrific shock to me to realize, as I have in this case, at least, how apparently unappreciative the Government is of the personal sacrifices, superhuman effort, and work rendered it by men like my brother, whose only fault is that ultraconscientiousness in sticking too long to their task at the expense of their health. For any man, whether be he officer or private, to be accorded the "treatment" mentioned in the foregoing paragraphs of this letter is, in my opinion, a stain upon our Government's glorious record in this war—a stain which I am loath to believe it would willingly permit to continue.

Sincerely,

J. J. LYNCH.

P. S.—I have about decided to bring this matter up for congressional action. I would feel personally responsible otherwise for the murder of others who may follow my brother and be accorded similar "treatment."

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Delaware River, Pa., N. J., and Del.: Continuing improvement and for maintenance from Allegheny Avenue, Philadelphia, to the sea, $2,500,000; completing improvement at Camden, N. J., in accordance with the report submitted in House Document No. 1120, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $71,080; in all, $2,571,080.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. FREAR. Mr. Chairman, I speak on this item because it is somewhat different; it is not a new project; it is not an old project, but it is an important one, so far as commerce is concerned. I wish to call attention to a phase of this item as it was presented to the committee. On page 9 of the committee book report submitted by the Army engineers is an item of $500,000 for this project. That is for the Delaware River from

Philadelphia to the sea, and $400,000 on the Schuylkill. As the bill stands to-day it carries $2,500,000, or five times as much for the Delaware River, and $1,000,000, or more than double, for the Schuylkill.

I have spoken about the conditions to-day, which it seems to me call for some reasonable attempt at economy, and, referring to page 391 of the record, I find that there was available for the fiscal year ending June 30, 1919, for this Delaware River $2,916,123, or almost $5,500,000 that will be carried by this proposition, counting this balance on hand, if we vote this $2,500,000, which I expect the House will do. I refer to page 389 and read from the report of the engineers for 1918:

Owing to the inability to secure advantageous contracts, the balance remaining on hand (of $2,900,000) is larger than was anticipated. It is estimated that the sum of $500,000, in addition to the funds now available, can be profitably expended during the fiscal year 1920 in continuing the required maintenance and new work under existing projects.

And yet, although the engineers only asked for $500,000, with $2,900,000 on hand, the committee is adding $2,500,000 in this bill.

Now, Mr. Chairman, I am willing to concede that we are not at war and that the engineers' report for $500,000 may have been founded on that basis; but the conditions of the Treasury are no different. We are going to raise the funds in the same way that we would have raised them then.

And if the Army engineers at that time thought it sufficient, with $2,900,000 on hand, to add $500,000 more, it seems to me that the committee, in adding $2,000,000 to that amount, is largely burdening this bill with a very big item.

Mr. DUPRÉ. Will the gentleman yield?

Mr. FREAR. In just a moment. Now, I realize that this is a large port. I realize that the gentleman from Philadelphia, Mr. MOORE, who is a very industrious and eloquent Member, is very anxious about this, and that other Members are; but let me say, it is the largest one item that has been added in this bill, and with the Schuylkill River, adding $600,000 to that, although they have expended only some $1,500, I think so far, it is $2,500,000 added to this bill over the report made by the engineers to the committee, as shown by the books of the committee.

Mr. DUPRÉ. I want to ask the gentleman if he has read page 25 of the hearings, where Gen. Taylor, who represented the Chief of Engineers, himself suggested this increase?

Mr. FREAR. I have no doubt you can get the engineers to suggest anything; but here is the report made by the Chief of Engineers, and that is the report that is official, and he says that $500,000, in addition to the $2,500,000, is all that is necessary. Yet the committee has added $2,000,000, making about $5,500,000 for the Delaware River. Now, I suggest that this is a different kind of an item, and as it appeared here I thought it was proper to present to the House at this time in order to show the significance of such methods of preparation of the bill. Of course, you can say it is important, but I can not understand how, with that large amount of money on hand, more than has ever been held on hand for that river before, this large appropriation is added.

Mr. DUPRÉ. Mr. Chairman, I think it proper, just after the gentleman from Wisconsin has concluded, to read from the hearings. It has been suggested that possibly the gentleman from Wisconsin [Mr. FREAR] has not attended all the meetings of the committee; but I want to say that he has been very attentive in his presence. But possibly he does not recall, or may not want to recall, some of the things that took place there. I read from page 25 of the hearings:

The CHAIRMAN. The next is Delaware River, from Philadelphia to the sea, for which $500,000 is submitted as an estimate for further improvement. Is that all that can profitably be used during the next year on that great river?

Gen. TAYLOR. I think not, sir, under the existing conditions. The original estimate by the district engineer was $2,500,000, but in view of the conditions that existed at the time the estimate was submitted to Congress—

That is when we were at war—

we cut this down to $500,000. With changed conditions, with the armistice having been signed and the probabilities of additional plant becoming available in the near future, I would recommend that that be put back to the original amount—$2,500,000.

So spoke Gen. Taylor, assistant to the Chief of Engineers. That is all I want to say in reply to the gentleman from Wisconsin.

Mr. MOORE of Pennsylvania. Mr. Chairman, I think we are ready to have the Clerk read.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Schuylkill River, Pa.: Continuing improvement, $1,000,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I just want to call the attention of the House to the answer, and the only answer, that has been made here—that after the Chief of Engineers and the Army board have passed upon this item and have recommended the amount of $500,000 the chairman of the River and Harbor Committee, according to the hearings, says:

Is that all that can profitably be used during the next year on that great river?

And with that invitation Gen. Taylor said, "Oh, as long as the war is over, we can put in the full amount," and to the $500,000 is added $2,000,000. That one statement of Gen. Taylor is allowed to set aside not only the views of Members as to public economy but the view of the Board of Engineers, according to the reports sent here for our guidance.

Mr. DUPRÉ. Referring to the Schuylkill River, which has just been referred to by the gentleman from Wisconsin, I think it is proper to proceed in the way that I have before and to call attention to the difference between the gentleman from Wisconsin and the Chief of Engineers, or his representative, and to the difference between the gentleman and the record as made up in the committee. I read from the hearings, at page 26:

The CHAIRMAN. The next item is Schuylkill River. The estimate there is $400,000. Have you any modification?

Now, the gentleman said that the chairman of the committee had extended an invitation to Gen. Taylor, which he evidently accepted. Personally, I resent that imputation on Gen. Taylor; but I will read Gen. Taylor's reply:

Gen. TAYLOR. I recommend that that be increased to $1,000,000. That estimate of $400,000 was submitted under the same conditions exactly as the Delaware River, when we were doubtful about being able to get dredges, and we put in the minimum that we could get along with, and we now think we will be able to obtain dredges, and that is a very important project.

And he goes on to state what the project is. I just mention that for the benefit of the House, to show how the Committee on Rivers and Harbors acted in making up this bill, which seems to have aroused so much of the opposition of the gentleman from Wisconsin.

Mr. MOORE of Pennsylvania. Mr. Chairman, much of the foreign and domestic commerce that comes into and goes out of the Delaware River arises on the Schuylkill. That is a very important branch of the Delaware River. It is unquestionably one of the largest oil-shipping ports in the United States. Just for the information of the House, before this item is passed, I wish to say that the reports of the engineers show that the value of foreign exports from these rivers last year was $501,000,000. I think I can say without fear of contradiction that the port of Philadelphia, of which the Schuylkill River is a part, has come to be the second port of the United States. I do not say that with a view of arousing contention, but that is the fact. Upon the Delaware River, in the vicinity of the Schuylkill River, we have very many shipyards upon which the Government is now dependent. There are on the Delaware River, from Trenton down to Wilmington and below, 27 shipyards at the present time. There are 9 docks and 179 shipbuilding ways. At these yards are employed 80,000 men. The revenue collected by the Government at the customhouse in Philadelphia for the port of Philadelphia for the past year is a little more than $14,000,000. That was due to the fact that our exports were heavier than our imports, and to other conditions which I need not explain at the present time. Prior to 1913 it was usual for the port of Philadelphia to collect from the shipping that came into that port for the revenue of this Government as high as $21,000,000. It has fallen off during the war because of the difference between the imports and exports and the laws. I mention the fact, however, to show that while Congress is proposing to appropriate $2,500,000 to build a project that has not been worked upon during the war, and $1,000,000 toward bringing the Schuylkill up to date, the Government of the United States is getting its appropriation back tenfold, and that is one of the methods by which the revenue of the Government is raised. I am aware that some gentlemen say that that is not a fair contention, but I assume that if the waterway is working and bringing revenue to the Government it is mighty good investment on the part of the Government to spend probably 5 or 10 per cent in order to get that revenue.

Mr. GALLAGHER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on the paragraph and amendments thereto close in five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LINTHICUM. Mr. Chairman, in answer to the gentleman from Pennsylvania about the port of Philadelphia, I want to have read in my time an editorial from the Baltimore American of December 16, 1918, which may enlighten the gentleman from Pennsylvania and some others as to the port of Philadelphia.

The Clerk read as follows:

A BIT OF PORT NEWS.

According to a statement in the Philadelphia Ledger, Maj. Gen. Goethals told Mayor Smith, of Philadelphia, a few days ago that the Government will discontinue the use of Philadelphia as a port for handling Army supplies, as likewise Boston and Newport News, and that all such shipments hereafter will be made from New York, Baltimore, and Charleston. The reason given by Gen. Goethals to the Philadelphia mayor for discontinuing the use of that port is that experience has shown that the cost of handling Army supplies for shipment from Philadelphia and Boston is greater than the corresponding cost as pertaining to Baltimore and New York.

The Quartermaster's Department has, by actual tests, proven what was apparent on the face of things, namely, that Baltimore has an advantage in interior connections and developed harbor facilities which constitute an economic advantage in the handling of export trade. The statement made to the Philadelphia mayor by the quartermaster general will doubtless be a very cold douch for Quakertown, for there has been much talk recently in shipping circles along the Delaware about making the Delaware River port a hot rival to New York in respect to foreign commerce.

Generally speaking, seaports are born and not made. Baltimore, we believe, is one of the born world ports. It has a harbor layout upon a grand scale equaled by few other ports, excelled by none. And it has three systems of dockage terminals functioning in connection with three extensive railroad systems. It is not to be overlooked that the Western Maryland is in alliance with the New York Central system and that the shortest port connection for that system for interior business is at Baltimore.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Cooper, Salem, Cohansey, and Maurice Rivers, Woodbury, Mantua, Raccoon, Oldmans, and Alloway Creeks, N. J.: Completing improvement of Raccoon Creek in accordance with the report submitted in House Document No. 800, Sixty-third Congress, second session, $39,770.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. No one rejoices more than I do that Baltimore has come to the front. [Laughter.] It is a growing city and extremely popular for a while. It will continue to be popular in Washington and elsewhere until the end of the wet season. [Laughter.] This may account to a certain extent for the exuberance of the editorial writer from whom my friend from Maryland has quoted. All the editorial writer has said is not exactly in accordance with the facts. We glory in Philadelphia, now that we occupy the second place amongst the ports of the United States, in the gradual advancement that is being made by our neighbor. We have been working hand in hand so far as we could, except occasionally we have found by reason of the activity of Baltimore's mayor and the energy of Baltimore's Congressmen that they have slipped a few things over on us. [Laughter.]

It is a good thing to have this sort of rivalry along the coast. It is not pleasant to find an Army officer permitting himself to be quoted in favor of one port against another, because if we consult the Constitution of the United States we find that no one port is permitted to have a preference over any other port. Natural conditions prevail to the advantage of some ports, and social conditions, as in the case of Baltimore, sometimes give an undue advantage to a city.

But the fact is, Mr. Chairman, the controversy between Gen. Goethals and the mayor of Philadelphia, referred to by the Baltimore editor, is not fairly stated. There has been a controversy between the mayor, the Secretary of the Navy, and the Secretary of War because of certain conditions in Philadelphia due to an overflow from the city of Baltimore. [Laughter.] What prevails at Baltimore seems to be sweeping over into Philadelphia, with the result that the mayor has been obliged to take the matter up with the Secretary of War and the Secretary of the Navy, and in the due course of time the responsibility will be fixed and the invasion will be suppressed. [Laughter.]

But I wish at this time to take advantage of a part of my five minutes to say that I have certain communications from Gen. Goethals and others in respect to the controversy which I would like to put in the RECORD, as they completely refute the statement of the editor that Baltimore has taken the second place from Philadelphia. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Philadelphia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Chairman, there is a very pleasant rivalry between Philadelphia and Baltimore, and Baltimoreans love Philadelphia just the same as the Philadelphians love Baltimore. When it comes to the question of particular facilities and cheapness of transportation from Baltimore with the Central West, Baltimore has it all over Philadelphia. As to the hospitality and the wet goods of Baltimore at this time, I want to say that we do sell squirrel whisky, which makes a fellow jump around a little, but we do not sell, as they do in Philadelphia, a brand called Eagle whisky, which makes him fairly fly.

The Secretary of War or the Secretary of the Navy told the mayor of Philadelphia that if he did not clean up a little he would have to do it for him. I think that is the matter the gentleman refers to. The Secretary of War or the Navy has never had to tell Baltimoreans that we keep clean.

Mr. FREAR. Mr. Chairman, I was willing to submit to two interjections by the gentleman from Maryland [Mr. LINTHICUM] because a few moments ago he raised the point that we were not discussing the particular project, and I wanted to see how far afield he was willing to go.

Mr. LINTHICUM. I have been discussing port facilities.

Mr. FREAR. The port of Philadelphia is not in controversy.

Mr. SMALL. Mr. Chairman, will the gentleman yield, so that I may make a request?

Mr. FREAR. Yes.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto close in five minutes.

Mr. BROWNING. Mr. Chairman, I would like to have five minutes.

Mr. SMALL. Very well; make it 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, the interesting part of the discussion by the gentleman from Louisiana [Mr. DUPRÉ] and also by the gentleman from Pennsylvania [Mr. MOORE] in regard to Schuylkill River is of no avail, because I made no suggestion about the Schuylkill. I was discussing the Delaware River, and they both jumped to the Schuylkill immediately. The gentleman from Pennsylvania [Mr. MOORE] rightly says that Philadelphia has a large item of $14,000,000 which is received every year and goes into the Government Treasury. That is a large amount of money, but they have some large shipyards down there. That is also true; but the gentleman fails to tell us that there is to be taken from the Government Treasury over $34,000,000 to make up a shortage in the Hog Island shipyard proposition that no one can explain, and that is right in sight of Philadelphia, so that this money in the Treasury can not all be used for carrying on this waterway, when we have to pay for a shortage in the Treasury that comes from that immediate neighborhood.

Mr. MOORE of Pennsylvania. The gentleman is going a little afield.

Mr. FREAR. I will yield later, but I want to get back now to Raccoon Creek.

Mr. MOORE of Pennsylvania. But the gentleman has made a charge.

Mr. FREAR. I know; and the gentleman can answer it.

Mr. MOORE of Pennsylvania. I have no time, because the time has been fixed.

Mr. FREAR. Mr. Chairman, I object to being interrupted, because I have not the time.

Mr. MOORE of Pennsylvania. Then I shall have to take some time.

Mr. FREAR. Why, certainly that is all right. I would not make any charge at all that I would not want the gentleman to answer if he can. I am now referring to Raccoon Creek. Raccoon Creek is an important proposition. It gets $39,000 in this bill. It has lost over 80 per cent of its commerce within four years, and half of that important commerce was manure.

Mr. MOORE of Pennsylvania. That is going out to Wisconsin to fertilize the land out there.

Mr. FREAR. Oh, no; we do not need it. We grow things without it there. Page 5 of the report says that the traffic of the stream is carried by gasoline boats and barges, and by one steamboat plying daily between Bridgeport and Philadelphia; but before that let me throw a little light on this Philadelphia situation. In the Washington Star of January 3 there is a reference to a Government investigation of alleged discrimination against Philadelphia as a port for overseas trade and for disembarkation of troops, and we find it reported that Philadelphia and Boston alone of all of the principal ports in the country have not been represented upon the shipping control committee of the United States Shipping Board, notwithstanding such representation has been earnestly urged, and that neither of these ports has received what it believes to be its proper allotment of Gov-

ernment overseas trade. In other words, the disembarkation of troops must await until Philadelphia has been given its fair proportion and Baltimore its fair proportion with Boston and New York. Oh, no; that is not the purpose, and if that is the suggestion in this report it is a mistake. But let us get back to Raccoon Creek. There is reported a small tonnage, with drafts between 4 and 6 feet. The traffic of the stream is carried by gasoline boats and barges and by an occasional steam tug. A greater width at bottom than 40 feet would be impracticable, it is said, without endangering the stability of the banks. On page 7 of the report I read:

The stream is tortuous in its course, but can not be advantageously straightened by cutting off points or shortened by making cut-offs, because the meadows along the banks have been protected by levees and have been reclaimed to a greater extent than on any other stream in the district. Instead of the worthless marsh land usually acquired for cut-offs valuable farm lands would be destroyed and the price would be out of proportion to the benefit expected.

Mr. Chairman, here is little Raccoon Creek, and the committee has put this in for $39,000, in addition to all the money that has been spent on the creek, which lost 80 per cent of its commerce during the last four years. That is a proposition added to this bill by the committee.

Mr. BROWNING. Mr. Chairman, in answer to the gentleman from Wisconsin [Mr. FREAR], I want to say that Raccoon Creek, I suppose, would be spoken of as a river in his district, because it is a large stream. It carries one of the largest volumes of commerce of any tributary of the Delaware River. The Board of Engineers in 1913 reported that there was an average daily tonnage of about 4,923 tons; that in 1912 the commerce amounted to 92,688 short tons, valued at $1,163,700. There are 21 landings and wharves used, and I think 34 boats ply the stream. The farmers use it almost entirely to ship their products to Philadelphia, Chester, Wilmington, and Baltimore. There is more farm produce shipped from the city of Swedesboro, on this creek, than from any other one point in the State of New Jersey. Produce also goes to New York and Boston, but that freight goes by rail.

This provision is for a jetty at the mouth of the creek; it has been highly recommended by the Board of Engineers and it was in a river and harbor bill which passed this House and died in the Senate. I am surprised that the gentleman makes this attack upon an item for the improvement of a creek which is doing business for the benefit of the farmers in south Jersey.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BROWNING. Yes.

Mr. MOORE of Pennsylvania. Is it not a fact that there is only one railroad running down to serve this farming country?

Mr. BROWNING. There is but one.

Mr. MOORE of Pennsylvania. Is it not a fact that if this stream were not open so that the farmers could get to it by boat they would have to pay the highest possible freight rates?

Mr. BROWNING. There is no doubt about that.

Mr. MOORE of Pennsylvania. Is it not true that if they had to do that the price of living would go up to all of those who purchase these food products?

Mr. BROWNING. Certainly.

Mr. MOORE of Pennsylvania. Why did the Lord ever arrange that the Delaware River should have tributaries so that the farmers could get to it? Can the gentleman answer that?

Mr. BROWNING. I do not know.

The Clerk read as follows:

Cold Spring and Absecon Inlets, Absecon and Tuckerton Creeks, and Toms River, N. J.: For maintenance, $20,000.

Mr. KENNEDY of Iowa. Mr. Chairman, I move to strike out the words "Absecon Inlets," in line 6.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. KENNEDY of Iowa moves to amend page 6, line 6, by striking out the words "Absecon Inlets."

Mr. KENNEDY of Iowa. Mr. Chairman, I want to call the attention of the chairman of the committee to the fact that the Committee on Rivers and Harbors refused to allow an estimate for maintenance of $30,000 for Absecon Inlet. Now, under this policy of grouping projects in a district for maintenance of projects the engineers could use any or all of this $20,000 at Absecon Inlet. It seems to me that to carry out the intention of the committee these words should be stricken out.

Mr. MOORE of Pennsylvania. Mr. Chairman, I sincerely trust that the motion made by the gentleman from Iowa will not prevail. The gentleman who represents the district in which this inlet is, Mr. BACHARACH, has been called away by illness. I know that he sincerely desires that this item shall stand as written, and as it is for maintenance I see no reason why it should not stand. Absecon Inlet is an inlet at Atlantic City, N. J., the great coast playground of the world, and efforts have been made there for years to establish boat lines, and they have been established, and they were running up until the war. Efforts to establish a 12-foot channel were made, and were successfully made. That channel is outside where the sea sweeps back and forth and tides flow, and it is very difficult to maintain it. Any gentleman who has been to Atlantic City and gone up to the inlet and out on one of the pleasure craft will understand the difficulties of this proposition. There is a harbor there, and there is every reason why commerce should be encouraged to go there. There is no other way to get there except by rail, and that is very expensive in these times. To strike out this item and leave Cold Spring Harbor in would simply mean to cut out Atlantic City.

Mr. KENNEDY of Iowa. Does the gentleman think the Government is justified in spending $40,000 a year there, which it has been doing for four or five years?

Mr. MOORE of Pennsylvania. The item is for the maintenance of Cold Spring, Absecon Inlet, Absecon and Tuckerton Creeks, and Toms River, N. J., not for Absecon alone.

Mr. KENNEDY of Iowa. I am not asking to strike out the appropriation; I am asking to strike out the words "Absecon Inlet," because there is no commerce there that requires continuing the work.

Mr. MOORE of Pennsylvania. I beg the gentleman's pardon.

Mr. KENNEDY of Iowa. There is no commerce; there are no steamboats. It is a channel made by a sea-going dredge. The dredge is the only boat to be seen in the channel.

Mr. MOORE of Pennsylvania. I know steamboats were running from Philadelphia into Atlantic City——

Mr. KENNEDY of Iowa. When?

Mr. MOORE of Pennsylvania. Some time before the war.

Mr. KENNEDY of Iowa. There have been no steamboats there for two years. We are spending $40,000 per year wearing out a dredge and getting absolutely no returns in the way of commerce.

Mr. MOORE of Pennsylvania. That substantiates my statement.

Mr. KENNEDY of Iowa. I call attention to this fact——

Mr. MOORE of Pennsylvania. If I mistake not, because I have not followed this matter closely, I saw it announced recently that a steamboat line had been started by some business men to connect with New York.

Mr. KENNEDY of Iowa. If that is true the dredge could be put in commission again, but there is no occasion for doing work there at present. It has developed no commerce.

Mr. MOORE of Pennsylvania. Let me call the gentleman's attention to the fact that a large appropriation has been made for Pollock Rip Shoals, out in the open sea, which the gentleman and I both supported and which the committee approved, where the sea sweeps back and forth and where there is a possibility always that maintenance will have to be provided.

Mr. KENNEDY of Iowa. Yes; but there are millions of tons of commerce passing through Pollock Rip Channel.

Mr. MOORE of Pennsylvania. That is true, and I approve the appropriation and would fight for it, because I believe it to be necessary; but the geographical conditions are substantially the same as to the ebb and flow of the tide and the possibility of filling in the channel. Why, you might as well say that a house would keep clean forever without sweeping as to say that an inlet that the sea breaks over back and forth would keep open without assistance.

Mr. KENNEDY of Iowa. If there is any commerce that is using it now, the engineers do not know it.

Mr. MOORE of Pennsylvania. There are hundreds of boats at Atlantic City using this inlet——

Mr. KENNEDY of Iowa. I beg the gentleman's pardon, that is not the case. I was over there a year ago last spring and I talked with fishermen and also with the people working on this dredge, and they said there was absolutely no use for that channel except for the sailboat that took people from Atlantic City out over the bar and back.

Mr. MOORE of Pennsylvania. The gentleman from Pennsylvania [Mr. EDMONDS] hands me a report showing that in 1914 there was an increase in commerce at this point from 27,500 tons in 1913 to 30,500 tons, so why close it up, why stop business that has just started after this vast expenditure?

Mr. KENNEDY of Iowa. The commerce that they have there does not use the channel the dredge is maintaining.

Mr. MOORE of Pennsylvania. The gentleman again calls attention to the value, showing that the commerce advanced from $1,700,000 to $1,800,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. Mr. Chairman, I think perhaps there is no difference between the gentleman from Iowa and myself. It

is only a question of how such mutual purpose shall best be carried out. What the gentleman has in mind, as I understand, is to provide that no part of this $20,000 shall be spent on Absecon Inlet; but I do not think that ought to be accomplished by striking out "Absecon Inlet" from the bill, because there is available, or was on July 1, 1918, $20,000. The words "Absecon Inlet" may remain in the bill. I will ask the gentleman if this proviso, which I will read, would not accomplish the purpose he has in mind: Strike out the period at the end of line 8, insert a colon, and add the following: "*Provided*, That no part of the funds herein appropriated shall be expended on Absecon Inlet."

Mr. KENNEDY of Iowa. That it the purpose I seek to accomplish. I accept the amendment.

The CHAIRMAN. Will the gentleman withdraw his amendment?

Mr. KENNEDY of Iowa. No; I accept the amendment to my amendment.

Mr. MOORE of Pennsylvania. I ask whether that does not contemplate the abandonment of the maintenance at that point?

Mr. SMALL. I will say to the gentleman, pending the reading of the amendment, that Absecon Inlet has been discussed by the committee a great many times. The original improvement was taken up as an experiment, and with the assurance that the commercial interests of Atlantic City and other localities would see that a commerce was established between Atlantic City by water and other points. There is no such commerce to and from Atlantic City through the inlet.

The commerce is confined to small fishing boats and pleasure boats, and for their purposes it is not necessary to maintain a deeper channel than would exist naturally.

Mr. MOORE of Pennsylvania. That involves commerce, as I stated, and it involves the saving of life.

Mr. SMALL. There is no need of any further improvement for these pleasure boats or these fishing boats. There was a steamer placed in service at one time between Atlantic City and New York, I think, but that service has been withdrawn for some time. And my understanding is that there is at present no commerce by steamboat of any size between Atlantic City and any other point.

Mr. MOORE of Pennsylvania. May I ask the gentleman what becomes of the dredge?

Mr. SMALL. The demand for dredges is so great it can be used in other improvements.

Mr. MOORE of Pennsylvania. It has not been working there for some time.

Mr. SMALL. That is probably true.

Mr. MOORE of Pennsylvania. Has the inlet been going back?

Mr. SMALL. Up to this time the project depth has been maintained, and will be so long as the available funds will permit. The committee concluded that the existing commerce did not justify further appropriations. Under the general provisions of the law the dredge formerly used on this project may be diverted for other improvements.

Mr. KENNEDY of Iowa. Mr. Chairman, in view of the amendment offered by the chairman of the committee, which serves the purpose I have in mind, I withdraw my amendment.

The CHAIRMAN. The gentleman from Iowa [Mr. KENNEDY] asks unanimous consent to withdraw his amendment. Is there objection? [After a pause.] The Chair hears none. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 6, line 8, strike out the period at the end of line 8, insert a colon, and the following:

"*Provided*, That no part of the funds herein appropriated shall be expended on Absecon Inlet."

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. SMALL].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Appoquinimink, Smyrna, Leipsic, Little, St. Jones, Murderkill, Mispillion, and Broadkill Rivers, Del.: For maintenance, $10,000; for improvement of Mispillion River in accordance with the report submitted in House Document No. 678, Sixty-second Congress, second session, except that part of said improvement known as Cut-off No. 2, which is hereby eliminated from said project, $70,400: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, $80,400.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. In addition to $219,000 or more that has been spent upon this little creek, or river, as it may be called, the Mispillion, this bill carries $70,400. Let me say in reply to the gentleman from New Jersey [Mr. BROWNING], who talked just a few minutes ago, and who questioned whether or not we had a transportation waterway out there, that the greatest river in the world passes by my district, and I think most of the money spent on it has been wasted. We have a port that carries 52,000,000 tons, or practically twice what Philadelphia carried last year.

But I want to address myself, if I may, to the Mispillion River.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FREAR. My rising, Mr. Chairman, seems to be a signal for interruptions. I trust I am not, intentionally, at any rate, intruding on any of these projects belonging to the gentleman, but I want to talk about the Mispillion River now.

The district officer presents a project for the improvement of the Mispillion River. Understand that this project was in the 1914 bill, which was defeated. Now it is up here again. It was the same kind of a project. It has not changed at all, and it is not improved at all, but we have lost 40 per cent of the commerce we had at that time.

I am reading from page 4:

The improvement now desired and needed is the making of a number of cut-offs in the river to shorten the distance between Milford and Delaware Bay, the elimination of some sharp bends, and the increase in depth across the flats to 6 feet at mean low water to conform to the project depth in the river—

And so on. And then down further it says:

The Delaware, Maryland, and Virginia branch of the Pennsylvania Railroad passes through the town and shares with the river the transportation of the town and vicinity.

Of course, the suggestion was made that the railroads are held down in their prices by the waterways. That is not so, unless you have a railroad commission that will hold them down to a reasonable expense. Why should the Government be continuously putting money in there on the theory that it is going to affect freight rates? That was once a common argument, but it has been exploded now, Mr. Chairman, and it is not indulged in in these debates, and particularly it is not indulged in by the Army engineers, who now make their recommendations on a different basis.

I am reading from page 4 again. I read:

There are no public wharves on the Mispillion, but all the private wharves are free to those who wish to use them, and space along the river bank is too abundant to permit of any monopolizing of the terminal facilities.

Notwithstanding this money that has been expended—over $200,000—there is not a public wharf on that stream yet; and in order to shorten the distance up to Medford—that is the purpose here—for these people who do not contribute a nickel toward this project, we are asked to give $70,000 more, in addition to the $200,000, to be derived from the sale of liberty bonds.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Inland waterway from Delaware River to Chesapeake Bay, Del. and Md.: For improvement to a depth of 12 feet at mean low water, in accordance with the report submitted in House Document No. 196, Sixty-third Congress, first session, $3,000,000: *Provided*, That of the foregoing amount so much as shall be necessary, not to exceed $2,514,289.70, may be paid for the purchase of the existing Chesapeake & Delaware Canal and all the property, rights of property, franchises, and appurtenances used or acquired for use in connection therewith or appertaining thereto.

Mr. SMALL. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 7, strike out the words "the purchase of" at the end of line 7.

Mr. SMALL. I will explain the purpose of this amendment. Condemnation proceedings are now pending for the acquirement of this property, and they were pending when the agreement was made, about a month ago, as to the purchase price of the property. It is quite probable, in the opinion of the Chief of Engineers and the Department of Justice, that it may transpire that the best way to obtain title so as to quiet any outstanding claims would be to have the condemnation proceedings continue in a friendly way to an award and final judgment; and that being true, the words "for the purchase of" ought to be stricken out, so that it will read "may be paid for the existing Chesapeake & Delaware Canal."

Mr. MOORE of Pennsylvania. Would the effect of the gentleman's amendment be to leave open the condemnation proceedings in the event there should still be any differences between the Government and the owner?

Mr. SMALL. It leaves it entirely in the discretion of the Secretary of War, to acquire it either by purchase and the execution of proper instruments or by pursuing the condemnation proceedings, as may be deemed desirable.

Mr. MOORE of Pennsylvania. In other words, there will be two strings to the bow?

Mr. SMALL. Yes.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. FREAR. Mr. Chairman, I would not pass over this item in this quiet way, but——

Mr. MOORE of Pennsylvania. The gentleman intends to debate the item?

Mr. FREAR. Yes.

Mr. MOORE of Pennsylvania. I am very glad to hear it. We did not expect the gentleman to pass over it.

Mr. FREAR. And the House would be indebted to the gentleman from Philadelphia without a motion on my part to strike out the last word. I hold in my hand Document 196. That is of the Sixty-third Congress, first session. This is for $3,000,000 for a bankrupt canal. That is only for the first payment. You are going to have $12,000,000 or $15,000,000 or possibly $20,000,000 to pay for a 13-mile canal, 25 feet deep or over, to connect the Chesapeake with the Delaware River. It will eventually amount to that.

Col. Bixby recommends the Raritan, running across New Jersey. That is to cost $45,000,000 if you put it at a 25-foot depth. That is in the same document as the one in which he recommends the 13-mile canal we are now discussing.

Mr. Chairman, we have had this project before us for many years. When it was originally built the Government put $450,000 into that canal. Now the Government is to buy it outright, to spend $3,000,000 in this bill, and possibly $10,000,000 or $15,000,000 or $20,000,000 eventually to get the deep channel that they want in order to connect Philadelphia with Baltimore. They will come in here with the recommendations of the Chief of Engineers and the Secretary of War or the Secretary of the Navy to show why it is needed for naval protection, so that our great battleships can run in and out, so that no hostile vessel can come across the seas and catch them. [Laughter.] It is needed also, it is said, for the transportation for troops at the rate of 4 miles an hour, in order that the troops may be transported from Washington to Baltimore. That is from the engineers.

There is a little commerce there, a small commerce; but for this $3,000,000 you will assess the people of the Hawaiian Islands and compel them in part to pay, and the people of Sandusky and the people of every harbor out in the State of Oregon and the State of Washington, and say they shall pay half or a large contribution toward the improvement of their projects.

Why do we say, "We will give to Pennsylvania and Baltimore $3,000,000 in this bill and follow it up with an unlimited amount—any amount you choose to put in, depending on the width of the canal and the depth" without asking for contribution?

Mr. Chairman, I have moved to strike out this item many times. It is no better and no worse than many other items. But my distinguished friend here from Philadelphia, Mr. MOORE, with his eloquence can almost convince a man against his will concerning the merits of a proposition, and no doubt he will do it with respect to this. The Government paid $450,000 originally, and now when the company is bankrupt, when the bonds are worth only 68 cents on the dollar and the stocks are valueless—and the stocks and bonds are all practically held by the city of Philadelphia—we are to buy it. I do not care to discuss or to criticize it any more. I have done so time and time again, many times. As my good friend from Illinois [Mr. MADDEN] once said, it is to take the seasickness out of the sea in going from Baltimore to Philadelphia, a delightful trip to take. [Laughter.] Of course, lives have been lost in going from Baltimore to Philadelphia by water, but Christopher Columbus in a comparatively small boat crossed the ocean several times. He was never afraid, and yet we must have a 13-mile canal between Baltimore and Philadelphia in order to make them more accessible to each other. The people over there want it. The people who own the stocks and bonds of this company want it. But I feel that they should make some contribution first of all.

Now, we are going to have the proposition elucidated with more eloquence by the gentleman from Pennsylvania than by anyone else who could attempt it. He has brought out a map illustrating the course of the canal. I suggest this to the gentleman, that all the while he is speaking on this subject the people who are to pay for this are the people not only of my State but the people of every State in the Union, and we will have to buy liberty bonds to build this Chesapeake & Delaware Canal, and we are now facing $18,000,000,000 indebtedness in order to buy this canal and meet other expenses. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I intend to give the gentleman from Wisconsin [Mr. FREAR] the surprise of his life. He has been so generous in his adulation of this project that I feel that I ought not to take up the time of the House to answer him. [Applause and laughter.] To be sure, there have been one or two misstatements; I will not be so severe on the gentleman as the chairman of the committee is at times, because they love each other in the House and in committee; but several of the gentleman's statements are so utterly at variance with the—I will not say that [laughter]; but some things that the gentleman said so lack knowledge and information that I feel I would like to extend my remarks on this subject. I ask unanimous consent to do so. [Applause.]

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks. Is there objection?

Mr. MADDEN. Reserving the right to object, I think the gentleman is so eloquent, so full of facts, so full of oratory, and so full of jokes, and that the subject matter of his speech is so well portrayed on the map that tears are dropping down from the clouds on certain parts of the map. [Laughter.]

Mr. MOORE of Pennsylvania. The map speaks for itself.

Mr. MADDEN. And it cries to itself. [Laughter.]

Mr. MOORE of Pennsylvania. Oh, no.

Mr. MADDEN. I am inclined to object to the request for an extension of remarks on the part of the gentleman, and insist that his remarks be uttered on the floor. I do not like to have gentlemen make these speeches under cover, so I ask that the gentleman from Pennsylvania may be given 15 minutes in which to utter his remarks, so that we can hear what he says instead of having them hidden away in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania may proceed for 15 minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. I want to say that a man convinced against his will is of the same opinion still. I feel that I ought not to say anything on this subject, important though it be.

Mr. FOCHT. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman.

Mr. FOCHT. The gentleman knows that I come from Pennsylvania and that I have served in public bodies up there. We have always been pretty liberal up there to encourage many enterprises. This, I understand, is what is called a "pork-barrel bill," is it not?

Mr. MOORE of Pennsylvania. Such bills have been so called. I think the gentleman has been in error about the facts sometimes.

Mr. FOCHT. I am very liberal by my vote, and I do not want to have any conscientious scruples. I should just like to know what Pennsylvania is getting out of this. [Laughter.]

Mr. MOORE of Pennsylvania. If you will listen to the gentleman from Wisconsin [Mr. FREAR] you will find that we are getting more than $6,000,000 for "the vicinity of Philadelphia." I do not quite agree with him, because I believe every one of these projects to be national projects.

Mr. FOCHT. Since allegations are being made by the gentleman from Wisconsin [Mr. FREAR] that Pennsylvania is being taken care of to that extent, I think possibly I will be able to arrange matters with my conscience and vote for the bill. [Laughter.]

Mr. MOORE of Pennsylvania. I welcome the gentleman from Pennsylvania [Mr. FOCHT] into the fold. We are gradually making converts for a worthy cause, and the longer we stay here and the more persistent we are the more friends we have and the more meritorious does our cause become.

Mr. FOCHT. Do you not think that some other Members might make a similar acknowledgment?

Mr. MOORE of Pennsylvania. I think so.

Mr. FOCHT. And that possibly some of their enthusiasm is inspired by the pork coming into their immediate neighborhood?

Mr. MOORE of Pennsylvania. The gentleman from Wisconsin has been so self-sacrificing regarding his own territory and so condemnatory of his own rivers that sometimes I think it might be well for other Members to praise theirs.

Mr. MADDEN. Mr. Chairman, I object to this Pennsylvania colloquy. There are other States represented here besides Pennsylvania.

Mr. MOORE of Pennsylvania. Illinois is always welcome in a controversy of this kind, and New York likewise.

Mr. SNYDER. The gentleman seems to be carrying out his first idea, of not saying anything about this project.

Mr. MOORE of Pennsylvania. That is the fact, owing to these interruptions. The gentleman is as lucid as usual.

Mr. Chairman and gentlemen, I appreciate the compliment of being invited to say something on this subject. It is one very dear to me, and one in which I have come to believe thoroughly. The agitation to accomplish this great work has extended over the period of my entire term in Congress. I believe it to be of national moment, or I would not stand here advocating it.

Much has been said about the extravagant expenditures of the Government at the present time. River and harbor bills have been inveighed against because of the allegation of "pork." No one has contributed more to that unsavory reputation of river and harbor bills than the gentleman from Wisconsin [Mr. FREAR] and naturally it has brought responses and countercharges from gentlemen who are interested in improvements of this sort. It is not known generally that under the auspices of the waterways association, of which I happen to be president, and which has often been referred to by my friend from Wisconsin [Mr. FREAR], a waterway regiment was organized for service in France. I have in hand a letter from one of the officers of that regiment which to me contains a moral for the people of the United States to heed. This letter comes from the Seine district in France, and it leads me to say that the Rhine is not the only river in Europe upon which there is a great barge traffic. Only a few days ago we read that owing to the floods in the River Seine the people of Paris were being shut off from food supplies; and I stop to interpolate that every nation in Europe to-day is preparing to reconstruct or to construct canals for the purpose of carrying food supplies and lessening freight costs. This is the only country that has not been doing it extensively in recent years.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Iowa.

Mr. GREEN of Iowa. The gentleman spoke of his long experience in this matter. Does he not think it has assumed a position of greater importance at this time, in view of the extraordinarily high freight rates which we have been having as the result of the Government administration of the railroads?

Mr. MOORE of Pennsylvania. I think there is a great deal in that statement. It is an argument that I would support.

Mr. MADDEN. I suppose the gentleman would not care to have that particular controversy discussed just now?

Mr. MOORE of Pennsylvania. I would, because waterway development was a part of the railroad-control bill as it passed this Congress, and instead of waterway development being encouraged, as it should have been encouraged, we discovered that railroad management remained with the old railroad managers, and substantially every movement to develop waterway transportation, and to furnish competition, was not encouraged, if it was not throttled.

Mr. GREENE of Massachusetts. That is right.

Mr. MADDEN. Does the last statement of the gentleman from Pennsylvania indicate that he is against the railroads being managed by those who have special knowledge of railroad business?

Mr. MOORE of Pennsylvania. I am certainly not in favor of Government ownership, and I believe the railroads should be managed by men who are best able to manage them and who know the business. [Applause.] But I believe that when we appropriated $500,000,000 to the Director General of Railroads to take over the railroads of the country, and in that bill authorized and directed him to take over the waterways and use them, if the result of that has been that when the great State of New York has spent more than $150,000,000 to build canals to be of service to the people, upon which freight can be carried for less than it can be carried upon the railroads, it does not become the administrator of the railroads under Government direction to provide and insist that the freight charges upon the waterways shall be equal to the freight charges upon the railways.

Mr. SNYDER. I should like to make a suggestion on that.

Mr. MOORE of Pennsylvania. That is the reason I say that in some instances it may be that water transportation has been throttled by Government control of railroads.

Mr. SNYDER. The Railroad Administration took over the Erie Canal after the expenditure of $150,000,000 by the State of New York, and then refused to have that canal used.

Mr. MOORE of Pennsylvania. I think the gentleman's statement is a fair one. The rates were to be forced up to equal railroad rates.

Mr. MADDEN. I wish the gentleman would tell us something about the proposition that is delineated on the map.

Mr. MOORE of Pennsylvania. I will do that; and I think I can convince the gentleman in due course of time. But I want to read about the American soldier boys in France who are developing waterways there while we have been sitting idle, refusing to make provision for new projects in the United States:

> We have American crews on towboats and barges that we bought or have hired from the English and French, and it looks good to see our flag on the river. Of course, we got started long after the British in this river game and had to patch up old boats and improvise ways and shops, repair old machinery, and do a lot of things late comers usually have to do. It has been an interesting game so far, and never fear but what Americans can operate boats and barges with any of them. * * *
>
> As you know, these French and Belgian barges operating on the canals of the first category are all of a standard dimension and are approximately 250 tons displacement.

I read that much only to show the truth of the argument that has been made here for a long while—these many years—that these foreign countries have been utilizing waterways and using them to the full while we have neglected ours. And the gentleman from Illinois wants to know about this particular proposition.

I want to deal with it in this way: Is it too expensive? That is the proposition. That has been the sole objection to it when all is considered. Too expensive! What is the proposition? Utilizing the natural waterways along the coast inside the ocean line. Great steamships can go up along the coast when not interfered with by submarines, of course. They could come and go here inside. If we had these waterways open they could penetrate the very territory they are intended to serve without rehandling of cargoes. It has been but a few days since you read with intense enthusiasm of the President of the United States riding on the deck of an ocean greyhound up from the Mersey River to the city of Manchester, in England, amidst the huzzas of the people along the way. The people from the various towns saluted him and his trip ended with grand acclaim in the center of that great manufacturing city, 33 miles inland from the sea—just about the distance from Trenton to New York, which we propose to utilize when the upper part of the canal is authorized. Vessels carrying beef from Chicago, vessels carrying wheat from the Dakotas, vessels carrying cotton from the South, vessels from the ports of Galveston and Savannah and New Orleans carrying food to feed the people of Europe, providing them with raw material for manufacture, go up the Mersey River by the port of Liverpool to Manchester, thirty-three-odd miles away. Our own President stood on the deck of an ocean steamer only a short time ago—up through the fields of England into that inland city of Manchester. I mention this because we have even superior waterway facilities in the United States but have failed to take advantage of our opportunities.

Mr. MADDEN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. MADDEN. Does the gentleman recall whether or not England as a country built that canal to Manchester, or did the city of Manchester build it?

Mr. MOORE of Pennsylvania. I will tell the gentleman how it was: Liverpool stood like a dog in the manger at the port, one of those ports to which the gentleman from Illinois [Mr. GALLAGHER] referred a little while ago, like those over yonder on the coast, when he said, "Give them all the money on the coast, but nothing for inland waterways, because they have no boats." How, in the name of Heaven, could boats get to Manchester or to our own inland ports if we do not give them the water to get there? Here stood Liverpool on the coast barking like a dog. You can get to Manchester; oh, yes; but through Liverpool—and then by rail—unload at Liverpool and pay the difference in freight on the railroad that will bring you up to through railroad rates. Thus Liverpool could crush Manchester. Manchester was compelled, as a matter of self-defense, to contribute, and the board of trade of England helped, and the result was that the canal was cut through, and now ships laden with the meat products of the packers of Chicago pass through to Manchester. I have seen them myself unload the sides of beef at Manchester, on the dock 33—or maybe it is 36—miles from the sea, coming up by Liverpool and virtually telling that port to mind its own business. Manchester gets the meat at the same rate that Liverpool does, and the brokers in between are cut out of business. [Applause.] We could do that here at a dozen different ports.

Gentlemen ridicule the proposition, not realizing that other people are doing what we refuse to do. What is the proposition that the gentleman from Wisconsin says I am personally—and I hope patriotically—interested in? It is to connect up a part of the Delaware River, that has 27 shipyards on it this very day, with the Chesapeake, that affords admission to Baltimore, and by this route [indicating on the map] to Washington and then down through here to Norfolk and Hampton Roads to the South. Gentlemen ridicule it. They do not know and will not understand, unless they inspect the situation for

themselves. Time and again we have begged them, even challenged them, to come over and look at this geographical condition that God Almighty has laid down for us to avail ourselves of. [Applause.]

The expense! The gentleman from Wisconsin worries—and I say this in all kindness—worries about the cost of the Chesapeake & Delaware Canal—two and a half millions has been agreed upon by the engineers.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I shall not ask for any more time.

Mr. GREENE of Massachusetts. Mr. Chairman, I ask that the gentleman's time be extended as much as he wants.

Mr. SNYDER. Mr. Chairman, I ask unanimous consent that his time be extended for five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time of the gentleman from Pennsylvania be extended for five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I shall not discuss whether there was a defalcation by a crooked officer of the company many, many years ago. That has absolutely nothing to do with the value of this property. It does not affect the standing of any bank to-day that one of its cashiers 25 years ago robbed it of $100,000. What has that to do with the main proposition? Gentlemen have used this argument from the beginning of this discussion to destroy this project.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. FREAR. Will the gentleman name anyone who has done that?

Mr. MOORE of Pennsylvania. The gentleman himself has called it a bankrupt canal, and he referred to it time and again as such, and refers in the report to the fact of the defalcation.

Mr. FREAR. Yes; it is bankrupt, because for a number of years they could not make expenses.

Mr. MOORE of Pennsylvania. That is where the gentleman is wrong. The canal has been self-sustaining since its construction and it pays 4 per cent on its bonds now and takes care of its own improvements. These are the things that aggravate when you come to discuss these matters. I shall put into the RECORD the facts, because having heard these things hurled on this floor so often I have had special inquiry made about this concern back to the days of its construction in order to get the exact truth and the facts might be ascertained. I propose to put into the RECORD the facts, so that gentlemen here and elsewhere may labor under no delusions that will affect the merits and the truth.

Mr. ROBBINS. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. ROBBINS. Is not this a great saving in distance between Philadelphia and Baltimore?

Mr. MOORE of Pennsylvania. Yes; the difference between 90 and 325 miles between Philadelphia and Baltimore; but I would prefer to put it this way: Say that it is a great saving in distance between this great manufacturing center of New England [pointing] and this great productive center of the South. [Applause.]

And say this, that if that waterway is taken and worked at a depth which is standardized, so that a man or a company can know that his ships will go through without running on a sand bar, or being held up somewhere in the night, a service will be provided that will be as good as that of the railroads for heavy freight and those raw materials that do not need speedy transportation. And dealing with foodstuffs, just let me carry you back to the spring after the worst winter through which we ever passed. When the fertile fields of Florida were abloom, when the orchards were full, when the rich grounds were producing potatoes by the carload, when the people in the North were being gouged at the highest prices, when the people of New England and the soldier boys coming back from abroad were being charged $1.50 a dozen for the oranges they begged and craved for and which could not be had, it was because the railroads had issued embargoes, saying they would not carry perishable freight, and because the submarines were outside and the inland waterways were not available. You were told that you must depend upon your own locality, that you people of the great metropolis must get your fresh eggs from the henroosts in the city of New York, that you must dig your potatoes out of Broadway. The railroads could not carry them from Florida or bring them in from Iowa, and they rotted and went to waste where grown because neither the railways nor the waterways could carry them. [Applause.]

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Oh, my friends, it is broader than the mere question of Philadelphia and Baltimore. It is bigger than New York and Norfolk. It is a national, humanizing, protective proposition. [Applause.] I yield to the gentleman from Iowa.

Mr. GOOD. The gentleman has referred to the earnings of the canal. I would like to ask if he has the figures.

Mr. MOORE of Pennsylvania. I am not going to discuss that, because it is so far afield from the main problem that it would take up all of my time; but I shall put every line in the RECORD, and I shall beg the gentleman to read it carefully.

Mr. GOOD. Can the gentleman tell us how many bonds are outstanding?

Mr. MOORE of Pennsylvania. The same amount that is mentioned in the report. All that is proposed to be paid for this property is what is represented by bonds. All this so-called worthless stock is to be disregarded; every old back debt is cleaned up. The bonds that are paying 4 per cent constitute the value of the property as appraised, and the Government acknowledges it.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. FREAR. The gentleman made a statement a few moments ago, in response to a question of mine, to the effect that it had been constantly referred to in respect to this defalcation by an officer of the company. I asked him who made that statement, and the gentleman suggested that we were all making it. Now he makes the statement that that canal has been paying expenses constantly. I call his attention to Document No. 215, which is an official report, Fifty-ninth Congress, second session, wherein it is shown that in 7 of the 12 years, according to the statement, the official statement that was submitted, there was a deficit in the handling of that canal.

Mr. MOORE of Pennsylvania. Yes.

Mr. FREAR. That is not on the stock; that is on the bonds.

Mr. MOORE of Pennsylvania. Yes; they did not earn money in those years, but they had a surplus from previous years or earned enough in subsequent years to pay their way through. Now, will the gentleman be satisfied? [Applause and laughter.]

Mr. Chairman, the Chesapeake & Delaware Canal statement to which I referred, and which explains the financial operations of the company, is herewith submitted under leave to print. The statement was prepared after careful research and investigation by Mr. Wilfred H. Schoff, secretary of the Atlantic Deeper Waterways Association. The information it contains was taken from official documents.

It is as follows:

CHESAPEAKE & DELAWARE CANAL.

A statement from the Atlantic Deeper Waterways Association, Philadelphia, Pa., December 30, 1918.

"Pursuant to authority voted by Congress in the river and harbor act of 1917, the War Department has negotiated with the Chesapeake & Delaware Canal Co. for the purchase of the existing Chesapeake & Delaware Canal at the price recommended by the Chief of Engineers, $2,514,289.70 (H. Doc. 391, 62d Cong., 2d sess., pp. 4 and 95, and H. Doc. 196, 63d Cong., 1st sess., p. 6). These reports confirm the recommendations made in 1907 by a commission appointed by the President of the United States (S. Doc. 215, 59th Cong., 2d sess.).

"The Chesapeake & Delaware Canal forms the connecting link between the Delaware River and Chesapeake Bay, and is an essential part of the Atlantic intracoastal waterway system as recommended by the War Department and in part adopted by Congress through the purchase and partial completion of the Chesapeake & Albemarle Canal, connecting Chesapeake Bay with the North Carolina Sound and the Atlantic Ocean below Cape Hatteras.

"The Chesapeake & Delaware Canal, if Congress shall approve the recommendations of the War Department, will be converted into a tide-level canal of 12 feet depth and 90 feet bottom width, these being the standard dimensions adopted on the New York Barge Canal and for the modernized Federal waterways.

"The Chesapeake & Delaware Canal in recent years has passed traffic averaging close to 1,000,000 tons per year. In this respect, it has maintained its usefulness and activity better than others of the old small canals, its maximum tonnage in 1872 having been 1,818,772 tons. Army engineers and commercial experts, who have studied the prospects of future commerce on an improved canal, predict for it an annual traffic largely in excess of the present figures, more nearly approximating 5,000,000 tons per year.

"The main hindrance to increase of traffic on the existing canal is its inadequate size, barges being limited to the dimen-

sions of the locks, 24 feet by 220 feet by 10 feet. On the New York Barge Canal, where locks were unavoidable, the dimensions adopted were 310 feet by 45 feet by 12 feet. The larger size, under modern conditions of traffic, is found necessary, in order to produce the economy of transportation which the modern barge affords.

"In answer to the natural inquiry how the price of $2,514,289.70, recommended by the War Department, is arrived at, it may be stated that this represents the amount for which the canal property is mortgaged, $2,602,950, less certain securities and other property held by the company, amounting to $88,660.30, the difference being $2,514,889.70.

"The amount of the mortgage, according to the annual reports of the company, is considerably less than the actual cost of the canal, and very much less than the present cost of reproducing the canal property, even deducting the locks and other structures which the Government will not use in completing its tide-level waterway over this route.

"A brief account of the formation and history of the canal company may be opportune. In the early years of our Republic the improvement of the means of communication was recognized to be the most vital issue before the people. All our early statesmen gave serious consideration to this problem. The labors of De Witt Clinton toward bringing about the completion of the Erie Canal are well known, but Americans of our time are not all aware of the fact that the engineering experience and the political foresight of George Washington were applied with almost equal persistence to the formulation of plans and the organization of companies for construction of canals and improvement of waterways in other parts of the country.

"These were recognized to be matters of public importance, and although in each case corporations were organized to undertake the work, they were semipublic, officered as a rule by men in public life, and received public support. The Chesapeake & Delaware Canal Co. was of this sort. The surveys and levels were first made in 1769 under the auspices of the American Philosophical Society. The years of the Revolution and of the formation of the Republic were not auspicious for undertaking large public works, but the influence of George Washington was extended in support of such work throughout his administration. For the purpose of creating the connection between Delaware River and Chesapeake Bay the Chesapeake & Delaware Canal Co. was incorporated in three States—Maryland, 1799; Delaware, 1801; Pennsylvania, 1801. The company was authorized to issue capital stock in the amount of $2,500,000, in 12,500 shares, at $200 par value. Subscription books were opened at Philadelphia, Wilmington, Baltimore, and elsewhere, but the funds received were sufficient only for a beginning, and the trade embargoes which culminated in the War of 1812 put a stop to the work.

"The President of the United States, James Madison, in his message to the Fourteenth Congress, second session, December, 1816, called attention to the desirability of soon completing the contemplated canals, and a committee of Congress reported a bill authorizing the Secretary of the Treasury to subscribe for shares in the companies organized to construct the Chesapeake & Delaware and the Dismal Swamp Canals. The Chesapeake & Delaware Canal Co. was then reorganized, its surveys revised, and books again opened to subscription.

"The State of Maryland (under act of December 18, 1812) had subscribed to 250 shares, $50,000.

"The State of Pennsylvania (under act of March 28, 1823) subscribed to 500 shares, $100,000.

"The State of Delaware (under act of February 5, 1823) subscribed to 100 shares, $20,000.

"The United States (under act of Congress, March 3, 1825) subscribed 1,500 shares, $300,000, and subsequently (act of Congress, March 2, 1829) 750 shares, $150,000, making a total of $450 000.

"The city of Philadelphia at about this time, though the ordinance has not been found, is believed to have subscribed 125 shares, $25,000.

"Private investors subscribed apparently 4,208 shares, of which 890 were subsequently forfeited for nonpayment of installments, and others carried as 'partly paid.'

"The condition of the stock issue, as inferred from the company's report for 1851, was as follows:

Private investors	$517, 038. 50
United States	450, 000. 00
State of Pennsylvania	100, 000. 00
State of Maryland	50, 000. 00
City of Philadelphia	25, 000. 00
State of Delaware	20, 000. 00
	1, 162, 038. 50

"The stock subscribed by the United States, the States of Pennsylvania, Maryland, and Delaware, and the city of Philadelphia was common stock, on the same terms as that subscribed by private investors, and the acts of Congress of 1825 and 1829 provided that 'the Secretary of the Treasury shall vote for president and directors of the said company, according to such number of shares, and shall receive upon the said stock the proportion of the tolls which shall from time to time be due to the United States for the shares aforesaid.'

"The revised surveys called for a canal 13½ miles long, 60 feet surface width, 36 feet bottom width, 8 feet depth, at a cost estimated by its engineers of $1,354,364.64, and although this was slightly in excess of the stock subscriptions, the company decided to proceed with the work. The canal was completed and opened to operation in 1829, and the company, in its 1830 report, stated that it had cost a much larger sum than had been anticipated, the actual cost having been $2,201,864.03.

"The company started business, therefore, with a deficit in construction account of $1,039,825.53 and without capital, so that in 1833 the company was forced to negotiate a loan for $400,000 at 6 per cent. Its construction costs were further increased by contractors' litigations for work performed under canceled contracts, under which judgments were entered in the Delaware courts for $229,820.

From this the original construction cost may be figured at	$2, 431, 684. 03
With a consequent deficit, due to the fact that the stock issue was less than half subscribed, of	1, 269, 649. 53
The floating indebtedness arising from this, arrearages of interest, and deficits in canal operations were merged in 1836 into a funded debt of	1, 593, 185. 01
And in 1847 into a further funded debt of	796, 592. 23
In 1853 it became necessary for the company to enlarge its locks, to provide for increasing traffic, and to meet this expense a temporary loan was issued, amounting to	410, 222. 76
After completion of the new locks the three funded debts of the company were merged in 1856 into a 30-year mortgage loan at 6 per cent, amounting to	2, 800, 000. 00

which amount was slightly less than the apparent cost of construction to that date and indicated a greatly reduced value in the common stock.

"The two decades following enlargement of the canal were years of prosperous business on which relatively high tolls were collected. The stockholders received several cash dividends and their holdings were further increased by several stock dividends, so that the total issue was expanded from $1,162,038.50 to $1,903,238.50. In 1867, under legislation enacted for that purpose, the company converted its stock issue from a $200 to a $50 share basis, each holder of $200 in the old issue receiving four shares of $50 in the new.

"In 1914, at a hearing before the subcommittee of the Senate Committee on Coast and Insular Survey, the company reported its stock issue as follows:

	Shares.	Par.
Private investors	20, 804	$1, 057, 588. 50
United States	14, 625	731, 250. 00
State of Maryland	1, 625	81, 250. 00
City of Philadelphia	663	33, 150. 00
	37, 717	1, 903, 238. 50

The property as above stated was subject to a mortgage maturing in 1886 of $2,800,000	$2, 800, 000. 00
The directors endeavored to pay off this loan, and at various times up to 1872 set aside for that purpose, out of earnings of the company, sums totaling	806, 250. 00
supposing that they had reduced the loan to	1, 993, 750. 00
But a dishonest official reissued out of the above (converting the cash to his own use)	609, 200. 00
so that upon maturity in 1886 the loan was extended at 5 per cent for a further period of 30 years, for	2, 602, 950. 00
In 1893, owing to the depletion of the company's contingent fund, the loan holders consented to a reduction of the interest rate to 4 per cent in order to enable the company to accumulate a contingent fund of $100,000 to meet extraordinary expenses and deficits in operation as they might arise.	
In 1916 the loan was extended at 4 per cent for a further period of 10 years.	
The War Department has recommended acquisition of the canal property for the amount of the mortgage loan, less convertible securities, etc., in the treasury, amounting to	88, 660. 30
Making a net price of	2, 514, 289. 70

"The effect of the above-mentioned defalcation was to make it impossible for the stockholders to pay off the mortgage and acquire back their property. It, therefore, practically extinguished the value of the stock issue, amounting to $1,903.238.50. It took away nothing from the value of the canal property and it did not affect the mortgage loan of $2,602,950, on which interest has been punctually met.

"The United States, State of Maryland, and city of Philadelphia, together with numerous individuals and estates, principally descended from public-spirited citizens who subscribed to the original issue of common stock of 1823–1829, have a common

equity in the property, which is mortgaged for less than its cost, but on which, owing to reduced rate of tolls and increased expenses, they have been unable in recent years to earn a sufficient profit to pay off the mortgage.

"Of this issue the United States holds 14,625 shares, the State of Maryland 1,625, the city of Philadelphia 663 shares, and private individuals and estates 20,804 shares.

"The present recommendation of the War Department is in effect that the United States acquire possession of the property by paying off the mortgage.

"By so doing, the United States, a minority holder of 14,625 out of a total of 37,717 shares of the common stock, will become sole owner of the property, while the holders of the remaining 23,092 shares, including the State of Maryland and the city of Philadelphia, will receive nothing, and will sacrifice their equity as a contribution to a national welfare.

"It is obvious that such an arrangement is advantageous to the United States.

"The Chesapeake & Delaware Canal should be public property. It should be modernized and improved and made part of a comprehensive system of inland water transportation. Its corporate difficulties have arisen from insufficient initial financing, which has made it impossible at any time for the company to improve its property to keep pace with the increasing demands of traffic, and to the fact that as a local enterprise limited by its charter to the collection of tolls upon its canal, being, therefore, in the same status as a turnpike road, having no power to carry freight or passengers through its canal, it has never been in a position to develop business between distant points, and thus to utilize the undoubted advantages of its geographical position.

"The Chesapeake & Delaware Canal is needed also for purposes of even greater importance in interstate commerce. Before the United States entered the war, numerous boards of the Army and Navy reported upon the desirability of a series of safe inside passages between the great ports and the naval and military stations along the Atlantic seaboard, and the events of the war, when a few raiding submarines were able at different times to paralyze our coastwise traffic, afforded abundant proof of the need of these inside passages, if at any future time our Atlantic coast should be subjected to attack from a strong naval power.

"Government ownership and improvement of the Chesapeake & Delaware Canal is, therefore, an essential item in our future national defense no less than our interstate commerce. The present question is whether acquisition of the existing property by paying off the mortgage is a fair basis of settlement. The United States should not be expected to pay more than the property is worth, neither should it expect to take it at a price unfair to the security holders. The original construction was undertaken in good faith, largely as the result of the urging of the Federal Government, and individual investors subscribed of their funds to contribute to the common welfare.

"For the financial difficulties in which the company became involved, the United States was responsible equally with the investors, for they arose altogether from a stock subscription insufficient to meet the construction cost. Although the common stock has now no more than a nominal value, the stockholders can not in honor, and probably could not in law, dispose of their property for less than the amount for which it is mortgaged, and this obligation rests equally upon all stockholders, the United States, the State of Maryland, the city of Philadelphia, and the individual subscribers. On the other hand, the property has cost considerably more than the amount for which it is mortgaged.

"Among cash items in the company's reports appear the following:

Original construction 1829 (company's report for 1830, p. 16)	$2,201,864.03
Judgment under contract litigation, 1832	229,820.00
Reservoir, 1841	22,000.00
Completing same, 1844	7,300.00
Pumping engine and lifting wheel and dredge	38,200.00
Waterworks, 1853	6,900.99
Reconstruction of locks, 1855	375,177.02
Water wheel, 1857 (company's report for 1856)	6,090.00
Riparian rights purchased, 1872	7,790.50
Dredge, 1882	12,000.00
Telegraph line, 1861	1,385.00
Boilers and engines, 1865	17,866.75
Dredge, 1866	13,931.80
Telegraph line, 1872	1,725.16
Pump, 1873	1,500.00
Other items in sundry annual reports, 1851–1880, about	20,000.00
Making an apparent total of	2,963,551.25
To this should be added the steady enlargement of the canal prism by the company's dredges; a conservative estimate would be $10,000 per year, 1866 to 1918, 53 years	530,000.00
Or an apparent construction cost of	3,493,551.25

"The Agnus commission in 1907 reported the cost of production at that time as:

Dry excavation, 15,000,000 cubic yards, at $0.16	$2,400,000
Dredging 1,435,760 cubic yards at $0.14	200,000
80,000 linear feet bank revetment	70,000
44,000 perches masonry at $3	132,000
Lock at Delaware City	120,000
Lock at St. Georges	118,226
Lock at Chesapeake City	147,970
Acreage of land holdings, 8,000 acres at $50	400,000
Pumping plant at Chesapeake City	50,000
Auxiliary arrangements for summit level supply	5,000
Bridges	31,000
Houses, offices, etc	30,000
Tools, machinery, etc	1,000
Telephone line	2,000
	3,708,186

"But it is well known that the cost of both dry excavation and dredging has materially increased since 1907 and that the company's land holdings have likewise increased in value, so that a present cost of reproduction would be more than nearly $5,000,000.

"The provision in the pending river and harbor bill for the United States to acquire the property for the amount of the mortgage appears, therefore, to be fair in every respect. Although the United States as holder of a minority of stock interest is on no more than equal terms with the other stockholders, it will receive from them the free and patriotic contribution of their equity and will take over the property for an amount considerably less than the stockholders have expended upon it—very much less than the cost of reproduction at present prices, and will then be in a position to improve and develop it for the prosperity and security of the whole country."

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last two words.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that debate on this paragraph and amendments thereto close in five minutes.

Mr. FREAR. Mr. Chairman, I would like to have five minutes.

Mr. SMALL. Make it 10 minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on the pending paragraph and all amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Chairman, it is particularly gratifying to me, having worked with these gentlemen for the purchase of this canal, to know that the House will act favorably upon this item. In reference to the canal not making more money, I merely want to cite one instance. When I was a member of the State senate the canal company came to Annapolis and asked that its tolls be increased. The State senate refused it, so that the canal has been held down to a certain revenue all the time upon the old toll basis, whereas the expenses of maintenance and all other charges have gradually increased.

Mr. MADDEN. Will the gentleman yield?

Mr. LINTHICUM. I will.

Mr. MADDEN. Does the gentleman say that the canal company asked the State of Maryland to increase its tolls?

Mr. LINTHICUM. To allow them to increase the tolls.

Mr. MADDEN. Why, the tolls are the charges paid, the sums to be paid for the right to use the canal.

Mr. LINTHICUM. I term it tolls, or whatever you choose to call it.

Mr. MADDEN. I thought they wanted to increase the freight rates.

Mr. LINTHICUM. Well, freight rates or tolls, as you choose to term it.

Mr. MADDEN. There is a difference between tolls and freight rates.

Mr. LINTHICUM. The legislature absolutely refused it, and the canal, without any increase in its charges, has been able to pay expenses all these years and they have gone ahead until this time, keeping itself in proper shape. Now, I believe, as the gentleman from Pennsylvania [Mr. MOORE] says, that it is not a question for Baltimore, it is not a question for Philadelphia or any of these great cities, but it is a question for the entire Nation. It is a question of having the commerce of every port along the Atlantic seaboard transported without being subjected to the rigors and dangers of the sea to the various terminals along our coast. When Senator Burton was chairman of the Committee on Rivers and Harbors of this House he came to Baltimore, and he was taken down the river and shown the great port facilities. He was shown the magnificent business we were performing, and he said, "Gentlemen, I am not interested in what business you are doing; I am interested in the port facilities, because that is a benefit to the Central

West and to the entire country. I am interested in the country, and the better the harbor and the deeper the harbor you have here in Baltimore the better facilities will we have through the West." When we are enabled by deeper canals to bring this trade to Baltimore, Philadelphia, and the Atlantic seaboard, why, it is going to improve the entire transportation system of the country. I want at this time to express the deep appreciation that the country owes to the Atlantic Deeper Waterways Association and to those splendid officials, the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from North Carolina [Mr. SMALL]. They have worked in season and out of season for a proposition which they believe is to the interest of the entire land, and I believe when this work is finally completed if there be any of us left to look back upon this controversy we will say to ourselves and our friends, "How foolish we were absolutely to stand against a proposition of this mighty importance to the Nation." I do not want to take up any more of the time of the committee. I am not near so well informed upon this as these gentlemen are, but I do believe that when this item is adopted and this work is performed it will stand out as a monument to the Sixty-fifth Congress and to the gentlemen who have assisted us in the splendid undertaking. [Applause.]

Mr. CLEARY. Will the gentleman yield?

Mr. LINTHICUM. Yes; I yield.

Mr. CLEARY. Is it not a fact that a waterway that barely pays when it is not fully developed will be much more profitable when fully developed?

Mr. LINTHICUM. That has been demonstrated in many instances, in railroads and everything else, that when you develop an increased traffic you make it more profitable.

Mr. CLEARY. And is not that one of the greatest arguments for the improvement of these waterways?

Mr. LINTHICUM. Absolutely. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask the same privilege of revising and extending my remarks in the RECORD, because it was refused when I made the request a while ago.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. FREAR. Mr. Chairman, again I am interested in the line of discussion of the two distinguished gentlemen who have just concluded, one from Philadelphia at one of the terminals and the other from Baltimore at the other terminal, gentlemen who approve of this canal. The gentleman from Pennsylvania, with all the eloquence of which he is capable, has talked about the attractive features of this canal for years. I am not going to question that. I do question the right or duty of this Government to buy it. The gentleman from Baltimore says that the gentleman from Pennsylvania, who is the president of the Inland Waterways Association, and the gentleman from North Carolina, who happens to be vice president of that association and the chairman of this committee, have worked in season and out of season, to use his own expression, to secure the adoption of this project. What chance does an ordinary man, even though he is a Member of Congress himself, have against the honorable president and vice president of this Inland Waterways Association, who are both strong Members of this body? Mr. Chairman, the gentleman from Pennsylvania read a letter from a soldier in Germany, but he did not tell you, and he does not tell the House, that Germany controls the railroads of Germany. Ah, that is the point! He did not tell you that they owned the railroads. He did not tell you that France is going to acquire the possession of all of her railroads, and that is the reason these countries have made a success of it.

Mr. LOBECK rose.

Mr. FREAR. In just a moment. I did not interrupt these other gentlemen. Now, they have not touched the argument. The point is here that the Manchester Canal, as the gentleman from Illinois well said, was built by Manchester, not by England. This canal is not to be built by Philadelphia, it is not built by Baltimore. Oh, no. The very fact that the president and vice president of the Inland Waterways Association worked in season and out, according to the gentleman from Maryland, has had some impression, I take it.

Now, Mr. Chairman, this is the proposition: The gentleman states in one breath that all the important governments of Europe practically, very nearly of the whole world, have taken over railroads, and that he is opposed to it, and yet the railroads destroy all the inland commerce that we know of on all the rivers and canals. And in these other governments, like in Germany, they compel the port or harbor to make its contribution. Nothing is contributed here from Philadelphia. All they have got to do is to work and work and work. And what was the expression of my good friend from Baltimore [Mr. LINTHICUM]? That they work in season and out and they finally get it. Now, I am not criticizing them. I know that these gentlemen are very distinguished gentlemen, and that they have worked hard for this project. But I say that this Government will never make a success of its inland waterways, and we all know it, if we stop to reason—and it is perfectly foolish to think otherwise—unless we control the railroad rates. On the Mississippi River, the Missouri, the Cumberland, the Tennessee, and all of those rivers you can not control your rates or control the freight rates and permit these places to live, as they do in Germany. For 7 out of 12 years this canal has failed to pay expenses. How was it paid? Out of the fund they had on hand, of course. That shows the commercial standing of the canal. The gentleman criticizes "the gentleman from Wisconsin" and says, "Why, he is not interested in waterways." Oh, yes, I am, but I am not interested in throwing this money into this canal, causing the people of this whole Government to be burdened with taxes on account of it, that are taken, to use the expression of the eloquent gentleman from Pennsylvania, from the blood that is being wrung out of the American people.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. FREAR. Mr. Chairman, I ask unanimous consent in this connection to insert a short extract in regard to railroads.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The following is the extract referred to:

PRIVATE OR GOVERNMENT OWNERSHIP OF RAILWAYS AND WATERWAYS.

Our Government is the only Nation of importance that refuses to accept a businesslike financial budget, and in equally mysterious fashion it is practically the only Government in the world that tenaciously clings to private ownership of railways, notwithstanding that policy has resulted in the destruction of our inland waterway transportation. All important railway lines are State owned in Germany, Austria, Hungary, Russia, Italy, Switzerland, Belgium, Holland, Denmark, Norway, Japan, South Africa, Australia, and other countries. Over one-half of the lines operated under the English flag, according to statistics, or about 53,400 miles against 33,292 miles, are State owned, and the remainder are rapidly being taken over by the Government. In France the Government operates only a limited number of its railways, but by operation of law all are to come into the possession of the Government in the course of time. This principle also is invoked by the South American and Central American Governments, according to authorities that have compiled statistics on the subject. Irrespective of merits or demerits of the railway problem, Congress continually is asked to give down liberally for impossible waterways without contributions from localities, giving to the community having the longest or most powerful reach, irrespective of comparative commercial necessity or possible utility, and we are continually asked to look to Germany and other foreign governments for justification of such course. Every student of the subject knows that local contributions are generally imposed in Europe with waterway improvements, and wherever appreciable waterway traffic exists in European countries it is generally due to exceptional conditions affecting coal or other low-grade freight that are easily distinguished from our own conditions and to a control of railway rates that is exercised abroad in favor of cheap traffic for the waterways.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Rockhall, Queenstown, Claiborne, Tilghman Island, Cambridge, and Crisfield Harbors, Elk and Little Elk, Chester, Corsica, Choptank, Tuckahoe, Warwick, La Trappe, Tred Avon, Wicomico, Manokin, and Pocomoke Rivers, Slaughter, Tyaskin, and Broad Creeks, Twitch Cove and Big Thoroughfare River, and Lower Thoroughfare, Deal Island, Md.; Nanticoke River (including Northwest Fork), Del. and Md.; Broad Creek River, Del.; and Tangier Channel, Va.: Completing improvement of the North Fork of Tred Avon River in accordance with the report submitted in House Document No. 27, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $19,600; completing improvement of Wicomico River in accordance with the report submitted in House Document No. 1509, Sixty-third Congress, third session, and subject to the conditions set forth in said document, $17,100; completing improvement of Tangier Channel in accordance with the report submitted in House Document No. 107, Sixty-third Congress, first session, $16,434; in all, $53,134. The unexpended balance of appropriations heretofore made for Tilghman Island Harbor is hereby made available for improvement in accordance with the report submitted in House Document No. 796, Sixty-third Congress, second session.

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question. I notice there is in this bill no mention of the Baltimore Harbor, either for maintenance or for continuing improvement. I would like to have information from the gentleman as to why this was left out.

Mr. SMALL. The reason for that lies in the fact that the balance available is sufficient for the needs of Baltimore Harbor for the next fiscal year. The amount on hand is $676,000, and the Chief of Engineers reports that that amount will be sufficient for all the needs of the harbor, both for maintenance and

such work of further improvement as may be necessary until the end of the next fiscal year.

Mr. LINTHICUM. I am very glad to have the information from the gentleman.

Mr. FREAR. Mr. Chairman, there are several new projects in this one paragraph. I am not going to discuss them all, because I am not here in the rôle of an obstructionist, as I have said. I am here to show the character of the bill as best I may, and to show the absolutely indefensible character of some of the items.

I take the first item there. I am perfectly willing to take the others, but I am going to take the first. It is for the North and South Forks of the Tred Avon River, $19,600. I will read from Document No. 7, Sixty-third Congress, first session, and page 3. It says:

The improvement desired is an extension of the channel up one of the forks so as to make additional terminal facilities possible. Under existing conditions the only wharf property available is controlled by one individual, and boats can not go above this property on account of lack of depth.

Think of it! One individual!

Mr. MADDEN. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. MADDEN. Does the gentleman get the idea from the Report of the Engineers that this money is to be expended for making a channel?

Mr. FREAR. Possibly.

Mr. MADDEN. That is what it is for?

Mr. FREAR. I assume so; not for building wharves.

Mr. MADDEN. They are going to build a channel? There is no channel there now?

Mr. FREAR. Not at this farthest point.

Mr. MADDEN. I think it is an outrage for the Government of the United States to spend money for any such purpose.

Mr. FREAR. Here is the absurdity of this item, which was in the 1914 bill and stricken out because the bill failed. I am reading on page 5 now. Here is a community that wants some money expended for its own individual use. If you go to California, Oregon, Washington, or the Hawaiian Islands, or elsewhere, you say, "Pay your share." Let us see what they do over in Maryland. Let us see the representation of the improvement. They do not give a nickel toward this. But it is for the benefit of these people. They say that this village has four banks, with aggregate deposits of $2,125,000; that the assessable value of property within the county is $13,000,000.

Then they go on and say down below—

The town is on two railroads, the Baltimore, Chesapeake & Atlantic and the Philadelphia, Baltimore & Washington.

And with those conditions this town does not give a nickel. Yet why do you put the condition in as to all other places? What right have we—I am speaking now of the committee and of the Congress, of which I am a Member—to appropriate this money for a project of that kind? Who can defend it? I do not know. A man in that community may, because he may want it. But why not act fairly and squarely with the various communities in this country and say, "If we are going to require a contribution from one place, we will require it at others." They have several banks here, and yet they do not give 5 cents toward this project, and we stick it in the bill without any evidence that it is needed at this time.

Mr. MADDEN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last two words.

Mr. MADDEN. This paragraph deals with a number of projects, among them being Elk and Little Elk Creek. What these Elks are used for I do not know; whether they are intended to be used for supplying meat to the soldiers abroad or to those in American camps, no one has said; whether they are intended to divert the sportsmanlike spirit of the hunter, no one says. It is evident from reading the report that there is no need for any expenditure of money here, not even for the entertainment of the hunter.

Later on we have an improvement at Twitch Cove. Now, Twitch Cove, I assume, is one of those sleepy creeks within which the water sleeps in its own bed. [Laughter.] There is no chance whatever for the promotion of any commerce at Twitch Cove, as I understand it.

Then we have Slaughter Creek. Here is the Treasury of the United States slaughtered annually for an amount unjustified in order that the political welfare of those patriotic statesmen in the neighborhood of Baltimore may be advanced. That these appropriations are unjustified and unjustifiable everybody will agree except the gentleman from Baltimore [Mr. LINTHICUM], who just took his seat a moment ago.

Then we have this new project, provided for in House Document No. 27 of the Sixty-third Congress, first session, calling for an expenditure of $19,600 for the construction of a creek where now no navigation is possible, and where I understand from the gentleman from Wisconsin [Mr. FREAR] no navigation will be had, except that water will be carried to the dock of a single individual who is in business there. It seems to me that where somebody locates a business upon dry land it is not the business of the Government to build a waterway to his plant, and nobody but the men with such imaginations as those have who come from the State of Maryland would be able to induce the Engineers of the Army to recommend such an improvement.

We have an inland waterway to be provided for on the Delaware River and Chesapeake Bay, Md., for the improvement of which we are to be called upon later to expend the further sum of $17,100.

Tangier Channel is another case where, in accordance with the report submitted in House Document No. 27, Sixty-third Congress, we are to appropriate $16,434, when it was rejected only a short time ago by the Army engineers. But the persuasive influence of the gentleman speaking for the Democratic Party of Maryland, who sits in this House with a certificate of election to Congress, was able to change the minds of the Army engineers, and now we are called upon to spend money for that improvement. Who says there is any navigation there to justify the appropriation? Does anyone claim it? I deny it. Who replies to the contrary? No one from Maryland.

Why not then cut out the appropriation? Why should we in other sections of the country be called upon to contribute to such improvements as these—rather not improvements, but such expenditures as these? The time has come, Mr. Chairman and gentlemen of the House, when Members must speak out, when the people of the Nation demand that appropriations shall be scrutinized. There is $18,000,000,000 of a deficit in the Treasury for obligations created by reason of the war, with new appropriations demanded every day, running into the billions. There is a $6,000,000,000 bond sale soon to begin. Taxes are levied in such enormous proportions on the backs of the American people as were never known before. Still the Committee on Rivers and Harbors, with its imagination, comes here and begs of you and recommends the appropriation of money to throw into these dry creeks, where no navigation has ever been dreamed of or ever will be.

Mr. DUPRÉ. Mr. Chairman, I suppose we have been waiting as usual for the annual witty speech of the gentleman from Illinois [Mr. MADDEN], which he always makes——

Mr. MADDEN. I do not know what the gentleman has been waiting for, but he may get more than he has waited for.

Mr. DUPRÉ. Well, possibly, that depends. I am willing to bandy words or anything else with the gentleman. I hope that is parliamentary. [Laughter.] When the gentleman so rudely interrupted me I was going to suggest that we had been waiting for his annual speech on rivers and harbors. Personally I am thankful that he has made it at this point, because I thought he was going to tell his old story about the water hyacinth.

Mr. MADDEN. No; I will reach that later.

Mr. DUPRÉ. And I will meet the gentleman later, as I have previously. The gentleman selects the Little Elk and the Big Elk, and he has made a tremendous impression on the House with his play on those words. So I think we might as well vote on the proposition which he has so earnestly urged be deleted from the bill.

Mr. BLAND of Virginia. Mr. Chairman, it is not my desire unduly to take the time of the House, but only to reply to the challenge which has been extended by the learned gentleman from Illinois [Mr. MADDEN] who has just spoken. He referred to Tangier Channel as being in Maryland. It is not in Maryland. It is in Virginia. I desire that the credit for that shall go to Virginia.

Mr. MADDEN. I beg the gentleman's pardon.

Mr. BLAND of Virginia. I am perfectly willing to accord it.

Mr. SANDERS of Louisiana. That is only an evidence of the ignorance of the gentleman from Illinois about the bill, that he did not even know what State it was in.

Mr. BLAND of Virginia. The gentleman stated that this was rejected by the Army engineers. I desire to call the attention of the House to the document in which this project has been distinctly approved, and it is the project that is in the bill.

The gentleman from Illinois has said that there is no commerce on this channel. I desire to refer to the document in which it is distinctly shown that there is an outgoing commerce of $200,000 and an incoming commerce of $121,400, or a total of $321,400, with a channel that, at the minimum, has a depth of only 2 feet. The former report, referred to by the distinguished gentleman from Illinois [Mr. MADDEN], was made in 1891. I have the report here. If anyone will take the time to read

that report, he will be convinced that the engineer had never examined the project. Again, we find that in 1900 the same engineer made the same report, and said that there was no commerce at Tangier Island. He said that they had a commerce only sufficient for the necessities of life. In reply to that I call attention to the report which was filed by the engineer 10 years later, showing that Tangier Island, in Chesapeake Bay, 15 miles from Crisfield, had at that time a commerce of fish, crabs, and oysters, dependent entirely upon its own boats, of $321,000. The population had increased 50 per cent, increasing from 800 people to 1,200 people, and its commerce had increased from the mere necessities of life to a total of $321,000, and that with a freight rate from Crisfield, Md., of 20 cents per hundred pounds.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. BLAND of Virginia. I will.

Mr. MOORE of Pennsylvania. Is it not true that round about the vicinity of Crisfield and these rivers that need improvement the city of New York, the city of Philadelphia, the city of Baltimore, and the city of Washington obtain a very large proportion of their food supplies?

Mr. BLAND of Virginia. Of course it is true. The gentleman from Illinois has talked about commerce. Gentlemen, we are dealing here with a commerce that means a reduction in the price of the necessities of life. These people are sending you fish, crabs, and oysters. They have nothing else to deal in. They have their boats drawing from 2 to 6 feet of water, and they practically can not navigate those channels with any cargo. It is in order that they may increase this interstate commerce with Philadelphia, Baltimore, and Crisfield in the necessities of life that this appropriation is put into this bill. I merely ask you, gentlemen, in justice to your own votes, to read the report, and it will be sufficient. [Applause.]

Mr. MADDEN. Will the gentleman yield?

Mr. BLAND of Virginia. Yes.

Mr. MADDEN. I just want to ask the gentleman if he thinks a channel with 2 feet of water in it is a thing that justifies the expenditure of public money for the creation of commerce?

Mr. BLAND of Virginia: I do, with the commerce that is there and the commerce that will come with the depth of 5 feet, which is asked for in this bill. [Applause.]

Mr. HUMPHREYS. I will state to the gentleman from Illinois that there are a number of rivers in this country where the project depth ultimately hoped to be attained is only 3 feet, upon which float many thousands of tons of interstate commerce. I recall one river with a depth of only 3 feet which a few years ago had a commerce of $13,000,000 of cotton floated in one year, in addition to other products in interstate commerce.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

James, Nansemond, Pagan, and Appomattox Rivers, Va.: Completing improvement of Pagan River in accordance with the report submitted in House Document No. 591, Sixty-fourth Congress, first session, $25,000.

Mr. GOOD. Mr. Chairman, I move to strike out the last word, for the purpose of making an inquiry about an item which has been passed. If I am mistaken in the conclusions which I have drawn with regard to it, I should like to be corrected.

When the gentleman from Pennsylvania [Mr. MOORE] was discussing that item of the Chesapeake & Delaware Canal I was anxious to know what the receipts were and the amount that was paid annually, and the gentleman said it was in the report. I do not find it in the report, but he has furnished me with a copy of the hearings, in which I find what seems to me to be a very extraordinary showing. According to this statement, on page 36 of the hearings, it will be seen that for 31 years there was part of the time a net return and part of the time there was a loss, and, if my figures are correct, the net profit for that time was approximately $120,000 and the net loss was $130,000.

I can well understand, therefore, why the cost of this canal, according to the statement on page 34—the original cost was $2,201,000 cash; received from stock subscriptions $1,162,000, and the balance by bond issue of $1,036,000. The amount subscribed for stock by the United States was $450,000. Now, this bonded indebtedness of the company has increased from $1,036,000 to over $2,500,000. They paid the dividends out of borrowed money, according to the report shown here. If you are going to pay interest at 4 per cent on $2,500,000, it will require an annual expenditure of $100,000. The showing here is that for 30 years the net loss is $10,000 over and above the receipts when it comes to deduct the operating expenses. So instead of paying the interest out of the operation it has been obliged to borrow $10,000 to operate the plant, and all of this interest must have been paid out of borrowed money. We might as well understand when we buy this plant that we are buying something that is hardly paying, has not paid for 30 years, a cent above the operating expenses, unless the figures that I have read are incorrect.

Mr. CLEARY. If the gentleman will yield, suppose a waterway 7 or 8 feet deep was not profitable to the owners, would they not immediately and naturally improve it; or, if new owners bought it, would they not improve it, expecting to make it profitable because of the improvement?

Mr. GOOD. That may be; it may be made a profitable thing. I am only talking about what has been done.

Mr. CLEARY. It is what will be done that we are interested in. We want to know if we can make it profitable. There may be a waterway only 6 or 7 feet deep which is unprofitable, but if made 10 or 12 feet deep may be of great profit.

Mr. GOOD. That may be true; I am only trying to find out if the figures are true that I quote from the hearings as to the actual conditions in regard to this canal.

Mr. MANN. Mr. Chairman, I move to strike out the last word, and I do it for the purpose of asking the gentleman from North Carolina a question. We have now finished 8 or 9 pages of a bill of 31 pages. We commenced the session this morning at 11 o'clock, got to the bill about half-past 11, and now what is the gentleman's intention as to proceeding with the bill this afternoon?

Mr. SMALL. I will be frank with the gentleman. A request was submitted this morning by gentlemen on both sides that we make an effort to complete the bill to-day.

Mr. MANN. I understand, and I hoped that would be possible; but Members want to know how late they are going to be kept here.

Mr. SMALL. I would be glad to continue the consideration of the bill until after 6 o'clock, and yet I realize that we are dependent upon the will of the committee. The bill has been before the House, not under consideration, since January 2, and this is the first time we have been able to resume consideration. The amount of business before the House is so great that we deem it urgent that we complete the bill as soon as possible. I have difficulty in answering the gentleman except from my own viewpoint. I would be glad to sit until 8 o'clock.

Mr. MANN. I do not see any special object in continuing between 6 and 8 o'clock and then stopping, because it is quite certain that there would not be very many here between 6 and 8 o'clock. The gentleman would not be able, in my judgment, to continue unless he so announced now and have a quorum present.

Mr. DUPRÉ. Will the gentleman permit a suggestion to the chairman of the committee? Would it not be well to sit until half-past 5 and then resume at 8 o'clock?

Mr. SMALL. That would be agreeable to the chairman, but my observation has been that once the Members of the House have dispersed for the evening they do not return.

Mr. MANN. It is not fair to have an evening session of the House without giving advance notice. Gentlemen have a right to make engagements for the evening, unless they have notice that Congress will be in session, and while they might break their engagement it is hardly fair to them.

Mr. DUPRÉ. Would the gentleman consider a suggestion to sit until 6 o'clock and then adjourn until morning?

Mr. MANN. We might meet at 11 o'clock. I would be willing to meet at half-past 10.

Mr. SMALL. What would the gentleman from Illinois suggest?

Mr. MANN. I think it would be desirable to adjourn at 6 o'clock and to meet at 11 o'clock to-morrow. I had hoped that we could get through with the bill to-day. We have no desire on this side of the House to delay the consideration of these bills.

Mr. SMALL. I am sure the gentleman is acting in good faith. I think, under all conditions, Mr. Chairman, it would be advisable to announce now that I will move at 6 o'clock that the committee rise, and then I will ask unanimous consent that the House meet at 11 o'clock to-morrow, and I hope no one will make an objection.

I would like to have the attention of the gentleman from Illinois [Mr. MANN] further to make the announcement that we shall endeavor to complete the consideration of this bill to-morrow.

Mr. MANN. That is all right.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Waterway from Norfolk, Va., to the sounds of North Carolina: For maintenance, $250,000.

Mr. FREAR. Mr. Chairman, in line with what has been said, let me assure the House that I have no intention to delay

the passage of the bill, but this is the first day we have had for discussion, and when we are charged, those of us who are opposed to certain kinds of legislation, with intellectual dishonesty, when the public-building bill is set aside, which is a bill of the same general character, because the members of that committee realize that at this time of all times it is unwise to force such a bill upon the attention of the House, then it occurs to me that it is right to oppose a bill of this kind, and I owe no apology to anyone, and when the gentleman charges us with intellectual dishonesty I assure him that so far as I am able I want to point out some of the defects, and among other items there is the one before us. This is an item for the expenditure of $250,000 for a canal that runs down to the sounds of North Carolina. Not one dollar was recommended by the Army engineers to the committee for this item. About $250,000 has been expended thus far, with a balance on hand. The Army engineers reported on page 569 in regard to this canal running down into North Carolina no estimate for additional funds, and that as the maintenance of this waterway at the present time is not considered of sufficient importance to justify the expenditure of any funds in addition to the balance available on July 1, 1918, they do not request anything, not one dollar. Think of it; no estimate for additional funds has been made; it is not considered of sufficient importance to justify the expenditure of any funds in addition to the balance available; and yet this committee adds $250,000, a quarter of a million dollars. Intellectual dishonesty! Who selected the items? Who added the money to the bill for a canal that lost 40 per cent of its commerce in two years? You will find that on page 569 of the report. No estimate for an additional amount is demanded, and here the committee gives practically the same amount that has been expended upon this canal during the last 25 years. The public-building bill was set aside because of its unsavory record. Can you think of anything worse than that item—a quarter of a million dollars—when the engineers say they do not need it? Who put it in? Let us find out about this question of intellectual dishonesty. Some one put it in. Over half the insignificant commerce on this waterway is logs and lumber that float on that small stream. The engineers say in the 1918 report they do not need the money, and do not want it, and you put in a quarter of a million dollars.

Mr. SMALL. Mr. Chairman, I regret the necessity for making a brief comment. The gentleman from Wisconsin [Mr. FREAR] states with reference to this item that no recommendation was made in the report of the Chief of Engineers. The next paragraph in the bill is as follows:

Waterway from Norfolk, Va., to Beaufort Inlet, N. C.: Continuing improvement and for maintenance, $750,000.

The gentleman may make the same criticism as to this latter item.

Answering his criticism, I submit this comment: Before the committee entered upon the consideration of this bill I made a statement of some length to the committee, and it was discussed before the committee. Presumably the gentleman heard it. The Chief of Engineers made the estimates, which are contained in annual report, during the summer. Those estimates were made after conferences with the Secretary of War and with a number of the members of the committee, including the chairman of the committee. At that time it was agreed that all estimates for maintenance and further improvement should be, to use a familiar expression, "cut to the bone," and the estimates in the annual report of the Chief of Engineers were made during the summer, when the war was still in progress. When we began the consideration of this bill, at the convening of this session, on the 2d of December, as everyone knows, the armistice had been signed on November 11 and peace had come.

There have been many conferences held with the Secretary of War, with the Chief of Engineers, and between Members of the House as to the policy that should be pursued in this bill, and it was agreed that we should have a bill framed along lines appropriate to normal or peace conditions. Therefore the Chief of Engineers increased the estimates in some instances and submitted estimates in other instances where no estimates had been originally submitted. There was originally an estimate for $500,000 for the Delaware River from Philadelphia to the sea. That was increased to two and a half million dollars. There was an estimate of $400,000 for the Schuylkill River, which was increased to $1,000,000. There was an estimate made during the summer of $3,000,000 for the East River, and that was increased to $4,000,000. I might recite further instances where estimates for maintenance and further improvements were increased when we entered upon the consideration of this bill on December 2 last.

Does the gentleman from Wisconsin know that? As a member of the committee should he know it? He, of course, says that these two items happen to be in North Carolina and would have the Committee of the Whole draw the inference that for some reason, improper or otherwise, the chairman of the committee was influential in having the Chief of Engineers make an estimate which was unnecessary and not in the public interest. I do not expect to detain the committee at length in replying to that inference, but I merely wanted to say, Mr. Chairman, in response to several statements which have been made in debate about the amount of the estimates contained in the annual report of the Chief of Engineers and the amounts appropriated in this bill, that increases were made, with the full knowledge and consent of the committee, upon the recommendation of the Chief of Engineers and, as we all believe, in the public interest.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. SMALL. Certainly.

Mr. GREEN of Iowa. I note in the report, page 3, a statement that after the armistice was signed there was a conference of the President, the Secretary of War, and the Chief of Engineers, and certain appropriations for maintenance were increased. I assume that is what the gentleman referred to in part?

Mr. SMALL. Yes. As a result the Chief of Engineers increased the estimates on certain of these items.

Mr. GREEN of Iowa. I note further down in the list of these increases $250,000 for the waterway from Norfolk, Va., to the sounds of North Carolina. Do I understand the gentleman that the engineers in this supplemental estimate specifically mentioned this item?

Mr. SMALL. They did.

Mr. FREAR. Mr. Chairman, I move to strike out the last two words.

Mr. SMALL. Will the gentleman defer it until the next item is read?

Mr. FREAR. I do not expect to take two minutes in response. I do not want to have the House misled, and I do not propose to mislead if I can help it. On page 569 of the Engineer's Report—and I read it for the third time—the Chief of Engineers and the Board of Engineers—and this is not Gen. Taylor who made the change, but this is what the Chief of Engineers said. Listen:

No estimate for additional funds is made, as the maintenance of this waterway, this canal, at the present time is not considered of sufficient importance to justify the expenditure of any funds in addition to the balance available on July 1, 1918—

Now, how much?—

Nine hundred and twenty-nine dollars—

On hand.

That is on page 569. The waterway is not considered of sufficient importance in time of war or peace, and yet $250,000 has been added. Who added it? Who brought in the report of these 70 projects? There has been added $250,000, a quarter of a million, almost as much as has been expended on this one item in the last 25 years. Why? Is it the fact that the distinguished gentleman who charges us with intellectual dishonesty will not be the chairman of the committee next time and will not have the selection of all these items? May that possibly influence his opinion at this time? I wonder! Mr. Chairman, until the insinuations, the unfair and unjust insinuations, were thrown out I had no idea of going into these items, but I propose to do it in order that the House may know who is improperly influenced in this discussion and who desires to present the matter frankly. Do you suppose if you had gone to the Chief of Engineers you could have gotten $250,000 added to your project, I ask the different members of this committee, to an item of little benefit and aid to commerce? Do you think you could? Just take it to yourselves. Why, of course not; of course not. It takes a friend in court to get such a remarkable concession as large as this when the Engineer's Report says it is not important, that no importance is attached to it in time of war or in time of peace or any other time. Yet here is $250,000 added to the whole project.

Mr. GREEN of Iowa. Will the gentleman yield? I am not particularly enthusiastic about this project, but I think we ought to be fair to the gentleman from North Carolina. The gentleman from Wisconsin asked who put this in, and apparently the President and the Secretary of War and the Chief of Engineers put it in.

Mr. MADDEN. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The gentleman from Illinois is recognized to oppose the pending amendment.

Mr. MADDEN. Mr. Chairman, it seems rather strange that where the Chief of Engineers says that he is unwilling to recommend the expenditure of $929 for a further improvement of a channel the Committee on Rivers and Harbors are proposing to expend $250,000 on it.

I read from page 569 of the report, which says:

Proposed operations: With the funds available, necessary examinations will be made and, if required, shoals and snags will be removed.

Shoals and snags! That is quite a navigable stream, I judge, where you have to remove the shoals and the snags in order to get water through a channel, to say nothing at all about getting boats through it. He says further:

No estimate for additional funds is made, as the maintenance of this waterway at the present time is not considered of sufficient importance to justify the expenditure of any funds in addition to the balance available on July 1, 1918.

Now, there was nine hundred and some odd dollars available July 1, 1918. The Chief of Engineers says that the channel is not considered of sufficient importance to justify the expenditure of more money than is available. And yet we find in this bill an item of $250,000 to remove the snags and the shoals. Why do we want to remove the snags? Is it to provide for navigation? Why do we want to remove the shoals? Is it that we may be able to float boats or that the water may be allowed to run through the channel without overflowing the banks? Is it because we have land to protect on the sides of this channel, or is it because we want navigation? Is there any justification, in the face of the statement by the Chief of Engineers that the $929 available is all the money that ought to be expended under any circumstances, in appropriating $250,000? Is it possible that under the present state of the Government finances, where everybody is being taxed to the limit, that we are willing to display our extravagance by reporting in favor of an appropriation of $250,000, where the responsible executive official of the Government, the Chief of Engineers, says there is no justification whatever for the expenditure of more than $929?

I think the House, under all the circumstances, ought to vote to strike this item out. There can be no justification for doing anything else. Are we to go before the people with the declaration that we are willing to spend $250,000 under the present conditions, where the Chief of Engineers says we ought not to even spend $929? Has the Committee on Rivers and Harbors so far forgotten its obligations to the people of America that it is willing to stand sponsor here for the appropriation of a quarter of a million dollars under such circumstances? Has the Committee on Rivers and Harbors the courage to come before the House and say to the Members that they are willing to stand for such a recommendation in the face of the adverse report of the Chief of Engineers? Are we to understand that the Committee on Rivers and Harbors has no consideration whatever for the state of the country's finances? Are we to understand that they pay no attention whatever to the already great load that is being carried on the backs of the American people? Are we to understand that in the face of idleness everywhere, of the returning soldiers without jobs, of the returning soldiers unable to get their pay, that, notwithstanding all this, we are asked to expend $250,000 of the people's money when there is no justification whatever for any expenditure at all? Has the River and Harbor Committee so far forgotten the sense of propriety that it will come before the Congress and recommend the expenditure of this vast sum in the face of the recommendation of the Chief of Engineers that there is no justification for it? Does the River and Harbor Committee expect to command the respect and the confidence of their associates on this floor with such a recommendation in the face of all the facts?

I maintain, Mr. Chairman, that the chairman of the Committee on Rivers and Harbors should himself move to strike this item from the bill, for no man, knowing all the facts in the case, can justify it, and no person knows the facts better than the chairman of the Committee on Rivers and Harbors. And I am unwilling, as one Member of this House, to go before the American people and say that I will vote for the expenditure of $250,000 of their money for an improvement that does not under any circumstances even encourage the development of navigation.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last three words.

Mr. SMALL. Pardon me, in order to make a request. How much time does the gentleman require?

Mr. GREEN of Iowa. Five minutes, or I will restrict it to three minutes if the gentleman desires.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes. Is there objection?

Mr. MADDEN. I will have to object to that, because I expect to move to strike out the item, and I want to debate that.

The CHAIRMAN. The gentleman from Illinois objects.

Mr. MADDEN. I want to call to the attention of the House the iniquity of the item.

Mr. GREEN of Iowa. The gentleman may prefer that I should say what I have to say on the next item. If so, very well.

Mr. MADDEN. Mr. Chairman, I move to strike the item out, and on that motion I desire to say a few words.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. MADDEN moves to strike out the paragraph, page 8, lines 23 and 24.

Mr. SMALL. Mr. Chairman, I do not desire to make any point of order, but I think the gentleman must realize that there ought to be an end to the debate. The gentleman has already discussed this.

Mr. MADDEN. I have not discussed this motion.

Mr. SMALL. But the gentleman's discussion is entirely pertinent.

Mr. MADDEN. If the gentleman will submit a point of order to the Chair, I will abide by that, whether I speak or not.

Mr. SMALL. I will not make a point of order, even if there is delay.

Mr. MADDEN. Now, Mr. Chairman, in the present state of the Government's finances, with $18,000,000,000 of obligations standing against the United States, having expended $25,000,000,000 to conduct the war so far, having appropriated $36,000,000,000 with which to conduct the war, having gone to the American people to ask them to buy bonds in unlimited quantities in order to conduct the war, having shown beyond any controversy the injustice of the item proposed for the expenditure of $250,000 where the Chief of Engineers says we ought not to spend any money at all, I submit to the membership of the House that this item ought not to remain in the bill.

I ask the gentleman from North Carolina [Mr. SMALL], the chairman of the Committee on Rivers and Harbors, if he himself does not believe that under all the circumstances this item should be stricken from the bill? I ask the gentleman from North Carolina, the chairman of the Committee on Rivers and Harbors, if anybody in the War Department recommended the appropriation of $250,000 in the face of the recommendation of the Chief of Engineers to the effect that we ought not to expend any money on this project? I ask the gentleman from North Carolina, the chairman of the Committee on Rivers and Harbors, whether or not there is any commerce that justifies the expenditure of $250,000 as provided in this item of the bill? I ask the gentleman from North Carolina to say to the House on his honor as a man that this $250,000 proposed appropriation is justified in any sense for navigation. I ask the gentleman from North Carolina to say to the House, upon his honor as a man and as chairman of this great committee, whether the removal of the sand bars, if I may so speak, and the removal of the snags from this creek or this channel is of sufficient importance to the navigation of the country to justify the further obligation of $250,000 against the Treasury of the United States? I feel justified in saying that the gentleman from North Carolina is sufficiently honorable, sufficiently honest, sufficiently interested in the integrity of the bill, sufficiently interested in the preservation of the integrity of the Treasury that when put upon his honor he will say that this item should be stricken from the bill; and I ask every man here who believes in maintaining the integrity and the honor and the dignity of the House of Representatives to vote to strike the item from the bill.

Mr. GREEN of Iowa. Mr. Chairman, I have not always been in accord with the Committee on Rivers and Harbors. Very often, in fact, I have differed from them; but I want always to treat the committee fairly, and I do not want any statements to be put into the RECORD here, to be read by the public at large, that will indicate that committee is not dealing fairly with the House.

The gentleman from Illinois [Mr. MADDEN] has stated over and over again that the Chief of Engineers did not recommend this item. Let me read from the hearings just a brief statement with reference to what the Chief of Engineers says with reference to this project if the appropriation were given:

The section of the inland waterway from Norfolk to Beaufort in North Carolina, which is known as the North Carolina cut, and which gives a thoroughly protected channel, is going to take some time to complete—several years to complete. If an appropriation were given for this project—for the waterway from Norfolk, Va., to the sounds of North Carolina—of $250,000, and for the inland waterway from Norfolk, Va., to Beaufort Inlet, of $750,000, I think that within the next year or a year and a half we could have a 12-foot channel through from Norfolk to Beaufort, and I would recommend that those appropriations be made.

Mr. FREAR. Mr. Chairman, will the gentleman inform the House from whose testimony he is reading?

Mr. GREEN of Iowa. From that of Gen. Taylor.

Mr. FREAR. He is not the Chief of Engineers. Here is the report of the Chief of Engineers.

Mr. GREEN of Iowa. Who was Gen. Taylor acting for if not for the Chief of Engineers?

Mr. FREAR. He is one of the engineers of the War Department?

Mr. SMALL. The gentleman from Wisconsin refers to Gen. Harry Taylor as not being the Chief of Engineers. Everyone connected with the committee knows that Gen. Harry Taylor is assistant to the Chief of Engineers, having charge of rivers and harbors, and in every recommendation that he makes he represents the Chief of Engineers, and the gentleman from Wisconsin [Mr. FREAR] knows that.

Mr. MADDEN. I would like to ask the gentleman a question.

Mr. GREEN of Iowa. Just a moment. I will take only five minutes. Of course, it would be idle folly to expend $250,000 to clear a channel of snags and sand bars and have then only 2 or 3 feet of water, and no man in this House would be justified in voting for such a project. But it is altogether a different question as to whether a man would be justified in voting for a 12-foot channel from Norfolk, Va., down to Beaufort, N. C., as is proposed here. The whole proposition is a part of the great intercoastal canal which the gentleman from Pennsylvania [Mr. MOORE] eloquently described to the committee a little while ago, and at that time the gentleman from Illinois [Mr. MADDEN] did not see fit to move to strike out the other items connected with it.

This is part and parcel of that project. Ordinarily I do not think that money should be expended on such projects, but in the face of the railroad rates that we now have, that tend to hamper business and destroy trade, and in consideration of the further fact that it is proposed to employ the returning soldiers upon great public enterprises, I think that this project can well have much argument in its support, and it ought not to be stigmatized as one that nobody can justify in conscience and reason here upon the floor. If a waterway can be constructed with 12 feet of depth from Norfolk to Beaufort, there is no question on earth but that thousands of tons of commerce will float upon it every year, and I think it would be of great benefit in many directions.

Mr. FREAR. This is a project which amounts to about $5,000,000. I think the gentleman must have misunderstood or misread the report of the engineers giving a 12-foot canal.

Mr. GREEN of Iowa. The gentleman is talking about the whole project in stating the cost. I have read what the engineer, Gen. Taylor, said, and I assume that he knows his business. I have read it just as it is stated here. This is a great enterprise, one of the greatest enterprises ever undertaken in the history of this country. Along the Atlantic coast there float millions of tons of shipping exposed to the storm of the seas and to destruction. Can we afford to spend this money? I have some doubt about it, I will admit, at this particular time; yet the canal would be of great advantage.

Mr. STAFFORD. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. STAFFORD. Does the gentleman know of any mariner who has asked for protection for navigation in an inland canal for his ship, who desires to keep away from the deep-sea navigation?

Mr. GREEN of Iowa. The gentleman can answer that for himself. I am not interested in the question, though I know Cape Hatteras is called the "graveyard of the Atlantic."

Mr. STAFFORD. The gentleman has offered himself as an authority on this question and I thought he had some evidence.

Mr. GREEN of Iowa. It is immaterial what the deep-sea sailor wants. A barge canal of 12 feet would do an enormous business.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. SMALL. Mr. Chairman, I would not consume any time except from a query put to me by the gentleman from Illinois [Mr. MADDEN]. At this particular time I am not willing to go into this subject fully. I will say, however, that in my opinion this appropriation is entirely in the public interest and will subserve a most useful public purpose in the interest of navigation and commerce.

The CHAIRMAN (Mr. FOSTER). The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. MADDEN) there were—ayes 7, noes 40.

Mr. MADDEN made the point of order that no quorum was present, and subsequently withdrew it.

The Clerk read as follows:

Waterway from Norfolk, Va., to Beaufort Inlet, N. C.: Continuing improvement and for maintenance, $750,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

Mr. SMALL. Before the gentleman proceeds, I wish to ask unanimous consent that debate on this paragraph and all amendments thereto close in five minutes.

Mr. FREAR. This is a three-quarter of a million dollar project. Will the gentleman make it 15 minutes?

Mr. SMALL. How much time does the gentleman want?

Mr. FREAR. I would like about three minutes to close and five minutes to open.

Mr. SMALL. I ask unanimous consent that debate on the paragraph and all amendments thereto close in 10 minutes.

Mr. MADDEN. I object; I do not think it is fair to ask to close debate before debate is begun. As a matter of fact, the gentleman can not close debate before debate has commenced.

Mr. SMALL. How much time does the gentleman want?

Mr. MADDEN. I make the point of order that the request is out of order before the debate begins.

The CHAIRMAN. The Chair thinks that the gentleman can make a unanimous-consent request.

Mr. MADDEN. Then I object.

Mr. FREAR. Mr. Chairman, these two canals run near each other. The gentleman from Iowa [Mr. GREEN] a little while ago read from Gen. Taylor's report that he made before the committee. I do not want gentlemen to forget that we are paying nearly 100 per cent more for dredging than we paid two years before. The Chief of Engineers said that no estimate for additional funds is made for that canal and that it is not considered at the present time of sufficient importance to justify the expenditure of $250,000.

What would you give for that kind of testimony? Why was not he confronted with this record? Who put the item into this bill? Now, look at this statement here. On page 574 we find $640,725 balance on this insignificant waterway now under discussion, and yet the committee has inserted without request of engineers $750,000. The canal has 148,000 tons of commerce, and over half of that is logs, timber, and sand.

We have spent on this project something like $3,744,000, and all the commerce does not reach one-tenth part of little harbors that we have up in my country. Still you propose, after the engineers submitted nothing, because they had a large amount on hand—the engineers' report shows $649,000, according to this book, and yet the committee add three-quarters of a million dollars more. What did the engineers say about it? Did they ask for it? Oh, not one, except Gen. Taylor, who is a willing witness. It is all on one side, and it makes no difference, for he does not pay the bill, he does not pay the taxes. On page 573, after considering this matter carefully, they have sufficient funds, the engineers say, due to war conditions.

You have got back to war conditions in this item:

No estimate is submitted for beginning constructive operations on the part of the waterway between Albemarle and Pamlico Sounds.

I take it that that is not the project that they have in mind here, but they do not ask for anything. Nothing was asked in this report for proposed operations. They had a sufficient amount. It says:

The river and harbor act approved July 18, 1918, appropriated $500,000 for this work, making a total of $649,725.37 available for expenditure upon the improvement.

And he tells how that money is to be expended. He does not ask for anything more. But the gentleman who charges the House with intellectual dishonesty, the vice president of the Inland Waterway Association, who makes his accusations against Members of Congress, has an item of $750,000 added to this in addition to the $250,000 for the other canal in North Carolina, his State.

Mr. DUPRÉ. The chairman of the committee never charged the House with intellectual dishonesty. He only charged one member of it.

Mr. FREAR. And the gentleman from Louisiana, with five projects in the bill, representing, as he does, the president of the National River and Harbor Congress, who is running over here and there, is equally interested in this bill.

Mr. DUPRÉ. I hope that I may——

Mr. FREAR. I object to the gentleman talking in my time. The gentleman can get his own time.

The CHAIRMAN. The gentleman from Wisconsin declines to yield.

Mr. FREAR. Mr. Chairman, I recognize that anyone talking here against these items has to meet every man who has a project of importance in the bill, for Members feel that that is the most interesting thing in their minds.

The CHAIRMAN. The time of the gentleman has expired. The Chair recognizes the gentleman from Louisiana [Mr. DUPRÉ].

Mr. FREAR. I have three minutes in which to reply.

Mr. DUPRÉ. I would rather listen to the gentleman.

Mr. FREAR. The gentleman from Louisiana has not the privilege of determining that.

Mr. DUPRÉ. Mr. Chairman, the only trouble with the gentleman from Wisconsin is that he is unfamiliar with the project that he is talking about. He continually harps with regard to some five projects which I have, that are yet to come. As a matter of fact, as I have previously suggested to my friend from Illinois, I wish I had 10 projects, but they will be discussed in their own proper time. The matters to be discussed now are those before the committee for consideration.

The gentleman from Wisconsin has been speaking about "Mr. Taylor." I do not know whether he is talking about Col. TAYLOR, of Arkansas, or whom, but I imagine he has been talking about Brig. Gen. Taylor, who is the Assistant Chief of Engineers, and who knows something more about rivers and harbors than the gentleman from Wisconsin does.

The section of the inland waterway from Norfolk to Beaufort in North Carolina—

Says Gen. Taylor—I am reading from page 39 of the hearings—

is going to take several years to complete.

I tried to get the gentleman from Illinois [Mr. GALLAGHER] to admit that the report of the Chief of Engineers was made on the basis of July 1. The gentleman from Illinois would not admit that. I hope somebody will pin down the gentleman from Wisconsin [Mr. FREAR] and make him say so. I doubt if they can pin him down even to so patent a fact as that the report of the Chief of Engineers was made on the basis of July 1, and under the law, as I understand it, that report had to be in the hands of the Secretary of the Treasury by October 15. On July 1, in spite of the gallant efforts of our boys from Wisconsin and other States, our country was very much concerned in the conflict which was being waged. Subsequently, when the matter came to the attention of the committee, the armistice had been signed, and the representative of the Chief of Engineers, without any invitation or solicitation, of his own accord made many suggestions, as I have already told the House, with regard to amending the report which the Chief of Engineers had previously made.

Among them was an increased amount for this inland waterway from Norfolk to Beaufort, to be found in a document which the gentleman from Wisconsin [Mr. FREAR] hates to read, but which is available to all other Members, namely, the hearings before the Committee on Rivers and Harbors, of which the gentleman is an honored and loquacious member. So I appeal from this obsolete document from which he has been quoting to the hearings before the committee, and particularly to the report and statement of Gen. Taylor, the accredited representative of the War Department upon that occasion. It is useless to call it to the attention of the gentleman, because he does not want to know, but it may be well to tell the other Members of the House that whenever the gentleman from Wisconsin is talking about something it might be well to inquire whether he is reading from the hearings before the Committee on Rivers and Harbors, where Gen. Taylor, the Assistant Chief of Engineers, presented revised estimates, or from these very parsimonious estimates made last July, when we thought that things might happen to this country which, thank God, have not happened.

Mr. MADDEN. Mr. Chairman, I move to strike out the last two words. I want to call attention to this proposal to appropriate $750,000 for the waterway from Norfolk, Va., to Beaufort Inlet, N. C. Reading from the report of the Chief of Engineers of the United States Army, June 30, 1918, I find the following:

At the close of the fiscal year ending June 30, 1918, there was an available balance, exclusive of outstanding liabilities and contract obligations, of $149,725.37 for expenditure under this project. The river and harbor act approved July 18, 1918, appropriated $500,000 for this work, making a total of $649,725.37 available for expenditure upon the improvement. It is intended to expend the money available for completion of the part of the inland waterway which lies between Norfolk, Va., and Albemarle Sound, N. C., and for making surveys, etc., as follows:

Operations under contract:		
To complete dredging in the North Landing River, Va.	$15,948.69	
To complete dredging in the Southern Branch of the Elizabeth River, Va.	237,780.00	
Total		253,728.69
Work with United States plant:		
To complete dredging of Virginia Cut, including cost of removal of logs, etc.	$41,800.00	
To complete dredging in North Landing River, Va., including cost of removal of logs, etc.	211,000.00	
To remove old lock, west end of Virginia Cut	40,000.00	
To complete survey and secure options on land between Albemarle and Pamlico Sounds	11,000.00	
Acquirement of land required for improvement of South Branch of Elizabeth River	15,000.00	
		$318,800.00
Engineering, supervision, and contingencies		77,196.68
Total		649,725.37

It is proposed to commence the work to be done under contract, provided the necessary arrangements can be made for doing the work, about November 1, 1918, to prosecute it at an average rate of expenditure of about $25,000 per month, and to complete it in about 10 months. This is a very rough estimate of the time of beginning and rate of progress, due to the prevailing conditions in the matters of labor and material, and available plant, resulting from the war. If arrangements can not be made for doing this work by contract, it is proposed to perform the necessary dredging and work incidental thereto by the use of Government plant and hired labor.

It is proposed to prosecute the work to be done by Government plant and hired labor according to the following schedule:

Operation of U. S. dredge *Currituck*, 20 months, at $12,000 per month	$240,000
Operation of U. S. snag boat *Roanoke*, 10 months, at $1,280 per month	12,800
Survey, 5 months, at $2,200 per month	11,000
Removal of lock, 4 months, at $10,000 per month	40,000

And below I find the following:

Due to war conditions, no estimate is submitted for beginning constructive operations on the part of the waterway between Albemarle and Pamlico Sounds, N. C.

Mr. FREAR. Six hundred and forty-nine thousand dollars was the balance on hand.

Mr. MADDEN. They had $649,000 on hand. They say they can expend only $303,000 in the next 20 months. Yet in addition to the $649,000, out of which $303,000 can be expended in 20 months, the Committee on Rivers and Harbors brings in a proposal to appropriate $750,000 more. According to the statement made by the Chief of Engineers, there would be $384,000 left at the end of 20 months from the 1st of November, 1918; and so, with $750,000 more proposed, we have $1,349,000 to begin a work of which only $303,000 can be expended in 20 months. Why do we need the $750,000? If no part of the $750,000 can be used at all until after the expenditure of the $649,000, and only $300,000 of the $649,000 can be used within 20 months from the 1st of November, 1918, what is the sense in appropriating $750,000 now? I suppose it is useless to appeal to the good sense or judgment of gentlemen who have projects in the bill, but there is no harm in stating the facts and putting them into the RECORD, so that the public may understand that, notwithstanding the fact that there is no need whatever for the money, that it can not be used, yet the River and Harbor Committee insists upon appropriating.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last three words. Members may see the commercial economy and advantage of shortening the distance between Philadelphia and Baltimore, instead of having the commerce that arises in those respective cities go around the Delaware Capes and up the Chesapeake and vice versa to the respective terminals through the Government acquiring the Chesapeake & Delaware Canal, having a length, I believe, of 13 miles; but when you come before the Congress in these times with a project that is now under consideration seeking to create an inland waterway 12 feet in depth paralleling the entire coast from New England down to Florida and from Florida around to the Gulf, when the ocean is open at all times, in all kinds of weather for all kinds of navigation, I can not understand the justification of sinking $5,000,000, which this one project involves, from Norfolk to Beaufort Inlet. I have been on the coast on occasions, and I have seen little dories out in the ocean less than 25 feet in length going through tempestuous seas, and yet you wish here to establish a route for pleasure boats, to avoid perhaps the high seas, by establishing a canal uniform in depth to 12 feet. What we do find are the terminal facilities along this canal in these several hundred miles from Norfolk to Beaufort Inlet, which the engineer's estimate for the project to cost more than $5,000,000, of which $750,000 is voted in this bill. There is no objection on the part of Members who are interested in worthy river improvements in these times when it is necessary to employ labor to have the Government expend funds, but there is righteous indignation on the part of Members of this House in sinking money on pleasure canal routes. I read from the report of the Chief of Engineers, page 572, as to what are the terminal

facilities in this stretch of territory from Norfolk to Beaufort Inlet.

The north end of this waterway is in Norfolk Harbor, the terminal facilities of which are described under this heading in the report on that improvement. Following is a list of the other wharves on the waterway: At Great Bridge, Va., at the northern end of the Virginia Cut, 1 wharf and warehouse; on the Virginia Cut, 2 wharves with warehouses; at Munden, Va., 1 wharf and warehouse; on Currituck Sound, 1 wharf and warehouse; on the Carolina Cut, 2 wharves with warehouses; and on North River, 3 small wharves. All of the above wharves and warehouses are privately owned. The wharves are of the bulkhead and open power work type and the warehouses are simple wooden structures. All are understood to be open to general public use upon the payment of wharfage. Physical connection with railroads exists only at Munden, Va., the terminus of the Currituck branch of the Norfolk-Southern Railroad. No highways lead to the different parts of the waterway, except where public roads touch the stream. The facilities are considered adequate for existing commerce.

Mark you this as to whether there is warrant for any traffic development on this inland waterway when the ocean is open within a few miles for all character of vessels.

No highways lead to the different parts of the waterway, except where public roads touch the stream. The facilities are considered adequate for existing commerce.

All facilities are considered adequate for existing commerce. That is the supreme and final judgment of the Chief of Engineers, and yet the committee comes in here with an appropriation of three-quarters of a million dollars and asks, because there is need to employ labor, to sink it in this canal paralleling the coast. It will require wild imagination indeed for anyone to imagine that there will be any commerce for years and years on a project that the report shows will total more than $5,000,000 in expenditure and where there are no developing aids to commerce except one railroad. How can you justify such an extravagant expenditure when you are calling upon the people to raise billions of dollars by loans to carry on the Government for the next fiscal year?

Mr. DUPRÉ. Will my friend yield for a moment? I want to call the attention of the gentleman from Wisconsin, the other gentleman from Wisconsin, to page 39 here, where Gen. Taylor, the representative of the Chief of Engineers, urged this appropriation. Probably there is no use to call the attention of the gentleman from Wisconsin to anything except the Engineer's Report, which was made last July.

Mr. STAFFORD. There is the solemn pronouncement of the Chief of Engineers, who says in the last line:

The facilities are considered adequate for existing commerce.

There is nothing that goes beyond——

Mr. DUPRÉ. There is the report of the Chief of Engineers through his representative, Gen. Taylor, who says an absolutely different thing.

Mr. DEMPSEY. Mr. Chairman——

Mr. SMALL. Will the gentleman pardon me to make a request?

Mr. DEMPSEY. Yes; not to be taken out of my time.

Mr. SMALL. Mr. Chairman, after the gentleman from New York concludes, who, as I understand, desires five minutes, and the gentleman from Wisconsin desires three minutes——

Mr. FREAR. Make it five; I may not take more than two or three——

Mr. SMALL. Then I would like a brief time, and I ask that all debate on this paragraph and amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that all debate on the pending paragraph and all amendments thereto close in five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DEMPSEY. Mr. Chairman, the gentleman from Wisconsin, who was last heard, has misconstrued entirely a single sentence in the Engineer's Report, and upon that he bases a very specious and very illogical argument. He says there is a sentence, in effect, that the existing facilities are deemed adequate for the existing commerce. Now, to what does that refer? The gentleman takes that in its broadest sense, separates it from the context, treats it as though it were a single sentence with no connection whatever with what precedes it, and yet it is limited entirely to that which preceded it; and it says this only and means this only: That the existing facilities, so far as wharves are concerned, so far as highways are concerned, are adequate to accommodate the existing commerce, and that is all that it says.

It has no such reference at all as the gentleman supposes, and if he had read the report carefully he would have seen that it had no reference at all to the question of the stream itself, the waterway, being adequate for the commerce which can be transported upon it, and which is the question at issue. And that is about the way the gentlemen who are criticizing this bill get their material. They think that the Chief of Engineers is an editor and a writer instead of being, as he is, a scientific man who deals with these matters as an engineer, and they find some one sentence of this kind and upon that they build a fairy tale which has absolutely no possible connection with the facts which are involved.

Now, let us see what is involved here. The fact is that this project has been in existence for a considerable length of time. It is a 12-foot project and the work at the northerly end is well under way. It is a project which is 190—practically 200—miles long. It is a project which in its incomplete condition attracts about 700,000 to 800,000 tons of freight per year, and has attracted that amount of tonnage all through until war time was reached, and even in war time it has attracted about 400,000 tons. The gentleman from Wisconsin [Mr. STAFFORD] says that this is a pleasure way; that he has seen yachts which dared the tempests of the ocean. Of course he has. But the barges which carry freight do not dare the ocean. They take even on this inadequate canal to the amount——

Mr. STAFFORD. Will the gentleman yield?

Mr. DEMPSEY. I have not the time.

Mr. STAFFORD. I do not think you have time for facts.

Mr. DEMPSEY. They take it to the amount of hundreds of thousands of tons, and have taken it ever since the project was commenced. That is the situation. And these gentlemen go back to the time previous to the war and say, "You can not use $750,000." Of course, you could not at the time the engineer made the printed report. But war conditions have ceased. The conditions are totally changed. The Engineer Department can to-day obtain dredges. They are ready to do this work. And they make their recommendations not as of six months or eight months ago, but they make their recommendations as to the conditions prevailing to-day. And with those conditions before them they say the amount recommended can be used.

Now, let us just take for a moment the tone of this criticism. I believe gentlemen can discuss these matters and not become personal. And I believe that gentlemen can discuss these matters and refer solely to facts. I believe that gentlemen can discuss these matters and be fair to their associates. I believe that gentlemen can discuss these matters and not indulge in personalities. I say that this project comes before the committee with the indorsement of the Chief of Engineers. And it comes before the committee also justified by the amount of commerce, justified by the changed conditions, and the amount which is asked can be used.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. Mr. Chairman, I wish to have five minutes in conclusion. Would the gentleman from New York like to have two of those minutes?

Mr. DEMPSEY. No; I have finished.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Was it the arrangement that the gentleman from Wisconsin should close?

The CHAIRMAN. The arrangement was for 15 minutes, and the Chair understood it would be divided between the gentleman from New York [Mr. DEMPSEY], the gentleman from North Carolina [Mr. SMALL], and the gentleman from Wisconsin [Mr. FREAR].

Mr. SMALL. Would the gentleman like to get some of my time?

Mr. MOORE of Pennsylvania. A minute or two.

Mr. SMALL. I yield to the gentleman two minutes.

Mr. MOORE of Pennsylvania. I would like to make this further parliamentary inquiry. Has not the gentleman from Wisconsin [Mr. FREAR] already spoken on this amendment?

The CHAIRMAN. I understand; but the Chair also understands it was the unanimous consent that the gentleman from Wisconsin [Mr. FREAR] was to have five minutes.

Mr. FREAR. Mr. Chairman, the distinguished gentleman from New York [Mr. DEMPSEY], who always gets the bouquets thrown at him, also gets four millions in this bill.

Mr. DEMPSEY. Because the project merits it. That is the reason.

Mr. FREAR. I can not question the gentleman's argument on that, and I do not pretend to do that. When the gentleman speaks about personalities being injected into this discussion, let me say they first came from the gentleman from North Carolina, whose project this is, because he was the first one who had the temerity to charge men with intellectual dishonesty on this floor because they disagreed with him on his bill. Let me say a word to the gentleman from New York. What does he know about it? Practically not anything. He mistakes the commerce. He does not have it correctly. The commerce in 1914 was a little over 200,000 tons. Last year it was only 148,000 tons, and over half of that was timber and logs.

Mr. DEMPSEY. That was by the Government canal only. That was—oh, I was talking about the commerce.

Mr. FREAR. I object, Mr. Chairman. I have only a little time, and I want to go into this thing. I have given the official commerce figures for this project, and those are the figures in the Engineer's Report that we were entitled to rely upon. The gentleman from Louisiana [Mr. DUPRÉ] challenges my judgment of this item. I will say that I used to live on that waterway. The gentleman does not know the waterway. I know it; at least portions of it. Only 148,000 tons of commerce were borne on that waterway last year, and this bill carries over $750,000 for it, with over $600,000 in balances on hand. Think of it! What an absurdity! But the gentleman from North Carolina [Mr. SMALL], chairman of the committee, wants the project and he gets it, just as he got the other $250,000 project for North Carolina.

The suggestion is made that a remark made by Gen. Taylor as an afterthought—just a remark in answer to a question—the suggestion is made that Gen. Taylor's remark should set aside the results of the investigation and determination of the engineers, whose official reports are before us. Why, Mr. Chairman, what chance does an Army officer have between us when he gets down with the committee and every member is anxious about his projects, when the chairman of the committee, with the interest that he naturally feels in a project of this kind, is interested? The engineers did not ask for a dollar in their report, neither for the first canal nor for the second, and the committee has added $1,000,000 in these two items.

Now I want to discuss one more item.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield for a moment?

Mr. FREAR. In a moment, and then I will get through. The suggestion has been made here that these improvements will furnish employment to men. Mr. Chairman, I make this statement—I have made it before; I have asked for investigating committees, and they have not been granted—I make the statement that the Dredgers' Association under a gentlemen's agreement practically controls all the dredging on the coast to-day. Under a gentlemen's agreement they divide up the territory and work. They estimate the cost and then they usually double, adding about 100 per cent. I am satisfied that those are the correct figures, because they come to me from a source that I deem unquestionable. Here is the evidence of how this dredging has jumped: In 1916 Bowers & Co. were charging us for North Landing 5.9 cents a yard. Last year, 1918, at North Landing it had increased to 22 cents, as compared with 5.9 cents, or about 6 cents. At the same place the dredgers have jumped it three times and more in their estimates. Take the Virginia cut, which in 1915 was 14 cents for dredging. In 1918 the Virginia cut is given at 22 cents, an increase of 50 per cent. As I say, when you have that situation the men who run the dredges will get that Government money. It is not the soldiers who want employment who will get it. The dredgers charge 100 per cent over the cost. That is the statement that comes to us.

Now, from the evidence that we have the Treasury is in worse shape than it was when these estimates were first made. We have a $6,000,000,000 revenue bill confronting us. The Army engineers said they did not need any money for either of these projects before and did not want it; and yet Gen. Taylor gets into the record and says one-quarter of a million could be spent for one of these projects and three-quarters of a million for another. I leave that statement speak for itself.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I will ask the gentleman from North Carolina how much time I may have?

Mr. SMALL. Three minutes.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for three minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I have received this letter from one of the large fertilizer establishments of Philadelphia:

PHILADELPHIA, *December 14, 1918.*

HON. J. HAMPTON MOORE,
House of Representatives, Washington, D. C.

DEAR SIR: We have been advised that the United States Shipping Board have advanced freight rates on phosphate rock from Florida eastern ports to Philadelphia and other tidewater ports 90 cents per ton. This seriously affects our fertilizer business and costs to the farmer, since Florida phosphate rock plays an essential part in the fertilizer industry; in fact, the material is indispensable. This cost must necessarily be reflected in the selling price of the manufactured product, and it is unfortunate that this is asked at this time, because it will tend to increase the cost of producing crops, whereas the feeling now seems to be that the cost of living should recede.

The present vessel rate of freight from Florida to Philadelphia is $6.50 per ton, and vessel pays for loading and discharging. The new rate will work out $7 per ton, free loading and discharging, which really amounts to an increase of about $1 per ton.

When we tell you that this new rate is three and one-half times the normal rate before the war, we think you will agree with us that this seems out of proportion for a comparatively short-haul coastwise ocean trip. This new rate becomes effective on December 15, and we earnestly beg your support to our protest, and ask if you will take this up for us and for the fertilizer industry in general, since the entire industry is affected.

Anything that you can do which will help out on this vital matter that affects the cost of food production will be greatly appreciated by us and be of service to the country at large.

Very truly, yours,

BAUGH & SONS CO.,
E. BUTLER, JR.,
Treasurer.

The present vessel rate referred to in this letter is for that outside ocean voyage that the gentleman from Wisconsin [Mr. STAFFORD] thinks we should resort to.

Mr. RAGSDALE. Mr. Chairman, will the gentleman permit an interruption?

Mr. MOORE of Pennsylvania. In a moment. Both gentlemen from Wisconsin have been arguing for an outside route. One of them said he has seen "a little dory"—that, I am frank to say, might send him to oblivion in some of these inland waters about which he complains—riding gaily out on the ocean "in a tempestuous sea." I have never in my experience, except down in the West Indies, seen any "little dory" riding on "a tempestuous sea" out in the ocean. And I question from what I did see whether the gentleman from Wisconsin would care to be in one under the circumstances. But I read recently of dozens of American vessels going to the bottom on the Atlantic coast in peaceful seas because we did not have these inland waterways open. The German submarines were out there on the open sea and the American ships that might have used an inside passage in times of war, but which had not been prepared for them, were sent to the bottom. It was "too expensive" to build these inside waterways. The gentleman has forgotten that the ocean has not been free, is not free now, to American shipping along the Atlantic seaboard. The gentleman has forgotten that the German submarines were here and that American vessels were sunk and American coastwise shipping stopped because American torpedo-boat destroyers were loaned to our allies to protect their shipping and ours on the other side of the water. The gentleman has temerity to stand here and say that we shall not improve our inland waterways, but shall continue to take all the risks of the outside sea, upon which he once saw a little dory riding in a tempestuous storm.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. The gentleman from North Carolina [Mr. SMALL] is recognized for three minutes.

Mr. SMALL. Mr. Chairman, the gentleman from New York [Mr. DEMPSEY] and the gentleman from Pennsylvania [Mr. MOORE] have so completely answered any objection to the appropriation for this waterway from Norfolk to Beaufort that I would not consume the time of the committee except for the remarks made by the gentleman from Wisconsin [Mr. STAFFORD]. I have such great respect for him that I am constrained to say he would not have made the argument he did if he had been well informed. It is impossible for a man within 5 minutes or 10 minutes to glance over a report and reach a satisfactory conclusion on a subject upon which boards of engineers have been engaged in investigation for months and upon which at least some members of the committee have read hundreds of pages of evidence and upon which at least some Members of the House have endeavored to give intelligent study. So, while the argument of the gentleman from Wisconsin [Mr. STAFFORD] was not creditable to him, it is due to the fact that he had not given sufficient time to study the reports and inform himself.

The gentleman talks about the necessity of this interior waterway when we have the Atlantic Ocean. Does the gentleman know that this waterway lies behind Cape Hatteras and Cape Lookout, which, along with Cape Cod, are the most dangerous points along the Atlantic seaboard and in the whole world? Does the gentleman know that this waterway leading down from Norfolk traverses the sounds of eastern North Carolina to Beaufort, and that for that entire distance there is not a single navigable outlet to the ocean, so that the only way those people in eastern North Carolina can reach Norfolk, Baltimore, and Philadelphia by water is through this inside route? Does the gentleman know further that prior to this war we were building up quite a substantial through commerce between Charleston and Savannah and other southern ports with Norfolk, Baltimore, and Philadelphia? This traffic was by barges, which navigated the ocean south of Beaufort Inlet.

Beaufort Inlet lies south of both Cape Hatteras and Cape Lookout, from which point coastwise navigation south to Jacksonville is comparatively safe. There is not a more meritorious project in all the country than this Norfolk-Beaufort waterway. The gentleman simply did not know. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Blackwater River, Va.; Meherrin and Roanoke Rivers, and Newbegun Creek, N. C.: Completing improvement of Newbegun Creek in accordance with the report submitted in House Document No. 24, Sixty-third Congress, first session, $5,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I desire before I conclude these remarks to discuss Newbegun Creek. I am interested, and I think the House ought to be interested, in the unprejudiced judgment passed upon this inland waterway by the president of the Inland Waterways Association, assisted by the vice president of the Inland Waterways Association.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FREAR. I have only five minutes, and I want to discuss Newbegun Creek.

Mr. MOORE of Pennsylvania. The gentleman is so personal——

Mr. FREAR. I will say this, that the gentleman is one of the most courteous and one of the most able gentlemen on the floor of the House; but when this question is raised by these two gentlemen here, of course they have this deep interest in it, it is very dear to their hearts, and they have urged it constantly. I am not speaking now of the vast amount of money in this bill in which the gentleman's community is interested, as well as the large amount going to the gentleman from New York [Mr. DEMPSEY], but I do say that they are not entirely unprejudiced, and I do not assume that I am. I try to be, however.

Mr. MOORE of Pennsylvania. The gentleman makes this personal reference on every paragraph of the bill. Surely there must be some reason for it.

Mr. FREAR. No; this last item is an inland waterway, where a million dollars has been put in.

Mr. DUPRÉ. Will the gentleman yield?

Mr. FREAR. No, I can not; this next item is the Newbegun Creek, a very important proposition. It was stricken out in the 1914 bill. I read from the Engineer's Report:

A gasoline boat 57 feet long, with 4½ feet maximum draft, runs between the landings on this creek and Elizabeth City, making daily round trips during most of the year, though occasionally the schedule is reduced to three round trips per week. This boat makes connection at Elizabeth City with the Norfolk Southern Railroad. There are a number of other boats used on this stream, but they do not appear to run on a regular schedule.

It has not been possible to obtain complete statistics as to the annual commerce of the stream, owing to the partial destruction by fire of the records of the gasoline boat, but from the data that could be obtained it is estimated that the annual commerce amounts to about 5,000 tons, valued at $300,000.

This is the first examination of this creek that has been directed by Congress, and no work has ever been done upon it by the United States, but about 30 years ago an attempt to improve the bar was made by a local steamboat company, which excavated the southern channel now used.

That item is shoved in here when we are paying more taxes and more taxes and more funds are asked with which to buy liberty bonds.

Mr. MADDEN. Will the gentleman state when this Newbegun Creek was begun?

Mr. FREAR. It does not say when it was begun. Probably just begun. It is a tributary of the Albemarle Sound, but it says that the stream varies in depth after a rainfall, and that with unfavorable wind the variation may be 2 feet.

Mr. MADDEN. Does the wind blow the water out of the channel?

Mr. FREAR. To the extent of 2 feet.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FREAR. I will yield for a question but not for a statement.

Mr. MOORE of Pennsylvania. The gentleman has never been upon the water——

Mr. DUPRÉ. Does not the gentleman think it would be advisable to investigate the Deep Waterway League, the same as they are investigating the National Security League?

Mr. FREAR. No; because the gentleman was in favor of investigating the National Security League, and he is not in favor of an investigation of the Waterway League. I accept his judgment in this case.

Mr. MOORE of Pennsylvania. Does not the gentleman know that the action of the wind influences the tide?

Mr. FREAR. Yes; it states here to the extent of 2 feet.

Mr. MOORE of Pennsylvania. And that the wind frequently holds the water down so that vessels have to wait until the wind subsides?

Mr. FREAR. That is so in the Newbegun Creek to the extent of 2 feet. The gasoline boat can not get up the creek when the wind blows.

Mr. MOORE of Pennsylvania. Is there any gentleman except he who comes from the mountain top that would laugh at that proposition?

Mr. FREAR. Oh, we have the second largest harbor in the country in my own State and plenty of good waterway projects.

Mr. MOORE of Pennsylvania. Oh, the gentleman runs like a March hare.

Mr. FREAR. Yes; and so does the gentleman from Pennsylvania, who has interrupted me. I can not yield to discussion further on this line.

Mr. MADDEN. Will the gentleman yield?

Mr. FREAR. Yes; I will yield to the gentleman from Illinois.

Mr. MADDEN. What does the gentleman from Wisconsin think of the suggestion that a bulkhead be built on one side of the channel to stop the wind from blowing the water out of the channel?

Mr. FREAR. I think it would be better to place the gasoline boat on stilts, or use some other means for floating it.

The Clerk read as follows:

Manteo Bay, Scuppernong, Pamlico, Tar, South, Bay, Neuse, and Trent Rivers, Fishing, Contentnea, Swift, and Smith Creeks, and waterway connecting Swan Quarter Bay with Deep Bay, N. C.: For maintenance, $7,500; completing improvement of Scuppernong River in accordance with the report submitted in House document No. 1196, Sixty-second Congress, third session, $31,800; in all, $39,300.

Mr. RAGSDALE. Mr. Chairman, I move to strike out the last word. I want to express my commendation of the gentleman from Pennsylvania in trying to get lower freight rates on phosphate rock. The gentleman has been so uniformly criticizing the southern producer in all things that we grow——

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. RAGSDALE. Yes.

Mr. MOORE of Pennsylvania. I never unfavorably criticized the southern producer, but always sought to encourage him and have him do his best.

Mr. RAGSDALE. I have heard the gentleman from Pennsylvania stand on the floor and criticize the southern cotton planter for not being patriotic because he would not grow more linters, when the gentleman knows, as a matter of fact, that there is no such thing as the growing of linters. The gentleman has learned that none of these items enters into the cost of production, including that of cotton, because his manufacturers have it brought home to them that the gentleman is willing to do something for the southern cotton planters. I am glad to find him on that side, even if he has been moved by the interests of the northern manufacturer.

Mr. MOORE of Pennsylvania. Mr. Chairman, I see that the gentleman is good-natured about this, and I shall not pursue the controversy. I think we are pretty nearly alike on the proposition.

Mr. FREAR. Mr. Chairman, I wish to address myself to the Scuppernong River, if I may; that is, Scuppernong Creek, which is the project, one of the six new projects that go into the bill.

Mr. MANN. What is the meaning of the word "scuppernong?"

Mr. FREAR. Scuppernong is a grape, and a very delicious one. I have lived down there, and I know. In 1913 the commerce of this remarkable creek amounted to 30,000 tons, but in 1917 it had dwindled down to 9,000 tons. You may be sure that the engineer who made the estimates down there, when he gave a loss of 70 per cent, did not misrepresent it. The average haul is 4 miles. No boat lines have been established. The improvement has had the effect of reducing the freight rates, it says. All of the wharves are privately owned. Mr. Chairman, nearly one-half of the speech of the chairman of the committee was in regard to having publicly owned wharves on waterways, and here down in his own State we find that they are privately owned. Why select Ohio for public wharves instead of having the wharves down in North Carolina public? I have before me Document No. 1196 of the Sixty-second Congress, second session, which contains a report way back in 1912, and in this time, when we are taking the blood out of the people, to use the splendid expression of my friend from Pennsylvania [Mr. MOORE], to pay bills, you are asking us to put the Scuppernong Creek and Newbegun Creek in this bill. Let us see what the report says. Reading from page 5 we find that the first report was unfavorable to any improvements, because of the small commerce and the sparse population, for they were amply served as it was at that time, and now the commerce has dwindled to 9,000 tons. The report of 1902 covered some proposed improve-

ments at the bar and was a favorable one and resulted in adoption.

Mr. MADDEN. Have they got bars down there?

Mr. FREAR. They have bars there. It is said in the report that the improvements made have resulted in placing the commerce on a substantial basis, excepting for a severe blow that was received in 1908. What was that severe blow? "Prior to that time there were no railroads in that section, and all the transportation of products was dependent upon the water, but during 1908 a branch of the Norfolk & Southern Railroad was extended to Creswell," and that was the unfortunate occurrence which took away from the water traffic. It is said that that, combined with the financial panic of that year, resulted in a large decrease in the river tonnage. The report says that at that time it was 68,000 tons, and now it is only 9,000 tons. Think of it. Here is a loss of about 85 per cent in that time, and this bill proposes to give this creek as much more as it has had in all of the years of the past. Think of the waste in this project! Generally speaking, it is said the depth of water appears to be ample for the one steamer and 25 schooners that navigate the river, except above Cross Landing, and then it is rendered difficult on account of the bends and obstructions. Yet with that statement of facts, with that situation presented by the engineers in the report of 1912, the people of the country in this year, with a deficit of eighteen billions before the country, with people being urged to buy liberty bonds, are to be taxed $1,000,000 for two little waterways down there, together with the Newbegun and the Scuppernong Creeks. Think of the absurdity of it.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

The Clerk read as follows:

Beaufort and Morehead City Harbors, Beaufort Inlet, waterway from Pamlico Sound to Beaufort Inlet, waterway connecting Core Sound and Beaufort Harbor, channel connecting Thoroughfare Bay and Cedar Bay, and inland waterway Beaufort to Jacksonville, N. C.: For maintenance, $24,500; completing improvement of Beaufort Harbor in accordance with the report submitted in House Document No. 1108, Sixty-third Congress, second session, $15,900; completing improvement of channel connecting Thoroughfare Bay and Cedar Bay, N. C., in accordance with the report submitted in House Document No. 1125, Sixty-third Congress, second session, $5,200; in all, $45,600.

Mr. SMALL. Mr. Chairman, I move that the committee do now rise.

Mr. MADDEN. This item has not been passed.

Mr. SMALL. No; it is open for discussion. I desire to announce now that we shall try to complete the bill to-morrow. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the River and Harbor appropriation bill and had come to no resolution thereon.

Mr. SMALL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. MADDEN. Mr. Speaker, reserving the right to object, if we are to have notice now that we are to stay in session to-morrow night until this bill is passed, I think I shall have to object to meeting at 11 o'clock. I have other things to do.

Mr. SMALL. I hope the gentleman will not object.

Mr. MADDEN. I do not want to object.

Mr. SMALL. The gentleman was present when we had the colloquy here.

Mr. MADDEN. I know I was present.

Mr. SMALL. And when it was announced——

Mr. MADDEN. But there was not any such statement made as that we are going to stay in session until late to-morrow night.

Mr. SMALL. The gentleman may not have heard it.

Mr. MADDEN. I was here, and there was no statement of that sort made. Anyhow, if there is such a statement made now, I am going to object. I am willing to meet at 11 o'clock, but I am not willing to stay until 9 o'clock to-morrow night.

The SPEAKER. That is no part of the gentleman's request.

Mr. MADDEN. I know.

The SPEAKER. The Chair knows, but that was not part of the gentleman's request.

Mr. MADDEN. And unless the gentleman says he does not intend to do that——

Mr. SMALL. Of course, the completion of the bill is in the control of the committee.

The SPEAKER. Is there objection to the request to meet at 11 o'clock a. m. to-morrow?

Mr. MADDEN. I think I shall have to object, unless we have an understanding that we quit at a reasonable time to-morrow night.

Mr. SMALL. I hope the gentleman will not object.

The SPEAKER. Is there objection?

Mr. MADDEN. I object.

THE LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL. (H. REPT. NO. 910).

Mr. BYRNS of Tennessee. Mr. Speaker, by direction of the Committee on Appropriations, I present a bill making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, for printing under the rule.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Wisconsin reserves all points of order on the bill, and the bill is ordered to be printed and referred to the Committee of the Whole House on the state of the Union.

REREFERENCE OF A BILL.

Mr. WELLING. Mr. Speaker, on December 30 I introduced a bill (H. R. 13565) affecting the mining of rare minerals, which was erroneously referred to the Committee on the Merchant Marine and Fisheries, and I ask unanimous consent that it be referred to the Committee on Mines and Mining, to which it belongs.

The SPEAKER. Without objection, it will be so ordered.

Mr. MANN. Mr. Speaker, I think when a gentleman makes a request we should hear what it is. We could not hear what the gentleman was asking, and the Speaker did not state the request.

The SPEAKER. The gentleman will state it over again so that all gentlemen can hear it.

Mr. WELLING. I ask unanimous consent that a bill I introduced on December 30, which was erroneously referred to the Committee on the Merchant Marine and Fisheries, be referred to the Committee on Mines and Mining, and that request has the indorsement of the gentleman from Missouri [Mr. ALEXANDER], the chairman of the Committee on the Merchant Marine and Fisheries.

Mr. MANN and Mr. ROBBINS. What is the bill?

The SPEAKER. It is in reference to the mining of rare minerals.

Mr. MANN. I suppose the mistake was made by marking it "M. & M."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

PERMISSION TO ADDRESS THE HOUSE.

Mr. MASON. Mr. Speaker, I ask unanimous consent of the House that on Monday, after the reading of the Journal, I have 20 minutes to speak upon the question of the League to Enforce Peace.

The SPEAKER. The gentleman from Illinois [Mr. MASON] asks unanimous consent that next Monday, after the reading of the Journal, on the conclusion of business on the Speaker's table, that he shall be permitted to address the House for not to exceed 20 minutes on the League to Enforce Peace.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I will say that I am extremely sorry to have to object to any request made by the gentleman from Illinois [Mr. MASON], but some time ago I gave notice that during the short session, when I was present, objection would be made to making a speech after the reading of the Journal. It would have to come up in general debate on some bill. The reason for it is, of course, that it might interfere with the transaction of important business.

Mr. MANN. We will probably be on the legislative appropriation bill in general debate on Monday. I have no doubt that my colleague could secure time on that.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. I object.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I will renew the request that when we adjourn to-day we adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from North Carolina moves that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. MADDEN. If we can have some assurance that we will adjourn not later than 6 o'clock to-morrow, I will not object. I am as anxious to get through as anybody else is.

Mr. KITCHIN. I think we will finish the bill, but I could not give the assurance.

Mr. MADDEN. Then I object.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 6 minutes p. m.) the House adjourned until to-morrow, Saturday, January 11, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting a proposed draft of a bill providing for readjustment of the rates of pay of chief pay clerks and chief pharmacists of the Navy (H. Doc. No. 1669); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the assistant chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Harry R. Hurlbut, Sherman R. Hurlbut, Elizabeth J. Hurlbut, and Horace A. Hurlbut, heirs of Frederick J. Hurlbut, deceased, v. The United States (H. Doc. No. 1670); to the Committee on War Claims and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting supplemental estimate of appropriation required by the War Department for the fiscal year 1919 (H. Doc. No. 1671); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Public Printer, submitting supplemental estimate of appropriation required by the Government Printing Office for the fiscal year 1919 (H. Doc. No. 1672); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting a supplemental estimate of appropriation required by the Geological Survey for topographic surveys in the United States, fiscal year 1919 (H. Doc. No. 1673); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting copy of a communication from the president of the Columbia Institute for the Deaf submitting a supplemental estimate of appropriation required for current expenses of the institution during the remainder of the fiscal year 1919 (H. Doc. No. 1674); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Agriculture submitting a supplemental estimate of appropriation required by the Department of Agriculture for assistance in supplying and conserving farm labor through cooperation with State, county, and local agencies, fiscal year 1919 (H. Doc. No. 1675); to the Committee on Agriculture and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Agriculture submitting a substitute estimate of appropriation required by the Department of Agriculture for farmers' cooperative demonstration work, fiscal year 1920 (H. Doc. No. 1676); to the Committee on Agriculture and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (H. R. 17) to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, California, and for other purposes, reported the same with amendment, accompanied by a report (No. 909), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. WELLING, from the Committee on Claims, to which was referred the bill (S. 2885) for the relief of Moses M. Bane, reported the same with amendment, accompanied by a report (No. 905), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 5495) for the relief of Joseph A. Prat, reported the same without amendment, accompanied by a report (No. 906), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 4923) to relieve the estate of Thomas H. Hall, deceased, late postmaster at Panacea, Fla., and the bondsmen of said Thomas H. Hall of the payment of money alleged to have been misappropriated by a clerk in said office, reported the same without amendment, accompanied by a report (No. 907), which said bill and report were referred to the Private Calendar.

Mr. WELLING, from the Committee on Claims, to which was referred the bill (H. R. 9045) for the relief of certain pay officers of the United States Navy, reported the same without amendment, accompanied by a report (No. 908), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STRONG: A bill (H. R. 13945) authorizing the Secretary of War to donate to the county of Armstrong, State of Pennsylvania, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13946) authorizing the Secretary of War to donate to the town of Punxsutawney, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13947) authorizing the Secretary of War to donate to the county of Clarion, State of Pennsylvania, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13948) authorizing the Secretary of War to donate to the town of New Bethlehem, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13949) authorizing the Secretary of War to donate to the county of Jefferson, State of Pennsylvania, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13950) authorizing the Secretary of War to donate to the town of Ford City, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13951) authorizing the Secretary of War to donate to the county of Indiana, State of Pennsylvania, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13952) authorizing the Secretary of War to donate to the town of Blairsville, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13953) authorizing the Secretary of War to donate to the Brookville Park Association, Brookville, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. BOOHER: A bill (H. R. 13954) authorizing the Secretary of War to donate to the Central High School, St. Joseph, Mo.; the State Normal School, Maryville, Mo.; the Tarkio College, Tarkio, Mo.; and the county of Andrew, Mo., one each a German brass cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 13955) authorizing the Secretary of War to donate to the city of Sycamore, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13956) authorizing the Secretary of War to donate to the city of Mendota, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13957) authorizing the Secretary of War to donate to the city of Peru, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13958) authorizing the Secretary of War to donate to the city of Morris, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13959) authorizing the Secretary of War to donate to the city of DeKalb, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13960) authorizing the Secretary of War to donate to the city of Ottawa, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13961) authorizing the Secretary of War to donate to the city of La Salle, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 13962) authorizing the Secretary of War to donate to the city of Columbia, S. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CARLIN: A bill (H. R. 13963) to increase the salary of the United States marshal for the eastern district of Virginia; to the Committee on the Judiciary.

By Mr. LAZARO: A bill (H. R. 13964) authorizing the Secretary of War to donate to the cities of Crowley, Oberlin, De Rider, Lake Charles, Cameron, Ville Platte, Opelousas, and Jennings, La., each two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 13965) to expel and exclude from the United States certain undesirable aliens; to the Committee on Immigration and Naturalization.

By Mr. EMERSON: A bill (H. R. 13966) to prevent the sale of firearms to minors; to the Committee on the Judiciary.

By Mr. IGOE: A bill (H. R. 13967) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: A bill (H. R. 13968) authorizing the Secretary of War to donate to the city of Spring Green, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13969) authorizing the Secretary of War to donate to the city of Thorp, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13970) authorizing the Secretary of War to donate to the city of New Lisbon, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13971) authorizing the Secretary of War to donate to the city of Owen, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13972) authorizing the Secretary of War to donate to the city of Merrillan, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13973) authorizing the Secretary of War to donate to the city of Prairie du Sac, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13974) authorizing the Secretary of War to donate to the city of Sauk City, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 13975) authorizing the Secretary of War to donate to the city of Geneseo, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13976) authorizing the Secretary of War to donate to the city of Canton, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13977) authorizing the Secretary of War to donate to the city of Quincy, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13978) authorizing the Secretary of War to donate to the city of Rushville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13979) authorizing the Secretary of War to donate to the city of Lewistown, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13980) authorizing the Secretary of War to donate to the city of Galesburg, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13981) authorizing the Secretary of War to donate to the city of Cambridge, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PETERS: A bill (H. R. 13982) authorizing the Secretary of War to donate to the city of Eastport, Me., two bronze or brass cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. ROBBINS: A bill (H. R. 13983) authorizing the Secretary of War to deliver to the borough of New Kensington, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13984) authorizing the Secretary of War to deliver to the borough of Jeannette, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13985) authorizing the Secretary of War to deliver to the borough of Slippery Rock, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13986) authorizing the Secretary of War to deliver to the borough of Harmony, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13987) authorizing the Secretary of War to deliver to the borough of Zelienople, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13988) authorizing the Secretary of War to deliver to the borough of Irwin, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13989) authorizing the Secretary of War to deliver to the borough of Vandergrift, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13990) authorizing the Secretary of War to deliver to the borough of Mount Pleasant, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13991) authorizing the Secretary of War to deliver to the borough of Scottdale, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13992) authorizing the Secretary of War to deliver to the borough of Monessen, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13993) authorizing the Secretary of War to deliver to the borough of Latrobe, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13994) authorizing the Secretary of War to deliver to the city of Butler, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13995) authorizing the Secretary of War to deliver to the city of Greensburg, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. LESHER: A bill (H. R. 13996) authorizing the Secretary of War to donate to the Borough of Laporte, county of Sullivan, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 13997) authorizing the Secretary of War to donate to the borough of Sunbury, county of Northumberland, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 13998) authorizing the Secretary of War to donate to the borough of Danville, county of Montour, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 13999) authorizing the Secretary of War to donate to the borough of Bloomsburg, county of Columbia, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

By Mr. CANTRILL: A bill (H. R. 14000) authorizing the Secretary of War to donate to the city of Lexington, Ky., three German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. GANDY: A bill (H. R. 14001) authorizing the Secretary of War to donate to the county of Gregory, S. Dak., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BRODBECK: A bill (H. R. 14002) authorizing the Secretary of War to donate to the borough of Hanover, York County, Pa., four cannon or fieldpieces, with carriages, with suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14003) authorizing the Secretary of War to donate to the borough of Gettysburg, Adams County, Pa.,

20 German cannon or fieldpieces, with carriages, with suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14004) authorizing the Secretary of War to donate to the city of York, York County, Pa., four cannon or fieldpieces, with carriages, with suitable number of shells; to the Committee on Military Affairs.

By Mr. LOBECK: A bill (H. R. 14005) to incorporate the Order of the Gold Star; to the Committee on the Judiciary.

By Mr. SNELL: A bill (H. R. 14006) authorizing the Secretary of War to deliver to the village of Malone, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14007) authorizing the Secretary of War to deliver to the village of Port Henry, for use at old Fort St. Frederick, N. Y., one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. ALEXANDER: A bill (H. R. 14008) authorizing the Secretary of War to donate to the town of Kingston, Caldwell County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14009) authorizing the Secretary of War to donate to the city of Gallatin, Daviess County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14010) authorizing the Secretary of War to donate to the city of Liberty, Clay County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14011) authorizing the Secretary of War to donate to the city of Richmond, Ray County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14012) authorizing the Secretary of War to donate to the city of Plattsburg, Clinton County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14013) authorizing the Secretary of War to donate to the city of Maysville, Dekalb County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14014) authorizing the Secretary of War to donate to the city of Bethany, Harrison County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14015) authorizing the Secretary of War to donate to the city of Albany, Gentry County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14016) authorizing the Secretary of War to donate to the city of Princeton, Mercer County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14017) authorizing the Secretary of War to donate to the city of Grant City, Worth County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. ROUSE: A bill (H. R. 14018) authorizing the Secretary of War to donate to the city of Falmouth, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14019) authorizing the Secretary of War to donate to the city of Williamstown, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14020) authorizing the Secretary of War to donate to the city of Warsaw, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14021) authorizing the Secretary of War to donate to the city of Bedford, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14022) authorizing the Secretary of War to donate to the city of Carrollton, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14023) authorizing the Secretary of War to donate to the city of Newport, Ky., four German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14024) authorizing the Secretary of War to donate to the city of Covington, Ky., four German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14025) authorizing the Secretary of War to donate to the city of Burlington, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. TIMBERLAKE: A bill (H. R. 14026) donating a captured German cannon or field gun and carriage to the county of Boulder, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14027) donating a captured German cannon or field gun and carriage to the county of Yuma, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14028) donating a captured German cannon or field gun and carriage to the county of Washington, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14029) donating a captured German cannon or field gun and carriage to the county of Weld, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14030) donating a captured German cannon or field gun and carriage to the county of Sedgwick, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14031) donating a captured German cannon or field gun and carriage to the county of Morgan, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14032) donating a captured German cannon or field gun and carriage to the county of Kit Carson, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14033) donating a captured German cannon or field gun and carriage to the county of El Paso, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14034) donating a captured German cannon or field gun and carriage to the county of Elbert, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14035) donating a captured German cannon or field gun and carriage to the county of Logan, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14036) donating a captured German cannon or field gun and carriage to the county of Lincoln, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14037) donating a captured German cannon or field gun and carriage to the county of Phillips, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14038) donating a captured German cannon or field gun and carriage to the county of Larimer, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14039) donating a captured German cannon or field gun and carriage to the county of Arapahoe, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14040) donating a captured German cannon or field gun and carriage to the county of Douglas, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14041) donating a captured German cannon or field gun and carriage to the county of Cheyenne, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14042) donating a captured German cannon or field gun and carriage to the county of Adams, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14043) donating a captured German cannon or field gun and carriage to the public park at Eaton, Weld County, Colo., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14044) donating a captured German cannon or field gun and carriage to the town of Limon for the city park of Limon, Colo., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14045) donating a captured German cannon or field gun and carriage to the park board of Longmont Park, Longmont, Colo., for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. SNOOK: A bill (H. R. 14046) authorizing the Secretary of War to donate to the city of Defiance, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14047) authorizing the Secretary of War to donate to the village of Paulding, Ohio, one German cannon or fieldpiece; to Committee on Military Affairs.

Also, a bill (H. R. 14048) authorizing the Secretary of War to donate to the city of Napoleon, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14049) authorizing the Secretary of War to donate to the city of Van Wert, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14050) authorizing the Secretary of War to donate to the city of Ottawa, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14051) authorizing the Secretary of War to donate to the city of Bryan, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14052) authorizing the Secretary of War to donate to the city of Wauseon, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DRUKKER: A bill (H. R. 14053) authorizing the Secretary of War to donate to the city of Paterson, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14054) authorizing the Secretary of War to donate to the city of Passaic, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SWEET: A bill (H. R. 14055) authorizing the Secretary of War to donate to the city of Laporte City, Black Hawk County, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14056) authorizing the Secretary of War to donate to the city of Dubuque, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14057) authorizing the Secretary of War to donate to the city of Eagle Grove, Iowa, one German cannon or fieldpiece, to be placed on the lawn of public library at said place; to the Committee on Military Affairs.

Also, a bill (H. R. 14058) authorizing the Secretary of War to donate to the city of Eldora, Hardin County, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14059) authorizing the Secretary of War to donate to the city of Eagle Grove, Iowa, one German cannon or fieldpiece, to be placed in the city park; to the Committee on Military Affairs.

By Mr. WILSON of Louisiana: A bill (H. R. 14060) authorizing the Secretary of War to donate to cities and towns in Louisiana German cannon, fieldpieces, etc.; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 14061) for the erection of a monument to the memory of Theodore Roosevelt at Washington, D. C.; to the Committee on the Library.

By Mr. CONNALLY of Texas: A bill (H. R. 14062) authorizing the Secretary of War to donate to the city of Hamilton, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

By Mr. HAYDEN: A bill (H. R. 14063) authorizing the Secretary of War to donate captured German cannon to the city of Nogales, Ariz.; to the Committee on Military Affairs.

By Mr. WINGO: A bill (H. R. 14064) authorizing the Secretary of War to donate to the county of Crawford, State of Arkansas, to be placed in the courthouse grounds in the city of Van Buren, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14065) authorizing the Secretary of War to donate to the county of Pike, State of Arkansas, to be placed in the town of Murfreesboro, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14066) authorizing the Secretary of War to donate to the Greenwood district, county of Sebastian, State of Arkansas, to be placed in the courthouse grounds in the town of Greenwood, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14067) authorizing the Secretary of War to donate to the southern district of the county of Logan, State of Arkansas, to be placed in the courthouse grounds in the town of Booneville, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14068) authorizing the Secretary of War to donate to the northern district of the county of Logan, State of Arkansas, to be placed in the courthouse grounds in the town of Paris, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14069) authorizing the Secretary of War to donate to the Fort Smith district of the county of Sebastian, State of Arkansas, to be placed in the courthouse grounds in the city of Fort Smith, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14070) authorizing the Secretary of War to donate to the county of Polk, State of Arkansas, to be placed in the courthouse grounds in the city of Mena, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14071) authorizing the Secretary of War to donate to the county of Sevier, Ark., to be placed in the courthouse grounds in the city of De Queen, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14072) authorizing the Secretary of War to donate to the county of Scott, Ark., to be placed in the courthouse grounds in the town of Waldron, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14073) authorizing the Secretary of War to donate to the county of Montgomery, Ark., to be placed in the courthouse grounds in the town of Mount Ida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14074) authorizing the Secretary of War to donate to the county of Miller, Ark., to be placed in the courthouse grounds in the city of Texarkana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14075) authorizing the Secretary of War to donate to the county of Howard, State of Arkansas, to be placed in the courthouse grounds in the city of Nashville, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14076) authorizing the Secretary of War to donate to the county of Little River, State of Arkansas, to be placed in the courthouse grounds in the city of Ashdown, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RANDALL: A bill (H. R. 14077) to create a commission to be known as the Federal motion-picture commission, and defining its powers and duties; to the Committee on the Judiciary.

By Mr. BYRNS of Tennessee: A bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. WOOD of Indiana: Resolution (H. Res. 500) directing the Secretary of War to furnish information in reference to foreign military officers now in the United States to the Clerk of the House of Representatives; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON: A bill (H. R. 14079) granting an increase of pension to James T. Kent; to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 14080) granting a pension to Floyd B. Daugherty; to the Committee on Pensions.

By Mr. CHURCH: A bill (H. R. 14081) granting a pension to John M. Williams; to the Committee on Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 14082) granting a pension to Florence G. Tuttle; to the Committee on Invalid Pensions.

By Mr. COADY: A bill (H. R. 14083) granting a pension to William Dugent alias William Brown; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 14084) granting a pension to Belle Harbert; to the Committee on Invalid Pensions.

By Mr. LONGWORTH (for Mr. HEINTZ): A bill (H. R. 14085) granting a pension to Robert Goodman; to the Committee on Pensions.

By Mr. LONGWORTH: A bill (H. R. 14086) granting a pension to George McFoster; to the Committee on Pensions.

Also, a bill (H. R. 14087) granting an increase of pension to Henson Lanter; to the Committee on Invalid Pensions.

By Mr. PLATT: A bill (H. R. 14088) for the relief of William H. Stone; to the Committee on Military Affairs.

By Mr. SLEMP: A bill (H. R. 14089) granting a pension to Jesse Courtney; to the Committee on Pensions.

By Mr. SWEET: A bill (H. R. 14090) granting a pension to Mary J. Doyle; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolutions adopted at mass meeting of American friends of Irish independence, held at New York, demanding withdrawal of armies from Ireland and Russia so that Irish people and the Russian people may be left free to work out their own destiny; to the Committee on Foreign Affairs.

By Mr. FULLER of Illinois: Petition of members of the Chicago war-service committee of the national war-service committee of the dry goods and department stores in Chicago and Illinois, protesting against the proposed tax on certain articles of wearing apparel, etc., costing above a fixed amount; to the Committee on Ways and Means.

Also, petition of the National Automobile Chamber of Commerce, the Motor and Accessory Manufacturers' Association, the Automobile Equipment Association, and the National Automobile Dealers' Association, protesting against sales taxes on automobiles, tires, parts, and accessories as proposed in the pending war-revenue bill; to the Committee on Ways and Means.

Also, petition of Florsheim Shoe Co., opposing the proposed tax on shoes; to the Committee on Ways and Means.

Also, petition of the Attleboro (Mass.) Chamber of Commerce and of Emil Brande & Bro., of Chicago, protesting against the proposed tax on jewelry; to the Committee on Ways and Means.

Also, petition of Samuel Gompers, president of the American Federation of Labor, for the enactment of the Smith rehabilitation bill, Senate bill 4922; to the Committee on Education.

Also, petition of the pupils of the public schools of Porto Rico, that a battleship of the United States be named Porto Rico; to the Committee on Naval Affairs.

Also, petition of the Powell (Wyo.) Chamber of Commerce for the completion of the Shoshone irrigation project; to Committee on Irrigation of Arid Lands.

Also, petition of Local Union No. 401, of Peru, Ill., of the Iron Molders' Union of North America, favoring the enactment of the McKellar-Keating retirement bill; to the Committee on Labor.

Also, petition of Leon F. Mass, favoring the construction of a system of Government owned, controlled, and maintained paved trunk-line highways across the United States, from ocean to ocean and from north to south, with necessary and convenient intersecting lines; to the Committee on Roads.

Also, petition of J. W. Shorthill, secretary of the National Council of Farmers' Cooperative Associations, favoring the control of railroads to be returned to the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

Also, petition of H. H. Gross, president of the Universal Military Training League, for universal military training and service; to the Committee on Military Affairs.

Also, petition of George H. Higgins, factory manager Burd High Compression Ring Co., of Rockford, Ill., protesting against the enactment of the bill placing wireless telegraphy under the sole control of the Government; to the Committee on Interstate and Foreign Commerce.

Also, petition of W. B. Shafer, jr., of Norfolk, Va., advocating 12 months' extra pay for all who served in the Army or Navy during the late war with Germany; to the Committee on Military Affairs.

Also, petition of the Haddorff Piano Co., of Rockford, Ill., favoring repeal of the increased postage rate on first-class matter and opposing repeal of the zone plan for second-class mail; to the Committee on Ways and Means.

Also, petition of the Rockford (Ill.) Association of Credit Men, for equality in the levying of taxes under the pending revenue bill and for speedy enactment of the measure; to the Committee on Ways and Means.

Also, resolutions by the Republican Club of New York, against the provisions of the revenue bill providing rates of taxation beyond the current year; to the Committee on Ways and Means.

Also, memorial of the New Korea Association, for self-determination of the people of Korea; to the Committee on Foreign Affairs.

Petition of E. F. Achard, of the Federal Plate Glass Co. of Illinois, opposing an excess or war profits tax in excess of 50 per cent; to the Committee on Ways and Means.

Also, petition of district board, Division No. 4, of Boston, Mass., and local board, Division No. 1, Rockford, Ill., favoring a brevet commission and medal for members of the district and local selective-service boards; to the Committee on Military Affairs.

By Mr. LUNDEEN: Petition of representatives of Minneapolis Jewish workers' organizations in convention assembled, indorsing the Lundeen resolutions for the recall of American troops from Russia; to the Committee on Foreign Affairs.

By Mr. NEELY: Petition of Walter F. Naylor and others, of Wheeling, W. Va., urging Government operation of railroads in the United States for five years; to the Committee on Interstate and Foreign Commerce.

Also, petition of Lodge 326, Brotherhood of Boilermakers, Iron-Ship Builders, and Helpers, of Grafton, W. Va., urging Government operation of railroads in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE of Maine: Resolution of Portland (Me.) Council, United Commercial Travelers of America, favoring the return of railroads to private ownership and operation under Government regulation; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of a mass meeting of the Lithuanians of Lewiston, Me., and vicinity, favoring the national independence of Lithuania; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 11, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, for that desire which Thou hast implanted in the heart of man, which is ever moving him upward and onward toward a betterment of his condition, physically, mentally, morally, spiritually; for every honest, patriotic, philanthropic measure in the home, the State, the Nation, looking to that end; and we most fervently pray that it may possess our hearts until we all come unto the measure of the stature of the fullness of Christ; and Thine be the praise. Amen.

The Journal of the proceedings of yesterday was read and approved.

REPRINT OF A BILL.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent for a reprint of the bill H. R. 13026, with the report.

The SPEAKER. What is the bill?

Mr. CLARK of Florida. It is a bill authorizing the Secretary of the Treasury to provide a hospital and sanitarium facilities for discharged and sick soldiers and sailors.

The SPEAKER. The gentleman from Florida asks unanimous consent for a reprint of a thousand copies of the bill named, with the report. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 79. An act for the sale of isolated tracts of the public domain in Minnesota;

H. R. 1423. An act for the relief of Alexander F. McCollam;

H. R. 9865. An act to authorize the sale of certain lands to school district No. 28, of Missoula County, Mont.;

H. R. 8444. An act for the relief of Ira G. Kilpatrick and Guy D. Dill; and

H. R. 12194. An act to provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes.

WAR-RISK INSURANCE.

Mr. FULLER of Illinois. Mr. Speaker, I ask unanimous consent to speak for one minute.

The SPEAKER. The gentleman from Illinois asks unanimous consent for one minute. Is there objection?

There was no objection.

Mr. FULLER of Illinois. Mr. Speaker, I wish to call the attention of Members of the House to a matter that seems to me to be of considerable importance and that should receive early consideration. Much has been said about the alleged inefficiency of the Bureau of War Risk Insurance. I think there will be less cause for complaint under the management of the newly appointed director, who seems to take hold with a will to accomplish results. However, there is a new branch of work upon which the bureau is only just about to commence. That is the branch concerning compensation for death or disability incurred in the service. I have introduced a bill to have that business transferred from the Bureau of War Risk Insurance to the Bureau of Pensions, where it properly belongs and where all the facilities, machinery, and organization for that kind of work already exist. Whether you call it compensation or pensions it amounts precisely to the same thing. The same procedure and the same proofs are necessary as in the establishment of a right to pension under the general law for disability or death incurred in the service. It would take years and cost millions of dollars before the Bureau of War Risk Insurance could be as well organized and as well equipped

for the special work required as the Bureau of Pensions is now already organized and equipped. Millions of dollars will be saved if the bill providing for the transfer of this work to the Pension Bureau is speedily passed.

I understand that there are now some 14,000 clerks and employees in the Bureau of War Risk Insurance. Nearly or quite all of them are inexperienced, and I think every Member of Congress has had great difficulty in securing any satisfactory action or information concerning matters in that bureau. The matter of compensation for death or disability incurred in the service and the adjudication of such cases is one peculiarly within the province of the Pension Bureau. Its clerks, examiners, and medical force have had long training and experience in the questions necessarily involved; they have all the machinery and would be fully prepared to give prompt and efficient service in all cases at much less expense and with much less loss of time than would be possible in the War Risk Insurance Bureau. I believe the officials of both bureaus would welcome the change, and that it should be speedily made now when the work under that provision of the war-risk insurance act is just commencing. I ask the most careful consideration of the following statement of reasons for the passage of the bill now pending before the Interstate Commerce Committee:

Since the foundation of the Republic all of the pensions paid to soldiers, seamen, and marines have been paid through the Pension Bureau. All of the archives relating to such claims are on file in the Pension Bureau. This comprehends the War of the Revolution, the War of 1812, the Mexican War, the Civil War, the Spanish-American War, and the various Indian wars.

Thus not only the pension history of the Government in all its various forms is in the same place but also is found there the individual military and naval history of each claimant for pension. There is a continuous record with relation to such matters in the one place without a break since the beginning of this Government.

The act of October 6, 1917, for the first time in the history of the Government, takes away from the Pension Bureau the consideration of claims based upon military and naval service. It calls the bounty of the Government "compensation" instead of "pension," but the purpose and meaning of both terms are exactly the same.

The employees of the Pension Bureau are peculiarly and effectively schooled in the administration of claims for pension. The building which they occupy is the only one which is distinctly for the use of a bureau. It is arranged conveniently to accommodate that kind of work. The bureau is officered and regulated for the proper and early disposition of claims. It has a field force, the members of which have had years of experience in inquiry into and report upon claims. It has an arrangement for designating and placing the files of the bureau so as to make them readily accessible.

Its various divisions for considering and adjudicating claims, reviewing them, enrolling them, and paying those admitted have had many years of experience, and they work expeditiously and intelligently. They could easily handle the added work incident to claims for compensation.

The adjudication of invalid pension claims involves both the procuring, arranging, and weighing of the evidence necessary to determine the legal title of applicants, and the consideration of anatomical, surgical, and pathological questions, in order to determine whether a ratable degree of disability exists, and to decide upon a legal and equitable rate of pension in case of allowance. This work, especially where a combination of disabilities is alleged, is often complicated and presents many difficult and perplexing problems. The Bureau of Pensions has, in the years which have passed since its establishment, gradually built up a system for handling such claims. During this process much progress has been made in discovering and correcting mistakes of policy and practice, eliminating inconsistencies, and bringing about orderly methods. While it is not contended that the system is perfect, it is believed to be far superior to any which could be developed without years of practical training and experience along these lines.

The Bureau of Pensions has the trained force and the machinery necessary for mailing millions of checks annually with efficiency and dispatch. In its disbursing office and finance division it is supplied with the equipment necessary to make payments of amounts, large or small, in lump sums or at fixed intervals to large numbers of people, and to make adequate administrative examination of the accounts of such payments in accordance with law.

The Bureau of Pensions has a Medical Division with a trained and experienced corps of medical examiners and reviewers, whose duties are to pass on all medical questions as to pathological results and immediate cause of death, and the fixing and adjusting of rates commensurate with the degree of disability shown. This class of work is so vitally important that it is deemed wise and proper to have the concurrent opinion of at least two, and in many cases three, medical men on every case, and this has been for a long time, and is still, the practice of the Medical Division.

The local examining boards situated at convenient places throughout the United States number about 1,300, in addition to which there are about 128 single surgeons and 550 specialists. These physicians are selected by reason of their skill in medicine and surgery, and, after long experience in making examinations and giving exact pen pictures of the condition of claimants for pension, have become very proficient along these lines.

In doubtful pension cases a special investigation in the field becomes necessary to determine the merits of the claim, or whether any criminal features are involved. Examples of such cases are those in which the origin of the disability is obscure, the identity of the claimant is uncertain, or the evidence as to legal widowhood or other essential elements of title is inconclusive, or in which there are indications of fraud. This work is done by the Special Examination Division, which was organized shortly after the Civil War, and has developed a practical system of investigation, maintaining throughout the United States a skillful corps of "special examiners," as the field investigators are designated. This division has an efficient organization and superior facilities for training additional operatives, and is well equipped for the field work which will inevitably arise in connection with claims based on death or disability under article III of the act of October 6, 1917. A carefully selected and capable office force is charged with the administration of the field service, which was never more efficient than now.

The War Risk Bureau is overburdened because of its stupendous task, and it would be greatly relieved to consolidate with the Pension Bureau all the work that relates to compensation.

I have been reliably informed that all the cases where compensation can be claimed for death or disability incurred in the service can be handled expeditiously by the present force in the Pension Bureau, without any material addition to the clerical force, so that if the change can be speedily made before such an organization is built up in the War Risk Insurance Bureau it will result in a saving to the Government of many millions of dollars in addition to greatly expediting the adjudication of the many deserving cases.

I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE.

Mr. DEWALT. Mr. Speaker, I ask unanimous consent that on Monday, after the reading of the Journal and the disposition of business on the Speaker's table, I be permitted to address the House for 30 minutes on the railroad problem.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that next Monday, after the reading of the Journal and the disposition of business on the Speaker's table, he be permitted to address the House, not to exceed 30 minutes, on the railroad problem. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, the probabilities are that if we get through with the river and harbor bill to-day Monday will be devoted largely to general debate on the legislative appropriation bill. I take it that it is the intention of the gentleman from Tennessee [Mr. BYRNS] to call up the legislative bill when the river and harbor bill is disposed of. Last night my colleague, Mr. MASON, asked for unanimous consent to address the House for 30 minutes on Monday, and the gentleman from Tennessee [Mr. GARRETT] stated that he had announced that if he were on the floor at any time he would not be willing to give unanimous consent at the short session of Congress for addresses to be delivered outside of general debate, and I think it is a very good rule to follow. I hope the gentleman will not make the request under the circumstances.

Mr. DEWALT. Mr. Speaker, I have always yielded with due deference to the wishes of the Members of the House, and, of course, if there is any objection I will accept it in the utmost kindness in the interest of expedition of business. The gentleman from Tennessee [Mr. BYRNS] has just informed me that he will yield me time on this bill.

Mr. McCULLOCH rose.

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. McCULLOCH. I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Ohio asks unanimous consent to proceed for five minutes. Is there objection?

Mr. SMALL. Reserving the right to object, we wish to proceed with the river and harbor bill to-day, and I wish the gentleman would withhold that request until later.

Mr. McCULLOCH. I think the gentleman would perhaps expedite his bill if he granted the request.

Mr. FOSTER. I object, Mr. Speaker.

The SPEAKER. The gentleman from Illinois objects.

BATTLE MOUNTAIN SANITARIUM.

Mr. DENT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13440) transferring jurisdiction of Battle Mountain Sanitarium, in South Dakota, to the Medical Department for hospital purposes during the war.

The SPEAKER. The gentleman from Alabama asks unanimous consent for the present consideration of the bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13440) transferring jurisdiction and control over the Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war.

Mr. SMALL. Reserving the right to object, Mr. Speaker, if I may have the attention of the gentleman from Alabama [Mr. DENT] and the gentleman from North Dakota [Mr. GANDY], the gentleman from Alabama spoke to me about this matter and said there would be no objection to it. I will not make any objection to it if the gentleman will agree to withdraw the bill if objection develops.

Mr. DENT. I can not see how there can be any objection to it. It is recommended by the Secretary of War, and the Board of Managers of the National Soldiers' Home desire to make the transfer.

Mr. STAFFORD. Will not the gentleman withhold that until Monday?

Mr. MOORE of Pennsylvania. Mr. Speaker, I object.

The SPEAKER. The gentleman from Pennsylvania objects.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SMALL. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the river and harbor bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13462, the river and harbor bill, with Mr. BYRNS of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13462, the river and harbor bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The CHAIRMAN. The Clerk will read.

Mr. FREAR. Mr. Chairman, may I inquire what is the status of the proceedings?

The CHAIRMAN. When the House adjourned yesterday the paragraph at the bottom of page 9 had been read.

Mr. FREAR. And I had made a motion to strike out the last word. Mr. Chairman, I have had the question raised why I referred to a number of projects instead of taking several and confining my remarks to those. The reason is evident, because many of these projects in my judgment are indefensible at this time, and in response to a statement of the chairman that my position raised the question of honest intellectuality, I am endeavoring to convince the House—I realize that it may be a futile proposition—that some of these projects, whatever your action is, are immaterial. Men have sent word to me that they would like to vote on the proposition with me but that they have something in the bill. It is immaterial to me how my friends vote. Every man votes his own convictions, and I assume that he is honest in his conviction, as I am in mine.

Now, as to Beaufort Harbor, the next one we have, I read from page 3:

4. The district officer is of opinion that the locality is worthy of improvement to the extent outlined above, at a total estimated cost of $53,100, provided a suitable public wharf, with storage facilities and mechanical equipment with rail connections, be provided by local authorities. The division engineer is of opinion that further improvement is not worthy of being undertaken by the General Government at the present time.

5. The board was not convinced of the advisability of the extensive improvement proposed at the expense of the General Government, and interested parties were so informed and given an opportunity of presenting their views.

The division engineer is of the opinion that that improvement is not worthy of being undertaken by the Government at the present time.

This resulted in a hearing before the board on April 21, 1914, which was attended by the Hon. JOHN H. SMALL, Member of Congress, who gave expert testimony to show why that project should be approved and the division engineer overruled. It is recommended for a small amount on page 2.

Taking up Thoroughfare Bay, which is in the same paragraph, and I am trying to deal with these matters, I read on page 5:

This waterway was subject to a previous examination and a report was submitted by Capt. Earl I. Brown, Corps of Engineers, dated May 29, 1909. The previous examination contemplated, in addition to the present channel, a further extension by the way of Long Bay through an old canal to Turnagain Bay, the report thereon being unfavorable to the improvement.

In addition to the information furnished by the district officer the board has had the benefit of statements and arguments submitted at a public hearing held at its office this date, which was attended by Hon. JOHN H. SMALL, Member of Congress, and a delegation of citizens from the locality, all of whom appeared in behalf of the proposed improvement.

Now, Mr. Chairman, in regard to these two projects, the gentleman from North Carolina, chairman of the committee, went before the board on these two North Carolina projects that were acted upon unfavorably by under officers, and afterwards the Board of Engineers received Chairman SMALL's expert testimony which he offered in support of it. I want to give him and the House something of information that will be of interest. When Mr. Fitzgerald left the House a distinguished gentleman rose in his place and said. I quote:

I sometimes fear that too many of our colleagues set up as the true measure of service here the amount of money which they can filch out of the Treasury into their districts and States for creeks or rivers or public buildings. Fitzgerald's idea and effort has been to keep the money in the Treasury and not take it out except for the country's needs.

I recommend to the gentlemen to study that speech, because it comes from the distinguished gentleman from North Carolina, the Democratic leader, Mr. KITCHIN, and should carry a moral to the chairman of the Rivers and Harbors Committee, also from North Carolina, and to every other Member of the House who would "filch" money from the Public Treasury for worthless projects.

The Clerk read as follows:

Northeast, Black, and Cape Fear Rivers, N. C.: For maintenance and continuing improvement of Cape Fear River below Wilmington in accordance with the existing project and in accordance with the report submitted in House Document No. 746, Sixty-fifth Congress, second session, $498,625; continuing improvement of Cape Fear River above Wilmington, $30,000; completing improvement of Northeast River in accordance with the report submitted in House Document No. 1356, Sixty-second Congress, third session, and subject to the conditions set forth in said document, $25,375; in all, $554,000.

Mr. SMALL. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Page 10, line 11, after the word "Wilmington" strike out "$30,000" and insert in lieu thereof "$51,000"; and strike out the numerals "$554,000" in line 15, page 10, and insert in lieu thereof the following: "$575,000."

Mr. SMALL. Mr. Chairman, the purpose of the amendment is to increase the appropriation for the upper Cape Fear River from $30,000 to $51,000. I have in my hand a letter from the Chief of Engineers recommending the increased appropriation, dated December 30, 1918, after the bill had been reported to the House. Unless some gentleman desires me to read the letter in extenso, I will not do so, but place it in the RECORD.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, December 30, 1918.

Hon. JOHN H. SMALL,
Chairman Committee on Rivers and Harbors,
House of Representatives.

MY DEAR MR. SMALL: 1. In response to your letter of the 12th instant in regard to the project for Cape Fear River above Wilmington, N. C., I have the honor to say that this project provides for a navigable depth of 8 feet at mean low water from Wilmington to Fayetteville, to be procured by the construction of two locks and dams and the dredging of intermediate shoals. The two locks and dams are practically finished, completing 92 per cent of the project. The work remaining to be done is the dredging of shoals in the pools.

2. The upper lock was opened to navigation in September, 1917. The only boat regularly using the upper section of the river draws about 3½ feet of water, loaded, and makes two round trips per week between Wilmington and Fayetteville. This boat had no trouble until the latter part of October, 1918, when, on account of an unusually dry season, the water was at an unusually low stage and the boat had more or less trouble for a period of two or three weeks, but it is reported that she did not fail to make a trip. Such plant as was available was put upon the work and is still engaged in snagging and dredging. The available depth at present is reported to be 5 feet.

3. There is available for dredging operations $40,000, appropriated by the river and harbor act of July 18, 1918. With this amount and the $30,000 estimated by the Chief of Engineers for appropriation in the pending river and harbor bill, it was expected to keep the dredging plant going until such time as further appropriation should be made at the first session of the Sixty-sixth Congress. In view of the expense

involved in transferring suitable plant to the upper Cape Fear River from Beaufort, N. C., or other points in the Wilmington district, the district engineer is of the opinion that the full amount of the estimate required for the dredging involved should be available before commencing work, and he, therefore, recommends that the item in the pending bill be increased from $30,000 to $51,000.

4. As stated above, it was the expectation that the amount recommended in the Annual Report for 1918 would be sufficient to continue operations until the passage of another river and harbor bill; but it is believed that it would be to the advantage of the work to have the full amount of the estimated cost available, and the recommendation of the district engineer for increase in the pending bill is therefore concurred in at this time.

Very truly, yours,

W. M. BLACK,
Major General, Chief of Engineers.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The question was taken, and the committee amendment was agreed to.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. These are two very large projects inserted again by the gentleman from North Carolina, with the approval of the committee. As I said, he has the largest number of projects of any gentleman on the committee or any gentleman in the House. These two projects carry over a half million dollars. Let me say of the commerce on these two projects, that all of it put together does not amount to one one-hundredth part of one single harbor in my own State which I can name, Superior and Duluth, and I do not think that will be questioned. Yet after spending $7,731,168 for this stream, more than for the Wisconsin harbor, you have asked here for how much? Five hundred and seventy-one thousand dollars, increasing it. I read from page 14 of Document 746:

From a careful reading of the within report and a consideration of the commercial statistics, I am convinced that an increase in depth of the river proper is necessary at the present time. It will be noted that of the tonnage given in the recapitulation of the commercial statistics, 200,000 of the 792,000 tons reported is not affected by the depth of the channel reported on.

That is from the colonel, Corps of Engineers, of the particular district in which it is situated. Reading further from page 21 of the same document I find the following:

There are no publicly owned terminal facilities—

And yet we have heard here much discussion of the Ohio River in respect to terminal facilities, but here is a project right in the gentleman's own State where there are no public facilities—

but it is believed that the privately owned terminals at Wilmington are adequate at the present time for the commerce through the port. At present all of these important wharves are located on the east side of the river, leaving the western bank of the river practically undeveloped, which offers excellent opportunity for the development of public terminals. The wharf owned by the Wilmington Compress & Warehouse Co. is the only wharf on any side open to the public in Wilmington. Their rates for wharfage, handling, and storage are fixed, and equal to all, but controlled solely by themselves.

After spending over $7,730,000 on this stream, $571,000 are now to be added after that statement of the engineer made in the 1918 report.

Taking the next project just above, I read from Gen. Kingman's report, and it will be seen that these engineers are not very enthusiastic. That is, for a project to reach up to three fertilizer factories. The board states that the three fertilizer factories now have a tonnage that would be affected by a more commodious channel, and that such a channel would result in a material saving in the handling of their heavier commodities.

It appears that these concerns would be directly benefited, while the general public would be indirectly benefited by the work.

I want to say, in all fairness, that this is one of the cases in which a contribution is insisted upon from these three fertilizer factories, but they ought to have contributed it all. Reading now from page 14:

If the improvement is worthy of being made at all, it is worthy of being made in the way that I have described. If we spend $50,000 in making a 150-foot channel, it is my prediction that we will spend $50,000 more in the next 10 or 12 years in keeping it open, and we will have an unsatisfactory channel most of the time.

I am not prepared to say that the improvement is worthy of the expenditure of $100,000 at this time, but when the improvement is made it should be as I have described it.

That is Gen. Kingman's report. Instead of following his judgment, the committee put it in and at half the amount, and, as he says, they waste the money; and that is another one of these wasteful projects in the bill, of which there are many I do not intend to refer to.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FREAR. If the gentleman will get me more time.

Mr. MOORE of Pennsylvania. Did not the gentleman say that $7,000,000 had been expended upon this project?

Mr. FREAR. No; I said that $7,700,000 had been expended upon this river.

Mr. MOORE of Pennsylvania. I understood the gentleman to call it a creek.

Mr. FREAR. Oh, no; the gentleman did not understand that. I object to such an interruption as that. Let me say that the loss in commerce on this project was 50 per cent inside of three years. In 1914 it consisted of 167,720 tons of everything—wood, sand, and everything else—and in 1917 it was 77,151 tons. The loss on the lower river reached 40 per cent in the last three years. Fifty per cent from 1910. There is no change in the character of improvement, and yet with that remarkable statement coming from the engineers themselves, you are going to vote to put into this bill $571,000 more for a stream that has had $7,700,000 already spent upon it and a relatively small commerce.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. The Clerk will read.

The Clerk read as follows:

Waterway between Charleston and Winyah Bay, S. C.: Completing improvement in accordance with the report submitted in House Document No. 178, Sixty-third Congress, first session, $20,000.

Mr. SMALL. Mr. Chairman, I ask unanimous consent, if the committee so desires, to return to this part of the bill later in the evening, providing we receive a recommendation from the Chief of Engineers, which he has not quite completed, for improvement of the Waccamaw River. If the recommendation is not received, there will be no request to return to it.

Mr. FREAR. For this item?

Mr. SMALL. For the Waccamaw River.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to return to this particular portion of the bill later in the evening. Is there objection?

There was no objection.

The Clerk read as follows:

Waterway between Beaufort, S. C., and St. Johns River, Fla.: For maintenance, $23,000; completing improvement of Generals Cut, Ga., in accordance with the report submitted in House Document No. 581, Sixty-third Congress, second session, $1,000; completing improvement of Back River, Ga., in accordance with the report submitted in House Document No. 1391, Sixty-second Congress, third session, $5,000; in all, $29,000.

Mr. MADDEN. Mr. Chairman, I make the point of order against the item just read. This is a canal, as the report of the engineers shows. It is what they call Generals Cut, Ga. It is proposed to build a canal through solid earth for a distance of about 2,000 feet. I claim that this committee has no jurisdiction over canals at all, and the item ought not to be in the bill. It is a new project; never has been provided for before. There is no law upon which to base the legislation, and while the Committee on Rivers and Harbors, generally speaking, assumes jurisdiction over a great many things against which a point of order would not lie, I believe that the point of order is good against the item now under consideration.

Mr. SMALL. Mr. Chairman, the point of order does not lie against the proposition. I assume that the point is directed against the part of the paragraph providing for the improvement of Generals Cut, Ga. In the first place, I may say that this is not exclusively a canal proposition. Reading from the report of the Chief of Engineers:

Generals Cut is a small, straight canal, about 2,000 feet in length, which, in connection with certain small creeks, makes a continuous waterway from Darien across the delta of the Altamaha River.

The district officer states that the depth of the cut is only about 2 feet at mean low water, but that the removal of sunken logs and stumps would increase the depth 3 or 3½ feet.

So that this improvement, instead of being a canal, is a combination of artificial and natural waterways and is an improvement of both with a view of affording better navigation.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. SMALL. I will.

Mr. MADDEN. I would like to ask the gentleman from North Carolina, if his contention should prove to be correct, whether the same logic would apply where a natural waterway stops at a point and a hundred miles from that point another natural waterway began, whether, under those circumstances, we could build artificial waterways connecting those two natural waterways?

Mr. SMALL. Well, that is an academic question and has no application here.

Mr. MADDEN. It is the same thing——

Mr. SMALL. No; the conditions are not analogous. I say if where an improved artificial waterway is combined with the improvement of natural waterways, either intermediate or at the extremities of the artificial waterway, that it is within the jurisdiction of this committee and that the point of order would not lie; but in this case Generals Cut is mingled with natural waterways or creeks in order to make up the general waterway under improvement for which the appropriation is made. It is quite evident, Mr. Chairman, that the original jurisdiction of the House Committee on Railways and Canals is frequently used

by gentlemen in the House as a buffer against projects to which gentlemen may be opposed and which can not be opposed upon their merits. That has nothing to do with the technical question of the jurisdiction of the Committee of the Whole, I admit, but it is at least applicable to this phase of this question, that the ousting of the jurisdiction of a committee which has taken jurisdiction of the subject should be rigidly construed and that the point of order ought not to be sustained unless it clearly and indubitably appears that this committee is without jurisdiction. Now, the waterway under improvement here, to repeat, and to put it in the light most favorable to the point of order which has been made, is partly artificial and partly natural, and I think the Chair would not only be justified but entirely right in deciding against the point of order made against this improvement where the nature of the improvement as I have described is partly natural and partly artificial.

The CHAIRMAN. Let the Chair ask the gentleman from North Carolina this question. The Chair did not clearly understand the gentleman: Is this an improvement of an existing natural waterway or does this improvement relate to an artificial waterway to be created in the form of a canal?

Mr. SMALL. There is a waterway there already. Presumably, originally, a part of it was artificial; presumably it was an artificial cut, and at present the waterway, to quote again from the language of the Chief of Engineers in his report:

> Generals Cut is a small, straight canal about 2,000 feet in length, which, in connection with certain small creeks, constitutes a useful waterway for small boats from Darien across the delta of the Altamaha River.

It is a further improvement of the waterway already existing, the waterway consisting in part of an artificial and in part of a natural waterway.

Mr. MOORE of Pennsylvania. Will the gentleman from North Carolina yield?

Mr. SMALL. I will.

Mr. MOORE of Pennsylvania. Is there any doubt in the gentleman's mind that water already exists in this waterway, or do the reports show that there is no water in this project? The gentleman from Illinois has stated that this is a cut through solid land.

Mr. SMALL. On the contrary, the waterway does exist at the present time.

Mr. MOORE of Pennsylvania. There is an existing waterway which this appropriation proposes to improve?

Mr. SMALL. That is it.

Mr. MOORE of Pennsylvania. So it is not a new canal proposition nor is it a cut through solid land, as the gentleman from Illinois indicated?

Mr. SMALL. The gentleman is in error as to that.

Mr. MADDEN. Mr. Chairman, I wish to call the attention of the Chair, if the Chair pleases, to the statement made by the Chief of Engineers, or somebody for the Chief of Engineers:

> This waterway was created by an artificial cut of some 2,000 feet in length, which connected Butlers River with a small creek entering Darien River and is said to have been cut about in 1736 by Gen. Oglethorpe. It is generally a fresh-water stream, but affected by the rise and fall of tide, which at Darien is 6.5 feet.

There can be no question about the fact that this is an artificial waterway and that it was cut through the solid earth; that there was no water except on both ends of it before the improvement was made, and whether the cut was made last week or the last century or the century before, it seems to me makes no difference. If this item is held in order, it will be perfectly appropriate for the River and Harbor Committee to report a bill favoring a cut not only of 2,000 feet but of 2,000 miles, to connect two natural waterways, because the same principle will apply regardless of what the length of the cut may be. Now, we are establishing a very unfortunate precedent if we permit this committee to report and the committee sustains that report in a matter of this sort, because while this particular item is of itself of no great importance and does not cost very much money, it may well turn out to be a very expensive experiment, for if this is sustained as in order what will prevent the next River and Harbor Committee from coming in here and calling attention to this precedent and recommend an expenditure of five or six million dollars or one hundred million dollars, if you please, for the purpose of cutting an artificial channel to connect two natural waterways? I maintain, Mr. Chairman, that the precedent established here is of the greatest danger and ought not to be established.

Mr. MOORE of Pennsylvania. I think the gentleman from Illinois is clearly wrong in his contention. He stated at the beginning that this was a cut through solid land. In that he seems to have been mistaken. This improvement is to be an improvement of an existing waterway. If the gentleman from Illinois [Mr. MADDEN] were correct, that the River and Harbor Committee has no jurisdiction over matters of this kind, then when the problem arises as to short cutting a circuitous route or for shortening the bend in a river it would be impossible for this committee to assume jurisdiction, because in order to make that short cut from one section to another section of the same river it would be necessary to cut through solid land. If that were true, then this committee would have no jurisdiction over a river improvement whatever, and yet the purpose of the committee as contemplated in the rules is to deal with the matter of our rivers and harbors.

What does it mean? Here is a river that runs naturally like the letter "S." To navigate that river in the ordinary course would require a vessel to sail 10 miles. A cut across that "S" would mean a saving of 9 miles by a cut of 1 mile. Frequently the Army engineers have recommended such improvements. This committee has brought them to Congress and Congress has improved them. That is a function of the committee.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes.

Mr. MADDEN. But this is no such case as that.

Mr. MOORE of Pennsylvania. It is very similar.

Mr. MADDEN. The report of the Army engineers says distinctly that this is a cut across a piece of land to connect two natural creeks, running in opposite directions; not a part of the stream to be straightened at all, but a cut running straight across there, say, from here to where the Chairman sits, to connect two streams running in opposite directions.

The CHAIRMAN. The Chair would like to ask the gentleman from Pennsylvania [Mr. MOORE] and also the gentleman from North Carolina [Mr. SMALL] if the statement made by the gentleman from Illinois [Mr. MADDEN] is correct?

Mr. SMALL. To what extent?

The CHAIRMAN. As to whether or not this is a canal to connect two streams running in opposite directions.

Mr. MOORE of Pennsylvania. If it is correct, it would sustain the argument I have made. Here are two waterways, and the third in between, and the third is an existing waterway not of sufficient depth. The proposition is to improve the intervening waterway itself, the one which the gentleman from Illinois [Mr. MADDEN] complains of. If that were improved then you would have a continuous line of waterways. And it is the object and the function of the committee to recommend an improvement of that kind. To say now that this matter should be referred to the Committee on Canals comes very late, because the gentlemen on the Committee on Canals are presumed to have notice that this is a canal, if it is a canal. It is an existing waterway. There is water in it and it flows between two streams, and the problem is to improve it so that the two streams may be made continuous.

Mr. SMALL. Mr. Chairman, I wish to present another fact which is material in the determination of this matter. I repeat my former statement to the effect that this improvement comprises both natural and artificial waterways, a combination of both. And I will send up, if the Chair desires it, the report. Now, in the second place, I want to read further from the report here. The Chief of Engineers says a further survey of this cut does not seem to be necessary, as the only improvement that is deemed necessary to accommodate the limited amount of traffic would be the removal of logs. And I call the attention of the Chairman to this, namely, that the only improvement necessary is the removal of "logs and stumps and trimming of a small amount of overhanging trees."

Now, the report of the district engineer is not controlling. The final report, embodying the conclusion of the Chief of Engineers, is always controlling in these reports submitted. Now, reading from the report of the Chief of Engineers, the last paragraph, it says:

> After due consideration of the above-mentioned reports, I concur with the views of the district officer and the Board of Engineers for Rivers and Harbors, and therefore report that the improvement by the United States of Generals Cut, near Darien, Ga., is deemed advisable to the extent of removing logs, snags, and similar obstructions.

This is no excavation either for further deepening or widening, but simply to remove those obstructions, including the cutting of overhanging trees. So that it is based upon those two propositions, that this is not a proposed improvement of a canal exclusively, but a proposed improvement of a natural as well as an artificial waterway, forming one continuous waterway; and, second, that the improvement only contemplates the removal of snags and overhanging trees.

I would be glad to send this report up to the Chairman if he desires.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Illinois [Mr. MADDEN] makes a point of order on

that portion of the pending paragraph, beginning on line 24, on page 10 of the bill, and which reads as follows:

completing improvement of Generals Cut, Ga., in accordance with the report submitted in House Document No. 581, Sixty-third Congress, second session, $1,000—

on the ground that a portion of it relates to the improvement of a canal.

Now, it is very clear to the Chair that the Committee on Rivers and Harbors does not in this bill have jurisdiction over the improvement of canals. Under section 56, Rule XI, bills reported from the Committee on Rivers and Harbors are given a privileged status where they relate to the improvement of rivers and harbors. As far as the Chair knows, it has been uniformly held heretofore that under this rule the Committee on Rivers and Harbors has no authority or jurisdiction to report an appropriation bill, which shall have a privileged status, for the improvement of any existing canal or to make a canal.

In the view of the Chair, this is simply a question of fact as to whether or not this paragraph relates to the improvement of a canal. It is stated by the gentleman from North Carolina [Mr. SMALL] that this is an existing waterway. But the gentleman from North Carolina also states that it does not exclusively consist of a natural waterway. The gentleman from Illinois [Mr. MADDEN] has called the attention of the Chair to the report and map submitted by the Chief of Engineers, which show that this is, for a portion of the distance, a canal; and in view of the ruling in the Hennepin Canal case, and the uniform rulings that have been made since that decision was rendered, the Chair does not think that this provision is in order, and therefore sustains the point of order made by the gentleman from Illinois.

Mr. MOORE of Pennsylvania. Mr. Chairman, I appreciate the adherence of the Chair to the precedents to which he has referred, but this is so obviously a technical decision and the whole question is so obviously technical, as against the merits, that I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Pennsylvania appeals from the decision of the Chair. The question is, Shall the decision of the Chair be the judgment of the committee?

Mr. STAFFORD. Mr. Chairman, I ask for recognition.

Mr. MOORE of Pennsylvania. I desire to be heard, Mr. Chairman.

The CHAIRMAN. The Chair will first recognize the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Mr. Chairman, no Member of the House appreciates more than I do the services which have been rendered by the distinguished gentleman who is the present occupant of the chair, and I would be the last person on earth to raise a question controverting his decision if I did not believe the merits and facts warranted it.

Since I have been in this House this question of the jurisdiction of the Committee on Railways and Canals has come forward every time a river and harbor bill has been reached. Each time the question has been raised the Chairman, whoever he may have been, has been compelled to adhere to the precedents, and improvements have stood idle by reason of that fact. The Committee on Railways and Canals has never so exercised its jurisdiction that the product of its work has been seen upon this floor. So that to refer these canal matters, which are of importance to the progress of the country, to the Committee on Railways and Canals has, up to this time, been like referring them to the refrigerating chest for cold storage.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman.

Mr. GARD. I want to know if this Committee on Railways and Canals has any privileged status in reporting bills?

Mr. MOORE of Pennsylvania. It could report bills.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes.

Mr. DEMPSEY. Was not this same question up when a Representative from Mississippi was presiding two years ago?

Mr. MOORE of Pennsylvania. This same question was up when the distinguished gentleman from Mississippi [Mr. HARRISON], now a Senator elect, was in the chair. It referred to another project, proposing to connect two existing waterways through an artificial waterway, and because of the technical question raised at that time, that the artificial waterway, on which a great public improvement depended, had not been referred to the Committee on Railways and Canals, an effort was made to throw it out of court. Then the appeal from the decision of the Chair was respectfully made, as it is most respectfully made now, and the Committee of the Whole sustained the appeal.

Now, I want to express the belief that it is not in the mind of any Member of the House, and certainly not in the mind of any chairman of the committee who makes these decisions, to halt public improvements, but that is exactly what this technical objection means—to halt public improvements and stop the internal development of the country.

Because some gentleman objects to a river and harbor bill in toto, because some man has a prejudice against river and harbor appropriations, because some editorial writer in Chicago or in Philadelphia or elsewhere terrorizes Members of Congress by writing articles about the "pork barrel," are we always, when we get to the very point of passing public measures which are of value to the community and which tend to encourage business through the United States, to be halted by this technical objection raised at the eleventh hour, when an improvement is in sight?

I rise for the purpose of making this explanation now, in order that the committee may thoroughly understand that there is no desire to personally reflect upon the gentleman who occupies the chair. He has been obliged by precedents to make this decision, but it is our province to cut the red tape which seems to hamstring the House and let these public improvements go through. More money for the United States; more money for development here, and possibly a little less as a gratuity to the people of the earth besides! A little more for the protection and development of our soldier brain and brawn and for the opening up of these new internal improvements in the United States which will give them employment. We have appropriated money to help along the canals and rivers in France, and we may appropriate money for the improvement of rivers in Germany before we get through. We are very liberal in some things, but when it comes to our own country some editorial writer crying "pork" seems to have the power to hold us up. I beg my colleagues on the other side and my Republican friends to sustain this appeal. Let us make practical provision for the employment of our soldiers and sailors when they return to the United States.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. OVERSTREET rose.

The CHAIRMAN. The gentleman from Georgia is recognized.

Mr. MADDEN. Mr. Chairman, I made the point of order, and I demand the right to reply.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia. He will recognize the gentleman from Illinois later.

Mr. OVERSTREET. Mr. Chairman, if the engineers had not made this recommendation, there would be some reason for voting this proposition down; but we recognize the fact that the distinguished gentleman from Tennessee [Mr. BYRNS] sustained the point of order purely upon technical grounds. The report of the engineers shows that this was an existing waterway from 1736. This canal was partly cut by Gen. Oglethorpe over 100 years ago. That being true, it seems to me the principle of law of immemorial usage would apply that it runneth back to a time when the memory of man runneth not to the contrary. Therefore, we should take it for granted that it is a natural waterway. To say the least, Mr. Chairman, there is merit in the project, and it only involves the small amount of $1,000. That is all this item of the bill carries, and the time already lost in debating the proposition would come to more than the $1,000. Without reflecting on the chairman who made this ruling, I hope this House will vote to overrule his decision.

This project is in my district. I am familiar with this stream. You could not tell that it was a canal. It is overgrown by bushes and brush. If any of it was cut artificially originally, you could not tell it by looking at it now. This appropriation of $1,000 is for the purpose of clearing out this underbrush and cleaning out these logs. The stream is already there. There is water flowing between these two rivers. I hope the House will vote to overrule the decision of the Chair and will let this $1,000 appropriation stand. My colleague calls my attention to the fact that when the gentleman from Mississippi [Mr. HARRISON] was in the chair the House overruled him on a similar proposition. No reflection is intended. The gentleman from Tennessee [Mr. BYRNS] understands, of course, that he had to make the ruling because there was some precedent for it, and he sustained the point of order on technical grounds. As I have said, there is merit in the proposition, and a meritorious matter of this kind ought to be allowed to stand, notwithstanding the technical objection. I hope the House will vote to overrule the decision of the Chair. [Applause.]

Mr. MADDEN. Mr. Chairman and gentleman, of course I have no feeling at all in this matter, and all the claptrap of

the gentleman from Pennsylvania [Mr. MOORE], who has just taken his seat, about his desire to find employment for the returning soldiers has no merit. To begin with, this project involves the expenditure of only $1,000. How many soldiers could be employed on it? Will anybody rise to say? It is not a question of the employment of soldiers; it is a question of principle that is involved. It is not a question of whether this committee has jurisdiction. After all, it is a question of what may follow. Now, what may follow? In this particular case we find ourselves confronted with the fact that this committee is reporting in favor of digging a canal to connect two parallel streams 2,000 feet apart. The canal which they propose to dig is no part of a river. It does not come within the scope of the statement made by the gentleman from Pennsylvania [Mr. MOORE] that it is a winding river, across which we might make a cut to shorten the navigation. Oh, no. It connects two parallel streams 2,000 feet apart. It is a canal and nothing else. It can not be considered as anything else.

Now, I maintain that the decision of the Chair ought to be sustained, simply because if the Chair decided in any other way than that in which it did decide we would find ourselves confronted with this condition: Suppose, for example, that beyond Lake Michigan in the State of Illinois, which is a natural waterway, we find that two or three hundred miles away is the Illinois River, running south. We will assume that there is no natural waterway connecting the Illinois River and Lake Michigan. If this is permitted to go into the law, would anybody contend that it would not be permissible for us to report a bill to dig a canal at Government expense to connect Lake Michigan with the Illinois River?

Mr. JUUL. Will the gentleman yield for a question?

Mr. MADDEN. Yes.

Mr. JUUL. Does not the gentleman think it would be a splendid idea if we cut the red tape and did connect the Great Lakes with the Mississippi?

Mr. MADDEN. I think it would be a good idea for us to connect the Lakes with the Mississippi River; but the State of Illinois, although asking that it be done, stands ready to contribute $20,000,000 of its own money toward the execution of that kind of a project. But here in the State of Georgia, although the amount to be expended is small, no one pretends that the State of Georgia intends to contribute any part of the expense. We are establishing a precedent which, if followed, would permit the Government of the United States, through an act of Congress, to dig the Erie Canal from end to end.

Mr. DEMPSEY. No; that is already dug. The State of New York has spent $160,000,000 on that already.

Mr. MADDEN. I understand that the Erie Canal is dug, but if it was not dug this would permit the digging of that canal out of funds from the Treasury of the United States. It would permit the digging of any other canal anywhere in the United States without the contribution of a single dollar by the locality to be benefited. I submit, in all fairness, that this goes beyond the realm of our jurisdiction; that the Chair ruled in accordance with justice and decency and good practice, and he ought to be sustained in his ruling, unless you want to establish a precedent that may come back to plague you in the future, and that may cost the Treasury of the United States any number of hundreds of millions of dollars without any possibility of return for the expenditure.

Mr. DUPRÉ. Mr. Chairman, the gentleman from Illinois [Mr. MADDEN], who has just addressed the committee, has been referring to the precedents that have been established in such matters, but the gentleman has failed to refer to the last precedent which was established, not by the Chairman of the Committee of the Whole but by the committee itself. When the gentleman from Mississippi [Mr. HARRISON] was presiding two years ago the question of the Delaware & Chesapeake Canal came up for consideration. The point of order was made the same as is here contended for, that the Committee on Rivers and Harbors had no jurisdiction in the premises. The Chairman upheld that point of order, an appeal was taken from his decision, and the committee reversed the ruling of the gentleman from Mississippi [Mr. HARRISON]. I submit that the action of the committee should be as good to-day when the gentleman from Tennessee [Mr. BYRNS] is presiding as it was when the gentleman from Mississippi [Mr. HARRISON] was reversed. Here is a matter that involves $1,000, and the point of order is made against it. Two years ago a matter involving $3,000,000 was before us, a point of order was made against it, the Chairman sustained the point of order, and the committee overruled the Chairman, and expressed its willingness to pay that amount if it was necessary to get that waterway.

Now, is the Committee of the Whole, only two years afterwards, going to refuse to do for Georgia what it did two years ago for the Delaware & Chesapeake Canal? I appeal to the committee to be fair. [Applause.]

Mr. MANN. Mr. Chairman, the distinguished gentleman from Tennessee [Mr. BYRNS] occupying the chair has made a ruling following the rules of the House. The Constitution provides that we shall operate under the rules made by the House. The House has provided its rules. The gentleman from Tennessee has decided that under the rules of the House a certain item in this bill is not in order. The merits of the item are not properly before the House. This is a lawmaking body. The question before the House is whether it is a law-abiding body, whether it will follow the rules it has established, regardless of the merits of the particular proposition, or whether it will decide it when it comes up according to the individual preferences or lobbying of Members of the House.

I take it that this is a law-abiding body as well as a lawmaking body. If it is a law-abiding body, when it makes rules it will follow the rules it has made, and in this case it must either decide that the gentleman from Tennessee, as Chairman, did not know the rules of the House, did not make a correct ruling under the rules of the House, or else it pays no attention to the rules it made itself, unless, perchance, it desires to have the rules operate in favor of individual projects.

This body can never do well unless it observes the rules of the House. The river and harbor bill always is subject to enough criticism without the criticism being made throughout the country that when the river and harbor bill is up the House pays no attention to the rules made by the House of Representatives, that Members override the rules made for other bills because they desire to interject projects into the bill which the public, erroneously of course, calls the pork-barrel bill.

We can afford in a river and harbor bill to be honest with the bill; we can afford to be honest with ourselves; we can afford to pass a river and harbor bill under the rules of the House, but we can not afford to put in an item in contravention of the rules of the House.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. MANN. Yes.

Mr. MOORE of Pennsylvania. Does not this body rise superior to the Committee on Rules?

Mr. MANN. I have not mentioned the Committee on Rules; I have mentioned the rules of the House, made by the House itself. The question is, Will the House override its own rules because of some little item in the bill.

Mr. JUUL. Will the gentleman permit me to ask a question?

Mr. MANN. Yes.

Mr. JUUL. If it was shown that this little improvement was not the improvement of a canal but simply the clearing out of an old cut—and I used to live within a couple of miles of this place—if this is merely the removal of trees and stumps from a cut that has served as a waterway for 200 years, or nearly that, would the gentleman say that we are violating the rules of the House by allowing this little $1,000 to the State of Georgia?

Mr. MANN. It makes no difference whether it is "a little one thousand dollars" or $100,000,000.

Mr. JUUL. May I repeat my question to the gentleman—if this waterway has been in existence for nearly 200 years, water having flowed through it all the time, would the gentleman say that we are digging a canal?

Mr. MANN. That is begging the question. That matter was argued before the Chairman of the Committee of the Whole, Mr. BYRNS. I did not listen closely to the arguments that were made and I do not know the merits of the proposition, but I prefer to take the judgment of the Chairman of the Committee of the Whole House, the gentleman from Tennessee [Mr. BYRNS], who tried to make a fair ruling, and, in my judgment, did make a fair ruling, rather than to impassioned utterances of Members of the House who have urged the House to overrule the Chairman regardless of the rules of the House.

Mr. DEMPSEY. Mr. Chairman, I say with no lightness of feeling that I differ, with great deference, with the minority leader of the House. It is with slowness and reluctance that I do so. I want to call the attention of the House to some things which, it seems to me, have a bearing on this question. I think the broad general ground is an important one. I think that the merits of the proposition are more important than the rules under which it is considered. Second, I think that we are all familiar with the fact that the jurisdiction of committees overlaps, and it is not at all clear, but exceedingly doubtful—it is in a nebulous condition—whether this committee had jurisdiction of such a question as that involved here.

The Chairman decides the question upon a certain state of facts and then a gentleman rises who has lived in the vicinity, who is familiar with the facts, who knows them better than any report can state, who knows the situation from personal observation, because he has lived there, and he refutes the very basic thing upon which the ruling is made. He gives us a state of facts which would make the House decide exactly contrary to the ruling of the presiding officer.

Mr. MADDEN. Will the gentleman yield?

Mr. DEMPSEY. In a moment.

Mr. JUUL. Mr. Chairman, will the gentleman allow me to ask the gentleman from Georgia a question?

Mr. DEMPSEY. I will.

Mr. JUUL. I would like to ask if the matter in controversy is the Oglethorpe Cut?

Mr. OVERSTREET. Yes; it is the cut which the gentleman referred to.

Mr. DEMPSEY. Now, we come to another question that I want to call to the attention of the House. I want to recall a scene that was enacted here only two days ago. I want to call the attention of the House to the fact that a map was presented here of a canal, and the gentleman from Pennsylvania called attention to the fact that if we made that short 13-mile cut we would afford an inland waterway from the South, from Florida, from Georgia, from all the raw-material States in the South through an inland protected waterway up north to the manufacturing public, and this House rose as one man in applause in response to that suggestion. There was no one voice dared raise the question that that also was a canal project. Why, if you are going to fight out the proposition did you not fight it then? Why did not you fight it with millions of dollars at stake, with a canal 13 miles long, and not reserve the fight where a thousand dollars only is at stake, with a waterway that has been in existence over 100 years?

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. MADDEN. Does the gentleman know that nothing but rowboats are operated on any of the connecting channels, and that not even a rowboat can successfully traverse the proposed canal.

Mr. DEMPSEY. Mr. Chairman, the gentleman who preceded the gentleman from Illinois [Mr. MADDEN] said that the merits of this proposition were not before the committee.

Mr. MADDEN. The gentleman is talking about the merits.

Mr. JUUL. Mr. Chairman, will the gentleman yield for a question?

Mr. DEMPSEY. Yes.

Mr. JUUL. Does the gentleman know that even within my time there was no way for reaching Darien from Brunswick and the Atlantic Ocean except in a rowboat and a ship; that there was not any railway?

Mr. DEMPSEY. When we come to a discussion of the merits, as we will, if the House overrules this technical ruling, I believe that the statements of the last gentleman, propounded as a question, will be refuted, and that this will be shown by those who know to be a worthy project, one which should be included in the bill.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. MOORE of Pennsylvania. Is not this a fair answer to the question of the gentleman from Illinois [Mr. MADDEN], that whereas we may put canals in this bill providing for steamships, we shall not put waterways in this bill providing for waterways where men are so unfortunate as to own only rowboats?

Mr. MADDEN. Mr. Chairman, will the gentleman let me ask a question there?

Mr. DEMPSEY. Oh, I decline to yield any more of my five minutes.

Mr. MADDEN. The gentleman is not confined to five minutes.

Mr. DEMPSEY. Oh, yes; I am. When we come to a discussion of the merits of this proposition——

Mr. MADDEN. Mr. Chairman, will the gentleman yield for one question?

Mr. DEMPSEY. In about one minute, when I finish this sentence. When we come to a discussion of the merits of this proposition, as we will, that matter can be discussed, but the merits of the proposition are not now before us, and we can not discuss them. We are discussing the question whether or not this point of order should be sustained. I point to two things: I point to the nebulous and uncertain boundaries of the rules, illy defining, uncertainly defining, the jurisdiction of committees, and I point, second, to the fact that only two days ago this House as one man rose to the Delaware Canal and said that millions of dollars should be expended upon it, and no one even raised his voice in protest. Yet the gentleman who raises the question now, and, so far as I recollect, every one here now was present at that time and were all aware of the situation, because they are skilled and experienced men. They have been here a long time and are familiar with the rules, and they knew if they could raise the question at all they could raise it then just as well as now.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. MADDEN. Of course, the statement of the gentleman from New York [Mr. DEMPSEY] is intended to be misleading——

Mr. DEMPSEY. I object, for that is not a question and I ask that it be stricken out. I decline to yield my time and surrender the floor.

Mr. MADDEN. Then I shall withdraw the statement and ask a question. The gentleman from Pennsylvania—oh, I see the gentleman from New York is resuming his seat, and he does not care to answer the question.

Mr. DEMPSEY. I am willing to answer questions, but that is a statement.

Mr. MADDEN. Then I shall take time to make the statement. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, the gentleman from New York [Mr. DEMPSEY] has just made the statement that the item connected with the purchase of the Delaware Canal was subject to a point of order. That was true last year and the point of order was made and it was sustained. Then the gentleman from Pennsylvania [Mr. MOORE], doing then what he has done now, appealed from the decision of the Chair and the appeal was sustained and legislation was enacted in connection with the item in the last river and harbor appropriation bill. It was not subject to a point of order in the bill as presented to us to-day. So that the statement of the gentleman from New York was very misleading, intentionally or unintentionally, it does not matter which. The question asked by the gentleman from Pennsylvania [Mr. MOORE] of the gentleman from New York [Mr. DEMPSEY], who has just taken his seat, "If this House is willing to let go by the project for the purchase of a canal on which steamboats can navigate, why not enact a law that will permit the navigation of rowboats?" was also intended to be misleading. It was intended that the House should be misled and not understand the facts. This item is the only item in the bill thus far reached that is subject to a point of order. The point of order was raised, and the point of order has been sustained, and now an appeal comes from the gentleman from Pennsylvania. Successful in his appeal last year, interested in the river and harbor bill as he is, and as is the gentleman from New York [Mr. DEMPSEY] and the gentleman from North Carolina [Mr. SMALL], having a bill made up of pork in which almost every State and district in the United States is interested, of course you can violate the rules of the House and appeal from the decision of the Chair and make a ruling that may cost the Treasury of the United States hundreds of million of dollars in the future.

Mr. SANDERS of Louisiana. Mr. Chairman, when an appeal was taken last year from the decision of Chairman HARRISON in a similar case, I voted against sustaining the position of the Chair, and I intend to vote in favor of the appeal against the Chair to-day. I am going to do it now for the same reason that I did it last year. I listened with a great deal of attention to the argument of the minority leader, the gentleman from Illinois [Mr. MANN], a minute ago. I could not fail to contrast it with the magnificent argument which he made the other day in favor of passing the bill to validate otherwise invalid contracts. He seemed then to glory in the fact that the War Department had cut red tape whenever necessary, but, forsooth, we here in the House, bound by the red tape of rules, may not cut the red tape to accomplish the public weal. I take it, that the rules were made for the House and not the House for the rules. I take it, that the rules of this House were made for the purpose of doing business and not for the purpose of preventing business from being done.

And I say that the highest prerogative of the House and the Committee of the Whole alike is that whenever a rule prevents the performance of public business, then the House or the committee has the right to proceed to do business. Now, the rivers and canals of this country are as one; they are a means of transportation, and they can not be considered, in my opinion, separate and apart one from the other. And, Mr. Chairman, I want to impress this upon the membership of this committee, if I may, and that is this: That this committee in the final analysis is the judge itself of the rule. [Applause.] And that when this

committee says what the rule is that is the rule, and from the decision of this committee there is and there can be no appeal. We can appeal from the decision of the Chair when he undertakes to interpret the rule, and then the interpretation of the rule is taken from the Chair, placed in the hands of you and I, and it is for us to say what the rule is.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SANDERS of Louisiana. I will.

Mr. MOORE of Pennsylvania. I think the gentleman has very correctly interpreted the situation. I want to ask him if he recalls this instance as bearing upon the rights or prerogatives of the committee to overrule the Chair at times. A bill was brought in and the gentleman from Ohio [Mr. Burton], who has been held up as one of the great chairmen of the Rivers and Harbors Committee, having some interest in a public building in Cleveland, sought to have a proviso that the building should be constructed of granite. A point of order was made and sustained by the Chair, the Chairman at the time being no less distinguished a person than Mr. Sherman, subsequently Vice President of the United States. The gentleman from Ohio persisted, and his appeal from Mr. Sherman's decision was sustained.

The Committee of the Whole, exercising the right which we hope it will exercise here, appealed from the decision of the Chair and overruled him in a case not so meritorious as this. Now, does the gentleman think there is any impropriety in taking similar action to-day?

Mr. SANDERS of Louisiana. Far from any impropriety, in answer to the gentleman's question——

Mr. STAFFORD. Will the gentleman yield to allow me to correct——

Mr. SANDERS of Louisiana. Let me finish and then I will yield. Far from there being any impropriety in voting to overrule the Chair, I take it that it is our absolute duty, if we disagree with the Chair in his interpretation of the rule, to vote to overrule him, irrespective of who the Chair may be, where he comes from, what his intellectual attainments are, or what his knowledge of the rules may be. Now I yield to the gentleman from Wisconsin.

Mr. STAFFORD. I merely rose to ask the privilege of correcting the gentleman from Pennsylvania——

Mr. SANDERS of Louisiana. Do that on some one else's time, may I beg. Mr. Chairman, I want to add one further word, and that is this: I agree fully with the gentleman from Illinois [Mr. MANN], that we are a law-making body. I sincerely hope that we are a law-abiding body, but, Mr. Chairman, I want to say this to the membership of the committee, that there is a great difference between a law and the rules of the House. A law is something that I am obliged to obey, because it is the law of my land. The rules of this House, if I interpret them correctly, are like the rules of any other legislative body. They are simply a form of procedure. There is nothing sacred about them. They are made one day and unmade the next. They are made to govern our deliberations, not to bind our actions, and whenever those rules interfere in any way with the business of the people the rules should be changed, and there are two ways to change them. First, by action of the body in the making of rules; and, second, by the body itself declaring what interpretation the rules are entitled to. [Applause.]

Mr. JUUL rose.

Mr. SMALL. I want to ask the gentleman how much time he desires; we are anxious to close.

Mr. JUUL. Less than five minutes, but I would like to have that.

Mr. SMALL. I yield to the gentleman.

Mr. STAFFORD. I would like to have some time before a vote is taken.

Mr. JUUL. Mr. Chairman and gentlemen, it is because I am desirous of following the suggestion and advice of the minority leader [Mr. MANN] to cut red tape that I step to the front here to-day. I believe in rules, but I do not believe that rules should be permitted to cripple the power of 400 gentlemen to act in an emergency. I think this bill is chock full of appropriations that ought never to be made, but I think we are stopping at the wrong place. Now, this is a proposition to complete the improvement of Generals Cut, in Georgia, in accordance with the report submitted in House Document No. 581, Sixty-third Congress. It calls for $1,000. In lines 6 and 7 you are asked to appropriate $35,000 for the Altamaha River. Now, imagine a body that passes on $35,000 for the Altamaha River and must stop at the completion of an improvement connecting that river with the other river because, forsooth, 176 years ago part of the connecting link was cut with spades instead of being formed by nature. That is exactly what you are trying to hesitate at. The cut is there; it has been there for a long time. One gentleman said here that this was a boat connection. When I reached Georgia, about 40 years ago, there was absolutely no means for getting up to the city of Darien from the Atlantic Ocean except by boat, and I went there in a sailboat and was glad to get there that way. [Applause.] Now, we can appropriate $35,000 for the Altamaha River and $50,000 for the Darien River, but we can not connect the two rivers with $1,000, because 176 years ago men used spades in connecting the two streams. I think, gentlemen, that is carrying the rule too far. I believe rules are made for the purpose of transacting business and not for the purpose of blocking business. [Applause.] And believing that I would like to be able to consider and vote for this item, and I would probably refrain from voting for half of the stuff that is in the bill, because I think it never ought to be in it. I am not in favor of voting money for the River of Jordan or the River of Doubt, but here is a proposition where gentlemen are stopping and raising an issue at the wrong time and in the wrong place. [Applause.]

Mr. SMALL. Mr. Chairman, not to interfere with the gentleman's recognition, may I ask unanimous consent that all debate on this appeal close in 10 minutes, 5 minutes to be granted to the gentleman from Wisconsin——

Mr. STAFFORD. The five-minute rule, as the gentleman knows, does not apply in discussion of questions of appeal from the decision of the Chair.

Mr. SMALL. How much time does the gentleman want?

Mr. STAFFORD. I would not want to be limited. I do not desire unlimited time, but I think 10 or 15 minutes.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN (Mr. FOSTER). The gentleman will state it.

Mr. BANKHEAD. Under the rules of the House, when we are in Committee of the Whole under the five-minute rule, I ask whether time for debate is not limited to five minutes on an appeal from the Chair?

The CHAIRMAN. On an appeal the time is one hour, in the opinion of the Chair, without close examination of rules and precedents.

Mr. BANKHEAD. Does the same rule obtain in the Committee of the Whole as to limitation of debate as obtains in the House?

The CHAIRMAN. Yes; the Chair is of that opinion now. However, the Chair will state that it is in order to close debate whenever the committee sees fit.

Mr. SMALL. Mr. Chairman, I submit the unanimous-consent request that the debate on the appeal close in 15 minutes, 10 minutes to be consumed by the gentleman from Wisconsin [Mr. STAFFORD] and 5 minutes by myself.

Mr. LARSEN. Mr. Chairman——

Mr. SMALL. Seventeen minutes, then; two minutes to be consumed by the gentleman from Georgia [Mr. LARSEN].

The CHAIRMAN. The gentleman from North Carolina [Mr. SMALL] asks unanimous consent that the debate upon the appeal be limited to 17 minutes.

Mr. SMALL. May I modify that and make it 23 minutes, 10 minutes to be consumed by the gentleman from Wisconsin [Mr. STAFFORD], 5 minutes by the gentleman from Georgia [Mr. LARSEN], 3 minutes by the gentleman from Ohio [Mr. GARD], and 5 minutes to myself?

The CHAIRMAN. The gentleman from North Carolina modifies his request to the effect that the debate upon this appeal be limited to 23 minutes, 10 minutes to be consumed by the gentleman from Wisconsin [Mr. STAFFORD], 5 minutes by the gentleman from Georgia [Mr. LARSEN], 3 minutes by the gentleman from Ohio [Mr. GARD], and 5 minutes by himself. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, no more important question on the integrity of the procedure of the House can confront the Committee of the Whole than passing upon an appeal from the decision of the Chair. It is admitted by those who seek to overthrow the rules of the House that the decision of the Chair is correct, and yet we have here to-day, by those who favor river and harbor appropriations, the revolutionary doctrine proposed, that whenever a majority of this House believes that there is merit in a proposition, notwithstanding the rules of the House for its orderly procedure, the majority shall control regardless of what the House in its calm moments has determined should be the rule of procedure. If that is going to be the practice here is it to be the policy, whenever a member of the Committee on Appropriations, who happens to have some item out of order in an appropriation bill ruled out of order under the rules, because of the rule that no legislation should be carried on an appropriation bill, to rise and appeal from the decision of the Chair? Rarely has it been resorted to. I recall only three or four instances. The gentleman from Pennsylvania [Mr. MOORE], who again assumes to overthrow the rules, as he did two years

ago, cites an instance about former Representative Burton, of Ohio, when he moved to overrule the decision of the Chair. He is in error when he says it was on a river and harbor bill. He does not know the facts. If he had known the facts he would not have referred to that instance as there was an exceptional condition that might have justified the committee in then setting aside the decision of the Chair, because Mr. Burton then admitted that he was out of the Chamber and engaged in committee work at the time when the amendment which he offered to the House would have been in order. Mr. James S. Sherman, then in the chair, ruled, on the sundry civil appropriation bill, where Mr. Burton sought to have this amendment incorporated, that it would have been in order if the gentleman from Ohio had presented it in time. The House thought an unfair advantage was being taken of Mr. Burton and they made that exception. But I very well remember the late Republican leader, Mr. Sereno E. Payne, rising on the floor when a like attempt was made to overrule the decision of the Chair, and appealing to Members, regardless of party, regardless of their interest in the individual proposition, not to have them set aside all rules but calling attention to the necessity, as pointed out by former leader Dingley, of adhering to the rules of the House if they were to have good legislation.

The gentleman from New York [Mr. DEMPSEY], another member of this committee, and the gentleman from Pennsylvania [Mr. MOORE], and these other Members, rise in an attempt here to try to overrule the decision of the Chair, to set aside all precedents, and allow any character of legislation to be considered on this bill. This river and harbor bill is the one bill of all bills, when it is under attack from the country at large, where we should observe strictly the rules of the House, and where it should not be said that we lightly set aside the rules of the House to consider a project over which the committee has no jurisdiction. I am surprised and amazed that members of the committee should justify this revolutionary doctrine, that whenever they see fit, on some amendment which is out of order, immediately arise and move to overrule the decision of the Chair.

The gentleman from New York [Mr. DEMPSEY], a learned attorney, says the merits of the proposition are more important. Why, if we were to follow that idea there would be chaos and pandemonium here in this Chamber in the consideration of its legislation. If we were to follow that course and adopt the position of the gentleman from Louisiana [Mr. SANDERS], there would be no rules. The will of the majority at all times would be supreme, and the very purpose of the rules, as the purpose of all law, is to protect the minority against the present majority. The majority of to-day may be the minority of to-morrow.

Mr. MONTAGUE. Mr. Chairman, will the gentleman permit a question?

Mr. STAFFORD. Yes; I will be glad to.

Mr. MONTAGUE. The gentleman is a skilled parliamentarian. What is the difference in parliamentary law between the right to purchase and operate a canal on yesterday and the right to dig out a canal to-day?

Mr. STAFFORD. Well, I know nothing about the merits of the proposition, but I know this: That under the established precedents of this House legislation with respect to canals does not rest with the Committee on Rivers and Harbors. I know further that under the precedents of this House, respecting river and harbor bills, matters may be reported which are not privileged, over which the committee has jurisdiction, but they can not be considered on a river and harbor appropriation bill, but those matters must take their ordinary course just like any other bill.

The gentleman from Louisiana cites the case of the consideration of a bill granting to the War Department authority to adjust claims that have not been executed properly. That bill was brought in under the regular orderly procedure. There is always recourse on the part of a committee, or a majority of the House, when they desire to have a thing put in order on an appropriation bill to go to the proper committee, and that is the Committee on Rules. There is no majority in this House at this time. Three-fourths of those who are present are interested in this project, and it is to protect, perchance, the majority of this House who are absent at the present time against the raids and ravages that are being perpetrated by these sponsors of large river and harbor improvements that the rules are placed there.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Not just now. As I say, I have no concern with the merits of the propositions. What is a thousand dollars? But I am concerned with the more fundamental proposition, and that is that if we recognize now on a river and harbor bill the right to hold in order a proposition for the improvement of a canal, or the building of a canal, it is a dangerous precedent that is going to come to plague us in the future. There will be nothing to prevent a Member on the floor of the House getting his friends here and offering amendments to build a canal involving the expenditure of hundreds of millions of dollars. With the power of a majority favoring it it can be rushed through despite the rules of the House providing that that legislation must first be considered by a committee. That is the object of those who now seek to have the orderly rules of the House superseded. They say, in effect, that any extraneous amendment that is not in order may be considered on the spur of the moment if supported by a majority. That is a radical departure from orderly procedure.

Mr. MONTAGUE. The gentleman from Wisconsin misunderstood my question. What I am trying to get at is the continuity of the rule. How can a rule be hot and cold? Why should the rule permit a canal to be bought or purchased on page 7 and forbid a canal to be improved on page 11? Why did not the gentleman make the point of order yesterday?

Mr. STAFFORD. I did not make the point of order on this proposition. The gentleman can not throw that at me. I am consistent. I am not concerned about the merits of the item. I would not have made the point of order. But I am rising here, independent of the merits of the proposition, appealing to Members who are in favor of maintaining the integrity of the rules of the House to stand by those rules now. It is revolutionary to attempt to override the decision of the Chair. I appeal to Members to stand by and protect the rules against the ravages that are being made against their integrity.

Mr. MONTAGUE. Here is a ravage of three millions yesterday, when the gentleman did not open his mouth, and here is a ravage of $1,000 to-day, and the gentleman cries aloud.

Mr. STAFFORD. This is not on the merits of the proposition. This is on the question of the integrity of the rules of the House. I hope the gentleman will see the difference between the question of order and the question of merit in digging a little $1,000 canal. I hope the gentleman has that breadth of vision.

Mr. SLOAN. If the gentleman's contention is correct, that it will prevent the building or construction of these rivers, where, then, will we be able to place our expenditures hereafter when we shall have filled up our rivers, creeks, brooks, affluents, rivulets, runnels, and all?

Mr. STAFFORD. There is no question as to the authority of the committee to report an item for the improvement of a river or harbor. This item is for the construction of a canal, and the question before the House is, Shall we maintain the integrity of the rules of the House?

Mr. LARSEN. Mr. Chairman, I desire to occupy the time of the committee a few moments, in order that I may not be subjected to the criticism which the gentleman from Wisconsin [Mr. STAFFORD] seemingly would inflict upon the House. He takes the position that we are trying to override the rules of the House. I deny the charge; we are only endeavoring to properly construe a rule made by the House.

The rule under consideration is only the expression of the will of the House as to the manner of its deliberations, and the vote that we take will be an interpretation of that expression. Two years ago the gentleman from Mississippi [Mr. HARRISON] ruled on a similar question that such a proposition was not in order. That was his interpretation of the rule, but an appeal was taken from his decision, and this House in good faith sustained the appeal.

Now, so far as I am concerned, I feel that I should be bound by the decision of the majority and by the interpretation of the rule as then expressed by the membership of the House.

I think the position of the gentleman from Illinois [Mr. MANN], for whom I have very high regard, is very much in error and does little credit to the integrity of the House. He says we should stick to the rules of the House. The inference is that the House on previous occasion violated its own rules by sustaining the appeal from the decision of Chairman HARRISON.

Gentlemen of the House, I doubt whether it is fair to take the position at this time that the House was in error two years ago. For one, I believe in the wisdom of this House and in its integrity. I believe that the vote on this proposition will be properly interpreted; that the Members of this House will vote properly on it; and whether they do, in my judgment, vote properly or not, I shall not be inclined to criticize.

Mr. Chairman, so far as the merits of the proposition are concerned, I think they are against the ruling of the distinguished gentleman from Tennessee [Mr. BYRNS]. I do not believe that he thoroughly understands the facts. I believe that if he did he would not have made the ruling. Believing

that the Chairman is in error, I shall vote in favor of the appeal. If I believed that he was right, I would vote to sustain him. I believe a majority of the membership of this House will vote to overrule him. In doing so they will vote to establish an interpretation consistent with what they conscientiously believe to be the rule. It will be without an effort to supersede any rule.

Mr. GARD. Mr. Chairman, we ought not to speak lightly of that which is properly classed as the observance of law, because we ask all our people through the length and breadth of this land to observe the law of the land. There is no higher duty of citizenship to any man than to be a law-respecting and law-abiding citizen. That is precisely the question which is presented here. The rules of this House of Representatives are the law of the Members of this House, and I submit, even though we realize the very personal interest which some Members of this House have, it is not for us to adhere to a rule when it pleases us and to violate a rule deliberately because, perchance, we have an assembly of friends here who may wish to set the rule aside. Therefore I seek to impress upon the membership of this committee that it is not a light question that you are acting upon when by an appeal you seek to override the ruling of the Chair; because, in the first place, the ruling of the Chair is right. Nobody takes the floor and says the ruling of the Chair is wrong. There is no reason, as a matter of truth and of justice and of logic, why the appeal should be sustained or why the ruling of the Chair should be overruled.

Mr. MANSFIELD. Will the gentleman permit a question?

Mr. GARD. I am glad to yield, although I have a very limited time.

Mr. MANSFIELD. The gentleman is assuming that this is a canal and not a watercourse. Now, suppose that is not the fact. Suppose this was a watercourse nearly a hundred years before these rules were made, and that it was an existing watercourse at that time?

Mr. GARD. Of course, that presents an entirely different state of fact. I assume that it is a canal, because I recall from the statement of the chairman and the statements of other gentlemen here that a part of this is admittedly a canal. Now, if it is a canal and we have a rule covering it, that rule is a law unto the membership of the House of Representatives, and to say that it should be swept aside merely because it is in somebody's interest to sweep it aside means in the last analysis that we are bordering on anarchy in the House of Representatives; because a rule is a law, and if a rule is a wrong one it should be changed, modified, or altered in proper way. It should not be peremptorily set aside merely because of the personal interest of the moment.

Mr. SMALL. Mr. Chairman, I shall be very brief in making a few comments upon this appeal from the decision of the Chair. The Chairman of the Committee of the Whole has exercised his judgment and has interpreted a point of order against the item in the bill. Members of the Committee of the Whole now have an opportunity to exercise their judgment and to say whether the point of order is well taken. The action of the Committee of the Whole on this appeal does not involve any disparagement of the Chairman of the Committee of the Whole. If the appeal is sustained, it is simply the exercise of the judgment of the aggregate body as against the judgment of one Member. I have had occasion so often to give approval to the position taken by the distinguished minority leader [Mr. MANN] upon nonpartisan questions that I was rather surprised at the emphasis which he gave to the sanctity of the rules of this House. Are these rules sacred? May I give just a few instances of how the House frequently sets aside the rules of the House. We have a day on which motions are made to suspend the rules and pass bills. Admittedly these bills would not be in order on that day unless two-thirds of the House should suspend the rules and pass them. Session after session the Committee on Rules bring in resolutions making certain bills in order, regardless of the rules of the House. We have had reports from the Committee on Rules making in order a certain bill by a committee when under the rules of the House it was not within the jurisdiction of that committee. We had in the last session, I think, a resolution from the Committee on Rules, when the Post Office bill was under consideration, making certain provisions in order on that bill when under the rules of the House they were not in order.

Mr. GARRETT of Tennessee. But the Committee on Rules brought in that resolution under the authority of the general rules.

Mr. SMALL. I understand that, of course; but I may ask, Is the Committee on Rules, created by the House, superior to the body which created it?

Mr. GARRETT of Tennessee. It is not. It can not do anything that the House itself does not authorize.

Mr. SMALL. Certainly, and nothing will be done regarding this item except what the House authorizes.

Mr. STAFFORD. Why, there is not even a quorum of the committee here—less than 100 Members. You are asking that less than a quorum shall pass upon this question.

Mr. SMALL. That has nothing to do with it. We are in Committee of the Whole. The Committee of the Whole has a right to pass on this question, and I am simply submitting this question, that if under the rules we create a committee which has the right to bring in a resolution suspending these sacred rules, even under the rigorous contention of some Members here, this Committee of the Whole may at least appeal from the judgment of the Chairman of the Committee of the Whole, and exercise their judgment, and say that their judgment is one way and the judgment of the Chairman of the Committee of the Whole another way.

Mr. DUPRÉ. Will the gentleman yield?

Mr. SMALL. I yield to the gentleman from Louisiana.

Mr. DUPRÉ. I want to ask the gentleman if every proposition in this bill for which an appropriation has been made looking to continued improvement of inland waterways has not originally emanated from the Committee on Rivers and Harbors?

Mr. SMALL. I know of no exception to it.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. SMALL. Briefly, because my time is limited.

Mr. CAMPBELL of Kansas. The gentleman from North Carolina was discussing the bringing in of rules by the Committee on Rules and making in order matters not theretofore in order. Does not the gentleman from North Carolina distinguish the difference between the bringing in of a rule for a given purpose and the overruling of a decision of the Chair for a specific purpose? The one creates a precedent to be followed thereafter; the other does not.

Mr. SMALL. I can make the distinction. Of course, the gentleman is a member of the Committee on Rules and is jealous of the jurisdiction of his committee; but the point I am making is that these sacred rules are frequently set aside by the House and by the Committee of the Whole, and that the Committee of the Whole may do so in this instance.

The CHAIRMAN. The question is, Shall the decision of the Chairman stand as the judgment of the committee?

The question was taken; and there were—ayes 40, noes 33.

Mr. DUPRÉ and Mr. CALDWELL asked for tellers.

Mr. MANN. I make the point of order that there is no quorum present. This question is being submitted to the committee. For that reason let us have a full committee.

The CHAIRMAN. The gentleman makes a point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty Members present, a quorum.

Mr. DUPRÉ. I have asked for tellers.

The CHAIRMAN. The gentleman from Louisiana asks for tellers.

Tellers were ordered, and the Chairman appointed Mr. DUPRÉ and Mr. MADDEN.

The committee again divided; and the tellers reported that there were—67 ayes and 43 noes.

So the decision of the Chair stood as the judgment of the House.

Mr. SMALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMALL. Of course, the point of order only applies to that part of the paragraph; that is to say, the part in this language—

completing improvement of Generals Cut, Ga., in accordance with the report submitted in House Document No. 581, Sixty-third Congress, second session, $1,000.

Mr. MADDEN. That is all.

Mr. SMALL. Mr. Chairman, I offer the following committee amendment. The amount at the end of the paragraph should be $28,000, and I move to strike out the figures "$29,000" and insert "$28,000."

The Clerk read as follows:

Page 11, line 5, strike out "$29,000" and insert "$28,000."

The amendment was agreed to.

The Clerk read as follows:

Altamaha, Oconee, and Ocmulgee Rivers, Ga.: For maintenance, $35,000.

Mr. LARSEN. Mr. Chairman, I have an amendment to section 6, which I send to the desk.

The Clerk read as follows:

Page 11, line 7, after the word "maintenance," strike out the figures "$35,000" and insert "$40,000."

Mr. LARSEN. Mr. Chairman, in 1911 a survey of the Altamaha River system was ordered and was made by Dan C. Kingman in the early part of 1912. The engineer making the survey and report recommended an appropriation of $635,000 and some cents for the improvement of this Altamaha River system, to be divided into and expended in five annual installments of an equal amount.

When this report came before the Board of Engineers it was disapproved, but with the recommendation, however, of the board that the annual appropriation for the system should not exceed $40,000 per annum. For each and every year since that time, with the exception of one year, the appropriations for the Altamaha River system has been $40,000. The exception was made three or four years ago when, by action originating in the Senate, as I understand, the appropriation was increased to $60,000.

For the ensuing year the bill provides an appropriation of $35,000 for the system, which reduces the amount heretofore allowed for a number of years $5,000. The committee seeks to justify this on the theory that the same is being done in many other cases, that circumstances make it necessary, and that there remains available funds which have not been expended in previous years. The report of the engineer says there is on hand at this time something like $54,000. I want to emphasize, if I can, very briefly, the importance of this river system. The Altamaha River is the largest river in Georgia. It is a river of considerable size and, as acknowledged by the chairman of the Rivers and Harbors Committee and by the Board of Engineers, is of considerable commercial importance.

On yesterday we voted upon a proposition authorizing an appropriation for an inland waterway between Norfolk, Va., and Beaufort, N. C. In that item the appropriation carried $750,000. I have looked up the tonnage of the river referred to in that proposition, and its total tonnage is in round numbers 185,000 tons per annum. We also had another proposition from Norfolk, Va., to North Carolina Sound for $250,000. The annual tonnage on that river is only 300,000 tons.

I take it, gentlemen of the committee, that the appropriations voted in the preceding sections were justified. Certainly I am not complaining of or question those items in the bill, but I wish to say that if those are justified, then the proposed appropriation for the Altamaha River system can not be justified, so far as the amount is concerned.

The Altamaha River system consists of three rivers, the Altamaha, the Oconee, and the Ocmulgee. In the aggregate they contain something like 490 miles of navigable streams. The system traverses 45 counties, all in Georgia. The navigable portion touches 25 counties. These are among the most productive of the State and have a taxable wealth of approximately $150,000,000, with a population of 500,000 persons. The tonnage on those streams amounts annually to from 150,000 to 170,000 tons, and have a valuation of from three to five million dollars.

Now, on the Virginia-Carolina proposition, with an annual tonnage of 185,000 tons, you voted $750,000, and on the Altamaha system, with 490 miles of navigable streams and a tonnage of from 150,000 to 170,000 tons, you propose to vote only $35,000. I ask you, gentlemen, do you think that is right; do you think it is fair; do you think it is a proper amount? The only excuse that is offered is that the appropriation made available heretofore has not been expended. Last year the people affected demanded that improvement should be made on these rivers. They appealed to me to ask a reopening of the Kingman report. I did so, and the Rivers and Harbors Committee very generously recommended that the report be opened and reconsidered.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LARSEN. I ask for five minutes more.

Mr. SMALL. Reserving the right to object, can not the gentleman get along with at least three minutes?

Mr. LARSEN. I will try and close in three minutes.

Mr. SMALL. Let us limit the time to six minutes, the gentleman to have three and I to take three.

Mr. LARSEN. Oh, the chairman does not need over a minute. May I not have five?

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on the pending paragraph and amendments thereto close in eight minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to close debate on this paragraph and all amendments thereto in eight minutes. Is there objection?

There was no objection.

Mr. LARSEN. Mr. Chairman, I presume I am entitled to five minutes.

As I said, last year we were in an unfortunate condition. People from all of the counties affected asked that relief be granted. The rivers and harbors committee recommended to the Board of Engineers that the report be opened for investigation. Hon. John C. Melliss, engineer in charge at Savannah, was instructed to make investigation. He called meetings at several points in the district, and they were very well attended. The business men met from every section and testified under oath that they had been practically forced to abandon river transportation because the rivers had been so neglected that they could not navigate them.

I urged the engineer located at Savannah to make his report. I wired and personally requested him to do so, yet so far as I am able to learn no report has been made from the Savannah office, and no adequate relief has been granted to the people of this territory. The appropriation made last year and perhaps for previous years has not been fully expended. It seems that practically all of the boats available for work on this river system suddenly became unfit for service. I do not think it was due to overwork in my part of the country. I would not say what work was done on other parts of the stream.

Last year of the money that was expended, $24,000 was in repairs of snag boats and other boats. There was spent, in round numbers, $6,473.92 for inspection—ascertaining, as I understand, what was necessary to be done, trying to determine where they should work and what they should do. There was spent $4,680 for office expenses, while for operation, exclusive of repairs on boats, $3,706.05.

As repairs seem to have been made, we trust the remainder will be spent for operating. If this money could not be expended last year, it should be spent this year. All we want is that sufficient money be made available at this time. It can be expended by an industrious engineer at Savannah in a short while. We have a new engineer in the district now. The people in the territory demanded that the engineer shall go to work. With sufficient available funds I think it is likely that good work will be done. If we do not spend the money, certainly the Government will not be hurt. If it be spent, the returns will be good and benefit will accrue to the people. Upon the Oconee, one of this system of rivers, is located at Milledgeville, the old State capital, and Dublin, one of the most progressive cities in Georgia. Macon is at the head of navigation on the Ocmulgee, and Hawkinsville and other prosperous cities are on this stream. There is direct transportation from Macon to Darien and Brunswick on the coast. What we need is to have the snags, shoals, and rocks taken out and the system of rivers put into proper shape for navigation. It is a very important system. It is the only river system of any importance in the State of Georgia and it is being neglected. We ask now to increase the amount to the minimum appropriation that has been allowed heretofore, $40,000. It is an increase of only $5,000, and the money will only be made available.

I trust gentlemen of the committee will see fit to vote for the amendment.

Mr. SMALL. Mr. Chairman, just a brief reply. It would have been more appropriate if the gentleman had omitted comparisons from his remarks, particularly as the statements as to tonnage in his remarks were incorrect.

Mr. LARSEN. I will ask the gentleman to state the correct figures.

Mr. SMALL. The gentleman has the reports before him. I simply state that they are incorrect. As to the amendment to increase this appropriation from $35,000 to $40,000, this is a system of rivers consisting of the Altamaha, the Oconee, and the Ocmulgee. The Altamaha River is formed by the confluence of the Oconee and Ocmulgee Rivers at a point known as The Forks. The Altamaha is navigable for 37 miles. The Oconee is navigable for about 145 miles and the Ocmulgee for about 205 miles. It is one of those sluggish streams where it is difficult to maintain the channel. The project depth is for 3 feet, with an effort to increase it to 4 feet. There is now more than $50,000 on hand, and the engineers, after careful investigation at the request of the committee, report that this additional amount of $35,000, added to the amount which is on hand, is all that could be profitably expended to the end of the next fiscal year. If the Committee of the Whole should increase this appropriation, it will constitute an exception. There is no appropriation in this bill in excess of the sum recommended by the Chief of Engineers.

Mr. LARSEN. May I ask the chairman one question, inasmuch as he has questioned the accuracy of my statement as to tonnage?

The CHAIRMAN. Does the gentleman yield?

Mr. SMALL. Mr. Chairman, I do not care to take up unnecessary time. The gentleman endeavored to state the tonnage upon some other improvement not connected with this.

Mr. LARSEN. Let me ask the gentleman a question.

Mr. SMALL. I do not wish to go into an extraneous matter.

The CHAIRMAN. The gentleman declines to yield. The question is on the amendment offered by the gentleman from Georgia.

The question was taken, and on a division (demanded by Mr. LARSEN) there were—ayes 6, noes 15.

So the amendment was rejected.

The Clerk read as follows:

St. Johns River, Fla., Jacksonville to the ocean, opposite the city of Jacksonville, Jacksonville to Palatka, and Palatka to Lake Harney, Lake Crescent, and Dunns Creek, and Oklawaha River, Fla.: For maintenance, $108,000; for improvement between Jacksonville and Palatka, $9,000: *Provided*, That the project for this section may be extended, in the discretion of the Secretary of War, in accordance with the report submitted in House Document No. 699, Sixty-third Congress, second session: *Provided further*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, $117,000.

Mr. SEARS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 11, line 16, after "Palatka," strike out "$9,000" and insert "$25,000"; on page 11, line 17, after "*Provided*," strike out all down to and including the word "session," in line 20, and insert the following: "that $9,000 of the above amount shall be expended by the Secretary of War in accordance with the report submitted in House Document No. 699, Sixty-third Congress, second session"; and in line 23, page 11, strike out "$117,000" and insert in lieu thereof "$133,000."

Mr. LARSEN. Mr. Chairman, I move to strike out the last word. Gentlemen of the committee, insomuch as the distinguished gentleman from North Carolina challenged the statement which I made a few minutes ago as to the tonnage of the proposition voted upon yesterday, I feel that in justice to myself and in fairness to the House I should state to the House how I arrived at the tonnage. I neglected to say the average tonnage for the last five years. To be exact, the average tonnage of the proposition for the past five years was 185,459 tons. See comparative statement, part 1, of the Report of the Chief of Engineers, United States Army, page 575.

Mr. SMALL. What improvement is that?

Mr. LARSEN. I am speaking of that one in Virginia, of this inland waterway, Norfolk to Beaufort, N. C. The average tonnage was 185,459 tons for the past five years, but the tonnage, as I find from the record for the past two years, instead of being what I said it averaged for the five years, was a great deal less. The tonnage for 1916 was 141,029 tons and for 1917 it was 148,134 tons. I take it for granted that the distinguished chairman, when I asked him to state the tonnage, would have done so except that he felt like it might possibly embarrass him and the other members of the committee. I would not desire to do that; at the same time I do not like to be embarrassed by having my integrity questioned before the House in that way. I want to be fair with this House. I try to be fair with everybody, and I would not purposely make a misstatement of facts to this House or to anyone else. Now, I am not making any criticism about the appropriation involved. I voted for it, and I am glad I did. You gentlemen did not vote for my appropriation, and I have no hard feelings on that account. I want to put myself straight before the House, that is all.

Mr. SMALL. Mr. Chairman, just a word in reference to the statement of the gentleman from Georgia [Mr. LARSEN]. A great many times in this House it has been explained, and if the gentleman could have been present and listened——

Mr. LARSEN. I was.

Mr. SMALL. He would have found it unnecessary to have made the statement which he did. Let me call attention to the fact that in the waterway from Norfolk to Albemarle Sound there are two canals. Both of these canals lead from Norfolk to Albemarle Sound, N. C., and are substantially parallel. One of these, the Chesapeake & Albemarle Canal, has been acquired by the United States and is under improvement. On both of these canals before this war the aggregate commerce was between 800,000 and 900,000 tons and of a valuation of several millions of dollars. Even during this war it amounted to between 400,000 and 500,000 tons, with a value, as the gentleman will see, of from $5,000,000 to $6,000,000. And so once more I make the explanation to gentlemen who every now and then make a discovery.

Mr. LARSEN. May I ask the gentleman where he got those figures and whether they are in this report of 1918?

Mr. SMALL. I will cite them to the gentleman. You only cited the commerce as to one canal.

Now, Mr. Chairman, as to the amendment offered by the gentleman from Florida [Mr. SEARS], I am sure every member of the committee will join with me in this expression, that if, as the gentleman from Florida thinks, and I have no doubt thinks sincerely, his section of Florida has not been cared for in this bill, it is not the fault of the gentleman from Florida himself. He has diligently appeared before the committee, has made, as he always does, attractive arguments, and produced evidence which, in his opinion, would induce the committee to act favorably upon the amendments to the bill suggested by him.

The committee, however, were actuated simply by the desire to discharge their duty. A committee must have some policy, Mr. Chairman. By law we constitute the engineers as the experts to determine how much they can spend profitably and wisely during the next fiscal year. If the Committee of the Whole or if the House attempts—certainly not in a thorough way, but necessarily in a hurried manner—to say how much can be spent, it will be seen that mistakes will be made. Now, the committee appropriated here all that was recommended. There is $108,000 carried. It is true that that is recommended specifically for the St. Johns River from Jacksonville to the ocean. But that portion of the St. Johns River from Jacksonville to Palatka is in the same group, and if it transpires that the other portion of the river above Jacksonville should require some of this $108,000, it will be within the discretion of the Secretary of War and Chief of Engineers to determine how much shall be diverted.

Mr. SEARS. Will the gentleman yield?

Mr. SMALL. Certainly.

Mr. SEARS. The appropriation specifically reads:

St. Johns River, Fla., Jacksonville to the ocean, opposite the city of Jacksonville, Jacksonville to Palatka, and Palatka to Lake Harney.

And for several years appropriations have been made for that. Does the gentleman contend that the War Department could take a part of the money appropriated by Congress to be used to improve the St. Johns River from Palatka to Lake Harney?

Mr. SMALL. Under the consolidated item that is authorized. You will find that we carry a provision in this bill——

Mr. SEARS. The War Department has specifically stated that it will take $108,000 and that that can be expended profitably from Jacksonville to the ocean. Then how are they going to use any money on this other part of the river?

Mr. SMALL. If the emergency arises so as to make it necessary to use any money from Jacksonville to Palatka they can divert a part of this $108,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. Mr. Chairman, I ask unanimous consent for one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SMALL. I call the attention of the committee to another provision in this bill. This bill carrier a lump-sum appropriation of $1,000,000 for meeting emergencies which could not be foreseen at the time that this bill was formulated and reported to the House. And if it should transpire that that portion of the river needs any expenditure, it can be taken from that lump-sum appropriation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. SEARS].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. SEARS. Division, Mr. Chairman.

The committee divided; and there were—ayes 17, noes 25.

So the amendment was rejected.

Mr. SEARS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Florida offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. SEARS: Page 11, line 17, after the word "section" strike out "may" and insert "shall"; and on line 18, strike out "in the discretion of" and insert "by."

Mr. SEARS. Mr. Chairman, the amendment if adopted will read:

Provided, That the project for this section shall be expended by the Secretary of War.

In other words, the section as it now reads means nothing. The Secretary of War can spend that $9,000 on an improvement of the river from Jacksonville to Palatka, when the committee, as I understand it, intended to give that to me for improvement of Deep Creek. I believe the Congress can act and should act affirmatively. If you mean what you said, make it "shall" and direct the Secretary of War as to what he shall do. If you do not mean it, leave it just like it is, and if this motion does not prevail then I shall make another motion, one to strike out.

Mr. SMALL. If I may have the attention of the members of the committee, they will remember this phraseology was discussed, and, individually, as a member of the committee, I see no serious objection to removing it from the discretion of the Secretary and making it mandatory. It is based upon a favor-

able report. If any member of the committee thinks otherwise I would be glad to hear from him. But that is my judgment in regard to the matter.

I take the liberty, then, of accepting the amendment.

Mr. SEARS. I am glad the chairman accepts it, because I will state frankly to the House if the amendment had not been carried I would have moved to strike it out, because it should not be in there as it now reads. To stay there as it now appears would be to fool my district or fool myself, and make those people believe they were going to get something when perhaps they would not, and it would be placed in the bill by the Senate as in 1917.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Removing the water hyacinth, Florida: For the removal of the water hyacinth from the navigable waters in the State of Florida, in so far as it is or may become an obstruction to navigation, $10,000.

Mr. MADDEN. Mr. Chairman, I offer an amendment to strike out the word "hyacinth" on line 7 and the word "hyacinth" on line 8.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 12, line 7, strike out the word "hyacinth," and also on line 8 strike out the word "hyacinth."

Mr. MADDEN. Mr. Chairman, I believe this amendment ought to prevail, because there will not be anything in the way of obstruction in these channels but the water if the word "hyacinth" is stricken out. If we are going to spend $10,000 for any purpose, I think it would be well spent if it were spent for moving the water from these channels. [Laughter.] I verily believe that there is very little water in most of these channels that this $10,000 is appropriated for.

Mr. SEARS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. SEARS. The State of Florida having just passed a prohibition amendment and having made it an offense punishable by a fine of $500 the first time a man gets drunk, do you think that would take the water out of Florida? [Laughter.]

Mr. MADDEN. That is the best argument I have heard made for keeping this appropriation in. In years gone by we have ridiculed the idea of appropriating money to remove weeds from navigable streams. It has been contended that if there was any navigation on the streams the weeds would not grow there. Since there is no navigation and weeds must obstruct the natural flow of the stream, in my opinion we ought not to make any appropriation at all.

These streams are all covered with hyacinths, and then they are overshadowed with trees, in which the birds and monkeys, I believe, disport during the hot summer evenings. Once in a while we hear of an alligator climbing up through the hyacinths, and perhaps it is just as well that the hyacinths should remain there in order to furnish food for the alligators. [Laughter.] It does not seem that any of the natives are willing to subject themselves to the viciousness of the alligator, and therefore we must find some way to supply food to them, and I know of no better way than to permit them to feed on the hyacinths. [Laughter.]

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. LONGWORTH. Is the gentleman's idea that when all the water is removed from these rivers their beds should be navigated by tanks? [Laughter.]

Mr. MADDEN. Well, I believe when the water is removed from these channels we should have some place to cultivate. We might cultivate the hyacinths. We might develop the water hyacinth as a native plant that could be utilized for some good purpose, and thereby we would relieve the Treasury of the United States every year from being drawn against for large sums of money for removing the hyacinths for no good purpose. If we could remove the water and permit the hyacinths to develop, we might find some chemist in the Department of Agriculture who could tell us how the hyacinths could be used for feeding the hungry in some place where the food supply is short.

The hyacinth in its natural, native form is a beautiful flower. What the hyacinth is in the Florida rivers, I hardly dare to say; but if it is an obstruction to navigation that does not exist, why should we spend the money of the United States to provide for a condition that there is no necessity for providing for?

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. CALDWELL. Did you not ask that question in the Sixty-fourth Congress and a couple of times in this one already?

Mr. MADDEN. A couple of times in what?

Mr. CALDWELL. In this Congress.

Mr. MADDEN. Well, a good thing can be asked more than once, and I have not seen anybody here who had sense enough to answer the question, no matter how many times it has been asked. Not even the gentleman from New York seems to have any knowledge on the subject. The mere fact that I have asked the question and nobody can respond justifies the continuation of the question. Does anybody know what the water hyacinth is, what its value is as a food? Does anybody know why it is permitted to obstruct the navigation on the Florida rivers where there is no navigation? Does anybody know why we should spend money to remove the hyacinth?

Mr. SEARS. The water hyacinth can not live unless it has water. If you take the water out, it will die. As Members know, it is a plant that simply obstructs, like water lilies, navigation, even more than sand. It is practically out of the rivers now, those that are navigable, but if you let it accumulate it completely stops navigation.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Mobile Harbor and Bar and channel connecting Mobile Bay and Mississippi Sound, Ala.: For maintenance of channel connecting Mobile Bay and Mississippi Sound, $4,000; continuing improvement and for maintenance of Mobile Harbor and Bar, $100,000; in all, $104,000.

Mr. SMALL. Mr. Chairman, I have a committee amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Committee amendment: Page 12, line 23, after the word "bar," strike out "$100,000; in all, $104,000," and insert in lieu thereof "$200,000; in all, $204,000."

Mr. SMALL. Mr. Chairman, this amendment increases the appropriation for the maintenance and further improvement of Mobile Harbor and Bar $100,000, making the total for that particular improvement $200,000, and increasing the aggregate from $104,000 to $204,000. This amendment is based upon a communication from the Chief of Engineers recommending this increase in the appropriation.

Unless some gentleman desires to have the communication read, I will not read it, but will ask to have it appended to my remarks and inserted in the RECORD. The gentleman from Alabama [Mr. GRAY] wishes recognition.

The CHAIRMAN. Without objection, the request of the gentleman from North Carolina will be granted to insert the letter referred to in the RECORD.

There was no objection.

Following is the letter referred to:

JANUARY 4, 1919.

Hon. JOHN H. SMALL,
Chairman Committee on Rivers and Harbors,
House of Representatives.

MY DEAR MR. SMALL: The estimate submitted by this department of the amount that could be advantageously used for the improvement of Mobile Harbor, to be provided in the pending river and harbor bill, was $100,000; and when Gen. Taylor was before your committee and questioned as to whether this amount would be sufficient, he stated that in his opinion it would. Further consideration of the matter, in view of data recently received as to dredges which will probably be available for this improvement for the next year and the cost of operating these dredges, indicates that in order to carry on the work at a satisfactory rate until June 30, 1920, the estimate of $100,000 should be increased to $200,000; and it is accordingly recommended that the pending bill be amended so as to provide $200,000 for Mobile Harbor instead of $100,000.

Very truly, yours,

W. M. BLACK,
Major General, Chief of Engineers.
By H. TAYLOR,
Brigadier General, United States Army.

The CHAIRMAN. The gentleman from Alabama [Mr. GRAY] is recognized for five minutes.

Mr. GRAY of Alabama. Mr. Chairman, I take it that there will be no real opposition to this amendment increasing the appropriation from $100,000 to $200,000. It was thoroughly considered by the Board of Army Engineers as well as the Committee on Rivers and Harbors, and after a hearing and consideration of the matter the Board of Engineers decided to recommend an increase of $100,000 from that which had already been recommended, to wit, $100,000, making the total appropriation $200,000 for Mobile Harbor improvement.

It might be well to state, gentlemen of the committee, that as a result of recent investigations on the part of the Railroad Administration it was determined that the Government should take over the canalized river that flows into Mobile Bay, the Black Warrior-Tombigbee system. This morning I obtained from the Railroad Administration, of which Mr. Tomlinson is the direc-

tor, the following data, which may prove to be of interest to some members of the committee. They are already preparing to operate and have on hand seven towboats, four being for New Orleans and three for the Mobile trade. They have practically secured 23 barges to be operated upon this canalized river. I am informed that contracts are being let by Mr. Tomlinson, who is now in Mobile, looking after this project and its contemplated development. Contracts are now being let for the construction of 20 new barges.

I am informed further that they estimate that under normal conditions 600,000 tons of coal per annum will come down the canalized Warrior-Tombigbee River from the coal fields of Alabama to the Gulf and from there out into the markets of the world. The present rate on coal per ton from the coal fields of Alabama to Mobile by rail is about $1.60. The estimated cost by the Government barges is 90 cents per ton, and the saving per ton for Mobile will be 70 cents. The present railroad rate on coal to New Orleans by rail is $2.20 per ton. The estimated cost by the Government barges will be $1.57 per ton, a saving per ton for New Orleans of 63 cents. Now, gentlemen, if you will take the amount of coal alone that will likely be handled on this river—and it is estimated, as I stated, that 600,000 tons of coal will come down this river—simply multiply that by the difference in cost for transportation, which will be about 70 cents per ton on an average, and you will observe that hundreds of thousands of dollars will be saved annually to the coal consumers of this country.

So I trust, gentlemen, and am expecting that there will be no opposition to this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAY of Alabama. May I have two minutes more?

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. GRAY of Alabama. It may be interesting to know that the amount allotted by the administration from the revolving fund that you remember about for the new equipment for the operation of barges on the Black Warrior and Tombigbee River system is $1,600,000. That which is now being expended on the old equipment is $640,000, making the total outlay for the Government upon this project alone $2,240,000. That is to be used upon the canalized river, which will bring down these great coal resources. That says nothing about the freight that is to be carried up the river to such important railroad points and competitive points as Demopolis, Tuscaloosa, and other places. So the Government is going to spend $2,240,000 upon this river alone, and it is highly important that the channel of this great harbor should be increased to a depth of 30 feet, and rapidly, too, in order to accommodate its ever-increasing commerce, that the larger vessels drawing at least 30 feet may come into the port of Mobile. I say again, gentlemen of this committee, that I do not contemplate that this proposed amendment will meet with any opposition at your hands but will have, rather, your hearty approval. [Applause.]

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

Black Warrior, Warrior, and Tombigbee Rivers, Ala.: For improvement in accordance with the recommendation in the Annual Report of the Chief of Engineers, United States Army, for the fiscal year ending June 30, 1918, $200,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I was very much interested in the remarks of the gentleman who has just finished [Mr. GRAY of Alabama], and I wish to say this in reference to him personally, that I regret very much that he will not longer be a member of our committee. He has been a faithful and an excellent member, and he has certainly urged very persistently and very strongly the merits of this particular project at Mobile. I know the conditions down there, and I desire to say this in passing, because I believe I have always opposed the project, believing it was inadvisable to put the project in the bill at that time until conditions required further improvement. But he calls my attention to the fact, in his statement, that the Government is spending $2,240,000 more upon this project, and here we have in the bill that has just been read by the Clerk an appropriation of $200,000, and I believe a project calling for $400,000 in all. If I remember correctly, the engineers made the statement to us that the boats had been practically driven off the Black Warrior River by the railroads, notwithstanding the Government had expended so much money there. How much money has the Government put into the Black Warrior River already? I read from page 2527, where it is stated that the Government has already expended $9,901,295. That has been pointed out to us as the one great project that was going to determine the value of canalization in this country. So we have put into it year after year, I understand, a total of something like $11,000,000. And with what result? If you will look at page 2530, you will see that the traffic below the locks, after deducting logs, which do not need this depth of channel, amounts to 31,000 tons. There are logs; there is some coal that is brought down; but I understand now that the boats have been driven off until the Government is obliged to build boats, just as it has been obliged to build them on the Mississippi and other places, because the railroads drive them off; and after this enormous expenditure upon this river the Government is obliged to put the money into boats to make use of it. I think, Mr. Chairman, it is an unparalleled situation, and shows what we have been doing, that we have been putting money into all these streams. We were assured that this was a completed project, and it is, but right in this bill there is an immediate appropriation of $200,000 on a $400,000 project to meet the necessities of these Government boats that are to be put in there.

Mr. HUMPHREYS. Will the gentleman yield for a question for information about this canalization?

Mr. FREAR. Certainly. I do not know that I can give it to the gentleman.

Mr. HUMPHREYS. When was this canalization of the Black Warrior completed? How long ago?

Mr. FREAR. The statement has been made repeatedly that the 6-foot channel was what was desired. I do not know but what it was more than that, but here is a new project added, besides the more than $10,000,000 that has been expended already.

Mr. HUMPHREYS. But when was the 6-foot project completed?

Mr. FREAR. I can not give the gentleman the exact date, but we have been assured that this was the one project that was completed, and it was to be a fair test.

Mr. HUMPHREYS. I am asking for information.

Mr. FREAR. I can not give the gentleman the exact information. Does the gentleman say it is not completed?

Mr. HUMPHREYS. No; I do not know anything about it; I am trying to find out something about it. I want to know if this project has been completed, just how long, and whether any commerce developed from the coal mines through the locks and dams before the Government undertook it.

Mr. FREAR. I believe practically none. Let me say this in justification, that afterwards there was some commerce; they had a small amount of coal that came down the river.

Mr. HUMPHREYS. I am not talking about that; I am talking about the commerce through the locks and dams.

Mr. FREAR. Yes; through the locks and dams. Notwithstanding the cumulative method of figuring which the engineers indulge in, it shows 279,000 tons that went through the locks, but that includes logs and everything of that kind.

I want to say that I am not taking the time of the House unnecessarily, because we have passed over a number of projects that I could have discussed, but did not care to unnecessarily take the time.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. FREAR. I will.

Mr. HUMPHREYS. The point I am asking, and only for information, is as to the justification of this project. It was the hope, expectation, and belief that a great deal of coal would come down through these locks, and what I want to know is if as a matter of fact that has developed.

Mr. FREAR. No; because the Government could better afford to build a railroad and pay $50,000 a mile for it, and then get better results. As it stands to-day, with all this enormous expenditure, the waterway is practically useless unless the Government proceeds to put boats on it.

Now, we propose to give the railroads back to the individuals. I point to this because it has been mentioned in repeated arguments that here was a project, a good test for canalization, and so let us go on with this at any event. We have done that. In this bill is the canalization of the Cumberland River, in addition to the $7,000,000 that we have expended on that river. Now, without having established a successful case in a single instance, with possibly the exception of the Monongahela, they are going on with other projects. Now, take the amount expended for maintenance of locks, which must be borne by the Government, there is no return compared with the amount expended. The returns are insignificant.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. FREAR. I will.

Mr. OLIVER of Alabama. Is the gentleman informed of the tonnage that went down that river in 1917?

Mr. FREAR. It says here that there were 580,000 tons.

Mr. OLIVER of Alabama. That is a pretty good tonnage, is it not?

Mr. FREAR. Four hundred and fifty-seven thousand tons in 1917, 580,000 tons the year before, and that contains the logs that floated down through and practically everything else besides. Here is a duplication as in the case of the Mississippi River. You have driven off the boats; you can not maintain the boats unless the Government gets behind them, including a cost up to this time of nearly $10,000,000. Now you ask the Government to make use of it. I do not blame the people of Alabama for wanting that; they want to make use of it; and what chance is there of doing so when the railroads can drive off water transportation unless the Government comes in and runs the boats?

Mr. HUMPHREYS. Will the gentleman let me ask him another question?

Mr. FREAR. Yes.

Mr. HUMPHREYS. Are these logs floated down the river?

Mr. FREAR. Yes. They could be floated down without the improvement. Here is a new project of $400,000 to increase the depth from 6 to 8 feet. In the floating of logs, as the gentleman can readily understand, that could not be considered.

Mr. HUMPHREYS. No; I was interested in the canalization project and looked forward with a good deal of interest to see what the development would be when the canalization was completed. I was trying to find out after it was completed whether some substantial commerce had developed, and particularly whether or not there was a substantial commerce in coal.

Mr. FREAR. There was some. of course; the project, I learn, was completed three years ago; but I want to say that there has been expended more money there than in the Superior-Duluth Harbor, more than in that of Chicago, which had a tonnage of over 5,000,000 tons, and more than Milwaukee, with about 7,000,000 tons. Ashland, in my State, has 10,000,000 tons on an average each year, and here, with an expenditure of $10,000,000 you have got a couple hundred thousand tons, or something of that kind.

Mr. SMALL. Mr. Chairman, can we have an understanding as to the length of debate on this paragraph and amendments thereto? How much time does the gentleman from Alabama want?

Mr. OLIVER of Alabama. I want 10 minutes; not over that.

Mr. SMALL. I ask unanimous consent that all debate on this paragraph and amendments thereto close in 14 minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to close debate on this paragraph and all amendments thereto in 14 minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, let us find out whether or not the gentleman is correct. The gentleman says they are going to find a saving of $400,000 in freight rates every year after this canalization is completed. Now, we have spent substantially $10,000,000 on that river already and little traffic is there to speak of, and the interest on that taken out of the Government every year means $400,000, the full amount that he expects to save. But that is not the point. Two hundred and eleven thousand dollars was spent last year for lockage, for managing that canal, and that is in addition to the interest item. We are wasting money there. As I said, there was $600,000 last year it cost the Government on this river. Now, on top of all that we are going to put in a new appropriation—I do not think the gentleman has the right description as I have it here; it is 150 feet width of the river, and they want an 8-foot depth and now want $400.000 more. Two hundred thousand dollars contained in this bill will not go far on a $10,000,000 proposition. He and I agree in regard to railroads, but he says that shows the absurdity of my position. For 50 years we have been spending money and we have seen all the commerce on the upper Mississippi driven from that river after we spent $150,000,000. We have seen the commerce on the Missouri River driven away after we have spent $24,000,000, and I have raised my voice here time and again and these gentlemen have never given any attention to the subject until now. I say it is absurd to throw money away on the gentleman's stream or any other stream unless we prevent the railroads from driving that commerce away. Here we appreciate the fact that the Government itself, not a private individual, but the Government itself, is obliged to build the boats in order to make commerce possible on the Black Warrior.

Mr. GRAY of Alabama. Mr. Chairman, why is it my good friend [Mr. FREAR] seems to be living entirely in the past? He does not seem to realize we are preparing to do something big in the near future. He talks about what has been done upon the Warrior River and what has not been done. We are preparing to do something upon that river in the future, not trying to live altogether with the past and in the past. This great Government of ours is trying to do something with that river; in fact, has determined to do something with it. I want to ask the gentleman from Wisconsin, in view of the fact that the Government is going to undertake to develop here river transportation, what has he to say about that? It is not simply the question of the river and the small commerce which has existed upon it in the past, but here the Government proposes to spend millions of dollars to bring millions of dollars' worth of the best coal in the world and the cheapest coal in the world to the peoples of the earth. What has the gentleman to say about that? Does he oppose it; does he oppose cheap rates for hauling coal? Is he in favor of the railroads monopolizing and taking possession of the transportation systems of the country? Is he to raise his hands and say, "We give up to the railroads; we are going to let them handle all the coal from the coal fields and levy an increased rate," or does he propose to unite with his Government and mine and yours in this great scheme to utilize this river and avoid the congestion and the shortage of cars, which condition existed a few months ago? Then we had cars all congested in one section of the country to the detriment of the other. We propose to open the channels of commerce everywhere. That is what they are doing to-day in France, and even in Germany they propose to do the same thing. They are not going to sit idly down and go to sleep. What is France doing—that great country? What is England doing? England has never stopped the development of her waterways, and neither has France. We helped them with their transportation problem during the war period. We have even sent our engineers over there in order that we might help that great country. They are not going to give up, although they have bled at every vein. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAY of Alabama. I ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. All time has expired and, without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Tombigbee River, Ala. and Miss.: For maintenance from mouth to Demopolis, Ala., $40,000, and from Demopolis, Ala., to Walkers Bridge, Miss., $2,500; in all, $42,500.

Mr. FREAR. Mr. Chairman, this is part of the same system, so I think it properly comes under the same discussion. I wish to say this to the gentlemen from Alabama, who indulge in the specious argument that they have used here——

Mr. SMALL. Will the gentleman allow me to submit a request for unanimous consent? How much time does the gentleman wish?

Mr. FREAR. Five minutes.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none.

Mr. FREAR. Now, Mr. Chairman, the people of this country have been liberal with waterways, with the South as well as with the North. My attention was just called to Ashtabula Harbor, where we have spent between two and three million dollars. We had about 16,000,000 tons of commerce last year. That is the kind of commerce we have. Now, these gentlemen who live upon rivers—and I live on the greatest river in the world, and it has no commerce, it is deserted—these gentlemen who live upon some of these rivers now say, "Let us canalize them and we will then proceed to show you what we can do." All right. Which river? The Black Warrior River has been held up time and again in the House of Representatives. All right. This Government has put in about $10,000,000 on the Black Warrior River. The interest item on that to the Government amounts to $400,000 a year and the cost of lockages to take care of it amounts to over $200,000, which makes over $600,000.

Mr. HUMPHREYS rose.

Mr. FREAR. I can not yield to the gentleman until I get through with this statement. After we have finished that improvement—that is all they asked for, nothing more—that was going to establish the use of waterways and the use of all waterways. Now, what happened?

The small traffic has been practically driven off of that river the same as it has off of every other river, as was predicted. What happened? The gentleman from Alabama says we are living in the past. You have lived in the past, and the Government has financed you in the past, and it is financing you to-

day, because you can not put a line of boats on that river yourselves. Gentlemen, you come to the Government, after we have given you all the money to complete the project, and ask us to put boats down there to help carry the coal down the river to you so that you can save a little money. This particular item is costing the Government $600,000 annually. There are other projects in this bill, like the Cumberland and others that are proposed to be started here, with the same hopeless situation that you have in this case. That is what I desire to call your attention to. It is continued waste and waste, and you can not close your eyes to it, because you have some project in the bill in which you are especially interested. It is there. And you can not read these engineers' reports without coming to that conclusion.

The gentleman refers to France and Germany. I have explained several times, and the gentleman knows, if he knows anything about transportation abroad, that Germany owns its railroads, and it discriminates in favor of the waterways. France has or has arranged to take over its railroads. But the gentlemen who talk loudest on this subject, I predict, are among those who will on this floor in a few days return the railroads to their owners. They have said I am speaking for the railroads. That is just what I am seeking to control. I say this: We are wasting money in enormous amounts, and we all know it. And here is an item which, after we have spent $12,000,000, has practically no commerce. Now, with the $600,000 annual tax on the people for maintenance, we are still without a boat line, and the Government has got to build one if the stream is utilized.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Barataria Bay and Baycus Lafourche, Terrebonne, Grossetete, Plaquemine, and Teche, Louisiana: For maintenance, $20,000; for improvement of Barataria Bay in accordance with the report submitted in House Document No. 200, Sixty-fifth Congress, first session, and subject to the conditions set forth in said document, $32,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands and easements required for the purpose of this improvement; for improvement of Bayou Teche in accordance with the report submitted in House Document No. 1329, Sixty-second Congress, third session, $100,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands or easements required for the purpose of this improvement; in all, $152,000.

Mr. FREAR. Mr. Chairman——

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman allow me to get leave to extend my remarks?

Mr. FREAR. I will.

Mr. OLIVER of Alabama. I ask permission, Mr. Chairman, to extend and revise my remarks.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. SMALL. Mr. Chairman, if the gentleman from Wisconsin will permit, how much time does he desire?

Mr. FREAR. Probably not over two or three minutes; at any rate, not over five.

Mr. SMALL. I ask that debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. This item calls for $315,000, I believe. It is not that amount in the bill. The total amount in this bill, as I understand, is $152,000 for a number of projects; but this item alone, when we get the project completed, will cost $315,000. What I want to say is this: We have spent $216,000 on this same project. At this time I can not understand why it is urged, except that different members of the committee are very glad to have their items in the bill. There may be some desire—and I presume there is—and a great deal of pressure at home. But I turn to page 7 of the report. I can not find it in the Engineers' Annual Report. But accepting this report, it says that three-fourths of all the commerce is saw logs. That is the kind of commerce mentioned here. Now, there is some commerce. I believe in cases, even on inland waters, that show a commerce there should be some help from the Government when the communities themselves are willing to help. But I do say, Mr. Chairman, that when we make a tax upon Sandusky Harbor, for instance, in this bill, and require them to make a contribution, and when we make a contribution condition on the harbor of Nawilliwilli, and other harbors that are handling real commerce, it does not seem right for us to dig down in the Treasury every time for some little or big project without insisting on a contribution being made. When they want flood control down on that river they contribute toward it. And then they say that they will pay a third of the cost. That is what they contribute, the people who are having their lands protected along the Mississippi.

If the people in Louisiana can do that in one case, why should they not do it in all cases? And Louisiana should not do it any more than any other place. I believe a contribution should be asked for. We are collecting that money from the sale of liberty bonds and by increased taxes. There is not any justification for this or many other items that I have passed by and did not take time to discuss.

A few moments ago we passed a stream. What was asked for in that case? Congress is asked to give a deeper channel for one boat. You may say that that could not be possible. Here it is right here, the Boca Ciega Bay project, in Florida. Let me read:

The St. Petersburg Transportation Co. is at the present time compelled to use a boat drawing 4 feet for the trips between Tampa and Passagrille. They are very anxious that an 8-foot channel be provided so that they can use one of their larger boats. The boat that they now use is the *Manatee*, which draws 4 feet. The boat that they desire to use is the *Favorite*. The *Favorite* would make daily trips between Passagrille, St. Petersburg, and Tampa.

Think of that kind of a project, and yet that is approved by the committee. I just passed that over without discussion. What is the use of raising these points that have been brought in from one end of the country to the other? These are frequently insignificant little items. This is one of them. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The gentleman from Wisconsin withdraws his pro forma amendment, and the Clerk will read.

The Clerk read as follows:

Atchafalaya River, La.: For maintenance, $30,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. TREADWAY. I do this to call the attention of the House to an evident fraud that is being perpetrated on the families of soldiers. I received yesterday a communication from the wife, or, rather, the mother-in-law, of a soldier, written for the wife, the soldier being one of those in the famous "lost battalion" in the Argonne Forest, whose commander, Lieut. Col. Whittlesey, I am proud to say, is from Pittsfield, Mass. She sent me a circular letter, which I hold in my hand, anonymous in character, headed "The American Biography Publishers," a concern evidently endeavoring through misrepresentation to secure from the families of soldiers the sum of $1 to have the life account of the soldier appear in so-called publications of the American Biography Publishers.

I intend to take this matter up with the Post Office Department, because it seems to me it is a positive fraud and should not be permitted to be circulated through the mails. The circular calls attention to the fact that this soldier was on the casualty list, and asking for a dollar in order that his name might appear on the "honor roll" to be presented to the President of the United States. Think of such a circular as that going out to the families of our boys!

I at once made inquiry whether or not any casualty had occurred in this particular case, because the mother-in-law said that her daughter refused to believe that her husband is dead, having heard from him within a short time. I made inquiry at the War Department and found that there had been no such casualty; that the man had been slightly gassed in September, and assigned to duty at Tours on September 9, and wired the lady to that effect.

It seems to me that attention should be publicly called to such a circular letter as this, in order that the people of the country may not have the anguish of such solicitations from commercial circulars as the one to which I refer, and in order that proper publicity may be given to the matter I ask unanimous consent that these letters be printed in the RECORD.

The CHAIRMAN. Is there objection to the printing of the letters referred to in the RECORD?

There was no objection.

Following are the letters referred to:

PITTSFIELD, JANUARY 7, 1919.

Hon. ALLEN T. TREADWAY,
House of Representatives.

MY DEAR CONGRESSMAN: My daughter, Mrs. Charles B. Cornell, received the inclosed letter yesterday from the American Biography Publishers and in that way learned that her husband is dead—if such is the case. She refuses to believe it until she hears from Washington. The last letter she received from her husband was dated October 10, 1918, and in that letter he (Mr. Cornell) stated he had been in that lost battalion and had been sick ever since they were rescued. At the time of Mr. Cornell's enlistment he and his wife were living at 104 Concord Street, Brooklyn, N. Y. The soldier's address in the service was: Sergt. Charles B. Cornell, Company H, 308th Infantry.

Now, dear Congressman, I am sorry to trouble you so often on this case, but you have been so kind and considerate in helping my daughter to get what rightly belongs to her, namely, her allotment, that I again appeal to you to find out if possible if Mr. Cornell is dead or anything corncerning him.

Thanking you for your interest in my daughter's case and anxiously awaiting a reply,

Respectfully, yours,

MRS. WM. T. GUY.

91 WEST UNION STREET, PITTSFIELD, MASS.

AMERICAN BIOGRAPHY PUBLISHERS,
PUBLISHERS OF INDIVIDUAL HONOR ROLLS,
Hartford, Conn., December 19, 1918.

MRS. EVELYN CORNELL,
104 Concord Street, Brooklyn, N. Y.,
Nearest kin of Corpl. Charles B. Cornell.

DEAR FRIEND: Victory is ours. We have driven the last of the autocratic rulers from power and have given the peoples of the world an opportunity to enjoy the freedom which is ours. Once more America has fought in the cause of freedom, and our cause was expressed in the President's stirring address to Congress: "For the ultimate peace of the world and the liberation of all its peoples; for the rights of *nations*, great and small, and the privilege of men everywhere to choose their way of life and of obedience."

It is with deep regret we notice the name of your soldier boy in a recent casualty list. Although neither we nor anyone else can endeavor to offer you such consolation as will alleviate your sorrow, we feel sure that every person in your position harbors a great deal of pride in having offered a son, husband, brother, or relative to the noble cause for which the whole civilized world went to battle.

We desire to secure a short biography of his life to go into a book now being compiled by the American Biography Publishers, so that his name may live in history and go down in posterity. This book when completed will be presented to the President of the United States as a memorial to those who have fought in the cause of liberty and democracy.

To commemorate the deeds of your soldier boy, we have prepared an attractive honor roll, lithographed in a beautiful sepia on a high grade of paper, size 11 by 14 inches, artistically combining the different branches of the United States service, with the flags of the allies, topped by an eagle with outspread wings. This honor roll will be engrossed with the name and title of your soldier boy and other essential facts from his biography.

We are inclosing an information blank, which we ask you to kindly fill out and return to us with $1, for which we will send you the honor roll suitably engrossed, and also enter his biography in the book we are compiling.

You owe it to your soldier boy as well as to yourself to send us this information at once.

Respectfully, yours,

AMERICAN BIOGRAPHY PUBLISHERS.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Waterway from the Mississippi River to the Sabine River, La.: For improvement from Mississippi River to Bayou Teche in accordance with the report submitted in House Document No. 610, Sixty-third Congress, second session, $100,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement, but this proviso shall not include the acquisition of the rights of any private canal which it might be to the interest of the United States to acquire; completing improvement of Vermilion River, La., and channel to connect the Vermilion River with the inland waterway from the Mississippi River to the Sabine River in accordance with the report submitted in House Document No. 1336, Sixty-second Congress, third session, $37,500: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, $137,500.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. FREAR. Mr. Chairman, I ask the chairman of the committee how much is involved in that first proposition; that is, Bayou Teche, Miss.? I am asking for information. On page 15 of the document it says $826,000. Is that the amount?

Mr. SMALL. That is one of the sections of the intercoastal waterway.

Mr. FREAR. That is the amount that is carried in this project?

Mr. SMALL. There are estimates, as the gentleman will see, for several depths. The depth adopted on this section was 5 feet and the estimated cost is $826,000.

Mr. FREAR. Yes; I thought that was it, but I was not sure. I want to say in passing, Mr. Chairman, that we quietly sit here listening to the Clerk read these projects for $100,000, and so on, not knowing that here is an $826,000 project, a canal or waterway down there in Louisiana, that we are adopting. That is the fault of this kind of a bill. It does not give the country or the House the correct understanding of what is involved in the projects in amount or character. Eight or probably nine or ten times as much will be involved in this before the expenditures are finished as the amount in this bill, and it will never be completed as a 5-foot project, because the next item in an adjoining column, after we get the 5 and 7 foot project, will call for a 9 or 12 foot project. A good authority says, "You can not run any good commerce down there in Texas unless we have a 12-foot channel." No contribution is asked for from the local people. From $1,000,000 to several million dollars will be eventually expended for this section of the inland waterway down in Louisiana.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Bayous Vermilion, Nezpique, des Cannes, Plaquemine Brule, and Queue de Tortue, Mermentau River, and Calcasieu River and Pass, La.: The project for Mermentau River and tributaries is hereby extended to include Bayou des Cannes as far up as the Evangeline Bridge in accordance with the report submitted in House Document No. 1591, Sixty-fifth Congress, third session.

Mr. SMALL. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 15, strike out the numerals "1591," at the beginning of line 7, and insert in lieu thereof "1398."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MARTIN. Mr. Chairman, I would like to ask the chairman of the committee why this item carries no appropriation?

Mr. SMALL. The reason for that is this: The report which is adopted here recommends that Bayou des Cannes be added to the project of the Mermentau or Nezpique River, so that it becomes part of that project, and any appropriations made therefor may be expended for this particular improvement.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Freeport Harbor, Tex.: Continuing improvement, $100,000.

Mr. SMALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 15, strike out the period at the end of line 23, insert in lieu thereof a semicolon, and add the following: "for improvement, $5,000: *Provided*, That the project in this section may be extended at the discretion of the Secretary of War in accordance with so much of the report submitted in River and Harbor Committee Document No. 3, Sixty-third Congress, first session, as recommended the dredging of the channel across the bar at the mouth of the Colorado River; in all, $49,000."

Mr. SMALL. Mr. Chairman, the purpose of this amendment is to include in that project the dredging of the bar at the mouth of the Colorado River at an expense of $5,000. The amount of commerce involved seems to justify the improvement. I have a letter from the Chief of Engineers recommending this amendment, which I will not read but will insert the letter in my remarks.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to insert in his remarks the letter referred to. Is there objection?

There was no objection.

Following is the letter referred to:

JANUARY 4, 1919.

HON. JOHN H. SMALL,
Chairman Committee on Rivers and Harbors,
House of Representatives.

MY DEAR MR. SMALL: 1. In reply to your letter of January 3, 1919, in reference to the improvement of the Colorado River, Tex., I have the honor to say that it appears from information furnished by Judge Mansfield that an important development has taken place near the mouth of this river, and that it is now desired that the improvement should be made simply across the bar at the mouth of the river, so as to afford access to the river; and it is now not deemed essential that the work above the mouth of the river, which also involved the principal part of the cost, should be undertaken.

2. The conditions recommended by the Chief of Engineers in River and Harbor Committee Document No. 3, Sixty-third Congress, first session, apply more particularly to the work above the mouth of the river than at the mouth of the river. It is understood that the condition which involved the construction of a railroad spur to mile 21 has been met by a railroad spur constructed into Matagorda near the mouth of the river. In view of the existing conditions, it does not seem necessary to make the dredging of the channel across the bar subject to the conditions, and it is suggested that the desired improvement could be brought about by amending the item found on page 15, lines 19–21, of the river and harbor bill, as introduced in the House of Representatives, to read substantially as follows:

"Waterway from Galveston to Corpus Christi and channel from Pass Cavallo to Port Lavaca, Tex., for maintenance, $44,000; for improvement, $5,000: *Provided*, That the project for this section may be extended at the discretion of the Secretary of War in accordance with so much of the report submitted in River and Harbor Committee Document No. 3, Sixty-third Congress, first session, as recommended the redredging of the channel across the bar at the mouth of the Colorado River; in all, $49,000."

Very truly, yours,

W. M. BLACK,
Major General, Chief of Engineers.
By H. TAYLOR,
Brigadier General, United States Army.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Red, Black, Ouachita, Tensas, Boeuf, and Saline Rivers, and Bayous Macon, Bartholomew, D'Arbonne, and Corney, Ark. and La.: For maintenance, $15,000; continuing improvement of Ouachita River in accordance with the report submitted in Rivers and Harbors Committee Document No. 7, Sixty-fifth Congress, second session, $300,000; in all, $315,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I desire to speak for a moment on the Ouachita River.

This Government has already appropriated $4,389,369 for the Ouachita. After deducting the timber and sand that has been floated down the Ouachita we find 28,500 tons carried as actual commerce.

Reading from page 5 of the hearing before the committee on this project, a United States Senator from one of the States traversed by the Ouachita River came before the committee and he said:

Mr. Chairman and gentlemen, it is one of the best river and harbor projects in the United States, and it ought to be carried out in the same good faith with which it was undertaken and the same wise manner with which it was begun in 1902.

Let me state, by the way, that this Senator is at the head of a waterway organization in the United States. The chairman of our Committee on Rivers and Harbors [Mr. SMALL] then said:

Senator, some of these rivers do not seem to have developed the commerce even where a moderate channel was provided. What is the probable effect on Congress if the Ouachita River is developed and the locks and dams completed?

Then the Senator states why there should be commerce, because, he says, there is so much commerce adjacent to both banks of the river. Then the chairman of the Committee on Rivers and Harbors [Mr. SMALL] again says:

That does not always follow. There have been instances where there was a large commerce in the territory contiguous, and yet no water-borne commerce has developed, making it seem evident that the development of water-borne commerce is dependent upon the activities of the people in the sections contiguous.

Now, as I said, bearing in mind that we have already spent over $4,000,000 during a long period of years on this stream to secure 28,000 tons of commerce, I read from document No. 7, referred to here, which asks for $360,000 more; but, as I understand it, $300,000 is contained in the bill. I read from page 2:

The Board of Engineers for Rivers and Harbors believes that the plan proposed is feasible of execution, but that the commerce that could reasonably be expected to use this section of the river, aside from timber that does not require slack water, is not sufficient to justify the cost of the work. It therefore reports that the modified plan is feasible, but not commercially advisable. If, however, Congress decides that it is advisable to continue the improvement and carry slack water up to Camden, the board recommends that the modified plan proposed by the district engineer be adopted rather than the construction of Locks and Dams Nos. 7 and 9.

If then Congress, like the Rivers and Harbors Committee, decides that it is advisable to continue the improvement, the board recommends the adoption of the modified plan. Then the Chief of Engineers says:

After due consideration of the information presented, I concur in the views of the board.

Mr. Chairman, I could present facts in reference to this Ouachita River which it would take an hour to read, but I will simply read from page 4 of House Document 979, a report on a reexamination of the Ouachita River:

The present commerce, consisting largely of timber products, is not extensive, and owing to the character of the adjacent country, which is devoid of large commercial, mining, or manufacturing industries, the river traffic can not reasonably be expected to assume the magnitude considered essential to warrant the construction and maintenance of an expensive system of locks and dams. The question is now complicated, however, by the work already done, and it must be decided to what extent the unexecuted portion of the project should be continued or abandoned.

And the Army engineers all the way through their report suggest the abandonment of the project. They would do it if they could, because, as in the case of the Black Warrior River, you have a case of a very large expenditure with a very insignificant return in the way of commerce. That is one of many similar projects contained in this bill for which we are to pay by the sale of liberty bonds. What excuse can be offered for such expenditures?

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Mississippi River from the mouth of the Ohio River to and including the mouth of the Missouri River: For maintenance, $700,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. This is a 200-mile stretch of the Mississippi River on which the Government thus far has spent over $18,000,000.

Mr. SMALL. How much time does the gentleman desire?

Mr. FREAR. Only five minutes.

Mr. GREEN of Iowa. I should like at least five minutes, and possibly a few minutes more.

Mr. SMALL. Will five minutes be sufficient for the gentleman from Wisconsin?

Mr. FREAR. I can get in on the next item.

Mr. SMALL. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes, the gentleman from Wisconsin to have five minutes, the gentleman from Iowa five minutes——

Mr. GREEN of Iowa. Make it seven minutes.

The CHAIRMAN. The gentleman from Iowa seven minutes and the chairman three minutes. The gentleman from North Carolina asks unanimous consent that debate on the pending paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, after an expenditure of over $18,000,000, or an appropriation of $18,466,000, upon this 200-mile stretch of the Mississippi River, we have only a very small amount of traffic, of which I believe the largest item is garbage hauled from the city of St. Louis. This stretch of the river receives, at this rate, $3,500 a mile.

The next item which you are coming to on the Mississippi River receives $350 per mile. In other words, this lower part of the river, which is deeper and more navigable, if depth amounts to anything, receives ten times as much per mile as the upper part. Now, what was the purpose of the Army engineers in insisting on this large increase in the appropriation that we have here, after the tremendous expenditure which has already been made? There is in the hands of the Army engineers a balance of $370,000 available, in addition to this $700,000 proposed. What are they doing on the river? What have we accomplished there in the nature of traffic? There is a small traffic, but the only place, outside of the lower Mississippi River, where the Government is trying to-day to establish evidence that the Mississippi River is commercially successful is on the upper river, where the committee has given $350 a mile. The amount given the 200-mile stretch of $700,000, in addition to the large appropriations in the past, seems beyond reason. Now, what is the proposition you have there? I will read from page 48 of the hearings on inland transportation.

Mr. Goltra, chairman of the Democratic State committee of Missouri, has been receiving contracts, according to his statement, of $3,600,000; and this is established in the record here in the Engineers' Report, although it does not give his name—for carrying ore on the upper river from St. Paul down to St. Louis to his factory and furnaces. He says he is going to help commerce by taking coal back from the Illinois fields. Here is his proposition to the Government, page 48. He says that the cost per ton per mile for the fleet will be $1,700,000, that it has cost the Government $3,360,000, and that that money will cost him 6 per cent per annum on $283,000. And then he proceeds to determine how he can make it successful at that capitalization. The Government has to pay double that amount—$3,600,000—and you propose on the upper part of the river to expend $250,000 and $700,000 for the stretch from St. Louis down to the mouth.

Mr. GREEN of Iowa. Mr. Chairman, I think it is time that we looked at these projects in a sensible and reasonable light. When we consider the transportation on rivers the first question ought to be whether products can be carried more cheaply than by rail if the improvement is made, and whether this transportation will be desired. If we can answer those questions in reference to the Mississippi River we will solve them in favor of the appropriation.

There is no question in the mind of any engineer but what the Mississippi River could for a reasonable sum be fitted to carry heavy products like coal, iron, and grain at a very reasonable and low rate, probably one-half of what the railroads charge. There is no question but what the products are waiting to be carried and would be offered if the river channel was such that they could be carried by large barges and the boats were there.

What is the trouble? The gentleman from Wisconsin is right in one respect. The trouble is that as soon as we get the river in shape and get boats ready to carry the grain and ore the railroads make a reduced freight rate, so low that the boats are driven off the river. Then we come back to the question why have we no boats? Because no one will construct boats knowing that they will be driven off the river by a lower rate. We have no terminals. Why? People will not construct terminals if terminals are to be made useless by lower freight rates made by the railroads.

Another thing, we do not have suitable control over the railroads so that they are made to connect with water routes. How long is it going to be before the American people will wake up to this state of things? My friend from Wisconsin [Mr. FREAR] thinks this condition is going to last as long as the Nation en-

dures. I do not think it will. I think the people have reached the time when they will stop this practice. The present rail rates are a great burden on business, and there is no prospect that they will be lowered. On the contrary, they are being raised every day.

I remember when a small boy a canal from Chicago to La Salle that did a large business. It was operated at a very low rate, but after the railroad was constructed beside it it carried freight at one-quarter of the rate that it hauled it for the same distance elsewhere. Of course, the people at a distance were made to pay the difference. They were compelled to pay the railroad what it lost on this stretch lying parallel with the canal, and so the canal was driven out of business. It now lies idle, its boats are rotting, its channel out of repair. The people living near by could not ship on it if they would.

Mr. SWITZER. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. SWITZER. My recollection is that Mr. Goltra said that give him the fleet that he wanted, and he could carry the ore from Minnesota down to St. Louis in competition with any rates that the railroads might make if sufficient money was appropriated to dredge the upper river, and he said that there was sufficient money appropriated to keep the water in proper condition from St. Louis to St. Paul.

Mr. GREEN of Iowa. I think the gentleman is correct, but I am talking about water transportation in general and the propriety of making use of it in this country. Every gentleman in this House knows that the heavy freight in Europe is carried largely by water. It ought to be carried largely by water in this country; but it is not, for the railroads are permitted to use a system which would ruin anybody who undertakes to compete by water. They can not compete with the rates which the railroads are willing to make. The gentleman from Wisconsin says that if the railroads come back into private control the same system will be kept up. I have no doubt it will be if the railroad managers absolutely control the matter, but I do not believe the American people will longer put up with that situation. They ought not to; there is no reason why they should, and I do not believe they will. In fact it will be our fault if they are compelled to endure it.

Recently, as the gentleman from Pennsylvania [Mr. MOORE] called attention, the Erie Canal was revived, and it was proposed to carry freight at a lower rate than the railroads which paralleled it. For some reason the Director General of Railroads made an order that it should not carry freight at a less rate than the railroads, and thereby limited its capacity and prevented it from carrying any great amount of freight for the reason that the transfer charges would increase the amount necessary to be paid, so that the freight after all was greater than by rail.

Out there in the same State of Illinois we also have another canal called the Hennepin Canal, which has been characterized as one of the greatest failures that ever existed in this country. It was well constructed and is in good condition this day. It was thought that it would do a great business, but it is a failure, so far as commerce upon it is concerned. It cost about $7,000,000, and it has often been said that this great sum was wasted, because the traffic upon it is insignificant. Yet it runs through one of the most fertile sections of this country and connects the Illinois River with the Mississippi. Paralleling it at a short distance are great trunk lines of railways which have more business offered them than they can properly care for. An immense tonnage of coal, grain, and merchandise passes by the same as if it had never been constructed.

What is the reason? Why does it do no business, passing, as it does, through the most fertile section of the whole United States? The reason is that it has no connection with the railroads at the beginning or end. It practically has no terminals. It was built to connect with the canal I first mentioned, but before completion the railroads had ruined the other, and it was in no condition for traffic. The Hennepin Canal might just as well run from nowhere to nowhere as to be in that situation, because without terminals and without the railroads being compelled to turn over to it the freight on reasonable conditions it could not get the freight.

The CHAIRMAN. The time of the gentleman from Iowa has expired. There are two minutes remaining in control of the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Chairman, would the gentleman from Iowa like the remaining two minutes?

Mr. GREEN of Iowa. Yes.

Mr. SMALL. I yield them to the gentleman.

Mr. GREEN of Iowa. At the eastern end of this canal there are located within a very few miles some of the greatest coal mines in the country, and if that coal could be gotten down to the canal at any reasonable cost—and there is no reason why it should not, except that the railroads would not transport it at any reasonable price, and because there are no terminal facilities to handle it—the canal would do an enormous business in coal alone, provided there were terminals at the other end. In the other direction the world's garden spot—my own State—could furnish millions of bushels of grain to be carried eastward. But there is no way to get grain to the canal, and people hesitate to build terminals under such circumstances. They realize that the railroad would soon take the business away from the canal if the traffic was created. What, then, is the solution of the problem which arises? I answer that if we are to make this water traffic successful, if we are to justify these expenses, we must necessarily follow this legislation with other legislation when the proper time comes, when the question of the railroads going back to private control or the question of their remaining in public control comes before us, and then we must make provisions for the construction of terminals, we must provide that railroads shall not so lower their rates as to drive transportation from the rivers and the canal. In that way we will build up in this country, as we ought to have built up long ago, a great water-borne commerce, by which this heavy freight, the thousands of tons of iron and coal and grain that now clog our railroads and absorb our transportation systems, may be handled at the cheapest and lowest rates every known. [Applause.]

The Clerk read as follows:

Mississippi River from the mouth of the Missouri River to Minneapolis, Minn.: Continuing improvement and for maintenance, $250,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I can agree, and I presume the House will agree, with practically all that the gentleman from Iowa [Mr. GREEN] has just said. We are all agreed, providing you will utilize these rivers. I might be presumed to be more interested in the upper Mississippi River traffic than any other proposition that can be found, because it goes by my district, but it has no traffic. There is going to be no traffic there unless you do something to occasion it. The gentleman says, let us go on and look after the railroads. We have this same argument made year after year on the floor of the House. We are always going to do something with the railroads. What have we ever done? What proposition has ever come? Now comes the proposition of giving the railroads back to private individuals. Why not make minimum rates so as to prevent localities from having the especial advantages they have now? The favored localities will not stand for that. How are you going to prevent this railroad discrimination which drives traffic from the river? I believe we ought to, and we could do it if we did it like Germany or France, or other countries do, but we gag a little at that proposition. Mr. McAdoo said a few days ago that unless you continue the five-year proposition to control the railroads all of this money that is being put into the waterways is wasted; that is, for these barges and boats that are being built. On page 1158 of the 1918 Engineer's Report we find the statement that in view of the overtaxed condition of railroad transportation and the proposed greater utilization of rivers to relieve the railroads, the board of trustees of the Emergency Fleet Corporation have authorized the expenditure of $3,600,000 for the construction of 4 river towboats and 24 river barges for carrying iron ore, coal, and oil on the Mississippi River. That is the Goltra contract for his steel concern. That is the statement of the Army engineers. My statement was questioned a moment ago. It does not mention Mr. Goltra, but it mentions him here in the other report. He is going to get this for his private business project. It is not for the public at large, but he gets it for his own use. The gentleman referred to the Minneapolis project, which requires only $6,000. It appears the Army engineers make this statement on that project, that it is improbable—and I think that is the term, "improbable," they use—that any use of this river can be established for traffic in coal. They were expecting it, of course, for the use of coal alone. Whether Mr. Goltra can make a success of it or not the country does not know, but we are going at this effort only piecemeal, a little here and a little there, in experiments, and we are putting an enormous sum of money into the Mississippi River—$150,000,000, as I said, in the Mississippi River. Let us control the railroads. Let us say to them, "You can not drive this water traffic off," as they do in other countries. Why not do that? You have never heard such a proposition coming on the floor of this House. I hope it will come, and if all this agitation will result in something like that, so that we will increase the river transportation, it will be time for congratulations.

The gentleman spoke of the Hennepin Canal. We have spent $7,566,000 for the Hennepin Canal. What is its traffic? About 5,000 tons. That is to be found on page 2729 of the report. I

refer to it immediately because I remember that canal. We have got to do more than talk on the floor of the House. We have got to do something in the form of actual legislation; and the gentleman, I know, feels with me that it is time we do something to cause these rivers to be used or else stop appropriations. That is why I say we are appropriating $700,000 for the lower reach of the river when it does not need it. It seems to me that the Government is taking the chances in Goltra's case without anything to protect it.

Mr. McKENZIE. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. McKENZIE: In line 12, page 17, after the figures "$250,000," insert the following:

"*Provided*, That not to exceed the sum of $5,000 of said money may be expended in the raising of the wing dam used as a ferry landing at Fulton, Ill., said improvement to be made with the approval and under the supervision of the Chief of Engineers."

Mr. McKENZIE. Mr. Chairman, I do not care to take up the time of the committee to discuss this amendment. I understand that the chairman of the committee and the other members to whom I have submitted it have no objection to it, and therefore I feel that it would be an imposition upon the committee at this time to make a speech. I ask for a vote.

Mr. SMALL. Will the gentleman state the extent to which it has the approval of the Chief of Engineers?

Mr. McKENZIE. Mr. Chairman, I will make this statement, and I presume, in justice to the Chief of Engineers, I ought to make it. This is a matter that came to my attention very recently. The purpose of it is to raise the wing dam that was constructed in the river some years ago for the purpose of controlling the channel and deepening it at that point for a depth of 6 feet. Since that time this wing dam, or rather the river, has filled up to such an extent that the teams can not get out to the end which is the ferry landing at certain seasons of the year—the ferry landing is at this point, as I understand it—when the water is low, and it is necessary to have this raised. It has not been generally customary for the War Department to make these improvements, unless there was some special authorization of Congress, and I submitted this matter only this morning to the Chief of Engineers, Gen. Taylor, and he said that he could not give a written approval as to the project or the amendment, not having had any investigation made, but that if Congress saw fit to do this, of course they would carry out the direction of Congress. I want simply to say this, gentlemen of the committee, that this does not increase the appropriation. It simply provides that out of the sum of $250,000 for the improvement of this stretch of the Mississippi that not to exceed $5,000 of it shall be used for the purpose of raising this wing dam, so as to have this saving to the people of the city of Fulton. That is all there is in the amendment.

Mr. SMALL. Mr. Chairman, the committee accepts the amendment.

The question was taken, and the amendment was agreed to.

Mr. FESS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing that address which I delivered in New York on the railroad problem.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Missouri River: For maintenance and continuing improvement with a view to securing a permanent 6-foot channel between Kansas City, Kans., from the upper end of Quindaro Bend, and the mouth of the river, $400,000; for maintenance between Kansas City and Sioux City, $10,000; in all, $410,000.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. I observe that only $10,000—I have not the item right before me, but I so understood the Clerk to read it—is allowed for the maintenance from Kansas City to Sioux City, a distance of several hundred miles. Is there any unexpended balance there or is that all that is intended to be allowed?

Mr. SMALL. About $37,000 is on hand. The Chief of Engineers reports that with this appropriation and the available balance the work contemplated can be carried out.

Mr. GREEN of Iowa. Well, I think possibly that is so, but I was not aware of this unexpended balance in that amount. I still think that is pretty small, because you must remember that river takes very quick movement along that stretch of towns and threatens not only existing channels but existing towns in its changes.

Mr. FREAR. Mr. Chairman, I move to strike out the last two words. The stretch of river of which the gentleman from Iowa was just speaking carried last year 6,000 tons 30 miles. I have forgotten the exact amount we have spent on it, but we have spent on the Missouri River $22,923,359. This 400-mile project has had $16,913,000, and we are going to expend $12,200,000 more in order to complete this project on the river. The commerce——

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. FREAR. The gentleman is getting to be very enthusiastic as to rivers this year. It is all right, but I wish to make my statement first, then I will yield. The commerce on this river, after deducting sand, all 1 mile, was 14,436 tons. Think of it? Now, let me read from the report of the Army engineer on this and see what he has to say about it only three years ago. I will read from page 12 of the Engineer's report, from Herbert Deakyne, lieutenant colonel, Corps of Engineers. He says:

From the foregoing considerations I am of the opinion that the present and reasonably prospective commerce on the Missouri River between Kansas City and the mouth is not sufficient to warrant the continuance of the present project. I think the snagging should be continued, so that commerce may have the advantage of the natural depth of the river and the river shall not be allowed to become entirely obstructed. Any attempt at partial improvement seems futile, because the draft of boats, and therefore their cargoes, will be determined by the least existing depth. If the river is improved at all, the work should be complete as to protection of banks and control of channel.

He recommends $40,000 a year. Following that let me read from Col. Townsend, who is the head of the Mississippi River improvement, on page 13, where he says:

Instead of scattering appropriations over the entire western territory, a channel of 8 or 9 feet depth should first be provided from Chicago to New Orleans and the offer of assistance in the construction of a canal along the Des Plaines River from the State of Illinois accepted. An opportunity should then be afforded the American people to determine whether they want highways, not by rhetorical efforts in river conventions, but by a practical utilization of the channel thus afforded.

Listen to this, please. Here is the engineer's report:

An opportunity should then be afforded the American people to determine whether they want waterways, not by rhetorical efforts in river conventions, but by a practical utilization of the channel thus afforded. Until such revival occurs appropriations on the tributaries should be confined to maintaining the existing status.

He recommends $150,000 for the appropriation for snagging, and, of course, he was overridden. As Gen. Taylor said to the committee, when he went up the river he saw the boat line there, and he said the board decided if those people were willing to make some investment we ought to do something for it. So the board overruled the engineer. Then this boat line was taken off the river.

I now yield to the gentleman from Iowa [Mr. GREEN] for a question, because I imagine what is coming.

Mr. GREEN of Iowa. I do not think the gentleman is as good a mind reader as that. I do not think he should get up here and say that he assumes that I would support a certain project which he mentions, when I was supporting a project from Kansas City to Sioux City. It is for simply maintaining the banks.

Mr. FREAR. We have got 6,000 tons of commerce there after all the years of improvement on the upper part.

Let me say this, that, according to the report, early in the fall the company laid up the boats for the winter, and that is the time that we had the 14,000 tons of commerce. We have spent $22,000,000 on the Missouri River. This bill carries $400,000 more.

Mr. WOOD of Indiana. Mr. Chairman, I move to strike out the last word.

Mr. SMALL. If the gentleman will permit me, how much time does the gentleman from Indiana desire?

Mr. WOOD of Indiana. I would like to have 10 minutes.

Mr. SMALL. Can not the gentleman conclude in five?

Mr. WOOD of Indiana. All right. I will extend my remarks.

Mr. SMALL. Mr. Chairman, I wish to move that all debate on this paragraph and amendments thereto close in 10 minutes, 5 minutes to be consumed by the gentleman from Indiana and 5 minutes by the gentleman from Missouri [Mr. BOOHER].

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. WOOD of Indiana. Mr. Chairman, I desire to call the attention of the gentlemen of the committee to a memorial which I expect every Member of Congress has received. I am prompted to do this by much that has been said in argument here concerning the value of these canals and waterways, and concerning what has been said about their being of no use because the railroads of this country have prevented their being made useful by the controlling of their rates, and so forth.

The State of New York, with considerable vision at the time when the canals of other States were being abandoned, saw to it that their canals were preserved. It took them over. They became a part of the property of the State. The State of New York has expended $429,000,000 in keeping them up, has made their use absolutely free, not only to the citizens of the State of

New York but also to anyone else that desires to use them. When this war broke out the State of New York, having control of these canals and thinking to do the patriotic thing, tendered them to the Government. The tender was accepted; but instead of their being used as it was intended they should be used, to relieve the congested condition then existing and which has since existed, they were absolutely rendered useless by reason of the fact that the Director General of Railroads prevented their being used for carrying any character of freight, especially to the West. And when a committee from the State of New York came here to ascertain why he had taken that action he said it was because "they would fix any kind of an old rate" in carrying their freight to the West, and it would materially interfere with the receipts that the railroads ought to receive for carrying this freight.

Mr. MOORE of Pennsylvania. If the gentleman will pardon me, in carrying grain to the East.

Mr. WOOD of Indiana. And also in carrying grain to the East.

Now, the result of that has been that these canals are not being used, because the Director General still insists upon controlling them, and he still insists on prohibiting the carrying of freight there. It has resulted, if you please, not only in the people being prevented from getting their freight as they otherwise would have gotten it, and were getting it before, along the line of these canals, resulting in great hardship in many places, but where they are getting it by means of the railroads they are being compelled to pay largely excess rates. And one instance is given where the people along the upper end of some of these canals are being compelled now to pay a dollar a ton more for their coal that is delivered upon the railroad than they would be compelled to pay for it if it were permitted to be delivered by these canals.

This is a very instructive memorial. It is addressed to the Congress of the United States, it is addressed to the Interstate Commerce Commission, and it is addressed, if you please, to the Director General of Railroads himself, and it is praying the Congress of the United States for relief against this condition. It occurs to me, gentlemen, that this is a good time for this to be brought to the consideration of every Member of this Congress, and in order that it may be had in detail and read by the Members in detail I ask to extend my remarks by making this memorial a part of them.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend his remarks by printing the memorial referred to. Is there objection? [After a pause.] The Chair hears none.

The following is a copy of the memorial referred to:

NEW YORK'S CANALS.

A statement and memorial addressed to the Congress of the United States, the Interstate Commerce Commission, the United States Railroad Administration, the governor of the State of New York, the Legislature of the State of New York, the Public Service Commission of the second district of New York.

For nearly a century the canals of New York State have contributed in a substantial measure to the prosperity of the whole country.

VAST EXPENDITURES BY NEW YORK.

Since the inception of the Erie Canal in 1810 the State of New York has expended for these canals the sum of $429,800,000 entirely from its own resources. Of this sum it has expended $154,800,000 since 1903 in order to rehabilitate the canals as an efficient factor in transportation.

These canals when thus rehabilitated and modernized were officially opened to commerce in the month of May, 1918.

USE OF CANALS FREE.

They were offered by the State free of tolls or any charge whatever for the use of commerce to anyone; any firm or corporation, except the railroads, to operate boats upon them to carry their own property or the property of others. This privilege was made as free to the people, the boats, and the freight of all other States as it was to the people of New York and their freight.

MILLIONS OF TONS OF FREIGHT.

In August, 1917, after the United States entered the war, the governor and the Legislature of the State of New York invited the United States Government to use these canals to relieve the congestion upon the railroads and to transport supplies to the seaboard for the Government and its allies. If preparation had been made by promptly building the necessary boats, millions of tons of freight could have been carried upon these canals during the season of 1918.

The Federal Government made no such preparation, but in May, 1918, took over the operation of navigation upon these canals as a war measure.

KILLED CANAL LINES, THEN REFUSED FREIGHT.

The Railroad Administration having no boats set about to acquire the control of the usable boats which had been operated upon the canals. The boats of transportation lines which had been operating upon these canals for many years were taken and such lines were driven out of business. The freight which had been waiting transportation by these lines, with the exception of one line, was refused, and the boats were sent empty to Buffalo.

CANAL COMPETITION STOPPED.

The Director General's explanation of this procedure to a committee of New York State business men in Washington on the morning of Friday, October 25, 1918, was that the Railroad Administration had made some calculations of the effect that would be produced by taking the freight west in these boats "at any old rate," which meant the lower canal rate, and it had been decided best to send the boats empty, because if the freight was carried by canal the railroad revenues would be reduced.

CANALS WERE TO MAINTAIN COMPETITION.

The purpose of New York in constructing, enlarging, maintaining, and operating these canals was to provide a means of transportation for all kinds of merchandise and other freight, all of which could be carried cheaper and quicker by water than by rail. It was the purpose to give the business interests and industries of the country the benefit of the lower freight rate and the benefits which would be derived from canal competition.

RAILROADS NOT PERMITTED TO OPERATE BOATS.

The State of New York, in order to insure such competition, enacted a law on June 9, 1917, known as the "Interchange of traffic act" (chap. 805 of the Laws of 1917), which prohibited railroads operating boats upon the canals. This law was enacted because it was foreseen that if railroads were permitted to operate boats upon the canals, backed by the capital of the railroads, they would discourage private enterprise and private capital would not venture to build and operate boats upon the canals and measure strength in an unequal battle with the prepondering capital of the trunk lines of railroad when also operating boats on the canal.

RAILROAD CONTROL OF CANALS FEARED.

It was foreseen that if railroads were permitted to operate boats upon these canals the railroads would dominate and drive the smaller independent canal carrier off the canals and control canal rates. It was foreseen, also, that the rates on the canals would then cease to be competitive with rail rates, and the canals, under these circumstances, would be of no real value to this State or other States in fostering their commerce and manufactures, and the vast sums of money expended upon these canals would be wasted.

PANAMA CANAL DENIED TO RAILROAD SHIPS.

This policy of the State of New York in preventing the railroads from operating boats upon the New York canals was previously adopted by the Congress of the United States with respect to the Panama Canal.

When the Panama Canal was nearing completion it was seen that if railroads were permitted to operate steamship lines through the Panama Canal the railroad-owned ships would ultimately drive off all other ships and dominate that canal, and then, being without competition, would make the freight rates thereon so as to nullify all of its advantages as a route of cheap transportation between the Atlantic and Pacific coasts of the country, and the Panama Canal would not then be in any degree a regulator of transcontinental rail rates.

Congress in the Panama Canal act passed August 24, 1912, therefore, prohibited railroad-owned steamships from using the Panama Canal.

CONGRESS FOSTERS WATER LINES.

Moreover, in the same act Congress amended the interstate commerce act and gave the Interstate Commerce Commission full power to compel the interchange of traffic everywhere throughout the country between rail lines and water lines on through shipments, to make through rates via rail and water lines on through bills of lading, to declare the proper division of such rates to which the rail and water carriers would be entitled on such shipments, and to compel the making of physical connections between rail lines and water lines, and to assess the cost of same equitably upon such lines.

POLICY OF CONGRESS NULLIFIED BY RAILROAD ADMINISTRATION.

It was clearly the policy of Congress, as expressed in this law, to encourage transportation by water lines, to insure competition between rail and water lines, and to prevent the railroads from throttling water competition. This act has not been repealed and it is now the law, although wholly nullified by the United States Railroad Administration acting under the power it has assumed to possess over transportation given it as a war measure.

CANALS CONSIGNED TO DISUSE.

The State of New York invited the United States Government to use the canals to their maximum capacity. The United States Railroad Administration assumed the control of navigation upon these canals and then diverted the normal traffic from them to the railroads. The Director General's explanation that to use the canals would reduce railroad revenues does not justify taking them under his control and then adopting a policy consigning them to disuse.

INCREASED THE COST OF COAL.

The New York superintendent of public works recently stated that coal transported to northern New York and Canada during the past season has been carried by railroads paralleling the Champlain Canal at a cost of a dollar per ton more to the consumer than if carried by the canal, where necessary boats were available but consigned to idleness. The tonnage carried on the Erie Canal during the season of 1918 has been smaller than in any year since 1826, when the original canal was opened.

TRANSPORTATION SYSTEMS TO SERVE PUBLIC.

In its report issued December 1, 1918, the Interstate Commerce Commission, in discussing the policy which should be pursued, said: "Whatever line of policy is determined upon, the fundamental aim or purpose should be to secure transportation systems that will be adequate for the Nation's needs even in time of national stress or peril, and that will furnish to the public safe, adequate, and efficient transportation at the lowest cost consistent with that service. To this end there should be provision for * * * development and encouragement of inland waterways and coordination of rail and water transportation systems." In other words, our transportation systems should be operated to serve the public and not primarily to enhance corporate revenues.

CONGRESS APPROVED COMPETITIVE PRINCIPLE.

In a communication to Congress December 5, 1917, the Interstate Commerce Commission also said: "The railroads of the country came into being under the stimulus of competition. From the outset their operation and development have been responsive to a competition which has grown with the growth of population and industry. This competitive influence has been jealously guarded and fostered by State laws

and constitutions as well as by the Federal law. * * * Congress, accepting the competitive principle as salutary, has thrown about it prohibitions against compacts, etc., * * * and, while the original act is but the nucleus of the act we now administer, that prohibition has remained unchanged."

NEW YORK SUPPLEMENTS NATIONAL POLICY.

The purpose of the State of New York in constructing and maintaining her canals, therefore, has been in entire harmony with a long-established national policy and supplemental to such national policy.

CANALS A BOON TO WHOLE COUNTRY.

Many people outside of New York do not yet understand either the motives of New York or the value of these canals to the country at large. They have assumed that the vast expenditures made by New York for her canals were made from purely selfish motives. This is not a correct view; for, while New York, along with the other States, has been greatly benefited by these canals and expects to be benefited by them in the future, New York knows that she has conferred a boon of inestimable value upon the whole country.

INFLUENCE OF NEW YORK'S CANALS.

Relating to the influence of New York's canals, nothing more convincing should be needed than the testimony of Mr. Albert Fink, some time commissioner for the several trunk lines of railroad, and the testimony of Mr. George R. Blanchard, some time vice president of the Erie Railroad Co., the most eminent railroad authorities of their time.

Mr. Blanchard (testimony, p. 2840, New York Assembly Document No. 38, 1880) said:

"The State holds within its grasp the great controller of the freight rate within its borders, to wit, the canal; there is not a town that is not affected more or less within this whole State, from the extreme northeast to the extreme southwest corner of it, by the canal policy and rates of this State. Every rate we make to or from Buffalo in competition with the Erie Canal has more or less influence to every point this side of Buffalo. * * *

"I might use an illustration upon the west end of our line, for instance, Salamanca, upon the Dunkirk division; the rate to that point is limited by the canal rates and the rates upon Lake Erie to Dunkirk, plus the railroad rate back to Salamanca, which is not upon the line of the canal; it is remote from it; it is upon the southern border, but we are limited to the lower of the rates I have cited. Still further, if the canal makes a rate to Buffalo, and if we make the rate to Buffalo to compete with the canal, the rate being only 3 cents per 100 pounds more to stations on our western division by the tariff I have submitted than to Buffalo, the rate immediately falls down to within 3 cents of the Buffalo rate which is made by the canal, and in this way the canal influences our rates where it does not limit them."

REGULATES THE RATES OF THE WHOLE COUNTRY.

Mr. Fink (testimony, p. 530, New York Assembly Doc. No. 38, 1880) said:

"That whenever a reduction is made in the rail rate from Chicago to New York, occasioned by lake and canal competition, that that reduction extends to Louisville, Nashville, and Savannah.

"It extends to every point of the country, I might say; to-day, when they charge 10 cents or 12 cents a hundred from Chicago to New York, the steamship lines from here to Savannah take up that freight and carry it for 15 cents from here to Savannah, making a rate from Chicago to Savannah of 25 cents; the regular rate from Chicago to Savannah by railroads may be at the same time 50, 60, 70, or 80 cents; they have to come down and conform to the water rate; the rate in Savannah determines again the rate in Atlanta; Atlanta is perhaps the most interior of all towns in the country, and generally gets the highest rates on that account; they carry their freight for nothing, from Chicago to New York almost, and then from here by water to Savannah and then carry the short distance from Savannah up to Atlanta themselves—that is 200 miles—and the other rail lines that work from Chicago to Nashville, Louisville, Chattanooga, and Atlanta have simply to conform to the rates that the steamship lines and the rail lines from Chicago and New York make; thus the lake navigation and canal navigation regulate the rates of the whole country, you may say, from Canada down to the Gulf."

2,000 MILES INLAND VIA ERIE CANAL.

It must be borne in mind that the New York canals, extending across the State of New York from the Hudson River to the Great Lakes, complete the link in water transportation extending nearly 2,000 miles inland from the Atlantic Ocean toward the Pacific coast, so that the vast territory of the United States, even west of the Mississippi River, is advantageously affected by the transportation of the Erie Canal.

AN AMAZING FACT.

This may be seen by a single illustration. Lumber from the northwest Pacific coast, under normal conditions, may be carried by ship via the Panama Canal to New York and thence via the Hudson River, Erie Canal, and Great Lakes, and thence via rail points on an average of 500 miles west of the Mississippi River before the cost of such transportation will equal the cost via rail direct from the Pacific coast to the same points.

THE CANALS PARALYZED.

Notwithstanding these inestimable advantages of the New York canals to the whole country we have seen them during the past season paralyzed and rendered almost useless in order that railroad revenues should be increased.

THE FATAL STROKE OF A PEN.

To accomplish this practical destruction of water competition, if it could have been done unaided by the Railroad Administration, would have cost the railroads many millions of dollars by reducing their rates to a destructively competitive basis, or low enough to drive the canals out of business. But this could not have been done without also bankrupting the competing railroads. It has been done without loss to the railroads, and, so to speak, by the stroke of the pen of the Director General of Railroads, when he adopted the policy and signed the order to route all freight by railroad that the rails could carry. It was done when the Director General of Railroads adopted the policy that freight should not be routed via the canal because, as he explains, it would disorganize the railroad tariffs of the country and reduce railroad revenues. The paralysis of the canals was made doubly sure when canal rates were placed upon and maintained at a practical parity with rail rates.

ROUTES ALL FREIGHT VIA RAIL.

It was manifestly an utterly empty assurance which the Director General of Railroads gave to the business men of the State of New York on the 25th of last October, in Washington, that anyone may put boats upon the canals and operate them with full confidence that the Railroad Administration would not interfere with their operation or their rates, and when he guaranteed that such boats would not be commandeered. It will be seen at once that having the power to route all freight via rail, and exercising that power, there would be no disturbances of rail rates through canal competition and no reduction of railroad revenues, for there would be no freight for canal boats to carry and no boats to carry it.

RAILROAD DOMINATION OF CANALS REALIZED.

It will also be seen how all of the dangers which were foreseen from railroad domination of the canals, hereinbefore referred to, have been realized to their fullest extent by the domination of the canals by the railroads through the arbitrary intervention of the United States Railroad Administration.

COUNTRY-WIDE DEVELOPMENTS BLIGHTED.

The Railroad Administration has thus arbitrarily reversed policies and principles long time established by wisdom, honored by consent, pledged by custom, and confirmed and guaranteed by the laws of the United States and of the separate States, upon the supposed permanence and inviolability of which stupendous industrial investments have been based, made, and progressively enlarged, and from which unparalleled developments have resulted throughout the country, now to be blighted or destroyed.

It is not conceivable that Congress ever intended to confer the power upon the Railroad Administration to so arbitrarily and effectually destroy water competition, or that Congress did ever consent to the paralyzing of one of the chief lines of water transportation in order that railroad revenues should be increased. The Panama Canal act of recent enactment, herein referred to, provided means to perpetuate and insure water competition, and Congress in recent years has been exceedingly generous in the appropriations made for rivers and harbors.

EXCEEDED POWER CONFERRED.

It is clear that the power exercised by the Railroad Administration to route all freight at will was not intended to apply to water lines and to permit the diversion of freight from water lines. It is clear that Congress did not contemplate or intend that the power to route freight should apply to freight intended by the shipper for water lines, or that such power should be so exercised as to prevent a shipper using a water line if he desired to do so. It is not conceivable that Congress intended to sanction the arbitrary routing of coal to northern New York and Canada by railroad at a cost of $1 per ton more to the consumer than if routed by a paralleling canal when idle boats were available.

CONGRESS INTENDED TO RELIEVE RAILROADS.

The act was passed by Congress at a time when the railroads of the country were badly congested and freight was awaiting transportation, when the industries of the country were being sadly hampered thereby and the supplies for the armies and peoples of our allies were being delayed; and, moreover, it was necessary to prepare the railroads at once to quickly transport our own troops and the supplies intended for them abroad and for the many camps and cantonments in this country. Manifestly, Congress did not intend that, under such conditions, the law it passed should be so construed that freight intended for water lines would be arbitrarily shunted on to these railroads, the congestion of which Congress intended the law to relieve.

ARBITRARY WAR POWERS NO LONGER NECESSARY.

The war is now over, and the exercise of these arbitrary war powers is no longer necessary and should no longer be indulged or permitted by the Railroad Administration whatever its motives or explanations may have been.

WAR POWERS WOULD CONTINUE TO PARALYZE.

The arbitrary power exercised by the Railroad Administration to route freight from the canals to the railroads has paralyzed the canals during the past season and will continue to do so in coming seasons if such exercise of power be permitted to continue. Under these conditions neither private enterprise nor the State will attempt to embark in canal transportation, for the business of the canals would depend wholly upon the caprice of the Railroad Administration.

WHOLE COUNTRY AFFECTED.

Vast interests in many of the States are seriously injured by the paralysis of these canals, while in New England, on the Atlantic coast, on the Pacific coast, all the States contiguous to the Great Lakes, all the States of the central and northwest, and most of the States of the Mississippi Valley, would be greatly benefited by the maximum use of the New York canals, and the entire country would be materially advantaged.

RAILROAD ADMINISTRATION SHOULD RENOUNCE POWER TO ROUTE FREIGHT FROM THE CANALS.

The material welfare of the country demands that the United States Railroad Administration shall at once and publicly renounce all claim to power under the law to route freight from the canals to the railroads, and shall at once make it known that shippers desiring to use the canals in the coming season of navigation of 1919 may prepare to do so, and that persons desiring to enter the transportation business upon the canals may be given time to prepare therefor with the assurance that freight which shippers desire to send by the canals shall be permitted to be so carried.

CONGRESS PETITIONED TO AMEND LAW.

We respectfully but earnestly appeal to and petition the Congress to at once amend the law so that the Railroad Administration shall cease to route freight from the canals, and so that shippers may be permitted to direct their freight by canal and take advantage of the lower water rate.

NEW YORK'S GOVERNOR AND LEGISLATURE PETITIONED TO ACT.

We respectfully petition the governor and the Legislature of the State of New York to take such steps as in their wisdom may be necessary and proper to restore the canals to their former and normal freedom from restraint.

INTERSTATE COMMERCE COMMISSION AND PUBLIC SERVICE COMMISSION PETITIONED TO ACT.

We respectfully petition the Interstate Commerce Commission and the public-service commission of the second district to take such measures as are provided to be taken under the amended interstate-commerce act and the law of this State, respectively, to establish physical connections between rail and water lines and to carry into effect the purpose of such

laws that a free interchange of traffic between rail and water lines shall be established, and through shipments made practicable on through bill of lading to or from points beyond the canal terminals.

Respectfully submitted.

MARCUS H. TRACY, *Chairman,*
FRANK BRAINARD,
FREDERICK R. GILLESPIE,
EDWARD S. WALSH,
Canal Committee, New York Board of Trade and Transportation.
FRANK S. GARDNER, *Secretary,*
203 Broadway.

Approved by:

CHARLES F. MACLEAN,
Chairman Executive Committee,
New York State Barge Canal Conference.

NEW YORK, *December 30, 1918.*

The CHAIRMAN. The gentleman from Missouri [Mr. BOOHER] is recognized.

Mr. BOOHER. Mr. Chairman, I do not propose now to enter into any extended reply to the statement of my friend from Wisconsin [Mr. FREAR] as to the Missouri River improvement.

The gentleman from Wisconsin said the boat line had been taken off the river from Kansas City to St. Louis. That is true, but he did not tell the House, as I think he ought to have done, that the boat line was taken off because the railroad department commandeered the boats, and all the boats but one were taken over by the Government and taken to the lower Mississippi and put to work there on Government work. But the Secretary of War, before he permitted those boats to be taken off, required an agreement to be made with the boat companies of Kansas City to the effect that the boats would be put back after the war. They made that agreement, and they are acting on it in good faith; and in order that the president of this company and the company itself may be set right before the House and before the country, I ask permission, Mr. Chairman, to print as a part of my remarks the remarks of Mr. Dickey, the president of the Kansas City Boat Co., made before the House Committee on Rivers and Harbors a few days ago. It is a concise and clear statement of the intention of the company to replace their lines whenever they can get the material and whenever the time comes for them to do it.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks by printing the remarks indicated. Is there objection?

There was no objection.

Following is the statement referred to:

STATEMENT OF MR. WALTER S. DICKEY.

It is the intention of the company, when the improvement shall have proceeded (the war emergency is over and normal conditions prevail), to put that capital back into boat construction of a larger and more modern type to utilize the channel of the river. At the present time, since September, we have had no operation on the river. This season, however, because of the low water and ice, we would not be operating in any event. We usually closed about this time of the year—about the 1st of December.

The CHAIRMAN. Will you kindly state a little more fully, Mr. Dickey, the intentions of your company——

Mr. DICKEY. As I say, this matter was——

The CHAIRMAN (continuing). As to building another fleet of boats and resuming traffic.

Mr. DICKEY. Of course, I am not authorized to bind the company in any sense, but at the directors' meeting, when Mr. Sanders approached us about the purchase of these boats, this whole question was reviewed, and those present at the meeting expressed to him the hope, the expectation, and the determination that if he took the craft, as soon as river improvements had continued to such a point as to make it desirable and advantageous to proceed, and after the war, it was the intention of the company to continue to operate and to reengage in freight traffic on the river with new boats.

Mr. KENNEDY. But you have no plans at present for providing a new fleet?

Mr. DICKEY. Oh, yes; we have plans.

Mr. KENNEDY. I mean you have taken no action?

Mr. DICKEY. No; we have let no contracts or anything of that kind. We could not get steel now if we wanted it, or at least we could not get even a promise of it until the last two or three days.

Mr. KENNEDY. As I recall, the manager of the company, who was before the committee last year, stated the line had been a losing proposition; is that correct?

Mr. DICKEY. The line has been a losing proposition; there is no water to make it profitable. When the channel is in that condition on account of lack of water, lack of improvements, we could only load to about one-half of our capacity.

Mr. LEA. Was there an abundance of freight, so far as your boats could handle it?

Mr. DICKEY. We always had full loads upstream; not always downstream. But in seasons when we had no water, on account of the movement of bulky commodities and we had downstream loads, we always did our best, and had the best results.

Mr. LEA. How long would it take to rebuild those boats after the construction is determined upon?

Mr. DICKEY. So far as we are concerned, the construction design is already made. We have had in our employ for several years a naval architect studying those things and making plans, and we have the plans, blue prints, and specifications, and it would take, as Mr. Tomlinson outlined to you a few moments ago, somewhere between 7 and 10 months to get power boats built. I think the time would be lessened now, but any time in the last three or four months that is about the best you could get in the way of a promise from the builders.

Mr. LEA. How did your rates compare with rail rates between the main points?

Mr. DICKEY. For all the time we were in operation, for the eight or nine years, our rates uniformly were 20 per cent less than the rail rates, whatever it might be, and on all classes of commodities and on all quantities, car lots and less than car lots.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair would state to the gentleman from Kansas that the debate is exhausted on this paragraph.

Mr. RAKER. The gentleman can have an opportunity on the next paragraph.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Osage and Gasconade Rivers, Mo., and Kansas River, Kans.: For maintenance, $2,000.

Mr. FREAR. Mr. Chairman, I understand that what the gentleman from Missouri [Mr. BOOHER] said is correct, but I want to call attention to page 2225 of the Engineer's Report, where it is stated——

Mr. BOOHER. Mr. Chairman, I make the point of order that the gentleman is not in order. That paragraph has been passed.

Mr. FREAR. Oh, the gentleman will surely permit me to supplement his statement. I did not move to strike out the paragraph or anything. I am simply adding to that to explain that.

Mr. BOOHER. I do not think it needs explanation.

Mr. FREAR. I think it does need explanation.

Mr. BOOHER. I make the point of order that the gentleman is not in order.

Mr. FREAR. I am talking about this paragraph right here. This is a Missouri River paragraph, and there is a boat line on the adjoining river.

Mr. BOOHER. The gentleman is talking about the Osage and Gasconade.

Mr. FREAR. The gentleman from Missouri took nearly 10 minutes of my time when I was on the floor, and I yielded to him time after time.

Mr. BOOHER. Wait! Wait! You are going too fast. [Laughter.] I will withdraw the point of order and consent to the gentleman proceeding in a minute, if he will stop.

Mr. FREAR. I quote from page 2225:

Early in the fall the Kansas City (Mo.) Navigation Co. laid up their boats for the winter—

That was before the Government took them over—

and the amount of traffic that year was 4,446 tons—

After you deduct the sand.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Cumberland River, Tenn. and Ky.: For improvement above Nashville in accordance with the report submitted in Rivers and Harbors Committee Document No. 10, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $340,000: *Provided,* That assurances satisfactory to the Secretary of War shall be given that local interests will provide sufficient areas of water front and suitable water terminals at all towns or landings adequate for the traffic and which shall be open to the public equally and on terms satisfactory to the Secretary of War.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. SMALL. Mr. Chairman, if the gentleman will permit an interruption, I desire to submit a request for unanimous consent. I ask unanimous consent that debate on this paragraph and amendments thereto close in 10 minutes, 5 to be used by the gentleman from Wisconsin [Mr. FREAR] and 5 by the gentleman from Tennessee [Mr. HULL].

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that debate on this paragraph and all amendments thereto close in 10 minutes, to be used as indicated. Is there objection?

Mr. POWERS. Mr. Chairman, I shall want five minutes.

Mr. SMALL. I will make it 15 minutes.

The CHAIRMAN. The gentleman from North Carolina modifies his request and makes it 15 minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, this is an old, familiar subject, and I know that the gentlemen interested in it are very anxious to have it adopted. It has been up before the House a number of times, but I call attention to the fact that it is a new canalization project, reaching the amount of $4,500,000, and that we have already appropriated for that river over $7,180,767. The commerce is very small, after deducting the timber and sand. I do not mean alone timber rafted but generally carried on small depths. They say that ought not to be deducted. Possibly not. But it is a limited commerce, and the commerce on the

upper river is very limited when you take out the sand and timber.

Now, the statement I made a short time ago applies to this river, as many others. What have we been investing our money for, and what return have we had from it? I have told the House just exactly what the situation was on the Black Warrior River. When you shall have spent this amount we will have spent all together $12,000,000, and will not get coal.

Now, I want to read what the Engineer's Report says, with which many Members of the House are familiar. Understand I have not moved to strike it out. It would be useless to do so, and in any event it may be as good a project as some of the projects in the bill. I read from page 4 of the report:

The amount of commerce at present is not extensive when considered in connection with an expensive slackwater improvement, and the amount that may be expected in the future is only conjectural, and it is believed that, measured by the usual standards applied in considering the question of advisability in such cases, it would hardly be sufficient to warrant a favorable recommendation.

This is signed by Col. Black, senior member of the board. He states, however, that the case is exceptional, after stating that it was doubtful if the amount would be used.

Now, on page 3—

The division engineer does not think that the work is justified by the commercial benefits to the general public, but he states that the present inquiry discloses important benefits to the locality that indicate the propriety of requiring local cooperation such as is often obtained from a community where it is furnished an effective transportation line. He is of opinion that the additional work should not be undertaken except on the condition that the States of Kentucky and Tennessee, or the local communities affected, shall contribute one-half of the estimated cost of construction. Otherwise he concurs with the district officer.

That is after an investigation of the project. An expenditure of $4,500,000 would mean a contribution by the people who are to be directly benefited there of $2,250,000. Now I read the next paragraph—

In addition to the information contained in the reports of the district officer and in those heretofore submitted, the board has given consideration to statements and arguments made at a hearing given at its office on January 28, 1914—

Which was attended by two United States Senators and eight Representatives, who gave expert testimony; and after that the engineers changed their report, modified it, and leaving all in regard to the uncertainty of the project they struck out all recommendations for a contribution.

Now I desire to say this, Mr. Chairman: I hope that this effort is not entirely lost in bringing these matters before the attention of the House. I have read to you from the reports. I am not drawing my conclusions. I have discussed the other projects, and I have tried to do this fairly as I viewed it. I have discussed about one-half of the projects that I might have discussed on which I had memoranda. But I feel that I have discussed enough to show the general tendency of the bill, with 70 new projects placed there by the chairman of the committee. He brought the 70 new projects to the committee. I believe investigation will disclose that practically all of the dredging by private companies is controlled by them under a gentleman's agreement and that they divide up the work and in effect determine territory. The Government is hamstrung and choked and gagged as a result. Still some gentlemen say, "Let us do this for the purpose of keeping the soldiers employed when they come back." If we want to build highways or anything else, to get any substantial returns, very well; but, for heaven's sake, what result is had in throwing all this money into all these rivers, in addition to what we have put there before?

Now, Mr. Chairman, I do not want to take any unnecessary time. I know what the answer to my arguments will be, and I accept it as such, but I have just read the engineers' report on this project under discussion, in which they state, in effect, that they doubted the advisability of the project and at a time when we are going to raise money by the sale of liberty bonds and by heavy taxation.

Mr. HULL of Tennessee. Mr. Chairman, the gentleman from Wisconsin does serious injustice to himself as well as to the Cumberland River section by the manner in which he has undertaken to criticize it. I never have any disposition to engage in personalities, and have none now. I do wish, however, to protest against the manner in which the gentleman has undertaken to discredit this project. Any gentleman has the most perfect right to take up the facts of a legislative proposition and discuss them and state his conclusions; but the gentleman has persistently, for a day or two, gone out of his way to refer to this river without stating a single fact in support of the derogatory remarks which he has made.

The truth is, Mr. Chairman, that this river is more than 500 miles in its navigable length. Three hundred and twenty-five miles of the lower end of this river have been locked and dammed by the Government. Twenty-five miles of the upper end have been locked and dammed by the Government. We have now a middle section, comprising 171 miles in length, through a territory from 50 to 120 miles wide, which has no railroad or other transportation, which has no outlet for the commerce of that section except by this river.

The main purpose in adopting the original project, which was done in 1886, and stood here favorably acted on for 20 years, both by Congress and the Engineer Department—the primary purpose in locking and damming the lower river—was to reach the great timber, coal, and other resources of that bottled-up section, which was and is now without transportation facilities.

It is apparent that a railroad completed at both ends, incomplete in the middle, where the main resources which it is to carry are found, will not have a great volume of commerce until it is completed. This is the condition of this river project. My friend did not read the finishing and favorable statement of the Department of Engineers. They said this project should be completed, because it had been largely built, but was incomplete, because this immense stretch of country, larger than Connecticut, was bottled up and comprised the chief resources, which it would afford an outlet for, and because this was the original purpose of the project. The gentleman would indicate that there was only a few tons of commerce on it. I ran down in 1914, while conditions were normal, the details of the commerce. I found that it was valued at about $8,000,000 on the upper river—314,000 tons. Deduct the sand which my friend from Wisconsin seems to complain about, and there were 213,000 tons, valued at nearly $8,000,000. This amount chiefly dribbled out of the bottled-up section of this river during the rainy season of the winter and spring.

There are enough losses on account of high water which suddenly comes and washes away freight which is waiting on the river banks for steamboats to pay for the construction of a lock every year in this undeveloped section of the river.

If a waterway more than 500 miles long, which runs 200 miles through the undeveloped timber, coal, and agricultural regions of Kentucky and more than 300 miles through the blue-grass Cumberland basin of Tennessee—if that waterway is not to be utilized I would be inclined to agree with the gentleman from Wisconsin that we should abandon waterway commerce in every respect and depend entirely on the railroads, although they have practically broken themselves down by lowering their rates at waterway points in order to drive off waterway commerce and by having engaged in other acts of that kind. [Applause.]

Mr. POWERS. Mr. Chairman, I believe that the gentleman from Wisconsin [Mr. FREAR] is honest in his convictions. I have no desire to criticize him in any respect. He is just mistaken about the facts in this case. If he were fully cognizant of all the facts, notwithstanding his inherent opposition to all waterway construction, I believe he would support this particular proposition.

The facts are that way back yonder in 1888 the Congress of the United States determined upon the canalization of the Cumberland River from its mouth to the head of navigation. The plan was to construct 28 locks and dams. The matter progressed. Construction went on until now the river is canalized completely below Nashville, Tenn., at an expenditure on the part of the Government of more than $3,000,000, and above Nashville, Tenn., about $3,000,000 has been expended. Seven locks and dams have been constructed on the Tennessee side above Nashville, Tenn., and one on the Kentucky side below Burnside, Ky. More than 500 miles of the entire length of the river has already been locked and dammed except the stretch of territory of 171 miles. As the gentleman from Tennessee [Mr. HULL] just said, one of the primary objects Congress had in view when it undertook to canalize the river was to reach the valuable coal and timber lands in the upper Cumberland which lie in that stretch of the river of 171 miles that has not been locked and dammed.

The question is, Is the Congress of the United States, after having expended over $6,000,000, over two-thirds of the amount of money necessary for the canalization of this river—and there is only a stretch of 171 miles yet to be locked and dammed—is it going to refuse to continue to appropriate money for the canalization of this river and thereby fail to reach the valuable coal and timber lands on the upper section of the Cumberland River?

Besides this, as has been suggested here, there is a stretch of territory there as big as the entire State of Connecticut that has not a foot of railroad within its boundary lines and no means of transportation except upon the Cumberland River. You can not have transportation on the Cumberland River in that stretch of 171 miles except for four or five months out of the year.

Mr. DEMPSEY. Unless this improvement is completed.

Mr. POWERS. Of course, unless the improvement is completed. If the coal veins along that stream were 25 feet thick, if the mountains were absolutely full of it, there is not a coal company in the world that could afford to put up a coal-mining plant on the banks of that stream under present conditions and only get transportation four or five months out of the year. It is complained here that the commerce is not sufficient to justify the expenditure of this money. Why, if the railroad companies, if the coal-mining companies, if the manufacturing interests of the country should take the position that commerce does not justify at present the construction of a railroad to a big mountain full of coal there would never be any railroads constructed and never be any coal produced.

There is no way to have transportation unless you have something to transport, and you can not transport the coal in these mountains, nor the timber on these hills, unless this river is completely locked and dammed. [Applause.]

The Clerk read as follows:

Ohio River: Continuing improvement and for maintenance by open-channel work, $300,000.

Mr. ROBBINS rose.

Mr. SMALL. Mr. Chairman, if the gentleman will permit, I ask unanimous consent that debate on this paragraph and all amendments thereto shall close in eight minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ROBBINS. Mr. Chairman and gentlemen of the committee, I was before an inland waterway convention last Tuesday at Pittsburgh, and I was requested to offer an amendment to this paragraph increasing the amount $5,000,000 for the purpose of completing the improvement of the Ohio River. I do not intend to offer that amendment, because investigation of the condition of this improvement has convinced me—and the members of the Rivers and Harbors Committee so advise me—that although it is progressing very slowly, much more slowly than it ought to progress, there is money enough now available to carry the canalization of the Ohio River through probably to completion. At least, there is all the money now appropriated that can be expended until the next river and harbor bill is brought before the House. The balance yet unexpended from previous appropriations is $9,711,952.25 for construction of locks and dams and $372,359 for channel work. This improvement contemplates the erection of 38 dams to improve the river by slack-water navigation to Cincinnati. Twenty-three of those locks and dams have been completed. Six of them have not been begun, and nine of them are in various stages of construction. So that the slack-water navigation on the Ohio River, which the gentleman from Wisconsin [Mr. FREAR] criticises as being unproductive of freight traffic, is in a condition where it can not transport freight traffic, because it is incomplete, and the greater part of the year, by reason of these gaps caused by the 15 dams that have not been completed, the stage of water will not afford regular and systematic navigation. But what has been the result on the Ohio River even with this handicap, with 15 sections of the river not improved. In 1917, the last available year for which a Government report is given, 1,664,000 tons of coal were floated down that river, although navigable conditions existed but a very small portion of the time. The total tonnage on the river that year was 1,925,000, which included over 60 different articles of commerce, showing that the commerce on the Ohio River after it is completely canalized from Pittsburgh to the south will develop into a mighty traffic and furnish cheap transportation to the coal and other northern products that naturally seek markets in the South.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. ROBBINS. I am coming to what the gentleman so ably discussed a few moments ago, and I trust he will bear with me until I conclude my statement. I have been more than amazed at this continued claiming in the debate on this bill that water transportation is on the decline. That can not be so; but the reason that it has received a setback within the last two or three years is because of the attitude of the Interstate Commerce Commission under the railroad legislation of the country. Especially is this true since the Government has taken control of the railroads and also assumed control of the canals and navigable rivers. The Interstate Commerce Commission had no jurisdiction over water transportation until 1912, and before that time the railroads were endeavoring to get into their haul a link of water transportation, and then the whole haul was taken out from under the jurisdiction of the Interstate Commerce Commission, and by that means river transportation was stifled because the railroads would not make joint rates with the water transportation of the country. Take the single illustration of the transportation between Arkansas City and Cairo, because that is a point where water transportation existed until recently, when the boats were driven off by unfair competition. There was a rate made by the river boats between those points which was met by the railroad rate, but intermediate points, such as McGehee, Ark., which was on the direct line of the rail haul between Arkansas City and Cairo, was given a much higher rate by rail to Cairo than the water rate to make up for the loss to the railroad, and the same thing happened in the transportation between Pittsburgh and Cincinnati. For over 50 years there existed on that stream what was known as the Pittsburgh & Cincinnati Packet Co., running a line of river packets between those two ports, carrying passengers and freight, but when the Interstate Commerce Commission refused to compel the railroads to make a joint rate so that the freight that was carried from Pittsburgh to Cincinnati could be sent out over the railroads to given points not on the river and the freight carried from Cincinnati north to Pittsburgh could be distributed to other points reached only by rail, the railroads put in force a through rate between Cincinnati and Pittsburgh that the boats could not meet and would not pro rate with the water transportation for destinations beyond the limit of the water transportation, and all of that traffic disappeared. The result was that the Pittsburgh & Cincinnati Packet Co. was compelled to stop operation in a single day. No more conspicuous example of the unfair methods adopted by the railroads can be cited than the effect on the coal traffic at Cincinnati and on the coal traffic from Pittsburgh and upriver points to Cincinnati and the southern ports along the Ohio and Mississippi Rivers by the refusal to make joint rates than this.

The Interstate Commerce Commission refused to enforce this Panama Canal act of April, 1912, and the railroads refused to make joint rates as the result.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS. Mr. Chairman, I ask unanimous consent that the gentleman may be permitted to proceed for five minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the gentleman from Pennsylvania may proceed for five minutes. Is there objection?

Mr. MANN. Reserving the right to object, the time——

Mr. SMALL. How much time does the gentleman wish?

Mr. MANN. I have no objection to the gentleman proceeding, but the time fixed must be extended.

Mr. HUMPHREYS. I include that in my request. It is very interesting and I think the House would like to hear the gentleman.

Mr. ROBBINS. I will only take two minutes.

Mr. SMALL. Will the gentleman ask unanimous consent that the time may be extended two minutes and let the gentleman from Pennsylvania occupy that time?

Mr. HUMPHREYS. The gentleman only wants two minutes, but I would like to make it five. I will ask unanimous consent that the time be extended for five minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the time be extended for five minutes, the additional five minutes to be used by the gentleman from Pennsylvania [Mr. ROBBINS]. Is there objection? [After a pause.] The Chair hears none.

Mr. ROBBINS. Mr. Chairman, the effect, as I was stating, of the ruling of the Interstate Commerce Commission on section 11 of the Panama Canal act of 1912 was to cause railroads to refuse to establish joint rates with water carriers between Pittsburgh and the South on coal.

After the Chesapeake & Ohio Railroad was built to the coal fields of West Virginia from Cincinnati a condition happened that illustrates exactly the effect of this failure to make joint rates between rail and river traffic.

The Chesapeake & Ohio made a through rate into Cincinnati on coal which it refused to prorate with the river boats, and then refused to make a joint rate for river coal at Cincinnati destined for distribution into the smaller cities and towns around Cincinnati, and the result has been that 19 coal docks at Cincinnati, according to the very latest report, had to go out of business, and all that country in southern Illinois, Tennessee, and Ohio that was formerly getting coal by river had to obtain their supply by transfer on railroads and have it hauled out to points where river transportation did not reach, and they had to pay the additional freight as part of the increased price. Now, gentlemen, I know it is useless to make these statements in discussing a river and harbor bill unless one can suggest some remedy for it. The remedy, however, is very clear to those who have studied the situation. What Congress must do is to amend the interstate-commerce act making mandatory the provision contained in section 11 of the Panama Canal act which was construed by the commission as discretionary only. If we do that

and compel the river and rail systems of transportation to make joint rates, the whole southern country would be given the advantage of cheap coal from the North, and the North would, by reason of cheap freight rates, obtain cotton and farm produce from the South, and we would again bring back our commerce to the rivers which has been driven off by this system of the railroads failing to prorate with water-borne craft.

When a steamboat line on a river is doing a reasonably fair and profitable business, under present conditions it would be bought up by a competing railroad, or they would install a river fleet alongside of it, and by making cheap rates drive it out of business and make up the loss by charging higher rates where water competition does not exist.

Mr. LITTLE. If the gentleman will yield, will the gentleman just state briefly what his remedy is? Some of us are not familiar with the exact terms of the interstate-commerce act.

Mr. ROBBINS. The interstate-commerce act originally did not include water transportation at all, but in the Panama Canal bill, which was passed in 1912, section 11 extended the jurisdiction of the Interstate Commerce Commission over river traffic.

Mr. LITTLE. Yes; now, what does the gentleman desire to do?

Mr. ROBBINS. Just wait. When the Interstate Commerce Commission was brought face to face with the question of the construction of that act by a suit brought by the St. Louis & New Orleans Steamboat Co., operating between St. Louis and New Orleans, in which it filed a rate and demanded the right to join with the competing railroads in making joint rates, the Interstate Commerce Commission construed this provision of the act not as mandatory, but held it to be discretionary with the railroad and refused to enforce it. Now, Congress wants to enact legislation to compel joint rates which will, I believe, restore this river traffic, and this can be done by amending the interstate-commerce act and make its terms obligatory and require joint rates between river and rail traffic.

Mr. MILLER of Washington. And issue through bills of lading?

Mr. ROBBINS. So through bills of lading can be issued from the point of shipment, whether it be for traffic originating by water or by rail and whether the point of destination be on a water route or railroad.

There is another matter that has resulted in discrimination here. Up until this time bankers will not accept bills of lading over water-transportation routes as security for loans; they will, however, accept bills of lading from rail-transportation lines. The result of this unfair discrimination has been that the shippers by water have been compelled to carry their own paper with their own financial resources, whereas a rail shipper, in competition, could take his paper to the bank and on a bill of lading obtain cash or credit; and that is no small matter in a business like the coal business, where long-distance shipments are made, with long-time paper taken in payment, and long-term credit must be extended.

Now, gentlemen, I think this is a very important matter, when we come to study the difficulties under which water-borne commerce on the rivers of the United States is operated. My friend from Wisconsin, Mr. FREAR, is constantly criticizing the declining freight and traffic movement on water. Why, the greatest freight movement in western Pennsylvania is to get up to the Lakes with our coal during the summer season, in order that we may send it to the Northwest by cheap water transportation. And from the 15th of March until the 15th of November every possible effort is made down at the mines to mine coal and ship all the coal possible to the Lakes. Why? Because of the cheap transportation we get by water up to Duluth, Superior, Milwaukee, Racine, Detroit, Chicago, and lake ports. When the lake freezes up we can not ship that coal, by reason of the difference in the cost of the freight by rail and water on the traffic. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. Mr. Chairman, the interesting part of the discussion is that I am always brought into the controversy when I have no opportunity to answer. I have never suggested anything about what the gentleman was referring to, and he replies to what the "gentleman from Wisconsin" says about Lake Erie. I would like to discuss it, as I have in the past, but I have not time.

Mr. Chairman, I ask unanimous consent to insert in the RECORD a portion of pages 2247 and 2250 of the Engineer's Report, which shows the amount of traffic carried on the Cumberland River in recent years.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The following is the extension referred to:

The following table gives a comparative statement of the commerce for the calendar years indicated below Nashville:

Comparative statement.

Year.	Tonnage as reported in annual reports of Chief of Engineers (total).	Farm products.	Forest products, exclusive of those transported by rafts.	Merchandise, including flour and meal.	Fertilizer.	Sand and gravel.	Miscellaneous, including coal, cement, iron, machinery, etc.	Totals, exclusive of sand, gravel, and rafted products.
1908....	259,734	24,176	217,272	6,300	.....	8,520	1,778	249,526
1909....	193,118	27,202	129,468	18,113	82	16,414	177	175,042
1910....	327,757	56,365	168,909	42,513	.....	45,000	9,770	277,557
1911....	223,278	23,264	145,331	7,159	700	40,916	2,305	178,762
1912....	176,659	21,431	59,373	10,800	.....	26,780	1,542	93,146
1913....	165,123	16,123	131,024	3,705	1,100	11,250	1,026	152,978
1914....	153,458	6,151	99,266	4,140	851	38,976	1,337	111,745
1915....	126,949	10,250	92,728	3,904	421	15,237	1,781	109,079
1916....	123,004	15,729	81,383	6,834	601	12,474	1,247	105,794
1917....	131,325	3,895	81,866	2,160	403	39,644	1,361	89,595

The following table gives a comparative statement of the commerce for the calendar years indicated above Nashville:

Comparative statement.

Year.	Tonnage as reported in annual reports of Chief of Engineers (total).	Farm products.	Forest products, exclusive of those transported by rafts.	Merchandise, including flour and meal.	Fertilizer.	Sand and gravel.	Miscellaneous, including coal, cement, iron, machinery, etc.	Totals, exclusive of sand, gravel, and rafted products.
1908....	248,260	14,594	145,228	17,827	.....	53,032	1,579	179,228
1909....	225,074	18,019	103,813	29,422	500	68,250	3,070	154,824
1910....	188,067	14,997	66,602	19,263	9,310	57,517	3,431	113,603
1911....	181,020	24,314	37,007	13,217	2,688	75,709	590	77,816
1912....	309,705	22,706	109,588	33,045	2,148	74,054	1,135	165,622
1913....	337,824	16,318	78,774	19,171	4,024	103,203	2,272	120,559
1914....	314,028	16,037	75,619	18,331	4,386	103,925	1,677	116,110
1915....	266,186	17,088	58,623	15,734	3,524	131,707	933	95,902
1916....	263,953	12,332	39,603	13,237	1,778	144,765	1,291	68,191
1917....	267,091	16,077	62,225	15,702	3,664	112,752	3,490	101,158

Total appropriations to date, $7,108,767.

Mr. SMALL. Mr. Chairman, the gentleman from Pennsylvania [Mr. ROBBINS] has made a very distinct contribution to this debate. He has entered into a phase of traffic upon our interior waterways which must be studied and discussed. No intelligent man denies the lack of traffic upon many of our interior rivers, but that constitutes no reason for their abandonment. As intelligent men it is the duty of the Congress of the United States to find the remedy and apply it. There are reasons, and good reasons, why traffic does not exist and why it has declined. In part those reasons are due to the indifference of localities in not providing boat lines, in not constructing terminals, in not providing for interchange of traffic between the water carriers and the railroads. Then we must have more legislation, not only along the line suggested by the gentleman from Pennsylvania, enforcing interchange of traffic, compelling the fair treatment on the part of the railroads, but perhaps even going so far as to regulate water rates; and whenever an enlightened public sentiment and the Congress shall undertake the solution of this problem along these intelligent, progressive, and aggressive lines, and give water transportation a fair and equal chance, unmolested, so that those who desire to send traffic by water may do so upon equal terms, with every facility which the railroads possess, then you will have a restoration of water traffic. And the Ohio River will be one of the most conspicuous rivers in the country in the volume and value of traffic carried. [Applause.]

The Clerk read as follows:

Grand Marais, Marquette, Marquette Bay, and Ontonagon Harbors, and Keweenaw Waterway, Mich.; Ashland and Port Wing Harbors, Wis.; Duluth-Superior Harbor, Minn. and Wis.; Agate Bay and Grand Marais Harbors, Minn.: For maintenance, $59,000; completing improvement of Duluth-Superior Harbor in accordance with the report submitted in House Document No. 1018, Sixty-fourth Congress, first session, $24,000; completing improvement of Keweenaw Waterway at Princess Point in accordance with the report submitted in House Document No. 835, Sixty-third Congress, second session, $138,000; in all, $221,000.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LONGWORTH. Mr. Chairman, we are now nearing the completion of the river and harbor bill, and I certainly do not want to take up unduly any of the time in the House. The bill

has had a rocky road. Many of its provisions have been violently attacked, small as well as great. In fact, this morning we debated for an hour, I believe, a provision involving only $1,000.

I have in mind a river improvement now in progress in the sunny Southland, in comparison with which any item of this bill is utterly insignificant. It is purely a river improvement. It ought to be carried in this bill if anywhere, and yet the reason why it is not carried in this bill is obvious. It is because the Rivers and Harbors Committee and the Congress would never have approved it. They never have approved it so far. It is part of a plan that has been repeatedly turned down by Congress. And yet it is now going on, is in process of construction, because a way has been found to find the appropriation outside of the river and harbor bill.

Mr. Chairman, I ask the Clerk to read some correspondence that I have had recently with the War Department.

The CHAIRMAN. Without objection, the Clerk will read the correspondence.

The Clerk read as follows:

NOVEMBER 14, 1918.

The honorable the SECRETARY OF WAR,
Washington, D. C.

MY DEAR MR. SECRETARY: I have just read a clipping from the Nashville Tennesseean of last Monday, stating that work on the Muscle Shoals Dam has been ordered to be resumed. I should be glad to be advised as to whether this statement is true, and if so, first, how much is it estimated that the entire cost of the dam will be; second, does the estimated cost of the dam include power plant, and if not what is its estimated cost; third, if the total cost of the project shall exceed the amount heretofore appropriated out of the so-called nitrate fund, is it contemplated to draw on some other fund or to ask Congress for an additional appropriation; fourth, how long is it estimated that it will take to complete the project; fifth, is it expected that the power to be furnished by the project will be continuous throughout the year, or is it expected that at certain seasons there will be either no power developed or less than at other seasons; sixth, is it expected that all power so developed shall be used in connection with the nitrate plant recently erected at Muscle Shoals, or is it expected that a portion of it will be used by other plants, and if so, what plants?

Your compliance with the request for the information above indicated will greatly oblige,

Yours, very sincerely, NICHOLAS LONGWORTH.

WAR DEPARTMENT,
Washington, December 21, 1918.

Hon. NICHOLAS LONGWORTH,
House of Representatives.

MY DEAR MR. LONGWORTH: Acknowledging the receipt of your letter of the 14th ultimo requesting certain information regarding the dam at Muscle Shoals, Tennessee River, I have the honor to state that on November 9 information was received from the chairman of the War Industries Board that restrictions could now be withdrawn from this construction, and the district engineer was at once notified to resume work on the project.

Referring to the specific questions propounded in your letter, the following information is submitted:

1. The total cost of the project was estimated in October, 1917, to be $14,534,000, based upon then prevailing wages and prices of material. On February 23, 1918, because of the lowering of the cost of cement to the Government, the estimate was reduced to $14,000,000.

2. This estimate includes the dam, locks, and flowage rights, and the power house with hydroelectric machinery capable of generating about 120,000 horsepower. The power-house substructure will be constructed so as to provide for placing additional units in the future, if desired, in order to utilize the noncontinuous or secondary power in connection with steam-generating units already installed at nitrate plant No. 2.

3. If the amount available from the appropriation of section 124 of the national-defense act should prove insufficient to complete the project, it will be supplemented by reimbursing the appropriation for expenditures already made from that fund which might, with equal propriety, have been made from other funds at the disposal of the bureau. Such reimbursement will be deferred until the necessity therefor actually arises.

4. It is estimated that about three years will be required for the completion of the project.

5. Of the power to be furnished by the project, it is estimated that approximately 72,000 horsepower will be continuous throughout the year. In all but the driest years it is to be expected that approximately 100,000 horsepower can be developed continuously.

6. The most economical development of power at Dam No. 2 requires the ultimate installation of generating capacity largely in excess of the requirements of Nitrate Plants Nos. 1 and 2, in order that advantage may be taken of the large amount of secondary power available at the dam. It is probable, however, that the initial installation will not be greater than required for the operation of the nitrate plants and that no surplus power will be available for use by other plants.

Very truly, yours,

BENEDICT CROWELL,
The Assistant Secretary of War.

Mr. LONGWORTH. Mr. Chairman and gentlemen, it is obvious that I could not undertake to discuss this question in this brief time, and I am only calling your attention to some features of it as a preliminary. I intend to discuss this subject at length and in detail at the earliest possible moment.

If you caught the reading of the dates of those two letters, you will note that it took the department five weeks to answer those six simple questions. I have propounded, in addition to those, some 50 other questions in the endeavor to bring out, if possible, this whole nitrate situation, on which up to date has been spent, as nearly as I can figure, considerably more than $100,000,000, all of which is waste, for not one ounce of nitrates has yet been produced, and not one ounce of nitrates for war purposes or for governmental purposes will ever be produced.

This is one of the connecting links. It is one of the three dams known as the Muscle Shoals project—a project turned down time after time by Congress. This $14,000,000 was not taken from any fund designed for the purpose of any sort of water improvement. It was all that was left of the nitrate $20,000,000 appropriation, an appropriation for the purpose of building nitrate plants, and nitrate plants only.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman permit one question?

Mr. LONGWORTH. Certainly.

Mr. COOPER of Wisconsin. Who directed that expenditure?

Mr. LONGWORTH. The President of the United States.

The history briefly is this: When the nitrate plant known as plant No. 2 was about to be constructed at Muscle Shoals another fund, never designed for the purpose of building nitrate plants, was tapped. It was a provision carried in the national-defense act providing an appropriation for ammunition for field, mountain, and siege cannon of some $300,000,000. Out of this, as an original expenditure, $45,000,000 was taken to build a plant at Muscle Shoals. I propose to show at a later date that it was a unanimous recommendation of the commission, formed for the purpose by the Secretary of War—a unanimous recommendation that Muscle Shoals should not be chosen as a site. But it was chosen. How and why, I hope may later be made clear.

There is not an ounce of water power there, and this proposition is to create, at the expense of the people of the United States, water power not now in existence at Muscle Shoals. For what purpose? For the purpose of supplying the power for this plant. And for what purpose will this plant be operated? No nitrates are needed for ammunition. All that this plant can ever be used for is the production of fertilizer; and all that is being done, gentlemen, is to spend $14,000,000—and it will cost more than that—to furnish water power for a private corporation to produce fertilizer in this plant at Muscle Shoals, which has cost the Government to date, as I am informed, over $60,000,000.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LONGWORTH. I ask permission, Mr. Chairman, to proceed for five minutes, and then I will not ask for any more time.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. LONGWORTH. Why, gentlemen, this bill carries $26,000,000, less than twice the cost of this one dam. It has been described as a "pork-barrel bill." The Ohio River project, part provision for which has been just passed, does not all together involve the expenditure of more than $60,000,000, and that for the benefit of millions of people in the Ohio and Mississippi Valleys. Do you call that "pork" when we have already expended and are in process of expending more by a third than that at one place on the Tennessee River—to benefit whom? One private corporation.

You will recall that I vigorously opposed this proposition of diverting $14,000,000 from our nitrate fund to build the dam at Muscle Shoals, and I took the ground that it was not a war expenditure, and gentlemen on the floor defended it as a war expenditure pure and simple, although it was stated at that time, and it is now repeated by the Chief of Engineers, that the completion of this dam would take somewhere about four years. Shortly after the war started my view was apparently upheld by the Secretary of War, who ordered work on the dam discontinued on the ground that it was not an essential. Now, it crops up again to plague us. There was not a single man here who believed that the war was going to last four years. Certainly the war is over now and we are spending, as I say, far more than the cost of the Ohio River improvement on this one proposition, and that for the benefit of one private corporation.

Mr. MADDEN. Is that private corporation manufacturing hydroelectric energy?

Mr. LONGWORTH. No; they manufacture nitrates for fertilizing purposes.

Mr. MADDEN. Who composes the corporation?

Mr. LONGWORTH. The Air Nitrates Corporation, a corporation with $1,000 capital, divided into 10 shares, controlled by the president and directors of the American Cyanamid Co., which was formed to relieve the American Cyanamid Co. from any liability on the construction of this plant. They have received $1,000,000 in cash for supervision. They have not put up a

single cent; they have assumed no liabilities; and now the Government is expending $14,000,000 to produce power to make fertilizer for this company.

Mr. MADDEN. In addition to the million dollars they are to receive a profit to be derived from the investment of this $100,000,000.

Mr. LONGWORTH. Their royalties will amount to somewhere about $2,000,000 a year, and they assume no liability or risk whatever. Now, forsooth, we are going to build for them—the American people are going to build for them—a dam to operate their plant for their own profit. It is stated in the body of the letter just read that the power to be generated at this dam will only be sufficient to supply this one plant. Did you ever hear of a monopoly more complete?

Mr. MADDEN. They must be influential in some quarters of the Government.

Mr. LONGWORTH. I do not care to say now what my private opinion is of this entire transaction. I do not want to make any statement which can not be backed by the authority of the Secretary of War, and I will wait for an answer to my letter before saying more. I have not much hope of a speedy answer, because if it took 5 weeks to answer 6 simple questions Congress may be adjourned before I receive an answer to 50.

Mr. MADDEN. Why does not the gentleman make his request for answers in relays of five?

Mr. LONGWORTH. I hope to be able before long in one discourse to lay before the House fully and frankly and without mincing words the result of my investigation into this whole nitrate proposition. Therefore I do not care now to make any specific answer to the question of the gentleman from Illinois. I will postpone it until I receive full information. I will say that if the information is not forthcoming, specific and accurate, I intend to move that an investigation be had by Congress of this entire nitrate proposition, including the two abandoned Ohio plants as well as this Muscle Shoals monstrosity, its aiders and abettors, and particularly of the activities of the Air Nitrates Corporation. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Manistique Harbor, Mich; Menominee, Oconto, Green Bay, Algoma, Kewaunee, Two Rivers, Manitowoc, Sheboygan, Port Washington, Milwaukee, Racine, Kenosha, and Waukegan Harbors, Sturgeon Bay & Lake Michigan Ship Canal, and Fox River, Wis.: For maintenance, $38,000; completing improvement of Sturgeon Bay & Lake Michigan Ship Canal in accordance with the report submitted in House Document No. 1382, Sixty-second Congress, third session, $33,000; in all, $71,000.

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to ask the chairman of the Committee on Rivers and Harbors a question. I notice that the harbors of Racine and Kenosha, in my district, mentioned in that paragraph, are included with a half dozen or dozen more under one item for maintenance—$38,000. In the city of Racine there is going on a harbor improvement of great importance—the completion of the south half of the Arrowhead project. This bill contains no appropriation for the completion of that project. I want to know if my information is correct—that there is money enough now on hand to keep the contractor busy during the next year.

Mr. SMALL. I will say as to the particular work and improvement to which the gentleman refers, that there are contracts outstanding involving $146,000, and in addition to that they have about $23,000 in cash on hand and available. I will read from page 1439 of the Engineer's Report:

The funds now available are sufficient for completion of harbor entrance and continuing extension of south breakwater, and for maintenance of harbor to June 30, 1920; therefore no estimate is submitted.

Mr. COOPER of Wisconsin. So that the work on the existing contract can proceed during the coming season?

Mr. SMALL. Yes; and the existing work maintained.

Mr. COOPER of Wisconsin. That is a much-needed improvement and one which the city has been looking to for a long time. Now, on page 28, beginning on line 6 of the bill, is this language:

Provided, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior act or joint resolution shall be made.

In the last river and harbor bill there was a provision for making a survey at Kenosha. I do not know whether the survey has ever been made, but there is in this bill no specific provision for the survey at that harbor. But that survey, if not made under the other bill, could be made under that proviso, could it not?

Mr. SMALL. Yes. The law authorizing it will remain in force until it has actually been submitted to Congress.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words for the purpose of obtaining information. The item before the committee provides for $38,000 for maintenance of some 8 or 10 very important harbors on the Great Lakes, among them that of my own city, Milwaukee. Some years ago I called attention to the fact that none of this money was used for maintenance of the inner harbor at Milwaukee, which carries a tonnage of more than 6,000,000 annually. I can not reconcile $38,000 as adequate in a minor degree for maintenance purposes of harbors such as Milwaukee, Racine, Waukegan, Manistique, Oconto, Green Bay, Two Rivers, Manitowoc, Sheboygan, whose aggregate tonnage is several millions.

Mr. MADDEN. There are 8,000,000 tons at Milwaukee alone.

Mr. STAFFORD. In my home city there are 8,000,000 tons, I am reminded; and I wish to ask in all fairness why the committee discriminates against the Lakes in the appropriations for maintenance, and yet in some projects you provide thousands of dollars even for the removal of snags and floating hyacinths. In all fairness, why does the committee have one policy for the Atlantic seaboard and the Pacific seaboard and the Gulf ports and another for the Great Lakes? I ask the question in all sincerity, because I think it is an unfair discrimination.

Mr. SMALL. Mr. Chairman, at Milwaukee both the inner and the outer harbors are recognized as being under improvement. For the inner harbor there was on hand $24,366.

Mr. STAFFORD. If the gentleman will permit——

Mr. SMALL. Let me answer the gentleman's question.

Mr. STAFFORD. The gentleman is not directing his reply to the point that I make. I am quite well aware of the condition of the appropriations for the inner harbor and the outer harbor. My inquiry is why you discriminate in the way of maintenance, dredging, and the like against the Great Lakes—why you have one policy for the southern river projects and another for the projects on the Great Lakes?

Mr. Chairman, I wish to say that from the very day that I entered Congress there has been one policy so far as the maintenance of inner harbors on the Great Lakes is concerned, and a different policy for the maintenance of harbors or streams entering the ocean or the Gulf. I called the attention of the Committee on Rivers and Harbors during my first term 16 years ago to that, and I called the attention of the committee to it some 3 or 4 years ago, and had incorporated in the then bill an item providing that the maintenance fund could be utilized for inner-harbor improvements. The gentleman, as chairman of the committee, does himself ill justice, notwithstanding his erudition respecting projects pertaining to the Atlantic seaboard, to say that there are not different policies as to maintenance of rivers on the Great Lakes from those in other parts of the country. He can not show me where there has been $1,000 expended for dredging on the inner harbor of Milwaukee, and I challenge him to show that; and that was the purpose of my rising, in all good faith, to ask why as to some harbors they provide for maintenance in the inner harbors of the Great Lakes, whereas on others they do not, and he has not answered the question.

Mr. SMALL. Mr. Chairman, I think the gentleman did not make himself clear at first, and I think I know now to what the gentleman refers. In House Document No. 1067, Sixty-first Congress, third session, submitted to Congress December 5, 1910, the Secretary of War submitted a report. By leave of the House I append to my remarks copy of the report of the Chief of Engineers, also the report of the special board, followed by the report of the Board of Engineers for Rivers and Harbors. This report will furnish valuable information.

Mr. GREEN of Iowa. Will the gentleman yield? Was the city so famous for the amber-colored beverage asking anything more for this harbor or claiming that it ought to have anything more expended there?

Mr. SMALL. I do not understand the gentleman from Wisconsin to be asking for more. I did not at first understand the purport of his inquiry. I now do understand it, because that particular report comes to my mind, and it is an interesting report, and I ask leave to extend my remarks in the RECORD by inserting portions of it, as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, July 25, 1910.

SIR: I have the honor to submit herewith, for transmission to Congress, report dated December 18, 1909, by the board of Engineer officers constituted by Special Orders, No. 20, office of the Chief of Engineers, April 30, 1909, in accordance with the following item in the river and harbor act approved March 3, 1909:

"The Secretary of War is authorized to appoint a board of engineers to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense, which board shall make recommendations with a view to determining whether the improvements so made by local authorities should be undertaken or maintained by the General Government and to establishing uniform rules in making harbor improvements."

After discussing the subject at length, the special board concludes with the following recommendations covering the several questions involved:

"1. That the advisability or inadvisability of the Government's undertaking any work at any harbor be determined in the manner now established by existing law and practice.

"2. That no work of construction or maintenance be undertaken by the Government at any harbor constructed by and operated in the interest of a corporation or private person and adapted to the promotion of such interest only.

"3. That the work of the Government at any harbor be confined to the general part of the harbor, including, as may be necessary, the construction and maintenance of breakwaters, with the general anchorage area protected thereby, of entrance piers and jetties at the mouths of inner channels, and the portion of such channels immediately between them, and also of such long general channels of approach as may be necessary to connect the harbor with outside deep water.

"With regard to the first provision of the law, regarding those harbors in which the whole or part of the harbor is improved at local expense, the board recommends that the improvements so made by local authorities should not be undertaken or maintained by the General Government."

This report has been reviewed by the Board of Engineers for Rivers and Harbors in accordance with the law, and it concurs in the principles and recommendations contained in items 1 and 2 as quoted above. It concurs also in the general principles enunciated in item 3 and in the final paragraph relating to harbors in which the whole or part of the harbor is improved at local expense. It recognizes, however, that there may be instances in which the interests of the general public will not require a rigid application of the principles stated in item 3, and that there may be exceptional cases in which improvements made by local interests will fall within the class of works deemed proper for the General Government to undertake or maintain, or that will so conform to an advantageous project for further improvement of the locality as to merit special consideration.

I concur in the views of the Board of Engineers for Rivers and Harbors.

Very respectfully,

W. H. BIXBY,
Chief of Engineers, United States Army.

The SECRETARY OF WAR.

REPORT OF EXAMINATION OF HARBORS ON THE GREAT LAKES AND ELSEWHERE.

CLEVELAND, OHIO, *December 18, 1909.*

SIR: The board of Engineer officers constituted by Special Orders, No. 20, Office of the Chief of Engineers, "to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense," has the honor to submit the following report:

The order convening the board is as follows:

"WAR DEPARTMENT,

"SPECIAL ORDERS, "OFFICE OF THE CHIEF OF ENGINEERS,
"No. 20. *"Washington, April 30, 1909.*

"By authority of the Secretary of War, a board of officers of the Corps of Engineers, to consist of Col. Daniel W. Lockwood, Col. Dan C. Kingman, Lieut. Col. Curtis McD. Townsend, Lieut. Col. John Millis, Maj. Charles S. Riché, will assemble at Cleveland, Ohio, upon the call of the senior member, not later than May 15, 1909, 'to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense,' and report, as provided in the river and harbor act approved March 3, 1909.

"The board is authorized to visit such points as it deems necessary for the proper performance of its duties.

"Upon the completion of the duties assigned them the members of the board will return to their proper stations.

"The travel directed is necessary in the military service.

"By command of the Chief of Engineers:

"FREDERIC V. ABBOT,
"Lieut. Col., Corps of Engineers."

By letter of April 24, 1909, addressed to all officers in charge of river and harbor districts in the United States and in the insular possessions, the Chief of Engineers called for reports covering any improvements of the character mentioned in the law within their respective districts, these reports to give the details of each work as regards nature and scope of project, estimated cost, status as to completion, expenditures by the Federal Government and by other interests, respectively, and the character of the other interests. Each officer was also directed to submit such views and recommendations as the work in his district of the kind referred to might suggest, or as he might consider pertinent to the subject and of value to the board. All of the reports received in compliance with the above instructions were referred to the board, and they have been classified and a synopsis of the facts stated by the district officers has been prepared in a shape for convenient comparison and consideration. This synopsis is appended hereto. Many of these reports go into matters pertaining to the relations between Government work and that done at private or local expense on rivers, dredged channels, and other waterways. While these works involve many important questions in connection with the general subject of harbor and waterway improvement, the wording of the law below quoted confines the duties of the board specifically to harbors, and the discussion in this report is limited accordingly.

Under the original orders and subsequent detailed orders and instructions from the Chief of Engineers the board, either as a whole or by committee, has visited and examined the harbors at Duluth, Minn.; Milwaukee, Wis.; Chicago, Ill.; Toledo, Ohio; Lorain, Ohio; Cleveland, Ohio; Ashtabula, Ohio; Conneaut, Ohio; Buffalo, N. Y.; Boston, Mass.; Philadelphia, Pa.; and Baltimore, Md.

The duties of the board are defined in the act of Congress approved March 3, 1909, which provides as follows:

"The Secretary of War is authorized to appoint a board of engineers to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense, which board shall make recommendations with a view to determining whether the improvements so made by local authorities should be undertaken or maintained by the General Government and to establishing uniform rules in making harbor improvements."

The board is thus called upon to make recommendations in regard to two things: First, whether or not harbor improvements made at local expense should be undertaken or maintained by the General Government; and, second, as to uniform rules in making harbor improvements.

The first proposition is a special one. The second is general in character, and since in the solution of problems it is always best to make the general solution first and then pass to the special case, the board will take up first in order the second proposition given in the law.

It will be well at the outset to consider harbors in general, in order to ascertain what they are, how they are used, and what they should supply to meet the demands of water-borne commerce. The name "harbor" was originally applied to a shelter for soldiers, hence afterwards to a lodging place or inn, and finally to a portion of a sea or lake or other large body of water, either landlocked or artificially protected so as to be a place of safety for vessels in stormy weather. Such shelters are always desirable in exposed localities along the natural routes of ships, and they are so important that, if not supplied by nature, countries frequently provide them at heavy expense. They ought to furnish a sheltered area of sufficient size for all the vessels likely to take refuge in them. The depth of water should be sufficient to safely float the largest ship and not too great for convenient anchorage. The bottom should be of a character to afford a good holding ground. The shelter against the waves should be complete, and it is desirable also that shelter against the prevailing winds should be afforded. The entrances and exits should be convenient, adequate, and safe at all times.

In law and commercial usage a harbor has come to mean something more than this. It is not only a place of shelter, but it is also a place where vessels are admitted to discharge and receive their cargoes, from whence they depart, and where they finish their voyages. Such harbors, for convenience of loading and unloading vessels, should be equipped with wharves extending into water of sufficient depth to permit the ship to lie alongside; and if the rise and fall of the tide is excessive, it is sometimes necessary to completely inclose large basins in which the water is maintained at a constant level and into which vessels are received and discharged by means of locks.

In harbors of extensive commerce the articles shipped are not produced in the immediate vicinity, nor are the articles received from the vessels consumed locally. The shipments are drawn from a wide extent of country and the receipts are sent back to the same places. Such a harbor becomes to a large extent a place where the mode of transportation is changed from land to water and from water to land. This introduces another set of conditions into the problem; that is to say, the land routes and land approaches.

The land routes may be by streets and roads, and sometimes by rivers and canals, but in our own time and country they consist principally of railroads. Therefore every consideration of economy and facility of transporting freights require that the train should be brought alongside of the ship. It is just as necessary in an important harbor that it should afford abundant rail routes to the territory to be served and convenient access for the trains to the wharves as it is that it should possess corresponding facilities for the vessels. A harbor without proper railway facilities is no better than a harbor without any water in it.

To summarize, then: A good harbor must possess a sheltered water area of adequate dimensions, with one or more convenient channels of approach to the same; it must afford a sufficient anchorage for vessels waiting to be berthed or something to take the place of it; it must have wharves, warehouses, and wharf machinery suited to all the varied commerce that comes to the port; it must have good roads and streets by which these wharves can be reached; and, above all, it must have good and sufficient railroads penetrating all the region to be served, with good yard room and trackage to place the trains alongside the warehouses or the ships. Since most of these things must be supplied artificially, it is evident that the best result would be attained if the whole were under a single direction and control; and the best harbors in the world are to be found among those where this has been possible. In the United States it is not possible. The United States controls its navigable waters, and sometimes it improves them when desirable or necessary. It has the right to build and operate railroads, but it has never done so. This has been left to companies chartered by the States, and it is in accordance with the custom of our people and the spirit of our Government that such things as wharves and warehouses should be provided by individual or corporation effort and roads and streets by the local governments.

How, then, ought a harbor to be secured, improved, or maintained in this country? And what should be the dividing line or lines in the matters of design, control, and cost? Before attempting to answer this it is well to consider the different classes of the commerce of a harbor in reference to its general and local value.

First we have those commodities drawn from a wide extent of country, brought by land routes to the port and sent across the sea. And to this belongs also the return cargoes of the ships which is put upon the cars and scattered over the country for consumption. This class of commerce in our country is of very great value, and has much to do with the general welfare, for it comprises the surplus products of the farms, the forests, and the mines. But it is not of very great local value to the harbor through which it passes, for every consideration of economy and efficiency demands that the transfer between car and ship shall be effected with the least possible expenditure of money and labor. Hence the less money it leaves in the harbor the better it is for the commerce. The wharves and landing places for this class of commerce are frequently placed outside the city limits, so that the trains do not have to pass through the city at all, and some successful harbors of this class are found where there is no city, a small village being quite sufficient to accommodate all of the people that can gain a livelihood from the very limited employment that this business of transfer affords.

Examples are not wanting where the improvement of a harbor of this class, while it has led to a large increase in volume of freight handled, has actually diminished the total amount of money that the traffic left in the port. Obviously such commerce is of national and not local benefit, and if harbors or parts of harbors are specially devoted to this class of commerce alone, they could properly be provided and maintained at the national expense.

The next class of commerce is made up of things brought by vessel for local consumption or for local sale and distribution. This would comprise fuel, building materials, provisions, dry goods, machinery, and manufactured articles. The best results in this business require the wharves to be near the various trade centers, and a much greater number of wharves is needed than for an equal number of tons of specialized transfer freight. This kind of commerce has a much greater value locally than the mere transfer of freight, for it affords employment and profit to a great many more people. It is of general value and interest, too, for it is the marketing of distant products.

The third and last class of commerce is made up of raw material, which, on reaching the harbor either by land or water, as the case may be, is then manufactured or worked up into a higher class, and hence a more valuable product before being sent forward to its destination. It may be that it is wheat which is ground into flour, or corn distilled into alcohol, or timber manufactured into furniture, wagons, etc., or hides tanned into leather and made into shoes and harnesses and other articles, or cotton or wool that is converted into cloth, or the ores of metals that are reduced to the metallic state and afterwards made up into the thousands of articles of use and value for which the metals are employed, and then in the new and vastly more valuable state it is forwarded by the appropriate route to its destination. This kind of commerce is by far the most valuable of all from the local standpoint. It furnishes profit and employment to a great many people, and it is the thing that makes great cities possible. A ton of a certain commodity may leave at the place of manufacture an amount of money ten times or a hundred times greater than its value in the raw state. The general public has an interest in this, too, aside from the mere trade, because it makes for the general welfare that the processes of manufacture should be carried out at the place where of necessity there must be a change in the mode of transportation, since this reduces the number of handlings, and, other things being equal, it reduces also the cost of the finished product.

This is the commerce that is most desired by cities, and it requires for its successful development a very large amount of interior harbor frontage in order to bring the ship alongside the factory at eligible factory sites. It is this that creates the demand for interior basins and canals and for the excavation and development of creeks or little rivers penetrating deep into the heart of a city. The need is a real one, and such improvements are generally not without merit, but the question is by whom should such improvements be planned and by whom should they be executed.

There is another point that ought not to escape consideration, and that is the effect of these interior harbor developments upon real estate values. Land that is inaccessible, that is low and swampy, that borders upon the foul sloughs and creeks, may be transformed into eligible factory sites convenient to deep navigable water, and the whole adjacent territory, before of little value, becomes desirable for building sites for the added population that the new industries will draw, and an enormous increment of value may result from this effort in behalf of commerce. Indeed this increment may be so great as to become, in certain cases, the real motive that inspires the advocates of the harbor improvement. In other words, improved real estate values and not the increased demands of commerce may be the prime incentive. This phase should always be carefully considered. But, however worthy and necessary the proposed development may be, a large increase in riparian values must result from it, and there must be unearned increment for somebody.

In the ordinary improvements made in cities, such as the paving of streets, the laying of sewers, or the opening of parks, the property immediately benefited is made to pay a part at least of the cost of the improvement, and the city can in time recoup itself for the rest by the increased taxes that will follow from the added value of the property. In the improvement of a harbor the United States can not do this, for these things are out of reach of the General Government and can only be dealt with locally.

It follows, therefore, that in the case of harbors or parts of harbors devoted to the class of commerce destined for local consumption or distribution, or for local manufacture or milling in transit, there is a special local interest, advantage, and profit in excess of the general interest and value. There is a gain in which the general public does not and can not share, and there are sources of revenue resulting from such harbor development that are accessible to the local government, but are beyond the reach of the General Government. Therefore in the improvement and maintenance of harbors or parts of harbors where the commerce is of this character, there ought to be a division of cost between the local and the General Governments in a proportion that should bear the same relation that the local and special profit and value of the commerce bears to the general profit and value.

But how is this division of cost to be brought about? The United States can not impose a special tax upon a city or upon individuals who may be specially benefited by the improvements, and it can not compel the city to do it. Something has been accomplished by leaving to local interests the duty of providing wharves and terminals as well as land approaches and land routes. But this is not always enough, and sometimes a sort of division of work and cost has been attempted by the General Government when it has executed and maintained the exterior structures and approaches and left to the locality the duty of developing and caring for the inner harbor.

A fair, uniform, and equitable division applicable to all harbors is difficult to make. Harbors are too unlike in their physical conditions. Some require large and expensive breakwaters, others long channels of approach, costly to excavate and difficult to maintain; others extensive jetties and training walls, and when these exterior difficulties are overcome, little or nothing may be needed for the improvement of the inner harbor. On the other hand, a harbor may require no exterior works, or only such as present little difficulty and involve little expense, while the inner harbor or basin, the thing most indispensable and necessary to commerce, can only be secured and maintained with great difficulty and outlay.

This division of partnership, poor and unsatisfactory as it is, can only be brought about when the locality voluntarily consents to it. If the city fails to do its part, then the whole project of improvement comes to naught, and the money expended by the General Government is lost and wasted. Or if the city does its part in an unwise, imperfect, and inefficient manner, then the whole effort is to a corresponding extent impaired, crippled, and defeated. This is the natural consequence of a divided responsibility and control. It was pointed out at the outset how important it would be if all of the works and appliances that go to make up a complete and satisfactory harbor could be planned and executed under a single direction and control. Nevertheless, in the case of an inner harbor that penetrates the heart of a community or city there are many difficulties that arise that can not be properly handled except by the police power of the city, and that the Government can not suitably control without vexatious friction. Frequent bridges across such part of a harbor may be necessary for the community but detrimental to vessels, especially when the city wishes to keep these bridges closed during certain hours of the day. Again, deposits of sewage and refuse in the harbor cause shoals which the General Government should not be expected to remove, especially when the disposition of such material is of moment to the health of the community. The police power which the community has and which the General Government has not, makes it highly desirable that all work involving questions of this character be left to the locality to do.

In this connection it must also be borne in mind that there are few harbors whose commerce is not made up in varying proportions of all three of the general classes of commerce above described; also that harbors to-day largely devoted to mere transshipping may and probably will, by the development of additional industries and by the great growth of the country's commerce, soon become engaged to a controlling degree with commerce of great local benefit. Any rules to be of general application for the future must take into account this probability, and also the impracticability of obtaining money from Government sources alone with sufficient rapidity to keep up with the growth of the country's business. Additional harbor facilities of all kinds will be continually needed for many years to come and must be provided if the business of the country is not to suffer. The Government should not and will not neglect the national interest in these matters, and it should incline to the side of liberality, but the localities, corporations, and so forth, concerned should also assist all such needed developments to the extent to which they will profit by them.

It is recognized that there are a number of harbors of the first importance on the seaboard whose commerce is so general in character, whose international importance is so great, and in which the national interest is of such magnitude that rules applicable elsewhere perhaps can not advisedly be applied to them. The further development of such gateways could properly continue along the lines now in force, but harbors of less importance than these, and harbors on the Great Lakes, the bulk of whose commerce is domestic in character, require cooperation in their development if that development is to keep pace with the country's growth, and it is important that the interests which will profit from this development should proportionately aid in securing it.

Before proceeding further, it seems best to submit a brief description of the harbors in various parts of the country and a general statement of the amounts of money that the Government has expended on them.

On the Atlantic coast the physical and climatic conditions that affect harbors and their artificial improvements are, in the northern portions, frequent storms with much fog and thick weather during the winter season, and occasionally during severe winters the formation of ice, so as to interrupt or seriously impede navigation in the extreme northern harbors, though generally open navigation obtains throughout the year. In the southern part of the coast ice difficulties do not exist, and the season of the more violent storms is in the summer, when the tropical cyclones prevail. The tidal oscillation on the Atlantic coast is generally regular and diminishes in amount from the north, where it is considerable, to the southern portions, where tides are small. The number of natural bays, inlets, and river mouths susceptible of development as harbors is unusually large, and the commercial conditions are such as have demanded the utilization of practically all of them, as well as the construction of a few purely artificial harbors for refuge.

The approximate total number of harbors on this coast that have been improved by artificial works is 93, and the total amount appropriated by the Federal Government for this purpose to date is, in round numbers, about $76,000,000. The works of harbor improvement consist of breakwaters for creating artificial harbors of refuge, as at Sandy Bay, Point Judith, and the Delaware Bay harbor of refuge; of breakwaters to create and protect smaller commercial harbors, of which there are numerous examples on the New England coast; of jetties and contraction or regulating works for increasing the depth of the channel approach, as at Charleston and Savannah; and of dredging and rock excavation for increasing depth and width of channels within or leading to harbors and for increasing available harbor areas. Boston, New York, Philadelphia, Baltimore, and Norfolk are the most important examples of harbors where the artificial improvement has consisted almost entirely of excavations to increase the depths and areas of water available for navigation, and in these as well as in several other harbors on the Atlantic coast the important works are designed to secure and maintain conditions that will accommodate the largest vessels yet built.

In some cases on the Atlantic coast the difficulties that it has been necessary to overcome by works of harbor improvement were inherent in the conditions of nature and in those attending the inauguration and normal development of commerce by vessels, as at Boston, New York, and Charleston, and in case of the harbors of refuge at Cape Ann and Delaware Bay; while for places like Philadelphia, Baltimore, and Jacksonville the need of harbor improvement work is attributable as much to the accidental location and subsequent growth of an important commercial center as to adverse natural conditions and increase in the size of ships.

No important harbor on the Atlantic coast has been improved wholly at local expense. The principal ones where improvements directly affecting navigation have been made partly at local expense are Boston, Philadelphia, Wilmington, Del., and Baltimore, and a number of small harbors in Massachusetts have been improved at the expense of the State. With these exceptions, the improvements on any considerable scale that have so far been made have been at the expense of the United States.

The harbors on the Gulf of Mexico present the general characteristics of shores of low relief consisting largely of sand, deficient natural depths, a small tidal oscillation, freedom from ice, and exposure to sudden and violent tropical storms that frequently produce great variations in the sea level with damaging results. The harbor improvement work consists principally of jetties to increase depths at harbor entrances by natural scour and to maintain depths obtained by dredging, as at Galveston and the mouths of the Mississippi River, and of extensive dredging alone or in connection with protecting jetties and other works, as at Mobile, Pensacola, Sabine Pass, Tampa Bay, and Key West. The depths contemplated by the improvements of the Gulf harbors are generally somewhat less than for the larger harbors of the Atlantic coast. All these improvements have been made at the expense of the United States, except that considerable work at local expense has been done at Galveston, mouth of Brazos River, Aransas Pass, Port Arthur, and Sabine Pass. The improvements at Galveston and New Orleans have been assisted by the respective municipalities, but the other improvement work in the Gulf harbors, other than at Government expense, has been mostly done by private interests and corporations. The work of improvement at New Orleans Harbor proper has consisted entirely in protecting the banks of the river from erosion and caving. This has been done jointly by the United States and the local authorities.

The approximate total number of harbors on the Gulf coast that have been improved by artificial works is 11, and the total amount appropriated by the Federal Government for this purpose to date is, in round numbers, about $23,500,000.

The Pacific coast possesses comparatively few natural harbors or localities where it is practicable to build artificial ones. The rugged nature of the topography along the coast and the limited resources of most of the adjacent country have limited the demands for the development or creation of numerous harbors. There are no ice difficulties, but the whole coast is more or less exposed to violent storms and heavy seas, and in the northern part fog and thick weather prevail during portions of the year, and difficulties of navigation are increased sometimes by heavy smoke from forest fires. The tidal oscillation is large and very irregular.

The works of harbor improvement present a great variety, including those at San Francisco and Seattle, which are natural harbors requiring little improvement except wharf construction and development of interior slips and channels, the extensive breakwater at San Pedro, the sea jetties at Humboldt Bay, mouth of Columbia River, and Grays Harbor; and large works of dredging, partly in connection with land reclamation, with auxiliary construction at the inner harbors and channels of Oakland, Seattle, and Tacoma. Mention should also be made of the works of improving the channel in San Pablo Bay by dredging, and the works on the lower Willamette and Columbia Rivers to improve the approach to Portland Harbor.

Important works at private expense have been done on an extensive scale at San Pedro Harbor and vicinity and others are projected. A private company is engaged in constructing a separate harbor at Long Beach, near San Pedro inner harbor, on which a shipbuilding plant is in operation. Works of improvement at San Diego Harbor are under contemplation by the State harbor board, and at San Francisco extensive work at local expense has been done and is in progress in the way of developing the wharves and slips.

In the State of Oregon extensive contributions have been made to improving the lower Willamette and Columbia Rivers by the "port of Portland," and action has been taken by the State under which it is expected that funds will be raised by local taxation to assist in improving several other harbors. At Tacoma and Seattle contributions have been made by local interests to improving inner channels. Except as above, most of the Pacific coast harbor improvements have been made by the General Government.

The approximate total number of harbors on the Pacific coast that have been improved by artificial works is 13, and the total amount appropriated by the Federal Government for this purpose to date is, in round numbers, about $15,000,000. Nearly all the important harbors on this coast are designed to accommodate vessels of the largest type and deepest draft.

In one respect the harbors of the Great Lakes differ from those of the coast, in that they are frozen up for about four months each year, and for this period they serve only as winter quarters or ice harbors for vessels, while on the seacoasts all harbors are open throughout the year with very few exceptions. The Lakes have no sensible daily tidal oscillation, but the available harbor depths are affected by the seasonal variations in water level. The artificial channels of the chain of lakes enforce certain restrictions on the dimensions and build of the vessels which indirectly affect the requirements as to harbors. In length and beam the Lake vessels now approach the largest vessels on the sea, but their draft is less. Ocean-going vessels are naturally more seaworthy than the Lake boats would be under corresponding conditions, but the requirements for harbors of refuge and for protection for vessels at commercial harbors are based on much the same principles as those that obtain in case of harbors on the seacoast. Conditions of weather seriously adverse to navigation for the type of vessel employed often prevail on the Lakes during the season of navigation. These include violent storms and heavy seas, and smoke, fog, and thick weather. When navigation is closed, safe winter harbors for the vessels are required.

The approximate total number of harbors on the American shores of the Great Lakes that have been improved by artificial works is 78, and the total amount appropriated by the Federal Government for this purpose to date is, in round numbers, about $75,000,000.

From the wording of the law the board feels that its duties have to do primarily with the harbors of the Great Lakes, and a more detailed description of these harbors seems desirable before passing to the consideration of their further improvement.

It is impossible to discuss, in an intelligible way, the improvement of the harbors on the Great Lakes without first giving some consideration to the history of the harbors and the region which they serve, and without offering some reasons why they were originally selected for improvement and why the particular methods and materials which have been used for their betterment were selected.

None of these harbors were originally planned to meet conditions at all comparable with those now existing. In their natural condition the Great Lakes offered very few safe and commodious harbors which were of sufficient depth to be used by any vessel suitable for lake navigation, and none at all which could be used by vessels of the present time. Shelter from storms and waves could be had within the mouths of the tributary streams and sometimes in the bays or indentations of the shore line. These rivers and bays were generally deep enough for the small ships then in use, but their entrances from the lake were almost invariably obstructed or completely closed by bars formed by the joint action of waves and currents at or near the line of the lake shore. During the season when storms were most prevalent on the Lakes the waves washed up the sand and gravel and almost completely closed the mouths of the streams, but during the times of freshets the volume of water discharged by these streams was generally sufficient to cut its way through the bars and to afford and maintain, for a time, channels deep enough to permit the passage of the small craft which were likely to use them.

The bars which separated the bays from the Lakes were generally more permanent in character and higher in relief than those at the mouths of the river, and channels more or less tortuous and uncertain always existed across these bars, through which the water ebbed and flowed as was necessary to maintain the level between the bays and the Lakes. All of these channels were constantly shifting, were of uncertain and varying depth, and liable to be obliterated temporarily by the action of any sudden storm. Such as they were, however, they were of necessity made use of by the first comers.

When the settlement of the region bordering upon the Lakes had advanced so far that the population produced something in excess of its own requirements and found it necessary to transport its product to market by water, the need of better harbors became imperative. Between 1820 and 1830 the improvement of a large number of harbors on the Lakes was planned, and the actual work of betterment was undertaken at several of them. Where, as was generally the case, the proposed harbor was in the mouth of a river, the effort toward improvement was directed to doing away with the river bar, and this was effected by the construction of jetties extending outward into the lake, so as to prolong the natural banks of the river and to confine its discharge to a channel of moderate width. The result was invariably to secure a better and deeper entrance; and if the material composing the bar was such that the current of the river could move it, the bar was completely washed away and a channel secured and maintained between the jetties as wide and deep as the discharge of the river was capable of producing. In the case of harbors in bays, jetties were also made use of, and these were reinforced by similar structures built along the crest of the bar so as to prevent new channels from cutting through it and to confine the ebb and flow due to other causes than tides to a single, well-defined entrance

The necessity for rapid construction, for great economy due to small appropriations, and the lack, in a new country, of skilled artificers led to the use of timber for the construction of these jetties and shore arms. The subaqueous portion was built up of separate timber cribs, made of logs flattened upon two sides and notched together in much the same way that the log cabins of the time were built. These cribs were rectangular in form and were of the length of a single log, i. e., 20 to 30 feet. They were strengthened by a longitudinal wall and one or more cross walls, also built of logs. The logs were fastened together with wooden pins. The structures were generally built without bottoms. They were floated into position and sunk upon the natural bottom of the lake and filled with small stone gathered from the shore or from the fields. The superstructure was generally built of sawed timber and was made continuous over a series of cribs. The side and cross walls were generally a foot thick and were carried up so as to give the jetty a height of 6 or 7 feet above the ordinary level of the lake. The superstructure was then filled with small stone and the whole was planked over to form a deck.

This method of construction has generally been continued ever since, but the cribs are now built with sawn timber, are strengthened with corner posts, sheathed with hardwood plank, and driftbolts and screw bolts have taken the place of wooden pins. The cribs are generally sunk upon a prepared foundation, either of riprap or piling. They are made much longer also than was first the case, and, generally, are provided with bottoms sufficiently tight to hold the filling of stone.

An increasing commerce led to the adoption of larger vessels upon the Lakes until finally the vessels attained a size and draft too great to enter the channel between the jetties. Resort was then had to dredging. The harbors were gradually deepened from 10 to 12 to 16 feet, and finally to 21 or 22 feet. Until this maximum depth was sought, the natural depth in the harbors and bays was generally sufficient, and no dredging was necessary inside the natural lake-shore line.

Jetties have now lost their primitive function, which was an active one, viz, to scour out a channel by the force of the natural currents, and have become simply conservative in their nature, their office being simply to protect the artificial channels which have been secured and are now maintained by dredging. In order that the original jetties should be effective, the distance between them necessarily could not greatly exceed the natural width of the stream the entrance to which they were designed to improve. This limited the distance between them from 120 to perhaps 250 feet, and this latter width was seldom exceeded. This narrow entrance was difficult for vessels to make when driven toward the shore by a strong wind, and if a sailing vessel under such circumstances failed to make the harbor it was almost certain to be wrecked upon the beach. This led to the construction of breakwaters out in the lake and generally lying on the most exposed side of the jetty entrance. The breakwater was connected with the land by a shore arm, thus forming an L-shaped structure, the angle of the L turned in the direction of the greatest wind exposure. It was thought that sailing vessels could easily gain the shelter of this structure and there drop anchor and await a favorable time for entering the commercial harbor.

These structures did not prove altogether satisfactory. While they sheltered an area from a certain direction of wind, they left it exposed to winds coming from other directions and made it a place rather dangerous for vessels to lie. This has generally been met by building a similar structure symmetrically disposed on the other side of the jetty entrance, and it has been the belief and the hope of the Government that these sheltered areas would be made use of for commercial purposes; that wharves would be erected along the shore under shelter of the breakwater, and the narrow and unsatisfactory harbor afforded by the river would gain relief in this way. But, contrary to the expectation of the Government, this has not been done, and we find the sheltered areas under the breakwaters at Oswego, Buffalo, Cleveland, Chicago, and Milwaukee comparatively little used. The breakwater affords an anchoring place for yachts, generally shelters the boathouse of the local yacht club, a part of the area is used for abandoned hulks and wrecks, and much of the lake shore is utilized, or an effort is made to utilize it, for park purposes.

Such is the present condition of harbors on the Great Lakes, and it is seen that the first improvements which were necessary were wholly outside of the natural shore line of the lake. There was no occasion for the United States to expend any money in improving the harbor inside of this line. Therefore in almost all of the lake harbors the policy has been followed of limiting appropriations and improvements made by the National Government to work in the lake. When the necessity for greater depth in the river forced itself upon the local community, then this community has generally found the means for deepening the river, and only in a very few instances has the United States come to its relief. Meanwhile the traffic of the Lakes has grown; starting from nothing there has been built up an inland waterborne commerce that has never before been approached in magnitude and value in the world's history. Most of the Lake harbors are congested and physically inadequate for existing traffic, and this traffic is growing and will probably continue to grow for many years. The time has arrived when a definite policy should be adopted for dealing with the harbors that serve this commerce. The problem is too great a one to be dealt with by the General Government alone, and cooperation must be had from the localities and corporations that will profit from this increasing commerce

It is not for the United States to dictate to communities what measures should be taken, but these communities, having police powers and means of taxation which the United States has not, and being able to recoup themselves through increasing land values and otherwise,

should themselves rise to the situation and, in cooperation with the railroads and other large corporations interested, should put their harbors in shape for the economical handling of the business that is coming. Otherwise they must be prepared to see themselves distanced by rival communities with greater enterprise. In this way, and in this way alone, can the needed development be attained as rapidly as it will be needed. The United States can not well do for one locality what it refuses to do for another, and if it is expected that the United States is to do all of the work that will be required at all localities the expenditure that would be necessary would be manifestly prohibitive. The United States should be as liberal as possible, and so far as practicable its liberality should be somewhat in proportion to the enterprise shown by the localities themselves.

The board, after mature consideration of the many complicated questions involved and with the view of causing harbor facilities to be increased as rapidly as they are going to be needed, recommends the establishing of the following uniform rules in making harbor improvements hereafter:

1. That the advisability or inadvisability of the Government's undertaking any work at any harbor be determined in the manner now established by existing law and practice.

2. That no work of construction or maintenance be undertaken by the Government at any harbor constructed by and operated in the interest of a corporation or private person and adapted to the promotion of such interest only.

3. That the work of the Government at any harbor be confined to the general part of the harbor, including, as may be necessary, the construction and maintenance of breakwaters with the general anchorage area protected thereby, of entrance piers and jetties at the mouths of inner channels, and the portion of such channels immediately between them, and also of such long general channels of approach as may be necessary to connect the harbor with outside deep water.

With regard to the first provision of the law, regarding those harbors in which the whole or part of the harbor is improved at local expense, the board recommends that the improvements so made by local authorities should not be undertaken or maintained by the General Government.

Respectfully submitted.

D. W. LOCKWOOD,
Colonel, United States Army, Retired, Chairman.
DAN C. KINGMAN,
Colonel, Corps of Engineers.
C. McD. TOWNSEND,
Colonel, Corps of Engineers.
JOHN MILLIS,
Lieutenant Colonel, Corps of Engineers.
C. S. RICHÉ,
Major, Corps of Engineers.

THE CHIEF OF ENGINEERS, UNITED STATES ARMY.

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[Second indorsement.]

THE BOARD OF ENGINEERS FOR RIVERS AND HARBORS,
Washington, May 16, 1910.

Respectfully returned to the Chief of Engineers, United States Army.

The Board of Engineers for Rivers and Harbors has reviewed the report of the special board appointed to report upon the following item of law contained in the river and harbor act of March 3, 1909:

"The Secretary of War is authorized to appoint a board of engineers to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense, which board shall make recommendations with a view to determining whether the improvements so made by local authorities should be undertaken or maintained by the General Government and to establish uniform rules in making harbor improvements."

The report of the special board, after discussing the subject at length, concludes with the following recommendations covering the several questions involved:

"1. That the advisability or inadvisability of the Government's undertaking any work at any harbor be determined in the manner now established by existing laws and practice.

"2. That no work of construction or maintenance be undertaken by the Government at any harbor constructed by and operated in the interest of a corporation or private person and adapted to the promotion of such interest only.

"3. That the work of the Government at any harbor be confined to the general part of the harbor, including, as may be necessary, the construction and maintenance of breakwaters with the general anchorage area protected thereby, of entrance piers and jetties at the mouths of inner channels, and the portion of such channels immediately between them, and also of such long general channels of approach as may be necessary to connect the harbor with outside deep water.

"With regard to the first provision of the law, regarding those harbors in which the whole or part of the harbor is improved at local expense, the board recommends that the improvements so made by local authorities should not be undertaken or maintained by the General Government."

After careful consideration of the report of the special board this board concurs in the principles and recommendations contained in items 1 and 2, quoted above. The board also concurs in the general principles enunciated in item 3 and in the final paragraph relating to harbors, in which the whole or part of the harbor is improved at local expense. It recognizes, however, that there may be instances in which the interests of the general public will not require a rigid application of the principles stated in item 3. It also recognizes that there may be exceptional cases in which improvements made by local interests will fall within the class of works deemed proper for the General Government to undertake or maintain or that will so conform to an advantageous project for further improvement of the locality as to merit special consideration.

For the board:

WM. T. ROSSELL,
Colonel, Corps of Engineers,
Senior Member of the Board.

Mr. STAFFORD. Mr. Chairman, if I may be allowed to say in the gentleman's time, because I do not wish to take up the time of the committee needlessly, as I am in favor of having this bill disposed of in the next hour or so, I would like to say even during Mr. Burton's time, if the gentleman will inquire minutely into some of the maintenance projects on the Great Lakes, he will find that with some of the smaller harbors they have been maintained by the National Government. What I am saying is that you are not adopting a uniform policy and have discriminated as to maintenance against the many inner harbors on the Great Lakes.

Mr. SMALL. I understand the gentleman, but the gentleman's harbor is one of those that is favored because provision is made.

Mr. STAFFORD. The harbor at Milwaukee is not favored; there has not been one cent expended by the Government on the inner harbor, notwithstanding its great commerce.

Mr. SMALL. Is the gentleman quite sure?

Mr. STAFFORD. I am quite positive.

Mr. SMALL. Well, then, if he is sure, Mr. Chairman, I ask unanimous consent to extend my remarks in the manner indicated.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. Mr. Chairman, I rise to move to strike out the last word. I simply want to be inserted at this point in the RECORD the fact or the statement confirmatory of the statement made a moment ago by the chairman of the committee, the gentleman from North Carolina, about the funds available for the completion of the Arrowhead project. I had a conversation to-day with Col. Taylor, of the Engineer's Office, War Department, and he informed me substantially as the gentleman from North Carolina that there will be approximately from $140,000 to $150,000 on hand in the aggregate there which will suffice for the coming season.

Mr. SMALL. Both under contract and not under contract, part under contract and part not.

The Clerk read as follows:

Chicago and Calumet Harbors, Chicago and Illinois Rivers, Ill.; Calumet River, Ill. and Ind.; and Indiana and Michigan City Harbors, Ind.: For maintenance, $110,000; completing improvement of Calumet Harbor in accordance with the report submitted in House Document No. 237, Sixty-third Congress, first session, $38,170; in all, $148,170. The unexpended balance of appropriations heretofore made for the improvement of Chicago Harbor is hereby made available for improvement in accordance with the report submitted in House Document No. 1303, Sixty-fourth Congress, first session. The unexpended balance of appropriations heretofore made for improvement of Chicago River is hereby made available for improvement and maintenance in accordance with the report submitted in House Document No. 1294, Sixty-fourth Congress, first session. The unexpended balance of appropriations heretofore made for improvement of Indiana Harbor is hereby made available for improvement in accordance with the report submitted in Rivers and Harbors Committee Document No. 6, Sixty-fifth Congress, second session.

Mr. BARKLEY. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I desire to have read in my time a letter which I received from the president of the West Kentucky Coal Co. in reference to the lack of appropriation for the Ohio River in this bill.

The CHAIRMAN. Without objection, the Clerk will read the letter in the gentleman's time.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

Mr. HENRY T. RAINEY rose.

Mr. SMALL. Does the gentleman desire time?

Mr. HENRY T. RAINEY. Yes.

Mr. SMALL. Does the gentleman care to take it on this or on the next item?

Mr. HENRY T. RAINEY. Either on this or the next item.

Mr. MANN. I would like to have five minutes on this paragraph.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman asks unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the letter.

The Clerk read as follows:

WEST KENTUCKY COAL CO.,
Sturgis, Ky., January 9, 1919.

Hon. A. W. BARKLEY,
Washington, D. C.

DEAR SIR: You no doubt are familiar with the recent rivers and harbors bill, there not being any appropriation made for the improvement of the Ohio River other than the unexpended appropriations which have been tied up under contract for the Ohio River improvement.

The improvements on the Ohio River are of vital importance to all of the people who live on the Ohio and adjacent to it, and inasmuch as about one-sixth of the population of the whole United States live

in the Ohio and Mississippi Valleys it seems to me that the benefits that these citizens can derive from having the Ohio and Mississippi Rivers made navigable continuously during the year are such that our Representatives in Congress should not overlook the importance of making the necessary appropriations to complete the great work that has already been begun in order that the public may have the benefit of these great waterways.

The West Kentucky Coal Co. is especially interested in the improvement of the lower Ohio as well as the Mississippi River, but more especially in the lower Ohio. Under ordinary conditions we transport half a million tons of coal down the Ohio River from our mines located near Caseyville, Ky., and on account of the present river condition we are only permitted to operate approximately seven months in the year, and these operating months are contingent on the flood stages of the water. With the proper improvements we could have continuous operation and could transport one and a half million tons of coal with the same equipment that we now have, and I am sadly disappointed that no appropriation was made in this session of Congress to take care of the necessary improvements on the lower Ohio.

With the present high labor cost on railroads, as well as the congestion of the railroads at various periods of the year, it makes it more necessary that improved river transportation should receive the necessary attention. In periods of car shortage, as well as other transportation facilities, if the Ohio and Mississippi Rivers were put in the condition in which they can be put at a normal cost, then the citizens living along these two great rivers could be served not only with coal but with various other commodities which have been most difficult for them to get transported to the towns and cities bordering these two rivers; and with these increased transportation facilities better car supply, as well as motive power, could be diverted to other localities where they would be needed.

I earnestly request that you use every effort in your power to see that something is done at the next session of Congress, and if possible at the present session, to have the necessary appropriations made for a continuance of the improvements of the lower Ohio River and not have it delayed for two or three generations to come. This country is in need of this improvement, and it should be given immediate attention; and if the necessary appropriations are made, it would help solve the great question of what are we going to do to find work for the returning soldiers.

I am attaching a copy of resolutions which were passed at the Ohio Valley Improvement Association meeting, and while these resolutions are modest in their suggestions they represent the feeling and best judgment of representative men from Pittsburgh to Cairo; and I am sure that the body of men that assembled at Louisville on December 11 and 12, 1918, went there with no selfish motives, but with the idea in view of trying to put before Congress the feeling and best judgment of the entire public who live in the Ohio and Mississippi Valleys.

Trusting that your efforts can be depended upon to see that these resolutions are acted upon, I am,

Yours, very truly,

C. F. RICHARDSON,
President.

Mr. BARKLEY. Mr. Chairman, I ask that a copy of these resolutions of the Ohio Valley Improvement Association be printed in the RECORD following the letter.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that a copy of the resolutions he referred to be printed in the RECORD following the letter. Is there objection?

Mr. STAFFORD. I object.

The CHAIRMAN. The time of the gentleman from Kentucky [Mr. BARKLEY] has expired.

Mr. MANN. Mr. Chairman, there has been a good deal of discussion at times in the House when the river and harbor bill was under consideration as to the amount of commerce which is obtained on rivers or harbors which are improved. And also a good deal of discussion to the effect that, owing to railroad competition, the improvement of rivers and harbors does not bring water commerce commensurate with the improvement. The paragraph which was just read carries an item for the Calumet Harbor, situated in Chicago. The Calumet River is a little river that runs from Indiana into Illinois and out to Lake Michigan. A few years ago there was no commerce there. There were a number of railroads there and there are a number of railroads there now in south Chicago, comprising railroads like the New York Central, the Pennsylvania, and Baltimore & Ohio, as well as various western roads, and belt lines which connect all the railroads with the Calumet Harbor and River.

Notwithstanding railroad competition, notwithstanding that the water competition is direct with the railroad competition, the commerce there now amounts to over 10,000,000 tons a year, wholly dependent upon the improvement of the Calumet River and Harbor. And if the improvement had not proceeded ahead of the commerce there never could have been any commerce there. Commerce followed the improvement. It followed, I may say, fairly rapidly, notwithstanding the railroad competition.

Gentlemen who believe it is impossible to develop water commerce at any point in competition with the railroads will have a living illustration that it can be accomplished where the conditions demand it. I do not know as to many of the items in this bill or the desirability of endeavoring to obtain water commerce in competition with the railroads at various places, but certainly there are cases, and certainly this is one, where the development has been a wise development; the expenditure has been a wise expenditure by the Government. This water competition from the Calumet Harbor, affecting the grain rates from the West to the East, has not only developed an immense water commerce, but has had the effect of duly reducing railroad rates on grains and other commodities passing from the West to the East around the south end of Lake Michigan, and likewise of coal and other articles going from the East toward the West.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. SWITZER. Mr. Chairman, I would like to have five minutes.

Mr. SMALL. Will the gentleman not take it on another paragraph? Debate on this has been exhausted.

Mr. SWITZER. I would like to have unanimous consent. I was not present, and I would like to say something about the Ohio River situation. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SWITZER. Mr. Chairman, in view of the statement read by the gentleman from Kentucky [Mr. BARKLEY] I think it is due that some reason be stated why there is no appropriation recommended at this time to the pending bill for the Ohio River.

The Chief of Engineers, appearing before the committee, stated the unexpended balance on hand, amounting to something in the neighborhood of $10,000,000, was ample to do all the work that the Government could do in the next year or a year and a half with the equipment it had on hand or could secure, and that there would be no need for an additional appropriation unless contractors who had heretofore made bids to build dams and partial construction of dams on the Ohio River would evince some disposition to make a reasonable bid. And the Chief of Engineers assured us that when the bill reached the Committee on Commerce of the Senate, if any contractor who had heretofore been doing river-improvement work on the Ohio River would make some reasonable bid, even for partial construction of dams, there would be a recommendation made by the engineers for some million dollars additional appropriation. Certainly there should not be money appropriated unless there could be reasonable assurance given us that the money can be expended in the next year and a half. Conditions have been so abnormal, labor so scarce, material so high, that many contractors on the river have practically failed in doing Government work, and very few men manifest a disposition to make offers to do contract work at this time. And, as I understand it, about the only work that will go on is the work directly under the engineers, with Government equipment.

I desire to say a word at this time in reference to a matter brought to the attention of the committee by my colleague from Ohio [Mr. LONGWORTH]. I do not doubt his statement. While I think probably, and know, there should be some investigation made along the lines mentioned, yet I do not think that should detract from the merits of the Muscle Shoals proposition as a power-producing proposition.

I have visited Muscle Shoals. Of course, my judgment may be erroneous, but I believe that the possibilities are great for the development of water power at Muscle Shoals. I am one of those who believe that where a great water power can be developed in the United States it should be done, even if it is to be done with Government money. I do not believe, merely because Congress in the past has turned down some proposition, that Congress, in the future or now, should turn it down. It seems to me as though gentlemen who in the past have voted against appropriating money to develop water power at Muscle Shoals, when the labor could have been procured cheaply and the work done more cheaply than it can be done now or in the future, will find themselves in a hole when there is an agitation on throughout the country for the development of water power in this country and it must be done at a greatly increased cost. I think it has been a mistake on the part of Congress in the past to turn down this joint proposition to not only improve the navigation of the Tennessee River at Muscle Shoals, but along with it jointly to develop the great possibilities of water power.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. SWITZER. I do.

Mr. KEARNS. I understood the gentleman from Ohio [Mr. LONGWORTH] to say that 8 or 10 men down there invested about $1,000 in this project.

Mr. SWITZER. I am not defending men who may be grafting on the Government at the present time. What may be true with respect to Muscle Shoals is true practically at every can-

tonment—practically everything that has been done in the last year and a half. But because there are grafters in the country is, to my mind, no reason why the merits of Muscle Shoals should be disparaged. As I understood him, the gentleman from Ohio said this company would receive something like $2,000,000 in royalties.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SWITZER. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for two minutes more. Is there objection?

Mr. SWITZER. He said this company will receive something like $2,000,000 royalties. Is that correct?

Mr. LONGWORTH. Substantially.

Mr. KEARNS. Reserving the right to object, Mr. Chairman, if I do not object will the gentleman allow me to ask him a question?

Mr. SWITZER. Yes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SWITZER. As I understand the gentleman from Ohio, he believes that the production of nitrates at Muscle Shoals is going to be a success and is going to make for somebody a large amount of money. It may be that they are going to receive profits in some illegitimate way. I am not disputing that. But if it is true, if there is to be $2,000,000 of profits in royalties on the nitrate to be produced at Muscle Shoals, then it is evident that nitrates will be produced at Muscle Shoals; and I want to say that I am in favor of producing all the nitrate you can in this country for the purpose of furnishing a cheaper fertilizer. [Applause.] I think that Congress can do nothing better than to pursue every possibility that will tend to cheapen the production of fertilizer and make better fertilizer in this country.

Why, you gentlemen, everyone of you, two or three years ago received letters from a nitrate importing company in New York City, who said that this nitrate proposition would fail; that the Government could not produce nitrate. Yet these importers wanted us to vote down the Muscle Shoals proposition and similar propositions. Why? Because they said it would interfere with their nitrate importation from, and trade with, Chile. I then made up my mind that if Muscle Shoals would be a failure, it would not be a failure so far as the production of nitrate is concerned, because, otherwise, these importers would not be objecting to an attempt to produce nitrate in this country if the proposed proposition would be a failure. While it may be true that some men may receive abnormal profits—I do not know anything about that proposition; it may be that somebody has "got next," and probably is going to make more out of this proposition than he should make—yet I do not think it should disparage Muscle Shoals as a power-producing proposition. I understand it will save the consumption of something like 6,000,000 bushels or 8,000,000 bushels of coal annually in this country. Although I oppose reckless waste of public money, especially in furtherance solely of some private enterprise, still I favor the Muscle Shoals power-development proposition and every proposition that will tend to cheapen the cost of the production of fertilizer in this country. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has again expired. The Clerk will read.

Mr. HENRY T. RAINEY rose.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. SMALL. Mr. Chairman, we wish to complete this bill this evening in so far as we can, and it is the desire that gentlemen confine their remarks to the bill. We have all endeavored to be as generous as we could to the membership of the House and made no point of order when gentlemen have discussed subjects not connected with the bill. We did not want to curtail discussion along any line. But I hope from this time on gentlemen will confine their discussion to bonafide amendments to the bill in order that we may make progress and complete the bill to-night.

Mr. DEMPSEY. Let me say to the gentleman that I think it is the feeling of some gentlemen here, or a good many, that while they would be willing to stay and complete the reading of the bill they do not want to vote on the passage of the bill, or on a motion to recommit, until Monday morning.

Mr. GARNER. Why should we not get through with it to-night?

Mr. DEMPSEY. I am making this suggestion on the part of others. As far as I am concerned, I would be willing to complete it.

Mr. SMALL. If we can get the bill completed and report it back to the House we will have made substantial progress.

Mr. TREADWAY. Will the gentleman from North Carolina state whether that is the program, to report it back and adjourn, or does he expect to get a final vote on the passage of the bill to-night?

Mr. SMALL. Does not the gentleman think it would be wise to pass the bill to-night?

Mr. TREADWAY. Suppose the question was brought up that no quorum was present.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 12 minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that debate on this paragraph and amendments thereto close in 12 minutes. Is there objection?

Mr. CALDWELL. Reserving the right to object, Mr. Chairman, a great many of us in the House interested in this bill believed when the statement was made the other day that a vote would be taken to-day. We knew that on Monday there would be general debate, and many of us have made arrangements to transact official business outside of the city on Monday. If the bill goes over until Monday it will be a hardship on these Members. I know that some Republican Members have gone away knowing that they left old war horses enough here to put it off until Monday, and they would not be here, but I do not see why when we depended on the statement of the chairman that there would be a vote to-day we should not have it. I am willing to stay here and have a call of the House and send for these Republicans——

Mr. FREAR. Mr. Chairman, I object to such a statement being made on the floor.

Mr. SMALL. I make the point of order, Mr. Chairman, that all this debate is out of order.

The CHAIRMAN. The point is well taken. The gentleman from North Carolina asks unanimous consent that all debate on this paragraph and amendments thereto close in 12 minutes. Is there objection?

There was no objection.

Mr. HENRY T. RAINEY. Mr. Chairman, I move to strike out the last word. Mr. Chairman, since this bill has been under consideration I have been engaged as one of the conferees on the revenue bill and have not been able for that reason to take part in the discussion. My knowledge of what has occurred is confined to my reading of the RECORD each day. I have noticed the frequent references of the gentleman from Wisconsin [Mr. FREAR] to the proposed barge line on the Mississippi River. Evidently the gentleman from Wisconsin does not understand the proposition. Therefore I conceive it to be my duty to explain to this House the barge-line proposition on the Mississippi River, which may revolutionize river traffic in the United States. I am unwilling that this important matter should be misrepresented in this debate.

The gentleman from Wisconsin referred in this connection to the alleged fact that the Government has turned over $3,360,000 to the Hon. Edward F. Goltra, of St. Louis, whom he describes in one place as a Democratic State committeeman and in another place as the chairman of the Democratic national committee and in another place as chairman of the Democratic State committee of Missouri.

Mr. FREAR. Oh, I think the gentleman is mistaken about that; I never said he was chairman of the national committee.

Mr. HENRY T. RAINEY. The gentleman made that statement yesterday, and the report of the debate on page 1229 of the CONGRESSIONAL RECORD shows that he did. But that is immaterial. Mr. Goltra holds none of these positions and never did, and not one cent has been turned over to him in any way. I merely call attention to these statements to show how inaccurate the gentleman is. Mr. Goltra is a member of the Democratic National Committee from the State of Missouri, but this fund is not turned over to him on account of any such consideration as that.

Edward F. Goltra is one of the great iron masters of the United States, and he has conceived a plan which will revolutionize, I believe, not only the manufacture of iron in the United States, but the navigation of our rivers.

The proposition to which the gentleman from Wisconsin [Mr. FREAR] refers so often and about which he understands so little is this: The original proposition was to build 24 barges and 3 steamers. In its modified form it contemplates the building of 19 barges and 3 steamers. Three million three hundred and sixty thousand dollars has been allotted for that purpose by the Shipping Board. The 19 barges are now in process of con-

struction at Dubuque, Pittsburgh, and at two other points on our western rivers. Twelve of them are 65 per cent completed and they will all be completed in the month of April of this year. They are 300 feet long and 48 feet wide. The reason why the number of barges has been decreased from 24 to 19 is to leave a margin of funds for the purpose of constructing along the river at points where they may be needed great steel unloading devices, supplied with 10-ton steel shovels, capable of unloading one of these barges in a few minutes of time. These great steel unloading devices or tracks extend out into the river and the barge is run between the outer supports of the tracks and the bank of the river, and these great traveling 10-ton steel shovels empty the barges in a few movements, depositing along the track the ore or the coal——

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HENRY T. RAINEY. Mr. Chairman, I ask unanimous consent that the time be extended for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time on this paragraph be extended for five minutes. Is there objection?

There was no objection.

Mr. HENRY T. RAINEY. The cargo can be deposited by these traveling shovels in railroad cars or in any other way along the banks of the river. The barges draw 4 feet of water, and at low water carry 1,000 tons of coal or of iron ore; that is, at the low water which prevails in the Mississippi River in the latter part of August and the early part of the month of September. During the remaining period of time they carry much larger loads than this.

The steamers, which will soon be in process of construction, to be used in moving these barges are constructed of a type absolutely new in the United States and, so far as I know, new in the world. They are 265 feet long and have a beam of 58 feet, and operate in three feet and a half of water. There are no similar tugboats in use at the present time on any of our rivers. In addition to the ordinary rudder, they are fitted with what are known as monkey rudders or Yukon rudders, which are double rudders operating behind the propelling wheels, and with this steering device it is possible to operate these great steamers in three feet and a half of water and still move successfully six of these loaded barges. The project is to start these steamers out from St. Louis loaded down with coal and drawing four feet and a half of water. They carry enough coal to enable them to make the round trip to Minneapolis and back to St. Louis, and when they get back to St. Louis they will be drawing 3½ feet of water and they will push six of these great steel barges drawing 4 feet of water.

This fleet of barges, propelled by one of these steamers, can carry more ore in one trip by 3,600 tons than can be carried on the largest of the ore-carrying steamers on the Lakes. At a moderate stage of water one of these fleets propelled by one of these steamers on the Mississippi River will carry as much iron ore as can be carried on 300 50-foot freight cars, and will move down the river as fast as any freight train can move. In other words, one of these steamers will bring down the river at one load the equivalent of seven long trainloads of ore. The project is to have no empty barges going back to Minneapolis, but to carry back to Minneapolis the coal from the coal fields of Illinois for the great northwestern section of the United States, and unloading devices are already being arranged at the city of Minneapolis for the purpose of unloading this coal.

The project which Mr. Goltra has conceived contemplates assembling iron ore, coking coal, and manganese at the city of St. Louis, in the State of Missouri, bringing it there by a haul which is almost a complete water haul. We find that we have coking coal in the State of Illinois.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. HENRY T. RAINEY. Mr. Chairman, I ask unanimous consent to proceed for four minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time on the paragraph be extended for four minutes. Is there objection?

Mr. DEMPSEY. Mr. Chairman, before the gentleman starts will he please tell how much more they carry at good water than at low water? The gentleman stated more than 1,000 tons, but did not state how much more.

Mr. SMALL. Reserving the right to object, could the gentleman get along with less?

Mr. HENRY T. RAINEY. Perhaps I will be able to do so; I will do my very best to get through in three minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HENRY T. RAINEY. At an ordinary stage of water each of these barges will carry nearly 2,000 tons of ore; at a flood stage each barge will carry 2,600 tons. The project is to assemble at St. Louis, Mo., manganese and iron ore and coking coal, and by using modern by-product ovens we find that we have coking coal in Franklin County, Ill., a short railroad haul of 50 or 60 miles, and this coal can be brought to Chester, Ill., 60 miles below St. Louis, and loaded on these barges. We propose to bring manganese from Cuba, unload by floating derricks at New Orleans on these river barges, and then bring it on up the river to St. Louis. In the summer time these barges will be occupied in bringing iron ore from the North, and their return cargoes will consist of coal for the great Northwest.

In the wintertime these barges will be operated on the lower Mississippi River carrying coal to New Orleans and will bring manganese from Cuba and coking coal from Franklin County, Ill., to the city of St. Louis. We propose to manufacture iron in the city of St. Louis, by this inexpensive method of assembling the material, cheaper than it can be manufactured in any other section of the United States. It is 650 miles down the river from the point where the iron ore will be loaded on the barges to St. Louis. It is a thousand miles from the Lake Superior points nearest to the iron-ore section of the Northwest to the Lake Erie points nearest to Pittsburgh. It is 850 miles from these points on Lake Superior to Gary, Ind., and in order to load on Lake steamers for Gary or Lake Erie points the railroad haul is something like 150 miles from that section of the Mesaba Range from which they are compelled to get ore. The railroad haul from the ore fields to the point of loading on the Mississippi River is only a hundred miles.

This in brief is the proposition which we who live along the greatest of our rivers and who are studying its problems believe will result in a tremendous economic saving to this country in the matter of iron production and will result in time in revolutionizing the method of navigating the rivers of the United States. The gentleman from Wisconsin before many years, before many days have passed, will see this great fleet of steel barges in operation on the Mississippi River and in successful operation. The competition of the railroads has nothing to do with freight of this kind. Arrangements have already been made for this trade. The blast furnaces are ready and will be in operation in May, and then the gentleman from Wisconsin will be surprised, and equally surprised, I have no doubt, to find soon the river which for 200 miles flows past the boundary of the great State which in part he represents here carrying a tonnage which he seems never to have even dreamed of. [Applause.]

Hon. Edward F. Goltra, with splendid patriotism, has entered upon this project, which will in a few years make the city of St. Louis one of the great iron-producing centers of the continent. This project makes possible the utilization of every mile of the great Mississippi River from the head of navigation to the Gulf of Mexico. It makes possible cheaper coal and more coal for the great city of New Orleans and all its industries; it makes possible cheaper coal and more coal for the great Northwest. In this age of iron it makes possible cheaper iron for the industries of all the States. The rivers are coming into their own again, and the Mississippi River barge line systems may in the very near future be extended to the other great rivers which between our mountain ranges flow down to the sea. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FREAR. Mr. Chairman, if the gentleman from Illinois had been present during the discussion he would have heard everything that I read into the RECORD from the Engineer's Report to-day, which can not be gainsaid, and in addition to that let me say that Mr. Goltra came to my office, in addition to the hearing before the Rivers and Harbors Committee, and I know his proposition completely, as well as does the gentleman who just spoke. I have understood it completely, and the best opinion of experts with whom I have conferred is that Mr. Goltra is going to be disappointed with his new type of boat for the Mississippi. But that is neither here nor there. I hope he will not be disappointed and that he may be successful. I hope so. Others desired that same opportunity to lease these boats. Mr. Goltra was given the advantage, and he now has it, and he must make good. He expects to buy the boats at one-half the cost of construction, and so states——

Mr. HENRY T. RAINEY. Will the gentleman yield?

Mr. FREAR. I can not unless I can get more time. The gentleman has used 14 minutes and the discussion of this is all in the RECORD. Read the RECORD in regard to it.

Mr. HENRY T. RAINEY. The last statement is not true.

Mr. FREAR. That statement is true, and I put it in the RECORD in Mr. Goltra's own words. You will find it in the permanent RECORD.

Mr. HENRY T. RAINEY. Will the gentleman yield?

Mr. FREAR. I can not unless I get the time. I have been held to five minutes, and I want to talk about another subject. If the gentleman will take my statement, he will find that it is absolutely so, and I know as much about it—that is, about the Goltra proposition—I believe I do, as does the gentleman from Illinois.

I believe I do. I hope Mr. Goltra is going to be successful. But that is neither here nor there. The minority leader a few moments ago made a statement that I want to refer to briefly. He said on the Calumet Harbor and River they have about 10,000,000 tons, and that was an evidence of what could be brought about by putting in the improvement before institutions went in to create commerce. That is true; but it would not have been an improvement at that point if it had not been known that those great steel mills were to be constructed at Calumet Harbor. And there is another and a basic reason that the ships on the ocean and large boats that use the ship canals on the Lakes can make a success of transportation, as we know, and can compete with the railroads, and that is the case in Calumet Harbor.

When it comes to the Mississippi River, unless now Mr. Goltra has found the secret of success, the Mississippi River with its $150,000,000, the Missouri River with its $22,000,000, and the Tennessee with its $12,000,000, and this appropriation of over $12,000,000 just adopted, with past expenditures, for the Cumberland, no commerce is on all these streams, because they are entirely different propositions, small-depth boats and under different conditions. And that is what I have been discussing here in exposing the waste on rivers and canals.

Now, Mr. Chairman, this bill, in my judgment, with the 70 new projects added, is much worse than the bill two years ago, when many gentlemen present voted against it. I can not understand why a man who voted against the bill at that time can come to any other conclusion at this time. Then we had 133 votes, not counting the pairs, against the bill. I say that the same condition that existed two years ago exists to-day. And in regard to that other proposition, you can not show any evidence thus far, so far as has been presented to us, even on the Black Warrior, which was to be the test, of any successful use of the rivers. I hope it will come. I believe in maintaining the rivers all the time, but not in putting in these very expensive projects and new expensive improvements until we can have some justification and some means of utilizing them. And that is what we have failed to do up to this time on all the rivers, except possibly the Monongahela and one or two other small projects.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

Ship channel connecting waters of the Great Lakes between Chicago, Duluth, and Buffalo, including St. Marys River, St. Clair River, channels in Lake St. Clair and Detroit River, Mich.: Completing improvement of Grosse Pointe Channel, Lake St. Clair, in accordance with the report submitted in House Document No. 188, Sixty-fifth Congress, first session, $94,000; for improvement of Livingstone Channel, Detroit River, in accordance with the report submitted in House Document No. 322, Sixty-fifth Congress, first session, $750,000; in all, $844,000.

Mr. HENRY T. RAINEY. Mr. Chairman, the arrangement Mr. Goltra has with the Shipping Board is this: At any time within six years he has the privilege of buying these barges and these steamers upon an appraisement to be made in such manner as the Government shall direct. Now, that is an exceedingly different proposition from any agreement to get these barges at one-half their value. He expects to pay for them their full value after that value has been ascertained in the manner I have indicated. The Government required Mr. Goltra, before making this lease to him, to expend $100,000 of his own money in acquiring wharfage rights at points they designated along the river. And he did it. And in addition to that, Mr. Goltra expended $35,000 of his own money in experiments made on the river and in developing this plan which is now approaching completion.

I never heard that any other responsible persons wanted to lease these barges. The whole scheme originated with Mr. Goltra. He submitted it to the engineers of this Government, and these barges and these steamers are being built now under their direction, and the steamers will be built in all probability by the Government itself. And in building the steamers they propose to use the machinery, the steam pipes, and the condensers which were purchased for use in our wooden ships—projects which have now been abandoned. And the intention is to salvage a large part of this valuable machinery and find this use for it.

I would like to know of the gentleman what other gentlemen, and I want him to name them, were willing to pay $100,000 out of their own pockets in acquiring wharfage space along these rivers, and I want to know who experimented other than Mr. Goltra with this proposition, expending $35,000 of his own money in developing this scheme, and I want to know what responsible persons made a better offer to the Government for these barges than the proposition made by Mr. Goltra, which has been accepted by the Government.

Mr. FREAR. Is that the question?

Mr. HENRY T. RAINEY. Yes.

Mr. FREAR. Col. Keller did not name the parties that were trying to get this lease; but he did say that there were a number of them, and the gentleman will find it in the hearings before the River and Harbor Committee. If the gentleman will permit me in rising in opposition to read from page 48, it is as follows:

Mr. SWITZER. You think this traffic will continue?

Mr. GOLTRA. Yes, sir; I have ideas about that matter that will interest you. At first you may disagree with me, but on reflection I think you will agree with me. The cost per ton per mile: If I can eventually purchase this fleet for $1,700,000 that has cost $3,360,000, that money will cost me 6 per cent per annum; that is, $283 a day. I know the number of men that are going on that boat to operate it—I am speaking now of one boat—and I know how much they will cost and how much they will eat; that will cost me just $36 a day.

Then he goes on to discuss the proposition. He said to me personally it is going to cost the Government twice as much to-day as it would take at any other time, because of the excessive high price of labor; and he said he expected to buy those boats at about half price. That is the statement he made in my office, and that is substantially the same statement that he made in his hearing. His statement differs substantially from the statement which the gentleman from Illinois has just made.

Mr. HENRY T. RAINEY. The gentleman is very clever. Everybody knows that it costs more to build now than it will 10 years from now or 6 years from now.

Mr. FREAR. That is Col. Goltra's statement.

Mr. HENRY T. RAINEY. My statement is the fact, and Col. Goltra has never stated anything to the contrary. It is a contract that he has with the Government, providing that at any time within six years from the present time he has the right to buy these boats from the Government at an appraisement.

Mr. FREAR. Here is Col. Goltra's statement, that he expects to buy them at half price. Let me say that Col. Goltra had a trip on that river last year. An expert who is used to river traffic tells me that the Goltra boat will not be successful. He wasted the money and the time of the Government on the other trip. He wasted his own money. He took a dredge off the Mississippi so as to use it on some project, according to the Engineer's Report. He lost $10,000 on that trip. He says that the upper river to-day is in perfect condition, and that he can use it to-day. It does not need any improvement for his purposes. That is his own statement in the hearing. The water is there. Col. Goltra does not complain. So, Mr. Chairman, it seems to me I have not made any unfair statement. I did not intend to do so. Unfortunately, the gentleman was not here.

Mr. HENRY T. RAINEY. It is a clever statement, and it is not in accordance with the facts.

Mr. FREAR. It is in accordance with the facts, and the gentleman does not know what the facts are.

Mr. HENRY T. RAINEY. I recited what the facts are.

Mr. FREAR. The gentleman is mistaken, and I have given them as they are.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. If we stay here, while the discussion we have just had has been interesting and valuable—and I have enjoyed hearing both gentlemen—if we stay here, I shall give notice now that I shall make a point of order on any gentleman discussing anything except the paragraphs of the bill from this on until the conclusion of the bill, if we are to be kept here. [Applause.]

Mr. SMALL. I think the intention of the gentleman is entirely justified, in view of the liberality of the committee.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Mackinac, Cheboygan, Rogers City, Alpena, Harbor Beach, and Monroe Harbors, Saginaw, Black, Clinton, and Rouge Rivers, Mich.: Completing improvement of Alpena Harbor in accordance with the report submitted in House Document No. 830, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, $67,500: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

Mr. HICKS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. HICKS. I do so for the purpose of refuting a statement——

Mr. SMALL. Mr. Chairman, how much time does the gentleman desire?

Mr. HICKS. Only two minutes.

Mr. SMALL. I ask unanimous consent, Mr. Chairman, that all debate on this paragraph and all amendments thereto close in two minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in two minutes. Is there objection?

There was no objection.

Mr. HICKS. Mr. Chairman, I rise to refute a statement made a few moments ago by the gentleman from New York [Mr. CALDWELL], my colleague from the second district, who intimated that the Republicans on this side of the House were not paying their share of attention to the consideration of this bill. At the time he made that statement, by actual count, there were 37 Republicans present and 29 Democrats.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Toledo, Port Clinton, Sandusky, Huron, Vermilion, Lorain, Cleveland, Fairport, Ashtabula, and Conneaut Harbors, Ohio: For maintenance, $55,000; completing improvement of Sandusky Harbor in accordance with the report submitted in House Document No. 982, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $181,000; completing improvement of Huron Harbor in accordance with the report submitted in House Document No. 5, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $34,500: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; completing improvement of Fairport Harbor in accordance with the report submitted in House Document No. 206, Sixty-third Congress, first session, $238,500; completing improvement of Ashtabula Harbor in accordance with the report submitted in House Document No. 997, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $83,000; in all, $592,000.

Mr. SMALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 21, line 26, after the word "improvement," insert "completing improvement of Lorain Harbor, $20,000," and on page 22, line 8, strike out the numerals "$592,000" and insert in lieu thereof "$612,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMALL. Mr. Chairman, I would like to insert in the RECORD a letter from the Chief of Engineers recommending this amendment.

The CHAIRMAN. Without objection, that will be done.

There was no objection.

Following is the letter referred to:

JANUARY 6, 1919.

Hon. JOHN H. SMALL,
Chairman Committee on Rivers and Harbors,
House of Representatives.

MY DEAR MR. SMALL: 1. The river and harbor act of August 8, 1917, adopted a project for the extension of the west breakwater at Lorain Harbor, in accordance with a report submitted in House Document No. 980, Sixty-fourth Congress, first session, and subject to conditions set forth in said document. The object of this improvement is to extend the west breakwater to the shore, so as to prevent shore erosion and consequent fill in the harbor area.

2. On account of the unfavorable conditions during the war, this work has not been undertaken, and the district engineer now states that to complete the work will require $20,000 in addition to the amount heretofore appropriated.

3. To do part of the work with the funds which are available and await further appropriation for the completion will materially increase the cost of the work, and as it is desirable that it be done as soon as practicable, it is recommended that the further appropriation of $20,000 be made for the completion of this improvement.

Very truly, yours,

W. M. BLACK,
Major General, Chief of Engineers.
By H. TAYLOR,
Brigadier General, United States Army.

The Clerk read as follows:

Colorado River, Ariz.: For maintenance for the Government levee on the Gila River near its junction with the Colorado River at Yuma, $10,000.

Mr. HUMPHREYS. Mr. Chairman, I make a point of order on the paragraph. This is solely in the interest of the control of floods of the Arizona River, and has no reference to the improvement of navigation.

Mr. SMALL. Mr. Chairman, this item was inserted because it was recommended in the Report of the Chief of Engineers and by the representative of the Chief of Engineers, Gen. Taylor, who was before us. It appears to be quite urgent. I am obliged to concede, if the gentleman insists on the point of order, that it is not for navigation, but for flood control.

Mr. HUMPHREYS. I insist on it, although I have no objection to the merits of it.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

San Francisco, Oakland, Richmond, Monterey, and Humboldt Harbors, Redwood and Petaluma Creeks, Napa River, San Pablo Bay, Mare Island Strait, and Suisun Channel, Cal.: For maintenance, $124,800; for maintenance of Oakland Harbor in accordance with the report submitted in House Document No. 1131, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, $12,000; completing improvement of Suisun Channel in accordance with the report submitted in House Document No. 986, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, $64,500; completing improvement of San Rafael Creek in accordance with the report submitted in House Document No. 801, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $27,300: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; completing improvement of Petaluma Creek in accordance with the report submitted in House Document No. 849, Sixty-fifth Congress, second session, $20,000: *Provided*, That no expense shall be incurred by the United States for acquiring any land required for the purpose of this improvement; in all, $248,600.

Mr. SMALL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 23, line 25, strike out the words "completing improvement of Petaluma Creek" and insert "for improvement of Napa River," and, in line 27, strike out "849, Sixty-fifth" and insert in lieu thereof the following: "795, Sixty-third."

Mr. SMALL. Mr. Chairman, the purpose of this amendment is to correct a clerical error in making up the bill. Petaluma Creek was substituted instead of Napa River. This does not change the appropriation, but carries out the intention of the committee.

The amendment was agreed to.

Mr. SMALL. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Page 24, insert the following paragraph between lines 3 and 4:

"Crescent City Harbor, Cal.: The condition in the item in the river and harbor act approved July 18, 1918, requiring assurances that a railroad shall be constructed between Crescent City, Cal., and Grants Pass, Oreg., is hereby waived until an appropriation is made by the United States for the further prosecution of said project."

Mr. SMALL. Mr. Chairman, I may explain the purpose of this amendment. When the project was adopted no appropriation was made, but a local contribution of $200,000 was made. There were other local conditions, primarily one to the effect that a certain railroad should be constructed, but recent conditions as to the scarcity and high cost of material as well as labor have made it impossible to construct the road. This simply waives the condition while they are spending their own money, so that the local conditions will not become applicable until after Congress makes an appropriation.

The amendment was considered and agreed to.

The Clerk read as follows:

Puget Sound and its tributary waters, Olympia, Seattle, Anacortes, Port Gamble, Tacoma, and Bellingham Harbors, Lake Washington Ship Canal, Snohomish and Skagit Rivers, Swinomish Slough, waterway connecting Port Townsend Bay and Oak Bay, Columbia River between Wenatchee and Kettle Falls, Wash.: For maintenance, $27,000; for maintenance of east and west waterways, Seattle Harbor, in accordance with the report printed in Senate Document No. 313, Sixty-fifth Congress, third session, and subject to the conditions set forth in said document, $40,000; completing improvement of Skagit River in accordance with the report printed in House Document No. 935, Sixty-third Congress, second session, $30,000; completing improvement of Anacortes Harbor in accordance with the report submitted in House Document No. 1117, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $56,000; completing improvement of Port Gamble Harbor in accordance with the report submitted in House Document No. 851, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, $12,000; in all, $165,000.

Mr. MILLER of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, page 25, line 19, by adding the following next after the semicolon, after the item of $40,000 in said line:

"For the maintenance of the Duwamish waterway, Seattle Harbor, to a depth of 20 feet and to a width of 150 feet at mean low water as far south as Eighth Avenue, south bridge, $40,000: *Provided*, That no part of said appropriation shall be available for said purpose until said improvements shall have been completed to project dimensions to said point."

Mr. MILLER of Washington. Mr. Chairman and gentlemen of the committee, after the many days of argument and discussion, I call your attention to an improvement in Seattle Harbor, covered by the amendment I have introduced for an appropriation of $40,000 for its maintenance. We have expended in Seattle by local interests over $6,000,000 on harbor improvements, and have never asked the United States Government for a single cent.

The bill carries an appropriation of $40,000 for the east waterway and the west waterway. Those are waterways dredged out by private interests 1,000 feet wide. The east waterway is a mile and a quarter long and the west waterway is a trifle over a mile long. Continuing this improvement along the Duwamish Valley project under the direction of the Army

engineers, it is 500 feet wide, 150 feet between pierheads. This project has been completed by local interests at the expense of over $2,000,000. There are large shipbuilding enterprises on this river. The Seattle & North Pacific Shipbuilding Co., situated on this waterway, has contracts with the United States Government for the construction of ten 9,400-ton steamships.

In this project the Duwamish River, covered by the amendment, is 20 feet of water, 150 feet wide between pierheads and 500 feet wide between bulkheads. What we are after is an appropriation for the maintenance simply of this enterprise. Not one dollar are we asking for the building or construction of the enterprise, but simply its maintenance. It could not be included in this bill, because at that time this project was not completed. Technically it is not completed now. My amendment says that none of this appropriation shall be available until this improvement is completed to its project dimensions. In my city of Seattle on the east and west waterways there have been constructed one-seventh of all of the tonnage constructed by the Emergency Fleet Corporation. Over 20,000 men are in the shipyards on the east and west waterways and on this Duwamish River, and nearly 25,000 at the present time in the entire city. Since the Shipping Board or the Fleet Corporation has released private shipyards, so that they can enter into foreign contracts, this improvement will be alive with shipbuilding enterprises, and I am simply asking that in order that this may be maintained to a depth of 20 feet, in order to permit these shipbuilders to launch their ships and put them down this waterway, an appropriation be granted.

Mr. HUMPHREYS. Mr. Chairman, how much does the amendment call for for maintenance?

Mr. MILLER of Washington. Forty thousand dollars.

Mr. HUMPHREYS. Where does the gentleman get that figure? Why do you say $40,000?

Mr. MILLER of Washington. It is the sum approved by the project and district engineers.

Mr. HUMPHREYS. The United States engineers?

Mr. MILLER of Washington. Yes; in Senate Document 313.

Mr. HUMPHREYS. They recommend it?

Mr. MILLER of Washington. They do recommend it. That is all I have to say.

Mr. SMALL. Mr. Chairman, the gentleman moves this amendment appropriating $40,000 for the maintenance of the Duwamish River. The city of Seattle is entitled to high praise for its civic enterprise in the improvement of the Duwamish River and the east and west waterways; but, as a matter of fact, the Chief of Engineers has only recommended the United States taking over the maintenance of the east and west waterways.

Mr. MILLER of Washington. That is correct.

Mr. SMALL. And we have provided for maintenance of the east and west waterways in the paragraph under consideration. However advisable it may be, we are not in a position, and the Committee of the Whole is not in a position, to bring it to the House nor could we consent that the House shall make an appropriation for the maintenance of this project for which no recommendation has been made.

Mr. MILLER of Washington. Except by the district engineer and the project engineer.

Mr. SMALL. Yes. I am referring to the Chief of Engineers.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Certainly.

Mr. HUMPHREYS. Was the Chief of Engineers asked about this after he got that original estimate under direction of the War Department to confine his estimates to such projects as were absolutely necessary in the conduct of the war?

Mr. SMALL. The report to which the gentleman from Washington refers is based upon a resolution by the Senate, referring the matter, and in that report the Chief of Engineers uses this language:

> The board believes it is advisable for the United States to take over and assume the maintenance of those portions of the east and west waterways for a distance of 6,500 feet and 5,200 feet, respectively, from the pierhead line in Elliott Bay, at an estimated cost of $40,000.

That is the only recommendation that we have included in the bill. I will say to the gentleman our committee would be glad to pass a resolution, if it seems appropriate, referring this matter to the Board of Engineers for Rivers and Harbors in order to make further investigation and determine whether the United States should assume the maintenance of the Duwamish waterway.

Mr. HUMPHREYS. When was that dated?

Mr. SMALL. This is a quite recent report, dated July 9, 1918.

Mr. HUMPHREYS. What does the chief say about that?

Mr. SMALL. I have just read.

Mr. HUMPHREYS. I thought the gentleman read from the report of the board.

Mr. SMALL. No; I read the Chief of Engineer's report and the conclusions, and it makes no recommendation as to the Duwamish River.

Mr. HUMPHREYS. The board makes no recommendation?

Mr. SMALL. No.

Mr. HUMPHREYS. The Board of Engineers?

Mr. SMALL. I can tell you in a moment.

Mr. MILLER of Washington. Pardon me, but the board recommends it.

Mr. SMALL. I will read you from the concluding paragraph from the Board of Engineers for Rivers and Harbors:

> The board therefore recommends that the United States take over and assume the maintenance of the east and west waterways for distances of 6,500 feet and 5,200 feet, respectively, from the pierhead line at Elliott Bay at an annual estimated cost of $40,000.

The Chief of Engineers substantially adopts the same language, so the gentleman will see it will be a violation of a settled policy of the Committee on Rivers and Harbors as to what they shall recommend on a river and harbor bill, and gentlemen of the Committee of the Whole will see what a dangerous precedent would be set if the committee should adopt this amendment.

Mr. HUMPHREYS. If the gentleman will yield for another question, has the survey been made of this Duwamish waterway?

Mr. SMALL. Yes; this report covers that. The resolution of the Senate says:

> To review the report on the survey of the east and west waterways and the Duwamish waterway at Seattle, Wash., printed in House Document No. 54, first session, Sixty-fifth Congress, and to submit such further report and recommendation upon said waterways, or any of them, as may be desirable in view of any change in local condition since the date of its prior report.

So they had full opportunity to recommend the maintenance of the Duwamish River by the United States if they desired to do so.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Washington. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to proceed for three minutes. Is there objection?

Mr. SMALL. Can not the gentleman get along with less time than that—say two minutes?

Mr. MILLER of Washington. I will try. The report of the project engineer is dated the 31st of last May. The report of the Chief of Engineers is the 9th of July, I believe. Events move swiftly out in that country. That contract for ten 9,400-ton steamships was let near that interval. All of these shipyards along here [illustrating] have multiplied a thousandfold since the report of the local engineer on this project. As I said, events move swiftly out there. All of these great shipyards in here—in there [indicating]—is an improvement where the city has spent $2,850,000 on terminals, a port commission project involving the very latest mechanics and appliances capable of being utilized in the handling of cargoes. This project here is a part of the industrial improvements of Seattle, and I am simply asking that we have this in order to keep this channel open if necessary, not a dollar to be expended until the improvement is completed according to the project dimensions and under the direction of the United States Board of Engineers.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. SMALL) there were—ayes 32, noes 31.

Mr. SMALL. I ask for tellers, Mr. Chairman.

The CHAIRMAN. The gentleman demands tellers. Those in favor of taking this vote by tellers will rise and stand until they are counted. Twelve gentlemen have arisen, not a sufficient number.

So the amendment was agreed to.

The Clerk read as follows:

> Honolulu, Kahului, Hilo, and Nawiliwili Harbors, Hawaii: For maintenance, $10,000; completing improvement of Kahului Harbor, $94,300; for improvement of Nawiliwili Harbor in accordance with the report submitted in House Document No. 609, Sixty-second Congress, second session, $250,000: *Provided*, That work on the project herein adopted shall not be commenced until the Secretary of War is satisfied that railroad connections will be made within a reasonable time which will make the harbor of Nawiliwili accessible by land to the entire southern portion of the island: *Provided further*, That the rates on said railroad shall be subject to regulation by the Secretary of War: *And provided further*, That no contract for work herein appropriated for shall be entered into until the county of Kauai, or other agency, shall have deposited to the credit of the Secretary of War, in some bank in the Territory of Hawaii to be designated by him, the sum of $200,000, which sum shall be expended by the Secretary of War in the further prosecu-

tion of said work, in the same manner and in equal amounts as the sum herein appropriated: *And provided further*, That no expense shall be incurred by the United States for acquiring any lands required for the purposes of this improvement; in all, $354,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. SMALL. Will the gentleman let this committee amendment be adopted, simply correcting——

Mr. MANN. No; I can not allow the committee amendment to go in; I would otherwise.

This proposition, which is quite agreeable to me, provides that the rates on a railroad to be provided for shall be subject to regulation by the Secretary of War. And I have no doubt that that might be a good thing. But the interstate-commerce law provides, or I am under the impression at least that it does, that the rates on railroads in Hawaii, as well as elsewhere in the United States, shall be subject to control by the Interstate Commerce Commission. And I doubt very much the desirability of attempting to repeal the interstate-commerce law by a little sentence in the river and harbor bill.

The Secretary of War, through the district engineer, might be able to regulate rates on a railroad, though of course they have no special knowledge on the subject, but the interstate-commerce law makes a lot of provisions in reference to rates and notices, the posting of rates and the filing of tariffs, and everything of that kind. And while that law is largely in abeyance at present, it is not repealed, and I see no reason, unless the gentleman from North Carolina can give me one, why it should be repealed in part or in whole at this time.

Mr. SMALL. Mr. Chairman, the question was as to where this improvement should be located——

Mr. MANN. I am not saying anything about the improvement or the requirement for the construction of a railroad. I am in favor of the improvement. I do not know, but I think I heard a good deal about this on a trip I made to Hawaii with others at one time, though I do not recollect definitely about it. I have no objection to the improvement. I think it is a deserving one. I think it is perfectly proper, as well as desirable, to require a railroad to be in some way regulated. But has the gentleman any special information as to whether the Interstate Commerce Commission should not still retain jurisdiction over all these railroads out there?

Mr. SMALL. Except it is the usual policy of Congress in imposing any condition, when improvements are authorized, to leave it to the War Department to look after the performance of those conditions.

Mr. MANN. That is not one of the conditions. One of the conditions is the construction of the railroad. That is all right to leave to the Secretary of War. Now, when the railroad is constructed, does the gentleman mean to say then we should remove all the restrictions now contained in the interstate commerce law? Would not this change those? Here is a requirement in the law in regard to the time when they can make changes——

Mr. SMALL. May I interrupt the gentleman? Is it the opinion of the gentleman as to the railroad connections that the Interstate Commerce Commission, upon complaint, would have the power to regulate and fix the rates there?

Mr. MANN. That was my understanding. In addition to that, however, I had a gentleman telephone to the Interstate Commerce Commission to-day, and was informed by the assistant secretary that the Interstate Commerce Commission had jurisdiction over railroads in Hawaii. I was under that impression, because I had charge of the interstate-commerce bill when it passed the House.

Mr. SMALL. I may say that this particular condition was recommended in the report by the Chief of Engineers, and it seemed wise to the committee that there should be some regulation of the rates there.

Mr. MANN. We all agree to that.

Mr. SMALL. Then, Mr. Chairman, I move to strike out the words beginning on line 14 this language:

Provided further, That the rates on said railroad shall be subject to regulation by the Secretary of War.

The last "*And provided further*" should go out, so that the words struck out shall begin with "That the rates on said railroad shall be subject to regulation by the Secretary of War: *And provided further*."

Mr. MANN. Oh, no. "*Provided further*" should remain in there.

Mr. SMALL. "*Provided further*" should remain in.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SMALL: Page 26, line 24, after the word "*further*," strike out "That the rates on said railroad shall be subject to regulation by the Secretary of War: *And provided further*."

Mr. SMALL. That is correct.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. SMALL. I have another amendment, Mr. Chairman.

The CHAIRMAN. The gentleman from North Carolina offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SMALL: Page 26, line 26, strike out "$354,000," at the end of the line, and insert in lieu thereof "$354,300."

Mr. SMALL. This only corrects a clerical error in the aggregate.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

San Juan Harbor, Porto Rico: For maintenance, $10,000.

Mr. SMALL. Mr. Chairman, I move to strike out the last word. I think I ought to make a comment at this time. The Committee of the Whole has just adopted an amendment assuming an obligation on the part of the United States for maintenance of the Duwamish waterway, when there has been no recommendation and no official information before the committee. The gentleman who presented the amendment, Mr. MILLER of Washington, came before the Committee on Rivers and Harbors and urged the maintenance of the east and west waterways, carrying an appropriation of $40,000, which met with the approval of the committee and is contained in the bill.

I think I ought to absolve the Committee on Rivers and Harbors from having made this error, and to point out to the Committee of the Whole how dangerous it is to make a precedent of this kind. As to whether I shall ask for a separate vote upon this amendment will depend upon the consensus of opinion among the members of the committee.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Boston Harbor, Mass., with a view to the construction of an entrance channel through South Beach, between Winthrop and Revere, connecting Broad Sound with the Charlestown Navy Yard by way of Chelsea River; also with a view to the construction of a connecting ship channel from the proposed new entrance at South Beach to South Boston.

Mr. SMALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SMALL: Page 28, line 25, strike out the word "South" and insert in lieu thereof the word "Short," and on page 29, line 2, strike out the word "South" and insert in lieu thereof the word "Short."

Mr. SMALL. Mr. Chairman, this is simply to correct a clerical error.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Intracoastal waterway from Beaufort, N. C., to the Cape Fear River.

Mr. SMALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 30, between lines 7 and 8, insert the following paragraph:
"Waccamaw River, N. C. and S. C."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sabine Lake and Sabine Pass, La. and Tex., with a view to the construction of a dam in the outlet of Sabine Lake, including consideration of any proposition for cooperation on the part of local interests.

Mr. SMALL. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from North Carolina offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 30, between lines 17 and 18, insert the following paragraph:
"Intercoastal waterway from Galveston Bay to Pass Cavallo."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Black Rock Channel, N. Y.

Mr. SMALL. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The gentleman from North Carolina offers another amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 31, insert the following paragraph between lines 5 and 6:
"Tonawanda Harbor and Tonawanda Creek, N. Y.; Lake Tahoe, Cal. and Nev."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Honolulu Harbor, Hawaii.

Mr. WELTY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. WELTY: Page 31, line 14, after the word "Hawaii," insert "to resurvey the Miami & Erie Canal and report as to the feasibility and advisability of improving the same to a depth of 12 feet, with a prism of 100 feet, and to report with detailed plans and an estimate of the cost of such improvement."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on that amendment.

Mr. WELTY. Mr. Chairman, I do not think a point of order should be made at this time, when three or four million dollars have been voted for canals in other places. In 1894 the Congress passed a resolution providing for a survey of the canal or waterway connecting the Ohio and the Lakes. In pursuance of that resolution the Board of Engineers made three different surveys of the three canals in Ohio. They recommended one that is mentioned here in this amendment as feasible and proper in order to connect the Ohio with the Great Lakes from Cincinnati to Toledo. The resolution provided that it shall be only 7 feet deep. They made a survey of 10 feet. Nothing was done because no improvements had been made in the Ohio River. Since that time almost $50,000,000 has been expended in the improvement of the Ohio River and over $150,000,000 on the Erie Canal, and now it seems that there ought to be a connecting link between the Mississippi River and the Lakes. I ask simply for a resurvey to a depth of 12 feet to be in harmony with the improvements on the Erie Canal. I know the point of order must be sustained if the gentleman from Wisconsin will insist, but I hope the gentleman will withdraw the point of order in view of the fact that millions of dollars have been spent on other canals under the direction of this committee and permit the House to pass upon the merits of the proposed survey.

Mr. STAFFORD. Mr. Chairman, I believe this project is no more worthy than others carried in the bill, but I withdraw the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

Mr. WELTY. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. WELTY. Mr. Chairman, having been granted permission to extend my remarks, I beg to submit the following, which I believe, had it been fully known by the House, the Members present would have permitted the proposed amendment, even in the face of the rule not to allow any amendments on the floor of the House not fully considered by the committee.

On April 20, 1918, I filed a bill (H. R. 11579) "To authorize the appointment of a board of engineers to make a preliminary location, survey, and plans for a canal connecting the waters of Lake Erie and the Ohio River on the line of the Miami & Erie Canal from Toledo to Cincinnati, Ohio, and from a point near Defiance, Ohio, to a point in the southerly end of Lake Michigan, and to estimate the cost thereof." This bill was referred to the Committee on Railways and Canals, because that committee, under the rules of the House, is the only one having jurisdiction of canals.

Full hearings were had on said bill by the committee, and on December 19, 1918, the committee having considered the same, reported it to the House with the recommendation that it pass with certain amendments, which report and amended bill were ordered to be printed for the consideration of this House.

I offered this amendment to the rivers and and harbors bill for the reason that I was of the opinion that, because of the congestion of the calendars in both branches of Congress, my bill could not be considered during the short session, and with a hope that a resurvey could be commenced with the opening of spring. I believe that had the membership of the House fully known the facts, the vote would have been different, even though it was late at night when I was permitted to offer my amendment.

I believe that the country should know that Congress is definitely planning in the development of the inland waterways, and for this reason I propose to again offer this amendment when the Commerce Committee considers this bill, with a hope that if the Senate adopts the same the House will then be inclined to accept this amendment. The amendment was lost by only 10 votes, with the solid opposition of the Rivers and Harbors Committee, which to me is sufficient evidence that there are others in the House sharing my views in matters of building up our inland commerce with a view of taking care of the products of the Mississippi Valley and relieving the congestion of transportation.

My bill, in short, provides for the appointment, by the Secretary of War of a board of three engineers skilled in the survey of navigable waterways, to make a preliminary examination, location, survey, and detailed plans for a canal, and an estimated cost thereof, and to make a survey and also to estimate the cost thereof for a canal from the Miami & Erie Canal, near Defiance, Ohio, to the southerly end of Lake Michigan. The bill further provides that the canal should be of a depth not less than 12 nor more than 16 feet, and of sufficient width to permit the passage of vessels as are contemplated to be used on the Erie Canal. Section 3 of this bill provides for an estimate of the costs of the canal, including the cost of dams, reservoirs, locks, surveys, and other matters necessary to its location, construction, operation, and maintenance, water supply, and the probable water power. Section 4 provides that in estimating the cost of such canal the board shall exclude all property whatsoever now owned and controlled by any State or States or political subdivisions, through which the canal may pass. Section 5 provides for the necessary employees to carry out the provisions of this act, and their pay, while section 6 provides for reports.

There is no need of canalizing our rivers and of building these canals unless the Government intends to complete inland navigation, so that barges on our lakes and rivers can go from New Orleans to New York and return without unloading their cargoes. I believe that this Congress should go on record speedily, showing its intention to make these improvements, so that business can adjust itself with that end in view.

Our sphere of influence is no more confined to the geography of our own country. We have finally reached our majority, so to speak, and have become a world commercial power. Our farms and factories produce more than we are able to consume, and they must seek foreign markets for their supplies. If this is true, transportation will of necessity become a mighty factor. We can not locate all of these farms and factories along the seaboard, and in order to give them a chance we must give them cheaper transportation. Their products must be loaded on ocean-going vessels at the least possible expense, to be taken into foreign markets and sold in competition with the products of the world. The time has come when we must quit dreaming and write these visions into law, so as to furnish a chart to the business and manufacturing interests of our country, in order that they will know that it will be only a matter of time until barges will go to New York or New Orleans, and will only be unloaded when they are loaded into ships bound for foreign markets.

Mr. Chairman and gentlemen of the House, permit me only to point out a few facts that are indicative, showing that it will be only a matter of a few years until we will be the foremost commercial power in the world.

First. Congress realized in 1913 that the expansion of our foreign trade would never be aggressive and become a power unless we are permitted to transact all of our business through American banks. In that year Congress passed what is known as the Federal reserve banking act, one section of which provides for taking care of the foreign trade by inaugurating a foreign banking system. Since the passage of said act this country has established in foreign countries 113 banks and agencies, all of which are under Federal control.

Second. In April, 1918, Congress passed an act to promote export trade, which permitted combinations for the purpose of establishing a common sales agency in taking care of our surplus products.

Third. The Committee on Appropriations of the present Congress recommended that $525,000 be spent for procuring information about foreign trade and stimulating the same.

In addition to these we are bending every effort to build up a merchant marine, so that our products can be transported into foreign markets in ships built and owned by Americans.

Besides this let me mention only a few facts, which will inevitably mean the completion of the canal to connect the Ohio River with the Lakes.

On August 17, 1894, Congress passed an act by which the Secretary of War was "authorized and directed to appoint a board of three engineers of the Army, whose duty it shall be to survey the Miami & Erie Canal, the Ohio Canal, and such branches thereof and such river and stream channels as may in their judgment form available portions of a continuous canal connecting the waters of Lake Erie with the Ohio River, through the State of Ohio, and to report the feasibility and advisibility of improving and widening such canal to 70 feet at the water line and deepening the same to 7 feet." This report was submitted to Congress on the 27th day of February, 1896, by the Secretary of War, and stated that:

It would be feasible to construct a canal of the dimensions specified in the act upon any of the three routes described, but a canal of the dimensions and capacity specified by Congress would by inadequate depth in the canal and in the Ohio, requiring a transshipment of freight, be so restricted in its benefits to interstate commerce that the construction of a canal of such dimensions or apart from an adequate improvement of the Ohio River would not, in the opinion of the board, be advisable.

The report also stated that:

The board has not considered it a part of its duty to present any recommendations with regard to a canal of dimensions different from those prescribed in the act of Congress, but it calls attention to the fact that the report of the executive officer of the board covers the question of water supply and cost of construction for a canal having a uniform width of 85 feet and depth of 10 feet, which would admit the passage of vessels that might be considered of about the least practicable size for lake navigation.

In this report the engineers submitted minute details in favor of the western route from Cincinnati to Toledo along the old Miami & Erie Canal because of "its superior water supply, its important terminal points, and the magnitude of its local traffic." In the report they further say:

A consideration of importance in favor of this route arises from its relation to the old Wabash and Erie route, and particularly to the project advanced many years ago, and lately being brought forward again, to connect the west end of Lake Erie with the southern end of Lake Michigan.

Among the direct benefits, the report mentioned the following:

If the inquiry is to be strictly limited to a canal of the dimensions of the present Erie Canal of New York, and without reference to any improvement in the navigable condition of the Ohio River, the question of advisability can be answered in the negative. Such a canal would be restricted to a purely local rôle, and while it might be a proper object of State or private enterprise, it would not be so on the part of the General Government. But the question will be examined on the basis of the broader assumptions already made.

The engineers point out other benefits to the Nation in the event the Erie Canal is completed and the Ohio River connected with the Lakes by a canal which will permit barges to pass over this route without unloading their cargoes.

Among the indirect benefits in said report we find the following:

As is well known, what may be called the indirect benefits of water competition in freight traffic are generally considered as of greater importance than the direct benefits. It is fully recognized that the influence of a capacious and free waterway in controlling and equalizing railroad freight rates, even if only a small proportion of freight actually goes by water, is of great value to the public. The history of the Erie Canal shows, by a comparison of summer and winter rates on lines paralleling it, that it has effected a reduction in railroad freight during the past 25 years of not less than 50 per cent; and it has been estimated that the amount saved in transportation of grain alone through the State of New York by the Erie Canal during the last 30 years is at least $200,000,000. The influence of the waterway does not cease with the suspension of navigation in the autumn. On all such freight as can be held over until spring the railroads are compelled to make concessions even in wintertime. It is a recognized fact among the best railroad authorities that free water competition, instead of being a detriment to the railroads, is a benefit to them. The classes of freight that can be carried most economically by water are those that are carried with least profit by the railroads. The two systems of transportation are natural complements of each other and make possible a division of traffic which is of advantage to both. That this argument rests on a sound basis is evidenced by the successful contemporaneous development of canals and railroads in France and by the fact that in our own country the most prosperous railroads are those that parallel the great waterways.

As to the future of existing canals, the Chief Engineer further states:

A matter of importance bearing upon the general subject arises from the impending fate of the present Ohio canals. It is highly improbable that the State of Ohio will much longer maintain a system which has been suffered to deteriorate until it has become a great public burden without any adequate return. If the State abandons its canals, and if the lines are occupied by railroads and the reservoir sites are sold, it will never again be possible to build a canal along any of the proposed routes.

Since the filing of this report the Federal Government has expended millions upon millions for the canalization of rivers and the building of canals. The Ohio River was then unimproved, but since that time almost $50,000,000 have been expended in the canalization of this stream. The State of New York has expended over one hundred and fifty millions in deepening and widening the old Erie Canal. Canada has proposed an enlargement of the Welland Canal so as to permit ocean-going vessels to unload at the docks of Chicago and Duluth, and the Federal Government is expending $6,290,000 for the building of barges to care for the commerce of the lower Mississippi and $3,336,000 for the building of barges for commerce between St. Louis and Minneapolis. This is in addition to the present fleet of 29 barges, each of 500-ton capacity, now on the lower Mississippi. These are acts of men of vision, and no man will gainsay that the system of inland water transportation will be completed until those now spending millions for barges on the Mississippi and the Erie Canal will be permitted to carry their cargoes between the Mississippi and its tributaries to the State of New York.

These barges for the Mississippi now under construction and for use on the upper river are 300 feet long and 48 feet wide and draw only 4 feet of water. They are propelled by steamers which are 265 feet long and have a beam of 58 feet and operate in 3½ feet of water. There are no similar tugs in use at the present time on any of the rivers. There are 19 barges and 3 steamers to be built for use on the upper Mississippi. These barges are to start from St. Louis loaded with coal and return from Minneapolis loaded with ore. One of these steamers can propel six of these great barges. Six of these steel barges propelled by one steamer can carry more ore in one trip by 3,600 tons than can be carried on one of the largest of the ore-carrying steamers on the Lakes. One of these steamers with its six barges will carry as much iron ore or coal as can be carried on three hundred 50-foot freight cars and will move down the river as fast as any freight train can move. In other words, one of these steamers will bring down the river at one load the equivalent of seven long trainloads of ore.

The North and Northwest are calling for coal, and it is estimated that these barges could carry this coal for 90 cents to $1 per ton cheaper than the railroads. What the saving would be is only conjectural, but when you consider the consummation of coal in the homes, to say nothing of our factories, it will be worth while to think about these matters. In addition to these benefits, the farmers and manufacturers will receive the benefits of cheaper transportation of their products to New York or New Orleans. I know there are those who are skeptical in the matter of this proposed improvement. I know there are those who consider its advocates dreamers, but to these I need only say that those who advocated the Panama Canal were considered dreamers at first, yet the products of the farms and factories of the State of Washington can be transported through this canal to New York for less than the cost of transportation from New York to Ohio, and no one will now advocate the abandoning of the Panama Canal.

All of these matters go to show that we have not only fought and won the world war, but that American commerce will be carried into every country of the globe, and instead of buying goods stamped "Made in Germany" or "Made in Japan" the familiar sign "Made in America" will be found. Commerce is the life of a nation, and I hope that the Nation will continue to have men at its head who are able to appreciate the sacrifice made by our soldiers and preserve this Republic by granting it more life.

The canals in Ohio cost the Federal and State Governments almost $16,000,000, and yet this property has been permitted to go into disuse because of the neglect of its officers. Would we treat this property thus if it was our private property? Bankruptcy would soon stare us in the face. Then, why should we longer neglect this public property? Is a public office no longer a public trust? Are men elected to the position of these trusts for what they can get out of it? Shall we sit supinely here and fail in our duties, and then have our conscience condemn us the remainder of our lives because we failed to do our full duty? But, gentlemen, we must not forget that we can not deal with ourselves alone while here, but must answer sooner or later to a constituency, having a right to judge us by our acts of commission as well as omission.

These canals, in the first place, were built largely from the sale of Government lands, but the grant carried a proviso that

"the said canals, when completed or used, shall be, and forever remain, public highways for the use of the Government of the United States, free from any toll or charge whatever for any property in the United States, or persons in their service passing along the same." These canals in Ohio have been in disuse for more than a quarter of a century. The survey was made under an act of Congress over 22 years ago, and yet the Federal Government has been acting the part of Rip Van Winkle ever since that time. Is it not time that they should go on record in the matter of the canals of Ohio and relieve their right and title to the land, or develop them for what they are intended? These lands should either be used for agricultural purposes, and permit the farmers to raise corn and potatoes, or they should be properly utilized by the people in the matter of transportation of the products of these farms and the thriving factories along these routes.

I am only asking for a survey and a report as to the feasibility and advisability of such a proposed canal, and I hope that Congress will vote favorably upon the proposed amendment so as to be in a position to pass more intelligently on this matter.

Mr. SMALL. Mr. Chairman, I desire to be heard. This was not presented to the committee. It involves a very important and expensive survey. There are other considerations that ought to have been presented to the committee, and I do not think the Committee of the Whole at this time, when no opportunity has been had by the Committee on Rivers and Harbors to consider it, should give favorable consideration to the adoption of this provision for making this important survey at this time.

Mr. WELTY. In response to what the gentleman says, I would say that the engineers——

Mr. SMALL. And let me say further that the language is informal, and, I think, is incorrect.

Mr. WELTY. If it is informal I want to say that I copied the language from the act of 1894, and it simply provides for a resurvey of that which had been surveyed and reported two years afterwards, in 1896.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. SMALL) there were—ayes 17, noes 27.

So the amendment was rejected.

The Clerk read as follows:

SEC. 4. That no part of the funds herein or hereafter appropriated for works of river and harbor improvement shall be used to pay for any work done by private contract if the contract price is more than 25 per cent in excess of the estimated cost of doing the work by Government plant: *Provided*, That in estimating the cost of doing the work by Government plant, including the cost of labor and materials, there shall also be taken into account proper charges for depreciation of plant and all supervising and overhead expenses and interest on the capital invested in the Government plant, but the rate of interest shall not exceed the maximum prevailing rate being paid by the United States on current issues of bonds or other evidences of indebtedness.

Mr. SMALL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Committee amendment by Mr. SMALL: Add the following new section at the end of the bill:

"SEC. 5. That Little River, from Big Lake, in Mississippi County, to Marked Tree, in Poinsett County, Ark., is hereby declared to be not a navigable waterway of the United States within the meaning of the laws enacted by Congress for the protection of such waterways: *Provided*, That this provision shall be null and void unless expressly approved by an act of the Legislature of the State of Arkansas within two years from the date of approval of this act."

Mr. MANN. Mr. Chairman, I make a point of order on that. The Committee on Rivers and Harbors has no jurisdiction of this matter.

Mr. SMALL. Mr. Chairman, I desire to make this statement: The purport of the amendment is plain upon its face. It is to declare a certain stream within certain limits in the State of Arkansas not navigable within the meaning of the laws of the United States if it shall be approved within two years by the Legislature of the State of Arkansas. I will state that the matter has been considered by the committee, was referred to the Chief of Engineers, and I have before me a letter from the Chief of Engineers recommending it.

Mr. MANN. Mr. Chairman, it seems to me that those matters ought to go always to the committee that has jurisdiction over them, which committee considers all of these propositions. The gentleman endeavors to insert it upon a river and harbor bill. The Committee on Interstate and Foreign Commerce has these bills come before them. Why should they not have this matter go before them? There is no difficulty in getting consideration of bills of this kind by the proper committee.

Mr. SMALL. The Committee on Rivers and Harbors has been assuming jurisdiction of such matters.

Mr. MANN. Oh, no; the Committee on Rivers and Harbors had sometimes offered an amendment like this, but the Rivers and Harbors Committee does not have jurisdiction of such bills. A great many such bills have been in Congress since I have been here, and I have never known them to go anywhere except to the Committee on Interstate and Foreign Commerce. Sometimes, as a matter of river and harbor improvement, the Rivers and Harbors Committee has included an item in the bill, but this has nothing to do with river and harbor improvement. It is entirely foreign to this bill. The Committee on Rivers and Harbors has no jurisdiction of the subject matter, and this has no place on this bill. It is not a part of river and harbor improvement. Doubtless some one, I do not know who, desires to have this legislation; but the mere fact that some very good Member of the House desires legislation is no reason why it should be enacted unless proper methods are pursued. I make the point of order.

Mr. SMALL. Mr. Chairman, I would like to argue the point of order, and yet I do not wish to do so at this time. I will ask the gentleman to withdraw his point of order in order that I may withdraw the amendment.

Mr. MANN. If the gentleman desires to withdraw his amendment, he can do it without my withdrawing the point of order.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to withdraw the amendment. Is there objection?

There was no objection.

Mr. SMALL. Mr. Chairman, I simply want to say that I can not concede that the position of the gentleman from Illinois is well taken, that the Committee on Rivers and Harbors has no jurisdiction.

Mr. MANN. The gentleman does not need to concede it, because it is so well settled that it does not make any difference what the gentleman concedes.

Mr. SMALL. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the several amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13462, the river and harbor appropriation bill, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SMALL. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. SMALL. Mr. Speaker, I demand a separate vote upon the amendment proposed by the gentleman from Washington [Mr. MILLER] appropriating $40,000 for the maintenance of the Duwamish River.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en grosse. The question is on agreeing to the amendments, except the Miller amendment.

The amendments were agreed to.

The SPEAKER. The question now is on agreeing to the Miller amendment.

The question was taken.

Mr. SMALL. Mr. Speaker, I demand a division.

The House again divided; and there were—ayes 44, noes 42.

So the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading.

The bill was ordered to be engrossed and read the third time.

Mr. MANN. Mr. Speaker, I demand the reading of the engrossed bill.

The SPEAKER. The gentleman demands the reading of the engrossed bill.

Mr. MANN. Mr. Speaker, I will not make such a demand on Monday.

Mr. KITCHIN. As I understand it, the gentleman simply desires to have the vote on Monday instead of to-night?

Mr. MANN. Yes.

Mr. KITCHIN. Of course, then under the circumstances we will have to adjourn.

WITHDRAWAL OF PAPERS

By unanimous consent, Mr. SWITZER was granted leave to withdrawn from the files of the House, without leaving copies, the papers in the case of Robert H. Lawson, H. R. 19709, Sixty-third Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

Mr. NORTON. Mr. Speaker, I ask leave of absence for five weeks on account of important business.

The SPEAKER. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. WELTY. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

HOUR OF MEETING ON MONDAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock on Monday next.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 32 minutes p. m.) the House adjourned until Monday, January 13, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting tentative draft of items of legislation for the consideration of Congress in reference to pay of men discharged from the Army or Navy (H. Doc. No. 1677); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mary R. Greiner, widow of Henry C. Greiner, deceased, against The United States (H. Doc. No. 1678); to the Committee on War Claims and ordered to be printed.

3. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Julius King, brother of Walter B. King, deceased, against The United States (H. Doc. No. 1679); to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (S. 3646) granting rights of way over Government lands for dam and reservoir purposes, for the conservation and storage of water to be used by the city of San Diego, Cal., and for other purposes, reported the same with amendment, accompanied by a report (No. 911), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (H. R. 13034) to validate and confirm certain erroneously allowed entries in the State of Minnesota, reported the same without amendment, accompanied by a report (No. 912), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VOLSTEAD, from the Committee on the Judiciary, to which was referred the bill (S. 68) to amend section 269 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary," reported the same without amendment, accompanied by a report (No. 913), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CALDWELL: A bill (H. R. 14091) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. GALLIVAN: A bill (H. R. 14092) fixing the compensation of United States inspectors of customs; to the Committee on Ways and Means.

By Mr. FULLER of Illinois: A bill (H. R. 14093) providing for the transfer of jurisdiction of and all claims for compensation for death or disability from the Bureau of War Risk Insurance to the Bureau of Pensions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LAGUARDIA: A bill (H. R. 14094) to repeal an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," and the act amendatory thereof; to the Committee on the Judiciary.

By Mr. ADOLPHUS P. NELSON: A bill (H. R. 14095) authorizing the Secretary of War to donate to the city of Phillips, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14096) authorizing the Secretary of War to donate to the city of Merrill, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14097) authorizing the Secretary of War to donate to the city of Rhinelander, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14098) authorizing the Secretary of War to donate to the city of Washburn, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14099) authorizing the Secretary of War to donate to the city of Ashland, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14100) authorizing the Secretary of War to donate to the city of Ladysmith, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14101) authorizing the Secretary of War to donate to the city of Superior, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14102) authorizing the Secretary of War to donate to the city of Spooner, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14103) authorizing the Secretary of War to donate to the village of Grantsburg, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14104) authorizing the Secretary of War to donate to the village of Balsam Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BRODBECK: A bill (H. R. 14105) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 14106) authorizing the Secretary of War to donate to the village of Hicksville, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14107) authorizing the Secretary of War to donate to the village of Riverhead, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14108) authorizing the Secretary of War to donate to the village of Greenlawn, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLANTON: A bill (H. R. 14109) authorizing and directing the Secretary of War to donate to the county of Llano, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14110) authorizing and directing the Secretary of War to donate to the county of Lampasas, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14111) authorizing and directing the Secretary of War to donate to the county of San Saba, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14112) authorizing and directing the Secretary of War to donate to the county of Coleman, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14113) authorizing and directing the Secretary of War to donate to the county of Brown, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14114) authorizing and directing the Secretary of War to donate to the county of Comanche, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14115) authorizing and directing the Secretary of War to donate to the county of McCulloch, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14116) authorizing and directing the Secretary of War to donate to the county of Mills, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14117) authorizing and directing the Secretary of War to donate to the county of Palo Pinto, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14118) authorizing and directing the Secretary of War to donate to the county of Stephens, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14119) authorizing and directing the Secretary of War to donate to the county of Shackelford, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14120) authorizing and directing the Secretary of War to donate to the county of Jones, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14121) authorizing and directing the Secretary of War to donate to the county of Callahan, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14122) authorizing and directing the Secretary of War to donate to the county of Concho, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14123) authorizing and directing the Secretary of War to donate to the county of Eastland, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14124) authorizing and directing the Secretary of War to donate to the county of Runnels, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14125) authorizing and directing the Secretary of War to donate to the county of Taylor, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14126) authorizing and directing the Secretary of War to donate to the county of Nolan, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14127) authorizing and directing the Secretary of War to donate to the county of Burnet, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14128) authorizing and directing the Secretary of War to donate to the county of Tom Green, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KINCHELOE: A bill (H. R. 14129) authorizing the Secretary of War to donate to the city of Henderson, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 14130) donating a captured German cannon or field gun and carriage to the village of East Barnet, Vt., for decorative purposes; to the Committee on Military Affairs.

Mr. FULLER of Illinois: A bill (H. R. 14131) authorizing the Secretary of War to donate to the city of Plano, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14132) authorizing the Secretary of War to donate to the city of Yorkville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14133) authorizing the Secretary of War to donate to the village of Cherry Valley, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14134) authorizing the Secretary of War to donate to the village of Shabbona, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14135) authorizing the Secretary of War to donate to the city of Genoa, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HAMLIN: A bill (H. R. 14136) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities; to the Committee on Military Affairs.

By Mr. GALLIVAN: A bill (H. R. 14137) authorizing the Secretary of War to donate to the city of Boston, Mass., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14138) authorizing the Secretary of War to donate to the city of Boston, Mass., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14139) authorizing the Secretary of War to donate to the city of Boston, Mass., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DOREMUS: A bill (H. R. 14140) donating a captured German cannon or field gun and carriage to the county of Clare, Mich., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14141) authorizing the Secretary of War to donate to the city of Clare, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HOUSTON: A bill (H. R. 14142) authorizing the Secretary of War to donate to the town of Woodbury, Tenn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14143) authorizing the Secretary of War to donate to the town of Smithville, Tenn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14144) authorizing the Secretary of War to donate to the town of Manchester, Tenn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14145) authorizing the Secretary of War to donate to the Middle Tennessee State Normal School at Murfreesboro, Tenn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SEARS: A bill (H. R. 14146) authorizing the Secretary of War to donate to the Board of County Commissioners of St. Johns County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14147) authorizing the Secretary of War to donate to the Board of County Commissioners of Broward County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14148) authorizing the Secretary of War to donate to the Board of County Commissioners of Brevard County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14149) authorizing the Secretary of War to donate to the Board of County Commissioners of St. Lucie County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14150) authorizing the Secretary of War to donate to the Board of County Commissioners of Palm Beach County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14151) authorizing the Secretary of War to donate to the Board of County Commissioners of Duval County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14152) authorizing the Secretary of War to donate to the Board of County Commissioners of Volusia County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14153) authorizing the Secretary of War to donate to the Board of County Commissioners of Flagler County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14154) authorizing the Secretary of War to donate to the Board of County Commissioners of Orange County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14155) authorizing the Secretary of War to donate to the Board of County Commissioners of Seminole County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14156) authorizing the Secretary of War to donate to the Board of County Commissioners of Osceola County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14157) authorizing the Secretary of War to donate to the Board of County Commissioners of Monroe County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14158) authorizing the Secretary of War to donate to the Board of County Commissioners of Okeechobee County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14159) authorizing the Secretary of War to donate to the Board of County Commissioners of Dade County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14160) authorizing the Secretary of War to donate to the Board of County Commissioners of Putnam County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14161) authorizing the Secretary of War to donate to the Board of County Commissioners of Clay County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 14162) to increase the cost of the public building at Durango, Colo.; to the Committee on Public Buildings and Grounds.

By Mr. BURNETT: A bill (H. R. 14163) to prohibit immigration for a period of four years, and to restrict immigration thereafter; to the Committee on Immigration and Naturalization.

By Mr. RAMSEYER: A bill (H. R. 14164) directing the Surgeon General of the Army to make reports in certain cases; to the Committee on Military Affairs.

Also, a bill (H. R. 14165) providing for the honorable discharge of officers or enlisted men in the Army of the United States in certain cases; to the Committee on Military Affairs.

By Mr. CRAGO: A bill (H. R. 14166) providing for the promotion of certain officers of the United States Army; to the Committee on Military Affairs.

By Mr. DYER: A bill (H. R. 14167) to provide a tariff and obtain revenue in connection with the metal contents of zinc ore; to the Committee on Ways and Means.

By Mr. BLAND of Virginia: A bill (H. R. 14168) authorizing the Secretary of War to donate to the town of Belle Haven, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14169) authorizing the Secretary of War to donate to the village of Tangier, on the island of Tangier, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14170) authorizing the Secretary of War to donate to the town of Urbana, county of Middlesex, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. COADY: A bill (H. R. 14171) authorizing the Secretary of War to donate to the city of Baltimore, State of Maryland, German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. ALMON: A bill (H. R. 14172) authorizing the Secretary of War to donate to the city of Moulton, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14173) authorizing the Secretary of War to donate to the city of Tuscumbia, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14174) authorizing the Secretary of War to donate to the city of Scottsboro, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14175) authorizing the Secretary of War to donate to the city of Florence, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14176) authorizing the Secretary of War to donate to the city of Athens, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14177) authorizing the Secretary of War to donate to the city of Huntsville, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14178) authorizing the Secretary of War to donate to the city of Decatur, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 14179) authorizing the Secretary of War to donate to the town of Corona, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CONNALLY of Texas: A bill (H. R. 14180) authorizing the Secretary of War to donate to the city of Marlin, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

Also, a bill (H. R. 14181) authorizing the Secretary of War to donate to the city of Gatesville, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

Also, a bill (H. R. 14182) authorizing the Secretary of War to donate to the city of Waco, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

Also, a bill (H. R. 14183) authorizing the Secretary of War to donate to the city of Meridian, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

Also, a bill (H. R. 14184) authorizing the Secretary of War to donate to the city of Belton, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 14185) to provide that the United States shall cooperate with the States in promoting the health of the rural population of the United States, and for other purposes; to the Committee on Agriculture.

By Mr. DEWALT: A bill (H. R. 14186) to provide for the incorporation of Federal railroad companies and the regulation thereof, and to establish a system of supervision of railroads in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. TAYLOR of Colorado: A bill (H. R. 14187) to provide for the erection of a public building in the city of Montrose, Colo.; to the Committee on Public Buildings and Grounds.

By Mr. MERRITT: A bill (H. R. 14188) authorizing the Secretary of War to donate to towns in the State of Connecticut German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DOOLITTLE: A bill (H. R. 14189) authorizing the Secretary of War to donate to the city of Wamego, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RUCKER: A bill (H. R. 14190) authorizing and directing the Secretary of War to make certain donations of cannon and ordnance to designated towns and cities; to the Committee on Military Affairs.

By Mr. VOIGT: A bill (H. R. 14191) authorizing the Secretary of War to donate to the city of Juneau, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14192) authorizing the Secretary of War to donate to the city of West Bend, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14193) authorizing the Secretary of War to donate to the city of Port Washington, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14194) authorizing the Secretary of War to donate to the city of Portage, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14195) authorizing the Secretary of War to donate to the city of Fort Atkinson, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14196) authorizing the Secretary of War to donate to the city of Watertown, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14197) authorizing the Secretary of War to donate to the city of Jefferson, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14198) authorizing the Secretary of War to donate to the city of Plymouth, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14199) authorizing the Secretary of War to donate to the city of Mayville, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14200) authorizing the Secretary of War to donate to the city of Beaver Dam, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14201) authorizing the Secretary of War to donate to the city of Sheboygan, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14202) authorizing the Secretary of War to donate to the city of Hartford, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14203) authorizing the Secretary of War to donate to the city of Waupun, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14204) authorizing the Secretary of War to donate to the city of Columbus, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

By Mr. EMERSON: Joint resolution (H. J. Res. 383) to discharge all soldiers in the United States whose services are no longer needed, and to eliminate delay in granting such discharges; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 14205) granting an increase of pension to Francis H. Powell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14206) granting a pension to John I. Amy; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 14207) granting an increase of pension to William C. Stuart; to the Committee on Invalid Pensions.

By Mr. CANDLER of Mississippi: A bill (H. R. 14208) for the relief of Mrs. Mamie Duffer, of Shannon, Miss.; to the Committee on Claims.

By Mr. COPLEY: A bill (H. R. 14209) granting a pension to Drusilla S. Hilliard; to the Committee on Invalid Pensions.

By Mr. POLK: A bill (H. R. 14210) granting an increase of pension to John E. Beatty; to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 14211) granting an increase of pension to General G. Burris; to the Committee on Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 14212) granting an increase of pension to John N. Ellis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14213) granting an increase of pension to Peter A. Ruble; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CALDWELL: Petition of sundry citizens of New York, urging legislation to provide for the deportation of enemy aliens; to the Committee on the Judiciary.

By Mr. CARY: Petition of the Standard Aircraft Corporation, urging the extension of the Air Mail Service; to the Committee on the Post Office and Post Roads.

Also, memorial of the presidents of the various cattle-breeding associations, favoring further legislation for the eradication of bovine tuberculosis; to the Committee on Agriculture.

Also, petition of the Chamber of Commerce of Key West, Fla., urging the building of a pipe line from the mainland to that place to supply ships and local government enterprises with fresh water; to the Committee on Naval Affairs.

By Mr. DOOLING: Petition of C. E. Beaubrun, New York City, against the proposed tax on furs; to the Committee on Ways and Means.

By Mr. FREAR: Petition of citizens of Chippewa Falls, Wis., favoring Irish independence; to the Committee on Foreign Affairs.

By Mr. KELLY of Pennsylvania: Petition of the International Molders' Union of Pittsburgh, Pa., praying for the passage of the McKellar-Keating retirement bill; to the Committee on Reform in the Civil Service.

By Mr. KETTNER: Petition of N. E. Addy, corresponding secretary of Local No. 551, Amalgamated Sheet Metal Workers' International Alliance, San Bernardino, Cal., in regard to the future of the railroads of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHN M. NELSON: Petition of Henry Helland, of Superior, Wis., favoring the return of railroads and other public utilities to private control, to be operated under charters granted by the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Resolutions adopted by the teachers of Sussex County, Del., and by the Delaware Association of College Women, Wilmington, Del., urging the passage of Senate bill 4987, to provide for a national department of education; to the Committee on Education.

By Mr. RAKER: Resolution by the California Redwood Association, to restore to the Interstate Commerce Commission the powers taken away by the Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBBINS: Petition of the Butler Board of Trade, Butler, Pa., favoring the improvement of highways; to the Committee on Roads.

SENATE.

MONDAY, *January 13, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, by every revelation of truth Thou hast made to men Thou dost call them to recognize Thy right to rule, to trust in Thy divine providence, to follow Thy spirit in the discharge of the duties and in the achievements of their life successes. We pray Thee as we come to face the duties of this day that we may be given the spirit of reverence, of submission to the divine will, and that through the day we may keep ever in mind our obligation to the God of heaven, to the God of all the earth. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. KING and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the concurrent resolution of the Senate (S. Con. Res. 28) providing for a joint session of the Senate and House of Representatives on Sunday, February 9, 1919, for appropriate exercises in commemoration of the life, character, and public service of the late Theodore Roosevelt, former President of the United States, Vice President of the United States, and President of the Senate, and authorizing arrangements therefor and the payment of all expenses incurred.

The message also announced that the Speaker of the House had appointed Mr. KITCHIN, Mr. CANTRILL, Mr. RANDALL, Mr. CALDWELL, Mr. GEORGE W. FAIRCHILD, Mr. TEMPLE, and Mr. SCHALL as the committee on the part of the House to make arrangements for the joint session of Congress on February 9, 1919.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 13274. An act to provide relief where formal contracts have not been made in the manner required by law; and

H. R. 13462. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 79. An act for the sale of isolated tracts of the public domain in Minnesota;

H. R. 1423. An act for the relief of Alexander F. McCollam;

H. R. 4240. An act for the relief of Alma Harris;

H. R. 8444. An act for the relief of Ira G. Kilpatrick and Guy D. Dill;

H. R. 9865. An act to authorize the sale of certain lands to school district No. 28 of Missoula County, Mont.; and

H. R. 12194. An act to provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes.

MEMORIAL EXERCISES FOR THE LATE PRESIDENT ROOSEVELT.

The VICE PRESIDENT. The Chair announces the following Senate members of the committee under the concurrent resolution providing for memorial exercises in honor of former President Roosevelt on February 9: Senators WADSWORTH, of New York; MARTIN of Virginia; SIMMONS, of North Carolina; SMOOT, of Utah; and CHAMBERLAIN, of Oregon.

SENATOR FROM SOUTH DAKOTA.

Mr. JOHNSON of South Dakota. I present the credentials of Hon. THOMAS STERLING, chosen by the qualified electors of the State of South Dakota a Senator from that State for the term beginning March 4, 1919, which I ask may be read and placed on file.

The credentials were read and ordered to be filed, as follows:

UNITED STATES OF AMERICA,
STATE OF NORTH DAKOTA.

This is to certify that on the 5th day of November, 1918, at a general election held throughout said State, THOMAS STERLING was duly chosen by the qualified electors of the State of South Dakota to the office of United States Senator for the term of six years, beginning on the 4th day of March, 1919.

In witness whereof I have hereunto set my hand and caused the seal of said State to be affixed at Pierre, the capital, this 24th day of December, 1918.

PETER NORBECK, *Governor.*

By the governor:
[SEAL.]
Attest:

FRANK M. ROOD,
Secretary of State.

SENATOR FROM WYOMING.

Mr. KENDRICK. I present the credentials of Hon. FRANCIS E. WARREN, chosen by the qualified electors of the State of Wyoming a Senator from that State for the term beginning March 4, 1919, and I ask that they be read and placed on file.

The credentials were read and ordered to be filed, as follows:

THE STATE OF WYOMING,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, FRANCIS E. WARREN was duly chosen by the qualified electors of the State of Wyoming a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His excellency our acting governor, Frank L. Houx, and our seal hereto affixed at Cheyenne, this 3d day of January, in the year of our Lord 1919.

FRANK L. HOUX,
Acting Governor.

By the acting governor:
[SEAL.]

FRANK L. HOUX,
Secretary of State.

SENATOR FROM TENNESSEE.

Mr. McKELLAR. I present the credentials of Hon. JOHN K. SHIELDS, chosen by the qualified electors of the State of Tenness a Senator from that State for the term beginning March 4, 1919, which I ask may be read and placed on file.

The credentials were read and ordered to be filed, as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, JOHN K. SHIELDS was duly chosen by the qualified electors of the State of Tennessee a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His excellency our governor, Tom C. Rye, and our seal hereto affixed at Nashville this 14th day of December, in the year of our Lord, 1918.

TOM C. RYE, *Governor.*

By the governor:
[SEAL.]
IKE B. STEVENS,
Secretary of State.

ALLOTMENTS TO SOLDIERS' DEPENDENTS (S. DOC. 336).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 3d instant, certain information relative to the payment of allotments of soldiers to their dependents, which was referred to the Committee on Military Affairs and ordered to be printed.

EMPLOYEES OF DEPARTMENT OF LABOR (S. DOC. 338).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Labor, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees of the department on January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

SHIP CONSTRUCTION FOR FOREIGN ACCOUNT (S. DOC. 334).

The VICE PRESIDENT laid before the Senate a communication from the United States Shipping Board, transmitting, in response to a resolution of December 16, 1918, certain information relative to the construction of ships in American yards for foreign account, which, with the accompanying paper, was referred to the Committee on Commerce and ordered to be printed.

EMPLOYEES OF WAR TRADE BOARD (S. DOC. 337).

The VICE PRESIDENT laid before the Senate a communication from the director of the War Trade Board, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the board on January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

NATIONAL PROHIBITION.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the governor of Michigan, transmitting a certified copy of resolutions adopted by the legislature of that State ratifying the proposed prohibition amendment to the Constitution of the United States. The communication and accompanying resolutions will be placed on the files of the Senate.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of sundry Lithuanian citizens of Worcester, Mass., praying for the independence of Lithuania, which was referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a petition of Local Branch, International Molders' Union of North America, of Detroit, Mich., praying for the passage of the so-called civil-service retirement bill, which was ordered to lie on the table.

He also presented a petition of the Rotary Club of Kalamazoo, Mich., praying for the deportation of interned aliens, which was referred to the Committee on Immigration.

He also presented a petition of Local Branch, International Association of Machinists, of Kalamazoo, Mich., praying for the extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. WARREN presented a petition of the board of education of school district No. 1, of Laramie County, Wyo., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

He also presented a petition of the local board of the selective-service draft of Weston County, Wyo., praying for Government recognition of the work of the selective-service boards in raising the National Army, which was referred to the Committee on Military Affairs.

Mr. PHELAN presented a petition of the Friday Morning Club, of Los Angeles, Cal., praying for the passage of the so-called civil-service retirement bill, which was ordered to lie on the table.

Mr. SAULSBURY. I present a petition signed by more than 150,000 children, pupils in the public schools of Porto Rico, asking that the President and Congress of the United States honor the island of Porto Rico by bestowing its name upon one of the battleships of the Nation. I move that the petition be referred to the Committee on Naval Affairs.

The motion was agreed to.

WOMAN SUFFRAGE.

Mr. CURTIS. I present a telegram embodying a resolution and ask to have it read.

The VICE PRESIDENT. Without objection, the telegram will be read.

The Secretary read as follows:

CHICAGO, ILL., *January 10, 1919.*

Hon. CHARLES CURTIS,
United States Senate, Washington, D. C.:

Committee unanimously adopted following resolution this morning: "The Republican national committee, in meeting assembled in Chicago, January 10, reiterates its belief in the necessity for the enfranchisement of the women of America, and therefore calls upon the United States Senate for the immediate passage of the Federal suffrage amendment, and further calls upon all Republican legislatures to stand ready to ratify the amendment when presented.

"WILL H. HAYS."

Mr. NEW. I have received the following telegram from Indianapolis, Ind., which I request may be read.

There being no objection, the communication was read, as follows:

INDIANAPOLIS, IND., *January 11, 1919.*

Hon. HARRY S. NEW,
United States Senate, Washington, D. C.:

The following joint resolution was passed by both houses of the Indiana Legislature, with only one dissenting vote, immediately on the close of Gov. Goodrich's address to the joint session of both houses at the opening of the Indiana Legislature:

"Whereas the women of our country have in the past world's war again demonstrated their unfailing patriotism and eminent ability and are in every way deserving of the ballot; and

"Whereas there is pending in the Senate of the United States a resolution proposing an amendment to the Constitution of the United States providing for equal suffrage: Therefore be it

"*Resolved*, That we, the Senate and House of Representatives of the seventy-first session of the Indiana General Assembly, in joint session assembled, urge the United States Senate to the immediate passage of said measure, to the end that this session may ratify same."

Presented by Representative Alldredge and adopted with but one dissenting vote.

EDGAR T. BUSH,
Lieutenant Governor.
JESSE ESHBACH,
Speaker of the House of Representatives.

Mr. McCUMBER. I present a telegram embodying a concurrent resolution of the Legislature of North Dakota, requesting the Senators and Representatives from that State to vote for the Susan B. Anthony national suffrage amendment. I ask to have it printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

BISMARCK, N. DAK, *January 11, 1919.*

Hon. PORTER J. McCUMBER,
United States Senate, Washington, D. C.:

The following concurrent resolution was adopted to-day:

"*Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring),*

"Whereas there is now pending before the Senate of the United States an amendment to the Federal Constitution known as the Susan B. Anthony national suffrage amendment; and

"Whereas the legislative assembly of the State of North Dakota believe that the same should be submitted to the States union as an amendment to our Federal Constitution: Now, therefore be it

"*Resolved*, That the State of North Dakota, through its legislative assembly, does herewith respectfully petition and urge the national Senate of the United States to favorably consider, and early approve, the Susan B. Anthony national suffrage amendment; and be it

"*Resolved*, That the secretary of State be instructed to send a copy of these resolutions to the Senators and Representatives of the State of North Dakota in Congress. Certified copy in to-night's mail."

THOMAS HALL, *Secretary of State.*

SALVAGE OF SHIPPING.

Mr. FLETCHER. Mr. President, I have a communication from the Twentieth Century Deep-Sea Salvage Syndicate, of Chicago, Ill., which I ask may be read.

There being no objection, the communication was read, as follows:

TWENTIETH CENTURY DEEP-SEA SALVAGE SYNDICATE,
Chicago, January 6, 1919.

Hon. DUNCAN U. FLETCHER,
Chairman Commerce Committee, United States Senate,
Washington, D. C.

DEAR SIR: We have the honor to call to your attention, as we were recommended to do by Mr. H. H. Garven, foreign trade commissioner of the Chicago Chamber of Commerce, a matter of the gravest importance, we think, with respect to the available shipping of the United States and her allies, viz: The open boast of Germany, through Councilor von Stockert, of the German Navy Department, that the reports of submarine sinkings comprise a record of shipping which gives Germany an advantage in salvaging operations.

By reason of equipment which enables us to go to greater depths than divers, and at those depths attach buoyancy chambers to ships to float them, our syndicate is concerned in the salvaging of shipping from the high seas. Our American syndicate meets at once the fact

that Germany has the exact locations of hundreds of valuable cargoes of which we and other American salvaging interests have no information. Our situation is similar to that of British and other salvors.

The question which should be pressed home to the peace conferees was stated in a cable message we sent to President Wilson, as follows:

"Deep-Sea Salvage Syndicate here, comprising former Lithuanians, respectfully inquire whether, among peace terms, Germany will be required to surrender data in exclusive possession where shipping was sunk by submarines. We urge importance."

It is our hope and the expectation of our advisors in the Chicago Association of Commerce that you will bring this matter up for the consideration of your committee, and also bring it up on the floor of the Senate with the purpose of publicly demanding the surrender by Germany of the record of her crimes without which surrender German salvaging interests expect to press an advantage over the United States and her associates in the war.

Will you permit such advantages to be overlooked? As stated above, Secretary Redfield advises us that he knows of no present plans to get the information contained in the reports of submarine crews. Will you please advise us what can be done?

Respectfully, yours, CLYDE S. THOMAS.

BRITISH SHIPPING (S. DOC. NO. 335).

Mr. FLETCHER. I have here a very interesting article on the subject of the problem of British shipping, by Sydney Brooks, published in the Nineteenth Century for December. It discusses the whole question of British shipping, which necessarily involves the shipping of other countries and world shipping. It is a very able discussion of the subject, and I ask unanimous consent to have it printed as a public document. I have complied with the law and submit an estimate of the cost with this application.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

SOLDIERS' MAIL.

Mr. SHAFROTH. I present to the Senate a letter written by Newton D. Baker, Secretary of War, inclosing a communication from Gen. Goethals and also a cablegram from Gen. Pershing relative to the transportation and delivery of mail to and from the Expeditionary Forces in France. I ask that the letter and accompanying papers be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
Washington, January 9, 1919.

Hon. JOHN F. SHAFROTH,
United States Senate.

MY DEAR SENATOR SHAFROTH: Some days ago you called my attention to comments which were current with regard to irregularity in the mail service between the United States and the soldiers of the American Expeditionary Forces, and I told you I was then having an examination made into the matter and would be glad to place the results of the examination in your hands. I now have pleasure in handing you a cablegram from Gen. Harbord, commanding general of the services of supply in France, and a report from Maj. Gen. Goethals covering the collection and dispatch of mail in the United States intended for our Expeditionary Forces abroad. Neither of these reports undertakes to examine into individual complaints with regard to delayed or irregular mail service. Both are in response to a direction from me that a summary examination of the entire situation should be made on the two sides of the ocean. They therefore deal with the volume of mail matter and the speed with which it is handled.

It is, of course, entirely obvious that there is no question of divided responsibility in this matter. The War Department and the Army undertake the distribution and collection of mail in France. The Post Office Department delivers the mail to us here in New York and receives it from us at the ports of embarkation in France; its services are helpful and expeditious, and whatever delays there are grow out of the essential situation in France as described in Gen. Harbord's cablegram. I am particularly anxious to have it understood, therefore, that the Post Office Department is helpful and that the War Department does not feel that any difficulties are attributable to the postal service operated by that department.

I do not think it would be helpful to restate in altered phrase the difficulties pointed out by Gen. Harbord. They are, however, very real, and the difference between the situation of an army in actual conflict in a disturbed area and in a country the transportation facilities of which are taxed to the utmost, and such a service operated in a settled country like our own, is very great. The change of location and designation of units, the shifting of personnel, the necessary secrecy of military movements, inadequate transportation facilities, absorption of attention upon military operations are all elements which must be taken into account, while, as is pointed out in the report of Gen. Goethals, obscure and inadequate addressing and the usual difficulties of mail dispatch here apply with equal force to mail intended for our overseas troops.

I have been, of course, constantly in contact with this situation. I studied it on the occasion of my first trip to Europe, in March, 1918, and as a result of that trip worked out with the Postmaster General the arrangement whereby the entire responsibility for the service in France passed from the Post Office Department to the Army. I later restudied the question in September, 1918, when the new Army system was fairly well organized and constantly improving. Now that the armistice has brought about the suspension of hostilities, undoubtedly the improvement will be even more marked and rapid, except as further elements of difficulty are introduced by the presence of a substantial part of the American Army on German soil, into which railroad and other transportation facilities are extremely limited, and by the return of soldiers to the United States, which will add to the movement of the troops as they progress from the interior of France to the seaboard and are embarked for their journey home.

I have not attempted to deal with individual instances which have come to your attention or to mine. There are very many of them; some of them seem quite impossible of explanation. Many of them, upon narrow inquiry, turn out to be mistakes for which the system installed is in no way responsible; some of them undoubtedly are due to failures on the part of employees promptly and efficiently to perform their duties; but the system is under constant supervision and its employees are becoming daily better trained, and the improvement will be manifest.

In the meantime, it is only just to Gen. Pershing and Gen. Harbord and Gen. March and Gen. Goethals to say that each of them has appreciated profoundly the importance of regularity in the mail, both as a matter of justice to the soldier and his family and as a matter of efficiency in the Army, and all of these officers have given the matter constant attention, with a view to overcoming the difficulties and improving the service.

Cordially, yours, NEWTON D. BAKER,
Secretary of War.

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JANUARY 6, 1919.

Memorandum for the Chief of Staff.

Subject: Examination of mail destined for the American Expeditionary Forces.

1. In accordance with your instructions of December 28, 1918, the commanding general port of embarkation, Hoboken, N. J., was directed to make the check of mail destined for the American Expeditionary Forces, and his examination of first and second class mail covered a period of one week—from December 27, 1918, to January 2, 1919, both dates inclusive. During this period, 1,552 sacks of first-class mail and 10,474 sacks of second-class mail were received from the terminal and dispatched to the American Expeditionary Forces. From these sacks there were examined 788 letters and 715 prints, which had been sent from all parts of the United States. The bundles from which the mail was taken were prepared for delivery to the ship's side within three hours of call from the officer in charge of the dispatch of mail at Hoboken.

2. The following is a summary of the number of days required for the transmission of mails from time of postmark in several sections of the country to time of delivery by post-office authorities to the Army authorities at Hoboken.

	First-class mail.		Second-class mail.	
	Average days.	Longest time.	Average days.	Longest time.
Pacific coast	6½	13	8	12
Montana to Texas	5	7	6½	10
West of Mississippi and Southern States	3¾	6	6½	11
Chicago, Ohio, and West Pennsylvania	1¾	13	3½	6
Balance of eastern States	1¼	3	2½	4

3. From the time of mailing to the time of delivery to the military authorities at Hoboken all mail is in the hands of the Post Office Department. All classes which are marked for the American Expeditionary Forces are shipped by the Post Office Department to the Chelsea Terminal, which occupies the entire second floor of Pier 86, North River. At this point it is sorted and marked for the various organizations in France for which intended, and is delivered by the Post Office Department to the military authorities when called for for loading on steamers. The time that the mail is in the hands of the military authorities at Hoboken until the departure of the steamer varies from one to three days, except in the unusual cases where sailings may be delayed on account of unforeseen circumstances, as, for instance, an accident may happen to a ship to defer sailing, or in some cases it is necessary to transfer mail from a ship on which it has already been loaded. A close liaison has been established between the postal office at Chelsea Terminal and the officer in charge of the mail at Hoboken, in order to eliminate delays in the delivery of mail to ship's side. Mail is loaded on the ship as soon as it is received from the Post Office Department.

4. It will be noted that the week during which this examination of mail was made was during the holiday season and followed the season of the year when the mail service over the whole country is taxed with unusual quantities of mail. Notwithstanding this condition, the average time required for deliveries would not, in any case, appear excessive, and the maximum time consumed is believed to be due entirely to the heavy holiday conditions.

5. From information obtained at Hoboken, it is believed that one great cause of delay in the delivery of mail to the American Expeditionary Forces has been due to the change in designations of organizations after arriving in France, and in a great many individual cases in the transfer of individuals from one organization to another. As mail is made up in the Chelsea Terminal in accordance with the designations of organizations as addressed, and as reports of changes in organizations are sometimes slow in reaching that terminal, delays which can not be corrected are bound to occur. As soon as changes in the designations are received the postal authorities make corrections as far as possible in the markings on their packages before they go overseas. Another cause of delay, both in the Chelsea Terminal and, no doubt, in the delivery of mail in France, is due to the illegibility of addresses, to straighten out which the services of a force of men are constantly necessary. Delay is also caused by the sending of casuals overseas and the time necessary to locate those men in definite organizations to which their mail may be forwarded. Detailed information on this subject is contained in report, inclosed herewith, of the officer in charge of mail at Hoboken, which sets out at greater length the result of examination made of the mail.

GEO. W. GOETHALS,
Major General, Assistant Chief of Staff, Director of Purchase, Storage and Traffic.

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[Cablegram.]

Received at the War Department January 1, 1919.

From: H. A. E. F.
To: The Adjutant General, Washington.
No. 2022. December 31. Confidential.

For the Chief of Staff.

Paragraph 1. Reference X377, following report is submitted: During the month of November there were received from the United States 66,614 sacks of mail in 15 shipments.

Subparagraph A. The average time for the transmission of this mail between the United States and base ports in France was 12 days; the average interval of time between shipments was two days; and the average time of unloading and shipping mails complete from base ports was three days. The time indicated as required for the handling of mail at base ports applies to all classes of mail and is figured from hour of arrival of ship until hour of departure of last sack of mail. All first-class mail, however, is cleared from base ports in 24 hours. During this period mail is unloaded, sacks are checked for accuracy of direction, and mail is transported to station and loaded on trains.

Subparagraph B. The average time for the carrying of mail between base ports and the headquarters, S. O. S. was two days; and between base ports and general headquarters was four days; and between base ports and Nancy, which is selected as typical point in the advance areas where scheduled rail service ceases, was five days.

Subparagraph C. At points in the advance areas and occupied territory beyond Nancy and similar rail heads, where there are no scheduled train movements and dependence must be made on irregular moving supply trains and trucks, no accurate statistics can be compiled, but the time of transmission may be estimated as from 2 to 10 days, varying with the weather and road conditions, amount of transportation available for movement of mails, and upon the movement and distance from rail heads of the units for whom mail is intended. All transmission of mail in France is delayed by the irregular train service resulting from war conditions, such as the constant shifting of large bodies of troops and deliveries of required supplies, by the limited number of cars for the transportation of mail that can be secured from the French railroad authorities, and by the fact that much mail must be shipped by freight schedule to obtain delivery.

Subparagraph D. During the month of November the time of transmission of outgoing mail from combat troops to points in the advance areas, where scheduled train movements began, was from 2 to 10 days, dependent upon conditions, as indicated in preceding paragraph. From these advance points, such as Nancy, to the port of debarkation, the average time of transmission was five days.

Subparagraph E. Pursuant to cablegram A–1331, paragraph 1, all mail from the American Expeditionary Forces intended for delivery to United States is turned over to the United States civil postal service at certain ports designated by them, after which responsibility of military postal service ends. During month of November 13,570 sacks of mail from members of the American Expeditionary Forces were delivered to civil postal authorities; and the latter reports this was forwarded to the United States in seven shipments, average time between shipments four days. For comparison, shipment of mail from American Expeditionary Forces to United States during the month of October was 10,917 sacks.

Subparagraph F. Pieces of mail handled in Army post offices during November total 90,467,929, estimated on basis of 40 letters to a package and 58 prints to a sack.

Subparagraph G. From Postal Express Service statistics for December, which are not complete, the following information is available: Received from United States, including Christmas packages, 123,981 sacks of mail. Aside from that forwarded by regular railway mail facilities, this bulk was dispatched to destinations in 174 separate car shipments, no car of which has been longer than eight days en route to destination. There has been delivered to the civil postal authorities for dispatch to United States from December 1 to December 24 19,896 sacks of mail, and the civil postal officials report that this was dispatched in nine shipments; average time between shipments three days.

Subparagraph H. Control by the military authorities of the Army postal service in France was authorized by cablegram A–1331, paragraph 1, dated May 18, 1918, and was completely assumed July 1, 1918, the month of June being occupied in the details of transfer of control and the organization of a military postal service. The strength of the United States civil postal service operating in zone of American Expeditionary Forces was approximately 300, and of these 50 selected clerks were commissioned in or employed by the military postal service. From this nucleus this service has been expanded to its present strength of 140 officers and 3,700 enlisted men, exclusive of companies' mail orderlies.

Subparagraph J. On July 1 the strength of the American Expeditionary Forces was approximately 900,000, and on November 30 its strength was approximately 1,800,000, the average monthly rate of increase from July 1 to November 1 being about 260,000. From July 1 to November 11 a great portion of these forces were engaged in active operations, which necessitated frequent, rapid, and secret movement from one sector of the battle line to another; and since November 11 continued shifting of organizations has been required by posting of an army of occupation and the withdrawal of remaining combat troops to locations better suited for their habitation than the devastated battle area.

Subparagraph K. All these required movements, together with the necessity of maintaining an uninterrupted supply of food, ammunition, and replacements to units, has limited the amount of transportation available for strictly mail purposes. Despite these conditions, the service has been improved by the establishment of over 80 additional Army post offices and railway mail service, which now consists of 28 lines, covering 14,000 miles. The average daily number of changes of status of individuals of the American Expeditionary Forces that might possibly affect the delivery of mail to individuals has totaled between 30,000 and 80,000, and these changes necessitate more readdressing of mail daily than it is estimated is required of the combined post offices of New York State.

Subparagraph L. That certain deficiencies in the postal service of the American Expeditionary Forces should develop was inevitable, and every effort has been made to correct these as rapidly as possible. When one considers, however, the comparatively short time military postal express service has been in operation and the magnitude of the task of organizing and operating this service under modern war conditions, and in a country whose transportation facilities have been strained to the utmost in order to meet its own war requirements, it is considered that what has been accomplished is a creditable record of achievement, and, due to the changed conditions and the consequent diminution of movement of troops, it is further believed that the service will now show marked improvement.

PERSHING.

RAILROAD RATES.

Mr. GRONNA. I have received a number of complaints from commercial clubs in my State. I have their letters, but I shall not present all of them to the Senate. However, I have a copy of a letter addressed to the Director General of Railroads and also to the secretary of the Interstate Commerce Commission showing how ruinously, I might say, the rules have been enforced and the rates increased and how they affect the small jobbing centers. I ask that the letter be printed in the RECORD.

There being no objection, the letter referred to was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

BISMARCK, N. DAK., *December 27, 1918.*

Hon. W. G. MCADOO,
Director General of Railroads, Washington, D. C.
Hon. G. B. MCGINTY,
Secretary Interstate Commerce Commission, Washington, D. C.

GENTLEMEN: We are informed that the Director General of Railroads has submitted for the consideration of the Interstate Commerce Commission, State railroad commissions, and shippers tentative schedules of uniform class rates for application in various parts of this country, including one designated the standard scale of class rates for 100 per cent western territory, which includes North Dakota, and which, therefore, vitally affects the present interests and future welfare of our city as a jobbing and manufacturing center.

This matter has been carefully considered by the traffic committee of our organization, and they have directed me to transmit the following statement relative thereto:

The application of the 100 per cent western class rates to our business with no simultaneous advance in the specific or overhead rates from the Twin Cities would be disastrous to our jobbers and manufacturers. A careful check of rates shows that if the 100 per cent scale were made effective the jobbers at the Twin Cities could deliver the principal commodities of commerce to practically all points within a hundred-mile radius of Bismarck at a less freight cost than our jobbers could take delivery of solid carloads and ship to such nearby territory in less-than-carload quantities. Such an adjustment of rates we believe to be unlawful and in violation of the act to regulate commerce. Rates so constructed would encourage the waste of transportation facilities present in long less-than-carload movements as compared with carload movement to jobbing centers in consuming territory and short less-than-carload hauls to ultimate destination.

Any schedule of rates which produces waste of transportation facilities must be rejected alike by the Railroad Administration, the Interstate Commerce Commission, and all shippers who regard the conservation of transportation facilities and the proper solution of national problems as of greater consequence than some immediate personal gain or loss.

The discriminations in favor of the Twin Cities which would result from applying the 100 per cent scale to North Dakota traffic are the result of large increases in all rates, and especially the third and fourth classes, with no simultaneous increase from cities outside the State. We can see no excuse for such preferential treatment of the Twin Cities, Duluth, Chicago, etc. As a matter of fact, we are unable to find any sound reason for applying rates 33⅓ per cent higher in North Dakota than are simultaneously applied within Minnesota and for exempting interterritorial rates from any change. Traffic conditions in 75 per cent and 100 per cent territories and between those territories as far as North Dakota is concerned are substantially similar, and the proposed rate treatment is in all respects unjust as to North Dakota and unduly preferential of Minnesota and interterritorial traffic.

The net result of such freight rates would be further concentration of business and industry in our large cities, which is highly objectionable from a transportation, industrial, or sociological point of view. The freight rate schedules now in effect carry many unduly discriminatory rates which should be adjusted before uniform rates on any basis are established.

North Dakota is the only State in western classification territory which has no through commodity rates from trunk line and Central Freight Association territories from which jobbers and manufacturers must procure their supplies. If reasonable and nondiscriminatory freight rates on commodities from these territories to North Dakota were established, there could be no objection to a uniform scale of distributing rates to apply in properly defined zones which would eliminate the discriminations in favor of the Twin Cities, Duluth, Chicago, etc., referred to above.

To make the new 100 per cent scale effective without any adjustment of inbound commodity rates would seriously increase the discriminations from which the cities of North Dakota are now suffering and would threaten the very existence of many jobbing houses and industries.

For all these reasons we most earnestly early urge that the proposed 100 per cent scale of class rates shall not be made effective, and that no modification of the proposed scale shall be established without affording us an opportunity to consider the proposed rates and be heard as to their merits.

Yours, very truly,

THE BISMARCK COMMERCIAL CLUB
SPECIAL TRAFFIC COMMITTEE,
J. P. SELL, *Chairman.*
GEO. N. KENISTON, *Secretary.*

Mr. GRONNA. I also have two brief statements, prepared by the Commercial Club of Bismarck, N. Dak., giving a comparison of the freight costs of jobbing canned goods from St. Paul and Bismarck in territory west of Bismarck on the Northern Pacific Railway. I ask that the statements be printed in the RECORD and referred to the Committee on Interstate Commerce. It is a matter of very great importance not only to the jobbers of my State but to all consumers as well.

There being no objection, the statements were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Comparison of freight costs of jobbing canned goods from St. Paul and Bismarck in territory west of Bismarck on the Northern Pacific Railway.

[Rates in cents per hundred.]

Station.	Distance from Bismarck.	Before June 25.		Since June 25.		Bismarck under 100 per cent scale.
		St. Paul.	Bismarck.	St. Paul.	Bismarck.	
	Miles.					
Sunny	8.9	47.5	54	66.5	67.5	67.5
Lyons	14.2	48	55	66.5	69	68.5
Sweet Briar	21.6	51	58	66.5	72.5	71.5
Judson	27.5	52	59	66.5	74	73.5
Sedalia	30.4	52	60	66.5	75	73.5
New Salem	34	54	60	68	75	73.5
Blue Grass	38.1	55	60	69	75	74.5
Sims	41.2	56	60	70	75	76.5
Felands	42.5	56	61	70.5	76.5	76.5
Almont	46.1	57	61	71.5	76.5	77.5
Curlew	51.7	58	61	73	76.5	78.5
Kurtz	56.7	59	62	74	77.5	79.5
Glen Ullen	63.6	59	63	74	79	80.5
Eagle Nest	69.1	60	64	75.5	80	80.5
Hebron	76.1	61	65	76.5	81.5	82.5
Knife River	79.6	61	65	76.5	81.5	82.5
Antelope	85	62	66	78	82.5	84.5
Richardton	91	62	67	78	84	85.5
Taylor	96.5	63	67	79	84	86.5
Boyle	101.3	63	69	79	86.5	87.5
Lehigh	110.9	64	70	80.5	87.5	89.5
Dickenson	115.5	65	70	81.5	87.5	89.5
Kland	119.5	65	70	81.5	87.5	89.5
Zenith	130.6	66	72	83	90	92.5
Fryburg	141.1	67	73	84	91.5	94.5
Scoria	150.4	68	74	85	92.5	95.5
Rider	160.7	69	74	86.5	92.5	98.5
Sentinel Butte	171.7	70	76	88	95	100.5
Beach	180.1	71	76	89	95	100.5

NOTE.—A large proportion of the canned goods consumed in this territory is produced in territory east of St. Paul and the carload rates to St. Paul are the same whether the car goes on to a Bismarck jobber or into a St. Paul jobbing house. The difference in freight cost beyond St. Paul represents the relative jobbing freight-rate advantage.

Bismarck rates represent fifth class, St. Paul to Bismarck, plus fourth class Bismarck to destination.

St. Paul rates are fourth-class rates St. Paul to destination.

Comparison of less-than-carload rates.

Distance.		1	2	3	4
25 miles	100 per cent scale	33	28	23	20
	Present rates	25	21	17.5	15
	Increase	8	7	5.5	5
	Increase per cent	32	33.3	31.4	33.3
	June 24 rates	19	16	13	10
	Increase	14	12	10	10
	Increase per cent	73.7	75	76.9	100
50 miles	100 per cent scale	43	37	30	26
	Present rates	30	32.5	25	20
	Increase	4	4.5	5	6
	Increase per cent	10.3	13.8	20	30
	June 24 rates	31	26	20	16
	Increase	12	11	10	10
	Increase per cent	38.7	42.3	50	62.5
75 miles	100 per cent scale	51	43	35	31
	Present rates	47.5	40	31.5	24
	Increase	3.5	3	4.5	7
	Increase per cent	7.4	7.5	14.3	28.1
	June 24 rates	38	32	25	19
	Increase	13	11	11	12
	Increase per cent	37.1	34.3	44	63.1
100 miles	100 per cent scale	58	49	41	35
	Present rates	54	46.5	35	27.5
	Increase	4	2.5	6	7.5
	Increase per cent	7.4	5.4	17	27.3
	June 24 rates	43	37	28	22
	Increase	15	12	13	13
	Increase per cent	35	32.5	46.5	59
125 miles	100 per cent scale	65	56	46	40
	Present rates	60	51.5	40	30
	Increase	6	4.5	6	10
	Increase per cent	10	8.7	13	33
	June 24 rates	48	41	32	24
	Increase	18	15	14	16
	Increase per cent	37.5	33.6	43.6	65
150 miles	100 per cent scale	73	62	51	44
	Present rates	66.5	56.5	44	34
	Increase	6.5	5.5	7	10
	Increase per cent	9.7	9.7	15.9	9.4
	June 24 rates	53	45	35	27
	Increase	20	17	16	17
	Increase per cent	37.7	37.7	45.7	62.9
175 miles	100 per cent scale	82	70	57	49
	Present rates	72.5	61.5	47.5	36.5
	Increase	9.5	8.5	9.5	12.5
	Increase per cent	13.1	13.8	20	36.9
	June 24 rates	58	49	38	29
	Increase	24	21	19	20
	Increase per cent	41.3	42.8	50	68.9
200 miles	100 per cent	88	75	62	53
	Present rates	79	67.5	52.5	40
	Increase	9	7.5	9.5	13
	Increase per cent	11.3	11.1	18.1	32.5
	June 24 rates	63	54	45	32
	Increase	25	21	20	21
	Increase per cent	39.6	38.8	47.6	65.6

AFFAIRS IN GREECE.

Mr. SMOOT. I have a telegram from the Hellenes of Utah, in the form of a petition, praying for the freedom and independence of Greece, which I ask be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. It will be so referred.

Mr. SMITH of Arizona. Mr. President, although the printing of certain matter in the RECORD has been voted down by the Senate on several occasions, I should like to emphasize the propriety of the course pursued by the Senator from Utah. There is no need of printing all such telegrams and letters in the CONGRESSIONAL RECORD. It is costing more money than Senators conceive of. The Senator from Utah and I attempted, until the Senate voted us down on the proposition, to prevent the printing of matter in the RECORD that had no more business there than upon any man's private desk.

I submit it to the Senate and suggest that Senators do all they can to prevent this miscellaneous publication in the RECORD, for it is costing an enormous amount of money and nobody reads it except the party who sent it, to whom a copy of the RECORD may be sent to show that it has been printed. My motion to stop such publications has been voted down several times by the Senate, and Senators can do as they please about it. I am only doing it for the purpose of saving the money, the paper, and the expense. They are now asking 80 cents an hour to print the CONGRESSIONAL RECORD. There is a constant raise in pay in every department of printing, and we are piling on the Government an enormous expense in printing a lot of nonsense. I wish the Members of the Senate would take notice of the expense it is costing the Government and act accordingly.

RELIEF OF EARTHQUAKE SUFFERERS.

Mr. SAULSBURY. I present a petition from the Senate of Porto Rico asking that our Government shall assist the government of Porto Rico in looking after the welfare of the earthquake sufferers. I do not know whether this is the only petition which has been sent to our Government or not, but I think it has not been published in the RECORD, and this should perhaps be printed in the RECORD, being from the Senate of Porto Rico on a governmental matter. I therefore make that request.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

A RESOLUTION PRAYING THE CONGRESS OF THE UNITED STATES FOR AID FOR THE VICTIMS OF THE EARTHQUAKES.

Whereas the people of Porto Rico, by reason of the recent earthquakes, suffer the consequences of the almost total destruction of several important towns of the island; and

Whereas such seismic phenomena have brought about the complete ruin of many families, who are now in misery; and

Whereas the insular government, in order to meet the most urgent necessities occasioned by the said phenomena, has appropriated about $1,000,000 from its scant resources for restoring and reconstructing buildings and public works and to aid the victims of said earthquakes; and

Whereas the people of Porto Rico have found it necessary to pledge its credit by the issuance of bonds and to suspend the enforcement of important laws, which carries with it serious inconveniences and delays, particularly with reference to public works urgently and imperatively required for the development and progress of the country; and

Whereas the Governor of Porto Rico, in his message in the legislature, estimates the damage caused by the earthquakes as amounting to over $3,000,000, an estimate which is generally considered very much lower than the actual damages, and, furthermore, the country has exhausted all its resources, already affected by the meritorious manner in which it contributed to the victory of the United States, which have so brilliantly defended the cause of liberty, justice, and democracy of the world; and

Whereas magnanimous France, momentarily setting aside her overwhelming problems, associated herself with this people in their suffering and has come forward with material aid for the relief of the victims of the earthquakes, and such noble example has been followed by other nations; and

Whereas the generosity shown by the glorious American Nation toward the Old Continent in aid of the indigent poor in times of terrible anxiety and her chivalrous protection given Martinique when the latter was devastated by the last volcanic eruption of Mount Pelee can not be forgotten: Now, therefore, be it

Resolved by the Senate of Porto Rico, That the cooperation of the Congress of the United States be, and the same is hereby, petitioned efficiently to render aid to the aforesaid victims by appropriating a sum to be covered into the treasury of Porto Rico and to be disposed of by the Legislature of Porto Rico as the Congress may direct; and be it further

Resolved, That a printed copy of this resolution be transmitted to the President and to each Member of the House of Representatives and of the Senate of the United States and to the Resident Commissioner for Porto Rico in Washington.

I, Eugenio Astol, acting secretary of the Senate of Porto Rico, do hereby certify that the preceding resolution is a true and correct copy of senate resolution 13, adopted by the Senate of Porto Rico at San Juan, P. R., this 7th day of December, 1918.

[SEAL.] EUGENIO ASTOL.

Acting Secretary of the Senate.

CLAIMS AGAINST MEXICO.

Mr. KING. I have received a number of letters and petitions in view of the resolution which I offered a few days ago asking the State Department to furnish certain information relative to

the claims of American citizens against the Republic of Mexico. As a type of one of the letters I shall send to the desk, but shall not ask to have read or put in the RECORD, a letter which I move be referred to the Committee on Foreign Relations. It is a letter from Chief Justice Bartch, formerly of the Supreme Court of the State of Utah, referring to these claims and to the indignities and outrages to which American citizens have been subjected.

The VICE PRESIDENT. The letter will be referred to the Committee on Foreign Relations.

DISTRICT AND LOCAL DRAFT BOARDS.

Mr. KING. I have received a large number of petitions from district and local boards praying for legislation conferring upon them some sort of military rank. I have also received a number of letters protesting against conferring any sort of recognition upon them. I send to the desk and ask to have referred to the Committee on Military Affairs two types of the communications that I am receiving.

The VICE PRESIDENT. The letters will be referred to the Committee on Military Affairs.

COMMISSIONS IN THE ARMY.

Mr. KING. I have also received a great many letters in reference to the action of the War Department in promulgating a letter on the 11th day of November which in effect prohibited the granting of any further commissions in the Army or granting commissions to those who had been recommended. As a type of the hundreds of letters that I have received protesting against the order of the Secretary of War and urging that some sort of legislation should be enacted if necessary in order to remove this evil, I send to the desk the following letter and ask to have it referred to the Committee on Military Affairs.

The VICE PRESIDENT. It will be so referred.

GOVERNMENT OWNERSHIP OF RAILROADS.

Mr. McKELLAR. Mr. President, I offer for the RECORD without reading, resolutions of the County Quarterly Court of Davidson County, Tenn., upon the question of Government ownership of railroads, and ask that they may be printed in the RECORD and referred to the Committee on Interstate Commerce.

The VICE PRESIDENT. Without objection, that course will be taken.

The matter referred to is as follows:

STATE OF TENNESSEE, *Davidson County:*

County quarterly court of said county met pursuant to adjournment at the courthouse in Nashville Tuesday afternoon, January 7, 1919. Present and presiding his honor Litton Hickman, judge and chairman, and a quorum of the justices of the peace, when, among other things, the following proceeding was had, to wit:

Title: A resolution by the Davidson County Court opposing any further centralization of power through the ownership by the Government of the public utilities of the Nation.

The following resolution was offered by Esquires Douglas, Dorris, and Coode:

"Be it resolved by the quarterly county court of Davidson County, Tenn., in quarterly session assembled:

"Whereas in accordance with an act of Congress the Hon. Woodrow Wilson, President of the United States, by various proclamations did take from private ownership and put under Government management and control railroads, telegraph lines, and telephone facilities of the United States of America; and

"Whereas it was the evident purpose in taking over these various public utilities at the time to so conduct them that the great war that was being fought by the allied nations of the world against the central powers could be conducted in a more efficient manner by laying aside the rights of each individual and of each corporation and making them subservient to the winning of the war; and

"Whereas now that the armistice has been entered into and peace negotiations are in progress, rendering that community of purpose unnecessary; and

"Whereas the Hon. Woodrow Wilson, President of the United States, in a personal address before Congress has plainly stated to Congress that he has no solution to offer so far as the future of the railroads of America are concerned and looks to Congress to formulate plans for the future guidance in these matters; and

"Whereas Congress in its wisdom may adopt the plan of some who favor Government ownership, or, on the other hand, it may look to the country for guidance and for instructions as to how best to proceed; and

"Whereas the Davidson County Court is elected for the purpose of conducting the affairs of Davidson County in such a way as to promote health, wealth, and happiness of those residents living within its boundaries; and

"Whereas the members of the Davidson County Court, elected by the people to represent the interests of the people, believe that Government ownership of public utilities is undesirable, but that some method should be adopted by Congress authorizing the return of the railroads, telegraph, and telephone properties in the near future to their rightful owners, but under such Government supervision as will protect the interests of the general public in so far as the interests of the general public relate to these public utilities; and

"Whereas the Davidson County Court desires to be put strictly on record as having opposed the centralization of power, believing that this one fact did more to destroy the harmony of nations than did any other one given thing: Therefore be it

"Resolved by the Davidson County Court in quarterly session assembled, at its January term, 1919, That it hereby declares itself unalterably opposed to any effort by the Congress of the United States looking to any greater centralization of power than existed prior to the war of 1914–1918; and be it further

"Resolved, That this court, through its Representatives in Congress, petition the Congress of the United States to return, by legislative enactment, to private ownership those public utilities that were taken over by the United States Government as a war contingency; and be it further

"Resolved, That the Davidson County Court favors the enactment by Congress of the United States of such measures of Government supervision as will protect the interests of the general public against the unscrupulous dealings of either capital or labor in the management or the operation of the public utilities of the Nation; and be it further

"Resolved, That a copy of this resolution be spread upon the minutes of this court and additional copies be sent to the Hon. JOSEPH W. BYRNS and to the two United States Senators, Senators MCKELLAR and SHIELDS.

"S. G. DOUGLAS (chairman).
"JNO. COODE.
"F. M. DORRIS."

Moved and seconded that the foregoing resolution be adopted.

A true copy.

ROMANS HARLEY, *Clerk.*

ARMY IDENTIFICATION.

Mr. McKELLAR. Mr. President, I wish to call the attention of the Senate to an article in the Memphis Commercial-Appeal of Tennessee of January 10, in which the statement is made that it is proposed by the War Department to abolish all marks of divisional pride. I quote from that statement the following:

It is also declared that soldiers must leave off Army and division identification marks—

I am speaking now of overseas soldiers.

If this is true, it means the First Division must rip off those meaningful figures—ones from their left shoulders—the Rainbows must drop that scrambled-egg semicircle, the immortal Second must abandon the picturesque star and Indian head, the Seventy-seventh must put away its Statue of Liberty, and all other tags of identification must depart. The striking big, black letter A, which designated Liggett's first army during the days of Argonne, would doubtless be included in the order, along with the gorgeous red, white, and blue targets which the Third Army of Occupation sports on its shoulders.

Mr. President, I am going to ask permission to have the whole article inserted in the RECORD, with the statement that I do not for a moment believe the War Department would make such an order as to the soldiers who have served abroad. I am quite confident that the department does not contemplate making any such order; but, to be on the safe side, I am asking to have this article inserted in the RECORD, together with a letter from Mr. Charles E. Morrow, of Memphis, Tenn., who has called it to my attention, and I do so for the purpose of protesting even against any such contemplated action.

I might say that the letter largely goes to the proposition of a resolution that I offered several days ago, which has been reported favorably to this body by the Committee on Military Affairs, calling upon the Secretary of War to report as to overseas promotions, in view of this body taking such action with reference to the report after it comes in as may be necessary. I therefore ask that both the letter and the article be printed in the RECORD as a part of my remarks.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

MEMPHIS, TENN., *January 11, 1919.*

Hon. KENNETH MCKELLAR,
United States Senate, Washington, D. C.

MY DEAR SENATOR MCKELLAR: The inclosed article appeared in the Commercial Appeal of yesterday, and knowing your interest in the soldier boys I am sending it to you fearing you may not have seen it. Of course, it may be that this is merely idle rumor sent over by the correspondent to fill space, but if there is any foundation for the story I think it very small business on the part of the authorities and calculated to expand the disappointment and discontent that I hear so much of every day. It does seem to me that if there was ever any excuse for pinning the tags onto the combat forces who bore the brunt of the fighting that they should be permitted to wear them home and until after they are mustered out. Scarce a day passes now that young officers who have seen the hot fighting and have been mustered out drop in to see me, and while they are commendably cautious in their criticism they nearly all find it difficult to conceal their disgust that they find themselves bowing and saluting captains and majors who entered the service after these boys had been fighting for months, and find that they are just where they started as far as their commissions are concerned, and the men who were never outside of the camps on this side have received high office.

Yesterday a young second lieutenant who was shot through the groin at the battle of Soissons and has been in the hospital practically ever since, but is now discharged from the service, came in to see me and was commenting upon the fact that he had met a friend of his who had used every effort to dodge the draft but was finally caught, finally landed in a camp, and came out a major though he had never been out of this country, while this boy who had fought and suffered was mustered out just where he went in, a second lieutenant, notwithstanding when his command was shot to pieces and the commanding officer in requesting replacement officers asked that no men above the grade of second lieutenant be sent him as he wished to promote some of his second lieutenants. No men were sent below the grade of first lieutenant so that the seconds were left where they were, and he for one was mustered out just where he went in. He said he was going to get out of his uniform to-day, and it was the last time he ever expected to be seen in one. This is not the spirit these men should have and probably would not be if they felt that justice had been done them. I think that all of the young officers who are now with the army of occupation

who saw the worst of the fighting should be advanced in grade, not only for the honor but for financial reasons, as these men being kept over there so long after the others have been sent home will find on their return that the positions they filled in civil life will have been filled by the earlier arrivals and the patriotic spirit of the employers will have cooled down, if not died out entirely, and these men will find it difficult to secure their old jobs or get new ones.

I am writing you regarding this matter knowing your interest in these boys and with the hope that such presentment may be made to the proper officials as will correct what they seem to regard as a great injustice; I take it, of course, that the high command know their business, but they may not be familiar with the sentiment of the people at home who look at the thing from a common-sense point of view rather than a military one.

Very sincerely, yours, C. E. MORROW.

[From the Memphis Commercial Appeal.]

MAY ABOLISH MARKS OF DIVISIONAL PRIDE—REPORTED THAT OVERSEAS INSIGNIA MAY BE ORDERED OFF—WOULD DROWN SENTIMENT—OVERSEAS HEROES MAY BE FORCED TO REMOVE OVERSEAS CAPS AND SAM BROWN BELTS ON RETURN TO STATES—MANY WILL WEAR FOREIGN DECORATIONS FOR HEROISM.

[By Damon Runyon, Universal Service staff correspondent.]

WITH THE AMERICAN ARMY OF OCCUPATION AT COBLENZ, *January 9.*

According to reports printed over here, American officers and soldiers returning to the United States will not be permitted to wear many little items of apparel which will distinguish them as members not only of the overseas forces but of combat divisions.

It is said that officers can not wear Sam Brown belts, trench overcoats, or overseas caps. This seems to the writer not only rather absurd but a real hardship upon the officers.

The most of them will leave the Army as soon after their return as it is possible to do so. Few of them have any other coats than trench coats. This is especially true of those who put in most of their time on the fighting line. Not many of them have other headgear than overseas caps. The order means that they will have to go to the additional expense of buying new equipment, which they will be putting away in a few weeks, or perhaps days. Many of them, too, will have to buy new tunics if they abandon their Sam Brown belts, because months of wearing have either left indelible marks where leather came into contact with cloth or worn it out altogether.

It is also declared that soldiers must leave off their Army and division identification marks. If this is true, it means the First Division must rip off those meaningful figure ones from their left shoulders; the Rainbows must drop that scrambled-egg semicircle; the immortal Second must abandon the picturesque star and Indian head; the Seventy-seventh must put away its Statue of Liberty, and all other tags of identification must depart. The striking big black letter "A" which designated Liggett's First Army during the days of Argonne would doubtless be included in the order, along with the gorgeous red, white, and blue target which the Third Army of Occupation sports on its shoulders.

Abolishing their various marks is not a matter of great importance as compared to the other proposition, but it would be a shame if the people of the States do not get to see their soldiers as they are now, not as they are refurnished by some one whose ideas may be sound enough from a military standpoint, but who obviously lacks sentiment.

Soldiers like little touches to their uniforms, such as divisional marks. They are very proud of them. Moreover, it is very convenient, because its easy to identify a man's outfit at a glance. It seems to us that officers and men ought to be permitted to come home just as they are. There is one thing that nobody will deny them wearing—that's their rewards for valor. Many a man will have a distinguished-service cross and the Croix de Guerre across his chest when he lands in America. Some of them have Legions of Honor and various British decorations, too. It will be pretty hard to disguise them by any order in such a way that they'll look anything but their true characters as members of divisions that won the war.

REPORTS OF COMMITTEES.

Mr. FLETCHER, from the Committee on the Judiciary, to which was referred the bill (S. 4603) to further protect interstate and foreign commerce against bribery and other corrupt trade practices, reported it with amendments.

Mr. HARDING, from the Committee on Naval Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 3063) for the repair, preservation, care, and future maintenance of the restored historical naval brig *Niagara*, Commodore Oliver Hazard Perry's flagship in the Battle of Lake Erie (Rept. No. 642); and

A bill (S. 4261) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade (Rept. No. 643).

THOMAS CAMPBELL.

Mr. CHAMBERLAIN. On December 20, 1918, the bill (H. R. 1873) for the relief of Thomas Campbell was received from the House and referred to the Committee on Post Offices and Post Roads. This was an erroneous reference. I ask that the Committee on Post Offices and Post Roads be discharged from the further consideration of the bill and that it be referred to the Committee on Military Affairs, which has proper jurisdiction over it.

The VICE PRESIDENT. Without objection, that action will be taken.

HOUSING OF GOVERNMENT EMPLOYEES.

Mr. SAULSBURY. Mr. President, in the nature of a report from a committee, I desire to state that at an informal meeting on Friday last of many members of the Committee on the District of Columbia the question of extending the life of the antirent profiteering joint resolution, which now is in operation in this District, and which will extend until the declaration of peace, was considered by those members of the committee who were present; and it was agreed that it might be advisable for me to make the statement that the sentiment and the feeling of the committee, so far as there represented, was opposed to a further continuance of the provisions of that joint resolution beyond the declaration of peace. It was thought that it might be wise to notify the people of the city of Washington, both landlords and tenants, that the sentiment of that committee as indicated—and it was unanimous, so far as the members were present—was that it would be a good plan to let the joint resolution expire with the declaration of peace and conditions in Washington, so far as the renting of property was concerned, assume a normal condition.

It was also believed that that might be an inducement toward the diminution of the large number of unnecessary clerks believed to be in Washington, and that if it were not made too easy for them to remain they would have a tendency to leave the District. The committee, so far as its members were present and expressed themselves, thought that the whole provisions of that joint resolution should not be extended further than under the existing law.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. SMOOT:

A bill (S. 5317) granting the free use of the mails to Edith Carow Roosevelt; to the Committee on Post Offices and Post Roads.

A bill (S. 5318) granting a pension to Edith Carow Roosevelt; to the Committee on Pensions.

A bill (S. 5319) authorizing the Secretary of War to donate to Brigham City, Utah, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 5320) to promote the administration of military justice by amending existing laws regulating trial by courts-martial, and for other purposes; to the Committee on Military Affairs.

By Mr. SAULSBURY:

A bill (S. 5323) to authorize the Governor of the Territory of Hawaii to acquire privately owned lands and rights of way within the boundaries of the Hawaii National Park; to the Committee on the Pacific Islands and Porto Rico.

By Mr. WARREN:

A bill (S. 5324) granting an increase of pension to Rouser Mettier; to the Committee on Pensions.

By Mr. KNOX:

A bill (S. 5325) to donate a cannon to the city of Erie, Pa.; to the Committee on Military Affairs.

A bill (S. 5326) granting an increase of pension to Daniel Robb; to the Committee on Pensions.

By Mr. NEW:

A bill (S. 5327) granting an increase of pension to John M. Barber (with accompanying papers);

A bill (S. 5328) granting a pension to George A. Bertels; and

A bill (S. 5329) granting an increase of pension to George H. Pennington; to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 5330) granting a pension to Arthur H. Letts (with accompanying papers); to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 5331) granting an increase of pension to George Whitcher (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Arizona:

A bill (S. 5332) for the relief of settlers on Baca Float Grant No. 3, in the State of Arizona (with accompanying papers); to the Committee on Public Lands.

A bill (S. 5333) for the relief of Mrs. W. P. Miller (with accompanying papers); to the Committee on Claims.

By Mr. JOHNSON of California:

A bill (S. 5334) to correct the military record of Jesse E. Smalley; to the Committee on Military Affairs.

By Mr. LODGE:

A bill (S. 5335) authorizing the Secretary of War to donate to the city of Marlboro, Mass., one German cannon or fieldpiece;

A bill (S. 5336) authorizing the Secretary of War to donate to the city of Taunton, Mass., one German cannon or fieldpiece; and

A bill (S. 5337) authorizing the Secretary of War to donate to the city of Worcester, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MARTIN of Kentucky:

A bill (S. 5338) authorizing the Secretary of War, in his discretion, to deliver to each of the several county seats in the State of Kentucky captured German cannon, cannon balls or shells, and gun carriages, condemned United States cannon, cannon balls or shells, and gun carriages; to the Committee on Military Affairs.

DISPOSAL OF GOVERNMENT PROPERTY.

Mr. CHAMBERLAIN. Mr. President, I introduce a bill at the request of the Secretary of War, authorizing the President to sell real or personal property, purchased or acquired by the United States in connection with or incidental to the prosecution of the existing war, and I ask that it be referred to the Committee on Military Affairs. I will state, however, that I am now preparing a bill which will cover not only the property mentioned in this bill, but all surplus property that the Government possesses, so that it may be in the hands of a more centralized body.

The bill (S. 5321) authorizing the President to sell real or personal property purchased or acquired by the United States in connection with or incidental to the prosecution of the existing war was read twice by its title and referred to the Committee on Military Affairs.

RELIEF OF DISCHARGED SOLDIERS.

Mr. VARDAMAN. Mr. President, I send to the Secretary's desk a bill which I ask to have read and referred to the Committee on Military Affairs. I am going to ask the indulgence of the Senate for a few minutes to submit some observations on the subject treated in this bill.

The bill (S. 5322) for the relief of discharged soldiers was read the first time by its title, the second time at length, and referred to the Committee on Military Affairs, as follows:

Be it enacted, etc., That there shall be paid to each honorably discharged enlisted man and officer of the Army who served with the American Expeditionary Forces abroad, who may have served not less than 60 days between April 6, 1917, and January 1, 1919, the total sum of $216, in six equal monthly payments, as a gratuity, and that there shall be paid to each honorably discharged enlisted man and officer of the Army who served in the United States, who may have served not less than 60 days between April 6, 1917, and January 1, 1919, the total sum of $180, in six equal monthly payments, as a gratuity, the first of such payments to be made at the time of his discharge, or within 30 days after the approval of this act where such enlisted man or officer has been heretofore discharged, payments to be made under the direction of the Secretary of War: *Provided*, That a total of not exceeding $216 and $180, respectively, shall be paid to any discharged soldier, irrespective of the number of times discharged.

Mr. VARDAMAN. Mr. President, I have often said that the only light which we have to guide our uncertain footsteps through the darkness of the future shines out from the experiences and trials of the past; but present conditions are so unlike and dissimilar to conditions that ever existed before in the world's history that I am unwillingly driven to the conclusion that what has happened in the immediate past furnishes no reliable guide or suggestion as to what may happen in the immediate or remote future. The world is mad, crazed with a blood lust and greed for gain, a kind of Cæsarean mania seems to have taken possession of the brains of some men ambitious for world power, and, taking it all in all, the moral viewpoint has changed and the national and international sense of justice altogether distorted.

There is much truth in the suggestion made by a writer, whose name I can not now recall, that "Nineteenth century civilization has broken down. There is a collapse of human moral energy, a revival of the primitive barbaric instincts and the fierce endeavor to have one's little private will by force * * *. Through all this seething chaos run evil currents of intrigue after intrigue, monarchical, bolshevist, financial, imperialistic, particularist, clerical, atheist. Up through the European chaos is surely creeping the menace not of socialism but of Bolshevism, which is the revengeful shadow of reckless modern materialism."

Having sown to the wind, the world is now reaping the horrible harvest of the whirlwind. The people of Russia, after generations of oppression, "profaned and disinherited," are now drunken with their suddenly acquired freedom and independence. The ignorance which the rich few fostered and forced upon the unfortunate many, tainted with the spirit of hate and revenge, unbridled and unrestrained, is now exemplifying the biblical injunction, "Whatsoever ye sow, that shall ye also reap."

The peasants of Russia for generations have borne the weight of taxation, toiled without ceasing, and in silent suffering leaned upon the hoe and gazed upon the ground; the emptiness of ages is shown in their faces and on their backs the burden of the world. The masters, lords, and rulers of those lands are now called upon to reckon with these men, to answer the "brute question in the hour when whirlwinds of rebellion shake the world." It presents a pathetic spectacle and demonstrates the inevitable consequences of "man's inhumanity to man."

The cruel, grasping greed and the conscienceless reign of the rich are responsible for the crimes of the vicious, ignorant Bolshevists, whose mistakes excite emotions of commiseration in my breast rather than feelings of hate. Whatever excesses they may have perpetrated—and they are probably many—their conduct is in no respect more inhuman, illegal, reprehensible, or revolutionary than the conduct of their soulless, conscienceless, plutocratic predecessors.

Their predecessors knew better; they possibly do not. Man is the creature of heredity and environment. The perfect man is the evolution of the best economic, sanitary, and social condition. Starvation, ignorance, living in an atmosphere saturated with crime for many generations never produced a Gladstone or a Washington. A child born of ignorant, vicious parents and reared in squalor and pinching indigence is not expected to have the breadth of mental vision, the delicate sense of right, and moral conscience that one would naturally have born and reared amidst different, better environments.

I can not think of the situation in Russia but that this picture appears before my mental vision—

> But behold a fellow mortal fashioned on another plan:
> Coarse, deformed, and misbegotten—more a devil than a man—
> Heir to sin and want and sorrow, born without a sense of shame,
> Stung by sharp, keen, fierce desires burning in his blood like flame;
> Weak, unbalanced, repulsive—reveling in sensual things;
> If he hath a soul within him, 'tis a soul that never sings—
> 'Tis a soul that hath no wings!
> He was born without the power or the impulse to forbear
> When the dumb, resistless forces of the cycles centered there.

The picture is a little overdrawn, but it serves the purpose of the illustration.

Mr. President, it is a matter of fact that the men and women who labor in this world have never had a fair share of the products of their own toil.

The people whose labor produces the vital necessities of life, the things that clothe and feed the world, have not been given a square deal in the past and are not given a square deal in the present. When that fact dawns upon the obfuscated intellect of the toiler, if he should be incited, even in a spirit of revenge, to rise in the fullness of his unrestricted physical force, it may not be surprising or unexpected if he should go to excesses in dealing with his former oppressors. I do not approve or condone any form of injustice or lawlessness, but I am convinced that in the court where conscience sits as judge, when all the facts are considered, there will be found for the unfortunate revolutionists of Europe some mitigating circumstances.

The many remedies or solutions which have been proposed for the great problems which confront the world are as varied and multitudinous as the pebbles of the sea are many formed. Some are good, some chimerical, and others utterly impracticable. There is but one solution of this problem, I think, there is but one universal solvent, and that is justice. If we try that in America, we shall win where other countries have failed in meeting the great issues which confront the complex civilization of this century.

I propose in the bill I have just introduced that Congress give to the soldiers six months' extra pay. It will be money well invested; it will go to the masses of the people, where it will be distributed, and in turn soon find its way back to the channels of trade and finally to the Treasury of the United States. These men were taken away from their homes by force, by the Prussian system of conscription, and now, when they go back they will necessarily find conditions disorganized and in some instances discouraging. This small pittance from the Government will help to bridge the chasm and will provide the necessaries of life while the soldier is taking up the thread where he left off two years ago. We had better spend money in this way than distribute it among the poor of Europe. If I had my way, I would help the suffering in every land, but I would first take care of my own household. The American statesman who neglects America to scatter charity with a royal hand throughout Europe when there is suffering and want here at home is not any better than the man mentioned in the Scripture who neglects his own household. Six months of extra pay to the soldier will stimulate production, give encouragement and hope. It will not be a donation or charity, but rather an acknowledgment of the Nation's gratitude, and the best invest-

ment the American people could make through their Government for the good of all. Greater love hath no man for his country than the man who is willing to give his life to keep his country's flag triumphant and stainless in the air. These men have shown their love and devotion to the flag, and it is as little as the country can afford to do to tax the great substantially untaxed war-made fortunes for the consolation and comfort of the soldier and his family. If in America permanent peace shall follow this war, we must provide against the wolf of want howling at the door, especially of the men who bared their heroic breasts to the storm of war. Bolshevism is not a contagious social disease, but, like scurvy and pellagra, the result of lack of nutrition, or malnutrition.

You can not stop its growth by quarantining against it. It can not be stamped out by proscriptive legislation, punishment, starvation, and the enactment of penal statutes. You might as well undertake to stop the spread of influenza by murdering the patient as to limit the growth of this social disease by harsh and criminal legislation. The panacea for this disease and all other similar social disorders will be found in giving the laboring people of the world an equal chance in the race of life with the capitalists. Give them good wages, enough of the products of their own toil to furnish comfortable homes, to educate their children, and otherwise improve their manner of living, and then there will be no more Bolshevism or conflicts between capital and labor.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SAULSBURY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

SALARIES OF JUDGES.

Mr. WARREN submitted an amendment intended to be proposed by him to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, which was ordered to lie on the table and be printed.

CONTROL OF WATER POWER.

Mr. BANKHEAD. Mr. President, during the early days of this session the question of water-power legislation was passed upon. In fact, such legislation has passed the Senate at two different sessions. The bill involving that legislation went to the other House, where a bill was substituted for the Senate bill, and the matter is now in conference. The senior Senator from Tennessee [Mr. SHIELDS] is the chairman of the conference committee. It has developed that the condition of his health will not permit him to attend the sessions of the conference committee at the present time, and perhaps he will not be able to return to the city for some time. It is a very important measure and demands are coming from every section of the country for its passage. I therefore ask that the Senator from Tennessee be relieved, at least temporarily, from service on the conference committee and that the Senator from Florida [Mr. FLETCHER], the chairman of the Committee on Commerce, be substituted as one of the conferees in his place in order that we may get to work on the bill.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

AMERICAN TROOPS IN RUSSIA.

Mr. JOHNSON of California. I offer the resolution which I send to the desk.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 411), as follows:

Resolved, That, in the opinion of the Senate, the soldiers of the United States, as soon as practicable, should be withdrawn from Russia.

Mr. JOHNSON of California. Mr. President, I do not assume to discuss the resolution this morning. I wish it to lie upon the table that it may be taken up during the week. I desire to give notice that during the week I shall ask that it be taken up for consideration and then in detail I shall discuss it. But that the Senate may be informed concerning some of the facts which recently have developed, I wish to read one paragraph, with their consent, of Northcliffe's article appearing in this morning's press, as follows:

One of the chief mysteries of the situation is the result of the great shroud that covers Russia. The only news coming out of Russia is of two kinds, wireless sent out by Lenine and Trotzky, of the Bolsheviki government and wireless of Petliura, president of the Ukraine government. The other kind of news is that brought out of Russia by refugees, or which is spread by the people flying from the Bolsheviki armies in Esthonia and Poland. I have for some time been of the opinion that the world powers should sink their pride for the moment and get into communication with the Bolsheviki with the purpose of sending an allied commission into Russia to find out what is really going on there. Such a commission should be accompanied by persons whom Russians do not regard as hostile. One is, I believe, the former head of your Red Cross in Russia, Raymond Robins. There is an English writer named Arthur Ransome. I have no right to use their names, but the emergency is great and quick action is necessary. The world must know what is really happening.

OPPOSES ARMY IN RUSSIA.

We are beset by appeals to send warlike missions. One suggestion is that we should have an expeditionary army in the Baltic Province; another that we should send armed forces from Odessa and Kief, joining up with the Ukrainians. So far as Great Britain is concerned, any attempt to transfer further British troops to Russia will be resented fiercely by our people. We have had more than four and a half years of war, and our soldiers did not enlist for the purpose of policing Russia. I have no doubt that when our army is demobilized an army could easily be raised in Great Britain, composed of adventurous spirits, who would go anywhere they were sent, but it seems to me imperative that we should first find out what is happening among those 150,000,000 of people.

I offer this resolution, Mr. President, because more than a month ago, couched in the most respectful language, I introduced a precatory resolution, which was referred to the Foreign Relations Committee, a precatory resolution which merely begged that we be informed concerning our policy in Russia. That resolution has been bottled up in the Foreign Relations Committee; and therefore I ask that this resolution lie upon the table in order that it may be taken up with very little delay.

It is obvious, from the fact that the Government will not because it can not answer our inquiry of more than a month ago, that we have no policy in Russia, and that the Government of the United States can not respond to the resolution because it has not any policy at all in Russia to-day. We are neither one nor the other; we are neither intervening in sufficient force to be of consequence, nor are we getting out of Russia. We are to-day simply inviting disaster in Russia, and interfering here and there, without knowing why, and in matters, too, in which we have no concern.

I therefore offer this resolution, and, with the permission of the Senate, will speak at length upon it during the week.

HOUSE BILLS REFERRED.

H. R. 13274. An act to provide relief where formal contracts have not been made in the manner required by law was read twice by its title and referred to the Committee on Military Affairs.

H. R. 13462. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

ORDER OF BUSINESS.

Mr. STERLING obtained the floor.

Mr. THOMAS. Mr. President, may I inquire if the morning business is over?

Mr. STERLING. I had understood that the morning business was over.

Mr. THOMAS. I am making the inquiry. I have no information on that point.

The VICE PRESIDENT. Is there any further morning business? The Chair hears none, and the morning business is closed. The Chair desires to inquire what the Senate is going to do with its Calendar Monday rule?

Mr. FLETCHER. Mr. President, what is the order of business? Is the calendar in order?

The VICE PRESIDENT. This day has been set apart by a rule of the Senate as Calendar Monday. At the conclusion of the morning business the calendar is to be proceeded with, under the rule. The Senator from South Dakota is proceeding to address the Senate upon the subject of a league of nations.

Mr. STERLING. Mr. President, if that is the order of business, I do not want to occupy the time of the Senate to the exclusion of any business before it. I took it for granted that the morning business being closed, and the Vice President having so announced, I was at liberty to proceed.

Mr. SMOOT. Mr. President, I ask unanimous consent that the Senator from South Dakota may be allowed to proceed with his remarks.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. THOMAS. Mr. President, I have no objection. I had given notice at the last meeting of the Senate that at the close of the morning business to-day I would address the Senate, but I am perfectly willing to postpone what I have to say until a later time.

Mr. STERLING. I will say to the Senator from Colorado that I gave a like notice on Thursday last that at the conclusion of the morning business to-day I would address the Senate.

Mr. THOMAS. It is a matter of no importance, in any event. I cheerfully yield to the Senator from South Dakota.

The VICE PRESIDENT. The only interest the Chair has in the matter is that this looks to the Chair like a fool rule that has been adopted by the Senate, requiring Monday to be set aside for the calling of the calendar. It has not been complied with, to the Chair's knowledge, since it has been adopted.

LEAGUE OF NATIONS.

Mr. STERLING. Mr. President, in venturing to discuss briefly the proposal for a league of nations to enforce peace, I shall take some things for granted. I shall concede, for example, that the treaty negotiating power is under our Constitution wholly in the hands of the President; that he can initiate the proceedings and on behalf of the United States carry them on to the point where the completed document is signed by the representatives of the high contracting parties; that up to that point he is under no legal or moral obligation to consult the Senate either as to the subject matter, the terms, or the form of the treaty.

As a corollary of this the Senate has no right, legal or moral, to ask the President to disclose to the Senate his purposes or views in regard to any treaty which may be in contemplation.

From the standpoint of the respective rights of the Executive and the Senate it is of no consequence that the situation requiring a treaty is an exceedingly grave one, or that its consequences are bound to be of world importance, or that the Senate must ratify it if it is to become a binding treaty, or that harmony of thought and action between the President and Senate with the resulting public benefit would flow from some exchange of views. The President may, notwithstanding all these considerations, wholly abstain from communicating with the Senate or with its Committee on Foreign Relations or from in any way taking the Senate or any of the Members of the Senate into his confidence.

This is his right. The Senate may be embarrassed by disclosures made pending the negotiations or by the intermingling of the wise and unwise or the safe and the perilous in the terms of the treaty, but its right to consider and act thereon does not begin until the President lays the finished treaty before the Senate with his message requesting the ratification thereof.

That these are the conditions under which treaties may be made and ratified will, I think, be conceded by every Member of the Senate, even by the distinguished Senators from Massachusetts [Mr. LODGE] and Pennsylvania [Mr. KNOX], whose positions in regard to what should be the subjects for consideration at the coming peace conference have been made special targets for criticism by certain Senators on the other side of the Chamber.

I am not aware that either of the two Senators mentioned hold or have expressed any other view of the powers and rights of the President and Senate, respectively, than those I have mentioned, and yet Senators on the majority side have, while ostensibly discussing the question of a league of nations, laboriously set up a man of straw, and for purposes of refutation have assumed in their arguments that Senators on this side of the Chamber had charged the President with some usurpation of power and had denied to the Senate certain legal rights in the matter of negotiating the coming peace treaty.

Nothing, it seems to me, from what I have heard stated here on the floor and from what I know of the opinions of Senators, can be further from the fact. The Senators from Massachusetts and Pennsylvania surely need no defense nor does their attitude need any explanation from me. I mention the circumstance because of the zeal it discloses on the part of Senators on the other side in defending the President against any criticism because of his aloofness in a matter so absorbing, so vital to ourselves, and so closely related to the welfare of the world. There are some fine precedents for a different course, but if it be said that the President pursues the customary course, I believe it a custom which would be "more honored in the breach than in the observance," and that in a time like this, especially, it would be well if the Senate could be advised, even if it is not permitted to advise, in advance.

Mr. President, the imminent and all-absorbing question is not exactly whether we shall ever have a league of nations to enfore peace, but whether we must have it now; whether its creation must consume the precious time of the peace conference, whose business should be to settle at the earliest possible day the momentous issues arising immediately out of this war. The rights of the allies on the one hand and the obligations of the central powers on the other hand should as soon as possible be definitely known. The oppressed nationalities to whom assurances have been given should be speedily put in the way of realizing their long-cherished national ideals. Boundaries must be adjusted.

To my mind the work of the peace conference should be to take careful account of causes, responsibilities, methods, and conduct of the war; of the adjustments that will best insure against a recurrence of war; an account also of the losses sustained by pillage, by burning, by any means in violation of international law, and then to define the boundaries of the new sovereign States to be carved out of enemy or other territory. These things done and well done will entitle the peace conference to the lasting gratitude of the lovers of peace and justice everywhere.

My thought is that the relations and mutual purposes of the allied nations are such as themselves constitute an almost perfect guaranty against war as between themselves, and a reasonable guaranty of the peace of the world; that there are difficulties in the way of establishing a league to enforce peace which can not at this time be overcome; that in the interests of all concerned the peace conference should not be burdened with or delayed by the consideration of a constitution for such a league; that the definite peace which is to mark the end of the great war and not a league of nations is the goal to which all the talents, learning, and experience of the commissioners to negotiate peace should be directed; that in addition to the difficulties sure to be encountered in the organization of such a league it is a matter of grave doubt whether its decisions can ever be made effectual against any nation not willing to abide by them; and that in the last analysis we shall have to depend on the friendship and good faith of the nations of the world rather than force for our guaranty of peace.

"But now we know each other still better. We have lived together; we have defended together the same sacred cause; we have together saved mankind; we are friends forever." These are words from the eloquent message of the President of the French Republic to the American people received New Year's Day. A fitting New Year's greeting. A splendid epitome, the message is, of mutual sympathies, of mutual struggle, of mutual ideals in the cause of free government and the rights of humanity.

What need, we may well ask, of a formal league with its arbitral tribunal, with its armament to carry out and enforce the decrees of that tribunal, between nations bound by such ties as these? For all the future the thoughts of the people of these two Republics will hark back to the causes which gave them birth; to Washington and Franklin; to Lafayette and Rochambeau, and to the common perils and sacrifices in the struggle just ended to rid the world of the last and greatest menace to freedom and civilization.

As against the binding force of ties such as these it might be said: "Beware the solemn and formal pact with its many refinements, its possible misinterpretations, and with armed force looming always in the background as its sanction."

For without such a pact France and the United States are "friends forever." No league can improve upon that relation.

And how stands the case with another ally, Great Britain? President Nicholas Murray Butler, of Columbia University, in his admirable preface to Prof. Dunning's work entitled "The British Empire and the United States," written in celebration of the 100 years of peace between Great Britain and our country since the signing of the treaty of Ghent, has this to say: "There have been more tempting occasions for misunderstanding and armed conflict between the British Empire and the United States than between the United States and all other nations of the earth combined."

But he further says: "Having been itself carved by revolution from the side of the British Empire, it is but natural that both the bonds of friendship and the causes for jealousy should be more numerous between the United States and the British Empire than between the United States and any other people. This is a plain historical fact which must be accepted by those who guide opinion and frame public policies."

Happily the bonds of friendship have prevailed over all the numerous causes for jealousy. The hope expressed in the toast proposed by John Quincy Adams at the banquet which marked the conclusion of the treaty of Ghent has been more than realized: "Ghent, the city of peace; may the gates of the temple of Janus here closed not be opened again for a century."

Nor have they been. The treaty of Ghent settled little else than that it ended our last war with Great Britain. The British alleged right of impressment, the main cause of the war, the question of disarmament on the Great Lakes, the boundaries to the Northeast and the Northwest, the seal and fisheries questions were all left, though not without serious friction at times, for adjustment to the patience, skill, mutual regard, and successful diplomacy of after years. And the "after years" have brought their multitude of questions and controversies even

more exciting and perplexing than those known to exist at the time of the treaty of 1814; among them the Oregon question, the Isthmian Canal, the many causes of friction growing out of the Civil War, including that of the Alabama claims, the Venezuelan boundaries dispute, and other questions growing out of the Monroe doctrine, the Alaskan boundary dispute, and a hundred others more or less threatening our peaceful relations, but all settled by diplomacy or by the friendly arbitration which came as a result of the negotiations.

And there is that great boundary line of more than 3,000 miles without a fort, or a soldier even, to guard the territory or the peace of the people on either side. If anyone had been skeptical about the future relations of Great Britain and the United States and had looked upon Great Britain as at heart unfriendly to the United States, jealous of her growing commerce and power, arrogant when she deemed the advantage to be on her side, and biding the time when she might use that advantage, some study of the history of the relations of the two nations ought to have reassured him that no breach in international relations could be more unlikely or remote than that of war between ourselves and the mother country.

Back of all diplomacy, back of the self-restraint and skill of statesmen on either side, exercised for the purpose of averting war, is the soul of these two peoples, largely of common origin, of common language, and common political and social ideals. The compelling, binding influence of all together is such that if Great Britain and the United States should ever go to war with each other it will be for a cause and under circumstances which no league of nations can prevent or control.

As with France, so with Great Britain; we have shared with her in the same great danger, fought with her for the same great cause; her merchant marine has aided us; her navy has protected us. These things make a great, new, and, I believe, an indissoluble tie between us. Nor shall insidious anti-British or pro-German propaganda, whether directed from abroad or disseminated by certain newspapers at home, prevail against it.

And so here is this trinity of nations; the spirits of their brave sons, whose blood shed so freely commingles in the soil of stricken Belgium and enduring France will, through the long years to come, plead with compelling power for peace, amity, and good will between them.

I do not forget Italy or the great sacrifice of men and means she has made or the valiant service her armies rendered the common cause in holding and at last, under almost insuperable difficulties, defeating the flower of the Austrian Army on the Italian front. I confess to sympathy with her in her claim for Italia Irredenta. The recognition of the claims of other nationalities in Austria-Hungary, in the Balkan States, and in Russia emphasizes her right. But Italy with the other three great nations, the tie between which I have feebly described, make the four who are to be "friends forever" and for the adjustment of whose relations with each other no formal league of nations to enforce peace is required.

I am coming to the heart of the inquiry. I am not here declaring against a league of nations—even a league to enforce peace. But I shall want to know why, under the conditions described and as we all know them, the question must be urged with such persistence now and to the extent that an agreement that the peace conference shall constitute or organize a league of nations to enforce peace is made, as it were, a condition precedent to any peace conference at all.

In addition to the considerations which I have named as applicable to Great Britain, France, Italy, and the United States are these: Germany is beaten and prostrate—unrepentant, it may be, but prostrate from a military point of view. She will not be a factor in framing the terms of peace no more than she was in framing the armistice her commissioners so abjectly signed. So with Austria-Hungary. So with Bulgaria and Turkey. No government exists in Russia that any of the great powers has recognized save Germany. Will Russia be present at the peace conference? She could not now be a member of a league of nations if one were formed. One of the great questions which properly and most probably will receive the early attention of the conference is the occupation of Russian territory by allied forces. What is the status of the forces there now? How long shall they remain? These questions discussed with so much spirit here in the Senate emphasize the need of early action by the peace conference. Until then let there be the status quo, at least so far as allied occupation is concerned. There can be no assurance of permanent peace with class war in Russia and Germany as the order of the day. The situation is desperately uncertain, and it is a part of our duty to see that allied Bolshevism does not make for naught the splendid victory for liberty and for law and order we have just won.

We at first welcomed the revolution in Russia. We thought it one grand step in making the world safe for democracy. But Bolshevism is not democracy. Both the interests of democracy and of peace demand that the allies do not now abandon Russia.

Belgium will, of course, have a proud and honored place at the peace council table. Roumania and Serbia will likewise be admitted. Denmark, Holland, Sweden, and Norway, nor either, was a party to the war. Their rights and interests will be respected and protected, but whether at a peace conference or as members of a league of nations their influence would be negligible or slight at least. Peace terms will be imposed and policies determined by the allied nations who have fought this war to a successful conclusion—to a peace with victory. And these allied nations already constitute a league, and the ever-to-be-praised thing about it is that it is voluntary and unconstrained by any thought that the armed force of the league may be used against any member nation.

They have together fought a holy war against a common and cruel foe. They are capable of making a just and righteous peace, and that, too, without the surrender of any of the attributes of a sovereign nation or the right to develop their own national ideals or to defend by force of arms, if need be, their rights from invasion by any other nation in the world.

So, Mr. President, as a practical consideration, the only nations whose voice and influence will be potent in a league to enforce peace are in league to-day and are destined to remain in it long after the final word is said and all the representatives of the high contracting parties have for their respective governments attached their signatures to the treaty of peace.

Admittedly it will take a long time to frame the constitution for a league of nations—longer than the settlement of the questions growing immediately out of the war. What the number of the congress or the assembly of the league? What the basis or ratio of representation, or shall each sovereign nation be entitled to one vote? In other words, shall the United States and Serbia stand on the same footing in determining the issues of war and peace? For what councils or tribunals shall provision be made? To what extent shall they be representative of the nations constituting the league? What shall be the means for the enforcement of the decisions of the league made through its arbitral tribunal or otherwise? Shall each nation presently arm and equip its proportionate share of men and ships to be maintained by it as a part of an international army and navy for the enforcement of peace, or shall the nations disarm meanwhile and wait the decision of the league as to the forces, land or naval, or both, which they shall contribute for the coercion of any recalcitrant nation? And not least among the problems confronting our representatives will be that arising under the constitutional provision giving to Congress alone the power to declare war. No league of nations can override that.

These questions, and many more quite as grave and important, it will be the province of those who prepare the constitution for a league of nations to consider and decide—a long, laborious, and yet most delicate task.

Meanwhile a hundred other questions of present vital moment to the belligerent nations in the late war and to the world are pressing for solution. Instead of retarding or in any way delaying their adjustment, the influence of America should favor their speedy settlement.

Shall Germany pay the whole cost of the war? I express no opinion here; but she unrelentingly required the payment of a billion dollars by France in 1871 for the expenses of a war Bismarck himself had schemed to bring about, besides compelling the cession to her of Alsace-Lorraine. But how much of Britain's expenses and damages, amounting to forty-one billions, should she pay; of that of France, amounting to nearly twenty-seven billions; of Italy's, amounting to eight billions five hundred millions; of Belgium's, totaling seven billions one hundred millions; of our own, amounting to $18,000,000,000? Or shall we ask for no indemnity and be content with reparation for 375,000 tons of shipping destroyed by her illegal warfare and for the loss of over 700 civilian lives by the same wretched means?

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). Does the Senator from South Dakota yield to the Senator from Utah?

Mr. STERLING. I yield.

Mr. KING. I did not catch the last statement of the Senator. Did the Senator mean to convey the idea that France's losses and damages to property, as well as the expenses incurred in the war, aggregate only $27,000,000,000? It totals a great deal more. The losses of the French people in real and personal property aggregate over $25,000,000,000, and in addition to that France has put into the war more than $30,000,000,000 in cash.

Mr. STERLING. I will simply say to the Senator that I found this statement in a summary of expenses and damages of the different nations. I think it will fall far short of all the actual damages and losses that have been sustained by France.

Mr. KING. It has been estimated by those who have made a careful study that in labor alone it would cost nearly $20,000,000,000 to place France back in the position she was in prior to the war. In addition to that, the machinery and the other personal property destroyed would aggregate also several hundred million dollars, if not several billion dollars.

Mr. STERLING. The $27,000,000,000 which it is said France may claim is one item in an aggregate of $125,000,000,000 to $150,000,000,000, the aggregate being the probable claims of all the nations engaged in the war against Germany.

What shall be the terms of payment; what period of time should be given? Shall it be required of Germany that she repudiate her great debt or postpone for a long time its payment—the war debt she owes her own citizens—until she pays all indemnities assessed against her and makes reparation for the huge losses she has so ruthlessly inflicted upon the unoffending nations against whom she made war?

Mr. President, I was attracted by a letter written to the New York Times two or three days ago by Mr. James Phinney Baxter, in which he discusses briefly the methods of payment to be imposed upon Germany. I read it in this connection:

TO MAKE GERMANY PAY.

PORTLAND, ME., *December 24, 1918.*

To the EDITOR OF THE NEW YORK TIMES:

From the present outlook we seem justified in the opinion that our astute representatives at the peace conference will give their coallies to understand that the American people want no indemnity for the vast losses which Germany has caused us in money and men by forcing us into the war. It is likely that to liquidate the debt which she owes the nations for damages she has caused them she would have to pay upward of $150,000,000,000, and needless discussion is going on relative to the amount of cash she can pay. I say needless discussion, for a cash payment should not for a moment be considered, as Germany is in no situation to pay a cash indemnity and should not be pressed to do so.

Why not treat her as a wise creditor treats a delinquent debtor? A creditor with any brains doesn't demand immediate payment from a debtor and cause his bankruptcy. On the contrary, he studies his condition and does what he can to enable him to liquidate his indebtedness by paying in suitable installments. This is the only reasonable way to deal with Germany in this crisis of her affairs. Consolidate her indebtedness, covering every item of indebtedness for damage to the nations at war with her, and make the time of payment not less than 50 years, this indebtedness to be represented by coupon bonds of suitable denominations, with a semiannual rate of interest at a low rate (perhaps 3.65, for convenience), and an annual payment of 2 per cent on the principal until the whole debt is extinguished.

JAMES PHINNEY BAXTER.

I can not surmise what the commissioners at the peace table will decide in this regard, but I simply want to say that the good, sound sense, as I view it, expressed in this letter from Mr. Baxter appeals to me.

But, Mr. President, whatever the amount or whatever the terms, it will be better for the allies, better for the peace and prosperity of the world, better for Germany herself, that it be determined quickly.

The papers of a few days ago carried the message of Mr. Hoover to the effect that the Huns had laid northern France prostrate; that industrial life had been paralyzed; that 1,500,000 persons needed relief; that the French Government would be powerless to afford relief for months to come. And there is Belgium besides—worse off than northern France—industrially ruined. Workmen and workwomen killed, plants and machinery destroyed or stolen, taken, and carried away, with the hope, as expressed in a resolution of the Cologne Chamber of Commerce, that "the destruction of French and Belgian industries would allow a rapid recovery of German power." What can we hope from a nation with a spirit like that? Or let me qualify—as long as she maintains a spirit like that—so as to not exclude a hope of regeneration.

But note a contrast. There was a strong desire to repay the Huns somewhat in kind, to give them a taste of their own frightfulness by destroying some of their industries, by laying low a few of their cities, and there was to be heard the demand, "On to Berlin!"

But the desire to end the bloodshed silenced these voices, and not a German industry nor a German home was touched by the devastating hand of war. The contrast is finely depicted by a double cartoon in the Columbus Dispatch. Here it is in a recent number of the Literary Digest: Scene 1, what the German soldier goes home to: A snug and pleasant looking cottage, good outbuildings, neat fence, all in good repair, wife and children with hands extended giving the approaching man in uniform, with gun and knapsack on his back, glad welcome out at the gate.

Scene 2, what the Belgian soldier goes home to: A picture of desolation complete. Only the trunks or stumps of trees, outbuildings blown to pieces; what must have been a comfortable home now a ruin, part of one end and the chimney all that is left standing. And in the midst stands the returned Belgian soldier—no wife or child greets him, and the only sign that they once had been there is the broken child's doll he finds in the scattered débris.

Here, Mr. President, are wrongs for which no complete reparation can ever be made. Let Germany pay till she is bled white, she can never heal the deep anguish she has caused by her savage methods of warfare. But justice demands that she atone for the wrong in the one way the world recognizes as adapted to the case—by compensation in money.

Our distinguished ex-President, Mr. Taft—a most devoted advocate of a league of nations to enforce peace—speaks of such a league as an "acute necessity." I believe I have already shown there is no present necessity, if ever, and I am satisfied that the people of the United States will say that not a league of nations but the relief and restoration and rehabilitation of Belgium and northern France, not to speak of Serbia, constitute the "acute necessity" and the supreme duty of the hour. The duty is not performed until Germany's contribution is determined and the guaranties for its payment made certain.

We all rejoice in the splendid reception given the President in France and England and Italy; the people acclaim and royalty entertains and exhibits its best; his visits in these countries have been a continuous ovation. May we not flatter ourselves that the high honors bestowed are in part due to the great and generous people he represents? But I confess to some regret that nowhere have we seen mention of any discussion of the prospective claims for the unspeakable wrongs suffered by the unoffending civilian populations of Belgium and France.

Mr. KING. Mr. President, will the Senator from South Dakota yield to me?

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from South Dakota yield to the Senator from Utah?

Mr. STERLING. I yield to the Senator.

Mr. KING. If I understand the full significance of the Senator's statement, it is to the effect that the President has not given utterance to statements that would call for reparation in behalf of France and Belgium?

Mr. STERLING. Oh, no; I do not mean to say that the President has not expressed himself even before going abroad; I hardly know what he has stated abroad in regard to this particular subject; but before going abroad the President expressed himself—and I believe that that is his firm conviction—to the effect that there should be reparation for those wrongs.

Mr. KING. If the Senator will pardon me, I desire to say that upon one occasion at least, and, as I recall, upon two occasions, since the President has been in Europe, and in one very notable speech, the President explicitly declared that reparation must be made to Belgium and to France and to their people.

Mr. STERLING. Yes.

Mr. KING. And I have no doubt that the Senator from South Dakota and the American people will be entirely satisfied with the attitude of President Wilson upon this matter. President Wilson will make no soft peace; there will be a just one made. Germany will be compelled to meet all just and righteous exactions for the atrocities and wrongs she has committed.

Mr. STERLING. I do not disagree for a moment with the Senator from Utah in the expression of his belief as to the President's attitude or as to what the President has said, Mr. President. My complaint is that these items of expense, damage, and devastation are not being specifically considered, and considered now.

How infinitely better it seems, too, if subjects like these and others growing immediately out of the war should have first place rather than the ill-defined and yet 300-year old dream of a league of nations to enforce peace. Would not the enforcement of the terms of a just peace quickly made be the best guaranty of continued peace, and take the place of a league of nations for some time to come? It should be a peace so just that Germany would be unwilling, if not powerless, to break it, or to break the peace of nations for a generation to come at least.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Utah?

Mr. STERLING. I yield to the Senator.

Mr. KING. I know the distinguished Senator from South Dakota is so fair and so just that he would not want even an inference to be drawn from any remarks of his that would be the basis of an injustice to President Wilson or to any other person. I therefore now invite the attention of the Senator to the fact that the newspapers have been replete with evidences of the fact that upon numerous occasions the President has taken up with Lloyd George, Balfour, Clemenceau, and the representatives of Italy and France other questions than the question of the league of nations. Obviously, neither the utterances

of the President nor of those with whom he has talked upon those important questions such as indemnity, rectification of territorial lines, would be for the public at present. They are, in diplomatic language, mere "conversations"; but, of course, the matter that the President has most addressed himself to in his public speeches has been the league of nations. However, I do not think it is quite fair to infer because he has spoken repeatedly concerning a partnership, or concert, or a league of nations that the other questions to which the Senator is now alluding have not received consideration.

Mr. STERLING. I do not mean, Mr. President, that any such inference should be drawn from what I am saying. I am saying, however, that it is my position that the other questions should have first place rather than that the time should be consumed in preliminary conferences or in the actual peace conference itself in discussing the question of a league of nations to enforce peace.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from New Hampshire?

Mr. STERLING. I yield to the Senator.

Mr. MOSES. It is very evident, Mr. President, that a discussion of this kind will produce various effects upon the minds of the large audience listening to it. I understood the Senator from South Dakota to mean that the President had been setting forth his demands for a league of nations as preliminary to all other discussions and all other elements in the discussion of the peace treaty. It is my understanding, from a pretty careful reading of the telegrams and dispatches that come from Europe, that the President has been insisting that the league of nations should precede all other elements and discussions in the peace treaty and that all of his speeches and all of his efforts have been directed toward that end.

I do not understand that the Senator from South Dakota takes a different point of view, and certainly his remarks produced no such impression upon my mind. I hope the Senator from Utah [Mr. KING] has not been misled by the remarks of the Senator from South Dakota into thinking that his meaning has been otherwise.

Mr. STERLING. I thank the Senator for his observations. Mr. President, it must not be overlooked that disputes concerning territory and boundaries will be among the most serious and important to engage the attention of the peace conference. It is reported that there will be 26 of such disputes, some of which will be hotly contested. I quote from the cablegram of Paul Scott Mowrer found in the Evening Star of Tuesday.

I ask leave to print these various items as found in the Washington Evening Star instead of reading them.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

PROBLEMS BEFORE PEACE CONFERENCE—26 TERRITORIAL DISPUTES LISTED, SOME OF WHICH ARE HOTLY CONTESTED—CLAIMS OF THE NATIONS.

(By Paul Scott Mowrer.)

PARIS, FRANCE, *January 5.*

There are some 26 territorial disputes in Europe, not to mention those in Asia and Africa, which the peace conference will be called upon to settle. These disputes may be listed as follows:

1. The Aaland Islands, now held by Russia and apparently claimed by Sweden.
2. Helgoland, now held by Germany but probably claimed by England.
3. Denmark demands the return of Schleswig from the hands of the Germans.
4. Belgium seems to be preparing to demand from Holland the Province of Limburg, which stretches like a peninsula between Belgium and Germany, forming an awkward barrier.

LUXEMBURG'S ALTERNATIVE.

5. Luxemburg will be called upon to decide whether she prefers to be French, Belgian, or independent.
6. France desires to neutralize the left bank of the Rhine.
7. France wants to include the Sarre Basin in Lorraine.
8. Italy claims part of the Austrian Tyrol.
9. The Italians and Jugo-Slavs are engaged in a bitter controversy over the Dalmatian coast, which both claim; they are intrenching opposite one another where the lines meet north of Fiume.
10. Northern Albania is claimed by the Jugo-Slavs, the Valona region by Italy, and southern Albania by Greece, while the Albanians themselves desire independence.
11. Greece claims all of Thrace, including Constantinople, from Bulgaria and Turkey.
12. Greeks, Serbs, and Bulgars all demand favorable frontier rectifications in Macedonia.
13. The Jugo-Slavs seem to claim the strip running from Graz to the Danube east of Vienna so as to give them a common frontier with the Czecho-Slovaks.

BITTER PROTEST BY HUNGARIANS.

14. The Hungarians protest bitterly against the newly declared southeastern frontier of Slovakia.
15. The Poles, Czechs, and Germans all claim Silesia.
16. The annexation of the banat of Temesvar has been proclaimed by both the Jugo-Slavs and the Roumanians, while the Hungarians are unwilling to relinquish it.
17. The Roumanians occupying Transylvania are driving out the Hungarians.
18. Roumanians and Ruthenians are fighting over Bukovina.
19. The Bulgarians want a favorable frontier rectification in the Dobroges.
20. Roumanians are occupying Bessarabia, which the Ukrainians also claim.
21. The Poles and Ruthenians are fighting over eastern Galicia.
22. The Germans and Poles are fighting over Posen.

CLAIMS BY POLAND.

23. The Poles claim the valley of the Vistula and Danzig from Prussia.
24. The Poles claim east Prussia.
25. The Poles claim Lithuania, which seems to prefer independence.
26. Bolsheviki are invading the Baltic Provinces, which seem to desire independence.

Mr. STERLING. Thus it will be seen that a part of the work of the peace conference will consist of nation making. The nations thus to be constituted are those for whose peace their membership in a league of nations would be most desirable, but let us have first the nation capable in the exercise of sovereign power to enter a league; and let us remember that this work of making new nations and establishing their frontiers is distinctly the work of the peace conference.

The advocates of a league of nations speak confidently and as though it were an easy thing to achieve. Agree to it and it is done. Or at most, since the representatives of different nations are presently to assemble in a peace conference, made necessary by the armistice and the end of the war, together with the admission of defeat, why should not these same representatives at the same conference prepare and adopt a constitution for, and forthwith organize, a league to enforce peace?

I have already mentioned some of the problems to be solved, the difficulties to be encountered. The Senator from Massachusetts [Mr. LODGE] a few days ago read into the RECORD many more suggested by Lord Bryce, an earnest and most distinguished advocate of such a league. No candid man at all acquainted with the action of the usual deliberative body, let alone a body composed of such diverse elements as an assembly for the purpose of creating a league of nations, and who has any conception of the momentous issues and world interests involved in the formation of such a league and the conferment of the power upon it to enforce peace, can doubt that many months, more probably years, would elapse before a congress assembled for the special purpose had concluded its labors and published the results to the world.

Mr. KING. Mr. President, will the Senator yield?

Mr. STERLING. I yield to the Senator from Utah.

Mr. KING. The distinguished Senator from South Dakota has invited attention to the momentous questions that demand solution at the peace conference. Among the questions to which he has referred are those involved in the reorganization of governments and, as he said, the setting up of new nations. The question occurs to me—and I suggest it to the Senator, in view of the implied criticism, at least, of the action of President Wilson—does not the Senator think, where changes are being made that will in a measure rearrange the map of Europe and steps must be taken that call for more or less of protection and support for new nations which may be recognized, that before the American delegates enter formally the peace conference there should be some understanding as to what shall be done by the allied nations for the purpose of perpetuating the work which they do? Might it not be a futile and unwise thing to settle boundaries, erect new states, impose indemnities, and agree upon the multitudinous questions involved in the settlement of the mighty issues and results of this war, and then leave the conference without reaching an understanding looking to the preservation of the work accomplished and the maintenance, at least for a time, of the status quo created? Therefore, would not a prudent and a wise man representing a great nation want to have some information in advance as to what would be done toward preserving the structure to be erected? The form of the peace treaty may depend upon what terms it contains to protect the peace of the world.

Mr. STERLING. Mr. President, I will say to the Senator that I shall give some little hint of my view on that question before I close. But the attitude of the allied nations toward the new nations to be created or carved out of enemy territory or other territory will be such as in itself will give an assurance of peace to these new nations, an assurance that none of them shall be made the prey of any other aggrandizing nation or of nations desirous of annexing any part of their territory or in any way invading their rights.

But for the settlement of the many problems which must come before a congress to form a league of nations the manifold issues of the war can not wait without imperiling the existing peace.

On what principle does the right to form a league for the enforcement of peace rest? Its advocates claim to find it in

the right of the State to maintain order and protect society by enacting a penal code with its provisions for the punishment of any person convicted of violating it.

But it seems to me that the cases are quite different. A sovereign State is not for the purposes of the league like the individual citizen of a State who in order that the State may exist without anarchy must conform to the law. The State stands for a whole people. How can a State as the organ through which the people speak and act politically give valid consent to the coercion of its own people any more than a State or any supposed State authority can surrender the police power of the State? The violation of any treaty may subject the nation at fault to hostile attack, but that is altogether different from consent in advance that the nation aggrieved either singly or in combination with other nations may resort to arms against her.

Again, Mr. President, it has been gravely contended that there is identity of principle or at least an analogy in our Federal form of government and a league of nations to enforce peace. But this claim will not stand analysis. The whole question appears to have been thoroughly considered by the Convention of 1787. The plan of a constitution laid before the convention by Randolph of Virginia contained a provision authorizing the Congress or national legislature "to call forth the force of the Union against any member of the Union failing to fulfill its duty under the articles thereof." The Patterson, or New Jersey, plan contained a similar provision. Mr. Madison was at first in favor of such a provision, but later changed his mind and observed that "the more he reflected on the use of force, the more he doubted the practicability, the justice, and efficacy of it when applied to a people collectively and not individually—a union of the States containing such an ingredient seemed to provide for its own destruction," and note this significant statement of Mr. Madison:

> The use of force against a State would look more like a declaration of war than an infliction of punishment and would probably be considered by the party attacked as a dissolution of all previous compacts by which it might be bound.

Hamilton, as we know, believed in a strong central government and submitted to the convention a plan accordingly. But he was opposed to armed force as a means of coercing a State. He spoke of force as either a coercion of laws or a coercion of arms. "But how," he asked, "can this force be exerted on the States collectively? It is impossible. It amounts to war between the parties. Foreign powers also will not be idle spectators. They will interpose, the confusion will increase, and a dissolution of the Union ensue." The same position was restated with great force in the Federalist.

Oliver Ellsworth, like Hamilton, distinguished between coercion of law and coercion of arms. "Where," he asks, "will those who oppose a coercion of law come out? Where will they end? A necessary consequence of their principle is a war of the States one against another. I am for coercion by law, that coercion which acts only upon delinquent individuals. This Constitution does not attempt to coerce sovereign bodies—States—in their political capacity. No coercion is applicable to such bodies but that of an armed force. If we should attempt to execute the laws of the Union by sending an armed force against a delinquent State it would involve the good and the bad, the innocent and the guilty, in the same calamity."

And so, Mr. President, this is the foundation on which we have builded—coercion of law and not coercion of arms. Our great Civil War even did not illustrate a contrary principle. It was not the war of the Federal Government against individual States, but a war to enforce the execution of the laws of the United States against those in armed rebellion against the Government of the United States and its authority.

If in forming a nation composed of so-called sovereign States, but inevitably less than sovereign as members of the Union of States, it was found necessary to reject the doctrine of coercion by force of arms, how can we expect to see that doctrine successfully applied to States which are in fact now and which always expect to remain sovereign and independent States?

Others may see no difficulty in the way; but either there is this one mighty obstacle in the way of a league, the ultimate sanctions of which rest on force, or else I am sadly wanting in faith or vision or both.

Mr. President, the Nation now mourns the death of one of its greatest citizens, if not at the time the greatest. Thorough, faithful, and eminently able in all the many positions he occupied during his strenuous life, from his membership in the New York Legislature to seven and a half years as President of the United States, he is famed and honored to-day for the great and beneficent results he accomplished in each.

One of his biographers, in speaking of Col. Roosevelt's sense of duty, says:

> Mr. Roosevelt's conception of duty ignores all sorts of magnificent ideals at long range and fastens itself upon the tasks which lie nearest his hand.

The lesson afforded by his conception of duty is one for us to heed. The task has been at hand and waiting now since the great and fateful day when the armistice was signed. Its terms, together with the unsettled conditions at present existing, would seem to make the consideration of the terms of peace and of readjustment alone the practical, the imperative, duty of the hour.

For the rest we should be willing now to trust to the moral and political sympathies and kinship of the allied nations, to their example, to their kindly offices and admonitions in international disputes or when war threatens. Their influence, together with the common aversion to war intensified as it is by what the world has just passed through, ought, aside from the internal dissensions of any nation, to be the harbinger and guaranty of a long peace between nations; and so we come back to the thought that good will and good faith between nations, and not force, are our only sure guaranties of international peace.

Mr. MYERS. Mr. President, if I may be permitted, I will take this occasion to express some views which I hold about the proposition of a world league of nations for the preservation of peace, and some matters incidentally connected therewith, such as the approaching peace conference between the warring nations. For some time I have had running through my mind some random thoughts on these subjects which have crystallized into sentiments with me, and I beg leave to take this occasion to express those sentiments.

I believe it is not only the privilege but the duty of Senators to express their sentiments, if they have any, on these great questions of vital importance which are now attracting the thought not only of the people of this country but of the entire world. Senators are supposed, in some measure at least, to know and represent the sentiments of their constituents, and I believe they generally do. I believe when they have sentiments on such subjects as these they should express them for the consideration of those who have the immediate handling and disposition of the issues involved, if such persons should see fit to give them any consideration; and if so, for such and so much consideration as those more immediately concerned in handling these problems may think such sentiments to be worthy of.

Under certain conditions and within certain restrictions and limitations of membership, jurisdiction, and other details I am in favor of a world league of nations for the preservation of peace. I would not favor, however, any league of nations which would diminish the sovereignty of the United States of America. I do not believe that any league of nations which may be formed ought to require any reduction of the British Navy, which has been probably the greatest factor in redeeming the world from the destruction which threatened it during the last four years, and which I am sure will be used as a preservative of the future peace, honor, and integrity of civilized nations which want to do what is right in international affairs.

Mr. WATSON. Mr. President, will the Senator yield?

Mr. MYERS. With much pleasure.

Mr. WATSON. The Senator is like all of us who approach the discussion of this problem of a league of peace, in that he is compelled to discuss it somewhat negatively. Does the Senator know of anybody who has defined a league of nations—as to how it shall be composed and as to what authority it shall have or be clothed with?

We can all approach the question by saying that we are not in favor of a league of nations that will interfere with the Monroe doctrine, or a league of nations that will constitute a supersovereign to which we must yield a portion of our sovereignty, and all that sort of thing, in a negative way; but will the Senator define his league of nations so as to say to us how it shall be composed and with what authority it shall be clothed?

I should think that a discussion along that line would be exceedingly wholesome at this time.

Mr. MYERS. Mr. President, the Senator from Indiana has asked several questions. I will try to give attention to each of them.

As to the Senator's first question, whether I know of anybody who has defined a league of nations or said of what it should consist and how it should be conducted, I do not know of anyone who has completely given such a definition in its entirety. I have heard various theories advanced, but all of them appear to be more or less nebulous and chaotic. I think the subject is one which will require very prolonged and exceedingly careful consideration, not only by the people who frame the proposition for the league of nations but by those who are called upon to ratify it.

As to my views, I admit that they are not entirely mature as yet. They are somewhat in the same condition as the views of most people; but I will try to give something of my views, as a part of my remarks, before closing.

As to the Monroe doctrine, of which the Senator from Indiana has just made mention, I would not favor any league of nations which did not retain in the United States complete jurisdiction over the Monroe doctrine. I would not be in favor of sharing that jurisdiction with any other nation or nations. I think the United States should also retain complete jurisdiction of immigration and such other questions as vitally affect our national existency and integrity.

I do not think that Germany or any other of the central powers should be admitted now, or within this generation, into any league of nations that might be formed. Like most of the others who have discussed this subject I can tell more about what I think ought not to be done than what should be done; and perhaps I am in the same situation in that respect as most of the others who have given the subject attention.

As I have stated, under certain conditions I would favor a league of nations; but I do not look with favor upon the plan, sometimes suggested, of the delegates to the peace conference, which is soon to assemble, undertaking to frame an agreement for a league of nations and to incorporate it in and make it a part of a treaty of peace between the warring nations. I can see no reason why the two should be combined in one transaction. I believe it would be better not, and I hope it will not be done. The two propositions are distinct. They are not inseparably connected. They possess many elements of difference which will require different theories and extended consideration in different directions; and I can see no necessity that the two be treated as parts of one transaction at one sitting of one and the same body.

I think many advantages would inhere in a contrary course. I believe the first consideration of the approaching peace conference should be to frame terms of peace between the warring nations, and to take measures to enforce those terms of peace, and to put an end to the war that is now theoretically in existence, and as far as possible to put an end, as well, to the conflagration which has taken possession of nearly all of Europe. What the world needs and the people of this country want is peace first, right now. I believe the people of this country and the people of the world want peace as the first desideratum at the hands of our representatives in Europe. That is of more pressing importance than anything else. The people of this country want peace declared as soon as possible, and want demobilization, want as many of our boys as possible back, at the earliest possible day. Give them that first. Then see about a league of nations.

As I have said, I do not believe that Germany ought to be admitted to any league of nations; yet, when terms of peace are framed and completed, Germany will have to assent to those terms of peace, unless she wants to continue the war. We will have to have her, through her representatives, subscribe to them, and they will have to agree to submit them to whatever sort of government she may have for ratification; so that Germany will necessarily be a party to the conclusion of the treaty of peace. However, I do not think Germany ought to be permitted to have anything whatever to do with a world league of nations. She ought to be kept absolutely out of it; and yet, if an agreement for a league of nations is incorporated in the treaty of peace, which is to be submitted to all of the warring nations, Germany, it seems to me, would necessarily have to be admitted to the league of nations. She would have to be a party to it because she would have to assent to it; because she would have to subscribe to the document which provides for it; and why should we require Germany to subscribe to that arrangement unless she is going to be admitted to it and made a party to it? It would be radically wrong to require Germany to subscribe to something which she did not have to live up to and to which she was not a party; but if the two agreements are to be embodied in one document, if the league of nations is to be incorporated in the treaty of peace, Germany will undoubtedly have to sign the agreement for the league of nations as well as the agreement for the peace treaty. That I do not want to be. In other words, I want Germany to be compelled to assent to the peace treaty, whether she may want to or not; but I do not want to permit her to assent to or participate in the league of nations, even if she should desire to. Hence they should be kept separate and distinct and the peace treaty, first in importance and necessity, should come first.

For that reason alone, among a number of other reasons, I think that the consideration of the formation of a league of nations should be postponed until after the treaty of peace is arrived at and subscribed by the representatives of the warring nations. Then, if the peace delegates want to continue their existence and their sessions and sit in a different capacity and frame a proposal for a league of nations, while the United States Senate and the due and appropriate bodies of the other warring nations are considering the ratification of the treaty of peace which is submitted to them, I would have no objection to that. If they should desire to go from one piece of business to another, I can not see that there would be any material objection.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. McCUMBER in the chair). Does the Senator from Montana yield to the Senator from Tennessee?

Mr. MYERS. With pleasure.

Mr. McKELLAR. I should like to ask the Senator a question. Of course, it is understood that all of the European powers and practically all of the other powers that are in this war want something of this peace conference. England will be wanting territory. She will be wanting indemnities. France likewise will be wanting indemnities and territory, and so will each of the other great nations among the allies. They are not particularly interested in the thing in which America is interested. America is not asking for any indemnity or any territory.

Mr. MYERS. I think we ought to ask for indemnity, though.

Mr. McKELLAR. Well, I know; but, as a matter of fact, we are not doing it.

Mr. MYERS. We are not, so far.

Mr. McKELLAR. Not so far. The only thing for which America is asking is freedom from future wars and freedom of the seas, so that our commerce can go and come at will. These are the principal things for which America is asking. Now, does not the Senator think that when the peace conference is over and these European nations have got all the territory that they can get and all the indemnities that they can get—in other words, when it has been decided that they should get all that they can get—they will leave the conference and have no further interest, really, in these questions that they may consider entirely idealistic questions? In that way America will be prevented from getting these vital things that will prevent wars in the future. Does not the Senator think that now, when these other nations that are going to be in the peace conference want something, is the time for America to get what she wants?

Mr. MYERS. I think that after the treaty of peace is concluded the nations which constitute the entente allies will want a league of nations to prevent a repetition of the horrible catastrophe that has just convulsed the world in fire and blood as much as the United States will want it. It is more to their interest to prevent it than it is to the interest of the United States to do so. They are more immediately subject to the danger of a recurrence. They would be the greatest sufferers if another world war should break out on the Continent of Europe, and I think they will want to prevent it just as much as the United States.

Mr. McKELLAR. If that is true, why are some of the representatives of some of the nations opposing it now and why should anyone oppose it if we can get it now? If that is what we want, why not get it, and get it as soon as possible?

The PRESIDING OFFICER. The Senator will yield while the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. MYERS. Replying to the esteemed Senator from Tennessee, I will say that I have not heard of any accredited representatives of any of the countries that constitute the entente allies being opposed to a league of nations along proper lines, to be worked out in the future. I was not aware that any of the nations which constitute the entente allies had taken that stand. I thought they were all open to conviction on the subject and that most of them had agreed that we ought to have some league of nations.

Mr. McKELLAR. I was called out of the Chamber for a moment, and I did not hear all the Senator said, but I judge from the remark I just heard that the Senator is not aware that any of the nations have taken a position opposed to a league of nations. That is true, but there are certain statesmen in each of the nations, I believe, who want to postpone it, just as there are certain gentlemen in our own Nation who want to postpone it. The question I ask is, If a league of nations is a good thing and we can get it now, why not take it now while we can get it?

Mr. MYERS. I have just given one reason which, to my mind, is very vital. I am opposed to admitting Germany into a league of nations, and yet if an agreement for a league of nations and an agreement as to terms of peace with Germany are both arrived at in one transaction, by one body, at one sitting, as

a part of one transaction, and are embodied in one document. Germany would have to sign the agreement for a league of nations as well as the agreement for a treaty of peace. If the two agreements were to be embodied in one document, Germany, it seems to me, would inevitably have to be admitted to the league of nations, and I am utterly and absolutely opposed to that. She is not fit to be in a league of nations. I am not only opposed to permitting Germany to be in a league of nations but am opposed to letting her have anything to say about what nations may be in, or about the terms of it, or about anything else connected therewith. Let Germany sign and ratify the treaty of peace and no more.

Mr. McKELLAR. Does the Senator think that the allies, who will be absolutely in control of the conference, will permit Germany to come into any league or into any agreement, whether you call it a league or whatever you may call it, that will be inimical to any of the allies? I do not think so. I think that right now the terms upon which Germany may be admitted to sign any peace treaty, whether it includes a league of nations or not, will be more drastic and severe than they will be if it is postponed until some future time when feeling has abated.

Mr. MYERS. I am in favor of having a treaty of peace perfected and put in force just as soon as possible. One of my reasons is that the terms to Germany may be severe and just. When it is submitted to the various nations concerned in it for their consideration and ratification, if the same delegates which framed it wish to continue sitting, if it is their judgment that they should do so, and if they want to consider in a separate transaction the forming of a league of nations, I can see no objection to that.

Mr. McKELLAR. The Senator is a lawyer, of course.

Mr. MYERS. I have the honor to belong to that profession.

Mr. McKELLAR. Both the Senator and I as lawyers have asked for a continuance in various cases for a defendant when the defendant had rather a bad case. The Senator is familiar with the doctrine among practitioners at the bar that one postponement is equal to about a halfway winning of the case, and two postponements are equal to about a three-fourths winning of the case. Now, is not the same principle involved here? If a league of nations is postponed at this time is it not true that those who would have no league of nations have about half won their case?

Mr. MYERS. I do not think so. Every case at a term of court can not be tried the first day or on the same day. I am not an advocate of combining in one trial the trial of two cases involving different issues and totally dissimilar subjects. I think the issues of one case should be tried on one day or at one time, and following that the issues of the other should be tried. If there were different parties to the two cases they would have to be tried separately. Here Germany would have to be a party to one settlement and should not be to the other. I do not believe in attempting to combine adjudication of two things having different subject matter and different parties.

Europe is afire with lawlessness and warring elements, some of which are trying to ignite the world and upset civilization. The sparks are flying everywhere. Some of them are lighting in this country and threatening ignition. They are embers of the great conflagration just ended. The first thing is to put out the fire and have peace. We must have peace before we can enforce it. If a man's house were afire, I should think his first care would be to put out the fire, and then that he would consider how to prevent another fire. If a man's house were afire I would not think he would spend any time talking about how to prevent another fire until he had first put out that fire. It seems to me that is exactly the situation in Europe to-day. First, I would say, put out the fire that is burning. Then take steps to prevent another. First stop the war that is smoldering and emitting sparks. Then take steps to prevent another. First get the most of our boys home. Then take steps to see that they do not have to go abroad again to keep brigand nations from throttling the world.

Furthermore, any treaty of peace between the warring nations and also any agreement for a league of nations, of course, must be submitted to the United States Senate for ratification, and there may be some Senators who would be for one proposition and against the other. I think they should have the privilege of considering, debating, and voting on them separately. That is my view of the matter. I may be wrong. I am open to conviction, but it now appears to me that would be the logical course to pursue.

The peace conference which is about to assemble will have urgent and arduous duties of immediate moment, of pressing necessity, which I think should receive very prompt attention. There will be enough to demand its attention for some time, exclusively, in arriving at terms of peace; and if the peace delegates should undertake to divide their time and efforts between the formation of a treaty of peace, which it seems to me ought to be perfected in a few weeks if given exclusive attention, and the vague and uncertain subject of a world league of nations, an experiment that never has been tried, they would undoubtedly sit for months, and might sit for years, before arriving at a conclusion as to either. Meantime, the world would with impatience await results.

A treaty of peace should be arrived at and agreed upon in a comparatively short time. To form a league of nations might take a year. It seems to me they should first undertake the simplest undertaking. Then let them consider deliberately and in all its details the untried experiment of a world league of nations and take for it all the time necessary.

Serious questions press now upon the peace delegates for speedy solution. One of the first that confronts them and the world is what to do with the German Kaiser. It should not go unanswered. Justice demands an answer. I think the German Kaiser should be executed. He should be put to death. He has forfeited the right to live. Death should be his portion. He should be executed like a common criminal. He is an uncommon criminal, but he should be executed just as though he were a very common criminal, and I think he should be executed without a trial. His guilt is known. There is nothing to try. What issues are there to try? All the world knows that he launched a vile, criminal war which plunged the world into the greatest catastrophe and conflagration which it has ever known, the greatest calamity since the flood; that he drenched Europe with blood and crime and bestiality; and that he waged war in a way which violated every principle of international law, civilized warfare, humanity, civilization, Christianity, and common decency. The world well knows those things. They are known to all men. They are common knowledge, sufficiently common for judicial cognizance. He waged war in a way which brought the blush of shame to everybody who has any respect for international rights, civilized warfare, or common decency; in a way that brought agony to hearts of women and palled the souls of men. He bombed hospitals and undefended towns; he murdered thousands of innocent women and children, mangled and maimed little school children at their desks, while pursuing the innocent pastimes of childhood; he cut the hands off of little boys, ravished women and girls, murdered thousands of noncombatants, and carried other thousands into captivity and slavery. These things are known to all the world, and what is there to try in regard to his guilt? He is a monster of iniquity, a fiend in human form. While others have been executed for murdering one human being, he has murdered thousands.

I am not in favor of any soft sentimentality in dealing with these awful questions which are pressing upon the attention of the world. I believe they should be weighed and determined from a standpoint of justice. I believe there is such a thing as justice in the immutable laws of God, and I think there ought to be in all the laws and transactions of mankind. If there is to be justice in the world, if any justice is to come out of the awful catastrophe which has deluged the world with blood, the German Kaiser, the arch criminal of all, should suffer death.

I think as a result of the treaty of peace, which I hope may soon be concluded, the German Government, whatever government may then be in charge of German affairs, should be required to surrender the Kaiser to the military authorities of the United States and the entente allies for execution; and if the German Government should refuse to do so, the armies of the United States and the entente allies should go wherever he may be found and take him and execute him. Every nation on earth ought to be made to know that no civilized nation can harbor such a criminal as the German Kaiser and give him an asylum of safety and refuge from punishment. There should be no nation that would want to do so, and if any nation wants to do it it should be disillusioned.

There are ample reasons for my conclusions on this subject. There is ample reason for holding the Kaiser responsible for all the monstrous criminality and shocking outrages of this horrible war. In 1914 postal cards were printed under the authority of the Kaiser and sent to the Kaiser's soldiers as a command from their commander in chief, which contained these printed instructions to German soldiers: "You will take no prisoners; you will show no mercy; you will give no quarter; you will make yourselves as terrible as the Huns under Attila." At the beginning of the war the Kaiser issued a proclamation to the German soldiers, speaking of all who dared oppose his will, in which he said: "Strike him dead. The day of judgment will not ask you for reasons." Those are the principles and injunctions upon which the Kaiser waged war.

There will be no punishment for fearful crimes and deadly wrong as long as he is permitted to live.

There are other reasons why he should be executed, and executed without a trial. If it were known to all the world that any ruler of a country who started a criminal and wicked war, in the event he lose the war, would lose also his head, there would be very few wars waged in future. If it were known to all the world that any ruler who started a war of aggression against another country would, in the event of losing the war, also lose his head, there would be mighty little war waged.

There has not been a bank failure in China for a thousand years, for the reason that at the time of their last bank failure the officials of the failed bank were beheaded. I think the execution of the Kaiser would have very much the same effect on future warfare in the world. It would be an example to others which would have a most beneficent effect in preventing war. I think it would be a better preventive of war than any league of nations that might be formed.

In addition to that, the Kaiser's immense fortune, which is estimated at $250,000,000. should be confiscated. He has forfeited all right to it. It should be confiscated and used to pay indemnities to the entente allies and to the United States for the horrible outrages that he has committed in waging this brutally uncivilized and fearful war. Von Bernstorff, von Papen, von Rintelen, Dernburg, and a lot of the other German "vons" who were active criminals and moving spirits in this wicked war and who resorted to crime without stint or hesitation to advance their nefarious schemes, should be imprisoned for life at hard labor. That should be their portion, and it should be so provided by the treaty of peace.

I read an article from an issue of the Chicago Journal of a few months ago:

THE POTSDAM CONFERENCE.

On July 5, 1914, a secret conference was held at Potsdam. It was presided over by the Kaiser. Besides this all-highest war lord, there were present:

The German crown prince.
Von Bethmann-Holweg, then chancellor.
Von Tirpitz.
Von Falkenhayn.
Von Stumm, head of the political department of the foreign office.
Archduke Frederick of Austria.
Count Berchtold, foreign secretary of Austria.
Count Tisza, prime minister of Hungary.
Conrad von Hoetzendorf, Austro-Hungarian chief of staff.

The question before this council was whether to make the murder of the Archduke Francis Ferdinand a week before the excuse for starting a general European war. The council discussed the matter, and decided for war.

So much we know, and entirely from Teutonic sources. The German ambassador at Constantinople never wearied of telling the American minister how completely this council settled everything. There may have been more persons present than those named, and there may have been some opposition to the course pursued. It does not matter. These nine men did the deciding, and there could not have been much demur to their program, for the whole conference was over in a few hours.

Nine men, five Germans and four Austro-Hungarians, meeting in secret and owing responsibility to no one, started a war which has gone round the world; a war which has slain nearly 9,000,000 men in battle, starved or otherwise murdered millions of noncombatants, particularly babies, devastated vast provinces, destroyed great cities, heaped up mountainous debts.

Nine men and 9,000,000 deaths, counting soldiers alone. A million skulls to each important man at that conference, and the whole 9,000,000 to the Kaiser, who is responsible for them all! Was such preeminence in murder ever dreamed of before?

These are some of the reasons why I say the German Kaiser should be executed and why all the other men mentioned in that article should be imprisoned at hard labor for the rest of their natural lives. If that were done, I believe it would have more effect in preventing future wars than any league of nations that might be formed.

Mr. POINDEXTER. Mr. President, does the Senator think the Kaiser ought to be hung or shot?

Mr. MYERS. I might say both. If the Kaiser were both hung and shot it would be none too much punishment for his deserts.

Von Bernstorff, who is mentioned in that article, is a burglar. He tried to climb in the back door of the United States and corrupt our Government and debase it with the most unprincipled and dastardly criminal machinations that have ever been known in the history of this country. He undertook to turn loose in this country a tide of corruption, disloyalty, and treason, which, I am sorry to say, went further and acquired more volume than I liked, but which fortunately was stemmed in time to prevent any serious disaster to us as a Nation. He is one of those who should be imprisoned, according to my idea, at hard labor for the rest of his life.

In addition, I believe that Germany should be made to pay indemnity to every country constituting the entente allies and to the United States as well. I believe that Germany should be made to pay all the costs of this war to the nations which successfully waged it. I believe Germany ought to be required, as the result of the peace conference which is about to assemble, to pay every dollar of the $25,000,000,000 or more that the war cost this country; she ought to be required to reimburse us for every dollar of our war expenditure, and to do the same for Great Britain, France, Belgium, Italy, and every other country which participated in the war against her.

Is there any reason why the taxpayers of this country should pay the enormous sum of money which the war cost us? Did they bring on this war? Did they do anything wrong in connection with it? Is it their fault that this country entered the war and was compelled to use its entire military and naval forces and an unprecedented amount of money in order to throttle Germany and to keep her from destroying the world? What have the people of this country done that they should be mulcted in such an enormous sum—that such an enormous burden of taxation should be placed upon them? They have done nothing to deserve it. The German people are the people who made the entrance of this country into the war a necessity. They are the ones who are to blame. They are the ones who are in the wrong and they should be made to pay the penalty. I believe in applying to this situation the homely old maxim, "Let those who dance pay the fiddler." Germany danced to the music of war, to the dreams of the Kaiser for world conquest and his ambition to subdue all the world. Then, if Germany enjoyed the dancing let her pay the fiddler, I say; pay it all, every cent of it. You may rest assured that if Germany had won the war the United States would have been compelled to pay her a large, fat indemnity.

A provision in the treaty of peace to require Germany to reimburse us for our war costs would be nothing more than just and right. It would be absolute justice, and this world can not be satisfactorily conducted upon any other plane than that of justice. I believe justice is one of the greatest things in the world. If justice is not to prevail in this world the world can not be safe for democracy or safe for any other virtue that goes to make it a fit place in which to live. Justice should be the first consideration. We should be just before we are generous.

I do not partake of any of the sentimentality which favors dealing gently and softly with Germany and waiving all indemnity on behalf of this country. This country did not suffer as much as some of the other warring countries, but it suffered a great deal more than it should have been required to suffer, and Germany ought to pay the cost of it. I say, let those who caused the war pay the bills. It would have a very helpful effect upon the German people in deterring them from ever starting out again to conquer the world. It is a commonly accepted rule of practice and procedure at law, I believe, in all jurisdictions where disputes are adjudicated by law, that the winning party is entitled to recover his costs, that the losing party to litigation is required to pay the costs of both sides to the controversy, and the fact that it may bankrupt him to do so is not taken into consideration in the rendition of the judgment. The judgment is entered against him anyway, and if he is never able to pay it he always remains under the burden of it. I say let the judgment in this case be entered against Germany, and if she is never able to pay it let it hang over her for all time to come, as a warning that she must not try the same thing any more.

I think it would be a very efficient preventive of war, too, if it were known to all the world that hereafter any nation which embarked upon war, if it lost the war, would have to pay all costs; not only its own cost, but the cost of the prevailing nation or nations. I think that is a sound principle of law and justice. I think it has much effect upon some people in keeping them from going to law upon frivolous or unjustifiable grounds. Often they are kept from it by the fact that the litigation may be expensive and they may have to pay all the cost if they lose the litigation. I think it keeps many evilly disposed people out of court, and it would undoubtedly have the same effect upon the nations of the world if they knew full well that a losing nation at war would have to pay all the costs for both sides. Nations would be likely to consider a long time before engaging in an unjustifiable war. People would have to be very strongly convinced that war would be justifiable before they would engage in it under such circumstances.

There is another thing for which I think the peace conference should provide in the peace treaty, and that is requirement that Germany must repudiate her entire war debt. That war debt is a monument to the monstrous iniquities, the greed, the criminality, and the lustfulness for conquest of the German people. It was subscribed gleefully and joyously, with a view of reaping the benefits expected to ensue therefrom. The people of Germany were told, if they would support their Government and subscribe the necessary funds for the prosecution of the war,

that when Germany had conquered her opponents and was ready to look forward to conquering the rest of the world they would be richly reimbursed in the booty of conquest, trade, and commerce, and loot for all the expenses which the war had cost them. The people subscribed to the German war fund, knowing that the war was a wicked, unjust, criminal war of conquest and aggression; and, having so subscribed, they should stand the just penalty of losing their money, put up for wicked purposes. I believe that, too, would be a good warning to the nations of the world. If they were made to know that a nation which engages in a wicked, unjustifiable war of conquest, if it loses, will be required to repudiate its war debt, I think it would have a very strong effect in keeping people from subscribing the funds with which to carry on such a war. A nation would be very careful, I believe, in future to decide whether or not a war was a righteous one before calling on its people for funds for waging war. In this instance, repudiation of Germany's war debt would be a just punishment. It would be merited.

The people of Germany who subscribed to the funds for the prosecution of the war were just as much in favor of a war of criminal aggression and lustful conquest as was the German Kaiser or as were any of the German war lords who conducted the infamous war. There was no difference. The people furnished the funds and the Kaiser and his war lords conducted the war and expended the funds, and they should all lose alike. If the German Government be allowed in the years to come to build up its fortunes and to repay its people the money they subscribed for the conduct of a wicked, criminal war, instead of paying the money to the entente allies and the United States by way of indemnity, it will be a monstrous miscarriage of justice, in my opinion. It should not be permitted. I say, make the criminals who fought pay, and make the criminals who paid lose.

Every war bond which the German Government issued to a subscriber of money for the purpose of carrying on the war should be repudiated, as a result of the treaty of peace; and if there are any holders of those war bonds in this country, it would give me peculiar pleasure and especial satisfaction to see repudiated the part of the debt which they hold and which is due them. I agree entirely with the sentiment so often expressed by the lamented late Col. Roosevelt, that people who in this country styled themselves German-Americans were not Americans at all, that their hearts were in Germany, and that they ought to be there themselves; and if their pocketbooks were at the disposal of Germany, they ought to be made to feel in a substantial way their lack of allegiance to this country.

I believe that all the property of the banks, the private holdings and the fortunes of Germany should be confiscated and applied to the payment of indemnities to the countries which compose the entente allies and to the United States. Every visible asset and all means which can be obtained to satisfy these just claims for indemnity should be applied thereto. I believe that Germany's iron and coal beds and her potash beds should be taken away from her, or that she should be required to work them for the payment of indemnities to the entente allies and the United States. I believe that the entente allies and the United States should keep all of Germany's warships and put them to use, and not sink them. I am not in favor of any such sentimentality as would sink those warships, when they are badly needed and can be put to some use for the benefit of the nations who are entitled to them. I believe that we should take all of Germany's merchant ships and distribute them among the entente allies and the United States. I believe that the successful countries should keep Germany's African colonies and that they should either be turned over to Great Britain in payment of her indemnity or should be distributed among the different nations which constitute the entente allies.

If necessary to make Germany pay for this war, I would have the German people work for their board and clothes for the next 500 years, and during that time, at least, they would not start another war of lustful bestiality, of wicked conquest, to destroy everything that does not worship at the shrine of German might.

I believe that the different states which constitute the German Empire should be forcibly and permanently segregated. I believe the peace conference should require the segregation of Prussia, Bavaria, and all other of the different principalities which compose the German Empire, and that it should be a provision of the treaty of peace that they should never again be united under one government, but must remain totally separate and apart forever. They should not be permitted to have a common ruler; they should not be permitted to have a common court nor a common legislative body, but should be kept just as separate and distinct as the United States and Canada are kept; just as separate and distinct as are Spain and Portugal.

Really Germany deserves dismemberment; that is, she deserves to be dismembered and to be partitioned and distributed as colonies amongst the entente allies, just as Poland was dismembered and partitioned some generations ago. That was a most monstrous and unjust act, to which Germany, to her shame and infamy, was a party. The dismemberment and partition of Germany would be a most merited and deserved act. I would not, however, go that far. I believe if the principalities which constitute the German Empire are forcibly segregated and kept apart and are allowed no cooperation whatever in the future, so long as time may last, that that would answer practical purposes fairly well.

These different principalities or States should be required, I think, by the treaty of peace to keep down their standing armies and reserve military forces to a very nominal number of men. Neither Germany, collectively, nor the principalities which compose Germany, separately, should be allowed ever again to maintain a standing army or a reserve force for military purposes which would be of any consequence. I would say that, merely for police purposes, I think each one of those principalities, as a separate nation, might be allowed to keep 500 or 1,000 men under arms or in reserve, but no more than that number. None of them should ever be allowed to have a navy.

The payment of the indemnities which I think should be paid to the entente allies and the United States in reimbursement for the cost of this war should be equitably apportioned among the different principalities which now compose the German Empire, and which, in future, ought to be separate and independent nations, and each one should be required to pay its allotted quota of the indemnities.

Germany should be required to quit warring on Poland. Poland should be erected into an independent nation, embracing original Polish territory. Germany should be required to quit helping the Russian Bolsheviki to conduct a reign of anarchy and crime in Russia. Germany, I believe, is furnishing much of the brains, power, munitions of war, and instruments to continue the unsettled and very disastrous state of affairs that prevails in Russia. Germany should be required to withdraw all aid and assistance, by troops, by intrigue, by connivance, by approval or recognition of any kind whatever, from any element of the people in Russia, and to let the Russian people settle their own troubles.

You may say that these terms are severe, but the subject matter of them merits severe terms; nothing but severity would be just. Stern measures should be taken in grave emergencies. I have read some utterances to the effect that we should not be animated by any spirit of revenge in our settlement with Germany. I agree with that; I do not think that we should be animated by revenge at all. We should be animated entirely by a spirit of justice; and in all that I say and advocate I have in view only justice, and am animated solely by a spirit of justice; but I believe justice should prevail. Organized society undertakes to punish individual criminals. It is absolutely necessary that it be done. That has been recognized for thousands of years. There can be no successful or beneficial organized society without the punishment of individual criminals. They are punished for the welfare of all, yet that punishment is not administered from a spirit of revenge; it is administered from a spirit of justice, or it should be, and I believe it generally is. When men prove themselves unfit to live as individuals in organized society, the common practice is to put them to death. When they prove themselves unfit to be at large, the common practice is to confine them for the rest of their lives, generally at hard labor. I believe the same rule should be carried into international affairs, so that when a nation like Germany proves itself unfit to be at large, as we might say, in the world of nations, she should be rendered absolutely impotent to do any more harm; she should be put in such a condition that she can do no more harm to the rest of organized society in the world. If you can not put her in some separate place and lock her up, she ought to be so fixed that she can never do any more harm to the organized society of the world. The only way to fix Germany so that she will never do any more harm to the organized society of the world is to strip her of all of her power, segregate her into different nations, require those nations to keep separate and refrain from reuniting, and make them pay the full measure of all the damage which the German Empire perpetrated on the world.

Of course, this would be a hardship upon the German people, but I am not one of those who believe that the German Kaiser and his war lords are entirely responsible for the horrible war that has just ended. In my opinion the German people were just as much to blame and were just as much the cause of it as

were the German Kaiser and his war lords. The German Kaiser is the result of the spirit of the German people. The German people made the Kaiser what he is, and they are responsible for him. He is the outgrowth of their sentiments, their ideas, and their civilization. I believe the German people, as a rule, are every bit as bad as the German Kaiser, who is their product. I know there are some exceptions, but I am speaking of the German people generally. I do not believe the German people are the product of the German Kaiser; I do not believe that some 70,000,000 people, their animosities, their spirit, and their civilization are the product of one man. I believe that the one man is the product of the 70,000,000 people.

I do not believe that 70,000,000 people were dragooned and lassoed and dragged into this war. I believe they went into it willingly and cheerfully and eagerly and gleefully; that they were just as much in for a war of conquest, spoliation, aggression, and criminality as was the German Kaiser. In that connection I will read an extract from an article from the pen of Mr. Richard H. Edmonds, editor of the Manufacturers' Record, of Baltimore, Md., which very forcibly expresses what would be just conditions for Germany as the result of her monstrous crimes. He says:

Until Heaven offers peace to unrepentant hell, until the Almighty invites Satan to a peace parley and to sit beside Him on the throne and rule the universe, we would be traitors to civilization and to God Himself to grant peace to an uncrushed, unrepentant, unpunished Germany. Peace for Germany without full punishment would be a premium upon crime and an indorsement of all Germany's fearful shedding of blood.

As to whether or not the terms I have proposed would be too severe for Germany or unmerited, I will read another article by the same author, Mr. Edmonds, which is entitled "The bill of civilization against Germany." It is as follows:

THE BILL OF CIVILIZATION AGAINST GERMANY!

What a staggering bill it will be!

It will be a bill for four years, up to the present time—how much longer no one yet knows—of the most fearful crimes which the world has ever known.

It will be a bill for the millions who have died in defense of civilization and for the millions who have been blinded and maimed and permanently invalided.

It will be a bill for all agonies which hundreds of millions have had to endure.

It will be a bill for the tears which have flowed from the eyes of millions of mothers and wives, sisters, and sweethearts because their loved ones have had to endure all of the hardships which the vilest ingenuity of hell could instigate as they fight on the side of heaven in the battle against hell.

It will be a bill for such sorrows as earth has never known by dishonored womanhood which in shame and deathless woe cries out to heaven against the criminals.

It will be a bill for mangled children and for tens of thousands of helpless babies done to death by Germany's crimes.

It will be a bill not merely for the tens of billions of money, not merely for the ships that have been murdered, for the towns and the countries that have been ravaged, for the cathedrals and churches that have been destroyed; these are only a part of the material things which must be charged against Germany in the bill of civilization against barbarism.

It will be a bill which no human words can ever portray and no auditor can ever state in figures.

These are some of the items in this bill against Germany, the magnitude of which no expert accountant who ever lived could measure by human calculations.

Though the tears can never be wiped away, the broken hearts never be mended, the millions of murdered brought back to life, the dishonored womanhood never be restored, the bill must be summed up in the most graphic language known to mankind. It must be written on the pages of human history with a pen fed by the blood of millions of broken, bleeding hearts. There it will stand forever as an unpaid debt from which Germany can never through eternity be cleansed.

As well might Judas have sought to blot out the reality of the betrayal of his Lord and of the agony of the cross as for Germany to hope ever to wipe out the record of its crimes. In letters of fire, burned into the soul of every man and woman living now or in the centuries to come, they will forever stand.

Germany will for 10,000 years be regarded as more typical of rotten heartedness than Judas and Nero.

Though Germany can never wipe out this bill, there is a bill for material things which should represent every dollar spent by America and our allies in saving civilization from being destroyed.

There is a bill for every ship that has been murdered, for every pound of foodstuffs and raw materials of which Germany has robbed others.

There is a bill for the disruption and disorganization of every business on earth.

There is a bill for every fruit tree cut down, for every town looted and burned, for every car and locomotive stolen. These things must be summed up and Germany be made to pay to the uttermost farthing.

To require anything less of Germany would be to condone its crimes, to become an apologist for them, and a coworker with Germany in sapping the world's moral strength.

There is also a bill which can be paid only by the death upon the gallows of the leading criminals.

I regret that this war did not terminate by an unconditional surrender of the forces of Germany and her allies. I regret that it did not terminate by military victory on German soil. I believe Germany should have been made to know and feel something of the devastation of war. I mean legitimate war, not criminal warfare. I would have had her taste war on her own soil. Of course, that is a thing of the past, and we can only look to the future. I believe, however, that justice demands adequate punishment of Germany for all of her crimes. The list is long and shocking and requires stern measures. For that reason I do not believe Germany should be admitted to the peace conference. She has no place in the peace conference; she is not entitled to have any voice in the peace conference; she is not fit to sit in the peace conference. Germany is a criminal; an international bandit, murderer, highwayman. Her crimes are black and shocking. She waged war by murder, rape, arson, and every other crime known to the catalogue of criminality. In my opinion the entente allies and the United States should formulate the terms which are to be imposed upon Germany, and should then call the German representatives into the conference and make them sign the terms. Germany is a criminal in the dock, awaiting her sentence, and should have no voice in what that sentence is to be. If she does not like this, let the result be extinction of Germany as a nation, annihilation of her national existence. If an earthquake were to occur and swallow up the entire territory now occupied by Germany and all the inhabitants thereof and a great lake were to succeed it, I believe the world would be better off. It would be safer, anyway.

I am not in favor of admitting Germany to any league of nations which may be formed. A league of nations is simply a law and order society. If a law and order society were formed in a community, who would think of admitting into it the most notorious criminals in the community? If the people of a community have been outraged and shocked beyond expression by a number of fearful and bloodcurdling criminal attacks and outrages upon the women of the community and a law and order society is organized to protect the women of the community, would anybody think of admitting into that law and order society a man who was guilty of the crime of rape, sit beside him at the table of the law and order society and confer with him about methods to prevent a repetition of such horrible crimes? If the crime of horse stealing has been prevalent in a community and a law and order society is organized to prevent horse stealing, would the people who organized that society take into it a notorious horse thief who had been repeatedly caught with the goods on him, caught stealing horses and making away with them? Would he be considered fit to sit in an antihorse thief society? Just so it is with Germany. Germany is not fit to sit in a league of nations; she is not a qualified party to sit in a league of nations; she would not be in sympathy with the nature and objects of a league of nations. If a society were organized to enforce a prohibition law, would people think of admitting into that society notorious bootleggers who make a business of surreptitiously selling whisky and defiantly breaking the very law which the society is organized to enforce? The question answers itself.

If Germany entered into a league of nations she would pay no attention to it; she would consider it merely "a scrap of paper." Germany has no honor or truth in her; she has no recognition of those principles which make for the maintenance of decency and honor and law-abiding conduct among nations. The very moment she became able to violate the principles of a league of nations, if a member, and saw it would be to her advantage to do so, she would violate them.

I lay down three general principles as the sum and substance of the views which I am expressing. They are, first, that Germany should be required to pay full indemnity for all the damage she has caused and the cost she has imposed in this war upon the United States and each and all of the nations of the entente allies; second, that Germany should not be admitted to the peace conference, because she is not fit to be admitted to it; and, third, that Germany should not be admitted to any league of nations, because she is not fit to be admitted to one. In support of them I will read some extracts from Dr. Newell Dwight Hillis's volume, entitled "German Atrocities." I wish to submit them, and ask if the people of whom these things are true are fit either to sit on a peace conference or to be represented in a league of nations, and if there would be any injustice in requiring them to pay in full all of the damages and costs they have brought upon the entente allies and the United States on account of this war? Dr. Newell Dwight Hillis, as is doubtless well known to all Senators, is one of the prominent and leading clergymen of the United States. As clergyman, citizen, patriot and American, he stands in the forefront of our citizenry. He went to Europe during the progress of the European war and very carefully investigated the charges of German atrocities and had them fully verified to his entire satisfaction by affidavits, by the testimony of eyewitnesses, by official documents, by diaries taken from the bodies of dead German soldiers, and by other evidence that would be admitted in any court of law.

I have read for my own information a great deal of his book, and I will read to the Senate some striking excerpts therefrom:

No horrors in history are so overwhelmingly evidenced as the German atrocities. The nature, the number, and the extent of their crimes have been documented more thoroughly than the scalpings of settlers by Sioux Indians, the horrors of the Black Hole of Calcutta, or the cruelties of the Spanish Inquisition. No American to-day can cross the threshold of Belgium or northern France, Poland, or Serbia without recalling the words that Dante saw above the gate of hell, "Abandon hope, all ye who enter here." Not since Judas and his fellow conspirators crucified Jesus has there been a ruler, a war staff, or an army that has deliberately revived the cross as an instrument of torture to further the ends of military efficiency. The Germans have literally fulfilled the Kaiser's charge in 1899 and reproduced in 1914 upon various cards for the Kaiser's soldiers: "You will take no prisoners; you will show no mercy; you will give no quarter; you will make yourselves as terrible as the Huns under Attila." All scholars know that the Kaiser was referring to Attila's well-known motto, "Where my feet fall let grass not grow for a hundred years."

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It is not by chance that the first atrocities were begun on practically the same day—August 17, of 1914—and along a line extending from the English Channel to the Swiss frontier, just as the murders and mutilations, the rapes, and the pillaging began and ended at the same time in Poland, Roumania, and Serbia, and are now being repeated in more malignant forms in northeastern Italy.

Nor were these atrocities committed in moods of drunkenness, hours of anger, nor by the occasional degenerate, like Jack the Ripper, of Whitechapel Road. Allen White and Arnold Toynbee are doubtless right in asserting that most of the attacks upon little girls and young women were made by German officers; nevertheless, all must confess that the German soldiers were not less culpable, as they pillaged the land guided by the deliberate, cold, precise, scientific, ordered policy of German frightfulness.

The story of German occupancy of Belgium and France is a long, black story of unspeakable crimes. These brigands broke into banks, looted factories, pillaged houses, burned the farmers' machinery, chopped down orchards and vineyards. In the face of their newly signed treaties with the allied nations, pledging the safeguarding of all buildings dedicated to education and religion, with the lives and property of noncombatants, the Germans made their treaties mere scraps of paper, sneered at the most solemn obligations given by men to men, burned cathedrals, colleges, and libraries, mutilated old men and women, violated little children, nailed a child to a farmer's barn door upon which they found a calfskin drying in the sun, and beneath wrote the word "zwei." They crucified Canadian officers and Roman Catholic nuns. They bombed hospitals and Red Cross buildings. They thrust women and little children between themselves and the Belgian and French soldiers defending their native land. The affidavits, photographs, and mutilated bodies are witnesses that destroy forever the last shred of doubt and incredulity. For men who are open to testimony, the German atrocities are more surely established than any of the hideous cruelties recorded in history. Now, for the first time, wildest savagery has been reduced to a science and damned into existence under the name of German efficiency.

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In the "summarizing report by the general war staff," published December 31, 1914, the German chief says in explanation of the Belgian campaign: "The need of the German Army to push through Belgium was imperative. Our starting point was that the tactical object of the Twelfth Corps was to cross the Meuse with speed. To at once overcome the opposition of the inhabitants was a military necessity, and something to be striven for in every way." And what does "every way" mean? Let the German staff themselves answer. "The flourishing town of Dinant with its suburbs was burnt and made a heap of ruins and a large number of Belgian lives lost." "About 220 inhabitants were then shot and the village was burned. Just now—6 o'clock in the afternoon—the crossing of the Meuse begins near Dinant; all the suburbs, chateaux, and houses were burned down during this night. It was a beautiful sight to see the villages burning all around us in the distance." "The town appeared to be perfectly peaceful, nevertheless, for the sake of security, a number of the inhabitants were made prisoners by the grenadiers." "Later, we decided to assemble all the male hostages against the garden wall, where we shot them."

Hundreds of witnesses called in one town, after the Germans had passed on, show that the German officers and soldiers were engaged in one horrible orgy of pillage, drunkenness, lust, and murder.

They began by breaking open all wine cellars, and soon the officers went reeling and staggering through the streets, firing their revolvers into the windows of houses and stores. They blasted the safes open with dynamite. They carried goods from the shelves to the freight trains, and as fast as the town was pillaged burned the houses. During four days they looted and burned 1,200 houses, stores, factories, schools, and churches. They left lying on the ground 700 dead bodies, chiefly women and children. Two trains laden with the men and women who were strong enough to work were carried off to Germany. All the manufactories where the artisan class were wont to work were systematically destroyed. Marching away from towns that were blazing furnaces, the German soldiers drove in advance a long line of women and children, with a few aged men, and used them as screens behind which they could march into the next town that was to be looted.

I will now read what Cardinal Mercier, the primate of Belgium, declares about the ruin and sacking of Louvain:

At Louvain the third part of the city has been destroyed; 1,074 dwellings have disappeared; in addition, in the suburbs—Kesselloo, Herent, and Herberle—1,828 houses have been burned. In this dear city of Louvain, ever in my thoughts, the magnificent church of St. Peter will never recover its former splendor. The ancient college of St. Ives; the art schools; the commercial and consular schools of the University; the old markets; our rich library, with its collections, its unique and unpublished manuscripts, its archives, its gallery of great portraits of illustrious rectors, chancellors, professors, dating from the time of its foundation, which preserved for masters and students alike a noble tradition and were an incitement to good work—all this accumulation of intellectual, historic, and artistic richness, the fruit of the labors of five centuries, all, all is in ashes.

I read now words of admonition of the Kaiser and the German war staff to the German soldiers:

"Strike him dead; the day of judgment will not ask you for reasons." The soldier might read this: "You can slay, pillage, loot, burn, rape, leave thousands of bodies massacred and mutilated on the ground, but remember that your Kaiser and your war staff will stand between you and the avenging God, and will see to it that the Judge of all the earth makes you no trouble on the great day of accounting."

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Here is the diary of Eitel Anders. It is believed that he belonged to the Fourteenth Bavarian Regiment. The diary was taken from his body upon the battle field and is similar to hundreds of others: "We crossed the bridge over the Maas at 11.50 in the morning. We then arrived at the town of Waendre. When we went out of the town everything was in ruins. In one house a whole collection of weapons was found (the mayor had ordered the women to bring to his house every weapon that they could find, that the Germans might have no excuse for saying that anyone had struck their soldiers or fired a gun). All the inhabitants, without exception, were brought out and shot. This shooting was heartbreaking as they all knelt down and prayed, but praying is no ground for mercy. A few shots rang out, and they fell back into the green grass and slept forever. It is real sport." But how did Eitel Anders sleep that night? We know that Macbeth did not sleep after he murdered Duncan and Banquo. The next day the soldier made another entry—mark the opening words: "This morning, in happy mood and high spirits, we passed through Taturages. But before this we cleaned up the suburb of Mons and burned the houses. The inhabitants came out of the houses into the open plain. Here many heartbreaking scenes occurred. It was really terrible to watch."

Having stated that he had murdered men, young Eitel Anders sleeps well at night, and the "next morning, in happy mood and high spirits," wakened to plan fresh crimes. Shakespeare's murderer did not dare trust himself out under the stars that blazed with anger, but Eitel Anders's sleep was not disturbed by the blood upon his hands, because he really believed the Kaiser would be able to stand between him and the great day of judgment.

After Gen. Clauss shot 15 aged men in the streets of Gerberviller, too, that officer rode away with a light heart, quite free from the remorse that unseated the reason of Macbeth.

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The German Laws of War on Land, their handbook of military tactics, has organized crime into a science and killed in men the spiritual optic nerve.

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In August of 1914, when the German Army was broken and compelled to retreat before the French, they passed through many French towns and villages in which they found no soldiers and no weapons, and where no battle, no skirmish, and no shot took place. During last July and August we went slowly from one of these ruined towns to another, talking with the broken-hearted women and children, comparing the photographs taken immediately after the German retreat and almost before the mutilated bodies were cold. Slowly we sifted the evidence. On the ground we compared the full official records made at the time with the statements of wretched survivors who live in cellars where once stood the beautiful homes, the orchards and vineyards, but where now all is desolation and anguish.

Among the multitude of events described by witnesses who survived the martyrdom of their village are the following: When the noise of the approach of Gen. Clauss's division of 20,000 soldiers in full retreat was heard an aged Frenchman stepped to his open door. He had retired from business to spend his last days midst the friends of his childhood and youth. Hearing the noise of the approaching army, the merchant stepped to his open door. As the first automobile swept by the German officers lifted their revolvers and emptied the lead into the old man's body. He pitched forward down the stone steps and in his death struggle worked his way to the wrought-iron gate, where after the German retreat he was found dead.

Before touching the body official photographers, under the direction of their noble prefect, took their photographs from different angles. In the garden behind the smoking cellar was found the wife, lying dead upon the grass, her left wrist tied by the clothesline to the root of an apple tree, the right wrist tied to a clump of gooseberry bushes. She was dead, but not through dagger or pistol. Standing beside their graves we studied the photographs and talked with the families of the 15 aged men whom Gen. Clauss ordered shot because there were no young or middle-aged men in the village whom he could kill.

BURNING OF AN AMBULANCE DRIVER.

Most harrowing the testimony given by the mother of a Red Cross ambulance driver. The day before the Germans came this man had returned from the front, bringing an ambulance filled with wounded soldiers. While the division of 20,000 Germans were looting the houses and carrying away every rug, carpet, table, chair, picture, tool, and art treasure toward the Rhine, German officers entered the house of Sister Juliet, who was nursing the wounded soldiers. Finding the young Red Cross man there, they immediately shot him. Later, while his mother was holding his head in her arms and staunching his wounds, a German officer approached and seizing her hands held them behind her back, while one of the privates poured petrol over her son's head. With two fingers this soldier ripped the clothes from the breast of the wounded man and poured oil under his shirt and then set fire to his garments. Referring to his death struggles and the photograph of the charred mass that had once been her son lying on the brick pavement, this mother exclaimed, "If I had only let him bleed to death! If I had only let him bleed to death! Then they could not have made him die twice!"

THE MURDER OF HEREMINEL.

In a little farming village not many miles from Gerberviller the Martyred stands a battered square belfry into which the Germans listed their machine guns, hoping to hold back the pursuit of the French Army, thus giving Gen. Clauss time to retreat and "dig in" some miles to the northeast. Tying the ropes to the axle of automobile trucks, the Germans soon lifted their guns into the church tower. They then drove the French women and children into the church and used them as a screen. One young mother did not immediately obey because of certain duties in connection with her little child. With two other girls this young wife was stood up against the stone wall of her own little house and shot, for the purpose of teaching French women to obey instantly when German savages command.

When all the women and children were packed into the church a boy was sent back to tell the French that if they fired upon the guns in the church belfry they would kill their own families. Two nights later, when a storm was raging, the women slipped a little boy through the window and sent word to the officers of the approaching French Army that their wives wished them to open fire on the German guns. In blowing these weapons out of the belfry the French killed 20 of their own wives and children, who preferred to share death with the men they loved rather than suffer nameless indignities from German

brutes. In a hundred years of history where shall you find a record of soldiers, whether red, black, or yellow, save Germans, who were such sneaking, sniveling cowards that they do not dare play the game fairly and like men, but in their chattering terror use women and little children as shields against danger? Of a truth, the "Potsdam gang" has added a new word to the literature of cowardice.

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For centuries the enemies of farms, houses, towns, and cities have been fire, flood, and earthquake. Witness the city of St. Pierre. An interior explosion blew off the cap of the mountain and a flood of gas poured down upon the lovely city, asphyxiated the citizens, and left not one house standing. Witness that mighty convulsion in San Francisco, that brought thousands of brick buildings crashing down in ruins. Witness the fire in Chicago that turned the great city into piles of twisted iron and ashes. In New Zealand there is a lake called Avernus, the birdless lake. Poisonous gases rise from the black flood of water, and soon the lark with its song and the eagle with its flight fall into the poisonous flood.

But all these images are quite inadequate to explain the devastation of France upon the retreat of the Germans. About 40 miles north of Paris one strikes the ruined region. Then hour after hour passes, while with slow movement and breaking heart the investigator journeys 100 miles to the north and zigzags 125 miles south again through that ruined region. Centuries ago Julius Caesar described it as a wild land, rough, with forests filled with wolves. Then the Frenchman entered the scene.

He subdued all the wild grasses, drained the valleys, and widened the streams into canals. He enriched the fields, surrounded the meadows with odorous hedges and filled swamps with perfumed shrubs. Slowly the Frenchman threw arches of stone across the streams and carved the bridges until they were rich in art, while everything made for use was carried up to beauty. He gave to the roof of the barn its lovely lines; the approach to the house was upon a curved road, the highways were shaded by two rows of noble trees. The stony hillside was terraced, and there the vines grew purple in the sun. How simple was his life! What a sanctuary his little home! With what rich embroidery of wheat he covered all the hills! He was prudent without being stingy, thrifty without being mean. The French peasant saves against old age with one hand and distributes to his children with the other.

WHAT HATE CAN DO.

And having lavished all their love upon the little farmhouse, the granary, and the garden, having pruned these grapevines with their clusters of white and purple, the time came when each vine seemed like a friend, dear as that miraculous picture was to Baucis and Philemon. For these reasons all France was invested with affection and beauty.

The French peasants loved their land and then lost it. One morning the Hun stood at the gate. The farmers with their pruning knives were no match for Germans with their machine guns, and down they fell under the plum trees they were pruning. The devastated regions of France are like unto a world ruined by devils. The Germans cut down the apples, the pears, and all the peaches. They did not spare the cherry, the quince, the gooseberry, and currant, or the vineyard. Gone also all the beautiful bridges—they have been dynamited! Gone all the lovely and majestic thirteenth-century churches! Gone all the galleries, for some of the finest art treasures in the world have perished.

The land has been put back to where it was when Julius Caesar described it 2,000 years ago—a wild land, and waste, growing up with thorns and thistles. That proclamation on a wall tells the whole story. "Let no building stand, no vine or tree. Before retreating see that the wells and springs are plentifully polluted with corpses and with creosote." The spirit was this, "Since we Germans can not have this land, no one else shall."

PRINCE EITEL'S CRIME.

But there is more. One of the historic chateaux is that of Avricourt, rich in noble associations of history. It was one of the class of buildings covered by a clause in the international agreements between Germany, France, and the United States and all the civilized nations, safeguarding historic buildings. For many months it was the home of Prince Eitel, the Kaiser's second son.

When a judge and jury held inquiry at the ruins of the chateau, the aged French servant, who understood the electric lighting and had charge of the gas plant during Eitel's occupancy, stated that he heard the German officers telling Eitel Frederick that he would disgrace the German name if he destroyed a building that had no relation to war, that could be of no aid or comfort to the French Army, and that he would make his own name, and that of his family, a name of shame and contempt, of obloquy and scorn. But the man would not yield. He brought in his auto trucks and carried to the freight cars every historic object in the splendid chateau. Having pledged himself to leave the building uninjured, the prince stopped his car at the gates of the exit, ran back to this historic house, filled his firebrand, spread the flames upon the halls, waited until the flames were well in progress, and then ordered his men to light the fuse of dynamite bombs. A few days later inquiry was held and testimony of aged servants and little children was taken. The degeneracy of this German prince as then revealed has not been equaled since the first chapter of Romans catalogued the unnatural crimes of the men of the ancient world.

Germany has no artistic sense. Her own poet, Heine, predicts that she will yet pull in pieces her one fine cathedral. The German poet does not think any beautiful thing is safe so long as it is in German hands. This gifted Hebrew had the vision that literally saw the German pounding to pieces the cathedral at Louvain and Ypres, in Arras, in Bapaume, in St. Quentin, and Rheims.

I now come to some extracts that are so horribly vile and indecent in their details that they are not fit to be printed in a publication of general circulation. It is all right to publish them in a book which only those who wish may buy and read, but I do not believe they are fit to be in the CONGRESSIONAL RECORD. They relate how thousands of French and Belgian women had their breasts cut out by German soldiers and the reason why they were cut out. They are so bloodcurdling and shocking to every sense of decency that I will not read these pages. They embody sexual subjects, including a scheme to impregnate all of France and Belgium with venereal disease, and the book tells how this scheme was systematically practiced on a large scale; and it also, in the next few succeeding pages, tells how some of the wives and daughters and sisters of French and Belgian soldiers were treated by German soldiers, but they are too horrible and vile to read. There was no excuse for the vile conduct detailed, even from the standpoint of lustful bestiality, because in the rear of all of the German armies were great numbers of kept women, kept there with the knowledge, sanction, approval, and by provision of the German authorities.

I will skip those horrible, shocking things, and read a few other extracts as to individual atrocities.

Here is a German song. It shows the principles which the German people cherish and the principles upon which they conduct warfare:

Oh, Germany, hate! Slaughter thy foes by the millions, and of their reeking corpses build a monument that shall reach the clouds.

Oh, Germany, hate now! Arm thyself in steel and pierce with thy bayonet the heart of every foe; no prisoners! Lock all their lips in silence; turn our neighbors' lands into deserts.

Oh, Germany, hate! Salvation will come of thy wrath. Beat in their skulls with rifle butts and with axes. These bandits are beasts of the chase, they are not men. Let your clenched fist enforce the judgment of God.

Oh, Germany, the time to hate has come. Strike and thrust, true and hard. Battalions, batteries, squadrons, all to the front! Afterwards thou wilt stand erect on the ruins of the world, healed forever of thine ancient madness, of thy love for the alien.

Here is a German hymn, so styled:

We have but one single hate;
We love as one, we hate as one;
We have but one single foe,
Whom you all know, whom you all know.
He sits crouched behind the gray flood,
Full of envy, full of fury, full of craft, full of guile,
Set apart by waters that are thicker than blood.
We wish to go before a seat of judgment
To swear an oath, face to face,
An oath of metal no wind can blow away,
An oath for children and children's children.
Hearken to the word, repeat the word,
It rolls on through all Germany:
We will not forbear from our hate.

I will read now a few brief extracts of individual atrocities that were amply proven by affidavits, the testimony of eyewitnesses, diaries, documentary, and other undoubted proof.

A boy with his hands cut off, mutilated by a German officer, because he was supposed to have laughed at this drunken brute.

A Belgian babe, skewered upon the bayonet, driven through his stomach, with his little head and hands and legs dangling as the German proudly carried it through the street of a village.

A mother superior crucified by bayonets to the door of her schoolhouse as punishment for scratching the face of an officer, who was violating the person of a young nun. The burning alive of a man who defended his wife.

Photographs of an aged priest, staked down to the ground, and used as a lavatory until he was dead; photographs and affidavits of young girls with one breast cut off.

The dead body of a young girl nailed by her hands to the outside door of a cottage. She was about 14 or 16 years of age.

"September 14. One hundred and eight inhabitants are stated to have been shot after they had dug their own graves. Innumerable houses have been destroyed. The population looks bitter and scowling." August 22 (notebook of Private Max Thomas): "Our soldiers are so excited, we are like wild beasts. To-day destroyed eight houses, with their inmates. Bayoneted two men with their wives, and a girl of 18. The little one almost unnerved me, so innocent was her expression."

In retreating from Laines eight drunken soldiers were marching through the street. A little child of 2 years came out and a soldier skewered the child on his bayonet and carried it away while his comrades sang.

Withdrawing from Hofstade, in addition to other atrocities, the Germans cut off both hands of a boy of 16. At the inquest affidavits were taken from 25 witnesses who saw the boy before he died or just afterwards.

Passing through Haecht, in addition to the young women whom they violated and killed, a child 3 years old was found nailed by its hands and feet to a door.

"The captain served a requisition upon all the farmers hereabouts, taking horses, oxen, wagons, milk, and butter. These people are so ignorant that they did not know when he gave them false receipts and signed this name—Herr von Koepenick." Other peasants received receipts stating that in return for the goods that have been requisitioned by the German officers, the owner was to come to the German quartermaster and receive his pay in 20 strokes of a whip lash. If all the diaries of the Germans now in the hands of the English, Belgian, and French authorities were brought together and published they would make a small library, and the title would be "Confessions of Crime by German Soldiers."

"August 19. Halted and plundered a villa, as invariably the surrounding houses were immediately plundered; dined splendidly, drank 11 bottles of champagne, 4 bottles of wine, and 6 bottles of liquor."

Joan Vanderschoot, Tenth Company, Thirty-ninth Infantry, Seventh Army Corps. "August 19.—Quartered in the university. Boozed through the streets of Liege; lie on straw; booze in plenty; little food; so we must steal. We live like gods here in Belgium."

H. W. Heller, August 6: "Friday at 8.30 came the news that the English had landed in Belgium. We smashed everything immediately. One sees only burning houses and heaps of dead people and dead horses every three steps."

Fritz Holman writes: "We are never thirsty here in France. We drink five and six bottles of champagne a day, and as to underlinen, we simply loot a house and change. God only knows what will happen unto us later on."

Stephen Luther's diary: "There was terrible destruction; in a farmhouse saw a woman who had been completely stripped and who lay on burnt beams. How savage! Terrible conditions in the destroyed houses. August 24, 1914, in Ermiton we took about a thousand prisoners. At least 500 were shot."

Are those things not worthy of consideration in determining whether or not Germany should pay full indemnity to the entente allies and the United States for all the damage and cost she has incurred in this horrible war? Are those things not proper for consideration in determining whether or not Germany should be admitted to the peace conference? Are they not worthy of consideration in determining whether or not Germany is fit to be admitted to a world league of nations composed of civilized nations for the preservation of peace? Are those things not to be a factor in the determination of what is justice? If Germany is barred from a world league of nations and from the peace conference and required to pay to the uttermost farthing full indemnity, now or in future generations, for all the costs of this horrible war, are those things not a proper factor to consider as provocation and justification? If they are considered, is it to be termed revenge, or a spirit of animosity, or are they proper factors to be considered in the administration of justice?

I say those things simply prove that Germany should pay full indemnity in this or future generations, no matter how long it may take, for all the cost incurred by the entente allies and the United States in defeating her in this horrible war. I say they prove conclusively that Germany should not be permitted to sit at the peace table; that Germany is not fit to be admitted to any league of nations composed of civilized nations for the preservation of peace.

I will read a few further extracts from this work to show the spirit of Germany, the spirit with which she prosecuted this infamous warfare of spoliation and crime:

One of the Kaiser's speeches contains the explanation of his dream of becoming a world conqueror: "From my childhood I have been under the influence of five men—Alexander, Julius Cæsar, Theodoric II, Frederic the Great, and Napoleon. Each of these men dreamed a dream of a world empire; they failed. I am dreaming a dream of a German world empire, and my mailed fist shall succeed."

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One of the Pan German Empire pamphlets and many of the German newspapers contain a revised map of Europe, showing "Germania" stamped across the Continent, with St. Petersburg, Paris, and London become county-seat towns, paying tribute to the world capital, Berlin. Many German newspapers, during this war, have published maps showing Canada as a German Province, with the name "Germania" stamped across South America, Mexico, and Central America. These many pamphlets and Pan German Empire books explain Admiral Dewey's report to President McKinley. That report seems to have been written in the cabin of the flag ship *Olympia*, in Manila Bay. Dewey states that the German admiral told him plainly to make a note of this prophecy that within 15 years (1899, report of Admiral Dewey) Germany would crush France and Belgium, seize Holland and Denmark, utterly destroy England, and take Canada as a German Province. Admiral Dewey added that the German admiral told him that while the Kaiser intended to seize New York and Washington and hold them for an indemnity, he did not intend to permanently hold in subjection the United States, but he did intend to retain Mexico and South America, and then "dispose of the Monroe doctrine as he thinks best." This may explain the Kaiser's word to Mr. Gerard: "After this war I will stand no nonsense from the United States."

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When the Kaiser first announced his Pan German Empire scheme he bribed his people by appeals to avarice, ambition, and jealousy of England and Russia. The arguments used by the Potsdam gang were very simple: Agriculture pays 6 per cent; trade, 8 per cent; finance, 10 per cent; shipping, 12 per cent; but war is an industry that pays 50 per cent dividend upon the investment. Germany's war upon little Denmark, a people without army or navy, paid an enormous dividend upon the investment in that it gave Germany one of her richest Provinces, made possible the Kiel Canal, and left Denmark permanently crippled and exposed. "Denmark and Holland, also, are apples," says a German author, "that are slowly ripening, and we will pick the fruit at the proper time." Germany's war of 1864 upon Austria was the attack of a brigand upon a traveler rich with gold, and the cities and Provinces that Germany wrested away from the ruler of Vienna paid 100 per cent upon the investment.

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In 1911 the Kaiser spread out before his people bribes most alluring. Just as the Devil led Jesus up into a mountain and showed Him the whole earth, so the Kaiser and the Potsdam gang led the Germans into a mount of temptation and showed them how easy it was to make the Kaiser a world emperor. The argument was very simple; after 25 years of preparation Germany has 9,000,000 soldiers, has cannon, liquid fire, poisoned gases, battleships, aeroplanes, with every wagon and automobile ready to have the pleasure body removed and a military body substituted. "We are ready to the last buckle on the horses' harness."

To the east was Russia, broken by war with Japan; Russia with her gold mines, her wheat granaries, her vast coal and iron deposits and forests, all undeveloped. To the southeast was Roumania with her oil wells; with Constantinople and the silk fields; and the Tigres, the gateway to the Indian Ocean and the treasures of the Bagdad Railway country. To the west was unarmed Belgium, rich with 20 billions of treasure; France, half armed, with her newly discovered iron mines and coal measures; England, one vast jewel box, a kind of Aladdin's cave. "Wait until Germany lifts her mailed fists upon the English treasure box; there will be enough for everybody in Berlin," is the gist of Zimmermann's speech of November, 1914. "The people of the United States call us Huns," writes the editor of the Local-Anzeiger, but New York had better remember that the young Huns from the German forests took only two weeks to cross the Alps and loot the city of Rome."

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At last the woven web was spread all over the world through spies. Could any man have been lifted up above Berlin and had full power to survey the whole world, he would have seen a spider's web, with its center in Berlin, with the Kaiser as the big black spider, sending out along the sinuous threads, into every capital of every country and of every continent, his evil plans and plots. Men like Von Bernstorff in Washington and Münsterberg in Boston, Von Bopp, recently convicted in San Francisco, Luxburg in Buenos Aires, with their schemes to blow up munition factories, planting of bombshells in ships, dynamiting parliament buildings, blowing up bridges, organizing sedition in Mexico, India, and Brazil, the millions and millions of dollars spent in our own country, the secret decorations of medals given to bankers, manufacturers, shippers, editors, newspaper boys, stenographers, make up a story of Machiavellian deviltry and subtle cunning that has no parallel.

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This counsellor of litigation tells us that on the German day, October 6, 1901, Germanism in the United States was organized at Philadelphia. The diplomat then tells us how, directed by the German ambassador, he went up and down the United States organizing in New York, Brooklyn, Chicago, Milwaukee, Cincinnati, and St. Louis the German soldiers' societies of the United States, and wooing the German-Americans over to the point where they would see that their first allegiance was to be the Fatherland, their second to the United States. The German foreign office and the Kaiser were constantly sending Von Holleben for German-American flags, decorations, gracious letters, medals, invitations to visit Germany and meet the royalty—methods that culminated in the German law that made it possible for pro-Germans in this country and for their sons, despite American citizenship, to keep their German citizenship, with all the rights of suffrage in the fatherland. Very significant also one sentence in these reminiscences of this German diplomat: "The relations between official Germany and the emigrant subjects of the emperor, whether they have become citizens of the Republic or not, may lead to serious complications between Germany and the United States and to unforeseen incidents which at any moment may involve both powers in serious difficulty."

No scholar longer doubts that the German Government fully expected that when war was declared some six or eight thousand German-Americans belonging to the German societies in the United States would bring about something akin to civil war. This is not to be wondered at, in view of the fact that for years Germany's official representatives had been receiving from time to time honors and addresses from the Kaiser and sending back to Berlin cablegrams pledging undying faithfulness and loyalty, and affirming their purpose to enthrone German culture in the United States. This diplomat quotes in full the address of the German ambassador in behalf of the Kaiser on presenting the German colors to the German Military Society of Chicago. "Greetings from the German Emperor! That is the cry with which I come before you. His Majesty, my most gracious master, has ordered me to hand to you to-day the color which has been desired by you so strongly and for so long. The color is a token of His Majesty's approval with which the Kaiser remembers in love and friendship those who have served in the German Army and Navy and those who have fought and bled for the fatherland. This color is to be the symbol of German faithfulness, German manliness, and German military honor. His Majesty asks you to accept this color as a token of that unity which should prevail among all German soldiers, to act also abroad (think of that, 'abroad' in Chicago) in accordance with the sentiments of German loyalty and German sense of duty, and to take for your maxim the words of that great German, Bismarck: 'We Germans fear God but nothing else in the world.' Now let the color flutter in the wind. In this moment of enthusiasm let us all sound the cry that is now on the lips of every old German soldier—His Majesty, the German Emperor, William II, hurrah, hurrah, hurrah!"

I ask you to remember that that message was sent to the people in this country who styled themselves "German-Americans."

Resuming my reading:

The history of no country contains plot so astounding! Under cover of hospitality the German guest was planting bombshells in the home of his host. With infinite cunning, the German diplomats built a German kingdom within our kingdom.

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Read the article by that American physician, who left Germany last summer by way of Switzerland. Note that when a train of English soldiers passed through the town, a train loaded with prisoners packed in freight cars, without sanitation, wounded men, who had been without food or drink for three days, men who, with black lips, begged the German women for water; that these women held water just out of reach of these English soldiers, and then spilling it on the ground, spat in the faces of these wounded men!

I pause in my reading to say that they are the same German women who are now appealing to the women of the United States to prevail upon the authorities in this country to furnish them with food. They are probably the same German women who had the audacity to send a message to the wife of the President of the United States and appeal to her to interest the authorities and the women of this country in a plan to furnish food to the people of Germany.

Resuming my reading:

When Germans were marching into a Belgian village, a German captain ordered the villagers to go into the church. The houses were then searched. Unfortunately no weapons were found, and therefore there was no excuse for looting the town and then burning the buildings. The diary of a German soldier says that his captain showed him a window opening into the cellar of a Belgian house, and told him to put a gun in through the window. A few minutes later the captain "discovered" the gun, and taking the weapon into the church told all the villagers that concealed weapons had been found, and they must all be shot and the village destroyed. The German burglar's life was sacred, but the honest householder's life and that of his family were as nothing, losing all rights because the German burglar has broken open the door.

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That is an illustration of German honor.

Three years of battle have lessened the wealth of the allied nations, but vastly increased the treasures of Germany. This war has cost Great Britain $30,000,000,000, it has cost France $20,000,000,000, it has cost the United States $10,000,000,000. For these billions expended there has been for the allies no financial return. In striking

contrast thereto, consider that if Germany has spent $20,000,000,000 upon this war, she has won another $20,000,000,000, and even claims to have won $30,000,000,000. Thus far, her armies, like those of ancient Rome, have looted four countries. She has carried away their gold, silver, copper, iron, steel, stocks, bonds; she has stolen their locomotives, passenger coaches, freight cars, wagons, automobiles, with all the goods of merchants. In the face of her solemn treaties she has stolen the horses, cattle, oxen, sheep; she has spoiled the granaries of their wheat, rye, and barley. She has looted the Belgian and French factories of their machinery, and carried away the looms from the mills for cotton, wool, and silk. The total value of the steel mills of Belgium and of France, with all lathes and stationary engines, is almost incalculable. She looted the iron and coal mines of Belgium and France and the wells of Roumania for the oil; she has looted the mines of Poland, Roumania, and Serbia of their bronze, lead, zinc, copper. She has loaded thousands upon thousands of freight trains with household furniture, agricultural implements, goods from the merchants' stores, art treasures from public galleries, as well as from private houses. In every city and town, in every store and farmer's house, the Germans attack first of all the safety vaults and the little money chests of rich and poor alike. Germany found Belgium worth $20,000,000,000. It is probable that she has spoiled Belgium of at least $8,000,000,000.

The national fortunes of the invaded territories were estimated at fifty billions, and most of this, after three years, is now in the hands of the Germans. Each attack made by Germany has been against a rich people, whose treasures she could loot, while every attack made by the allies has been to recover a land already devastated, poor, and helpless. In choosing Napoleon, therefore, rather than Jesus, Germany chose the motto of aggressive warfare and has made war an investment too profitable to be readily abandoned.

The peril to the allies is the greater because of the vicious methods used by Germany. All military experts know that wars are fought incidentally with guns at the trenches, but in reality with granaries at the rear. Better a million well-fed men with naked fists than 2,000,000 of armed men who are starving, for the starving men will soon be too weak to lift the guns and the well-fed men will grasp the weapons. From the viewpoint of food resources Germany has from the beginning occupied a unique position, in that she is rimmed all around about with little nations unprepared and unarmed and therefore impotent to protect their granaries and root cellars, their herds and flocks, when Germans come in to steal them. Whenever Germany has, therefore, been short of food she has organized an expedition and looted some land like Belgium or Poland. The next winter she sends an army out to loot Roumania. Now that the harvests have been gathered in upon the fields of Italy, Germany is trying to despoil that land.

Whenever she has had to withdraw a million men from the fields to send them to the front Germany has impressed another million from Belgium, Poland, or Roumania and forced these slaves to plow her fields, reap her harvests, and all without wage.

In view of those recitals, nearly all of which are amply substantiated by incontrovertible proof, is it any injustice to ask that Germany reimburse the people of this country for every dollar that they expended in preventing Germany from despoiling and ruining the entire world? Can any spirit of revenge or animosity be found in such a request? I believe not. I do not believe that justice can be done to Germany in this world or by any human method, but I hope that our delegates to the peace conference will insist that Germany pay to the full the bill that she justly owes this country on account of the expense incurred in defending the world against her criminal aggression.

I have many newspaper clippings, mostly of the Associated Press, of well authenticated instances of the shocking brutality of German atrocity during the war. Here I submit some of them, only a few of many, as follows:

LONDON, *July 11.*

In the course of a lecture on the Zeebrugge operations, Naval Paymaster Collingwood Hughes narrated to-day a story illustrative of German cruelty and callousness. He said a patrol boat discovered a derelict German submarine from which it rescued the crew.

The commander was assured by the German captain that there were no others aboard and he was about to blow up the boat and sink her when he heard tappings from the inside. A search revealed four British seamen tied up as prisoners.

"The Germans," the lecturer added, "were going to allow those poor fellows to be hurled into eternity after their own lives had been saved."

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LONDON, *November 25.*

Pitiable conditions among British prisoners of war who have been liberated by the Germans since the signing of the armistice are described by Reuter's correspondent at French headquarters. Thousands of those men, mostly British, are entering France daily. The correspondent writes:

"I have never seen human beings in such a state of raggedness, hunger, and misery. When the camp at Forbach, 38 miles east of Metz, as well as those elsewhere, were broken up the prisoners, most of whom were captured during the March offensive, were told to clear out and seek help from the allies. They started to walk the 50 or 60 miles to the allied lines, but were given no food and had no money. They were in shameful rags, the soles dropping off their boots. Some wore clogs and no socks.

"They left the prison camps in droves of hundreds in charge of German officers and soldiers who had deserted. The weather was very cold and many died by the roadside within a few miles from friends. When the survivors entered the French lines French soldiers who were hardened war heroes were horrified to see men in such a plight. It is not doubted that this suffering was intentionally imposed upon the British. Prisoners of other nationalities are agreed that the British were treated worse than the others at all German camps."

A further report of Sir Robert Younger's committee dealing with the treatment of British prisoners in the coal and salt mines of Germany gives harrowing details of brutal treatment by the Germans. This report says:

"From testimony scarcely a month old it is evident that there is no sign of improvement whatever in the treatment of prisoners in Germany. This disgrace is open and flagrant and the only possible inference is that Berlin deliberately approves of it.

PARIS, *August 15.*

With more than 200 churches in his diocese totally destroyed, the others damaged and robbed of priceless ornaments, sculptures and sacred vases; 50 of his priests captured and condemned to years of hard labor in Germany, and 300,000 parishioners driven from their homes, Mgr. Pechenard, bishop of Soissons, is burdened with grief.

Barbarism of the Germans and their obvious delight in ruining all things French, especially churches, has leveled to the ground some of the most famous and noted edifices in the Soissons district. They destroyed everything possible inside the churches which they could not destroy with their guns.

Because they remained in their respective towns, helping aged and infirm who could not flee before the invader, 50 priests were taken captive. These, it has been learned, have been sentenced to 5, 10, and 15 years in the working forces of Germany.

"The enemy has sowed death everywhere," said the bishop. "There where he passed nothing exists. The villages are destroyed. There are no houses, no industry, no commerce. I tremble when I think of the sadness of my people when they return to the places where their old homes stood.

"The brutal treatment complained of was that sick men, so long as they were able to stand, were compelled by the sentries to continue working. Anyone who refused was beaten with rifles and bayonets until he began again, or, if this failed, he was forced to stand at attention in front of the sentry on the main gate until the shift had returned from work, a period of anything up to 8 or 10 hours. If they fainted or became too weak and still refused, they were put in a cell behind some big ovens, where the air was extremely bad and the heat fearful. They were sometimes kept in this place for two or three days in this terrific heat until they agreed to work. During this time no food from parcels was allowed, the German food being the only kind, and the only way of quenching thirst was the allowance of two bottles of water a day.

"Another soldier who refused to complete his task was taken out of the mine dressed only in a shirt and drawers (it was too hot in the mine to wear anything else) and was put for the night in a hut which was not weatherproof. In the morning it was half full of snow. The next day he was taken to the mine again and beaten until he had finished his task. A Russian prisoner was shot in cold blood for trying to escape from the salt mines at Ehmem. A civilian stopped him until the sentries got up to him. One sentry hit him on the head with the butt end of a rifle, splitting his head open and breaking the butt of the rifle. Two of them dragged him back by the arm. He was half walking and half being dragged along the ground. A sentry, without any orders at all, walked up to him and fired point-blank at his chin. The bullet entered his chin and blew away the back part of his head."

The accommodation provided in the huts where the men lived appears to have been abominable. At the Neuhof salt mine the men slept in triple-deck beds, with two men in each bed. Except for a narrow passage about 2 feet wide, there was no room to move about. The beds were full of vermin, and there were a large number of black beetles and other insects on the walls and floor. Owing to the crowded condition, it was impossible to keep the place clean. Everywhere it is the same story of dirt, discomfort, and foul drainage.

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WITH THE BRITISH ARMY OF OCCUPATION, *December 3.*

At Liege, Spa, and Verviers one meets the same universal disgust and loathing of the Germans as everywhere. One hears the same tales of looting, espionage, and impositions, but the topic of all others to which it is impossible to refrain from returning is German treatment of prisoners, especially the British.

In all the black story of Germany's conduct in this war there is nothing viler than her treatment of the sick prisoners in hospitals up to the time of the armistice. I heard this same tale several places, but know the facts best as they occurred in Namur.

The treatment of sick prisoners almost always was bad. Their diet consisted of 4 ounces of black bread a day, with coffee in the morning, rice soup at noon, and a teaspoonful of jam every 47 hours. Our doctors tell me every prisoner was suffering and still suffers from intestinal troubles. All are emaciated and show evidence of neglect.

The culminating crime was the worst when the Germans made no attempt to hand the hospitals over to any authority or representative of the allies. They did not even inform the patients or civilians where they were going. They merely went away and left the patients alone. At Namur there were a dozen places used as hospitals, of the existence of which the civilian did not seem even to have been aware.

The consequence was the patients were left entirely to themselves. Into some hospitals the civilians penetrated the first day. Other patients remained absolutely unvisited for 48 hours, when, driven by hunger, some who could walk went out on the streets to seek food. Then only did the citizens hear of the situation. When they entered the hospitals they found an almost incredible state of affairs.

In one institution six patients lay dead in their beds. There were 11 dead in the hospitals at Namur and 17 in one institution in Nivelles. The conditions were very filthy and evidences of neglect were loathsome. The places were littered with dirty bandages and refuse, so the atmosphere was terrible and the sufferings of the patients too dreadful for words.

It was five days after the Germans left the hospitals before the first British medical officers arrived and 10 days before there was anything like a proper supply of invalid food and medical necessities.

Meanwhile the residents of the town did everything possible. Many worked in the hospitals regularly until the British took them over. An organization, of which the Catholic fathers were at the head, did all possible to repair the German barbarity.

Altogether there were 600 prisoners in the hospitals at Namur, and 200 more arrived in the town exhausted and became patients. Of all the accursed things the Germans have done in the war, I doubt if anything has been so truly damnable as this.

One sergeant, who had been prisoner for seven months, spoke bitterly of an enforced march after his capture.

For four days, he said, the prisoners had virtually no solid food, and when they arrived at camp they were put to work burying men who had died from starvation. In one week 15 out of 100 died. No pity or leniency was shown to men who were unable to work through sickness. Only blows and the usual punishments of half rations were given them.

A noncommissioned officer of the royal army medical corps said that the worst sight he saw was near Soissons. He was working in a hospital where English prisoners were suffering badly from dysentery.

While still alive a man was put into a coffin and some German soldiers were preparing to nail the lid of the coffin down.

"I protested," said the officer, "that the man was not dead, but I was laughed at and pushed to one side. The Germans proceeded with their grewsome task and afterwards informed me that they had nailed the coffin lid down with 4 and 6 inch nails."

Another man who said he had been captured eight months ago described the murder of an officer in a prison camp near the Aisne.

"In the camp one day," he said, "I saw a British officer being bullied by a German sentry. The German soldier was demanding the officer's boots, but the officer refused to part with them. After a little further argument the German soldier shot the officer and took the boots from him as he lay dying on the ground."

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OTTAWA, ONTARIO, *February 3.*

A London dispatch to the Ottawa agency of Reuter's (Ltd.) says it has received from a trustworthy Belgian citizen, who has just reached London from the German military zone at Valenciennes, an account of terrible conditions existing in occupied districts of France, from which virtually no news ever reached England. For obvious reasons it could not be stated how this man escaped. He still bore traces of a heavy blow on the jaw and showed Reuter's representative a handful of natural teeth which had been knocked out by the butt end of a German guard's rifle. He said:

"The Germans have organized a slavery army in the zone of northern France. When I left St. Armand a few weeks ago conditions were unbearable. All the men between the ages of 17 and 50 had been taken away. Unmarried women under 40 are obliged to work in the fields, while girls from 12 to 14 must collect acorns and nettles.

"Everywhere you meet civilians working under armed guard. Everyone wears a brassard showing the town he came from. Some wear brassards around the leg showing they tried to escape. I saw an old man with a large cross painted on his back. I knew what that signified. If you refuse to work you are fined; if you refuse to pay the fine you are imprisoned; if you refuse a second time you are sent to Germany, from where one seldom comes back alive."

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PARIS, *November 24.*

The last party of Germans left Brussels by train last Sunday morning. As the train was about to leave reports stated the Germans had made a gift of wagonloads of food which was at the station and would not be taken away, and was to be given to whomever might come to fetch it. The result was that the people of the neighborhood collected at the station.

While they were waiting a series of vast explosions took place, in which at least 300 were killed and 150 wounded. It was extraordinary to witness the street crowded with people carrying the national flag and rejoicing at the approach of their saviors, while the sky was filled with clouds at the time set for the explosions.

At Hammont a German munition train blew up and burned two German hospital trains, killing 1,000 wounded men and partly wrecking the town. Hammont is a Belgian frontier station on the railway through Dutch Limburg, on which the Germans had promised the Dutch to carry no military supplies.

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Free Poland, a periodical devoted to the best interests of the Polish people and their ultimate independence, prints a graphic and startling article by Frederick Walcott, in which he describes scenes of starvation and desolation in Poland that are amazing.

Mr. Walcott went to Poland 18 months ago, in order to see with his own eyes the actual condition of the people. He says that along the roadside from Warsaw to Pinsk, a distance of 230 miles, nearly a half million Poles had died of hunger and cold. He saw the road strewn with their bones, picked clean by the crows. With their usual thrift the Germans were collecting the larger bones to be milled into fertilizers.

"Wicker baskets were scattered along the way—the basket in which the baby swings from the rafter in every peasant home," he says. "Every mile there were scores of them. I started to count, but I had to give it up; there were so many of them.

"They told me 1,000,000 persons were made homeless in six weeks of the German drive in August and September, 1916. They told me 400,000 died on the way. The rest, scarcely half alive, got through with the Russian Army. Many of these people have been sent to Siberia. It is these people whom the Paderewski committee is trying to relieve.

"In the refugee camps 300,000 survivors of the flight were gathered by the Germans, members of broken families. They were lodged in jerry-built barracks, scarcely waterproof, unlighted, unwarmed in the middle of winter. Their clothes, where the buttons were lost, were sewed on. Filth and infection from vermin were spreading. They were famished, their daily ration being a cup of soup and a piece of bread.

"In Warsaw, which had not been destroyed, the streets were lined with people in the pangs of starvation. They squatted here with their elbows on their knees or leaning against the buildings, too feeble to lift a hand for a bit of money or a morsel of bread if one offered it. Charity did what it could. The rich gave all they had; the poor shared their last crust.

"In that situation the German commander issued a proclamation. Every able-bodied Pole was bidden to Germany to work. If they refused, they let no other Pole give him to eat not so much as a mouthful, under penalty of German military law.

"Staying with his folk he is doomed and they are not saved. Leaving them he will be cut off from his family. Germany will set him to work, that a German workingman may be released to fight against his own land and people."

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At Courtacon the Prussian guards forced the mayor, four men of the commune and a boy of 13 years to act as a screen against French firing. These five escaped with their lives, but the Germans found a boy of 16 who belonged to the Belgian conscript class, but who had not yet been called. They first stripped him naked and then executed him.

At La Ferte-Gaucher Germans broke into a house and violated a woman in the presence of her 4-year-old child. Pressing on to Mauperthuis, they seized a civilian from his house and executed him, together with a hostage whom they had brought with them from Courtacon. They also seized and shot two aged caretakers of a neighboring farm.

At Gembloux, after the Germans had retreated, pursuing Belgian troops found the dead body of a woman pinned to the door of a house by a sword driven through her chest. The body was naked and the breasts had been cut off.

At Peronnes the Germans burned 63 houses and shot 8 civilians, including the burgomaster. The relatives of the executed civilians were ordered, under threat of death, not to touch the bodies and they lay in the street for 48 hours.

At La Ferte-Gaucher a woman who resisted the advances of a German officer was turned over by him to four of his men and ravished by them in turn as the officer looked on.

At Monceau-sur-Sambre, on the same day, the Germans burned 251 houses after looting them and shot down 28 persons, including women and children, as they fled from their burning homes. Thirty others received wounds from which they afterwards died, and 12 were executed by firing squads.

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Four days before a young lieutenant had sat there; to-day he was gone. He had been taken prisoner, and that morning his body had been found by Italian troops in their advance. His eyes had been torn from their sockets and his tongue cut out and other unmentionable injuries had been inflicted. This is the kind of enemy that comes now asking for mercy and compassion.

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In one town I passed through an old man met the advancing Italians and led them into the courtyard of his house where the bodies of his two daughters, girls about 17 years old, lay dead. The father said that before they had been smothered to death they had been the victims of 23 Austrian soldiers.

As an illustration of the spirit of Germany not only in waging warfare but with which she agreed to the armistice for the cessation of hostilities, I call attention to the fact that Germany has already in numerous well-authenticated instances violated the terms of the armistice, the solemn compact which her representatives signed with the representatives of the entente allies and the United States. In having her armies retreat from Belgium and France, in direct violation of her solemn pledge and the terms of the armistice, her soldiers continued to loot and steal and destroy; carried away with them live stock, household goods, and everything of value upon which they could lay their hands. They have also violated the terms of the armistice in other respects. They continue to wage war against Poland and to help the Bolsheviki in Russia, in direct and palpable violation of their solemn agreement expressed in the terms of the armistice.

I submit here a couple of newspaper clippings, two of many, showing that Germany is still defiant, unrepentant; showing her reckless disregard of armistice provisions. They are as follows:

REDS DISABLE 150 AEROS IN VIOLATION OF ARMISTICE.

BASEL, SWITZERLAND, *November 29.*

One hundred and fifty airplanes which had been gathered at the Boeblingen airdrome, 11 miles southwest of Stuttgart, to be handed over to the allies in accordance with the provisions of the armistice, have been rendered useless by order of the revolutionary committee, according to a Stuttgart dispatch received here.

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PARIS, *January 7.*

Only 10 days remain before the expiration of the time allotted for Germany of the meeting of the armistice terms of Marshal Foch, and many of the details still remain not entirely complied with. This is particularly true as concerns article 4 of the armistice, regarding the surrender of war materials, especially guns and airplanes.

About 5,000 motor trucks have been delivered up, but the number of railroad engines turned over equals only half the number stipulated in the armistice—5,000. A great number of the 150,000 railway cars in good working order called for are still undelivered. In addition naval units, including submarines, remain in German seaports, although under the terms of the armistice they should have been surrendered.

Added to the nonfulfillment of the surrender of war paraphernalia is the failure of Germany to abide by her agreement to repatriate immediately a great number of entente soldiers held as prisoners, and in high quarters here the question has arisen if, in spite of Marshal Foch's accustomed indulgence, the interallied command will not be more severe in its dealings with Germany when the expected request by Germany for a further delay in meeting the allied terms comes up for discussion.

I believe before indulging in any generosity to such people, we should first insist upon justice to our own people. I believe in justice to Americans before generosity to such people as those of Germany and her allies in the war. Before Germany should expect anything except cold, unmitigated, plain, naked justice from the United States, before she should expect any generosity or any mercy, she ought to show some repentance. Germany is not repentant, Germany is still unrepentant. Not one iota of repentance has she exhibited for her criminal warfare, her monstrous attempt to subdue the world and destroy civilization. The German people are not sorry that they undertook the war. They are only sorry they did not win it and carry out their plans to subdue the world.

They are already boasting of the next war. They are declaring, and have declared ever since the cessation of hostilities, that their armies are unbeaten; that Germany is an unconquered nation; that there was no fighting on German soil; that German soldiers protected the fatherland from any devastation as a result of the war; and that they merely yielded to an armistice in order not to inflict any further destruction upon the world.

I have some newspaper clippings on that subject, a few of many, which I here submit. They are as follows:

PARIS, *November 29.*

"Au revoir, we'll be back in five years," was the parting assertion of German officers and soldiers to the inhabitants of Strassburg. Many Germans were still extremely boastful as they left the city, and spoke of a new war which they said was sure to come, with Germany better prepared economically to withstand a blockade.

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ASSERT ARMY IS UNBEATEN.

Here as in Treves, the home-going Germans received a great welcome from the civil population. All Germans assert the army returned unbeaten. Certainly the attitude of the inhabitants of Coblenz is not that of a beaten people. In the evening the cafés are crowded with well-dressed men and women, and there are music and animation in all the brightly lighted resorts.

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LONDON, *December 31.*

Germany is reducing to and not below her prewar standard, according to Gen. Sir Frederick Maurice, who, writing in the London Daily News, says:

"Germany is demobilizing on a definite plan. The German general staff is at work at Cassel, and, as usual, is working systematically, despite the disturbances in Berlin.

"Since the signing of the armistice something like 2,000,000 German soldiers have been disbanded, but Germany is reducing her army to and not below her prewar standard of about 800,000 men. Her plans are to keep two annual classes with the colors, but as her classes are weak owing to the war losses, she is at present keeping four classes. If this is allowed to continue, neither France nor the rest of us can be secure without armies, the maintenance of which will spell ruin. If we are to make the world safe, we allies must keep on the German frontier a sufficient force to enable us to impose terms which will make a recurrence of the events of August, 1914, impossible, and we British must take our share in this burden.

"By all means let's make Germany pay, and let those who have suffered most be paid first. If Germany can pay for 800,000 soldiers, she can pay for some of the damage she has done."

—

Herr Ebert said to returning German soldiers:

"You protected the homeland from invasion, sheltered your wives, children, and parents from flames and slaughter, and preserved the nation's workshops and field from devastation."

—

LONDON, *December 22.*

"We are prepared to lose Alsace-Lorraine and some colonies, as well as part of Poland. But there are limits. If anyone dares to touch the west bank of the Rhine or Danzig (Baltic port of Prussian Poland), Germany will rise as one man and make war again, even if we have no weapon left except poison gas."

Theodor Wolff, editor of the Berlin Tageblatt, recognized as Germany's most moderate-liberal journalist, is thus quoted in an interview with the Copenhagen newspaper Politiken. A resumé of the interview is telegraphed to the Daily Express.

"Germany," said Wolff, whose paper was repeatedly suppressed under the old regimé because of his liberal writings, and who personally had a leading hand in the overthrow of autocracy, "stands fast by President Wilson's program. She is counting upon real peace negotiations, not on a dictated peace.

"If a sensible peace is made, a democratic, progressive German republic is certain. But if we had thought that we were to be given over to brutal might we would have taken other steps. Our front was unbroken.

"We demand that the questions of Alsace-Lorraine, German Austria, and the eastern provinces be left to a vote to decide their independence.

"There must be no new economic barriers against Germany.

"We are not powerless. We are not humbled. Germany's 60,000,000 inhabitants can not indefinitely lie down under such threats, but they will arise again to be a powerful factor in Europe.

"Although the German and Austrian Governments are responsible for the war, others bear an enormous responsibility for it as well.

"We must pay for the acts of our U-boats and for the breach of Belgian neutrality, but we have now overthrown the old regimé."

I have no faith whatever in the alleged change of government in Germany. I think it is camouflage. I think that Germany is simply pretending to undergo a change in government in order to try to fool the entente allies and the United States. It remains to be seen whether we and the entente allies can be fooled.

The German people have not changed one particle. Their nature, disposition, and spirit remain the same and will remain the same. The only safe course is to put them in such condition that it will be impossible for them ever to wage another war of inhumanity and bestiality against civilization. The people of a German republic would be just the same people as those of a German empire. I think they are changing their form of government or pretending to do so for the purpose of trying to escape liability for indemnity. They are, in my opinion, laying the groundwork to enable them to say after the treaty of peace is signed, and when indemnity is demanded of them for the United States, Great Britain, Belgium, France, and Italy, "Why, we owe you nothing. This is not the government that had the war. This is not the government that inflicted that damage, spoliation, and ruination. This is not the government that caused your war cost. This is another government altogether. We have nothing to do with those things. The government that owes you money has passed out of existence. It can not pay you anything. There is nobody from whom to collect."

It is a good deal like a firm of merchants, "Jones & Smith," who might buy $100,000 worth of goods on credit and simply change the name of the firm to "Jones & Smith Mercantile Co.," a corporation, and who, when the creditors demand their money for the goods, say to the creditors, "This is not the firm that bought your goods. We do not owe you anything. This is a different firm. The firm may be composed of the same people, but it is a different firm altogether." I think that is the kind of trick the German people are trying to play on the United States and the entente allies.

Germany should be made to feel that she is a vanquished nation and must pay for all the harm she has done. Not only is Germany unrepentant, but Germany has endured no great amount of real suffering as yet. Germany has not suffered one iota of what the people of France, Belgium, and Italy have suffered. I do not believe the people of Germany have suffered the privation and hardship that the people of Great Britain have suffered, because Germany has looted all her neighbors and kept herself rich and fat in food and spoils. Germany is now calling upon the people of this country to feed her people, to send them food. I do not believe there is any necessity for any such appeal. I think they have two motives in making this appeal. First, they think that every dollar's worth of food that they get out of the United States will keep that much food from going to the starving, suffering people of France and Belgium and will cause a few more women and babies to starve to death in France and Belgium, and that they will in that way accomplish still further their nefarious purposes and gratify their hatred of France and Belgium. They think, furthermore, I believe, if they can beg food of us and make us believe they are starving we will be easy with them in regard to terms of settlement. That, in my opinion, is what is behind their appeal for food. They just harvested a crop in the fall, and I am satisfied they have sufficient food to answer their needs until spring. That has been ascertained by people who have investigated their condition, their stores of food and sources of supply. I have a few newspaper clippings on that score, a few of many, and here submit them, as follows:

LONDON, *January 4.*

While the Ebert government in Berlin is proclaiming that Germany is facing a famine and is appealing for a modification of the armistice conditions, official evidence is at hand that at least a large part of the fatherland is as well off, if not better, than are the allied peoples. A member of the allied naval commission in German waters in an article in the Times says:

"The German Government and the press, from the moment the ink was dry on the armistice signatures, made a concerted appeal for food on the ground that otherwise great numbers faced imminent, certain starvation. This even went the length of a call from the womanhood of Germany to their sisters in France and England to intercede in behalf of the dying children of the fatherland. In response to this appeal, comprehensive plans for revictualing those parts of Germany actually in need of food has been part of the allied program ever since the signing of the armistice.

"It would be absurd to draw conclusions on conditions in all parts of a country like Germany from those observed in one region, however extensive, and that I am not endeavoring to do. I am confining myself in detailing what the various members of the allied naval commission saw with their own eyes in a very considerable area of northwestern Germany, over which their work of inspection took them.

"But if the food conditions in the rest of Germany are not much worse than in Oldenburg, Mecklenburg, and Schleswig-Holstein there certainly is no need for haste on the part of the allies going to their relief.

"Members of various subcommissions of the allied naval commission, who covered many hundreds of miles of country and saw tens of thousands of people at close range, reported having noticed no evidence of underfeeding among any of the inhabitants. Indeed, they are of the unanimous opinion that the population, urban and rural, are fed near enough to normal requirements to keep them full of physical vigor.

"As a member of the intelligence staff, who passed many years in the country before the war, put it, 'You don't see so many people with rolls of fat on them as five years ago, but you do see a healthier, hardier, and generally more fit-looking population.'

"The results of a really bountiful harvest are seen in bulging barns and sheds, plethoric haystacks and fodder piles. The surest evidence of an oversupply of vegetables was the careless way in which cabbages, potatoes, and beets were handled in transport.

"A starving people does not leave food of this kind to rot along the roads nor in station yards, while in journeys through Oldenburg I saw endless evidence not only of intensive cultivation but also of careful, scientific fertilization.

"There is clear proof that the supply of artificial fertilizers—phosphates besides nitrates and lime—was fairly well maintained. Trucks on the station siding showed that, so did the State fields; for fresh young winter wheat, which I saw everywhere, was pushing up, taking full advantage of this mild winter weather and showed no trace of the hungriness I have noted for the last year or two in some overcropped, underfertilized fields in England.

"The people thereabouts are Danish, but are producing a huge supply of good food—enough to keep the people in less fertile regions far from want."

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AMERICAN ARMY OF OCCUPATION, *January 2.*

According to estimates made by intelligence officers of the American Third Army after an investigation, it appears that in the area occupied by the American troops the cities and towns have enough of most foods to last during the winter and the country districts have enough to carry them through the spring.

LONDON, *November 25.*

The Cologne Gazette of November 16 published an article under the caption "Armistice and the food supply," written by a specialist named Oetelshofen, who argued that there could be no question of a shortage of food in Germany, but that it was urgently necessary to reduce rations.

The writer maintained that Germany could deal with the transport problem by readjustments, reducing the transport of potatoes and vegetables and confining the transport facilities to foods of greater nutritive value in proportion to their bulk. He advocated the killing of pigs in particular, the abolition of the rationing of sugar, and the restriction of railway consignments to distances of over 150 miles to consignments of corn, sugar, live cattle, meat, fats, poultry, eggs, and cheese.

Dealing with the harvest, Oetelshofen estimated the bread-corn harvest, apart from barley and oats, at not less than 12,000,000 tons and the potato harvest at about 47,500,000 tons.

The writer points out that Germany must have an abundance of sugar, because most of the German sugar hitherto had been used as raw material for munitions, and Germany now had a sugar harvest of about 1,808,000 tons, as compared with a peace consumption of only 1,200,000 tons. He said the potato supply also must benefit from the fact that it no longer was necessary to extract spirits from potatoes for munition purposes.

"Even after the armistice," the writer said, "there is abundance of food in Germany for feeding the population if we reduce the consumption by animals by reducing the stocks of cattle. It is to be expected that food prices will soon fall sharply. The public can contribute to this end if it will avoid hoarding of supplies and wait for cheaper prices."

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LONDON, *December 17.*

The correspondent in Berlin of the Daily Express, dealing with the return of the German Army, says the scenes of enthusiasm marking the home-coming of the troops are ending.

"Men have been coming home at the rate of 10,000 a day," says the correspondent. "Every day Herr Ebert, the chancellor, takes his place on a rostrum opposite the French embassy. He addresses the home-coming men, and the bands play martial music, while the crowds cheer and wave their handkerchiefs.

"'Deutschland uber alles' brought me into the street this morning. To my amazement—and to the apparent amazement of the French officers, grouped in the window of the embassy—a regiment was passing the Brandenburg gate to the old tune. Later I heard it played continuously as cavalry, infantry, and artillery swept by. Regimental flags were crowned with laurel wreaths. The men wore evergreens around their steel helmets, and their tunics and guns were covered with flowers.

"What particularly struck me was the attitude of the home-coming officers. Those I have seen in the Berlin garrison were quiet men, many of whom had removed their marks of rank. They seldom were saluted by their men. On the other hand, the troops just returned from the front are well-disciplined and saluted as of old. The officers themselves are unchanged. They exhibit themselves, monocled and tight waisted, to the population, who cheer them loudly.

FIFTY CABARETS ARE OPEN.

"Berlin is dancing mad. There are about 50 cabarets in the city and dancing goes on all the afternoon and until 9 o'clock at night. In a week's time the edict closing dancing halls at 9 o'clock will be removed and dancing then will continue all night. Berliners are looking forward to this. It is a remarkable sight to see cabarets packed to suffocation with women in expensive toilets and both soldiers and civilians dancing and drinking wine costing £2 a bottle. Seats at the theaters can only be booked two days ahead.

"'We are trying to forget,' said a Berliner to me to-day."

Here is a clipping which shows something of conditions in German Austria:

GERMAN AUSTRIA'S FIRST LOAN.

ZURICH, *December 29.*

According to the Vienna Neue Freie Presse, German Austria's first loan has been highly successful. The subscriptions will close December 31. Nearly 600,000,000 crowns had been subscribed by December 24, or more than 100,000,000 crowns over the total asked for.

If they can subscribe so liberally to their first governmental loan, they are not short of food, and they can pay indemnity for some of the damage done by them.

Germany has not suffered anything like the people of the Confederate States suffered during the Civil War in this country, nor anything like the people of the Southern States of the Union suffered during the reconstruction times after the close of the Civil War. They have not been made to feel the spirit of agony; they have not been made to feel the cruel hand of privation, denial, and suffering for the actual necessities of life, such as the people of the South felt during the Civil War in this country. Germany must be made to suffer before she will be repentant. Germany must be made to feel the stern force of power before the brute spirit in her will experience any of the suffering she so richly merits.

The Civil War in this country was waged upon a principle between honorable people, to settle a disputed question which could only be settled by the arbitrament of the sword; but the war that Germany waged was waged from a spirit of lustful bestiality, greed, spoliation, hatred. It was a war based on every bad trait in human nature.

Germany has now substituted cunning, trickery, deception, audacity for force. Her audacity is appalling. There are evidences that Germany is even looking to the people of this country for protection from her crimes, looking to us to make it easy for Germany in the settlement of the terms of peace. I hope there is no foundation for any such expectation on her part and that no such humiliation will ever come to the people of the United States. I have seen it stated in newspapers that the people of Germany expect the vile and unspeakable Bernstorff to be one of their delegates, and that he is expected to sit at the table in the peace conference. I see from the newspapers that Germany is preparing to send a delegation and retinue of 100 people to represent the cause of Germany at the peace conference. I hope that none of them, especially Bernstorff, will be permitted to sit at the peace table. If Bernstorff should offer to take a seat at the peace table, it would be an insult to the people of this country; and in such event I hope that our delegation would protest, and if their protest were unavailing, they would be justified in leaving the peace conference. Here is a newspaper clipping which tells of Germany's audacious preparations for the peace conference:

LONDON, *January 7.*

Preparations for the peace conference are being concluded by the German ministers, and an enormous number of documents have been made ready, according to the Amsterdam correspondent of the Daily Express. These will be taken to Paris by the German peace delegates and their staff, which, including secretaries and assistants, number about 100.

It has been arranged, says the correspondent, that every ministry shall be represented by at least one official of first rank. The foreign office will be in full force, with Count von Brockdorff-Rentzau, the foreign minister, at the head and possibly with Carl Kautsky and Dr. Edoard David, socialists, and Eduard Bernstein, independent socialist, as first advisers.

Among the colonial experts who are to be sent to Paris the names of Dr. Solf and Dr. Dernburg are mentioned, while the ministry of mercantile marine will be represented by the late Herr Ballin's successor, Herr Heinecken; the ministry of commerce by Dr. Rathenau, president of the General Electric Co. Count von Roedern, the former governor of Alsace-Lorraine, may attend in behalf of the ministry of finance, as he now holds the post of secretary of the imperial treasury, and may be accompanied by Adolf Wermuth, burgomaster of Berlin, while Mathias Erzburger, who was one of the delegates to the armistice conference, is likely to join in the deliberations as expert on the league of nations.

The name of Germany's first plenipotentiary has not yet been divulged, but many believe that he will be Prince Lichnowsky, the former ambassador at London, who exposed German culpability in the war, although his appointment would be distasteful to the "red" government.

I submit these things, shocking as they are, because I believe they should be considered by our people. They should be known. I believe in plain words. It will not hurt to know the facts, shocking as they are. Germany must be fixed for all time to come if the world is to be safe. Now is the time, and the peace conference is the instrumentality to do it.

I contend that none of the central powers should be permitted to be represented at the peace conference, that none of them should be permitted to join the league of nations. They are all criminals and unfit for association with civilized and law-abiding nations.

Russia should not be permitted to take part in the peace conference; she should not be permitted to join the league of nations. Russia is the poltroon and slacker of the nations of the earth. This war was fought largely for the preservation of Russia. When Austria declared war on little Serbia, Russia came to the rescue of Serbia and declared war on Austria, and said it would not permit a large nation to destroy a small and helpless nation. Germany then declared war on Russia; and if Great Britain, France, Italy, and the United States had not gone into the war and sided with Russia, if they had not come to the rescue of Russia, the war would not have lasted six weeks. Russia would have been destroyed and annihilated; she would have been wiped off the face of the earth, and would not to-day be in existence; the Russians would have been made slaves and serfs of Germany; but Great Britain, France, and Italy went to the rescue of Russia, and yet, in the moment of their dire distress, in the moment of the greatest distress of the nations that went to the rescue of Russia, to save her from total annihilation, she lay down and betrayed them to their enemies. After having entered into a solemn obligation not to make a separate peace she made a separate peace with Germany and betrayed her associates to the common enemy.

She made a peace with Germany that was infamous and slavish, devoid of every instinct of manhood, honor, and integrity. A nation of that kind is not fit to be in a league of nations; it can not be trusted to be in a league of nations.

I contend that only the nations that are civilized and are disposed to do what is right should be admitted to the league of nations. The object of a league of nations is to make all nations of the world do what is right, just as the object of organized society is to make all subjects of organized society do what is right. The law-abiding people of a community form organized society, and their object is to make those who are not law-abiding obey the mandates of those who are law-abiding. They proceed to do so in well-administered governments by enforcing law and order. The society of the nations of the world should be on the same plane and basis. The nations which are law-abiding should undertake to force those who are not law-abiding to be law-abiding and to respect the rights of others; but you are not going to do that by admitting lawless nations into full

fellowship in organized society for the enforcement of law, and you are not going to do it by taking criminal nations by the hand and inviting them to an equal voice in the deliberations and powers of a league of nations.

I do not believe that the time will come in this generation when Germany or any of its component parts or any of the central powers or Russia will be fit or worthy to be in a league of nations. They must go through a process of total regeneration and reconstruction and must learn different ideas. Different principles must be instilled into the hearts of their people. They must have stable governments erected on the ruins of their old unworthy governments; they must be conducted not for purposes of robbery and spoliation but for the purpose of upholding and respecting the rights of all nations. It may take years and years of time for that to be brought about in the case of the central powers and of Russia.

A league of nations should be organized for the welfare of all mankind, to uphold the right and to punish the wrong. In doing that, so far as Germany is concerned, the first undertaking should be to teach Germany that might is not right, but that right is might. That is what Germany needs to be taught—that right is might, that right is power, and that right will prevail. Until Germany is taught that lesson Germany must be kept down by the other nations of the world where it will be impossible for her to do any wrong or to create any consternation in the world.

I believe in extending mercy and generosity to people, even to those who are in the wrong, and even to criminals, when they show that they are repentant and are worthy of mercy and generosity. That is the spirit of the Christian religion; but it teaches that forgiveness must only be expected by those who are repentant and not by those who persist in continuing in wicked careers of wrong. The same principle should be applied to the nations of the world. It is the only sound principle. It is sound in religion, in civilization, in ethics, and in all the other elevating influences of mankind. It is sound in individual life, it is sound in the internal affairs of nations, and it ought to be sound in the international affairs of nations. People who do wrong must be punished; nations which do wrong must be punished until they are repentant, acknowledge their wrongs, and give evidence of their disposition to do what is right.

I have been asked my idea of a league of nations. My idea of a league of nations is that its principal object should be to compel the nations of the central powers, Russia, and all other nations not disposed to do right to do right, to observe the rights of mankind, and to maintain a well-balanced world of right and justice. The principal object of a league of nations should be to enforce justice, to see that justice prevails in the world of nations. Right now a part of its work would be to keep Germany and her allies and Russia in such a position that they will be incapable of doing any wrong to any people. In order to do that, I think a league of nations should be comprised at the beginning of those nations that constitute the entente allies and the United States. That would be a good beginning. An incipient league of nations is already formed. Let them continue their cooperation in the interest of justice and the enforcement of right in the world and the righting of wrongs.

I would have admitted further to the league of nations such neutral nations as have evinced a disposition to be right and to do right during the war which has just come to a close. I would not admit any nation, such as Spain, which plainly sympathized with Germany. I would have such a league composed of the nations of the entente allies and the United States and such neutral nations as have proven by their conduct that they wanted to do the right, and will do right in the future. When that kind of a league of nations is formed, if it will prescribe proper rules and enforce them, it will be impossible for any other nation, no matter of what strength or power, ever to run amuck in this civilized world, as Germany has done. As other nations become regenerate and repentant and show a disposition to do right, I would favor taking them into the league of nations under such securities and binding restrictions as seem proper, and testing them; take them in on trial. If they prove true to their professions, let them remain, and in time all of the civilized nations will be in a league of nations and will be pledged to resist any attempt to launch another world-wide war of ruination, spoliation, and criminal aggression.

As to other terms and conditions of a league of nations, such a league I think should be perfected cautiously, and after due deliberation and great care. Precautions should be taken not to encroach unduly upon the sovereignty of any of the nations of the league. Such a league should really be defensive instead of offensive; a league of nations designed to defend the world against criminal aggression instead of launching warfare against nations not in the league. It seems to me it should largely be a mutual organization for defense. If comprised of the leading civilized nations of the earth, the real powers of the world, leaders in righteousness and high standards, and if backed by an enlightened sentiment and abhorrence of wrong, I think it would need little force to attain its ends. No nation would dare defy it. A repetition of the crime of Germany would be impossible, unthinkable. May it so be.

CONDITIONS IN RUSSIA.

Mr. THOMAS. Mr. President, I had intended to-day to submit some observations to the Senate upon conditions in Russia and the attitude which this Government should occupy regarding that country. I do not care to enter upon a discussion of so important a topic at this late hour, and therefore shall not attempt to do so until to-morrow, when, if occasion offers, I shall have something to say upon the subject.

The PRESIDING OFFICER. Does the Senator desire his observation noted that he will address the Senate to-morrow?

Mr. THOMAS. Yes, Mr. President, although the Senator from Idaho [Mr. BORAH] contemplates addressing the Senate upon a kindred subject, and I have no desire to interfere with him.

THE CENSUS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The PRESIDING OFFICER. The Secretary will read the bill for the purpose of amendment.

The Secretary proceeded to read the bill.

The first amendment of the Committee on the Census was, in section 1, on page 1, at the beginning of line 4, to insert "forestry and forest products," so as to make the section read:

That a census of the population, agriculture, manufactures, forestry and forest products, and mines and quarries of the United States shall be taken by the Director of the Census in the year 1920 and every 10 years thereafter. The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, and Porto Rico. A census of Guam and Samoa shall be taken in the same year by the respective governors of said islands and a census of the Panama Canal Zone by the governor of the Canal Zone in accordance with plans prescribed or approved by the Director of the Census.

The amendment was agreed to.

The reading of the bill was resumed and continued to line 18, on page 2.

Mr. SHEPPARD. Mr. President, on page 2, line 18, I move to substitute the word "ten" for the word "fifteen." The director has found that he can get along with 10 statisticians instead of 15.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). The amendment offered by the Senator from Texas will be stated.

The SECRETARY. In section 3, on page 2, line 18, before the words "statistical experts," it is proposed to strike out "fifteen" and insert "ten," so as to read:

SEC. 3. That during the decennial census period, and no longer, there may be employed in the Census Office, in addition to the force provided for by the legislative, executive, and judicial appropriation act for the fiscal year immediately preceding the decennial census period, an assistant director, who shall be an experienced practical statistician; a chief statistician, who shall be a person of known and tried experience in statistical work; a disbursing clerk; an appointment clerk; a private secretary to the director; 4 stenographers, 8 expert chiefs of division; and 10 statistical experts.

The amendment was agreed to.

Mr. KING. Mr. President, will the Senator permit an inquiry?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Utah?

Mr. SHEPPARD. I do.

Mr. KING. I remember some little discussion—I have forgotten whether it was in the committee or outside of the committee—with respect to the provision in line 18 for eight expert chiefs of division, in the same line as the amendment suggested a moment ago. My recollecton is that there was some discussion, in which it was contended that the Director of the Census could get along with six instead of eight. Does the Senator recall whether it was deemed necessary to adhere to this number?

Mr. SHEPPARD. Mr. President, the director put before us a statement showing that he would need these eight expert chiefs of divisions during the decennial census period.

Mr. KING. Yes; I recall that. While I am on my feet, will the Senator from Texas advise the Senate how long that period will cover?

Mr. SHEPPARD. It will cover three years, beginning June 30 of this year, and within those three years this bill requires that the census shall not only be taken but that all reports shall be formulated, presented, and published for distribution.

I shall state further to the Senator that the additional force required during the decennial census period will cover a field force of something like eighty-five or ninety thousand enumerators, about twelve hundred special agents, 400 supervisors, and an additional office force in Washington of from one to five thousand employees.

Mr. KING. My recollection is that there was some discussion as to the necessity of continuing the number of the higher-priced employees for the full period of three years. I will ask the Senator whether, upon full hearing, it was concluded that they were required for that entire period?

Mr. SHEPPARD. That seemed to be the situation.

Mr. KING. If the Senator will pardon me, it seemed to me from the evidence that was adduced at the hearings and from some investigation which I made outside of the hearings that they would not be required for so long a period; but, if the director insists that their services will be needed for that period, I shall not make any objection.

Mr. GRONNA. Mr. President, perhaps the chairman of the committee gave the information, but I was unable to hear the discussion between him and the Senator from Utah; so I inquire if the Senator can tell the Senate how many assistants the present law provides for?

Mr. SHEPPARD. I can give the Senator that information. The existing law under which the Thirteenth Census was taken provides for practically the same number of supervisory assistants as does the present bill; there is very little change in this respect.

Mr. GRONNA. May I ask the Senator another question? As I understand, these appointments are additional to the appointments provided for in the legislative appropriation bill. Am I correct in that?

Mr. SHEPPARD. The legislative, executive, and judicial appropriation bill provides only for the force covered by the permanent census act, some 600 employees and the supervisory officials, who are all permanent. This bill is practically a reenactment of the law providing for the thirteenth and subsequent decennial censuses, with only such changes as were found by experience to be necessary in the interest of prompt and efficient census taking. The appointees it authorizes continue during the three-year decennial census period and no longer.

Mr. GRONNA. The service of these appointees will be at an end, I take it, on the conclusion of the taking of the census?

Mr. SHEPPARD. At the conclusion of the decennial census period, which covers the three years from June 30 of this year.

Mr. WARREN. Mr. President, at some point, perhaps not now, in the consideration of the bill, I should like to have the Senator state what changes have been found necessary and what additions have been made over the extra force provided for the Thirteenth Census.

Mr. SHEPPARD. I shall be glad to give the Senator that information now. In this section the only addition is 15 statistical experts; and the director has found since this bill was reported to the Senate that he can do the work with 10 statistical experts. That is the only addition, so far as this section is concerned, over the act providing for the Thirteenth Census.

Mr. WARREN. Then this bill is exactly like the law of 10 years ago with that change?

Mr. SHEPPARD. With that change, and with the further change that four stenographers are provided, instead of two under the Thirteenth Census law; the section under consideration is the same law of 10 years ago. The other sections can be explained as we come to them.

The reading of the bill was resumed.

The next amendment of the Committee on the Census was, on page 3, line 2, after the word "*Provided*," to strike out:

That no man appointed or employed or who shall hereafter be appointed or employed under this act shall on account of such employment be certified by any official or authority for deferred classification under act No. 12, Sixty-fifth Congress, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, or under any act amendatory thereof that has been or shall hereafter be enacted: *Provided further.*

Mr. SHEPPARD. I shall state that the necessity for that provision has passed, in view of the fact that fighting has ceased and the draft process is no longer in operation. This language prevented the exemption of employees in the Census Office from the draft on the ground that they would be needed in an essential occupation.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed, and the Secretary read as follows, beginning on line 12, page 3:

That whenever practicable women and honorably discharged soldiers and sailors shall be employed in the positions herein provided for.

Mr. KING. Mr. President, I should like to ask the chairman of the committee whether or not, under the provision just read by the Secretary, being found in lines 12, 13, and 14, on page 3, it is intended that soldiers and sailors shall be employed whenever practicable, regardless of the civil-service law?

Mr. SHEPPARD. I do not think so. I would accept an amendment making that clearer, if the Senator desires.

Mr. KING. The Senator thinks that language is clear, that they must be under the civil service?

Mr. SHEPPARD. That is my construction.

Mr. THOMAS. Mr. President, as to that, if it is of any consequence that they should be exempt from the civil-service law, while I question the propriety of such a provision in a statute, it certainly can not mean much if those who are supposed to be favored must nevertheless come from the classified service, since on the lists they will be certified and have to take their chances. I think, too, that it would be well to amend it by inserting the word "men" after the word "practicable," so that it will read:

That whenever practicable, men, women, and honorably discharged soldiers and sailors shall be employed in the positions herein provided for.

Mr. SHEPPARD. Mr. President, this provision is not in the existing law. It was inserted on the floor of the House, and really the comment of the Senator from Colorado is to a great extent justified. It is difficult to see how any particular meaning can be attached to it. I suggest that we allow it to remain, however, as it passed the House.

Mr. SMOOT. Mr. President, is the Senator having the bill in charge quite sure that the amendment that was just agreed to, striking out, beginning with the word "That," on line 2, down to and including the word "further," on line 12, has reference only to the Military Establishment?

Mr. SHEPPARD. That is my understanding.

Mr. SMOOT. I simply want to reserve the right, before the bill is passed, to look up what the "deferred classification under act numbered 12, Sixty-fifth Congress," really has reference to.

Mr. THOMAS. It is the conscript law.

Mr. SMOOT. I thought so.

Mr. THOMAS. It is.

Mr. SMOOT. If it has reference to anything further than merely the conscript law, then of course I shall want a reconsideration of the vote by which the amendment was agreed to.

Mr. SHEPPARD. That is entirely satisfactory.

The reading of the bill was resumed.

The next amendment of the Committee on the Census was, in section 5, page 4, line 10, after the word "Census," to strike out "$7,000" and insert "$7,500," so as to read:

That during the decennial census period the annual compensation of the officials of the Census Office shall be as follows: The Director of the Census, $7,500;

Mr. SMOOT. Mr. President, I should like to ask the Senator if in past census bills there has been an increase in the compensation of the Director of the Census over and above the compensation that he regularly receives?

Mr. SHEPPARD. That has been the case during the last two censuses, to my knowledge.

Mr. SMOOT. Does the Senator say that in the last two censuses the Director of the Census has received $7,500 a year?

Mr. SHEPPARD. During the decennial census period of the Twelfth Census he received $7,500; during that of the Thirteenth Census he received $7,000.

Mr. SMOOT. Does the Senator remember what he receives ordinarily?

Mr. SHEPPARD. As a permanent thing, $6,000.

Mr. SMOOT. That was my recollection.

Mr. WARREN. Six thousand dollars was the old salary.

Mr. SHEPPARD. There is an enormous increase in his duties and responsibilities during the decennial census period. He has something like eighty-five or ninety thousand people under him, and he really faces a critical task; and during the last two decennial census periods he has been allowed a substantial increase. I shall state that a few moments ago I submitted an amendment to section 3 diminishing the number of statisticians originally suggested from 15 to 10, which would mean a saving of $10,000. That $10,000 would more than cover the increases which we ask for some of the supervisory officials during the decennial census period.

Mr. SMOOT. It seems to me that the salaries that the Senate committee has reported are altogether out of proportion to the salaries that are paid other heads of divisions and bureaus of the Government; and I do not believe we ought to go to the extreme at this particular time. I believe that the salaries provided for in the House bill are ample.

I will ask the Senator if he will not allow the amendments in section 5 to go over for the present, because I understand the

Senator wants the bill to be read to-day, and does not expect it to be passed to-day; and then we can refer to the matter when we have the bill before the Senate again.

Mr. SHEPPARD. Mr. President, I ask that the amendments in section 5 go over for the present.

The VICE PRESIDENT. Without objection, the amendments in section 5 will be passed over.

Mr. SMOOT. And the same thing as to the salaries in section 6, because the same subject matter will be discussed then.

Mr. SHEPPARD. I make the same request as to section 6, Mr. President.

The VICE PRESIDENT. The amendments in section 6 will be passed over.

The reading of the bill was resumed, beginning on page 5, line 21.

The next amendment of the Committee on the Census was, in section 7, page 5, line 24, after the word "prescribe," to strike out "the said" and insert "subject to the approval of the United States Civil Service Commission, these," so as to read:

That the additional clerks and other employees provided for by section 6 shall be subject to such special test examinations as the Director of the Census may prescribe, subject to the approval of the United States Civil Service Commission, these examinations to be conducted by the United States Civil Service Commission, to be open to all applicants, without regard to political party affiliations, and to be held at such places in each State as may be designated by the Civil Service Commission.

The amendment was agreed to.

Mr. SHEPPARD. The purpose of this amendment was to bring the additional clerks in the office force here in Washington clearly within the civil-service rules. The Civil Service Commission insisted upon it, and the National League for Civil Service Reform urged it.

The reading of the bill was resumed.

The next amendment of the Committee on the Census was, on page 6, line 8, after the word "service," to insert "and selections therefrom shall be made by the Director of the Census," so as to read:

Certifications shall be made by the Civil Service Commission upon request of the Director of the Census from the eligible registers so established, in conformity with the law of apportionment as now provided for the classified service, and selections therefrom shall be made by the Director of the Census in the order of rating.

The amendment was agreed to.

The next amendment was, on page 6, line 14, after the word "the," to strike out "Census Office" and insert "Government service," so as to read:

Provided further, That hereafter all examinations of applicants for positions in the Government service from any State or Territory shall be had in the State or Territory in which such applicant resides, and no person shall be eligible for such examination or appointment unless he or she shall have been actually domiciled in such State or Territory for at least one year previous to such examination.

Mr. KING. Mr. President, I should like to ask the Senator from Texas whether it is wise to strike out, in line 14, the words "Census Office" and insert in lieu thereof the words "Government service"? It seems to me that if that is done we shall be extending the operation of this bill into a broader and wider field.

Mr. SHEPPARD. Mr. President, I shall state to the Senator that that amendment simply restores the language of the existing Thirteenth Census law. The existing law uses the term "Government service," and it seems to have been the only existing authority for the examination of employees in all the different departments in the States of their residence. If this were stricken out the commission would be left without authority in that regard. It seems the Thirteenth Census act was utilized in the first instance for general legislation to this extent. The House struck out the words "Government service" and inserted "Census Office," and the fact has since been brought to our attention that unless we restore the words "Government service" the Civil Service Commission will be without the general authority that they now possess in the respect I have mentioned.

Mr. KING. The Senator means with respect to those who may be employed under the provisions of this act?

Mr. SHEPPARD. And all other acts.

Mr. KING. I should like to inquire of the Senator whether there is not an existing law which provides for the time, place, and method of examining those who are applicants for positions under the civil service?

Mr. SHEPPARD. There is, but authority for examination in the State of residence is found only in the act for the Thirteenth and subsequent censuses.

Mr. KING. And there is no general statute with relation to that?

Mr. SHEPPARD. That is my understanding.

Mr. SMOOT. As I understand, the general law authorizes the Civil Service Commission to conduct examinations for positions in the Government service. If we provide simply for the Census Office in this bill, there is no special law giving the authority to examine any particular person for any one department, but it is general. Therefore this should be done.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on the Census was, on page 6, line 21, after the word "Commission," to strike out "may" and insert "shall"; in the same line, after the word "examinations," to strike out "for positions in such service"; in line 22, after the word "the," to strike out "place" and insert "places"; in line 25, after the word "held," to insert a comma; on page 7, line 1, after the word "such," to strike out "applicant is a" and insert "applicants are"; in the same line, after the words "bona fide," to strike out "resident" and insert "residents"; in line 2, after the word "the," to strike out "State or Territory" and insert "State or Territories"; in the same line, after the word "such," to strike out "applicant claims to have a" and insert "applicants claim to have"; in line 5, after the word "law," to strike out "or" and insert "of"; and in line 11, after the word "physician," to strike out "*And provided further*, That in no instance shall more than one person be appointed from the same family," so as to read:

Provided further, That the Civil Service Commission shall hold examinations of applicants temporarily absent from the places of their legal residence or domicile in the District of Columbia and elsewhere in the United States where examinations are usually held, upon proof satisfactory to the commission that such applicants are bona fide residents of the State or Territories in which such applicants claim to have legal residence or domicile: *Provided further*, That nothing herein shall be so construed as to abridge the existing law of apportionment or change the requirements of existing law as to legal residence or domicile of such applicants: *And provided further*, That no person afflicted with tuberculosis shall be appointed and that each applicant for appointment shall accompany his or her application with a certificate of health from some reputable physician.

Mr. THOMAS. Mr. President, it seems to me there is a grammatical inaccuracy in the amendment on line 2 of page 7. It is a comparatively small matter. The words "State or Territory" are stricken out and the words "State," singular, and "or Territories," plural, are inserted in place thereof. Now, if conformity with the word "residents" requires the plural of "Territory," it should also require the plural of "State."

Mr. SHEPPARD. The Senator is correct, and I hope he will offer an amendment to that effect.

Mr. THOMAS. I think the House provision is the better of the two; but inasmuch as that would require other amendments, I move to make the word "State" on line 2 "States."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On line 2, it is proposed to strike out "State or Territory" and insert in lieu thereof "States or Territories."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. KING. Mr. President, I invite the attention of the chairman of the committee to lines 23, 24, and 25 on page 7, and lines 1 to 8, inclusive, on page 8, reading as follows:

And provided further, That employees in other branches of the departmental classified service who have had previous experience in census work may be transferred without examination to the Census Office to serve during the whole or a part of the decennial census period, and at the end of such service the employees so transferred shall be eligible to appointment to positions in any department held by them at date of transfer to the Census Office without examination; but no employee so transferred shall within one year after such transfer receive higher salary than he is receiving at the time of the transfer.

Complaint has been made to me as a member of the committee that under the provisions of this section the Director of the Census would have authority to employ one or more persons who formerly had been in the Census Bureau. The claim is made that there are a number of incompetent persons available who are very desirous of obtaining these positions, or, to speak very plainly, who are waiting around here for these jobs, and that it is unfair to give them the preference, such as it is claimed this language would give them.

Mr. SHEPPARD. This language authorizes a transfer from other departments.

Mr. KING. Yes; but the contention is that there are persons who are incompetent, and who are now in other branches of the service, who are anxious to be transferred to the Census Bureau, and that this will enable that to be done without their taking the civil-service examination, notwithstanding their incompetency. Complaint has been made to me that it will be the means of giving positions in the Census Bureau to incompetents, some of whom have some sort of a "pull," and who are or will be pets

of the chiefs of divisions and those who hold responsible positions in the bureau. Very serious objection has been made to me in regard to the provision to which I have just called attention.

Mr. SHEPPARD. I do not believe that the present Director of the Census would be guilty of action of that kind. I believe the Senator from Utah can rest assured of that fact. Besides, the Senator will observe that no increase in salary can be had within a year after the transfer.

Mr. KING. I promised to call the attention of the chairman of the committee to the complaint which has been made to me with respect to the evils which it is alleged will grow out of the situation if the bill is enacted in its present form.

The reading of the bill was resumed, and the Secretary read to line 21, page 8.

Mr. SHEPPARD. Mr. President, at the end of section 7 I wish to submit an amendment, reading as follows:

And provided further, That in the selection of the additional clerks and employees provided for by section 6 the director is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918.

I offer that amendment, to come in at the end of line 20, page 8.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of section 7, on page 8, line 20, after the word "act," it is proposed to insert the following:

And provided further, That in the selection of the additional clerks and employees provided for by section 6, the director is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918.

Mr. SMOOT. Mr. President, I should like the Senator to explain that amendment to me, as my attention was diverted while it was being read.

Mr. KIRBY. Mr. President, before the Senator begins, I should like to know why these people who have been employed in the service up to now should be given any preference in the opportunity to work for the Government hereafter, as against people who have not enjoyed that privilege.

Mr. SHEPPARD. They do not have a preference.

Mr. KIRBY. I understand they are directed by the proposed amendment to use this register.

Mr. SHEPPARD. Not at all. The director is authorized to use them as far as practicable. I shall say to the Senator from Utah that the amendment was offered at the request of the Civil Service Commission. A number of employees for whom employment could no longer be found were put on reemployment registers by the Civil Service Commission, and the commission thought that they might profitably and justly be used by the director if he saw fit; and that is why I offered the amendment.

Mr. SMOOT. Mr. President, it seems to me that under the section itself he has that power; and I do not see why you should put this amendment in, virtually directing him to do so.

Mr. SHEPPARD. It does not direct him. If it does, the amendment does not correspond with my intention. It simply authorizes him to do it.

Mr. THOMAS. Does the Senator suppose that if the authority is given it will not be exercised?

Mr. SHEPPARD. It is intended that he shall exercise it in so far as may be practicable.

Mr. THOMAS. I do not think we need quarrel over phraseology, then. The commission will exercise it all right.

Mr. SHEPPARD. The Senator means, the Director of the Census will exercise it?

Mr. THOMAS. No; I mean that as I understand the amendment, it authorizes the Director of the Census to use lists which have been prepared heretofore by the Civil Service Commission. The latter will see that he uses them.

Mr. SHEPPARD. Let me read the letter from the Civil Service Commission, so that it can go into the RECORD:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., December 30, 1918.

Hon. MORRIS SHEPPARD,
Chairman Committee on the Census.
United States Senate.

SIR: In anticipation of legislation providing for the Fourteenth Decennial Census, the commission has the honor to bring to your attention the inclosed copy of an Executive order promulgated by the President on November 29, 1918, which provides for the reemployment registers to be made up of the names of persons in the competitive classified civil service with unrestricted status who were appointed prior to the date of the order, who have served less than three years, who are separated from the service because of a reduction of force, and who are recommended for further employment by the Government because of demonstrated efficiency in the office from which they are separated.

It seems probable that at the time when work will begin on the census the reemployment registers resulting from the procedure authorized in the Executive order will contain names in excess of the needs of the service. As a matter of economy, the commission suggests that when the census bill is framed consideration be given to the matter of making use of eligibles on the reemployment registers for filling positions in connection with the census. These persons have been tested by examinations and have won permanent appointments by competition, and lose their positions only because of necessary reduction of force. Their experience acquired in the Government service would make them of more value to the Census Office than inexperienced employees. A provision in the census act suggesting or directing that these registers be used as far as possible would seem likely to be of benefit to the Government service and a merited recognition of the worth of these employees, who lose their positions through no fault of their own.

The commission will be glad to furnish more detailed information concerning the reemployment registers upon request.

By direction of the commission:

Very respectfully,

CHAS. M. GALLOWAY,
Acting President.

Mr. SMOOT. Does the Senator understand that they are on the permanent roll now or simply on the waiting list?

Mr. SHEPPARD. They are on the permanent eligible roll of the commission.

Mr. SMOOT. I would want to know that that was the case before I could agree to the amendment.

Mr. SHEPPARD. The Senator means whether they are in the service now?

Mr. SMOOT. No; they have been in the service.

Mr. SHEPPARD. Yes; they have been in the service.

Mr. SMOOT. But the letter does not show that they are on the permanent roll. They may be simply on the waiting list. If that is the case, I do not think we ought to put them ahead of those who may take the civil-service examinations hereafter, but if they are on the permanent roll and have been discharged then it seems to me, of course, this provision should be adopted.

Mr. SHEPPARD. Let me read the Executive order:

EXECUTIVE ORDER.

The names of persons in the competitive classified service with unrestricted status who were appointed, either permanently or probationally, prior to the date hereof, and who have served less than three years, and who are separated from the service because of a reduction of force, and who are recommended for further employment by the Government because of demonstrated efficiency in the office from which they are separated, will, upon request, be entered by the Civil Service Commission upon appropriate eligible registers for reappointment, eligibility thereon to continue for one year from date of separation.

Such reemployment registers will be separate and apart from the registers of the commission resulting from current examinations, and eligibility thereon and certifications and appointments therefrom shall in all respects conform to the usual practice and procedure, except that certifications of persons formerly in the apportioned service shall be made without regard to the apportionment.

The departments in making requisition on the commission for certifications of eligibles shall state whether they prefer certification to be made from a reemployment register or from a regular register of the commission.

It is desirable that the departments in making requisitions request certification from the reemployment registers so far as practicable, having in view the efficient performance of Government work.

WOODROW WILSON.

THE WHITE HOUSE, *November 29, 1918.*

Mr. SMOOT. From the reading of it I can not now tell whether that is an order covering them into the civil service. I ask the Senator to let the amendment go over, and I will see in the RECORD to-morrow the order, and then I will ask the Census Department as to whether they have been covered in or not.

Mr. SHEPPARD. I ask that the consideration of the amendment may go over for the present.

The VICE PRESIDENT. It will go over.

Mr. KING. Mr. President, in view of the letter just read by the Senator from Texas, I wish to make an observation.

As I understand the communication, it is to the effect that those who have been in the service for some length of time and have been separated will probably render better service than those who have not been in the service.

Mr. SHEPPARD. Separated solely on account of a reduction of force and not through any fault of their own and who have personally demonstrated their efficiency.

Mr. KING. The theory seems to be the longer you are in the service the more efficient will your service be to the Government.

Mr. SHEPPARD. These have been in the service for less than three years, I will say to the Senator.

Mr. KING. The theory seems to be that length of service in the Government gives better qualification and makes one more efficient as an instrumentality for Government work.

Mr. SHEPPARD. Would not such a one be more efficient than one who had not been in the service?

Mr. KING. I think that is true.

Mr. SHEPPARD. Would not such a one have more experience than one who had not been in the service?

Mr. KING. It would give a longer time, at any rate.

Apropos of what the Senator has just read, I would like to state that information conveyed to me conveys a different story. As I understand the contention of the Senator, it is that length of service in the departments increases efficiency; that those who have been in the departments many years give better results to the Government. I have made some little inquiry, particularly

during the past year, in the departments with a view to ascertaining the character of service rendered by employees. Recently two persons having control over, or the direction of, a large number of employees of the Government who are under the civil service, stated to me that there had been an improvement among old employees by reason of the new blood which the war had brought into the departments; that many of those recently given positions in the departments worked with such zeal, vigor, and efficiency that their example was contagious among older employees, and the result had been that the latter were doing better work than ever before. I doubt not but what this is the experience in other departments of the Government. Of course, there have been thousands of persons given positions in the departments since the war began who were incompetent and whose work, therefore, would be inefficient and unsatisfactory. The vast amount of work devolved upon some of the departments by reason of the war made imperative the calling of more persons into the departments.

Of course, if thoroughly competent employees could have been secured the number needed would have been very much less. But the point I wanted to make was that the persistent claim made by advocates of the civil service, that the civil service makes for efficiency and a higher standard of performance, is not quite supported by recent conditions. There is certainly much truth in the contention that under civil service the Government does not obtain the highest and best results. Many unbiased persons who have investigated the operation of the civil service in the United States and elsewhere have reached the conclusion that it makes for inefficiency and builds up a protected class who progressively become less efficient, a class who constantly claim greater privileges and higher rewards and seek preferences and advantages different from those in other activities of life.

It is not to be wondered at that the charges so often made that the civil-service plan is a delusion and a sham. Human nature is much the same in all ages and under all circumstances. If persons hold positions for life, the tendency is to perform work in a lackadaisical sort of manner. Particularly is this true where the work is of a clerical character or is of the same character from day to day and year to year. Persons so engaged lose initiative and self-reliance, and they drift into a mental attitude under which their work is performed in a more or less perfunctory manner. Buttressed behind law which makes it difficult, if not impossible, to remove or discharge them, the tendency is to become indifferent and autocratic. We find in our Government strong manifestations of the evils which have been recognized in bureaucratic governments. There is much truth in the charge that our Nation is becoming bureaucratic and is controlled by departments and bureaus and commissions and governmental agencies.

A Republican Senator of many years' service, after giving full consideration to this subject, did not hesitate to say that the work of the Government, if put in the hands of private individuals, could be performed at a saving of several hundred million dollars annually. The natural tendency is, as I have indicated, for employees who have a life tenure to drift into the ways of the bureaucratic, to claim special privileges, to constantly seek increased compensation with less service. There are thousands of men and women in the Government service whose work is of the highest order. There are thousands who are giving the best that is within them and who are entitled to the highest meed of praise. I know of men and women who are serving the Government whose qualifications are of so high an order that they could obtain important positions with corporations or private business concerns at a very much larger compensation. These persons are making a real sacrifice in remaining with the Government, and nothing that I have said is aimed at this class of Government employees. But there are thousands who fail to appreciate the duties and obligations resting upon them and do not give to the Government that devotion, energy, and honest service that they should. I do not know whether any different system can be employed to secure employees for governmental work. There is much to be said in favor of the civil-service plan. There are very strong arguments against it. Certainly its results have not been entirely satisfactory even to its most ardent friends and champions. I hope that some day a better system can be devised, a system that will secure better results and afford the Government better protection.

It is not only demoralizing for the service but it is demoralizing to individuals where inefficiency exists, and particularly if it is continuous and persistent. It is injurious to the character and ethical concepts of individuals if they render and are permitted to render inefficient service. A fair wage should be paid to employees, whether in the service of the Government or in the service of individuals, and a fair day's work should be given by the employee for such wage. The spirit of reciprocity should exist in Government service as well as in private service. Too many people seek positions with the Government because it is believed that the compensation is greater than for like service rendered to private persons or in private activities. There are some persons who feel that it is no offense to rob the Government. Accordingly we find many persons attempting to evade revenue laws. The same spirit exists among some who are in the employ of the Government. They are willing to receive the compensation provided by the Government, but they do not give an adequate return therefor. If civil service is to be continued, then there must be some adequate plan to secure proper and efficient service. Persons in the Government service have told me that many who are under them were incompetent and many were willfully inefficient, but that they did not feel like taking steps to secure their removal. If the present plan of securing Government employees is continued, then there must be some plan devised that will compel the indifferent and inefficient to discharge their duties and the incompetent to be separated from the service. I have had occasion to make inquiry concerning the activities of the Board of Efficiency. It has very great responsibilities resting upon it. The evils of which I have spoken will continue, and continue in an aggravated form, unless this board wields its power and authority with a stronger hand. I have sometimes thought that it was too tolerant and was not accomplishing what was intended when it was created.

Mr. THOMAS. Before the Senator takes his seat——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Utah yield to the Senator from Colorado?

Mr. KING. Certainly.

Mr. THOMAS. Let me ask the Senator whether the efficiency which he desires is not after all obtainable through congressional legislation. The Efficiency Commission can recommend, and if we do nothing with the recommendation it is we and not the commission who are to blame. I understand, and I think it is true, that the Efficiency Commission appointed by President Taft made a very elaborate report. The report came to Congress and like nearly all the reports of committees, it was the last we ever heard of it. I think the difficulty lies not so much with the efforts of the Efficiency Commission as with the ineptitude of Congress concerning their report. It is here and nowhere else that the work of reformation of these conditions must be effectuated.

Mr. KING. Of course, if Congress has been derelict in the discharge of its duty, I hope that fault will be remedied in the near future, but I have been of the opinion from the inquiries I have made that the Efficiency Board is not as active as it should be; at least if it is active the results are not entirely satisfactory.

There is one other matter I wish to mention, Mr. President, which I think conduces to inefficiency. Instead of promoting men because of efficiency and because of their earnestness in the discharge of their duties there is too much of a disposition to make promotions with reference to seniority or longevity in the service. As a result many very energetic and active men and women in the service of the Government are passed by in favor of less competent persons whose term of service has been much longer. I have had many complaints, because of the policy of recognizing length of service rather than effective service.

Mr. THOMAS. May I interrupt the Senator again?

Mr. KING. I am very glad to be interrupted.

Mr. THOMAS. There again we set the example. Here seniority counts.

Mr. KING. In the Senate?

Mr. THOMAS. In the Senate, upon committees, and upon committees of conference. We must not blame the employees of the Government too much if they set their course by our illustrious example.

Mr. KING. Permit me to say in reply to the Senator that fortunately or unfortunately men are not selected for positions in the United States Senate under the civil-service rules.

Mr. THOMAS. Perhaps if they were we would have a more efficient Senate.

Mr. KING. That is possible.

Mr. SMOOT. Mr. President, I simply wish to make this suggestion to my colleague. The Efficiency Board have been received with open arms by some of the departments of our Government. Certain departments have had them come in and recommend changes which have been adopted, but there are other departments of Government which simply will not have them enter their departments. I remember one case where they were virtually instructed to go in and did go into the department, but it never did any good because of the fact that the head of the department would not carry out the recommendations of the Efficiency Board. I have thought many times that it would

be a very good thing if we had a board or commission of some kind clothed with authority to go in and rectify the glaring modes of carrying on business for the Government, and compel them to be changed. But there is no such authority yet given to any commission or board which we have created.

THE ROOSEVELT NATIONAL PARK.

Mr. PHELAN. Mr. President, I have introduced a bill in this body, Senate bill 2021, which provides for the creation of a national park in California, to embrace the famous Kings River Canyon and groves of giant trees, admittedly the most surprising and wonderful stretches of the national domain, open to all the people at all seasons of the year for health, recreation, and æsthetic gratification. The amendment I now move provides that this area shall be, when created into a park, designated in honor of our late and beloved President, the Roosevelt National Park. I have consulted the Secretary of the Interior, Hon. Franklin K. Lane; Stephen Mather, the Superintendent of National Parks; and Representative ELSTON, of California, who are all of one mind on this subject—that no more fit designation could be made.

Theodore Roosevelt was early identified with the West, and the west of the West. He sought among the great mountain ranges and the vast expanse of the prairie a field for his abounding energy. From his narrow environment of city streets and congested population he naturally sought expansion. The liberalizing influences of the western life nationalized him and prepared him doubtless for the larger tasks which he was destined to assume. I can not imagine a more fitting memorial for a man of his character, courage, culture, generous nature, and love of the beautiful than the rugged, wild, and sublime scenery embraced in the region of central California. The story of William Tell might apply with equal pertinency to Theodore Roosevelt, who learned his love of liberty from his love of nature. He, too, was influenced by the mountain streams which "plow the valleys without asking leave" and the mountain peaks which "wear their caps of snow in the very presence of the regal sun." Here are the King and Kern River canyons, Mount Whitney, the highest in the continental United States proper, and here in the crystal-pure waters, "never too grave to smile, too tired to run," disport the golden trout, peculiar to this place alone, and already bearing the scientific description of *Salmo rooseveltl*. There is no equal area on earth superior in natural wonders. It is bounded by the crests of the high Sierra; cataracts leap in glory from altitudinal clefts; giant trees lift their heads far above the besetting fog, erect amidst tempests, resplendent in the light of day, wreathed in immortelles, and serenely at rest in the free air of heaven. California—a State richly endowed by nature—can dedicate no finer monument to Roosevelt than this, the choicest of her natural gifts, nor the Nation a more appropriate memorial.

The PRESIDING OFFICER. The amendment will be referred to the Committee on Public Lands.

THE CENSUS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. SHEPPARD. In view of the lateness of the hour I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 14, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 13, 1919.*

The House, under its previous order, met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, from whom proceedeth all things and to whom we are indebted for all the renewed blessings of life day by day, imbue us plenteously, we beseech Thee, with the riches of Thy grace that we may measure up to the highest aspirations of our own hearts and quit ourselves like men in the duties and responsibilities of the remaining hours of this day; and Thine be the praise through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, January 11, 1919, was read and approved.

LEAVES OF ABSENCE.

Mr. KINCHELOE. Mr. Speaker, I ask unanimous consent for leave of absence for my colleague, Mr. ROUSE, on account of illness in his family.

The SPEAKER. The gentleman from Kentucky asks unanimous consent for indefinite leave of absence for his colleague, Mr. ROUSE. Is there objection?

There was no objection.

Mr. CANDLER of Mississippi, by unanimous consent (at request of Mr. VENABLE), was granted leave of absence indefinitely, on account of illness.

RATIFICATION OF PROHIBITION AMENDMENT IN MICHIGAN.

The SPEAKER. The Chair has received a communication from Gov. Sleeper, of Michigan, announcing the ratification of the prohibition amendment, which will be filed in the archives of the House.

RIVERS AND HARBORS.

Mr. MANN. Mr. Speaker, I desire to withdraw my demand for a reading of the engrossed copy of the river and harbor bill.

The SPEAKER. The gentleman withdraws his demand for reading of the engrossed copy of the river and harbor bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. FREAR. Mr. Speaker, I desire to offer a motion to recommit with directions to report.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. FREAR offers the following motion to recommit:

"In addition to a balance of $45,000,000 in the hands of the Secretary of War on January 1, 1919, for immediate expenditures on river and harbor work, the sum of $12,000,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the preservation and maintenance of existing river and harbor work, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation and most economical and advantageous in the execution of the work: *Provided*, That allotments from the amount hereby appropriated shall be made by the Secretary of War upon the recommendation of the Chief of Engineers. *And provided further*, That at the beginning of the next session of Congress a special report shall be made to Congress by the Secretary of War showing the amount allotted under this appropriation to each work of improvement."

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Is a motion to recommit subject to amendment?

The SPEAKER. Yes.

Mr. BLANTON. I have an amendment to the motion.

The SPEAKER. The Clerk will report it.

Mr. SMALL. Mr. Speaker, pending the reading of the amendment, I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SMALL. The motion to recommit offered by the gentleman from Wisconsin [Mr. FREAR] purports to be a statement of fact regarding $45,000,000. My inquiry is whether that is appropriate in a motion to recommit.

The SPEAKER. The Chair does not think there is anything obnoxious in this motion. I will suggest to the gentleman from Wisconsin——

Mr. FREAR. If there is any question——

The SPEAKER. The gentleman from Wisconsin never made any motion at all. This is a statement.

Mr. FREAR. I move to recommit, Mr. Speaker.

Mr. SMALL. I move the previous question, Mr. Speaker.

Mr. FREAR. I move to recommit.

The SPEAKER. I am stating to the gentleman that he has not moved to recommit.

Mr. FREAR. I made the motion on the floor to that extent.

Mr. MANN. The gentleman on the floor moved to recommit with instructions to report back forthwith with the amendment suggested.

Mr. HARRISON of Mississippi. Mr. Speaker, can it be reported again?

The SPEAKER. The Clerk will again report it.

The motion to recommit was again reported.

Mr. SMALL. I move the previous question.

Mr. FREAR. Mr. Speaker, if I may do so, I would like to add to that to strike out all after the enacting clause; that is, to make the motion.

The SPEAKER. What is it?

Mr. FREAR. To strike out all after the enacting clause of the bill as reported now to the House and to insert what appears here in the substitute amendment.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Mr. FREAR moves to recommit the bill to the Committee on Rivers and Harbors with instructions to that committee to report the same back forthwith with the following amendment: Strike out all after the enacting clause and insert the following:

"In addition to a balance of $45,000,000 in the hands of the Secretary of War on January 1, 1919, for immediate expenditures in river and harbor work, the sum of $12,000,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the preservation and maintenance of existing river and harbor work and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation and most economical and advantageous in the execution of the work: *Provided*, That allotments from the amount hereby appropriated shall be made by the Secretary of War upon the recommendation of the Chief of Engineers: *And provided further*, That at the beginning of the next session of Congress a special report shall be made to Congress by the Secretary of War showing the amount allotted under this appropriation to each work of improvement."

Mr. SMALL. Mr. Speaker, on that I demand the previous question.

The SPEAKER. The Chair will put that motion in a minute. The Clerk will read the amendment offered by the gentleman from Texas [Mr. BLANTON].

The Clerk read as follows:

Mr. BLANTON moves to amend the motion to recommit as follows: At the end of said instruction add "And said committee are further instructed"; and at the end of the bill add the following new section:

"SEC. 5. The Chief of Engineers shall at the earliest date practicable report whether the various projects provided for in this bill are now deemed of urgent national importance, and no item of appropriation herein provided for shall become available until the same shall have been reported by the Chief of Engineers as of urgent national importance."

The SPEAKER. The gentleman from North Carolina moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on the Blanton amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The question is on the motion of the gentleman from Wisconsin [Mr. FREAR] to recommit.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. FREAR. Mr. Speaker, I ask for the yeas and nays, and I make the point of no quorum.

The SPEAKER. Are you going to do both things at once?

Mr. FREAR. I make the point of no quorum.

The SPEAKER. The gentleman from Wisconsin makes the point of no quorum. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on the motion to recommit.

The question was taken; and there were—yeas 91, nays 203, answered "present" 4, not voting 132, as follows:

YEAS—91.

Anderson	Dowell	Jones	Rogers
Anthony	Elliott	Kearns	Sabath
Ayres	Ellsworth	Keating	Sanford
Baer	Emerson	King	Scott, Iowa
Beshlin	Evans	Kinkaid	Sells
Bland, Ind.	Fairfield	Knutson	Sherwood
Blanton	Fess	Kraus	Sloan
Bowers	Foss	Lampert	Snook
Browne	Foster	McAndrews	Stafford
Campbell, Kans.	Frear	McCulloch	Sweet
Cary	Fuller, Ill.	McKinley	Taylor, Colo.
Chandler, Okla.	Gallagher	Madden	Thompson
Clark, Pa.	Gandy	Mapes	Timberlake
Classon	Gard	Moores, Ind.	Tinkham
Connelly, Kans.	Gillett	Morgan	Towner
Cooper, W. Va.	Good	Nelson, A. P.	Vestal
Crisp	Gordon	Nelson, J. M.	Voigt
Crosser	Green, Iowa	Norton	Welling
Currie, Mich.	Haugen	Parker, N. J.	Wheeler
Dallinger	Hersey	Purnell	Williams
Dill	Hilliard	Rainey, J. W.	Wilson, Ill.
Dillon	Hollingsworth	Ramseyer	Young, N. Dak.
Doolittle	James	Rankin	

NAYS—203.

Alexander	Clark, Fla.	Doughton	Hamilton, Mich.
Almon	Claypool	Drukker	Hamlin
Aswell	Cleary	Dupré	Hardy
Austin	Coady	Dyer	Harrison, Va.
Bankhead	Collier	Elston	Haskell
Barnhart	Connally, Tex.	Ferris	Hastings
Bell	Cooper, Ohio	Fields	Hawley
Black	Cooper, Wis.	Fisher	Hayden
Blackmon	Copley	Flood	Hayes
Bland, Va.	Curry, Cal.	Fordney	Heflin
Booher	Dale	Freeman	Hensley
Browning	Darrow	French	Hicks
Buchanan	Davey	Gallivan	Holland
Burnett	Davis	Garner	Houston
Burroughs	Dempsey	Garrett, Tenn.	Huddleston
Butler	Dent	Garrett, Tex.	Hull, Iowa
Byrnes, S. C.	Denton	Glynn	Hull, Tenn.
Byrns, Tenn.	Dewalt	Godwin, N. C.	Humphreys
Caldwell	Dickinson	Goodall	Igoe
Cannon	Dies	Goodwin, Ark.	Johnson, Ky.
Cantrill	Dixon	Gray, Ala.	Johnson, Wash.
Carew	Dominick	Greene, Mass.	Juul
Carter, Okla.	Donovan	Greene, Vt.	Kehoe
Chandler, N. Y.	Dooling	Hadley	Kelley, Mich.
Kennedy, Iowa	Mason	Romjue	Taylor, Ark.
Kincheloe	Merritt	Rose	Temple
Kitchin	Miller, Wash.	Rubey	Tillman
La Follette	Mondell	Rucker	Tilson
LaGuardia	Moon	Sanders, La.	Treadway
Larsen	Moore, Pa.	Scott, Mich	Van Dyke
Lazaro	Mott	Sears	Venable
Lea, Cal.	Oldfield	Shallenberger	Vinson
Lee, Ga.	Oliver, Ala.	Sisson	Volstead
Lever	Olney	Slayden	Walker
Linthicum	Osborne	Small	Walton
Little	Overmyer	Smith, Idaho	Ward
Lobeck	Overstreet	Smith, T. F.	Wason
London	Padgett	Snell	Watson, Va.
Lonergan	Paige	Snyder	Weaver
Lufkin	Phelan	Steagall	Webb
Lunn	Polk	Stedman	Welty
McArthur	Pou	Steele	Whaley
McKeown	Powers	Steenerson	White, Me.
McLaughlin, Mich.	Quin	Stephens, Miss.	White, Ohio
McLaughlin, Pa.	Ragsdale	Sterling	Wilson, La.
McLemore	Rainey, H. T.	Stevenson	Wingo
Magee	Raker	Stiness	Wise
Maher	Randall	Sullivan	Wood, Ind.
Mann	Riordan	Sumners	Wright
Mansfield	Robbins	Switzer	Young, Tex.
Martin	Rodenberg	Tague	

ANSWERED "PRESENT"—4.

Cramton	Harrison, Miss.	Saunders, Va.	Shouse

NOT VOTING—132.

Ashbrook	Fairchild, G. W.	Kreider	Roberts
Bacharach	Farr	Langley	Robinson
Barkley	Flynn	Lehlbach	Rouse
Beakes	Focht	Lesher	Rowe
Benson	Francis	Littlepage	Rowland
Birch	Fuller, Mass.	Longworth	Russell
Borland	Garland	Lundeen	Sanders, Ind.
Brand	Gould	McClintic	Sanders, N. Y.
Britten	Graham, Ill.	McCormick	Schall
Brodbeck	Graham, Pa.	McFadden	Scully
Brumbaugh	Gray, N. J.	McKenzie	Shackleford
Campbell, Pa.	Gregg	Mays	Sherley
Candler, Miss.	Griest	Miller, Minn.	Siegel
Caraway	Griffin	Montague	Sims
Carlin	Hamill	Morin	Sinnott
Carter, Mass.	Hamilton, N. Y.	Mudd	Slemp
Church	Heaton	Neely	Smith, Mich.
Costello	Heintz	Nicholls, S. C.	Smith, C. B
Cox	Helm	Nichols, Mich.	Stephens, Nebr.
Crago	Helvering	Nolan	Strong
Decker	Hood	Oliver, N. Y.	Swift
Delaney	Howard	O'Shaunessy	Templeton
Denison	Husted	Park	Thomas
Doremus	Hutchinson	Parker, N. Y.	Vare
Drane	Ireland	Peters	Waldow
Dunn	Jacoway	Platt	Walsh
Eagan	Johnsen, S. Dak.	Porter	Watkins
Eagle	Kahn	Pratt	Watson, Pa.
Edmonds	Kelly, Pa.	Price	Wilson, Tex.
Esch	Kennedy, R. I.	Ramsey	Winslow
Essen	Kettner	Rayburn	Woods, Iowa
Estopinal	Key, Ohio	Reavis	Woodyard
Fairchild, B. L.	Kiess, Pa.	Reed	Zihlman

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. SHOUSE (for) with Mr. SCULLY (against).

Mr. CRAMTON (for) with Mr. EDMONDS (against).

Mr. MCCLINTIC (for) with Mr. ROWE (against).

Until further notice:

Mr. SIMS with Mr. ESCH.

Mr. ROUSE with Mr. WINSLOW.

Mr. MONTAGUE with Mr. MUDD.

Mr. LITTLEPAGE with Mr. SIEGEL.

Mr. PARK with Mr. SWIFT.

Mr. DELANEY with Mr. LANGLEY.

Mr. BRAND with Mr. GEORGE W. FAIRCHILD.

Mr. PRICE with Mr. HUSTED.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. HELM with Mr. KIESS of Pennsylvania.

Mr. SAUNDERS of Virginia with Mr. WALSH.

Mr. THOMAS with Mr. FARR.

Mr. EAGAN with Mr. LEHLBACH.

Mr. GRIFFIN with Mr. HAMILTON of New York.

Mr. CARAWAY with Mr. GRIEST.

Mr. WATKINS with Mr. SINNOTT.

Mr. HAMILL with Mr. HUTCHINSON.

Mr. ESTOPINAL with Mr. NICHOLS of Michigan.

Mr. BEAKES with Mr. REED.

Mr. HELVERING with Mr. GARLAND.

Mr. GREGG with Mr. GOULD.

Mr. JACOWAY with Mr. DENISON.

Mr. OLIVER of New York with Mr. STRONG.

Mr. O'SHAUNESSY with Mr. DUNN.

Mr. ROBINSON with Mr. VARE.

Mr. RUSSELL with Mr. ZIHLMAN.

Mr. CRAMTON. Mr. Speaker, I voted "yea." I would like to withdraw my vote and to vote "present," because I am paired with the gentleman from Pennsylvania, Mr. EDMONDS.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. The motion to recommit is lost. The question is on the passage of the bill.

Mr. SMALL and Mr. FREAR demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 234, nays 70, answered "present" 5, not voting 121, as follows:

YEAS—234.

Alexander	Ellsworth	Larsen	Sanders, La.
Almon	Elston	Lazaro	Sanders, N. Y.
Anderson	Farr	Lea, Cal.	Sanford
Aswell	Fields	Lee, Ga.	Schall
Austin	Fisher	Lever	Scott, Mich.
Bankhead	Flood	Linthicum	Sears
Beakes	Fordney	Little	Shallenberger
Bell	Foss	Lobeck	Sinnott
Black	Freeman	London	Slayden
Blackmon	French	Lonergan	Sloan
Bland, Va.	Fuller, Ill.	Longworth	Small
Booher	Gard	Lufkin	Smith, Idaho
Bowers	Garner	Lunn	Smith, C. B.
Browning	Garrett, Tenn.	McArthur	Smith, T. F.
Buchanan	Garrett, Tex.	McLaughlin, Mich.	Snell
Burnett	Glynn	McLaughlin, Pa.	Snyder
Burroughs	Godwin, N. C.	McLemore	Steagall
Butler	Goodall	Magee	Stedman
Byrnes, S. C.	Goodwin, Ark.	Maher	Steenerson
Byrns, Tenn.	Gray, Ala.	Mann	Stephens, Miss.
Caldwell	Greene, Mass.	Mansfield	Stephens, Nebr.
Cannon	Greene, Vt.	Martin	Sterling
Cantrill	Hadley	Mason	Stevenson
Caraway	Hamilton, Mich.	Merritt	Stiness
Carew	Hamlin	Miller, Wash.	Sullivan
Carter, Okla.	Hardy	Mondell	Switzer
Chandler, N. Y.	Harrison, Va.	Moon	Tague
Clark, Fla.	Haskell	Moore, Pa.	Taylor, Ark.
Clark, Pa.	Hastings	Morgan	Temple
Claypool	Hawley	Mott	Tillman
Cleary	Hayden	Oldfield	Tilson
Coady	Hayes	Oliver, Ala.	Timberlake
Collier	Helgin	Olney	Tinkham
Connally, Tex.	Hensley	Osborne	Treadway
Cooper, Ohio	Hicks	Overmyer	Van Dyke
Cooper, W. Va.	Hilliard	Overstreet	Venable
Cooper, Wis.	Holland	Padgett	Vinson
Copley	Hollingsworth	Paige	Volstead
Curry, Cal.	Houston	Parker, N. J.	Walker
Dale	Huddleston	Phelan	Walton
Darrow	Hull, Iowa	Polk	Ward
Davey	Hull, Tenn.	Porter	Wason
Davis	Humphreys	Pou	Watkins
Dempsey	Igoe	Powers	Watson, Va.
Denison	Jacoway	Quin	Weaver
Dent	Johnson, Ky.	Ragsdale	Webb
Denton	Johnson, Wash.	Rainey, H. T.	Welling
Dewalt	Jones	Raker	Welty
Dickinson	Juul	Randall	Whaley
Dies	Kearns	Rankin	White, Me.
Dill	Kehoe	Rayburn	Wilson, La.
Dixon	Kelley, Mich.	Riordan	Wingo
Dominick	Kennedy, Iowa.	Robbins	Wise
Donovan	Key, Ohio	Rodenberg	Wood, Ind.
Dooling	Kincheloe	Rogers	Woodyard
Doughton	Kinkaid	Romjue	Wright
Drukker	Kitchin	Rose	Young, Tex.
Dupré	La Follette	Rubey	
Dyer	LaGuardia	Rucker	

NAYS—70.

Anthony	Doolittle	Keating	Ramseyer
Ayres	Dowell	Kelly, Pa.	Sabath
Baer	Elliott	King	Scott, Iowa
Barnhart	Emerson	Kraus	Sells
Beshlin	Evans	Lampert	Sherwood
Bland, Ind.	Fairfield	McAndrews	Snook
Blanton	Fess	McCulloch	Stafford
Browne	Foster	McKeown	Taylor, Colo.
Campbell, Kans.	Frear	McKinley	Thompson
Cary	Gallagher	Madden	Towner
Chandler, Okla.	Gallivan	Mapes	Vestal
Classon	Gandy	Moores, Ind.	Voigt
Connelly, Kans.	Good	Nelson, A. P.	Wheeler
Crisp	Gordon	Nelson, J. M.	Williams
Crosser	Green, Iowa	Nolan	Wilson, Ill.
Currie, Mich.	Haugen	Norton	Young, N. Dak.
Dallinger	Hersey	Purnell	
Dillon	James	Rainey, J. W.	

ANSWERED "PRESENT"—5.

Cramton	Knutson	Saunders, Va.	Shouse
Harrison, Miss.			

NOT VOTING—121.

Ashbrook	Carter, Mass.	Esch	Graham, Ill.
Bacharach	Church	Essen	Graham, Pa.
Barkley	Costello	Estopinal	Gray, N. J.
Benson	Cox	Fairchild, B. L.	Gregg
Birch	Crago	Fairchild, G. W.	Griest
Borland	Decker	Ferris	Griffin
Brand	Delaney	Flynn	Hamill
Britten	Doremus	Focht	Hamilton, N. Y.
Brodbeck	Drane	Francis	Heaton
Brumbaugh	Dunn	Fuller, Mass.	Heintz
Campbell, Pa.	Eagan	Garland	Helm
Candler, Miss.	Eagle	Gillett	Helvering
Carlin	Edmonds	Gould	Hood
Howard	McFadden	Ramsey	Smith, Mich.
Husted	McKenzie	Reavis	Steele
Hutchinson	Mays	Reed	Strong
Ireland	Miller, Minn.	Roberts	Sumners
Johnson, S. Dak.	Montague	Robinson	Sweet
Kahn	Morin	Rouse	Swift
Kennedy, R. I.	Mudd	Rowe	Templeton
Kettner	Neely	Rowland	Thomas
Kiess, Pa.	Nicholls, S. C.	Russell	Vare
Kreider	Nichols, Mich.	Sanders, Ind.	Waldow
Langley	Oliver, N. Y.	Scully	Walsh
Lehlbach	O'Shaunessy	Shackleford	Watson, Pa.
Lesher	Park	Sherley	White, Ohio
Littlepage	Parker, N. Y.	Siegel	Wilson, Tex.
Lundeen	Peters	Sims	Winslow
McClintic	Platt	Sisson	Woods, Iowa
McCormick	Price	Slemp	Zihlman

So the bill was passed.

The Clerk announced the following additional pairs:

Mr. ROWE (for) with Mr. MCCLINTIC (against).

Mr. EDMONDS (for) with Mr. CRAMTON (against).

Mr. SCULLY (for) with Mr. SHOUSE (against).

Mr. COSTELLO (for) with Mr. KIESS of Pennsylvania (against).

Mr. VARE (for) with Mr. ROWLAND (against).

Until further notice:

Mr. GRIEST with Mr. KNUTSON.

Mr. BENSON with Mr. FOCHT.

Mr. BRUMBAUGH with Mr. BRITTEN.

Mr. HELM with Mr. IRELAND.

Mr. SAUNDERS of Virginia. Mr. Speaker, on the vote just taken I am recorded in the affirmative. I forgot that I was paired with the gentleman from Massachusetts, Mr. WALSH. I wish to withdraw that vote and to vote "present."

The result of the vote was announced as above recorded.

Mr. HARRISON of Mississippi. Mr. Speaker, on the motion to recommit I voted "no" inadvertently, forgetting that I was paired with the gentleman from Nebraska, Mr. REAVIS. I desire to withdraw my vote, and I ask unanimous consent to do so.

The SPEAKER. The gentleman asks to withdraw his vote and to be recorded as present. Is there objection?

There was no objection.

Mr. SAUNDERS of Virginia. I wish to make the same request. I was paired with the gentleman from Massachusetts, Mr. WALSH. I thought he was back here, and inadvertently voted.

The SPEAKER. The gentleman makes the same request. Without objection, it will be so ordered.

There was no objection.

Mr. BARNHART. Mr. Speaker, I came into the room hurriedly from a committee meeting, misunderstood the motion to recommit, and voted "no." I should like to ask unanimous consent to change my vote from no to aye.

The SPEAKER. The gentleman from Indiana [Mr. BARNHART] asks unanimous consent to change his vote from no to aye on the motion to recommit.

Mr. MANN. Mr. Speaker, reserving the right to object, I am not very distinct in my memory. Does the Speaker remember when last a request of this kind was made and Members were allowed to change their votes in this way?

The SPEAKER. The recollection of the Chair is that it has been done once or twice, and it has been objected to sometimes. The Chair will give his opinion that it is a very poor practice.

Mr. MANN. The statement is already in the RECORD.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to ask that the vote on the bill be again reported.

The SPEAKER. The gentleman from Indiana is trying to change his vote on the motion to recommit.

Mr. MOORE of Pennsylvania. That is the one I desire to know about.

The SPEAKER. Ninety-one ayes and 103 noes. That is on the motion to recommit.

Mr. MOORE of Pennsylvania. Is that the vote that the gentleman desires to change his vote upon?

The SPEAKER. Yes.

Mr. BARNHART. Mr. Speaker, I do not wish to break any precedent. It is not very material, and I withdraw my request.

On motion of Mr. SMALL, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. KEATING. Mr. Speaker, the gentleman from West Virginia [Mr. NEELY] is not here, and he asked me to announce that were he here he would vote against the motion to recommit and in favor of the passage of the bill.

BATTLE MOUNTAIN SANITARIUM.

Mr. GANDY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 13440 transferring jurisdiction and control over Battle Mountain Sanitarium of the

National Home for Disabled Volunteer Soldiers from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war.

Mr. BARNHART. Reserving the right to object, I would like to have the gentleman make some statement.

The SPEAKER. The Clerk will report the title to the bill.

The Clerk read as follows:

A bill (H. R. 13440) transferring jurisdiction and control over Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war.

The SPEAKER. Is there objection?

Mr. BARNHART. Reserving the right to object——

Mr. SLOAN. I object.

Mr. GANDY. Will the gentleman from Nebraska withhold his objection for a moment?

Mr. SLOAN. I will, but I shall object if no one else does.

Mr. GANDY. Mr. Speaker, this is a Government institution and the national board of control has signified in writing their consent for its transfer to the Surgeon General, who needs it for hospital purposes. It was built for a hospital, it is a hospital, and the Surgeon General's office needs it to take care of the returned wounded soldiers from over the seas.

Mr. CAMPBELL of Kansas. Is it to be open to discharged soldiers or only to those who are returned and retained in the service?

Mr. GANDY. To take care of wounded soldiers in the service. I may say that there are only 230 inmates there now, and there are 1,000 vacant beds in the home at Danville. It is proposed to take the members from this sanitarium to Danville for the time being.

The SPEAKER. Is there objection?

Mr. SLOAN. I object.

LEAVE OF ABSENCE.

Mr. EAGAN, by unanimous consent, was given leave of absence for three days on account of sickness.

INVESTIGATION OF LIGNITE.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 3220, insist on the House amendment, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the bill S. 3220, insist on the House amendment, and agree to the conference asked for by the Senate. The Clerk will report the title to the bill.

The Clerk read as follows:

A bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products.

RELIEF IN EUROPE.

Mr. POU. Mr. Speaker, by direction of the Committee on Rules I submit the following resolution.

The Clerk read as follows:

House resolution 499 (H. Rept. No. 915).

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 13708 (a bill providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary); that there shall be not exceeding three and one-quarter hours of general debate, which shall be confined to the bill, to be divided equally between those supporting and those opposing the bill, and to be controlled equally by the gentleman from Kentucky [Mr. SHERLEY] and the gentleman from Massachusetts [Mr. GILLETT], at the end of which time the bill shall be read for amendment under the five-minute rule, and at the conclusion of such reading the committee shall rise and report the bill to the House, together with the amendments, if any, whereupon the previous question shall be considered as ordered upon the bill and all amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. POU. Mr. Speaker, I ask unanimous consent that the time for debate on the rule be 80 minutes, 40 minutes to be controlled by myself and 40 minutes by the gentleman from Kansas [Mr. CAMPBELL]. At the end of which time the previous question shall be considered as ordered.

The SPEAKER. The gentleman from North Carolina [Mr. POU] asks unanimous consent that the debate on this rule be confined to 80 minutes, half to be controlled by himself and half controlled by the gentleman from Kansas [Mr. CAMPBELL]; that at the end of 80 minutes the previous question shall be considered as ordered. Is there objection?

Mr. MANN. Reserving the right to object, I want to ask the gentleman a question. The rule provides for three and a quarter hours of debate on the bill. On the rule would be 80 minutes additional, which would make in the neighborhood of five hours before it is completed. Then it would be considered under the five-minute rule. Is it the intention of the gentleman from Kentucky, if the gentleman from North Carolina knows, to ask the House to stay in session to-day until the bill is completed?

Mr. POU. I think that is the intention of the gentleman from Kentucky.

Mr. SHERLEY. If the gentleman will pardon me, I will say that that was my desire, and I presumed it would be the desire of the House. The days are passing, and if everyone knew the matter was to be disposed of to-day there would be an assurance of the full attendance which the importance of the matter demands.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, may I inquire of the gentleman, as there is some ambiguity in the phrase, whether it is the intention of the committee, or of the two gentlemen named, to control the time both in favor and against, or is one to control the time entirely in opposition and the other entirely in favor of the bill?

Mr. SHERLEY. It was my understanding that the gentleman from Massachusetts would control the time in opposition. I would control the time in favor of the bill, and it is my purpose to give to the gentleman from Illinois [Mr. CANNON] practically one-half of my time for such use as he may see fit to make of it on his side of the House for those who favor the proposal.

Mr. LITTLE. Reserving the right to object, Mr. Speaker, I would like to ask a question of the chairman. I could not hear everything that was said, but do I understand that his request would prevent the offering of amendments?

Mr. POU. No.

Mr. MANN. It would prevent an amendment to the rule.

The SPEAKER. Is there objection?

There was no objection.

Mr. POU. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. CANTRILL].

Mr. CANTRILL. Mr. Speaker, this rule makes in order a bill from the Committee on Appropriations which appropriates $100,000,000 to relieve famine conditions in Europe. There was no objection in the Committee on Rules to the form of the rule. The Committee on Rules is unanimous, I believe, in the opinion that the terms of the rule are entirely fair, and there was no criticism as to the rule itself. There was, however, in the Committee on Rules, determined opposition to the bill which the rule seeks to make in order, and I would like to have the House know that the Committee on Appropriations, one of the most conservative and careful committees of the House, after a full consideration, made a favorable report upon the bill appropriating $100,000,000; and the chairman of that committee, the gentleman from Kentucky [Mr. SHERLEY], appeared before the Committee on Rules, in behalf of his committee, asking for the adoption of this rule.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. CANTRILL. I have very little time, but I will yield for a very brief question.

Mr. GORDON. Just a question to ask the gentleman what the vote was in the Committee on Appropriations, that great, conservative committee?

Mr. CANTRILL. All that I know is that it was a majority vote, which is sufficient to bring the matter before the House and before the Committee on Rules. If it had not been a majority vote, of course the chairman of that committee would not have come before the Committee on Rules.

The facts are these, as we understand them on the record that has been made before the Committee on Rules: There are thousands and tens of thousands of people in Europe who to-day are starving to death. It comes to us from the best of authority that within the next two or three months there will be millions of people in Europe starving, and the Governments of England and France and Italy have already appointed their commissions and put behind them financial support, and to-day are relieving as best they can famine conditions in Europe. This Government, through the President of the United States, has called upon Congress and the American people to cooperate with these European Governments in helping to relieve these famine conditions. I appeal to this House, and especially to the Republican side of the House, to repudiate the action of the gentlemen of the Committee on Rules representing that side of the House when they undertake to say to the peoples of the world that the United States are so stingy and so devoid of all principles of humanity and Christianity that they will not cooperate with other Governments in saving mil-

lions of starving women and children in this world. [Applause.]

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. CANTRILL. No; I have not the time. I have only a few minutes, as the gentleman knows. That is the situation that is before us; and the eyes of the world and the eyes of the people of this Nation are looking at this House to-day to see whether or not we are willing, out of our abundance and plenty, the American people and this Government, the richest in all the world, after having appropriated money by the billions for war munitions with which to kill people, whether now we are willing to place ourselves in the attitude of refusing to appropriate a paltry $100,000,000 in order to cooperate with the great civilized nations of France, Italy, and England to save millions of women and children from starving to death. The great God of the universe has blessed this country more than any other in the history of the world, and do you gentlemen mean to tell me that upon a great occasion like this you intend to draw political and party lines upon the question of millions of people starving to death?

Yet this House to-day is confronted with the spectacle of gentlemen on the Committee on Rules representing the Republican side of the House voting against supporting the rule when the Committee on Appropriations had already passed favorably upon it. Gentlemen on the Republican side of the House, I ask you to repudiate that action. If you are not in favor of the bill, I do beg you, in the name of humanity, with millions of people starving to death, to at least adopt the rule and bring the bill before the House, where it may be considered upon its merits, so that the American people may know the real condition that exists in Europe to-day. [Applause.] One of the most distinguished American women has recently come back, after giving her services to the Red Cross, and she delivered a lecture in this city the other day. Speaking from actual observation she said that in many places in Europe to-day mothers having three or four or five children are now compelled to pick the child that they will permit to die, because they can not get food enough to feed them all. Yet do you gentlemen on the Republican side of the House mean to tell me that in such conditions as that you propose to have the party lash applied to you and refuse to adopt this rule, so that you may have the opportunity of hearing the bill upon its merits? The facts are as we get them from the very best of authority, that the appropriation of this paltry sum will relieve conditions—and it is a paltry sum compared with the billions that we have appropriated without a dissenting voice in recent days. It is a fact that this appropriation will do more to satisfy European countries that this Nation is sincere in its demand for peace than anything else we can do. When people are starving you can not ask them to give favorable consideration to any peace terms or to any terms that would help reestablish law and order. The first thoughts of people who are starving turn to anarchy, and in large measure, in my opinion, the great turmoil that is existing in Europe to-day is due more to famine than to any other one condition, and yet when we are asked to cooperate, not to assume the entire burden ourselves, with these other great Governments, whose commissions have already been appointed, and I believe Lord Reading has been appointed as the head of the English commission—when we are asked to appropriate this money we find bitter opposition, and I say all honor and glory to the Committee on Appropriations of this House for favorably voting upon it, including the distinguished gentleman frm Illinois [Mr. CANNON], the father of the House, in whom every Member has implicit confidence. There was no politics in it, as I understand it, in the Committee on Appropriations, because the distinguished gentleman from Illinois [Mr. CANNON] is heartily in favor of the bill, and I am asking you to adopt the rule in order that you gentlemen upon the Republican side of the House may hear him speak upon the merits of the proposition, and I am sure that you gentlemen have unlimited confidence in his judgment, especially on matters of this character. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker, the resolution that is presented by the chairman of the Committee on Rules, if adopted by this House to-day, makes in order the boldest piece of legislation that has been introduced in the Sixty-fifth Congress. This legislation contemplated by this bill will open up a brand new field of limitless public expenditure, and it is of such a character that it demands the most careful and considerate attention by every Member of the House. During the last two or three years we have become accustomed to pass appropriations of $1,000,000, $2,000,000, $100,000,000—yes, five and ten billions of dollars—at one time, with hardly any debate, with scarcely the dotting of an "i" or the crossing of a "t."

But, mind you, gentlemen, we did that because the President of the United States, the Commander in Chief of the Army, said that it was absolutely necessary for the prosecution of the war. When we received those commands, Republicans and Democrats alike stood shoulder to shoulder, rose to the situation, and almost unanimously voted President Wilson more money and more power than that which has been granted to any king or potentate in the history of the civilized world. But we did that to win the war. Now, thank God, the war is over and an entirely different situation confronts us. Let me tell you, gentlemen of the House, the day has gone by when you can hold a man up to public ridicule, call him un-American, unpatriotic, and pro-German because he demands full information [applause on the Republican side] before he votes to give away the people's money. That is the reason I am opposed to this rule and this bill here to-day. The information is not available to this House why we should grant Mr. Wilson and Mr. Hoover this new, additional, and unlimited authority. Mr. Speaker, because we granted President Wilson's every request to win the war, that is no sign we will follow him blindfolded in reconstructing the Old World. The financial conditions of this country at the present are such that the American people demand that this Congress shall closely scrutinize every dollar of public expenditure. They demand that we shall not appropriate a dollar of public money that is not absolutely needed, and every man in this House knows that the business of this country will fairly groan under the taxes that will be levied by the present pending revenue bill; and the worst of it all is the end is not yet in sight. I was told by a member of the Committee on Ways and Means this morning that there would be a deficit in the public funds this year of $10,000,000,000. A $5,000,000,000 loan will come this spring and another later in the season.

Now, with these financial conditions confronting us, I maintain that there are no $100,000,000 plums for any one man's basket, unless we have the most positive and definite information as to the absolute necessity, the how, where, and why it will be spent, and that information is not available at the present time. Mr. Speaker, if I can read the signs of the times, there is more unrest, uncertainty, and, I think I may say, discontent, among the laboring population, the manufacturer, the farmer, and business men to-day than at any time in recent years. High taxation and higher cost of living are causing the spread of Bolshevikism in our own country, and, notwithstanding this, the President demands that we place a $100,000,000 additional tax on our people, that, as he says, Mr. Hoover may stop the spread of Bolshevikism and anarchy in a foreign land. The time has come, gentlemen, when the President of the United States and the Members of this Congress should give more attention to the reconstruction problems here at home and less to the political intrigues of map-making of southern Europe. [Applause on the Republican side.] I am not opposed to rendering relief to the stricken and starving populations of the Old World. I will go just as far as any man in private or public expenditure along this line, but I do maintain that the time has come, if we are going to open up a new field for public expenditures of this kind, that President Wilson should tell the Congress and the American people what he intends to do and how far he is going along this line. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. SNELL. Just a minute more.

Mr. CAMPBELL of Kansas. I yield one minute more to the gentleman.

Mr. SNELL. And I also maintain that the time has come when, to a certain extent at least, he should take us into his confidence in regard to his reconstruction and peace plans, and until he does that and until he does furnish us the information to which we are entitled I maintain it is the duty of every man in this House to vote against these questionable lump-sum appropriations. [Applause on the Republican side.]

Mr. CAMPBELL of Kansas. Will the gentleman yield back any time he did not use?

Mr. SNELL. I yield back whatever time may be remaining.

The SPEAKER. The gentleman yields back half a minute.

Mr. POU. Will the gentleman use some more of his time?

Mr. CAMPBELL of Kansas. I would like the gentleman from North Carolina to use some more of his time.

Mr. POU. I yield five minutes to the gentleman from Illinois [Mr. CANNON]. [Applause.]

Mr. CANNON. Mr. Speaker, I am for this bill. [Applause.] Let us stop a minute and see what is involved. There is no time in the short debate to show what the merits of this proposition are. This proposition is to consider this bill, and I want to ask this side of the House and that side of the House, Are you afraid to consider this bill upon its merits? [Applause.] The only way to get intelligent consideration is to consider it.

So much for that. Oh, I have here a letter written by President Roosevelt, a message, just as the ships went around the world, in regard to the great earthquake in Italy and the $800,000 which he asked of the Congress, and it was given without a word, and when it was given he expended it for food. The returning eight battleships and other ships were sent to help relieve the condition. They were fed. It was in time of peace. He was a great statesman, and he was broad enough to understand that in this country is the great melting pot, and it was put upon that ground as well as to relieve misfortune. And after he fed them he built houses over there from that appropriation, and it met with the approval of this country. A score or more of similar appropriations have been made. Now, what is the condition, just briefly, and all I can do is to refer to it? Outside of the allies the Bolsheviki are in possession everywhere in Europe except Germany, and making great headway there. Oh, perhaps, not in Finland.

Mr. SLOAN. Will the gentleman yield?

Mr. CANNON. If the gentleman will be brief.

Mr. SLOAN. Did ex-President Roosevelt ask to have personal charge of that $800,000 appropriation?

Mr. CANNON. Yes; it was expended under his direction.

Mr. SLOAN. That he should have personal charge of it?

Mr. CANNON. Well, he did have personal charge of it. How else could you expend it? [Applause.] I simply refer to it in passing. Great God, I think I have got in my make-up a strain of German, a strain of English, a strain of Irish, and a strain of French. [Laughter and applause.] God made the world, and under God we have had the progress we have had. Now, at the end of this great contest what have you? A peace table. Who is at the table? Germany? No. Germany is fighting as to whether she will go absolutely to the Bolsheviki, which means anarchy there. Austria? No. Russia? No. The Balkans? No; unless it be Serbia that will get in. There you are. What security have you as to who you are to negotiate with for peace? Now, it is put upon this ground as a matter of policy. First, it is good policy that people should not starve, for if they are starving they will take food with a strong hand. Why, God knows there is not a man within the sound of my voice, if there was anarchy in the United States as they have it in Europe outside of the allies, and food was short—there is not a man in this House of Representatives, if his family was starving and he was starving, but would take it with a strong hand if it could be found. If there is one such, let him rise up now. [Applause.]

No man rises on either side of the House.

This is to relieve a condition; and yet gentlemen say that they will not even consider this proposition. I do not indorse lots of things that Woodrow Wilson has done; but he is our President. Right or wrong, he is over there trying to do things.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POU. Mr. Speaker, I yield two minutes more to the gentleman.

Mr. CANNON. Our expenditures during this war were $40,000,000 per day. This $100,000,000 would amount to the expenditures for two days and a half, where we have expended very well up toward $30,000,000,000, and, God knows, when the end comes and we have peace, after all things are determined, war risks and everything else, it may amount to $50,000,000,000 or $60,000,000,000.

We have the food; we can demonstrate that. We have the wheat that the Government owns. We have an excess of pork and fats and cottonseed oil and lard oil. This money will be expended in this country, substantially. From the standpoint of a wise policy, without any indorsement of Woodrow Wilson, except as it is necessary to recognize that he is our President and will be for two years to come—the only President we have—we ought not to withhold proper aid to work out these problems. In the event this rule is adopted I will speak a little more at length and give reasons why, in my judgment, this bill should pass. [Applause.]

Mr. POU. Mr. Speaker, did the gentleman from Illinois use his entire time?

The SPEAKER pro tempore. He used all of his time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 20 minutes to the gentleman from Iowa [Mr. GOOD], a member of the Committee on Appropriations. [Applause.]

Mr. GOOD. Mr. Speaker, I opposed this bill in the committee and I oppose it now. However, I did say to the gentleman from Kentucky [Mr. SHERLEY], chairman of the Committee on Appropriations, that I would do what I could to have the bill brought before the House, and what I have to say, therefore, is not in opposition to the rule, because I realized that the merits of this proposition could not be discussed in 80 minutes, but will in part explain my opposition to the bill itself.

But a few weeks remain of this Sixty-fifth Congress. This Congress will go down in history as the greatest legislative assembly in all the world. It passed more important legislation, appropriated more money, did more real substantial work than any other legislative body in the world. And it all was done with a singleness of purpose and a patriotism that touched every Member of the House. We were in favor of winning the war, and we voted without party division to give the President, as Commander in Chief of the Army and Navy, all the power and all the money necessary to win imperishable glory for our country and our country's flag. But, Mr. Speaker, when on the 11th day of last November the President appeared in our presence and read that most remarkable message, giving in detail the terms of the armistice, he concluded by saying:

> The war thus comes to an end; for, having accepted these terms of armistice, it will be impossible for the German command to renew it.

I approach, therefore, the discussion of this subject on the solemn declaration of the President that two months ago the war came to an end and that Germany would be unable to renew it. When the war was on we gave him all the money he asked for its prosecution; we gave him all the power, all the legislation which he demanded to win the war. Now that the war is over, I believe that Congress, one of the coordinate branches of the Government, should again commence to function; that it should pass upon all demands; and that the House of Representatives, which is entrusted under the Constitution with originating all appropriation bills, shall before it passes appropriation bills know the details not only with regard to the needs for which the appropriations are asked but the conditions under which the appropriations are to be expended. Now that the war is over, I am not willing to pass lump-sum appropriation bills to carry out objects, no matter how worthy, unless we understand all the facts. Of course, there is starvation in Europe; there always has been, there always will be, and I am willing to go as far as any man to give relief to the needy and the suffering. If we would rise to our full duty in such an emergency we would not pass a lump-sum appropriation, much of which might be wasted in its administration. But if the emergency is urgent we would give to the American Red Cross, that great mother of humanity, composed as it is of more than 22,000,000 Americans, who are contributing to its objects—we would delegate to that organization, with more than 5,000 relief commissioners in Europe, the task of bringing relief; we would give them more than our full share of the funds necessary to prevent suffering and starvation. I am not in favor of this bill, which, if enacted into law, will, I fear, be the first step which we will have taken since war came to an end to invite extravagance and waste in the expenditure of public funds.

I do not object to appropriating this money because it is granted to the President. I am opposed to appropriating any lump sum, giving any individual, no matter who he is, full power and discretion over its expenditure. By the very nature of things, the President, because of his multitudinous duties, can not investigate the expenditure of such vast sums that have been entrusted to his care. He has been compelled to turn these matters over to subordinates and bureau chiefs. When the history of this war is written men will be shocked to learn how hundreds of millions of dollars were utterly wasted, and most of the waste came through lump-sum appropriations. Now that the war is over, we should profit by our experiences during the war and appropriate money only when we know all the facts for which the appropriation is sought, and we should make detailed appropriation in a manner so that the fund can not be spent for any other object than that for which it was expressly appropriated.

I think I can define my position best by relating here what has already been done in what I believe to be an illegal appropriation by the President of $5,000,000 out of the funds granted to the President for national security and defense.

I have here a statement from the War Trade Board for publication on December 15, 1918, which reads:

> The loading of two additional vessels with cargoes for Russia and arrangements for continued shipments through January and February through the activity of the War Trade Board of the United States Russian Bureau (Inc.) was announced to-day by the War Trade Board. The dispatch of three vessels to Vladivostok carrying materials urgently needed in Siberia previously was announced.
>
> Private capital, acting on information furnished through the Russian bureau, is financing most of these cargoes, which include also materials for Czecho-Slovak relief and railroad materials. This is in harmony with the announced policy of the board to encourage and promote the rehabilitation of Russia's economic life and to cover by direct operations only those portions of the field which can not be served readily by private enterprise. Plans for shipments to Vladivostok, Black Sea, and the Baltic were considered by the board at its meeting to-day.

When my attention was called to this work of the War Trade Board of the United States Russian Bureau (Inc.), I commenced

a search to ascertain if Congress had authorized its incorporation. I found no such record. I found that Vance McCormick and a majority of the members of the War Trade Board had incorporated under the title "The War Trade Board of United States Russian Bureau (Inc.)," and that Vance McCormick was president, and John Foster Dulles, nephew of Secretary Lansing, was the secretary and treasurer. This concern was incorporated under the laws of the State of Connecticut. The certificate of incorporation provides "that the amount of capital stock with which this corporation shall commence business is $5,000,000." The incorporators, with their holdings of stock, are as follows: Vance McCormick, 1 share; J. Beaver White, 1 share; Edwin F. Gay, 1 share; Clarence M. Woolley, 1 share; Albert Strauss, 1 share; Alonzo E. Taylor, 1 share; Thomas L. Chadbourne, jr., 1 share; H. Starr Giddings, 1 share; Stoddard M. Stevens, jr., 1 share; Ralph Royall, 1 share; and Vance C. McCormick, chairman of the War Trade Board, 49,990 shares. It is thus seen that these incorporators include a majority of the directors of the War Trade Board, and that each incorporator subscribed for only 1 share of stock, but that the remaining 49,990 shares are held by Mr. Vance C. McCormick as chairman of the War Trade Board. The $5,000,000, I am advised by the War Trade Board, was contributed by the President out of the $100,000,000 which Congress appropriated to him in a lump sum for national security and defense. It is therefore apparent that this incorporation to which I have referred is a United States corporation. The United States really owns all of the stock, and on inquiry I find that it is through this corporation that the United States proposes to deal with the Russian situation.

I am advised that it will take many millions more to carry out the intentions of the department, and I undertake to say that if anything at all is done along the line provided for in the charter of this corporation the amount involved will reach billions of dollars.

While we were willing to vote and did vote without party division billions of dollars to prosecute the war, and I believe now are willing to vote millions of dollars to relieve distress, suffering, and starvation in Europe, yet I want to say that I do not believe there is a man here who down in his heart would be willing to vote one dollar out of the Treasury to carry out the provisions found in this certificate of incorporation, wherein are enumerated all the objects of the corporation.

Would you be willing to give to the President $5,000,000 to organize a company to engage in the manufacture of all kinds of products in any and all parts of the world, to prospect for minerals and metals and mine them, or to buy agricultural, grazing, and timber lands in all parts of the world, or to buy precious stones, or to buy, build, own, and manage hotels, boarding houses, and restaurants in all parts of the world outside of the State of Connecticut, or to buy and operate railroads in all parts of the world outside of the State of Connecticut, or to loan money in all parts of the world outside of the State of Connecticut, or to carry on the business of banking in all parts of the world outside of the State of Connecticut? No; of course, you would not; and yet, out of the $100,000,000 that was given to the President by Congress to carry on the war, he has given $5,000,000 to this corporation which is empowered to do all these things, and many other things.

I have read the wonderful dream of Cecil Rhodes. I have read with interest and enthusiasm the charter of the Hudson Bay Co., but I undertake to say here and now that the dream of Cecil Rhodes or the charter of the Hudson Bay Co. is not to be compared with this wonderful document setting forth the aims and purposes of the War Trade Board of United States Russian Bureau (Inc.).

I will append to my remarks the certificate of organization, but the certificate of incorporation is so illuminating that I shall read it for your information, in order that you may see the objects to which the President has set aside $5,000,000 appropriated to him in a lump sum for national security and defense.

It is as follows:

Certificate of Incorporation of the War Trade Board of United States Russian Bureau (Inc.).

We, the subscribers, certify that we do hereby associate ourselves as a body politic and corporate under the statute laws of the State of Connecticut, and we further certify—

First. That the name of the corporation is the War Trade Board of United States Russian Bureau (Inc.).

Second. That the said corporation is to be located in the town of Hartford, County of Hartford, State of Connecticut.

Third. That the nature of the business to be transacted and the purposes to be promoted or carried out by said corporation are as follows:

1. To engage in the business of buying, selling, importing, and exporting goods, wares, and merchandise of every description, and any and all kinds of personal property, and to carry on a general mercantile and commercial business in any part of the world.

2. To engage in any and all kinds of manufacturing, and to acquire, hold, lease, and sell all lands, buildings, machinery, and equipment, and all raw materials and supplies necessary to or useful in the conduct of any such business in any part of the world.

3. To search for, prospect, explore, purchase, lease, or otherwise acquire, own, develop, work, operate, sell, lease, mortgage, or otherwise dispose of any and all agricultural, grazing, timber, or other lands, mineral deposits, mines, mining properties, collieries, and quarries, and the products and by-products thereof, all in any part of the world.

4. To cultivate, cut, mine, crush, smelt, concentrate, refine, treat, prepare for market, buy, sell, exchange, export, import, trade and deal in any and all agricultural products, timber, and timber products, oil, petroleum, coal, iron, metals, phosphates, nitrates, minerals, precious stones, and materials and products and by-products of all kinds, all in any part of the world.

All of this under the guise of feeding the starving people of Russia. Further:

5. To build, construct, complete, equip, purchase, lease, or otherwise acquire, hold, own, manage, operate, maintain, mortgage, sell, or otherwise, dispose of hotels, apartment houses, boarding and lodging houses, restaurants, stores, shops, and places of public entertainment or amusement, all in any part of the world, outside of the State of Connecticut.

[Laughter.]

What is the matter with Connecticut?

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

Mr. GOOD. No; I regret I can not. I have not the time—

6. To build, construct, complete, equip, purchase, lease, or otherwise acquire, hold, own, manage, operate, maintain, mortgage, sell or otherwise dispose of railways, telephone and telegraph systems, gas and electric light and power works, plants and systems, and any other plants, machinery or works for the production, manufacture, transmission and distribution of light or energy of every nature and description, and to furnish and sell gas, electricity, steam and any other kind of substance or energy used for lighting, heating, or power purposes, all in any part of the world outside of the State of Connecticut.

[Laughter.]

7. To build, construct, complete, equip, purchase, lease or otherwise acquire, hold, own, maintain, operate, mortgage, sell, or otherwise dispose of, or turn to account, reservoirs, water powers, dams, flumes, watercourses, aqueducts, water rights, canals, irrigation systems, sewage, drainage and sanitary works, water works and to furnish and sell water and water power, all in any part of the world outside of the State of Connecticut.

8. To promote, finance, build, construct, complete, equip, purchase, lease, or otherwise acquire, hold, own, operate, maintain, mortgage, sell, or otherwise dispose of wharves, piers, docks, bulkheads, drydocks, basins, tugs, floats, lighters, storehouses, warehouses, elevators, oil tanks, and other terminal facilities of all kinds, all in any part of the world outside of the State of Connecticut.

9. To build, equip, buy, own, lease, operate, and sell steamships, sailing vessels and any and all other kinds of craft or instrumentalities used or to be used in the business of transporting freight or passengers upon water; and in any part of the world outside of the State of Connecticut to operate the same, and engage in the transportation of or in the business of transporting freight or passengers.

10. To take and receive upon deposit, as bailee, for safekeeping and storage, jewelry, plate, money, specie, bullion, stocks, bonds, securities, and valuable papers of any kind, and other valuable personal property, and to guarantee their safety, upon such terms and for such compensation as may be agreed upon by it and the respective bailors thereof, and to let out vaults, safes, and other receptacles, all in any part of the world outside of the State of Connecticut.

11. To make loans or advances, either ordinary or privileged, either with or without security, at such rates of interest as may be agreed upon between the corporation and the borrower, either for ordinary banking or commercial purposes or for the special purpose of facilitating mining, agricultural, and industrial operations and public utilities, all in any part of the world outside of the State of Connecticut.

Now, get this, my Democratic friends, and never again refer to trusts or illegal combinations:

16. To enter into any agreement or arrangement for sharing profits, union of interest, reciprocal concessions or cooperations, with any country, firm, or person carrying on or proposing to carry on any business within or similar to any of the objects of this company; to guarantee the contracts and obligations of any such company, firm, or person; to unite with any such company, firm, or person in the creation of joint or joint and several obligations of any and every character which this company may find it necessary or convenient to create, or issue in the execution of any business or the carrying out of any purpose specified in this certificate; but none of the business authorized by this paragraph shall be done within the State of Connecticut.

[Laughter.]

Mr. Vance McCormick has provided here for the greatest trust the world ever saw and it is financed out of the $100,000,000 given to the President for national security and defense, and all of it is done under the cover of feeding the starving people of Russia.

Mr. LONDON. Mr. Speaker, will the gentleman yield?

Mr. GOOD. No; I can not yield.

17. To acquire in any manner, hold, and own bonds, debentures, or other obligations, or evidences of indebtedness or securities, or shares of capital stock in any corporation or corporations, association or associations, and while owner thereof to exercise the rights, powers, and privileges of ownership, including the right to vote on any shares of stock or in respect of any bonds or debentures so held or owned.

18. To carry on the business of banking in all its branches, and to transact and do all matters and things incidental thereto, or which may be usual in connection with the business of banking or dealing in money or securities for money, including, among other things, the issue of due bills, circulating notes to bearer, bank notes, promissory notes, or the discounting and negotiating, buying, selling, paying, or collecting of promissory notes, drafts, bills of exchange, and other evidences of indebtedness; receiving deposits, buying and selling ex-

change, bank notes, bullion, and coin, and loaning money on real and personal security, but no part of the business specified in this paragraph shall be done in the State of Connecticut.

Think of it! The President giving Mr. Vance McCormick's private corporation, even though the stock is held by the War Trade Board, $5,000,000 to carry on banking in any part of the world, with power to issue due bills, circulating notes to bearer, bank notes, etc., all to prevent the people of Russia from starving.

19. The corporation shall have power to do any and all things set forth as its objects to the same extent and as fully as a natural person might or could do, as principal, agent, contractor, or otherwise, and by or through trustees, agents, subcontractors, or otherwise, alone or jointly with any other corporation, association, firm, or person, and to execute all acts and enter into all contracts, civil and mercantile, and to do all and everything necessary or incidental for the protection or benefit of the corporation: *Provided, however*, That this corporation shall not have power to transact, within the State of Connecticut, the business of a bank, savings bank, trust company, building and loan association, insurance company, surety or indemnity company, railroad or street railway company, telegraph or telephone company, gas, electric-light or water company, or the business of a company requiring the right to take and condemn lands within the said State, or to occupy the public highways within said State; and nothing herein contained shall be construed to permit the doing of any acts within the said State not authorized in the case of a corporation organized under the general laws thereof, nor permit the doing of any acts in any other State or Territory of the United States, or in any foreign country, if prohibited by the laws of such State, Territory, or foreign country: *And provided further*, That within the State of Connecticut this corporation shall not have the power to and shall not sell or negotiate its own choses in action, nor sell, guarantee, nor negotiate the choses in action of any other person or corporations as investments.

Fourth. That the amount of the capital stock of said corporation hereby authorized is $5,000,000, divided into 50,000 shares of the par value of $100 each, all of one class.

Fifth. That the amount of capital stock with which this corporation shall commence business is $5,000,000.

Sixth. That the duration of said corporation is unlimited.

Then follows the signatures of the incorporators.

These are the things that the War Trade Board of the United States Russian Bureau (Inc.) wants to do, and for the accomplishment of these things the President has turned over to this board $5,000,000; and not a man sitting on the floor of the House would vote money out of the Treasury of the United States for these express purposes. This incorporation needs more money to carry them out, and if we vote this $100,000,000 the President has the same power to turn over any or all of it to this same corporation that he had to give it $5,000,000.

Yes; we are asked now to appropriate $100,000,000, just as we were asked during the war to appropriate, and did appropriate, a lump sum of $100,000,000 for national security and defense. And if we vote this money, in the future we must not complain if any part of it is engaged in merchandising in all parts of the world, or in manufacturing in all parts of the world, or in mining and developing mines in all parts of the world, or in buying and owning and operating railroads, electric-light and gas plants, and banking, and everything under the sun, in all parts of the world.

To some of you the granting of this tremendous power may seem comical, but to my mind it is a most dangerous thing. I am willing that America shall do her part to feed the starving people of Europe, but I am not willing that we shall engage in all of these enterprises under the guise of preventing starvation.

I must confess that in one sense the situation is comical. Why, we are going to establish hotels in all parts of the world. Of course, that is one of the best ways to feed the people who are hungry. My attention was called a few days ago to the New York Hotel Review, a paper published by the New York hotels to exploit the wonderful things they have accomplished. I find a news item in this paper to the effect that John McE. Bowman, president of the Commodore, Biltmore, Manhattan, and other hotels, was commissioned to select a chef for the President's party during his trip abroad, and Mr. Sweeney was commissioned to select a culinary force. Mr. Bowman selected the chef of the Biltmore, Mr. Lewis Seres, and the article concludes:

Mr. Sweeney, however, in a comparatively short time interviewed, selected, and caused to be sworn into the United States Navy, a culinary crew of 25, which is the largest culinary crew ever gotten together for a transocean voyage. It might be said here that Mr. Sweeney was the man who selected the culinary force for the train that carried Prince Henry of Prussia to Canada on the occasion of his visit here several years ago. Four of the members of the culinary crew of the *George Washington* were sworn in as petty officers.

And I suppose that when Mr. Vance McCormick has acquired these hotels and restaurants and boarding houses in all parts of the world, that it is proposed to acquire under the terms of this charter, we will have as cooks in all of these hotels petty officers from the Navy, and possibly all of these will be selected by the same person who selected "the culinary force for the train which carried Prince Henry of Prussia to Canada on the occasion of his visit here several years ago."

Again, we are told that millions of people are starving in Europe. I suppose there is great suffering in many parts of Europe. I wish we might prevent the starving of a single person. I wish we might do something in a big and substantial way to alleviate the suffering and prevent starving. But I have wondered whether or not this matter has not been a little overdrawn, for almost coincident with the cablegram of the President, I read an article in the New York Times, on December 28, under the following headlines:

Georgeous scene at banquet—All royal formalities observed at King's dinner to Wilson—Largest display of plate—Gold service worth $15,000,000 are brought from the palace vaults for occasion.

Can it be possible that almost within the shadow of the building where that banquet was given men and women were starving? Is it possible that that great Democrat could sit down to a table spread with a $15,000,000 gold plate and then send a message to America within a day or two, telling us that millions were starving in Europe, and that we should give him $100,000,000 to prevent it? [Applause.]

Now, what have we done in a practical way to relieve this distress? First, we have given to the Secretary of the Treasury power to loan money to all these countries of Europe that are mentioned in the hearings, and he has even loaned money to the Czecho-Slovaks, a great people, but whose organization as yet is practically only on paper; yet we are loaning money to them out of the Treasury, to feed their people. We are loaning money to Serbia and to the Balkan States. We have loaned vast sums to our other allies, including Russia, and the newspapers yesterday carried the statement from Mr. Glass that Government loans to foreign countries are restricted now to necessary credits for the purchase of foodstuffs in this country. It is apparent that not a single country mentioned in the hearings, which is in need of foodstuffs, is having any difficulty in borrowing the money from Uncle Sam to buy these necessities.

Now, in addition to that, in order to duplicate the service, it is proposed to give the President $100,000,000 in order to feed these same people.

Mr. Speaker, a book has recently been written by Dr. E. A. Ross, of the University of Wisconsin, entitled "Russia in Upheaval." The author has been there and has just recently returned. I quote from page 13 of that book:

By the railroad, not far from Irkutsk, are piled up four millions of pounds of Siberian meat, spoiling in the July sun because there is no railway stock for moving it to Russia.

And again on page 334 I read:

From all sides we are receiving news of disorders and excesses at railway stations by soldiers and others. The railways are in the power of the mob. Cars are opened, and their contents plundered. Large numbers of profiteers are transporting goods arbitrarily without having paid anything on them. Cars are uncoupled from trains, thus interfering with the instructions of the railway servants. This state of anarchy has entirely disorganized the transport service.

Think of it! At Irkutsk, the author saw piled up 4,000,000 pounds of Siberian meat, spoiling in the July sun, because there was no railway stock to move it. It would require 8,000 average carcasses to make 4,000,000 pounds of meat; and the second statement of this author clearly shows why these foodstuffs can not be delivered to the people. Send American meat there, and is it not likely to be seized by the lawless and will it not only make them stronger in their fight against organized society? Much as we desire, we can not prevent starvation in Russia.

I desire also to call attention to the fact that already Mr. Hoover, through his grain corporation, has enough money to buy all the surplus wheat in the United States, and after he has bought it at $2.20 per bushel, he will still have in his fund, according to the hearings, almost $50,000,000 to buy other cereals. And remember, it is not urged that any corn be purchased for export to Europe for this purpose.

I call your attention to page 19 of the hearings, wherein it is shown that we raised in the United States last year 917,000,000 bushels of wheat. It is estimated by Mr. Hoover that it will take 600,000,000 bushels or thereabouts to feed our own population and to furnish seed for the next year, leaving 317,000,000 bushels available for export. Mr. Hoover's assistant states that 200,000,000 bushels have already been sold and exported to Europe, leaving only 117,000,000 bushels available for export. If every bushel of that was bought by Mr. Hoover at $2.20 per bushel, it would require about $257,000, and according to the statement of Mr. Glasgow, Mr. Hoover has for this purpose $300,000,000. Hence, he would have $50,000,000 left to buy other grains to feed the starving people of Europe after he had bought every bushel of American wheat available for export.

Now, if you will turn to page 4 of the hearings I think you will find the real secret of Mr. Hoover's desire. I quote:

Because of the stimulation of the production of hogs throughout the hog-producing sections of the country we have accumulated in the hands of packers, by reason of the run on hogs at this particular time of the year, a large surplus that we must work off as we can to Europe, and one of the purposes of Mr. Hoover has been, if possible, to provide a safe and regular drain of such edibles as fats, oils, and cereals that we have a surplus of to Europe.

You will observe that we are told that there is a surplus of fats and oils in the hands of the packers, by reason of the run of hogs at this particular time of the year, a large surplus that Mr. Hoover says must be worked off, quoting his words, in "a safe and regular drain." Ah, there must be no slump in the price of these fats in the hands of the packers; a safe and regular drain of this surplus of fats that are in the hands of the packers of the country must be sent to Europe, so that there can be no slump in the price, while this surplus is in their hands. [Applause.]

That is the crux of this whole matter, and you can not get away from it, and I want to say now that if this scheme of stabilizing the market is put through under the guise of saving the starving in Europe, hundreds, yes thousands, of our fellow Americans will, because of high prices that will be maintained, be made to suffer, and many of them will starve.

I am unwilling for one to permit the packer or any other producer in the United States to reach his hand down into the Treasury of the United States in order to stabilize and hold up the price of their product.

Mr. HARDY. Will the gentleman yield?

Mr. GOOD. No; I am sorry I do not have the time.

I find here in the Christian Science Monitor a statement with regard to the $6,000,000 of profits made by the Cudahy Packing Co., from which I quote:

After paying the regular dividends on the preferred stock, the $6,000,000 profit would represent an earning power of 47.4 per cent on the common stock.

It was inevitable that the packers would make money during the war. They were selling their product on a rising market. Vast sums were made by them because of that fact. They realized that the time was coming when they would be compelled to sell their product on a falling market, when they would lose some of these immense profits made during the war, and I doubt not they thought they would be able to so conduct their affairs that in balancing their books over a period of years it would be found that they had made considerably more money when they were doing business on a rising market than they had lost when they were selling their goods on a falling market.

Now, Mr. Hoover comes forward with his program, and that is to stabilize the market so long as there is a surplus of fats in the hands of the packers. I do not believe there is any justification for his program, and hence I must oppose it. I have opposed stabilizing the markets of the produce in the hands of the farmers, and I must oppose stabilizing the profits in the hands of the combination that has fared very well and can well afford now to meet the very obstacle that every business man must meet.

I want to see America do America's part in this emergency, but I am not willing to duplicate the service which 22,000,000 of Americans are already performing through the American Red Cross. It has been said here to-day that the allies are furnishing food to the starving, while America is talking about it. I deny it. America is doing her full share, through the American Red Cross, to-day. She is not only helping the poor in the Balkans and in Russia, but she is contributing to the wants of the poor and the needy in France and in Italy, and even Great Britain. The last report of the American Red Cross shows that there is appropriated for relief work in Belgium over $2,000,000; for relief work in Italy, $3,588,000; for relief work in Russia, $1,243,000; and for relief work in Serbia, $875,180; for relief work in Great Britain, $1,885,000, and for relief in other foreign countries almost $4,000,000. And yet, in order to put this bill through, without investigation and without a knowledge of the real facts, we are told that America is not doing her part. This bill ought to be sent back to the committee, with instructions to that committee to call before it the officers of the American Red Cross here in Washington, and to hear those officers, and then, after a full and comprehensive survey, which can be had within the next few days, report out a bill that will be the measure of America's obligation in this emergency.

The SPEAKER pro tempore. The time of the gentleman from Iowa has expired.

APPENDIX.

STATE OF CONNECTICUT,
OFFICE OF THE SECRETARY.

THE WAR TRADE BOARD OF UNITED STATES RUSSIAN BUREAU (INC.).
CERTIFICATE OF ORGANIZATION.

The undersigned, a majority of the directors of the War Trade Board of United States Russian Bureau (Inc.), located in the town of Hartford, hereby certify as follows:

First. That the amount of the authorized capital stock of said corporation subscribed for is 50,000 shares, being shares of capital stock amounting to $5,000,000 and being not less than the full amount of $5,000,000, with which the incorporators in the certificate of incorporation stated the company would begin business.

Second. That the amount paid thereon in cash is $5,000,000.

Third. That the amount paid thereon in property other than cash is nothing.

Fourth. That $100 has been paid upon each share subscribed for, excepting no shares.

Fifth. That the name, residence, and address of each of the original subscribers to said stock, with the number of shares subscribed for by each, are as follows:

Name, residence, and post-office address.	Number of shares.
Vance C. McCormick, Harrisburg, Pa.	1
J. Beaver White, Washington, D. C.	1
Edwin F. Gay, Cambridge, Mass.	1
Clarence M. Woolley, Washington, D. C.	1
Albert Strauss, New York, N. Y.	1
Alonzo E. Taylor, Washington, D. C.	1
Thomas L. Chadbourne, jr., New York	1
H. Starr Giddings, Bronxville, N. Y.	1
Stoddard M. Stevens, jr., Hackensack, N. J.	1
Ralph Royall, New York, N. Y.	1
Vance C. McCormick, chairman War Trade Board, Washington, D. C.	49,990

Sixth. That the directors and officers of said corporation have been duly elected and that its by-laws have been adopted.

Seventh. The name, residence, and post-office address of each of the officers and directors of said corporation are as follows:

OFFICERS.

Name, residence, and post-office address:
President, Vance C. McCormick, Harrisburg, Pa.
Treasurer, John Foster Dulles, Washington, D. C.
Secretary, John Foster Dulles, Washington, D. C.

DIRECTORS.

Name, residence, and post-office address:
Vance C. McCormick, Harrisburg, Pa.
Thomas L. Chadbourne, jr., New York, N. Y.
Albert Strauss, New York, N. Y.
Alonzo E. Taylor, Washington, D. C.
Clarence M. Woolley, Washington, D. C.
J. Beaver White, Washington, D. C.
Edwin F. Gay, Cambridge, Mass.

Eighth. The location of its principal office in this State is No. 11 Central Row, Hartford, and the name of the agent or person in charge thereof on whom process against it may be served is Lucius F. Robinson.

Dated at Washington, D. C., this 13th day of November, 1918.

EDWIN F. GAY,
J. BEAVER WHITE,
ALBERT STRAUSS,
ALONZO E. TAYLOR,
A Majority of the Directors.

DISTRICT OF COLUMBIA,
City of Washington, ss:

On November 13, 1918, personally appeared Edwin F. Gay, J. Beaver White, Albert Strauss, and Alonzo E. Taylor, signers of the foregoing certificate of organization, a majority of the directors of the War Trade Board of United States, Russian Bureau (Inc.), and made oath to the truth of the same before me.

[SEAL.] H. MCHUGH,
Notary Public, District of Columbia.

My commission expires August 9, 1923.

Approved December 2, 1918.

FREDERICK L. PERRY, *Secretary,*
By ELMER H. LOUNSBURY.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. HARRISON].

Mr. HARRISON of Mississippi. Mr. Speaker, the speech the gentleman has just made is the most demagogic utterance I have ever heard on the floor of this House. He talks about a corporation that was organized for the purpose of carrying supplies and food to the starving people of Russia, and in no instance did he point out any abuse of the powers granted that corporation. I am not concerned about how the judgment and actions of this House to-day will affect Woodrow Wilson personally, but I am wondering how it will affect other people—not those for whom this relief is sought, for you know and I know if they are not relieved promptly their suffering, hunger, and distress will soon end in death. I am wondering how the action of the American Congress—how each vote and every utterance—will affect those people whose representatives are now sitting around the council table and who will be influenced in a greater or less degree by the representatives of the American Government.

The part this Government has played during this great world crisis is immeasurable. The influence it has wielded in bringing hostilities to a close has been incalculable. By his diplomacy President Wilson hastened the end, and the principles he enunciated have been accepted as the basic principles upon which peace will be made. It is due to his master genius that we have thus far approached peace. He is to-day recognized as the exponent of democracy, the apostle of justice, and the friend of liberty-loving peoples throughout the world. The estimate that the great masses of people in other countries place upon him will certainly be influenced to some extent by the confidence that his own people express in him.

The gentleman from Iowa talks about Bolshevism. Let me say to the gentleman that the spirit of Bolshevism, the most dangerous menace that has ever confronted free government, now rampant in the war-torn countries of central Europe, finds encouragement in disorder and threatens organized government

by creating dissension among the people. If ever there was a time when the representatives of organized government needed to present a united front, it is to-day. Discord and dissensions give encouragement to Bolshevism.

President Wilson knows the situation with which we are called upon in this way to deal. He is on the ground and has studied the situation from every angle. No man in the world to-day has the confidence of the great masses of other countries to the extent that the President of this country does, and those people are looking to him with hope and an abiding faith. Ah, the gentleman cynically refers to the dinner with the royalty of England. It was not only the royalty who received him, but low as well as high, the poor as well as the rich, the humble as well as the royal of foreign lands. In Manchester, the great industrial center of Britain, he was greeted with unsurpassed enthusiasm and every expression of commendation was showered upon him. At Brest and Paris and all along the routes he has traveled in France flowers have strewn his path and he has been received with wild acclaim. The people of Milan and the country for miles around crowded the streets of that city to do him honor and give demonstration of their appreciation of his great efforts in the interest of lasting peace.

The President has sought this relief for suffering humanity, and if we fail to grant it we are not only opposing humanity but will be embarrassing the representatives of this Government in the peace negotiations. So let me urge you, gentlemen, to stand by your Government at this time; stand by it until the peace treaty is written and ratified by the Senate.

The American people have always been charitable, and they have manifested that spirit to greater extent during this great world crisis. They have contributed millions of dollars, not through the Government particularly but through other agencies, for the relief of the suffering people—Belgium, Serbia, and France—and to-day a great campaign is on to raise a large fund for the relief of stricken Armenia.

You can not afford to hold back on technicalities in this instance; you can not excuse your opposition to this measure by calling for details. Your views and actions in this instance will be construed as in the interest of suffering humanity or against humanity; as upholding the spokesman of your Government or opposing him.

I am not unmindful of the fact that some of you on that side of the House are intoxicated on success as the result of the recent elections, and in your political debauchery you have gone wild; but be not deceived. That little woman who lives in an humble cottage out yonder on the western plains, that patriotic farmer in the remote and out-of-way sections of the southland, as well as the toiler in the busy city who gave their sons to fight for the peace that our representatives are contending for will want to know the reason why you attempted at this time to embarrass your Government. And every boy who is now encamped on the western front awaiting the signing of the treaty of peace will want to know the reason for this opposition and obstruction.

Be not deceived, gentlemen, this war is not over yet; the treaty of peace has not been signed, and we must strengthen the hold that our representatives have in order to obtain the things for which our boys have fought, and your obstruction here to-day will either strengthen or hamstring their arms.

Let me suggest to you who are opposing this measure the story of the ass who was so unmanageable and untractable that no pasture no matter how green could restrain his roving disposition; no fence was strong enough to withhold him. So his master placed a yoke and bell around his neck. One day the ambitious ass broke through the fence and wandered over roads and fields to a near-by city and there paraded up and down the street, his yoke swinging from side to side and his bell ringing. He attracted the attention of passers-by and was very proud of his accomplishments. Presently his master came along and caught him, saying to the ass: "You are deceiving yourself. If you think your actions are attractive and pleasing to the crowds you are mistaken. That yoke you wear is not an emblem of praise, but a badge of dishonor."

Mr. DENISON. Will the gentleman yield?

Mr. HARRISON of Mississippi. Yes; I yield.

Mr. DENISON. The President came before us and said that it was necessary to vote for woman suffrage, in order to win the war. Does the gentleman stand by the President in that? [Laughter.]

Mr. HARRISON of Mississippi. Oh, the gentleman can not lead me astray on that proposition. He knows it is afield of this discussion.

The SPEAKER pro tempore (Mr. DEWALT). The time of the gentleman has expired.

Mr. POU. I yield to the gentleman two minutes more.

Mr. HARRISON of Mississippi. The gentleman knows that I differed with the President on that proposition. But the gentleman knows, too, that when I cast my vote in the House, the President had not come before the Senate and laid down any such proposition. I did not believe then, nor do I now believe, that woman suffrage is a war measure. The gentleman is merely trying to justify his indefensible position. My record in this House since this crisis arose has been to stand by Woodrow Wilson, not because he was a Democrat but because he was the President of the American people. [Applause.]

Mr. McCULLOCH. Will the gentleman yield?

Mr. HARRISON of Mississippi. Yes.

Mr. McCULLOCH. Does the gentleman regard it as treason to ask for information?

Mr. HARRISON of Mississippi. I do not.

Mr. McCULLOCH. That is all that we are doing here.

Mr. HARRISON of Mississippi. The gentleman can not excuse himself in that way. The American people will accept your action to-day either as not standing by our representatives in France and embarrassing them or encouraging them and upholding their hands.

Mr. McCULLOCH. Then, in order to get justice, we must pay tribute.

Mr. HARRISON of Mississippi. If the gentleman thinks that, then well and good.

Sirs, I am heartily in favor of this legislation. I am in favor of every piece of legislation that our representatives in France believe will aid in the slightest degree in securing a speedy and just settlement of the issues of the war upon the enunciated principles of our President. I have never, up until this good hour, since this crisis began cast a single vote or given expression to a single sentiment that would hamper my Government and its representatives. And I shall pursue that course when I have left the activities of this body to take up my duties in the other end of this Capitol. I shall be moved by the same purpose, namely, to stand by the representatives of this Government in their peace negotiations and to wage war upon everyone who is its enemy. [Applause.]

Mr. POU. Mr. Speaker, may I ask the gentleman from Kansas how many speeches are to be made on that side?

Mr. CAMPBELL of Kansas. Only one.

Mr. POU. Mr. Speaker, I shall submit one or two observations very briefly. Now, I am not going to criticize the gentleman from Iowa [Mr. GOOD]. I am not going to charge that he made a demagogic speech, but I am going to say this: There are a few gentlemen on the Republican side of the aisle, and possibly a few on this side of the aisle, whose position is always known before they speak. Whenever they arise to address the House the House knows in advance what is coming. When the gentleman from Iowa arose both sides of the House knew exactly what to expect—a bitter speech and abusive of the President of the United States.

It is said we need more information. What more information can the House of Representatives desire? The President of the United States has gone in person to Europe. Whether you criticize the wisdom of his trip or not, he is there. He has had opportunity to consult with the representatives of all the nations of the world, and after careful investigation he cabled to the chairman of the Committee on Appropriations of this House that $100,000,000 is urgently needed in order to save people from starvation. Do you want additional evidence? We have appropriated billions in the prosecution of this war, but we must hesitate here, we must quibble, we must play politics, because that is what is being done here to-day, in response to the request of the President of the United States that he needs $100,000,000 to save certain peoples of Europe from starvation. Gentlemen of the House of Representatives, Republicans and Democrats, we shame ourselves if we turn down that request, we shame our Nation if we turn down such a request as this. I think you Republicans may well set a precedent here and now. You will soon be in control. The next House of Representatives is yours, and I make this prediction: You will be appropriating money for this very object, because we are all Americans, and while our prejudices may get the better of us for a short while, there is no red-blooded American who is going to let women and children starve anywhere on earth, if he can prevent it. That is the plain issue that is presented here to-day. People are starving now. We alone have the food. Shall we save them or let them die? You must answer to-day.

Mr. Speaker, I can not for my life understand this constant criticism that we hear of Herbert Hoover. I have heard arguments actually advanced that gentlemen would not vote for this appropriation because Hoover was going to spend the

money. What has Hoover done to justify any charge against him? He has proven himself the most efficient man that could possibly have been found throughout the length and breadth of civilization. He has handled tens of millions of dollars, and up to this good hour, so far as I know, the finger of suspicion has never been pointed at him. But it is "that man Hoover." Because Hoover, having a thankless job—a job that nobody wanted—has had the courage to stand up and do his duty he is to be criticized, and that is to be used as an excuse for opposing this bill! Mr. Speaker, I conclude by saying this: Whatever may be said about the House of Representatives, it is American on both sides of the aisle, and this request coming from the President of the United States for $100,000,000 to save people from starvation is not going to be denied by Americans in this House. I reserve the remainder of my time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield the remainder of my time—nine and a half minutes—to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker and gentlemen of the House, this is an occasion when we are determining whether we shall act from judgment or from emotion, whether what we do is the result of a logical conclusion of reasoning or a mere impulse. Thus far the proponents of this measure are undertaking to force conviction by attempting to make it appear that the opposition is merely partisan and political. I merely rise to state that kind of statement is not argument. If it should so appear that one side opposes a proposition and another favors it, why should not the side opposing it say to the side that favors it that they are putting it purely upon a partisan basis? Why should not the Republicans say that the Democrats are making it a partisan matter? I do not make that charge against the Democratic side, and they have no right to make that charge against the Republican side—that the opposition to this resolution or authorization is purely partisan, that it is in order to embarrass the President. It was so stated—that we must pass it or it will embarrass the President. That was stated on the floor here, and it has been stated elsewhere. If the President is to be embarrassed, it is not by our vote; but it probably is his indiscretion that makes it an embarrassment which our vote will not relieve. It has been also stated that we must do it to reduce the danger of the Bolsheviki movement. That was stated on this floor and it has been stated in the argument for this bill. I would suggest that one of the best ways to reduce the evils of bolshevism is not by undertaking to bribe it in the shape of food nor by undertaking to flirt with it, but is by undertaking to deal with it by law, as has been too often noted in and out of official life, especially as it is found in our own country. My opposition to this measure is that it is of doubtful wisdom to pay out of the Treasury of the United States, whether the funds come by taxation or by loan, public money collected for specific purposes on demand on the part of a foreign government when war no longer continues. I voted with the rest of you to authorize the loans to the foreign governments during war. While they were not our allies, we were associated with them and the purposes of the two were the same. Therefore I did not hesitate to vote for authorization of loans; but let me say to the Democratic side of the House it is a source of criticism to borrow money from our own people at a certain fixed rate and loan it to foreign governments—even to our allies—at the same rate when those very governments loan to their own people at from 2 to 3½ per cent greater than we are loaning to them. [Applause.] I raise the question of discretion, whether because we did it in time of war—a doubtful thing in its wisdom even then—we should continue to do it when war no longer exists; and, for one, I shall not hesitate to withhold my support of this proposition. I will not now agree to take out of the Treasury of the United States, whether it be replenished by taxation or loan, in both of which cases it comes from the people—from the earnings of our own people—money to lend to any other country when war has ceased. So much for that phase of the opposition.

There is another phase, and that is the manner in which this gift is asked. I am at the point where I shall cease to vote further an indiscriminate amount of money in unlimited quantities to any single individual to use at his own discretion, I do not care who that man is. [Applause.] The hundred million dollars is but the beginning. If it is right, and we are justified in voting $100,000,000 because it is asked for, then we must by the same force vote the next $100,000,000 that is bound to be asked for. There is no limit to this thing, and as a representative of the people of one district in Ohio I regard myself as the trustee of the burdens they are called upon to bear to conduct this Government, and while I shall give of my own to the very limit of my ability for a charitable purpose, I shall leave my people to do likewise, and will not give of their own earnings without their consent. That is a phase of opposition to this bill that I can not overcome. The bill says it is to feed the people outside of Germany. It was not so stated at first. Only this morning the press quotes Mr. Hoover as saying that by spring Germany would be upon the verge of famine. It is coming from every source that the German Bolsheviki movement is producing nameless distress in Germany, and if our purpose is to prevent this movement, and you ask this bill upon that basis, then are you going to send it to Germany? I do not commit a breach of confidence, but we have been told that this side of the House, with that side of the House, will soon be voting appropriations out of the Treasury to feed the German suffering people. Before we embark upon such a campaign it will be well for us to wait until we hear from our own sons, some of them in German prisons, as to the treatment of Americans at the hands of Germans. If we are to legislate by emotion rather than upon a rational basis, let the Congress study the attitude of our enemy toward our own and our associate peoples.

Before we set out on the basis of preventing the Bolsheviki movement in Germany and retarding it in other lands of Europe let us first look to our own household, take care of our own interests here. Of course, there is suffering, war is inevitable to produce suffering, but let the Red Cross organization set out the facts and then let us appeal to our own people who will meet the issue. Let us proceed upon that basis to raise this fund and I will vote for it. [Applause on the Republican side.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POU. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. Twelve minutes.

Mr. POU. Mr. Speaker, I yield the remaining 12 minutes to the gentleman from Kentucky [Mr. SHERLEY]. [Applause.]

Mr. SHERLEY. Mr. Speaker and gentlemen of the House, the day the armistice was signed most of us in America mentally took off our war clothes and hung them in the closet and immediately proceeded to get out the old peace suit that we had worn years ago and said, "Now, let us go back to old conditions," And while that may be a very natural desire it is a long ways from being a possibility and the one thing that the people of America need to bear in mind, not only in considering this proposal which is now before the House but in many that are to come hereafter, is that while fighting has ceased we have not reached a condition of peace and that the world has not, and perhaps can not, save through many days of bitter travail, go back to the old conditions, and men's minds that refuse a recognition of that fundamental fact are minds that refuse to keep pace with the movement of the world and of the times. [Applause.] And for us to stand here and speak of and deal with the proposal that is now before the House as we might have dealt with such a proposal 4 or 5 or 10 years back or 4 or 5 or 10 years forward is to ignore facts that stare every man in the face. I had hoped that the need of this proposal would so appeal to men that there would be no great division upon it. I recall what the gentleman from Illinois alluded to. How there came a message from President Roosevelt to the Congress of the United States asking $800,000 to be voted for the relief of the people of Italy who were suffering from a great eruption, a great earthquake. It passed the Committee on Appropriations unanimously and it came out on the floor and went through the House and Senate unanimously. Some one suggested, was it given to the President to do as he pleased with. The act is quite brief, it is so short that I think it is worth reading:

> That to enable the President of the United States to procure and distribute among the suffering and destitute people of Italy such provisions, clothing, medicine, and other necessary articles, and to take such other steps as he shall deem advisable for the purpose of rescuing and succoring the people who are in peril and threatened with starvation, the sum of $800,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated.
>
> In the execution of this act the President is requested to ask and obtain the approval of the Italian Government, and he is hereby authorized to employ any vessels of the United States Navy and to charter and employ any other suitable steamships or vessels.

No limitation of any kind or requirement for report as to expenditure, no audit but a blanket appropriation that was most gladly voted to Theodore Roosevelt, knowing that he, like every other President of the United States, was honest and could be trusted in great emergencies to deal in the interest of the country that has given him its highest possible office. Now, so much for that. Everyone who has spoken in opposition to this proposal has spoken on the assumption that America was undertaking to do a thing of its own accord without consultation and without cooperation of the allies, with whom it has been working since our entrance into the war. I deny it. I state that there is to-day in existence an interallied commission for the purpose of

the distribution of food and of relief to these people, and I will read to the House the names of some of the men who are on that commission.

Mr. CAMPBELL of Kansas. Will the gentleman permit a question?

Mr. SHERLEY. Just briefly.

Mr. CAMPBELL of Kansas. Will the gentleman state when that commission was appointed?

Mr. SHERLEY. Well, I will give the gentleman such information as I have. I know what is in the gentleman's mind. He would have the impression to go out that the President and Mr. Hoover have forced the allies to enter into this scheme and that it is simply one that originated with Mr. Hoover and with the President. I deny it. I say to you that before the cable from the President was sent to the Congress on the 2d of January there had already been an agreement in substantial form by the allied nations as to the creation of such a commission.

Mr. MADDEN. Will the gentleman yield?

Mr. SHERLEY. I would like to proceed——

Mr. MADDEN. For a simple question. Does the gentleman know whether the allied nations, the entente allies, made any such appropriation or joined in such appropriations as is proposed to be made here?

Mr. SHERLEY. I do not know whether they made appropriations, but I know they are furnishing food and transportation and actual relief while we are talking about it. [Applause on the Democratic side.] Now, as the representatives of Great Britain, there are on the commission——

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SHERLEY. I would like to complete this sentence without interruption. I want to be accommodating, but I have a limited amount of time. As the representatives of Great Britain, Lord Reading, ambassador to the United States, and Sir John Beale, chairman of the Wheat Executive Commission. On the part of France there is Clementel, minister of commerce, and Mr. Vilgrain, undersecretary of state for supply.

In regard to Italy, the information comes that their commissioners are on the way, and in their absence Signor Attolico, of the Interallied Food Council, is authorized to act for them. On the part of America are Mr. Hoover and Mr. Davis. Mr. Davis having been a representative of the Treasury Department who went abroad in order to represent them and who has been designated by the President in connection with this matter.

And so I repeat that this is not simply a proposal of the United States. It is likely true, I hope it is true, that the United States representatives urged that the head of that commission should be a representative of the United States of America. Most of the food must come from America, and, thank God, America is in a position to furnish that food without suffering and want to her own people. [Applause.] To my mind it is not a matter to be complained of, but a matter of congratulation, that America in this great reconstruction work is taking a premier part, a leadership, and that an American representative is to be at the head of the commission.

Now, much is undertaken to be said here about people favoring relief but objecting to method, and the same gentleman who in one moment says he would trust the Red Cross but would not trust the President, in the next breath complains because some one suggests partisanship. I do not suggest partisanship. Since this war started I have made no partisan speech. God knows the issues that confront the world are too big for any of us to let our little biases and prejudices control us. Though I believed the President and Mr. Hoover were thoroughly disreputable—and no man dares charge it or produces one scintilla of proof to justify it—yet they are the representatives of the American Government abroad. The President and those that sit with him are our representatives there, and they are our representatives in accordance with the Constitution that gives to the Executive the initiation of foreign affairs and of matters of treaty.

In the general debate I will read a telegram from Mr. White, the Republican member of the commission there, urging the passage of this bill and stating the need for it to be passed. I say to you that men who deny the need of relief in Europe deny it in the face of overwhelming facts. Why, there is not a man who can read a newspaper with discernment but that knows to-day that one of the very greatest, in fact the greatest, problem of Europe is the problem of food. And there is not a man who knows history but that knows that you can not talk reason to men whose bellies are pinching with hunger; that you can not get order and stability while men and women and children die of starvation.

It is not proposed to give this food to Germany. She has money with which to buy food, and she will have to pay for what food she gets from us or from our allies, and she will only get food then to the extent that we can give it after dealing with the needs of our allies and our friends. Austria-Hungary has gone to pieces. In what composed that dual monarchy are now several groups of people, our friends, who have not food. Roumania has not; Serbia has not. But the gentleman reads from a book about the mass of food that was found in northern Russia.

The SPEAKER. The time of the gentleman has expired.

Mr. SHERLEY. It was there because of the absence of transportation. It was not there as an indication of surplus. [Applause.]

The SPEAKER. The question is on agreeing to the rule.

The question was taken, and the rule was agreed to.

The SPEAKER. Under the rule, the House automatically resolves itself into the Committee of the Whole House on the state of the Union.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Accordingly the House, in accordance with the rule, resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13708, with Mr. GARD in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13708) providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary.

Be it enacted, etc., That for the participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration thereof to such populations in Europe, outside of Germany, as may be determined upon by the President from time to time as necessary, and for each and every purpose connected therewith, in the discretion of the President, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000,000, which may be used as a revolving fund until June 30, 1919, and which shall be audited where practicable in the same manner as other expenditures of the Government are audited: *Provided*, That expenditures hereunder shall be reimbursed so far as possible by the Governments or subdivisions thereof or the peoples to whom relief is furnished: *Provided further*, That a report of the receipts and expenditures under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

The CHAIRMAN. Under the rule, three hours and one-quarter are prescribed for general debate.

Mr. SHERLEY. When I have used 10 minutes, I wish to be notified.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. When will amendments to the bill be in order under the rule?

The CHAIRMAN. After the expiration of the general debate, I am informed.

Mr. MOORE of Pennsylvania. What course will one pursue who desires to offer an amendment? To give notice during his speech or wait until the expiration of the general debate?

The CHAIRMAN. Under the five-minute rule after general debate.

Mr. MADDEN. Mr. Chairman, I did not quite understand what the gentleman said about the time for offering amendments to this bill. It is all one section, I assume. Is it to be assumed that the bill will not be read again, but that the amendments can be offered at any time when the bill is under consideration under the five-minute rule?

The CHAIRMAN. The Chair understands that the bill will be read under the five-minute rule, and at that time amendments may be offered.

Mr. MADDEN. It will be read as one section?

Mr. MOORE of Pennsylvania. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. In view of that ruling by the Chair, I inquire whether it will be permissible to debate the amendment when offered under the five-minute rule?

The CHAIRMAN. In the time prescribed by the rule, on presentation to the committee.

Mr. TOWNER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TOWNER. As I understood the Chair to state, he recognized the gentleman from Kentucky [Mr. SHERLEY] for three hours.

The CHAIRMAN. No; the Chair stated he recognized the gentleman from Kentucky for the time prescribed under the

rule, which was one-half of three and one-quarter hours. The gentleman desired to consume 10 minutes only at this time.

Mr. TOWNER. And this side will be recognized for one-half the time?

The CHAIRMAN. Yes.

Mr. SHERLEY. The Chair will, of course, credit me with this time, which I have not used?

The CHAIRMAN. The gentleman is recognized from now.

Mr. SHERLEY. Mr. Chairman and gentlemen, the bill is very short. It provides for an appropriation of $100,000,000 for participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration thereof, to such populations in Europe outside of Germany as may be determined upon by the President from time to time as necessary, and for each and every purpose connected therewith in the discretion of the President.

There is then provided that expenditures hereunder shall be reimbursed as far as possible by the Governments or subdivisions thereof or by the peoples to whom relief is furnished. It provides that, so far as practicable, there shall be an audit of expenditures, and it provides that there shall be a report made at the next regular session of Congress of all receipts and expenditures under the fund.

It has been estimated that it will require something like a billion and a half dollars' worth of foodstuffs to supply Europe's needs this coming year. It is believed that something over $300,000,000 will probably have to be expended by the allies in the way of either gift or loan of foodstuffs to the suffering peoples. The condition in Europe is bad beyond description. I have here any number of cables from abroad touching the conditions in various countries. In Vienna the food shortage is very great; in Roumania, in Serbia, among the Czecho-Slovaks, in a large part of Russia. There will be this coming year several millions of people who will die in Russia from starvation in spite of anything that anybody can do for them, and no man can exaggerate the actual condition of want that exists.

Bolshevism is constantly spreading westward. It has overrun Russia. It is practically overrunning Poland. It threatens to engulf all of Germany. The remedy for it is one of two things—bullets or bread. You can stop Bolshevism by killing all of the Bolsheviki, but you can also prevent the spread of it by helping starving people to live.

I believe the people of America prefer that method to one of continued warfare. I do not believe that it is possible to have stable governments with which the peace conference can deal without some preliminary relief in the way of food to many of the peoples involved.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Illinois?

Mr. SHERLEY. Yes.

Mr. McKENZIE. I do not want to disturb you in your line of thought, but you spoke of Russia and the enormous number of people who will die of starvation there in the coming year. Now, I assume, but perhaps the gentleman knows, however, that the great mass of those people are in the interior of Russia, and the cities and the more congested portions are under the control of these revolutionists, the Bolsheviki, who control the transportation. What I want to ask is a practical question: How do you expect, within two or three months which you give as the time in which this starvation would take place, to get this food to those starving people?

Mr. SHERLEY. To those starving people I do not expect it. That is the reason why I stated that a million or more would die of starvation, irrespective of anything that could be done. But if the people for whom this fund can be used can be reached, such starvation will not come to them. They can be reached, and they are being reached already. Our allies are doing what they can. England is feeding Serbia. Italy is helping. Food is being given to Roumania. We are also selling food to neutrals, and there can be, and will be, real relief over a great area.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. COOPER of Wisconsin. The gentleman from Illinois [Mr. McKENZIE] has just said that the starving people in Russia are principally those in the interior. The President's letter says, "Extended investigation and consideration of the food situation in certain parts of Europe disclose that especially the urban populations in certain areas" are faced with absolute starvation, indicating that it applies to cities as well.

Mr. SHERLEY. There is no question but that in great parts of Russia there is great suffering that can not be relieved.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. LONGWORTH. What, if any, funds are now in the Treasury which would be available for the purpose sought for in this bill?

Mr. SHERLEY. As far as I know of, there are no funds in the Treasury, except such balances as may exist in connection with the President's fund, which can be used in his discretion.

Mr. LONGWORTH. Can the gentleman state what is left of that $100,000,000?

Mr. SHERLEY. I could not state. I have no doubt that some of the moneys have probably been given by the President out of his fund in connection with food relief now, because this food situation is pressing hour by hour and day by day.

Mr. HICKS. Mr. Chairman, will the gentleman yield for a question?

Mr. SHERLEY. Certainly.

Mr. HICKS. Can the gentleman give us some information as to what some of the other powers are doing in the way of financial assistance along the same lines?

Mr. SHERLEY. I am not able to give the gentleman any information regarding any detailed proposition in dollars and cents that France and Great Britain and Italy will contribute, but I am advised by the State Department that all of them have agreed to carry their share of the burden and do all they can in this great relief; that England is now actually furnishing large quantities of foodstuffs to Serbia, that she is also furnishing other foodstuffs elsewhere and transportation, and that Italy and France are helping; and there is nothing to warrant any one in the belief that our allies are not in good faith proposing to cooperate to the extent of their abilities.

In that same connection it must be borne in mind that, speaking by and large, the food, as distinguished from money—the actual food—must come out of America, because only in America are any large surplus stocks.

Mr. LONGWORTH. Does the gentleman believe that any of the funds that will be realized from the proposed issue of bonds could be used for these purposes without further legislative authority?

Mr. SHERLEY. I know of no authority that exists for the use of those moneys for this purpose directly. Presumably the Secretary of the Treasury, if he saw fit, under existing law could make advances to our allies, and the allies in turn might agree to use that money for relief work.

Mr. LONGWORTH. Then, under the gentleman's theory, he might use some of it?

Mr. SHERLEY. No. We might not use it; we could loan to our allies and might, if we wanted to, make a gentlemen's agreement as to how they would use the moneys loaned to them. But there is no law that I know of that authorizes expenditures out of the Treasury in the way of gifts or foodstuffs to the starving people of Europe.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. STAFFORD. Can I call the gentleman's attention to the limited phraseology that authorizes the Secretary of the Treasury to advance funds to foreign governments? The gentleman need not answer unless he sees fit.

Mr. SHERLEY. The act speaks for itself. I speak only from memory. The gentleman from Ohio is familiar, of course, with that language, because he helped to report the bill and pass it, carrying the money.

Mr. STAFFORD. If the gentleman will permit, the phraseology shows that the Secretary of the Treasury is only limited to advance these credits to such foreign governments as were then engaged in war in cooperation with the United States.

Mr. SHERLEY. Now, if the gentleman will permit——

The CHAIRMAN. The Chair admonishes the gentleman from Kentucky that he has already used 10 minutes of his time.

Mr. SHERLEY. I will use five minutes more. If the committee will permit, I will read from a cablegram of date of January 6:

> The British are already furnishing from army stocks food and clothing. Relief to Serbia and Syria, the Italians of South Austria. The British and French are advancing money for transport Belgian relief. Allies are willing and anxious to do all they can and have and will contribute to the full extent of their resources; but must be borne in mind that most of the food must be purchased in the United States, and American money would be used for such purpose and transportation.

Now, that cablegram has been followed by a number of others, all to the same effect. I repeat that I have no information as to the exact pro rata basis upon which the other Gov-

ernments have agreed—if they have agreed—with America, as to this relief; but, knowing the amount of money that is being asked, knowing the extent of the relief that is needed, I do not believe that $100,000,000 at this time represents an undue contribution on the part of America in the solution of these tremendously pressing matters. And I do not share at all with the gentleman from Ohio [Mr. FESS] his fear that because we vote $100,000,000 we will be compelled to vote other sums ad infinitum. I believe that he and I believe that I and those who come after us will have intelligence enough to deal with situations as they arise, and I know of no case that can be stated—the gentleman is a logician—that can not be destroyed by carrying it to the absurd degree of the fears of those who are opposed to it. Anybody can by speculating that this means something else—and it is pure speculation—draw the conclusion logically, if he chooses so to call it, that therefore the thing should not be undertaken.

Mr. FESS. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. FESS. The gentleman stated "knowing the extent of the relief required." Where have we any definite knowledge as to the extent of the relief required? Is it not true that this is a mere guess?

Mr. SHERLEY. Of course, the gentleman may quibble about the word "definiteness." I do not know how to get in time definiteness of information as to the money it is going to cost to feed starving people while they are starving. I do know, however, that men whose business it has been to make a survey teli us what in their judgment will probably be necessary; and having in mind the exigencies, physical, political, and social, that exist, I consider that that is as definite as practical men ought to want, and that a man who insists upon the definiteness that comes from a census enumeration is either fooling Limself or undertaking to fool others as to the character of his opposition to the matter.

Mr. FESS. It is easier to vote a mere guess, and that is what this is.

Mr. SHERLEY. Oh, the gentleman quoted his own fear. I prefer Mr. Hoover's estimate to the gentleman's fear.

Mr. FESS. How long has Mr. Hoover been over there?

Mr. SHERLEY. He has been over there for a month or more. He has had representatives there for many months, and we have been getting information since the beginning of the war as to food conditions.

Mr. FESS. And the request has been made since Mr. McCormick reached there.

Mr. SHERLEY. The request may have been made, but that again is evidence of wonderful logic. A man goes at a certain time. A request comes at a certain time. Therefore it comes because the man went there! I submit it again to the gentleman as an evidence of that conclusive character of logic which is being given us here to-day. [Applause.]

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. SHERLEY. I yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. The objection of the gentleman from Ohio finally was to the President expending the fund.

Mr. FESS. That is only one objection.

Mr. GARRETT of Tennessee. In the first five minutes of his remarks he stated that he would not vote to tax his people for this purpose. Then finally he said if the Red Cross would administer it he would vote for it.

Mr. FESS. I would. That is only one objection.

Mr. SHERLEY. But, if the gentleman please, I am not willing to discuss this question on the ground of personal opinions of individuals touching this man and that man. In all the abuse that has been heaped upon Mr. Hoover I have yet to hear any concrete evidence of wrongdoing on his part. I have yet to hear any fact that justifies distrust of him. He has performed for the world a great service in my judgment. [Applause.] But I say to you that we are faced with a situation where we have either to repudiate the representatives of the country because of our belief about men or go forward with this matter.

The CHAIRMAN. The gentleman has used five additional minutes.

Mr. HAMILTON of Michigan. Will the gentleman yield for a question for information?

Mr. SHERLEY. I yield to the gentleman from Michigan.

Mr. HAMILTON of Michigan. In the testimony taken before the gentleman's committee it is stated that Great Britain and France have already joined in an arrangement for the distribution of relief for these people, and that Italy is soon to join. I wanted to ask the gentleman if he had received information since as to just what organization is to distribute this relief—if it is interallied relief?

Mr. SHERLEY. I stated to the House that there would be two representatives each from England, France, Italy, and the United States.

Mr. HAMILTON of Michigan. They are to cooperate?

Mr. SHERLEY. And that the question of distribution, quantities, methods of transportation, and persons to whom distributed would be determined by this interallied commission.

Mr. HAMILTON of Michigan. I thank the gentleman.

Mr. SHERLEY. And I desire to state that as having been given to me authoritatively in a cablegram from overseas.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. SHERLEY. I yield to the gentleman from Nebraska.

Mr. SHALLENBERGER. The gentleman has stated the fact that England is active in this matter. The public press carries notice that the British Government has canceled its contracts made with this country largely for the purchase of food supplies, upon the representation that they did not need any more. Now, the thing is going to occur that we are going to have a great surplus of wheat in this country if our crop goes on. Will not this money be available for the purchase of wheat in this country?

Mr. SHERLEY. I take it that practically every dollar of it which shall be expended in the way of food will be expended for food bought in America.

Something was said about the condition of food. There is a very large surplus of wheat in this country over our needs. This country is under guaranty to maintain the price of wheat that shall be offered for sale until June 30, and in addition to that this country has undertaken by agreement—not by law, but agreements that have been enforced in good faith—to maintain a minimum price for live stock that should be offered for sale. That has been maintained. There is a very large surplus of cattle, and particularly of hogs, over the needs of this country. That surplus can be used, and will need to be used, in Europe, but if we undertake not to export it you will immediately disturb and break to pieces the markets of the country.

I have no desire to maintain high prices. I know what some men will say, particularly those men who want to appeal to the unthinking, about the poor of our cities, that they ought to have relief, but I repeat again that we can not think simply in terms of our own geography in this day and generation. It would be a lasting disgrace to America if, having entered the war, our efforts should cease the moment the fighting had ceased, if we ceased to have any vision, and confined our views simply to the selfish desires of ourselves. [Applause.] If there be men so little of soul who want to think only in terms of selfishness, I say to those that, considering the standpoint of the Treasury, the expenditure is money well invested. I do not want to see the armies of occupation turned again into active warring armies in Europe. I believe, as I believe in my existence, that unless the allies solve some of the pressing problems of food that exist abroad, you will see a resumption of the fighting. I want the boys to come home. I want the boys here again. I am not afraid to risk $100,000,000 for feeding these people when I voted the huge sums for the prosecution of the war that I and my colleagues have voted in the past.

Now, I must not take longer time, in justice to those who are to follow. I want to read from a cablegram that was sent by Henry White to Senator LODGE, and I read it with the permission of Senator LODGE:

January 8, 7 p. m. For Senator LODGE from Mr. Henry White:
"Feel I should no longer delay laying before you condition which has been gradually forcing itself upon our delegation and which now dominates entire European situation above all else, namely, steady westward advance of Bolshevism. It now completely controls Russia and Poland, and is spreading through Germany. Only effective barrier now apparently possible against it is food relief, as Bolshevism thrives only on starvation and disorder. I consider it therefore of utmost importance that President's request for one hundred million appropriation for relief be granted at once. Impossible to inaugurate peace conference under proper auspices without previous adequate provision to cope with situation. Aside from stoppage of Bolshevism, I understand there is in United States considerable surplus of food accumulated at high prices, maintenance whereof guaranteed our Government or assurance under its auspices, and that it is necessary to dispose of this surplus in order to relieve warehouse and financial facilities, as well as prevent serious fall in prices, with radical break in market, which would cost our country more than the appropriation asked for. The appropriation is not for the purpose of advancing money to Germany, which will pay on a cash basis for any food sent there. Allies are already furnishing relief to liberated territories and are disposed to assist otherwise to extent of their available resources, but most of the food must come from the United States. I can not too strongly impress upon you urgency of meeting situation herein described."

I submit that for the consideration of those gentlemen who do not think any good can come out of Nazareth, and who are unwilling to accept any representation that the President of

the United States or Mr. Hoover might make touching the matter. For the great mass of the people of America who believe that the President is earnestly and capably representing the people of the United States in this great work abroad, I desire to read this cablegram which I received from him on January 11.

I can not too earnestly or solemnly urge upon the Congress the appropriation for which Mr. Hoover has asked for the administration of food relief. Food relief is now the key to the whole European situation and to the solutions of peace. Bolshevism is steadily advancing westward, is poisoning Germany. It can not be stopped by force, but it can be stopped by food; and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance. The money will not be spent for food for Germany itself, because Germany can buy its food; but it will be spent for financing the movement of food to our real friends in Poland and to the people of the liberated units of the Austro-Hungarian Empire and to our associates in the Balkans. I beg that you will present this matter with all possible urgency and force to the Congress. I do not see how we can find definite powers with whom to conclude peace unless this means of stemming the tide of anarchism be employed.

WOODROW WILSON.

Mr. EMERSON. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. EMERSON. I would like to ask the chairman what would be the effect of this phraseology of the bill on page 4:

Provided, That expenditures hereunder shall be reimbursed so far as possible by the Governments or subdivisions thereof or the peoples to whom relief is furnished.

Mr. SHERLEY. The legal effect is simply this: The money is given to the President to be used in his discretion. Of course that discretion could override that indication of the will of Congress, but it also has the great value of indicating that Congress expects the money expended for food and used for this relief to be recompensed where funds or securities are available. It is an indication of the intent.

Mr. EMERSON. And not binding?

Mr. SHERLEY. It is not fully binding in a legal sense; the gentleman realizes that we can not give the President discretion in moneys to be expended and then bind that discretion. The gentleman will also realize that you could not compel the food to be given only for value, because that would destroy some of the main purposes of the bill and of the need of the situation abroad. We must leave it in the discretion of the President.

Now, I beg gentlemen that in the consideration of this matter they will consider that this country has been exceedingly fortunate, in that it has never yet had a President that it had to hesitate to trust touching financial expenditure.

Mr. CANNON. Will the gentleman yield for a single suggestion?

Mr. SHERLEY. Yes.

Mr. CANNON. I want to suggest to the gentleman that wherever it can be audited the bill provides that it shall be audited—a Treasury audit—and where it can not be it shall be reported to Congress at the beginning of the next regular session, and the House of Representatives can get at it if they think it was improperly expended.

Mr. SHERLEY. Now, I want to say one other word in connection with what was suggested by the gentleman from Iowa [Mr. GOOD]. He read you here amid great glee on the part of one or two gentlemen the articles of incorporation of a company that had been incorporated to do business in Russia. The articles of incorporation providing that company might engage in every kind of business, I take it—and the gentleman from Connecticut will correct me if it is not so—is one of those blanket charters that the State of Connecticut permits to be granted to corporations to do business outside of Connecticut.

This is the important fact, and it shows the difference between insinuation and fact. The gentleman told you about this incorporation. He then stated that he presumed that this corporation would be used as a medium for the disposition of the funds, although there is not a scintilla of evidence to warrant that belief, and I deny that it will be so used; but I call attention to this fact: There was not a word of proof offered to show that any wrongdoing had grown out of the creation of that corporation. Let us carry back our minds a little while. I like sometimes to do so, though not to have it stay back. Let us go back to the time when there was a great deal of agitation in America over helping Russia with supplies, and that boots and shoes, as the common expression went, were of more value than soldiers and bayonets. It may have been very proper to have created a corporation as a medium whereby the Government and those merchants of America who wanted to send supplies through to Russia might be able to do it. Remember we were controlling, and we are still in large measure controlling, exports from this country. We were controlling its shipping and tonnage. The trouble is that gentlemen refuse to think about the unusual conditions that have surrounded the Government and that have made unusual remedies necessary; but what I ask is that before men vote against this relief proposal because of the creation of a corporation by the War Trade Board some proof be submitted that there has been something wrong, something corrupt, something unwise, something loose done by virtue of that corporation, and that it is to be the medium for doing similar things in connection with this fund.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. GOOD. The articles of incorporation which I read were not in blanket form but were an unusual form. The corporation was incorporated as late as December 2, 1918, and every dollar of the money, the $5,000,000, was given to that corporation by the President, that the War Trade Board holds the stock as directors, and the things provided for are unlawful under the laws of the United States.

Mr. SHERLEY. All right; I am willing to accept all of the gentleman's statements of facts, but I decline to follow his conclusion as a lawyer as to what constitutes unlawfulness. I should want to look further at the record. But take the case as stated. I personally would rather that all the stock be owned by the Government than that part of it be owned by the Government, and I think most men here would. I again submit to the House that the gentleman from Iowa [Mr. GOOD] has not produced a scintilla of evidence to show that any wrongdoing has come out of the creation of that corporation. I do not want to take further time of the House now, but again I ask those gentlemen who are so persistent for detailed information to see to it that they do not follow fears, which they take for information.

Of the frightful conditions in Europe there can be no doubt. I will, under extension of remarks, place in the RECORD extracts from cables received from abroad showing some of these conditions. Of our ability to supply foodstuffs there is no question. We have a billion and a half dollars' worth of surplus food that we can and should export to Europe. Most of it will be exported and sold for cash. We are asked by this bill only to authorize the use of a hundred millions in conjunction with aid given by our allies to buy food for relief of those unable through regular channels and methods to obtain food. The need for such action is believed in not only by our representatives at the peace conference but by the allied Governments' representatives. The success, nay, the initiation, of the work of the peace conference is in great measure dependent on such relief work. Shall America give the lie to her statements of purpose, to that idealism that has been her guiding star in all the dark days of the war by refusing this aid? Shall she be not only so selfish but so lacking in creative statesmanship as to hold back because, forsooth, we can not say that each dollar we spend will be matched by one from each of our chief allies? This has not been her way of aiding humanity in the past. It will not be her way now.

[Copies of cablegrams received from time to time from American representatives relative to the food situation in Europe.]

JANUARY 6, 1919.

Very urgent. Rickard, Food Administration. Food 173. Your 118.

The British are already furnishing from army stocks food and clothing relief to Serbia and Syria, the Italians to South Austria. The British and French are advancing the money for transport Belgian relief. Allies are willing and anxious to do all they can, and have and will contribute to the full extent of their resources, but must be borne in mind that most of the food must be purchased in the United States, and American money would be used for such purchase and transportation. Your 107 as to using this revolving fund. It would, in effect, be such a fund, but it must be borne in mind that it would ultimately be absorbed in giving credits possibly over long periods to such peoples and institutions as our Treasury could not properly advance under the law, and some of it would be lost in sheer charity. This is not to replace Treasury advances to England, Belgium, France, Italy, Serbia, and Roumanian Government for the purchase of American food. The proposed appropriation would be entirely insufficient for these purposes. Might, however, later on be used to partially replace loans to Serbia and Roumania, but their urgent needs must in any event be cared for by the Treasury pending this appropriation. The matter is most urgent and forms the foundation for any complete arrangement with the allies fixing their participation. It would also furnish a large measure of relief to urgent surpluses, if prompt enough. There needs be great emphasis to all American officials and Congress that the armistice has left us large surplus of food that, if we are to dispose of it, we must give credits, and that, as the Nation trying to put peace on high-level ideals on which we went into war, we can not be niggardly in the world's greatest problem to-day—that is, How to get food. I need not repeat that strong liberal relief is to-day the only hope of stemming the tide of Bolshevism without the expenditure of lives and vast sums on military action. While it is urgently necessary to dispose of our surplus foods in order to relieve congestion and protect the producers from disaster and the consequent chaotic results, it is most fortunate for the saving of human lives that we have this surplus, and our country can not afford to fail to meet both emergencies.

HOOVER.

[Cablegram received Jan. 7, 1919, from Mr. Hoover.]

On area covered by new appropriation general situation of these countries is that their animals are largely reduced; their crops were far below normal, due to man and animal shortage, ravage, and cli-

matic conditions. The surplus harvest above absolute needs is now rapidly approaching exhaustion, and consequently the towns and cities are in dangerous situation. Our reports show specifically Finland that food is practically exhausted in cities; that while many of the peasants have some bread other sections are mixing large amount of straw; they are exhausted of fats, meats, sugar, and need help to prevent a renewed rise of bolshevism.

Baltic States: Food may last one or two months on much reduced scale; they sent deputation to our minister at Stockholm imploring food.

Serbia: Town bread ration down 3 ounces daily in north; not accessible from Salonica. In south, where accessible, British are furnishing food to civil population; we are trying to get food in from Adriatic.

Jugo Slavia: Bread ration in many towns 3 or 4 ounces in all classes; short of fats, milk, and meat.

Vienna: Except for supplies furnished by Italians and Swiss, their present bread ration of 6 ounces per diem would disappear; large illness from shortage of fats, ration being 1½ ounces per week; no coffee, sugar, eggs; practically no meat.

Tyrol is being fed by Swiss charity.

Poland: Peasant probably have enough to get through; mortality in cities, particularly among children, appalling for lack of fats and milk, meat, bread; situation in bread will be worse in two months.

Roumania: Bread supply entire people estimated to last another 30 days; short of fats and milk; last harvest 60 per cent a failure.

Bulgaria: Harvest also a failure; supplies available, probably two or three months.

Armenia already starving.

Czecho-Slovaks: Large suffering; lack of fats and milk; have bread for two or three months; have sugar for six months. We have each country under investigation as to total amounts required to barely maintain life and their resources to pay. Preliminary investigation by Taylor and staff in connection with allied staffs show total above areas will require about 1,400,000 tons imported food to get through until next harvest, costing, say, $350,000,000 delivered.

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JANUARY 9, 1919.

Further telegraphic message from Dr. Alonzo Taylor, who represents us in interallied food commission at Vienna. Taylor is assisted by Lieut. Col. Causey and Capt. Gregory of our Army. The situation in Vienna is extremely bad. Flour ration is 5 ounces per day; fat ration is 2 ounces per week; meat ration is 3 ounces per week. People living mostly on cabbages and turnips. The stocks are very low; practically matter of days. Prices are past all description. Unrationed butter, which can sometimes be obtained from illicit trade, is about $6 per pound. The allied commission has decided that 30,000 tons of foodstuffs must be immediately provided. Of this the Italians offer to provide 15,000 tons for immediate shipment. Condition is urgent. Are we authorized to state that we will supply? There is no practicable finance in sight at the moment except to take undertakings of some of the banks.

AMERICAN MISSION.

—

STOCKHOLM, *January 9, 1919.*

SECRETARY OF STATE,
Washington:

In connection with the proposed appropriation of $100,000,000 by Congress to assist in food relief in Europe I feel you would like to have the food situation in Finland and the Baltic Provinces. With this in view have asked Norman Anderson, of Commerce Department, who is with legation in Stockholm, to compile facts and figures for me, which I quote below. This will show you urgent need of some of these countries for immediate relief: "Early Finnish grain, importation and production, less seed grain, was in terms flour and thousand metric tons beginning summer 1913, first year imports 414, production 431; second, 257 and 421; third, 346 and 468; fourth, 237 and 419; fifth, summer 1917 to December 1918, 13 and 391. Total crop this autumn estimated 609 metric tons, of which half oats and only 1 per cent wheat. To supply three and one quarter million population Finland with 300 grams flour daily per person Finland requires about 355,000 metric tons flour per year. Finnish Food Commission, Stockholm, estimates present stock flour Finland 246,000 metric tons consisting 71 per cent rye, 20 per cent barley, 7 per cent oats, and 2 per cent wheat. Shortage therefore flour of about 110,000 metric tons, equivalent to 120,000 metric tons grain which must be imported for this year's requirements; estimated needs for seed, and animals 461,000 metric tons, of which present stock Finland is about 300,000, and 160,000 metric tons must be imported. Total grain imports necessary this year's requirements for flour, seed, and animals about 29,000 metric tons. From 11,000 tons recently authorized from Scandinavia, about 2,000 tons already shipped to Finland. Grain stocks on hand in Finland do not tell true story of situation. Southeastern part of Finland agricultural and producers hold grain on hand for own consumption, estimated that about 2,000,000 of population produces and consumes most of food on hand. Helsingfors and western and northern regions, rocky soil and lakes, unproductive and always dependent on Russia for grain import long since cut off. Great deprivation in these districts. Bread consisting of oats, moss, and cellulose; very bad bread; ration, 80 grams daily, 40 grams extra for workers to million card holders.

"Urgent need in Finland for pork, sugar, fats, and dried fruits imports. Normal Finland produces about half pork requirements. No stock left, and this year's requirements pork estimated 25,000 metric tons, of which 5,000 to 10,000 needed immediately. No sugar on hand, and estimated year's requirements 15,000 metric tons. This year's requirements cocoa, fat and butter substitutes estimated 15,000 metric tons, and dried fruits 12,000 metric tons. Negotiations now under way to supply Finland with herring from Norway. Varying food conditions Baltic States comprising Esthonia, Courland, and Livland. Large stocks on hand Esthonia, which normally reports food plenty reported Revel at low prices; Esthonia stocks threatened, however, Bolshevik invasions; conditions may change any day. Livland and Courland normally self-supporting, but since war Russian German armies took available stocks. Germans been requisitioning 200,000 poods, or 3,200 metric tons grain from Courland and Livland per month. Recently Bolsheviks taken and destroyed remaining stocks and reported conditions acute, especially in cities Riga, etc.; estimated food requirements, Baltic States, being prepared by Baltic States commission, Stockholm, will be cabled next day or two."

MORRIS.

PARIS, *January 10, 1919.*

SECRETARY OF STATE,
Washington:

For Polk. Your 138, January 7, 8 p. m. Message to-day from Col. Atwood, United States Army, representative Hoover in Serbia and neighboring territory, states:

"Previous reports American naval officers on bad food conditions in Croatia, Bosnia, and Herzegovina are very conservative. British Army gotten through a relief train to Belgrade from Fiume. We need two or three cargoes of mixed provisions at once. Admiral Bullard has secured for us necessary storage and stevedoring conditions. Both Navy and Army giving every possible assistance."

Please give copy to Food Administration.

LANSING,
American Mission, Paris.

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PARIS, *January 10, 1919.*

SECRETARY OF STATE,
Washington:

For Polk. With reference to your 138, January 7, 8 p. m. Commission comprising representatives four governments, among whom Dr. Alonzo Taylor, representing United States, received following telegram from Vienna:

"Allied representatives now authorized ship Austria 30,000 tons without regard to immediate financial arrangements. Italy offers 15,000 tons. Conditions very urgent."

AMERICAN MISSION.

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PARIS, *January 10, 1919.*

SECRETARY OF STATE,
Washington:

For Polk. Your 138, January 7, 8 p. m. Hoover has received following from American mission of investigation to Czecho-Slovakia, comprising Dr. Alonzo Taylor, Gibson, Capt. Gregory, and Dr. Kellogg. Begins:

"We recommend immediate supply to Czecho-Slovakia of another 6,000 tons of fat and 1,000 rice and 500 tons soap and 500 tons coffee and 30,000 tons of flour."

Seven thousand tons fat have been already arranged.

LANSING.

—

JANUARY 10, 1919.

Mr. Merrill, now making investigations in Serbia for the Government, telegraphs from Belgrade: "Essential food in most districts for present, but fear serious shortage in many places next month; prices high; bread 25 to 40 cents per pound and poor in cities suffering. Food minister says situation in Dalmatia most serious. America alone can handle situation."

AMERICAN MISSION.

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PARIS, *January 10, 1919.*

SECRETARY OF STATE,
Washington:

For Polk. Have following telegram, January 3, from Polish Government, Warsaw:

"In view of the famine in Lithuania, Silesia, and Lwow, in order to satisfy the minimum needs of the indigent population of all Poland with Lithuania, Silesia, 60,000 tons of flour are needed immediately. There is a need of 45,000 tons of flour per month in January and February and 30,000 tons of flour per month in March, April, May, June, and July, a total need of 300,000 tons of flour. The below-given indicated quantities must be comprised in the monthly needs. The duration of these monthly needs comprises eight months; that is, beginning with January until month of August, inclusively. Six thousand seven hundred fifty tons of peas, kidney beans, and oatmeal; 5,625 tons of sugar; 1,875 tons of rice; 8,400 tons of preserved meat, above all, lard; 2,250 tons of fish and herring; 600 tons of condensed milk; 15 tons of cheese; 180 tons of butter; 600 tons of vegetable and animal fats; 375 tons of tea; 90 tons of cocoa; 30 tons of pepper; 15 tons of saltpeter. In view of complete exhaustion of all storage, there is a need of clothing, shoes, and underwear for 10,000 inhabitants, counting per person a pair of shoes, 3 meters of material for clothing, and 6 meters of linen. There is a need of medicines and bandages. We will communicate to you on occasion the great necessary quantity of same. For the transport of the above-mentioned cargoes of the ports of Gdamsk, Krolewiec, and Libawa, 3,300 covered wagons and 110 locomotives are necessary.

"It is indispensable to give up as soon as possible to the Polish Government the railroads, with rolling stock: Gdamsk, Mlawa, Gdamsk, Toran, Libawa, Bialystok.

"Communication with the white Russian regions of Lithuania and Podalsie is impossible in view of the fact they are still invaded by the Germans, who clear the country of the last reserves and the Bolsheviks massacre the population."

LANSING.
American Mission, Paris.

The CHAIRMAN. The gentleman from Kentucky has used 31 minutes, and the Chair recognizes the gentleman from Massachusetts [Mr. GILLETT] for 97½ minutes.

Mr. GILLETT. Mr. Chairman, this is the first time that any difference in the Committee on Appropriations has been brought to the floor of the House, certainly during this Congress, and for one I genuinely regret it. Of course there have been differences in the past, but we have buried them in the committee and united when we came onto the floor of the House. This time the division in the committee was very close, and I felt it my duty to oppose this proposition. My opposition is based fundamentally on two reasons: First, we have not the information sufficient to warrant this House in entering upon such a vast plan of future operations such as this; second, before the United States begins to act as the almoner of all Europe some arrangement should be made with our allies so that we should with harmony and with fairness amongst us all support these impoverished nations. Those are substantially the two reasons because of which I felt obliged to oppose this appropria-

tion. Up until now, as far as I remember, every request of the President has been granted. While the war lasted both sides of the House felt that the wishes of the administration should be their wishes, and when a request was made to us we granted it without much consideration. We sometimes felt, I think, that quite possibly some of these requests were cloaks to cover propositions not directly connected with the war, but we did not propose to take the risk of putting our suspicions into a negative vote, and we granted what was asked. Of course the most notable illustration that will come to every man's mind of that was the bill relating to the telegraphs, under which the cables were taken over after the armistice had been declared. I have no regret that I acted favorably upon all of the requests that were made. But now the war is over, now the emergency which compelled us not to make scrutiny and investigation has passed, and, although I am not from Missouri, from now on, when requests are made, I must be shown that they are reasonable, and I think that that is the proper attitude for the House to take. It is always true in case of war that vast powers are given to an Executive. History shows that one of the dangers to a Republic is that in time of war unreasonable powers are given to the Executive, which, in time of peace, are still desired and retained. Therefore when peace comes the good of the Republic requires that scrutiny should again be exercised, and that this House should legislate not simply because it is requested to legislate but upon its own motion.

Therefore I think it becomes us in the future to resume the functions which we abdicated practically for the time of the war, and I think the country expects that now this House will pass upon appropriation bills and other bills upon their merits, and that we shall have shown to us the facts upon which legislation shall be based. I was very much surprised that my friend the chairman of the Committee on Appropriations should say a few moments ago that he did not think we ought to ask for further information. That differs greatly from his ordinary attitude toward appropriation bills. Why, what have we to support this? We have simply a cablegram from the President requesting us to pass this legislation and an echoing cablegram from one of his fellow members of the peace delegation. Those are all of the facts that we have. Why should we not have more? Why should we not be told what they presumably have before them? You say there is not time. We have had a delegation in Europe investigating this for several months. This whole subject has been investigated in cooperation with the other powers of Europe, and yet Congress is absolutely in the dark. We do not know how much famine is oppressing the nations of Europe. We do not know where they need the food. We do not know whether this $100,000,000 will tide us all through or whether it is just the first one hundred million and we have to follow it on with hundreds of millions after this. And before we embark upon what may be a policy which will cost this Government a billion of dollars, I think we ought to wait until the facts from Mr. Hoover or his agent or whoever has been made the investigators shall have come over here. They should have come over in time to inform us when this proposition was first before us. There is going to be delay because of the President's absence, because he did not appoint anybody to perform his duties while he is gone, and for that reason it is going to take an extra week before this bill can become a law, and when one coordinate branch of our Government is out of the country engaged in world affairs it is peculiarly imperative that one of the other branches of the Government should look out for the interests of America. And I think now that the war is over we are expected to give some attention to economy.

Mr. MANN rose.

Mr. GILLETT. Does the gentleman wish to interrupt me?

Mr. MANN. The gentleman referred to the question of time. We passed a bill in reference to the transportation of clerks home. It was presented to the White House on December 19 last. The authorities received a cablegram on January 10 that the President had signed the bill. The gentleman referred to a week. There was a matter about which there was no controversy, and the time elapsed was from December 19 to January 10.

Mr. GILLETT. Of course, that increases the strength of my argument, but it also emphasizes the feeling which a good many people have, that before the President went over he ought to have appointed somebody to perform his functions, and while he is away it does not mean we are to accept every cabled request without investigating it fundamentally. Now, the Members want to appreciate that this bill is the exercise of an entirely new function by Congress.

It is the function of feeding a starving world. The constitutional power, I suppose, would be greatly doubted, especially by that side of the House. We have once or twice, in the case of Martinique and in the case of Italy, granted appropriations which were mere benefactions; but as a rule we have recognized in this country that when charity was to be performed it was to be done not by the Government but by the people of the United States, and such an organization as the Red Cross, such an organization as has recently been formed to assist the Armenians, those have been the agencies by which charity is to be performed. Now, when we are entering on a phase of charity greater than this world has ever dreamed of before, when we are going to say we will feed the hungry of the whole southwest of Europe, we ought to be deliberate and have the facts put before us. Why, my friend said that there is only one way to stop the spread of Bolshevism, and that is food. Now, if we knew that food would stop the spread of Bolshevism, that certainly would be a tremendous argument in its favor; but it is a mere assumption——

Mr. CALDWELL. Will the gentleman yield?

Mr. GILLETT. No; I can not yield; others want time and I am compelled to speak in haste. That is a mere assumption. Of course, hunger and suffering of any kind always makes a person discontented with the existing government; but upon that theory, giving of food to Russia would make Russia satisfied with existing government, which is the Bolsheviki, and it would make Poland satisfied with the existing government.

Now, just how extreme this famine is, just what sections of Europe need to be covered, I do not know, and we ought to know. Why, my friend speaks about the allies supplying them now. They are supplying them, if I understood it correctly, out of the Army stores, and the United States is doing that to-day. The United States is sending to Italy and to the east Adriatic Army stores and supplies. That is against the law. But I do not criticize them. If the necessity demands it, let them do it; but there is a great distinction between supplying foreign governments from Army stores and making a vast appropriation of $100,000,000 for it, and, personally, I think before we enter upon that there ought to be an absolute agreement among the different nations of the world about the policy that shall be followed, about when and where and how it shall be distributed, and about the proportions which the different nations shall contribute. I do not want to be mean about it.

Mr. CALDWELL. Will the gentleman yield——

Mr. GILLETT. No; I can not. I am willing that the United States shall grant much more than its full quota, and I think our country is disposed to be generous, that it would be glad to give more than its share, but we want to have it understood that there is an agreement among the nations, and we do not want to do it in a way which will make our allies discontented. Now, I suspect—I suspect that this is not an allied proposition; that it is a United States proposition alone. The suggestions about keeping up the price of food are a commingling of commerce and charity. Are we doing this for charity or for the food products of the United States? If it is charity, as I think it ought to be, let us not combine it with something else; let us have it understood and have our motives justly suspected. There are suspicions—you have all read them in the papers—there are suspicions that jealousies have grown up between the United States Food Administrator and the food administrators of the allies, and that the allies think that the United States is trying to be too prominent and trying to get too much of the éclat of the distribution.

I do not suppose our allies will object to our giving all we please. Of course, they would like to have us give more than our quota—and I think we are willing to do so—but I think when we are entering on this enormous problem—this problem of furnishing food to the suffering of Europe—we want first to have the full cooperation and sympathy of our allies. I think what ought to have been done and what ought to be done now is to have our delegates at the peace conference agree, or our President agree with the leading men of France and Great Britain and Italy, upon some plan by which this distribution shall be made, and agree in general upon the proportion in which the different countries shall subscribe to it.

Mr. SHERLEY. Will the gentleman yield?

Mr. GILLETT. Certainly.

Mr. SHERLEY. There has been an agreement by England, France, Italy, and the United States that this food distribution shall be by distribution at which each shall have its representatives.

Mr. GILLETT. But there is no agreement, so far as we are advised, as to the extent of it, as to the amount the different nations shall contribute, or as to anything about repayment. Has there been any such agreement?

Mr. SHERLEY. There has been no agreement as to the definite amount, except the statement that the allies were prepared to give their portion of it.

Mr. GILLETT. Where is that?

Mr. SHERLEY. I read it, or, if I did not, I will do so.

Mr. GILLETT. Do you mean it is in the hearing?

Mr. SHERLEY. I mean I read it here on the floor. I have a cablegram here, which I will pass over to the gentleman, that contains that.

Mr. GILLETT. Just a vague statement that they are prepared to do their share is not what I want. We ought to have, it seems to me, an agreement as to how and in what proportion the different nations shall combine. The natural way, I should think, but I may be quite wrong about it, is that when supplying food to one of these suffering nations we should take the notes and obligations of those nations, and then the allied nations practically indorse them jointly, so that in time, if they ever can repay it, the allies as a whole would be repaid. Some such system as that ought to be inaugurated. At any rate, before we are called upon to enter upon this vast new program I think there ought to be, first, information, some developed information, not a mere telegram saying it is needed; and then there ought to be some program which will extend into the future upon which the vastness of this whole intention shall be measured and conceived and prepared, so that we will know what we are undertaking.

Mr. DILLON. Will the gentleman yield?

Mr. GILLETT. I can not yield. The gentleman will excuse me.

One word more. The gentleman says bolshevism must stop. We all appreciate that, and yet bolshevism probably can not be stopped. It is spreading westward. I confess I think that anyone who has the ear of Europe could do no better service to his country and to the world than in not merely saying always what is agreeable to those he is talking to but occasionally dropping a timely and healthy suggestion that freedom involves responsibilities and duties as well as blessings [applause] and to suggest that the obligations of freedom mean the obligations of law and order, and that no nation and no people are fit for freedom who do not respect the rights of others as well as their own. And so it seems to me that we could perhaps meet bolshevism occasionally by an argument as well as with food. But we have no assurance that food is going to stop bolshevism. It is entirely an assumption. Of course, it makes a plausible argument. But this is just a practical question: Shall the United States Congress appropriate $100,000,000 without knowing for what it is to be spent in any detail at all and not knowing how much our allies will cooperate? Those are the two grounds on which I oppose this resolution.

It is disagreeable, of course, to oppose any proposition for charity. The popular side is always to say, "Here are famine-stricken sufferers; will you not relieve them?" and, of course, everybody says "Yes." And the people of the United States, I am sure, want to relieve suffering, as everybody in this House does. The people of the United States will contribute out of their own pockets, if not out of the United States Treasury. If it is necessary to contribute out of the United States Treasury they will gladly do that. But before they do it I believe they want to know the facts upon which it is based, and they want to know what the other nations of Europe, with whom we are in alliance and who are equally responsible, will do. [Applause.]

Mr. SHERLEY. Mr. Chairman, may I ask how much time the gentleman has used?

The CHAIRMAN. The gentleman from Massachusetts has used 14 minutes.

Mr. SHERLEY. I suggest that the gentleman from Massachusetts [Mr. GILLETT] use some of his time.

Mr. GILLETT. I yield 10 minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. As a member of the Appropriations Committee I voted against this measure, and nothing has occurred since it was reported to the House to change my opinion. As has already been stated, it is not a popular thing to oppose a measure that has for its purpose the distribution of alms to those who are starving. But it occurs to me that we should reach a point presently where we should distribute our charity with some degree of intelligence and where we have some idea as to the character of program that is to be pursued in the distribution.

If these hearings have amounted to anything they have informed us that this is just a beginning. When the end will be nobody knows. There is no information in these hearings with reference to the extent of that suffering, or where we should commence or the amount we should distribute here or there or yonder. All of that we are told must be left to the discretion of this newly organized body for the distribution of food upon the other side.

And here is a thing that strikes me as being a little strange, and perhaps some of the rest of you will have the same impression. The Red Cross is organized now, if you please, as it has never been organized before in the history of the world—an agency whose purpose, and prime purpose, is to relieve the suffering of the world.

They are organized all through that country which they say is affected and where they say the starvation exists. We have had no report for our edification gathered by the Red Cross. There has come no word from this great agency that they are not able to cope with the emergency. There has come no cry for relief from them.

Where does it come from? It comes, if you please, from a new organization that has been formed within a month. And who is at the head of that organization? Mr. Hoover. It is Mr. Hoover that is asking for this appropriation and not the President of the United States. The President of the United States is merely the medium conveying to the Congress the desire of Mr. Hoover, and the President of the United States was frank to say so in the telegram that the gentleman from Kentucky [Mr. SHERLEY] read to the committee, wherein he said he hoped he [Mr. SHERLEY] would use all of his power to obtain the appropriation asked for by Mr. Hoover.

Now, then, gentlemen may differ with me with reference to Mr. Hoover. I think he is the most expensive luxury that was ever fastened upon this country. I think he will continue to be the most expensive luxury with which we have to do if we still continue to give him unlimited power.

It has been said that we ought to congratulate ourselves because of the fact that we have an American at the head of this distributing committee. I deny that we have an American at the head of this distributing committee. He is an expatriated former citizen of the United States and he has never found it necessary to become repatriated. He did not come here in our midst during these trying days as a representative of the United States Government, to act and give his services for the benefit of the people of the United States. He came here as the agent of the allies, as their purchaser of food and food supplies, and that was long before we entered into this war. When we entered into it he was selected as the Food Administrator. Did Mr. Hoover resign his position as the purchasing agent of the allies for food supplies? No. He maintained that agency throughout and is occupying it now. Most paradoxical, these two positions. I dare say that the American people expected that he was their agent, solely and alone. He was not their agent except as it was to his interest to be their agent, he representing primarily the interests of the allies. Never before was such a paradoxical position of such great importance occupied by any man in the history of this country. Therefore I say there is reason for having more light and information on the subject when we are informed by the President of the United States who it is who is asking for this $100,000,000.

It has been said that there is no one who can point to a single item of misuse of power on the part of this man Hoover. I expect that when the final scrutiny comes, when the echoes of war have ceased to sound, when judgment reigns supreme again and reason has its sway and investigation is made to inform the people of the facts to which they are entitled, much can be said of the transactions of Mr. Hoover. As I said, and as I repeat again, if we had had an American citizen of the United States, interested with the citizens of the United States, at the head of this great food-supply business of the United States there would be a better feeling in this country, at least, and a belief in the minds of the American people that their interests were the prime interests in the mind of that Food Administrator. But when we know that every breath that he drew was drawn as the agent of the allies, and when we know that in every purchase he made he was acting primarily in the interest of the allies, and only secondarily in the interest of the United States, I think it is passing strange that the first cry that we hear coming from the other side asking that we contribute $100,000,000 comes not from the agency that we have trusted and found true in every respect for the relief of suffering over there—the Red Cross—but it comes from the man who has just suddenly gone over and had himself placed at the head of that institution, as he had himself placed at the head of the institution here, when it is only his secondary purpose to serve the interests of the United States in the position to which he is now appointed, because his prime object is to further the interests of the allies. This is the same unbiased gentleman who proclaimed through

the public press on the day before the election last November that through the election of a Democratic Congress the President will not only save the lives of a million American boys and countless innocent women and children, but will enable him to attain a more complete "victory and a more permanent guaranty for peace than by any other means." This statement should be sufficient to condemn him in the minds of all men as being unfit for a responsible position of trust.

Now, it has been suggested here, if you please, that this money is to be expended for the most part in purchasing food supplies in the United States. The hearings do not bear out that assertion. The hearings, what little there is on that subject——

Mr. HARDY. Mr. Chairman, will the gentleman yield for a question for information?

Mr. WOOD of Indiana. Yes.

Mr. HARDY. Has the Government heretofore appropriated money for the Red Cross, or has that organization been voluntarily supported?

Mr. WOOD of Indiana. So far as I know that has been voluntarily supported.

Mr. HARDY. And it has never asked money from the Government?

Mr. WOOD of Indiana. No; and it is the exception when the Government is called upon to appropriate for charitable uses. Generally, when cries come for the relief of other nations, the people themselves take it upon themselves, through the Red Cross or some other agency of that kind, to raise the relief required. It is the greatest exception when the United States Government has done it. I suppose half a dozen times would cover all the times it has done it. There is no warrant of law authorizing it at any time, and if we pass this measure it will be without authority of law.

But I refer to the Red Cross for the reason that they have an agency everywhere. They are supposed to know all about the subject, the places where there is suffering; and if we propose to pass this bill in spite of there being no law to warrant it, and we want to get the greatest value possible for our money, why can we not give it to the Red Cross for distribution?

Mr. HARDY. Is not the Red Cross now urging in the most vigorous terms the passage of this bill?

Mr. WOOD of Indiana. I have not heard of it. In the last Red Cross drive they got more than $100,000,000, when it was expected that this war would last a year or two longer, and they have got much of that money still unexpended. But whether they have much money or little money, I think it would have been wise—at least it would have furnished information for this committee—to have heard something from that agency. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SHERLEY. Mr. Chairman, I yield to the gentleman from Illinois [Mr. CANNON] 40 minutes of my time.

Mr. CANNON. Forty minutes or forty-seven minutes?

Mr. SHERLEY. I yield to the gentleman 40 minutes, and if I find myself able to do so I will be glad to give him additional time.

Mr. CANNON. I yield to the gentleman from Wyoming [Mr. MONDELL] 10 minutes.

Mr. MONDELL. Mr. Chairman, I have no disposition to minimize the force of the arguments that have been made in opposition to this measure. I shall support the measure with my voice and my vote, not in ignorance or denial of the force of those arguments, but because, after due consideration of them, while I find them persuasive, I do not find them conclusive or convincing.

I wish it were true that, having as representatives of the American people on their behalf assumed a tremendous responsibility in the world war, we had arrived at a condition where we might now honestly and conscientiously assume that responsibility had been discharged. We have not reached that condition. I wish it were true that having put our hands to the plow we had reached the end of the furrow and might properly turn back. I wish it were true that the signing of the armistice had brought peace and plenty, prosperity, and security in Europe, but it has not. We know—all the world knows—that famine gaunt and stark, attended by every horrid form of pestilence, marches on the receding waves of carnage, while crime and violence and all the devils of anarchy fatten and flourish in their wake. And what are we going to do about it? Deny our responsibility? Assume that we are in no wise further obligated over there? I wish that we might honorably do that. I am no more pleased than other gentlemen are with what I consider the pernicious practice of making sight drafts on Congress without notice or explanation. But we have been long accustomed to that practice. We should have become accustomed to it before now. This, however, is true: We have flung tens of billions of dollars into the cavernous maw of war in the past 18 months with less information as to the details of plans and purposes than we have touching this matter. So far as the major controlling and appalling facts of the situation are concerned, we are informed—all the world is informed. They are brought to us by every pulsation of the sound waves, by every click of the cables. We have 2,000,000 boys over there, and the heart of the Nation pines to have them home. If the appropriation of this sum of money, trifling compared with the billions we have heretofore appropriated—intended, at least, whether it accomplishes it or not, to stay the progress of famine and pestilence and the spread of anarchy—shall by one day hasten the homecoming of those boys, if it shall in any degree remove the danger and menace that our boys may be called upon to engage in the distasteful task of restoring order amid the chaos of eastern Europe, it will have been the best spent $100,000,000 we have appropriated since the war began. [Applause.]

I am not supporting this measure out of full and complete approval of presidential peregrinations, plans, or policies. Far from it. But I decline to take advantage of this measure in order to emphasize those disagreements. The President, under the Constitution, is our spokesman in the inauguration and the negotiation of the terms of peace. He has seen fit, in the carrying out of that duty, to bring himself in personal contact with the men charged with like responsibility in Europe. That is his affair. That is his responsibility. As our spokesman, as our voice on the watchtower, as the representative of America in the peace negotiations he has said to us that, in his opinion, our responsibilities under the conditions as he finds them require the expenditure of the sum we are asked to appropriate.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. MONDELL. My time is limited, but I yield to the gentleman.

Mr. CAMPBELL of Kansas. What connection has this appropriation of $100,000,000 with what the United States is asking for from the peace commission?

Mr. MONDELL. If this appropriation of $100,000,000 shall relieve hunger, thereby giving people an opportunity to think sanely, and so shall stay the march of anarchy, it will have been the wisest and sanest appropriation we have made since the war began. [Applause.] I hope that in addition to relieving distress and pain and misery among men it may smooth the pathways of peace. [Applause.]

Mr. IGOE. Will the gentleman yield for a question?

Mr. MONDELL. Briefly.

Mr. IGOE. What does the gentleman think of the suggestion of the gentleman from Massachusetts [Mr. GILLETT], that the way to appease the hunger of these people is to stop them and argue with them and write them letters and notes?

Mr. MONDELL. I am rather inclined to feed them first. [Applause.]

Now, Mr. Chairman, just one thing more. I do not altogether agree with the President. While he talks wisely and well of democracy, his attitude toward communications with Congress savors strongly of autocracy. But whether we agree with him or not, under the Constitution he is charged with a great responsibility. When the war began I stated that while the war lasted and until peace came I should consider it my duty to resolve the doubts I had in matters directly connected with the war in favor of the view of those charged with executive authority. I do not believe I shall be wholly relieved from the obligation of duty until around the peace table it shall be determined what our duties and responsibilities are touching the situation in Europe. Until that time comes I shall to a large extent resolve my doubts in these matters in favor of the view of the responsible executives of the Government, who in this case is the President himself. I decline to take the responsibility of in any degree or in any wise embarrassing or lessening the influence of America at the peace table by declining to accede to this request of the President of the United States. [Applause.]

Mr. GILLETT. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Chairman, in the first place, I want to call attention to the observation made originally by the gentleman from Kentucky [Mr. CANTRILL], and repeated by the gentleman from Mississippi [Mr. HARRISON], to the effect that the United States Government and Congress appropriated hundreds of millions and billions of dollars simply for the purpose of killing and slaying people. I think that is the worst slander on the American Congress that I have ever heard on the floor of this House. We were assured by the President of the United

States that the rights of citizens on the high seas had been unlawfully invaded, and those of us who voted for those appropriations voted to vindicate the sovereignty of the Nation and not for the purpose of killing and slaying. All of the evidence that we have heard in support of the resolution has been discovered outside of the hearings and in the testimony of persons who have no actual knowledge on the subject.

The President of the United States, in his communication to Congress, says this, and I read it:

I wish to appeal to the great sense of charity and good will of the American people toward the suffering, and to place this act primarily on a humanitarian basis.

Anything there about the Bolsheviki? Anything there about the necessity of this as a means of bringing about peace? Of course, gentlemen had no legitimate reasons in support of this measure and so they had to manufacture some. [Laughter.] The real truth about it is, and the theory upon which they have reported this resolution is, that by feeding the faces of the Bolsheviki you can bring about peace the terms of which he and his commissioners are in Europe to negotiate.

Now, the nations that have been engaged in this war are quite as much, in proportion to their resources, interested in bringing about peace as the Government of the United States, but if the argument of the gentleman from Kentucky [Mr. CANTRILL] is sound, then the argument in support of all the peace commissioners adopting resolutions, as suggested by the gentleman from Massachusetts [Mr. GILLETT], in behalf of all nations of Europe represented in the peace conference is sound, because if this is a peace proposition it ought to be vouched for by all the nations of Europe in the peace conference. Every one of the allied nations is represented there by their leading representative men. They are authorized to speak on this question. If that conference had adopted a resolution that this sum, or any other sum, is necessary and the nations would join in it and fix any proportion they might as the just proportion of the United States, I would vote the last dollar, and do it willingly and freely. If we had that statement from all of those charged with the responsibility of making peace that it was necessary, I would vote for it. But we have nothing but telegrams intended to drag this thing through Congress. I challenge any man in support of the resolution to state one scintilla of competent evidence that France, Italy, or England has appropriated one dollar in support of this purpose, or have agreed to do so.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. LAGUARDIA. Is the gentleman aware of the fact that Italy has fed the whole Serbian Army after the retreat, and sent food to Albania and food to Montenegro?

Mr. GORDON. That has nothing to do with this case, but was during the war, when Italy was getting licked and fed Serbia's soldiers for helping her. [Laughter and applause.] As I say, the hearings in this case disclose that Italy has not contributed one cent——

Mr. LAGUARDIA. That is not correct.

Mr. GORDON. For this purpose, and if the gentleman will read the hearings he will know more about this case than he does now.

Mr. LAGUARDIA. I am stating facts.

Mr. GORDON. But, gentlemen, we ought to consider this question properly. I repeat that there is not a scintilla of competent evidence that any one of these three nations has contributed, or agreed to contribute, one single dollar in support of this proposition.

Mr. SHERLEY. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. SHERLEY. I stated that I held here in my hand, and I read from it and I will put it in the RECORD, a cablegram from the American representatives abroad to the effect that England, France, and Italy had agreed to bear their proper share and that they were actually sending foodstuffs——

Mr. GORDON. Through the army.

Mr. SHERLEY. And that they are actually transporting food for relief of these people. [Applause.]

Mr. GILLETT. That is through the army.

Mr. GORDON. All through the army. Now, I took down that part of the cablegram that the gentleman read from Mr. White. Of course, a telegram from the peace commissioners, headed by Woodrow Wilson, would have more weight, but I took down what the gentleman from Kentucky read from Mr. White.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. GORDON. Yes; briefly.

Mr. BYRNES of South Carolina. The gentleman said he would accept a telegram from the peace commission. Are not the cablegrams that the gentleman from Kentucky read from the American peace commission?

Mr. GORDON. Oh, I object; I will make my own speech. I say, gentlemen, that the representatives of the European nations ought to take up this proposition if it is so momentous as is represented to us. I say if this obligation rests on the nations which have prosecuted this war and which have prosecuted it to final victory, the same obligation rests on them in proportion to the ability and power and resources as rests on the United States. I say to you that the ground on which the President of the United States placed the proposition in the telegram upon which the resolution was based, which was reported out of the Appropriations Committee, placed it solely on the ground of charity and good will.

Mr. GOOD. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. GOOD. Speaking about the contributions from Italy, the American Red Cross appropriated in Italy $3,583,826 and in Great Britain $1,885,750.

Mr. GORDON. We have had starvation in Italy ever since it got into the war. They could not feed themselves, to say nothing about feeding outside nations. I want to call attention to the fact that ever since we got into the war we have been underwriting the bonds of these nations.

I am willing to underwrite them some more, if it is necessary, for the purpose the gentlemen ask here, to wit, that you will not have any peace unless you feed these people. If that is so, then the obligation rests equally upon all of the allied nations, together with us, to feed them. I am willing to furnish the food, but I do say, as a matter of self-respect, the American Government ought to insist that an obligation, which is certainly equal upon each of these allied nations, ought to be recognized, and it ought to be recognized before we vote this $100,000,000. That is what I say, and there is no answer to that. The observations made by the gentleman from Massachusetts [Mr. GILLETT] have not been answered, and they can not be answered within the truth. These beautiful statements that, so far as they are able and find it convenient, these nations will undoubtedly do their share are exceedingly indefinite, and are statements upon which I would refuse to bind this Nation in the first instance. The matter was placed originally upon the ground of mere charity. What about the hundreds of millions that have been donated to the Red Cross? What was that donated for? Why did this Congress authorize national bank officers to take money out of their treasuries and donate it to the Red Cross, if it was not upon the theory that the doling out of charity was not a public function, as Mr. Hoover says it is, but was a purely private function, which individuals themselves must be relied upon to perform. That is the theory upon which everyone has been donating to the Red Cross. It is the theory upon which appeals have been made for the Red Cross ever since the war started—that donating to charitable purposes is not a Government function. Hoover is the man who discovered it was a Government function, and in passing we have been challenged to point to anything in the record of Mr. Hoover that has not tended to the benefit of the United States. Well, Hoover, as has been observed, was the purchasing agent for the allied nations to come over here to buy wheat. The Government of the United States put the monopoly of purchasing, along with the embargo, in his hands, so that he could fix the price of wheat, and he fixed it, and when complaint was made to him by a Member of the House that other grains were going up out of all proportion, including corn, he said, "You give me the right to fix the railroad rates and I will bring these rates down." That is to say, by the imposition of confiscatory railroad rates he could make the price of corn in Iowa $1 a bushel, in Nebraska 50 cents. In Missouri he could fix it at $1 and in Kansas at 50 cents. That is the power that Mr. Hoover wanted, but that is one of the powers that he did not get from Congress. The burden is upon those who undertake here——

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SHERLEY. Mr. Chairman, I yield five minutes to the gentleman from South Carolina [Mr. BYRNES].

Mr. BYRNES of South Carolina. Mr. Chairman and gentlemen of the House, the opposition to this bill is based on several grounds. One is that we have not sufficient information. Our good and explosive friend from Ohio [Mr. GORDON] a few moments ago asked for information coming from any source other than Mr. Hoover that the allies are cooperating in this work, and I then asked him to yield in order that I might read him this statement contained in the cable from the American mission.

Mr. KEARNS. What American mission?

Mr. BYRNES of South Carolina. The American peace mission. It sends this cable, and the chairman of the Committee on

Appropriations had it with his cables there, and I picked it out from among them a moment ago:

All of the relief to Serbia has been and is contributed by England. England is also sending to Roumania two cargoes of flour and contributions have already been made by Italy.

The President of the United States has in his message said that there is an agreement between the allied nations to cooperate in this work. Mr. Hoover has in his cable said that the allied nations are committed to it. This cable says they are not only committed to it but the allies, without waiting for this Congress to act, have gone ahead with this work and are proceeding to relieve starvation, while the American Congress, or some part of it, hesitates and asks, as my good friend from Massachusetts [Mr. GILLETT] did, that a treaty be arranged among the nations in order to cover this. I presume he would ask that that treaty be arranged and then sent to the Senate for ratification, and in the meantime the people of Europe should be allowed to starve.

Mr. GILLETT. I did not suggest a treaty.

Mr. BYRNES of South Carolina. The gentleman says nothing should be done until the peace commissioners get together and agree. Then to bind this country it would be submitted to the Senate, and in the meantime the people would starve.

Mr. JOHNSON of Washington. Who signed that paper?

Mr. BYRNES of South Carolina. It is a cable from the American peace commission. So signed. My good friend from Ohio, Dr. FESS, stated one minute that he would refuse to vote to spend the money of the people of his district unless he received an indorsement or a direction from them, and in the very next minute he declared, in winding up his remarks, that if the Red Cross were intrusted with this work he would vote for it. The only objection is as to the method by which this proposed fund shall be used.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. I can not yield unless the gentleman states that I am misquoting him.

Mr. FESS. The gentleman is misquoting me.

Mr. BYRNES of South Carolina. I will state to the gentleman from Ohio that I am, or used to be, a shorthand writer, and I took down his statement at the time, and if he looks at his manuscript he will see that he said that if the Red Cross handled this fund he would vote for it.

Mr. FESS. I said that, but I did not say that if I were instructed from my district——

Mr. BYRNES of South Carolina. What was the gentleman's language?

Mr. FESS. I said that I would not vote out of the Treasury money that was paid out of my district; that I would be willing to allow the people of my district to give, but I would not give their gift.

Mr. BYRNES of South Carolina. That is a differentiation without any difference. The taxes of the people who live in the district represented by the gentleman go into the Treasury.

Mr. FESS. That is different from what I said.

Mr. BYRNES of South Carolina. But he would not vote unless he got some direction. It is quibbling. The gentlemen who oppose this resolution are seeking for excuses. The gentleman from Iowa [Mr. GOOD] spoke about the War Trade Board and the appropriation of $5,000,000 in a lump sum from the President to that board to organize a corporation. Not one cent of that has been spent.

The War Trade Board assisted in the organization of the corporation because it could not conduct that work. By agreement of the allied council the nations atcing independently were to engage in this work, and this corporation was to go into Siberia and exchange food for commodities, such as furs, that those people own and which they could not bring to this country. When the armistice came they gave up the idea of carrying on work of that kind, and the only work——

Mr. KEARNS. Will the gentleman yield——

Mr. BYRNES of South Carolina. And the only work of that corporation was to aid the War Department in furnishing food supplies to the Czecho-Slovaks who helped us in the war. I believe, gentlemen of the House, that the Republicans on the Committee on Rules——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNES of South Carolina. One more minute.

Mr. SHERLEY. I yield the gentleman one minute.

Mr. BYRNES of South Carolina (continuing). The Republicans on the Rules Committee did not properly represent the Republican side of this House, and that the Republicans in this House will follow the Americanism of those gentlemen who stand here to-day in support of the President's request to aid the starving people of Europe. My good friend from Ohio says we should not attempt to destroy the Bolsheviki. My good friend from Massachusetts [Mr. GILLETT] says we should argue with them; we should not give them food. What argument would he make to starving men? The question is largely one of how we should treat that subject. Shall we handle it with force? By force Bolshevism can not be stopped; by food it may be stopped. You can win more of those people to stable government to-day with bread than you can with bullets.

Mr. FOCHT. Will the gentleman yield?

Mr. BYRNES of South Carolina. We have won the war, but we have not yet won peace. We can not hope to do so until stable governments exist where chaos and disorder now exist. The allied representatives believe that by contributions of food reason may return to those disordered peoples. Shall we refuse the appropriation and run the risk of forcing our boys in France to remain there for an indefinite period?

Mr. FOCHT. Will the gentleman yield for me to ask a question?

Mr. GILLETT. I yield the gentleman a minute.

Mr. FOCHT. If I am correct, the gentleman said there was an agreement between the United States and the allied countries of Europe in regard to this matter. May I not ask the gentleman whether he does not believe it is high time the President or the commission or somebody of the so-called representatives of this country submitted to the American Congress these agreements, especially since the election on November 5?

Mr. BYRNES of South Carolina. It is now submitted.

Mr. FOCHT. What does the gentleman think about——

Mr. BYRNES of South Carolina. I say it is now submitted to you. [Applause on the Democratic side.]

Mr. FOCHT. Where is it?

Mr. BYRNES of South Carolina. It is here in this cable.

Mr. FOCHT. The gentleman refused to give the names signed to the telegram.

Mr. BYRNES of South Carolina. I stated that it was the American peace commission.

Mr. FOCHT. Who is that?

Mr. BYRNES of South Carolina. If the gentleman is so uninformed that he does not know who constitutes the American peace commission, it is useless to waste time in telling him.

Mr. FOCHT. Nobody else knows much about them, because we did not have anything to do with appointing them.

The CHAIRMAN. The gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. I suggest the gentleman from Massachusetts use some of his time.

Mr. GILLETT. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, it is a poor cause that calls to its support vituperation and misrepresentation. The gentleman from Kentucky [Mr. CANTRILL] devoted the largest part of his remarks to denouncing the Republican members of the Committee on Rules as being wholly destitute of compassion, and he called upon the Republican Members of this side to repudiate them as being entirely unwilling to contribute anything to relieve suffering and starvation. Mr. Chairman, I know not what could have inspired this remark and why the further charge should have been made that those gentlemen were playing politics, except that the gentleman himself was smarting under the party lash administered by the party leader to drive him to this course. What is this awful crime with which the Republican members of the Committee on Rules was charged? What was their terrible conduct? That they were unwilling to relieve suffering and distress? No. They were as much willing to relieve it as the gentleman from Kentucky or any other man in this House.

What, then, was this misconduct on their part? It is that they were unwilling that the money of the American people, $100,000,000 of their money, should be spent without their knowing where and how it was going. They wanted to know in what countries this money was to be expended. They were unwilling in time of peace to grant powers that under such conditions had never before been given to kaiser or emperor. This is the whole of their offense. And what is it that the gentleman from Kentucky and some others on that side plume themselves so much upon? The great generosity of being willing to give away other people's money without knowing how it is to be expended or what was to be done with it. I confess that I can not get enthusiastic over liberality of that kind. I would rather know something about what is to be done with this fund before I vote for it. Mr. Chairman, we have had an unfortunate experience with these enormous appropriations which have been voted without let or hindrance, to be expended without any restriction, but we voted them under stress of war, in an emergency, under press of circumstances. While the war was in doubt, while the Germans were thundering

at the gates of Paris, we had that for an excuse, but we have no excuse for such a course at this time. We have every reason, on the contrary, to say that now that the war is over, as the President himself has said, that these lump appropriations, voted to be expended entirely in the discretion of the person who expends them, should now stop. Gentlemen have said——

Mr. HARDY. Will the gentleman yield for a brief question?

Mr. GREEN of Iowa. I can not yield. I only have five minutes.

The CHAIRMAN. The gentleman declines to yield.

Mr. GREEN of Iowa. Gentlemen have said we are lowering the influence of the President in Europe by opposing this appropriation. Mr. Chairman, I have heard many criticisms upon the President, some of which I indorsed and some that I did not, but I never heard it intimated until gentlemen on that side, the Democratic side of the aisle, brought it up that he was a man of so little ability and so little credit that he could not transact the duty of a peace commissioner unless he was given $100,000,000 to spend as he pleased. That is the position in which gentlemen on the other side are putting the President. It is not this side that is belittling him. It is the other side who say that unless he can have $100,000,000 he can not discharge the functions of a peace commissioner. [Applause on the Republican side.]

I would gladly support this bill if there was any check upon the expenditure which it authorizes. I would support it if the money was to be handled by the Red Cross, for this would give a check and balance by passing through its hands and would make use of that organization instead of requiring another to be created. As it stands, this immense sum will be expended with no check and no audit, except to find that it was authorized by the President. I can not approve the bill in that form, but I suppose it is hopeless to expect any amendments will be permitted. Gentlemen on the other side are determined that Congress shall relinquish all control over this fund, and, so far as this money is concerned, completely abdicate its functions, relinquish its powers, and abandon its duties.

Mr. CANNON. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. TEMPLE].

Mr. TEMPLE. Mr. Chairman and gentlemen of the committee, I am in favor of this bill. [Applause.] I hesitated to favor it. When the proposal was first made the objections to the bill seemed in my mind to be greater than the necessities for the appropriation. Those objections, so far as my own attitude toward the bill is concerned, have not disappeared, but in spite of the objections, which I think I hold at their full value, the necessities require me to vote for this bill. It is not uncommon that I find myself forced to advocate one side or another of a question when there are good reasons on both sides. I do not think, either, that it is an unfortunate state of mind. I want to be able to see both sides of the question, and I do not want good reasons on one side to paralyze my mind when I consider the good reasons on the other side.

I would like to have more information as to the machinery that is to handle this appropriation. I should like to have more information as to the restrictions that are to be placed upon this expenditure. I do not need any more information as to the necessity for the relief of those people. We know what the condition of Europe is. We know that starvation threatens. This is a matter of common knowledge, about which we do not need to take special expert testimony. The men that are in the best position to know tell us that probably in those parts of Russia that we can not reach even after we pass this bill millions will die of starvation. Mr. Hoover, for whose opinion on such subjects I have great regard, estimates that perhaps 10,000,000 people will die of starvation even if we pass this bill, because we can not reach them. Millions more will starve if we refuse to pass this bill and nobody else takes up the burden that we refuse to place upon our own shoulders. Other people will take it up if we lay it down, but that will not meet our responsibility.

England and France, we are assured by Mr. Rickard, of the Food Administration, have done now in the relief of Belgium twice as much as the United States has done. We have done much. We are highly praised by the people for whom we have done it. We must not forfeit their good opinion by claiming that we have done it all. We must not boast of our generosity. There was work to be done in the world, and we undertook to do our share of it, so far as the knowledge of the necessities could be brought to our people. And the people were liberal. But we did not know the necessities as fully as the men and women of France and England knew them. They were passing under their eyes. We have not done as much as they have done, but I do believe if the necessity had continued, with the information that was being disseminated in this country and with our increasing understanding of the needs, that all we had would have been at the disposal of the allies and ourselves in this war if necessity had required.

Now, the great expenditures of the war have been passed. We have saved billions by the unexpected shortening of the period of hostilities. We ought not to throw our money away because we have saved what we did not expect to save. That is a spendthrift policy. When it is intended to spend money for one purpose and the expenditure is found to be unnecessary, the money should not burn a hole in our pocket merely because it is unspent. This is a characteristic of the spendthrift. But this expenditure is needed. We have the money. And to hold the place that our generosity and our very practical idealism have won for us in the world, we ought to continue to bear our share of the burden.

The purpose for which the money is needed is exceedingly well known. It is not to be spent in Germany. It is not a gift. It is not an appropriation of $100,000,000 to be given away. It is an appropriation to establish a revolving fund to be used in the purchase and distribution of food. That food is to be sold and paid for if the consumers are able to pay for it.

Mr. GORDON. Will the gentleman yield?

Mr. TEMPLE. I will.

Mr. GORDON. We have such a revolving fund now, and have had it for several years, under the administration of Mr. Hoover.

Mr. TEMPLE. Not for this purpose.

Mr. GORDON. Of course not. You can not give it away, but you can sell it. The purpose of this is solely to give it away, and it is the only purpose of it.

Mr. TEMPLE. The language of the bill provides:

That expenditures hereunder shall be reimbursed, so far as possible, by the Governments, or subdivisions thereof, or the peoples to whom relief is furnished.

Here is the language that describes the use to which the money may be put:

One hundred million dollars, which may be used as a revolving fund until June 30, 1919, and which shall be audited, where practicable, in the same manner as other expenditures of the Government.

Now, what are the other safeguards? In the first place, the main safeguard is that the funds shall be audited—and I intend to move an amendment to that—shall be audited, where practicable, in the same manner as other expenditures of the Government are audited. I would strike out the words "where practicable," and make it read:

Shall be audited in the same manner as other expenditures of the Government are audited.

I want that change to be made in the bill if possible. Another safeguard is that the expenditures made under this bill are to be reimbursed so far as possible by the Governments or subdivisions thereof, or the peoples to whom relief is furnished. In good faith, let us understand that. It says "reimbursed so far as possible." It can not be a revolving fund unless reimbursements are made. I imagine that the fund will diminish, that the amount that is revolving will decrease, but the President's telegram says the total shipments of foodstuffs will amount to one and one-half billion dollars, and the minimum sum to handle it is $100,000,000. Well, you can not make purchases and sales of $1,500,000,000 worth of food out of $100,000,000, or even $400,000,000, as it will be if Italy, England, and France contribute a like amount. The fund must be a revolving fund. The food purchased must be sold if it is to move that amount of food under the intention expressed here.

A further safeguard is found in the requirement of the last proviso of the bill:

Provided further, That a report of the receipts and expenditures under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

Mr. DILLON. Mr. Chairman, will the gentleman yield to me for a question?

Mr. TEMPLE. For a short question.

Mr. DILLON. Does the gentleman understand that the famine-stricken people in this bill would include Armenians and Turks and Bulgars? We are not at war with those countries.

Mr. TEMPLE. The President's telegram says:

While the Secretary of the Treasury can accept obligations of certain Governments and through these measures their situations can be cared for temporarily, there are still other areas through eastern and southern Europe where such arrangements can not be made. This applies more particularly to the liberated peoples of Austria, Turkey, Poland, and western Russia.

Mr. DILLON. Does that apply to Bulgaria?

Mr. TEMPLE. So far as the language of the bill is concerned, there is nothing in it that would prevent the application to Bulgaria.

Mr. ROGERS. Does the gentleman think it ought to apply to Armenia?

Mr. TEMPLE. I certainly do. The only country that is specifically excepted is Germany.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CANNON. I yield to the gentleman two minutes more.

The CHAIRMAN. The gentleman is recognized for two minutes more.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. TEMPLE. I have only two minutes, and I want to say something in those two minutes. The bill provides for relief outside of Germany. It was the plan, as appears in the hearings, to establish a food-supply depot at Rotterdam and out of the supply at that depot to sell food to Germany, provided Germany brought the gold in hand to pay for it. I would not object to that. But the language of the bill seems to throw Germany out altogether.

So far as Mr. Hoover is concerned, I have this to say: The work he undertook and did is of a magnitude that is almost beyond comprehension. The first food administrator that we know anything about in history or tradition had seven fat years in which to get ready for the seven lean years. Mr. Hoover had none. If sometimes he overstepped the strict letter of the law, it was because of the magnitude of the need, and that man will live honorably in the records of these times when many of us are forgotten. [Applause.]

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. TEMPLE. My time has expired, but I will yield for a question.

Mr. EMERSON. Does the gentleman say that the language in the first proviso makes it a revolving fund?

Mr. TEMPLE. Not the proviso, but the language preceding the proviso specifically says it shall be a revolving fund.

Mr. EMERSON. There is nothing mandatory about it.

The CHAIRMAN. The gentleman from Massachusetts [Mr. GILLETT] has remaining 55 minutes and the gentleman from Kentucky 20 minutes and a half, and the gentleman from Illinois [Mr. CANNON] 17 minutes.

Mr. GILLETT. Mr. Chairman, I yield to the gentleman from Iowa [Mr. TOWNER] 10 minutes.

The CHAIRMAN. The gentleman from Iowa is recognized for 10 minutes.

Mr. TOWNER. Mr. Chairman, I agree with the gentleman from Pennsylvania [Mr. TEMPLE], that there is much to be said in favor of as well as against this bill. I think gentlemen of the committee are capable at this time to determine in their own minds as to what their line of duty should be in regard to this contemplated appropriation. There are certain propositions that every gentleman should consider when he comes to make up his mind to vote for this bill. In the first place, in a general way we know the origin of this bill. We know that the able and distinguished and disinterested gentleman who had charge of our own food control during the war, Mr. Hoover, some time ago went over to Europe; he went over there for the purpose of determining in his own mind what should be done to relieve the distressed conditions that exist throughout Europe among the peoples that were without food and needed supplies. We do not know what the result of his deliberations has been. We do not know what his conclusions are. We do not know to-day whether or not he has formulated any plan, but out of a clear sky comes practically the demand of the President, saying to us, "Give me $100,000,000 to carry on the distribution of food in Europe."

What does that mean? I presume that it means that the $100,000,000 is to be handed over to Mr. Hoover, but I do not know it.

Are gentlemen ready to vote $100,000,000 without knowing to any extent in any manner by whom or to whom this fund is to be distributed? And yet that is what we are asked to do. We are asked to turn over this $100,000,000 presumably to Mr. Hoover—to do what? To organize, I presume, some kind of food relief for Europe. And yet the President tells us that this $100,000,000 is to be expended within the next six months. I presume it likely that this is to furnish the foundation upon which, until other nations can be brought into the arrangement, this distribution shall be made. We ought to know, if that be true, what these arrangements are.

I want to say to gentlemen in the House that the time has gone by when you can make these demands on the people of this country and have them approve of them without knowing what they are for. [Applause.] I want to say to the members of this committee that the people of this country will not sanction your action unless they know better than we do what it is for. I want to say to you that they will not sanction your action on the supposition that it is going to be well used, and that it will meet their approval. I do not know whether it will or not. I sincerely hope that it will meet with their approval. But that is no reason why we should be called upon to grant this enormous fund in a lump-sum appropriation without knowing how and where it is to be used.

Gentlemen say, "Oh, the necessity is great. Bolshevism is sweeping over Europe." I wonder if in any gentleman's mind he thinks that what we give here will stop the spread of Bolshevism. What is Bolshevism? It is composed of two classes—the soldiers who have been discharged and the workingmen who have no work. These have banded together upon a promise that they may divide the property of the earth among them and sustain themselves and govern themselves according to their own sweet will. Imagine those people being stopped by a loaf of bread! Gentlemen say that the Bolsheviki will be stopped only by "bread or bullets." Imagine that class of men being stopped by an offer of bread! They would spurn the offer and say, "We propose to take the bread, whether you give it or not." That is the spirit of Bolshevism.

Mr. SLAYDEN. Will the gentleman yield?

Mr. TOWNER. I beg the gentleman's pardon. I must not yield. I want to say, gentlemen, that you will not be justified before the people upon that assumption if you go to them with that reason for this appropriation. Neither will they hear you when you say you intended to stabilize the price of wheat. That is another afterthought intended for the purpose of forming some kind of an excuse to some gentlemen for voting for this bill. And yet at $2 a bushel this $100,000,000, if it were all spent for wheat, would buy only 50,000,000 bushels, and we are going to have a surplus for export and disposition of over 300,000,000 bushels. I wonder if that will stabilize the price of wheat.

No, gentlemen, these are not reasons; and I think if any gentleman goes before his people and says that at this time we took $100,000,000 out of the Treasury without knowing where it was to go, or by whom it was to be expended, or whether or not we were the only persons to distribute the fund or others were to share with us, he will go before them without sufficient excuse for his action.

Ah, gentlemen, the time has come when it will not do to say we did this because of extraordinary emergency to carry on this war. The people of this country will expect you to look upon every proposition for every appropriation with the utmost care and scrutiny. It will not be sufficient for you to say to them, "It was a good cause, it was a good proposition, it was a good appropriation." You must say to them in order to justify an appropriation now, at least of this enormous amount, that it was indispensably necessary. Why, what is the financial condition of this country now, gentlemen? You can not possibly figure out how you are going to get enough money during the next year to pay the appropriations that will be absolutely necessary.

Take your $6,000,000,000 that you are going to raise by taxation, and take your $6,000,000,000 that you hope to raise by a bond issue, and you have $5,000,000,000 or $6,000,000,000 more yet to raise. Yet here you are spending $100,000,000 prematurely, without knowing where it is to go, without knowing what it is to be spent for, just as if you had the Treasury overflowing with money. Gentlemen, you will have to answer before your constituents for conduct of this kind. In my judgment there ought to be presented to us an arrangement by which we could justify such an appropriation.

Mr. LAGUARDIA. Will the gentleman yield for a question?

Mr. TOWNER. If you will make it brief.

Mr. LAGUARDIA. Would not the gentleman consider it sufficient justification if this is part of the program and part of the ideal we said we were fighting for?

Mr. TOWNER. My dear sir, if you say that we are to become the great fountain from which all this money is to be drawn for the rehabilitation of Europe, neither your people nor my people will approve of that idea. [Applause.]

Mr. SHERLEY. I yield five minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY. Mr. Chairman, I have been very much interested in the discussion and especially in the tone and temper and in the substance of the speeches of those who have opposed the bill. I regret to say it, but it does seem to me that a large part of the opposition grows consciously or unconsciously out of a desire to discredit the President of the United States while he sits in the councils of the nations abroad. [Applause.] I know that heretofore opposition to measures under consideration has been accompanied, not once but many times, with denunciation of other actions of the President; on every opportunity they have iterated and reiterated general and special

denunciation of him, and I know that excuses have been offered for opposition to this measure, by denunciation of Mr. Hoover, by denunciation of a certain corporation, and by all manner of excuses. It seems to me that the whole course of the Republicans is calculated and intended in this country and possibly abroad to cast a stain, a stigma, and a shame upon our representatives at the council table abroad. I want to tell you, gentlemen, that if you vote against this bill to-day you will live to see the day when your children will be ashamed of your vote. You may hope to shame the President but you will only shame your children by your speeches. [Applause.]

Before the last election these men who are denouncing the President now were the loudest in their declarations that they had loyally and devotedly supported the President in all his war policies, and that their party was even more loyal in their support of him than were the Democrats, and by their speeches and newspaper propaganda they convinced hundreds of thousands of voters, who honestly supported the President and believed in him as the wisest and strongest leader of the Nation, that these declarations were true. The voters did not analyze correctly the record of these Republicans. Had they done so, their votes would have been different. They would have discovered that even during the war they voted with the President on questions whenever overwhelming public sentiment drove them to support him, and that they obstructed and opposed every measure which it was safe to oppose or obstruct. They opposed and obstructed nearly all the measures to raise revenue; they opposed and obstructed the bill to create the Shipping Board and authorize the construction and operation of ships; the bill to create an armor-plate plant; a substantial majority of them favored the McLemore resolution and made a bitter fight to prevent its consideration by opposing the rule to consider it; and on these and many other measures they made hundreds of speeches bitterly criticizing the President. But when it came to appropriations for the Army and Navy they voted with the President. They would have been execrated if they had not, and they knew it, and on these latter votes they appealed to the country as supporters of the President. The President knew them and knew what kind of followers they were; but even he could hardly have dreamed that, after securing their election by professions of loyalty to him, they would turn around and declare that their election was a repudiation of him, as they began to do the day after the election and have continued to do ever since.

Before the election they were followers of the President, but under their cloaks of devoted followers they carried stilettos, ready to stab him in the back as soon as they could do it safely.

The President understood what kind of followers they were when he asked the American people to elect a Democratic majority; but they had so far convinced the people of their honesty and zeal in his support that many voters actually resented his request. The election is over; the Republicans are elected; their cloaks have fallen off and the stilettos they have always carried are no longer concealed. They stab the President openly and boastfully, and they hope and believe that by the next election they can so discredit and wound him that he will be shorn of his strength with the people. Every error, every mistake of omission or commission, every extravagance, every failure, either here or in France, is directly or indirectly laid at his individual door. We have heard it done in this debate to-day; we have heard it before and will hear it until November, 1920. And at every step the President takes he will be dogged and badgered by these men so loyal and devoted only a few months ago. The fight on this bill is only an illustration. It was submitted to the Committee on Appropriations; it was reported out against the almost solid opposition of the Republican membership of that committee. Speed in its passage was urgently needed, but the Republicans in the House objected to its consideration; a rule for its consideration had to be had; the Republicans on the Rules Committee opposed and at first, by absence of Democratic Members, defeated the rule in the committee. The full committee was gotten after several days' delay, and then the rule was reported out against the solid opposition of the Republicans and with the solid support of the Democrats, and so, Mr. Speaker, this measure, that tugs at the heartstrings of every man who has a soul, is made a party measure because the President asked for its passage. At first the Republican leaders, with a few conspicuous exceptions, seemed to fall over each other in order to get to oppose it, but as the debate proceeds they are weakening.

One gentleman from Ohio [Mr. FESS] declared that while he was opposing the bill he would vote for it if an amendment making the Red Cross, an unofficial body, the agent to expend the money were adopted. Does his charity wait and hang on his spleen against the President? Or is it simply that he wants to make good the Republican statement that the last election was a repudiation of the President? Or does he want to show Europe that he has no faith in our President, in whose hands the bill places the fund? Or, having opposed the bill, has he become ashamed, and is he seeking a loophole by which he may claim to support the purpose of the bill and yet assault the President? Or is he simply seeking to frame an excuse for his vote against the measure, which he will finally cast?

What is this proposition? It is a proposition on which our allies—England, France, and Italy—have already expressed their purpose, and they are even now extending their assistance to the starving nations of Europe; and our President, sitting in council with them, doubtless agreed with them and said what he thought the American Government would do. If he had listened to the quibbles of the gentlemen here, he would have stood with his finger in his mouth and said, "I do not know whether America will help or not," and you gentlemen would have been ashamed of your country and ashamed of your President if he had done so, and you know it. [Applause.]

A similar bill to this came before Congress when Mr. Roosevelt was President. A volcano or earthquake destroyed a part of Italy and your President asked for an appropriation of $800,000 to relieve the stricken district. Every motive and purpose for the passage of this bill and every motive and purpose for opposition to it existed as to that bill when you gentlemen were in power and your President asked for help to relieve the suffering in Italy. You gave it to him without a whimper or a quibble, and you were right. The sum asked then was less than one-hundredth part of what is asked now, but the occasion was not one-hundredth part as great.

The man who stands here and opposes this measure necessarily hunts for an excuse. Every man who has expressed his opposition to this bill has hunted an excuse. He hides behind the Constitution, criticism of the President, criticism of Mr. Hoover, criticism of a certain corporation, behind anything he can conjure up, and he will be hunting for excuses as long as he stays in public life. [Applause.] Some gentlemen say, "We do not know; we have not been sufficiently informed as to the need of this." The gentlemen who last spoke and some others have said, "We object to bulk appropriations." What intelligent man is there who does not know the fearful and pressing need of the starving millions of Europe, and how in the name of God would you itemize an appropriation here to be given to the different nations—little Serbia, Albania, Roumania, Montenegro, parts of Italy, perhaps, or Poland? How are you going to itemize them?

Then some say, "We do not know who will expend this." Others say, "We do know who will expend it and we object because Mr. Hoover is going to have something to do with it." It is a congeries of excuses; but the real purpose seems to me to be to slap the President in the face while he sits at the council table. Well, gentlemen, that is one blow you will live to regret if you succeed in giving it. One gentleman, Mr. SLOAN, of Nebraska, declared, "It seems to me that we should begin to think of America and legislate for America. If there is any charitable credit to be drawn from the Treasury let us save it for Americans." If I had made that speech I would hide the RECORD containing it from my children.

The Good Book gives us a story told by the Master: "And Jesus answering [the lawyer] said: A certain man went down from Jerusalem to Jericho and fell among thieves, which stripped him of his raiment, and wounded him, and departed, leaving him half dead. And by chance there came down a certain priest that way, and when he saw him he passed by on the other side. And likewise a Levite, when he was at that place, came and looked on him, and passed by on the other side. But a certain Samaritan, as he journeyed, came where he was, and when he saw him he had compassion on him, and went to him, bound up his wounds, pouring in oil and wine, and set him on his own beast, and brought him to an inn, and took care of him. And on the morrow when he departed he took out twopence and gave them to his host, and said unto him, 'Take care of him, and whatsoever thou spendest more, when I come again I will repay thee.' Which, now, of these three thinkest thou was neighbor unto him that fell among the thieves?"

Benedict Arnold has had ingenious apologists for his treason; Judas Iscariot has had excuses made for his betrayal; but in all the centuries that have passed no man has attempted to defend or excuse the priest and the Levite who passed by on the other side.

Among the great nations assembled at the peace-council table are England, France, and America. We were eleventh-hour servants in the vineyard, in the fighting of the war. Shall we take a small part or no part in the healing of the nations? We were ready to spend $30,000,000,000 to fight our way to victory, but now some gentlemen are not willing to spend one three-

hundredth part of that amount to heal the wounds which were left in the wake of the war.

But, Mr. Chairman, the story of the priest and the Levite and the good Samaritan, or the appeal of stricken Italy in former times, is not all that is involved in this measure. If we and England and France and Italy were governed by the selfishness of some of the gentlemen who have spoken against this bill we might not save our treasure. Should all of us pass by on the other side and leave the starving, shivering millions of desolate Europe to die, they might in dying and in revolt against inhumanity inaugurate a reign of terror that would destroy all hope of peace and require a million or two million of the allied troops, our boys among the rest, to fight another war for the safety of civilization and to conquer peace again. The bloody French Revolution might pale before the monstrous upheaval of the beast that lurks in the hunger and despair of hundreds of millions of people. And we might spend not a hundred million dollars, but ten billions of dollars and thousands upon thousands of young men's lives, young men whose faces are now turning toward the west, whose eyes are gleaming with the hope of seeing soon their homes and loved ones. The great lesson of the war may yet be that love triumphs where armies fail; that the good Samaritan is at last the conqueror of the world; and this bill may be the beginning of the regeneration of civilization, the healing of the nations. It ought to pass without a dissenting vote. [Applause.]

ADDENDUM.

On the motion to recommit the bill and amend it so that the fund would be taken out of the President's hands and placed in the hands of the Red Cross there were—yeas, 1 Democrat and 116 Republicans; nays, 167 Democrats, 34 Republicans. On final passage of the bill there were—yeas, 154 Democrats, 87 Republicans; nays, 9 Democrats, 64 Republicans.

Mr. TEMPLE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GILLETT. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Chairman, there is no man in the American Congress, in either House I fancy, who takes a more kindly interest in the efforts of the President to bring about conditions in Europe that will not only make for peace, but for permanent peace, than I do. For years I have been an advocate in every substantial way of the program for a permanent peace which is now proposed by the President. Of course, I wish him Godspeed in his efforts to build up an organization throughout the world that will help to lift the burdens from off the shoulders of the people, by lessening armament everywhere, and for securing permanent peace. I welcome the overthrow of the autocracies in Russia and Germany as a step toward that permanent peace, because I believe the people will never assess against themselves, if they have control, the penalty of suicide.

But, Mr. Chairman, I recognize that the greatest menace now threatening civilization in the whole wide world is anarchy, sometimes called Bolshevism. Bolshevism and anarchy exist in Russia through an enormous area. It is rapidly spreading over the whole German Empire. If we are going to appease hunger that makes people restless and inclines them to anarchy, why should we overlook what is perhaps the greatest point of danger in all Europe to-day? Surely, hunger affects the German people, as it affects those in Russia and Serbia, Asia Minor, and other parts of the world. There is no exclusion of Turkey in this bill as far as I can see, the people of the Ottoman Empire, and if we are to exclude the German people, the most of whom had nothing to do with making the war, and who are among its greatest victims, except the devastated areas in France and Belgium—if we are to exclude them, do we tend to allay their unrest, do we tend to reconcile them to the control of the leading associated governments? Do we tend to help bring them into the league of peace, as ultimately they must come, if that league is worth having, by saying that we will prevent anarchy in Russia, we will cure anarchy in all other parts of the world, but we will let you starve and thereby promote anarchy in your section of the country?

To my mind that is the only good reason for the passage of the bill, but I think I see some reasons why it should not pass. Being old-fashioned, I am accustomed to act in accordance with a document that I swore to uphold and defend. I can find no authority in the Constitution for the contribution of $100,000,000 for charity anywhere. The President says in his cable:

I wish to appeal to the great sense of charity and good will of the American people toward the suffering, and to place that act primarily on a humanitarian basis.

Now, if the President had said that in his scheme to bring peace to the whole world it appeared essential, in his judgment as Commander in Chief of the Army and the Navy, to facilitate the progress of universal peace, that we should do this thing, that we should help the governments and the peoples who are not in a position to help themselves, it would have been, in my opinion, a stronger appeal and with greater justification for the votes we are asked to give. [Applause.]

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. BYRNES of South Carolina. Does the gentleman remember in the Fifty-ninth Congress, when President Roosevelt requested an appropriation for Italy?

Mr. SLAYDEN. I was not in Washington at that time.

Mr. GILLETT. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, I had not intended to discuss this question or impose myself on the House. But we have been so frequently lectured by certain gentlemen self-imposed censors in this House that while intending to vote against this measure, I now desire to make a few observations.

I assume that every man on this floor who proposes to vote for this measure is absolutely honest. I assume that he is absolutely patriotic. I challenge his right, however, to even suggest that anyone who opposes it has less than he of either one of these qualities. I specially resent the lecture which we received from the gentleman from Mississippi [Mr. HARRISON] about the lack of patriotism of those who oppose this bill. When men on this floor have made sacrifices that he did not and could not make, he has no right, living in the time that he is and of the age that he is, to stand here and criticize any man as to any vote on any war procedure.

No man, unless he has taken the risk to sacrifice himself in this war, having an opportunity to do so, or through those of his own blood, has the right to question the patriotism of any man who stands here and votes as he believes patriotic and right. [Applause.]

The day has been when a man could stand here and say if you do not vote thus and so the public will deem you disloyal, and you know that the loudest mouthed of all those men have been the men who made the least sacrifices during the war. [Applause.] A specious plea has been made here to-day. It has been made too often in the last 21 months—that you must stand by your Government, and then explain that the Government means the President of the United States. That would be true in Russia, and it may be true in the minds of some men living in this country with their hearts over yonder, but it is not true generally in America, and I hope it never will be. The President of the United States is not the Government, and the Capital of the United States is still in Washington and not yet in Versailles or Paris.

Many of us are becoming aweary of discussions concerning the league of nations. There are many nations, and if some would influence or control others, there must be some kind of combination of nations. But up to this time, as each eye sees a different rainbow so all men have their different visions of a league of nations for peace. Whatever the official conception of the league may be, there is only one who knows, and he refuses to tell, except, perhaps, into the ear of royalty.

It seems to me that we should begin to think of America and legislate for America. If there is any charitable credit to be drawn from our Treasury let us save it for Americans. Extend this charity from the Treasury in favor of those to whom we owe no obligation, and what answer will you make to the pleas which common foresight must see rising from every quarter of the United States?

Has the atmosphere of France prompted those who should be most solicitous for our Treasury's stability to subscribe to the easy philosophy spoken over there a century and a half ago by Mme. Pompadour when she comforted that fatuous French monarch with the statement, "After us, the deluge"?

It would seem that if our quondam President had not been so obsessed with the delusion of his own indispensability and burdened with the authorship and advocacy of the 14 points of ambiguity, now largely scrapped, and had appointed three great Democrats and two great Republicans to have met the leading statesmen of Europe at the peace table there would have been no S O S sent hither for a golden crutch to support a prestige which his friends deem in danger.

The reasons urged for this bill are, first, that we are practically pledged to it by one Hoover, toward whom it is said that no finger has been pointed. I point no finger at him, but as long as they have specially mentioned Hoover, permit me to say that a great many of the producers of this country will remember him for many years to come as one who thought of

the American producer last, if at all. He thought of the foreign consumer and made the standard of cattle the Argentine product instead of the product of our own country. Out of this grew the bankruptcy of a large number of people throughout the Northwest. Mr. Hoover has no authority from the Congress of the United States to make a pledge of a single dollar to be paid under any circumstances out of the Treasury of the United States. "Upon what meat doth this, our Hoover, feed, that he has grown so great" that he can without authority of Congress pledge the credit of the United States? What right has our chief commissioner over there to pledge the credit of the United States? Men differ with regard to this, but I regard him only as chief peace commissioner over there, and nothing more. I do not regard him as the President of the United States at this time. He is there as a commissioner, or in no capacity whatever. A peace commissioner has no authority over us, the custodians of the coin, the currency, and the credit of the United States, or jurisdiction to pledge $100,000,000 for any charity.

A picturesque character in another forum said that our Chief Commissioner was over there as Commander in Chief of our armies. "Angels and ministers of grace defend us" all from such a defense. He would have the Commander in Chief remain 4,000 miles away, with stormy seas between, while the "battle of the ages" raged along the deadliest line of the centuries until the fighting ceased and then with hysteric haste hurry to the zone of former conflict. As no one on that side has seen fit to defend against that defense, permit me in this way to break a lance in his behalf.

It is said that it would embarrass our quandom President, now acting as chief peace commissioner over yonder should we not give him this $100,000,000. Was it not thought of by him that it might be embarrassing for some of his friends to vote their convictions and against this raid on the National Treasury? If he would reach for this money in the Treasury of the United States, why did he not consult with the Congress before this round-robin message was sent? It did not come from the President of the United States constitutionally. It could not come from the President of the United States while he is over there. If it had come from the President of the United States, it would have come in person or through a message to the Congress of the United States and not to the Secretary of the Treasury, unless he saw fit to show fine scorn for this body.

Is $100,000,000 a bauble—such a paltry sum that it is not worth mentioning to the Congress of the United States, the lawful guardians of the Treasury? One hundred million dollars is almost the precise sum the collection or noncollection of which at the ports of the United States turned the control of the country from the Republican side of the House to the Democrats. I fear this absent treatment being administered to the Republic is going to be very expensive. Now, how lightly they say he asks for this $100,000,000 in order to keep his prestige at high-water mark! What prestige can a commissioner for peace have or lose that he could purchase back by $100,000,000? Philip of Macedon said that the golden key could open the gate of any city, but I do not understand that we are sufficiently interested in the portals of Europe to use the golden key on any of their cities, or any of their countries. Here Congress is expected to yield, as it has too often in the last six years under implied threat that in case Congress stood by its convictions some dire calamity would occur. We remember well a national campaign was conducted on a certain issue, and when it was won we were asked to grant an ungrudging reversal of that issue on account of matters of nearer and greater consequence. Years have elapsed, but what these consequences were no man knows any more than he does the unrevealed secrets of Sahara's silent Sphinx.

We are asked for $100,000,000, and men who oppose it want to know when it is to be given, to whom it is to be given, how it is to be safeguarded, to whom it is to be paid, and no answer is given. They practically say you heard our demand, yield. Your oaths and your country's good are both entirely irrelevant.

We should not grant the $100,000,000 to dazzle the real powers of Europe, which are Britain, France, and Italy. There has been enough of splendor since that composite company seized the American transport named for the father of our country and after converting it into a floating palace of glass, walled within with costly wood and precious metal, furnished it with all the trappings to delight the vision and invite supercomfort of those on board. There was a commissary that would tickle palate, appease appetite, and assuage thirst. It sailed away with many men of many minds, including statesmen, diplomats, scribes, healers, chefs, necromancers, valets, vocalists, and those who performed cunningly on flute and harp. The burdened cables and the surcharged upper ether brought multiplied messages of the glory and splendor of their Brittanny landing. The princely, yea, imperial, meeting at gay Paris or historic Versailles sent every volatile Frenchman in thought back 400 years ago to the regal meeting of the English and French sovereigns on the "Field of the Cloth of Gold." It has been a source of gratification to some inhabitants of the United States that the splendor and glory of the "Field of the Cloth of Gold" had dimmed before the blaze of the twentieth century's resplendent magnificence. There are those, too, who see in this proceeding how the mysterious Mr. House had in making arrangements far outclassed Cardinal Wolsey, who had brought together the vain King Francis I and the autocratic Henry VIII. History says of that famous meeting, "It attracted much attention, but little was achieved." History has a way of repeating itself.

Why longer delay for further display? Have they not dined at Buckingham Palace where unaccustomed guests wear smoked glasses that the splendor injure not their vision?

Have they not reposed in the palace of the Quirinal over against the Capitoline, where once slumbered the rulers of Imperial Rome? Have they not visited the Vatican? Yea, more, do they not lodge in the palace of Murat, the lord of which traces his lineage to the family of the great Corsican?

It might, but it should not, be a fitting finish to distribute imperial largesses from our National Treasury unto the professional poor of Europe. We have been generous even unto profligacy in our loans. We have given from the pockets of our people vast sums through the Red Cross, Young Men's Christian Association, Knights of Columbus, and similar organizations to alleviate the want and suffering of Europe. That is proper. But the Treasury of the United States is not an eleemosynary institution. It should not be used as such. We read in the dispatches about many small nations being formed in Europe whether the large nations of that continent favor them or not. I am opposed to calling into existence further small nations if American blood must defend them or the American Treasury sustain them.

Bolshevism is rampant in Europe. Already the allies are disclaiming responsibility for the overthrow of the government upon which it has raised its crimson flag. They impliedly call attention to America's responsibility. We should not feed Bolshevism in Europe. We may need our food and energy to resist and maybe fight it in America.

Note the following recent dispatch:

OUR JOB TO CRUSH REDS, PAPER SAYS.

LONDON, *January 12.*

In an editorial to-day, advocating suppression of the Bolsheviki, the Globe declared it is "Uncle Sam's job."

"We appeal to President Wilson and America to consider the Russian situation and ask themselves whether they haven't serious responsibilities in that regard," said the Globe.

"President Wilson knows it is useless for his high ideals to be realized while Russia is a welter of madness and bloodshed. Doesn't President Wilson think that suppression of the Bolsheviki is Uncle Sam's job? Somebody must do it. We and the French are in no condition for such an undertaking."

This money is not needed in peace negotiations. Six weeks have elapsed since the *George Washington* lifted anchor, and the diplomatic gladiators are still sparring for an opening. If it be not lese majesty or contempt of court, let me suggest as a means of settlement that they "proceed to settle." Paraphrasing Horace Greeley's famous statement, "The way to settle is to settle."

This debate is nearly closed and we are still about as short of information as Mark Twain was in his day. Mark Twain had a son christened William, but called Willy. He, too, was over in Europe. He, too, was in the atmosphere of nobility. He, too, basked in the blaze of near royalty. On the morning after he, too, looked about and saw that there were poor in Europe, and so he cabled for a thousand dollars. Mark Twain, like some of us, wanted to know and cabled back "What for," and he answered that it was "for Willy." Now, this is "for Woodrow," with about as much information as Willy had vouchsafed Mark. I am opposed to giving $100,000,000 to keep Woodrow in the king row.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SLOAN. I would like to have about two minutes more.

Mr. GILLETT. I am very sorry, but all my time has been promised.

Mr. SLOAN. I would like to finish that cablegram. [Laughter.]

Mr. GILLETT. I have promised every minute that I have got.

By unanimous consent Mr. SLOAN was granted leave to extend his remarks in the RECORD.

By unanimous consent, leave to extend their remarks in the RECORD was granted to Mr. GORDON, Mr. GILLETT, and Mr. SLAYDEN.

Mr. CANNON. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. MAGEE].

Mr. MAGEE. Mr. Chairman, the cablegram of the President contains a most extraordinary request. We are informed that the appropriation asked for is necessary to prevent people living in areas devastated by war from starving to death. If we read between the lines we can reasonably conclude that, in the opinion of the President, food and supplies in the areas referred to will bring order out of chaos and result in the creation of some sort of government in the place of anarchy. Viewed in this aspect, the bill can well be regarded as a war measure.

We must bear in mind that the war is not yet ended. If humanitarian acts will tend to prevent further devastation of war and hasten the time when our soldiers can safely be ordered from overseas to America, then our duty in the premises is clear. [Applause.]

It is apparent that whatever is to be done must be promptly done. We can not dally in the face of starvation and anarchy. The President is on the ground; he is Commander in Chief of the Army and the Navy of the United States; he has urged upon us the necessity of prompt action, and in the absence of information which he must be presumed to possess I can not bring myself, through partisan or other motives, to the point of denying his request. [Applause.]

The expenditure of $100,000,000, or so much thereof as may be necessary, now might result in the saving not only of billions of dollars, but also of many precious American lives. The President has not seen fit to consult with us before making his request, but the request is before the world, and it seems to me that in time of war we are bound to sustain the Commander in Chief of our Army and Navy. [Applause.]

Mr. MADDEN. Will the gentleman yield for a question?

Mr. MAGEE. I regret I have not any time to yield.

It is immaterial whether we deemed it wise or unwise for the President to go overseas; it is unavailing whether we agree or disagree with his views in the making of the treaty of peace; and it is irrelevant to our determination as legislators whom he shall designate to carry out his orders in the distribution and application of the funds provided.

Mr. MADDEN. Did the gentleman say he would yield?

Mr. MAGEE. I must respectfully decline to yield; I have not the time.

The fact remains that he has gone overseas, and we should wish him success and a Godspeed in his great mission. The fact exists that he has strong convictions upon the kind of a treaty of peace that will best guarantee the future peace of the world, and it is apparent that the responsibility for the distribution of any appropriation made by the Congress must rest upon him. [Applause.]

One other thing is apparent and absolutely controlling: We must not discredit the President of the United States before the world on the eve of the peace conference, which will be the most momentous gathering in all history [applause], and probably shape the destinies of the peoples upon this earth for generations to come. [Applause.]

Mr. HARDY. Mr. Chairman, I wish to ask leave to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

Mr. GILLETT. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Chairman and gentlemen, the argument of my friend from New York who has just spoken is, to say the least, very discouraging, because if what he says is true we need not expect these large, unprecedented appropriations to cease until domestic peace has been restored in all the countries of the world. Now, I say that is very discouraging. This bill affords a splendid illustration of the different way that arguments appeal to the minds of different Members. Now, one argument advanced in favor of this bill here to-day is that there is a large amount of food, particularly meats, that have been accumulated at high prices by the packers and by others in this country and that this appropriation will afford a ready market for that accumulated food. Now, gentlemen of the House, that is one of the reasons why I am against the bill.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. DENISON. No; I have not the time; I beg the gentleman's pardon.

The CHAIRMAN. The gentleman declines to yield.

Mr. DENISON. I will never vote for an appropriation from the Public Treasury in order to supply an easy market for the foodstuffs that may have accumulated at war prices in the hands of the packers or anyone else in this country.

Another argument that has been advanced by advocates of this measure, particularly the chairman of the committee, is that this money will be expended largely in this country. Now, that is another reason why I am opposed to the bill; that is, I am not willing to vote appropriations out of the Treasury to be given away to the people of other countries, simply because the money will be spent for the foodstuffs that are produced in this country.

Another argument advanced in favor of the bill is that it will tend to stop Bolshevism. Now, gentlemen of the House, I do not know any place where Bolshevism is doing so much damage as it is doing in Germany to-day, and yet we are not going to spend any of this money, they say, in Germany. The chairman of the committee [Mr. SHERLEY], I believe, said that none of this money is to be given away in Germany, because Germany has plenty of money to feed her own people; and yet if that argument in favor of this bill is sound, there ought not to be any Bolshevism in Germany, because he says they have plenty of money in Germany to feed their people. That argument that this appropriation will help stop the spread of Bolshevism does not appeal to me at all. But the main argument, as I understand it, that has been advanced in favor of this bill is the one stated by the President in his cablegram—that we ought to make this appropriation for charitable and humanitarian reasons. Now, gentlemen of the House, that is another reason why I am against the bill. I do not think it is my duty, nor do I have the right, as a Member of the House, to vote appropriations out of the Public Treasury for charitable or humanitarian disbursement in foreign countries. I think that appeals for funds for humanitarian purposes should be addressed to the people of the country and not to their Representatives in Congress. During some of the recent Red Cross campaigns I had occasion to speak and appeal to the people of my district to contribute to the Red Cross and to the Y. M. C. A. and other war-work agencies. We wanted those funds to help take care of our suffering and dying soldiers who were fighting our battles for us. I was asked by a number of people why Congress did not appropriate money for the Red Cross and for the Y. M. C. A. Surely those were commendable causes and it seems to me, at least, it is just as commendable and as urgent that we give our money to administer to our own suffering and dying soldiers as it is for us to give money to feed the people of foreign lands. I had to answer that it was not the policy of the Government or the part of wisdom to appropriate money out of the Public Treasury for such purposes. Those are purposes of mercy and of charity, and we must depend upon those impulses in the people themselves to give, as far as they are able to give, for that kind of relief. If the President had appealed to the people to contribute this money to help feed the starving peoples of Europe, I would have been glad to have helped to raise it in every way I could; but I am opposed to making an appropriation out of the Public Treasury for that purpose. [Applause.]

Mr. Chairman, the time has come when I am unwilling to vote large lump-sum appropriations upon the mere request of the President or any other person. While we were at war, and it was necessary to devote all our resources to the prosecution of the war, I was willing to give the President such powers as he thought were necessary to enable him to successfully prosecute the war. But now we are no longer threatened by a common enemy, and the chief purpose of our entering into the war has been accomplished, and before I vote for any more hundred million dollar appropriations from the Public Treasury I have got to know that it is for a purpose for which we have a legitimate right under the Constitution to tax the people; and I have got to be shown who is going to expend the money and how it is going to be expended. After the German Army had ruthlessly marched over Belgium and France, destroying the homes of the people, devastating the country, and leaving the people dying from exposure and starvation, did the President call upon Congress for an appropriation from the Public Treasury to help relieve those people? No. He called upon the people for voluntary contributions for that purpose, and the money was freely given. When Austrian and Bulgarian Armies marched over Serbia, driving the Serbian Army out of their own country and completely devastating Serbia and leaving the people of that country starving and dying, did the President ask Congress to appropriate money from the Public Treasury in order to relieve them? No. But now, when the fighting is over and the President goes to Europe for the purpose

of impressing upon the representatives of the countries over there the necessity of incorporating into the treaty of peace certain ideas of his own as to a league of nations and other plans which he thinks will insure an eternal peace on earth among men, he cables back that he wants $100,000,000 out of the Public Treasury to help feed the people of those countries. I do not think we have enough information upon which to make an appropriation of this kind. I think the President should have taken Congress more into his confidence and disclosed to us more of his plans and purposes. If the people of Europe are starving, I think the people of this country should contribute freely for their relief, but I think such contribution should be entirely voluntary. I do not think that we should tax the people of this country for all these many millions in order to distribute charity to the peoples of Europe. If the President had been willing to send a message back to the American people telling them of the conditions in Europe, and had asked the people to contribute at once for the relief of the suffering over there, I am sure many Members of the House would have been willing, as I would have been, to turn to our districts and appeal to the people to contribute of their means for that purpose; but I do not think that we, as representatives of the people, without any authority from those we represent, have any right to levy taxes upon the people to the extent of hundreds of millions of dollars to be given away by the President in Europe, however charitable and merciful his purposes may be.

We have been appropriating money in staggering amounts for the prosecution of this war, and we have of necessity got to continue doing so in order to meet the legitimate obligations that will fall upon the Government as a result of the war. The time is coming when the people are going to demand an accounting and we will have to explain by what right we made these vast appropriations of the people's money. It will only be a short time until there will be another Government-bond campaign, and all over this country the people will be begged to loan the Government money. More funds will have to be raised for the Red Cross, and we will have to appeal to the people for voluntary contributions for various purposes growing out of this war. I think we should hesitate before we appropriate money out of the Treasury in order to stop the spread of Bolshevism in Europe. We have no assurance and no facts upon which to even base an opinion that the expenditure of $100,000,000 to help feed the peoples of Europe will have any effect whatever upon the spread of Bolshevism.

I am unwilling to vote for this appropriation, because I think it establishes a dangerous precedent. It will only be a short time, I fear, until other appeals will be made for similar appropriations, because if the President is going to undertake to help feed the world in order to prevent revolution, civil war, or other disorders in foreign lands, we will have to be making appropriations a long time, and it will only be a short time until these appropriations will amount to many hundreds of millions. And where will we stop? The time to stop such appropriations is before we begin them. I think that we should confine our appropriations of the public funds to those purposes which are the legitimate and necessary functions of the Government, and that the money we spend to feed the starving peoples of Europe or for other charitable or humanitarian purposes should be raised by voluntary subscriptions of the people.

For months I have appealed, as I am sure many Members have, to the War Department and the Bureau of War Risk Insurance to pay to the families of our soldiers the allotments and allowances that are due them. And yet these payments have not been made and the families of those who are fighting for this country have been positively suffering in many instances because this Government has not met its obligations to its own people. Even our soldiers themselves have not been paid. I wish that more attention could be paid to the obligations that the country owes its own soldiers and the families of the soldiers and to those who are suffering for want of food here before we begin distributing money from the Public Treasury to the peoples of Europe. We can not afford, of course, to see people die of starvation anywhere if we can prevent it. But in the absence of more information than we now have, I am unwilling to appropriate public money for that purpose now.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. Will the gentleman from Illinois use some of his time?

Mr. CANNON. I will yield to the gentleman from Wisconsin [Mr. STAFFORD] seven minutes.

Mr. STAFFORD. Gentlemen, the voting of this authorization is to enable the administration to treat all peoples who have engaged in the great European war on a parity with one another, except the people of Germany. For my part, I would like to see that exception eliminated, because it has been stated time and time again from the very beginning of the war that we were not warring against the peoples of Germany but against the governing class. The hearings disclose the intention not to except Germany, but to allow foodstuffs to be sold to Germany for cash.

Under existing law, in the act passed within less than a month after we declared war, authority was vested in the administration to advance to the credit of foreign governments engaged in the war against the central powers the moneys of this Government to the extent of billions of dollars. At the present time the Treasury is advancing moneys to the extent of hundreds of millions of dollars to all those governments—to Great Britain, to France, to Italy, to Belgium, to Serbia, to Greece, and to the Czecho-Slovak nation—for the rehabilitation of those countries and for the purchase of foodstuffs and supplies. And yet it can not, because of the phraseology of the law, advance credit and funds to the Jugo-Slavs or the Polish people. Having invited those people to assist us in the war in overthrowing Germany to the extent of sacrificing their lifeblood, are we to refuse them, just because they have no form of government now in existence, the succor we are extending to other peoples? Is it to be said that we are going to have one policy toward one people and a different policy as to another people?

Mr. SLOAN. Will the gentleman yield?

Mr. STAFFORD. Just for a short question.

Mr. SLOAN. Does not the gentleman know that we are loaning money to the Czecho-Slovak government now?

Mr. STAFFORD. I stated that, because that is one of the recognized governments; but we are not loaning money to the Jugo-Slovaks, nor are we able under that law to advance money to the Poles. Those people were just as instrumental in overthrowing the autocratic Government of Germany as the established governments and allied powers were.

Gentlemen in opposing this proposition would restrict, would hamper, the President in his efforts to settle this great world problem. Why, I have seen the Congress vote millions of dollars without authority, as, for instance, for the relief of the people of Salem, Mass., for a little conflagration, and the entire Massachusetts delegation voted solidly for that unconstitutional appropriation. [Applause.] And in times of peace we have voted hundreds of thousands of dollars when some earthquake devastated certain portions of the outside world without constitutional authority. But here, with war still existing technically, when we have the full right and authority to aid the President, and to allow him to expend this money, objection is raised. Who knows but what at the peace table the President and the allied powers might not exact from our enemy, Germany, the return of this $100,000,000, or so much money as may be advanced to these unconstituted authorities as is necessary for the rehabilitation of those countries, and, what is more necessary, to prevent starvation from stalking everywhere in those countries.

Mr. GORDON. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. GORDON. If it is unconstitutional to give money to your own citizens, why is it not unconstitutional to give it to nonresident aliens?

Mr. STAFFORD. Because we are still at war. Only an armistice has been declared, and it is in the power of the President, as one of the terms of peace to exact from Germany, our enemy, the return of the money that this Government and the allied governments will advance to these people.

Criticism has been lodged against this measure in that it should not be done by the Government, but by the Red Cross. We recognized the policy of advancing this money through the Government in the very first bond act, in making loans and advancing money to the powers that exist. Shall it be said that just because the governments do not exist, whereby we can deal directly with them as a constituted entity, that we should be deprived of making these advances?

In the bill that is about to be presented for consideration following this measure, the legislative appropriation bill, hundreds of thousands of dollars are to be voted to the Department of Commerce to advance our commerce in the way of rehabilitating these stricken countries that have been engaged in this war. There can be no better business proposition, looking at it from the standpoint of American business policy, than for us to vote this $100,000,000 to alleviate the suffering conditions in those countries. Shall it be said that we were strong for making profits from the sale of munitions, but unwilling to lend a helping hand to aid the distressed in the impoverished countries devastated by the war?

I remember attending a lecture given by Mr. Rockwell, a representative of the Rockefeller Foundation, after the de-

vastating drive Germany made across Poland, in which he depicted the terrible conditions existing all through Poland, and request was made that Congress should aid——

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask the gentleman from Illinois to give me all the time he can spare.

Mr. CANNON. I have three minutes remaining, which I yield to the gentleman.

Mr. STAFFORD. And request was made that Congress should aid in relieving and alleviating those conditions by appropriating $500,000,000, and a like amount to be raised by private subscription. We did not feel it incumbent upon us at that time, because we were not in the war, but there are some men here who were strongly in favor of getting into the war but who do not wish now to recognize the obligations that come as the result of the war. You can not shirk these responsibilities even if you would.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. There is a disposition among some Members of this Chamber and there is a disposition throughout the country that, now that the armistice has been signed, we should separate ourselves absolutely from the conditions growing out of the war. I, too, wish to extricate our Government from European imbroglios, but there are certain obligations thrust upon us that follow as a corollary to our entrance in the war. One of the obligations imposed on the United States as a result of the war is to take care of the people who aided in the victory that came so suddenly, to prevent them from starving until they can return to peaceful pursuits.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. In a moment. Shall we say to the Jugo-Slavic people and to the Poles, who were patriotic to the core in helping to overthrow Germany, that just because there is no government in existence of the Jugo-Slavs or in Poland whereby we could advance money to them on bonds and give them credit, we shall allow starvation to spread, and permit utter ruin, chaos, and anarchy to follow? I believe the American people, after we have withdrawn billions of expenditures from foreign Governments for furnishing bullets and munitions against warring people, will at least be willing to give $100,000,000 of our ample stores to try to rehabilitate those people by giving them bread instead of bullets.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield now?

Mr. STAFFORD. I yield to the gentleman.

Mr. DUPRÉ. I wanted to ask if the gentleman had voted for the declaration of war?

Mr. STAFFORD. Oh, everybody in this Chamber knows that I did not. That is merely a flippant interjection on the part of the gentleman from Louisiana.

Mr. DUPRÉ. Oh, no; the gentleman——

Mr. STAFFORD. I decline to yield for such flippant remarks. That is beside the question under discussion. Every vote of mine since the declaration of war has been to the end of carrying that war to a successful conclusion. Now that the armistice has been signed, I am not willing to hamper the President, under the guise of economy, to bring about conditions in stricken Europe, so that he can not negotiate the proper terms for an enduring peace. I am that kind of a patriot, and not a partisan war advocate. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. MADDEN. Mr. Chairman, on behalf of the gentleman from Massachusetts [Mr. GILLETT] I yield five minutes to the gentleman from Ohio [Mr. MCCULLOCH].

The CHAIRMAN. The gentleman from Illinois yields five minutes to the gentleman from Ohio from the allotment of the gentleman from Massachusetts. The gentleman from Ohio is recognized for five minutes.

Mr. McCULLOCH. Mr. Chairman, if I am given an opportunity I will offer an amendment to this bill which, I believe, will provide a safeguard in the distribution of this fund which will be fair and which is as little as we, the representatives of the people, should do.

The bringing of this bill before the House presents a most serious problem to every conscientious Member. I do not believe that the time has come when this country can refuse to respond to the pleas of outcrying and suffering humanity, no matter where they may be. I do not believe that the time has come—and I trust that it may never come—when the conditions of our Treasury will be such as to make it impossible for us to aid the suffering because we can not afford to be charitable. This is a great, resourceful, and powerful Nation, and we can afford to do our part, be it great or small, toward every humanitarian project.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. Yes.

Mr. JOHNSON of Washington. Following that out, I think it will follow as a consequence that, having made this appropriation, some future Congress will be called upon to appropriate great funds to stop the formation of bread lines in the United States.

Mr. McCULLOCH. That may be necessary some day, yet I hope not. But the time has come when it is the duty of this House to scrutinize not only all bills appropriating money but all pleas for money of every kind that may be made. There is a limit to which the people will justify extravagant expenditures. Under the Constitution the power is lodged with Congress to raise money by placing upon the people the burdens of taxation. Under the provisions of that same Constitution Congress has the power to disburse by appropriations the money so raised among the various departments for governmental purposes or otherwise. The granting and the accepting of such powers carry corresponding responsibilities. Under the stress of war the Members of this House have let down the bars and have granted lump-sum appropriations and a lavish expenditure of money unequaled in the history of the Republic. Such action was justified because we were at war; but the emergency has now passed, and the bars should be put up again, and Congress should assume the responsibility of placing a check upon the lavish expenditure of the public moneys. Lump-sum appropriations should be discouraged. Europe thinks we are rolling in wealth, and naturally they want us to finance the world. But every dollar you appropriate must come out of the pockets of the American people, and there may be a limit to their endurance.

The longer I listened to the arguments that have been made to-day, confused as they were, about our purposes and our desires and the necessities on the other side of the ocean, the more respect I had for the admonitions of George Washington in his Farewell Address, when he warned us to beware of foreign entanglements. [Applause.]

I do not believe we should be appropriating money to pay tribute for justice. If we, upon our merits, can not get justice at the peace table, we can not get it by attempting to buy it. If I vote for this bill, I shall do so agreeing with the President of the United States that it is strictly a charitable proposition, and I do not want my country to be in the attitude of being charged with buying justice with American dollars, as some Members would make appear necessary.

I will not oppose this bill if it is amended so as to put a check on the distribution of the money, but I am opposed to making a lump-sum appropriation of a hundred million dollars for Herbert Hoover to distribute throughout the world as he sees fit.

I am opposed to trying to buy our way into Europe, either for the purposes of trade or otherwise, with American dollars. I am opposed to the idea that we must give billions as tribute in order to get justice at the peace table.

Those who are shortsighted enough to advocate such a course are not following the President's request, but are simply playing into the hands of Europe, and their leadership should be repudiated by the Members of this House, for such leadership will, just as sure as the days come and go, be repudiated by the people of this Nation. The spirit of the fathers of this country is not dead. The great mass of the American people still believe that we should look after America first and the rest of the world afterwards. They are still opposed to getting down on their knees to kings and princes, and they believe that we should play a man's part in the world's affairs and not the part of a cringing weakling trying to buy our way to favor. We have millions of men and millions of money for equity and justice and millions for deserving charity and for aiding humanity, but not one cent for tribute. If we place about the appropriation proper safeguards, we will be doing our fully duty at least in that regard. [Applause.]

The Washington Evening Star of January 11, last Saturday, printed the following in regard to this bill:

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Administration officials are deeply concerned about the delay of Congress in appropriating the fund. Friends of President Wilson believe opposition to this appropriation may affect seriously the prestige of the representatives of the United States at the peace table.

Under the terms of the allied agreement, by which Herbert C. Hoover was put in charge of the rationing of the world's food supply, it is believed here that, acting under authority of President Wilson, Mr. Hoover promised that the United States would take the part in the proposed plan indicated by the President's request for the $100,000,000 appropriation. Exact details of the arrangement under which Mr. Hoover acts have not been received here.

Should Congress repudiate the President's request, following its failure to accept Secretary McAdoo's suggestion that a $500,000,000 revolving fund be established, from which to make loans to the allies, it is contended that the President will be placed in an anomalous position.

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The reason given by administration officials for not specifying more definitely to whom the food supplies are to go is that Mr. Hoover should be left free to meet changing conditions as the needs arise.

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It is held by supporters of the administration that the United States already has suffered, both in friendly feeling and in commercial prospects, by the declination of Congress to authorize peace-time loans to allied nations. Other powers will be found to make the loans, and trade naturally will follow in the wake of these loans, it is argued. Japan is ready to make loans, it is understood here, and thus she will be able to extend her influence in a trade field where, it is held, the United States should seize every opportunity of gaining a firm foothold.

The statements set out in that article have been confirmed by majority leaders upon the floor of this House this morning. It has been contended that in order that we may have influence at the peace table we must make this hundred-million-dollar appropriation. It has been contended that in order that the President and our representatives may have prestige in Europe and be enabled to secure certain concessions and the justice for which they are contending that we must pay tribute by way of appropriating millions of dollars to be expended in Europe. I do not believe that any thoughtful man would want to go on record as sustaining such a course or advocating such a policy. Either we are giving this money to aid the starving or we should not give it at all, and we should have no other purpose in mind.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Does the gentleman from Massachusetts [Mr. GILLETT] desire further recognition?

Mr. GILLETT. How does the time stand?

The CHAIRMAN. The gentleman from Massachusetts has 20 minutes and the gentleman from Kentucky 15½ minutes.

Mr. GILLETT. I yield 10 minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Chairman, I have insisted from the beginning that Congress should have information that would justify it in making this appropriation. I still insist that that is not only the right but the duty of Congress. No information has been given here to-day by anybody advocating this appropriation that justifies the Congress in taking this amount of money from the Treasury. The country has just gotten through with giving $225,000,000 to the Red Cross and six other allied organizations. This money is in the hands of those organizations to-day for charitable purposes. It is in the hands of persons who are in Europe and on the way over there. Within five minutes I have spoken to an agent of the American Red Cross who leaves to-morrow for Europe for the purpose of doing the very work that it is proposed to do by this apprpriation, and the American Red Cross is an organization that extends into every section of Europe. They know every part of that country where there is hunger and want. Not a member of that organization appeared before the Committee on Appropriations or the Committee on Rules in support of this appropriation. They did not ask for a dollar. They are in possession of information that could be given to the Congress and to the country in justification of this appropriation if there is such evidence. The only information here comes from an alleged survey made by Mr. Hoover of the conditions in Europe. He went upon his own motion or by appointment from the President to seek justification for a continuation of his activities as a dispenser of charity and a controller of food products. On the 9th day of January, 1919, the day the Committee on Rules had this matter up, an Associated Press dispatch from Paris covering the question of food distribution to the people of the central powers and the Balkans commented on the lifting of the embargo and the effect that that would have, and stated that that was one of the things that would be considered by the peace conference. But up to this time, the dispatch stated, all that had been done had been done by Mr. Hoover; that up to that time England and Italy had not yet appointed food commissioners to consider the subject. It is plain to me that Mr. Hoover's activities in Paris and in London had not impressed England and Italy up to that time with the importance of appointing food commissioners and of engaging in the activities that he was urging this country to engage in.

There is too much of a disposition on the part of Congress to appropriate lavishly out of the Treasury upon these requests without justification or proper information. The allied representatives—and I speak of them separate from the United States—are approaching the peace table with their minds on indemnity, on the restoration of the statu quo ante bellum. They are approaching the peace table with a determination to secure from the vanquished foe indemnity for every wrong done and for every dollar spent during the war. I have not heard of a word from our peace commissioners as to a request for indemnity or for money spent during the war. On the other hand, it was naively stated from Paris yesterday that it will be suggested to the American peace commissioners that it would be a most magnanimous action on their part to relinquish all claims for the return of the moneys we have advanced to the allied powers—relinquish claims for the return of moneys advanced to England, France, and Italy. The allies have no hesitation in looking at the proposition from the cold-blooded financial viewpoint.

Sob stuff has been given us here to-day for the purpose of getting $100,000,000 out of the Treasury. Mr. Chairman, it will take hard work to produce $100,000,000 by the American people to pay this sum. I am thinking of those who will have it to pay. Our first duty is to the people of the United States. We have prepared to do charity by giving $225,000,000 to organizations that are prepared actively to engage in charitable work in the war zone of Europe. That has all been done by voluntary contributions by the American people. I repeat that no justification has been given here to warrant Congress in taking $100,000,000 out of the Treasury to do a charitable work that already has been provided for through the American Red Cross and other organizations, seven in number, with representatives extending throughout the countries affected by the war.

We must get below the clouds and take a practical view of the things plainly in sight. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. SHERLEY. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman, I will attempt to give some of the information asked for by the various speakers this afternoon. Some gentlemen I could not answer. Unfortunately, in my branch of the service we were not trained in the defense of gas attacks. [Laughter.]

Gentlemen, this proposition is entirely in keeping with our obligations and the ideals which we told our boys we were fighting for. It has nothing to do with Bolshevism; it is not going to destroy Bolshevism. It is not charity, and, if it is a charity, gentlemen, it is entirely unbecoming to the American people to give charity with as much grudging as you are going to give this money. [Applause.]

Every military authority will agree with me that Germany could not have been beaten had we not first destroyed Austria-Hungary. Austria-Hungary was destroyed and the surrender of Germany followed. Credit is due to the Italian Army for the destruction and defeat of the Austro-Hungarian Army. But, gentlemen, what did more than anything else to disrupt Austria-Hungary internally was the President's 14-points peace message. [Applause.] We took that message, translated it into 14 languages, and delivered it by the ton in the Austrian territory. The Austrians feared that message more than they did our bombs, because they served notice that any aviator captured distributing pamphlets of that nature would be immediately hung.

The gentleman from New York, my colleague, Mr. SNELL, says that he wants some scrutiny here. I will tell the gentleman that we will have the scrutiny of the whole world; our representatives will have to make good; the $100,000,000 of food must be judiciously apportioned—to place it where it belongs—or we will hear about it.

I appeared before the representatives of the Jugo-Slav conference at a gathering in Rome, not as a representative of this House, not as an American soldier, but as an American citizen, and I told them in April that if they could break loose from the Hapsburg yoke, if they could establish a government that we could trust, that we would help them. I told them that we were eager to assist the oppressed people of the world. Now, did we mean it then or are we going to renig now?

Did we not war against the central powers because we believed that it was our duty to take a decisive stand with the civilized nations of the world? Let us for a moment read the closing words of the great war message of April 2, 1917.

The President said, in closing:

It is a distressing and oppressive duty, gentlemen of the Congress, which I have performed in thus addressing you. There are, it may be, many months of fiery trial and sacrifice ahead of us. It is a fearful thing to lead this great peaceful people into war, into the most terrible and disastrous of all wars, civilization itself seeming to be in the balance. But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as

shall bring peace and safety to all nations and make the world itself at last free. To such a task we can dedicate our lives and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured. God helping her, she can do no other.

Those are the principles for which we fought, and now that we have won the war we must make good and see these unfortunate people at least started on the right path to self-government. We did not intend to liberate them from Hapsburg or Hohenzollern oppression and then stand idly by and permit them to starve.

Now, this food is necessary. The remark was made that the allies ought to do their part. When Italy had not sufficient food for herself, for her own people, she sent food to feed the Serbian Army. I say that in answer to the inquiry of the gentleman from Illinois [Mr. MADDEN]; and a pound of bread meant more to Italy in those dark days than a thousand tons means to us to-day. The remarks from the gentleman from Ohio [Mr. GORDON], although he is a member of the Committee on Military Affairs, show that he is not at all familiar with the military activities on the Austrian front.

Gentlemen, let us be frank. So much has been said about the allies doing their share. In answer to that I say that the allies did more than their share for three long years fighting Germany while Germany was sinking our boats, murdering our citizens, and we were making up our minds what to do. The gentleman from Iowa [Mr. GOOD] said that we are going to give something to the Czecho-Slovaks, "a nation on paper." I will say to the gentleman that that "nation on paper" had an army in the field fighting long before our Army was in the field, that when the Russian Army broke entirely it was the Czecho-Slovaks that held the line. I say to the gentleman that regiments and companies of Czecho-Slovaks surrendered to the Italians and refused to go to the rear, but turned around and fought against the Austrians. They would not go to the rear lines until they demonstrated that they surrendered for the purpose of fighting the Hapsburg Army. At one time 300 of them were captured and hanged immediately. The Czecho-Slovaks have earned every bit of liberty that they are going to enjoy. We can not do too much for them. The gentleman also says that the war is now over, that it is not necessary to vote this money under the duress of war. I am glad we are in a position to vote this money, now that hostilities have ceased, in keeping with our obligation and the principles we told the world we were fighting for, without duress. Let the world know that this is the free will of the representatives of the American people. The gentleman from Ohio [Mr. FESS] says that we should act on judgment and not on emotions. I will say to the gentleman, who has had some experience in preaching, that I would refer him to Bernard Shaw's Major Barbara. "You can not talk religion to a man with hunger in his eyes." And likewise you can not preach self-government and liberty to people in a starving land.

There seems to be doubt as to the necessity of this food being so urgently needed. Everyone rejoiced when the news was flashed, shortly after the defeat of the Austrian Army, that the Jugo-Slavs had agreed among themselves to establish a government embracing and uniting all of the Slav countries of the Balkans. The word "Jugo" means southern and nothing else. I say this because some Member might still be under the impression, like the friend of Mr. Dooley, that it is some sort "of canned meat." The population of Bosnia and Herzegovina according to the last census is about 1,898,000; Croatia and Slavonia has 2,600,000; Serbia about 3,000,000; Montenegro, 436,789; Dalmatia, about 650,000. These Provinces would constitute the greater part of the Jugo-Slav confederacy, about ten or twelve million people in all. Besides this, there is the city of Fiume, with about 50,000, and Trieste and Istria, with 940,000. It is safe to say that in not one of these Provinces is there any supply of food. There is no crop in Serbia, absolutely none in Bosnia and Herzegovina, and the crop in Istria and Dalmatia is very meager and limited. These are some of the people that must be fed immediately. I do not believe it is necessary to give you figures of the Czeko-Slovak Provinces and Poland, for no doubt you are quite familiar with them and conditions there. This bill is certain of passage, and I urge my friends of this House not to attach any strings to it or do anything which might embarrass our representatives at the peace conference. England will certainly do her full share in this vast undertaking of assisting our allies or new friends of newly formed governments. England has always responded with her full quota, be it men, money, or food, whenever required. France and Italy will surely do everything within the limits of their resources to cooperate with us. Let us put all of our heart in this measure, and let us lend, or give if necessary, willingly and cheerfully. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GILLETT. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman and gentlemen, the hour is late and we have listened to a great many arguments both for and against this proposition during the day. I presume gentlemen who are here are anxious to reach a vote and that further arguments will not have much weight. We have heard a great many arguments here why this appropriation should be made, but we have not been given a single reason. We have not had a single fact that can justify action. I voted for the war; I voted for everything connected with the war; and I have done, in common with other Americans, everything that is necessary to bring about victory. The President of the United States on the 2d day of December said that the war is over and we are at peace with the world. The Chief of Staff and the Secretary of War say that the Army is being demobilized; that 1,150,000 of our soldiers have been ordered discharged; that we are discharging them at the rate of 30,000 a day. Fleets of ships are coming in carrying wounded soldiers from the other side and discharged men. Moneys are being expended out of the Treasury of the United States in fabulous sums. Taxes are being levied upon the American people as they never have been levied before. These taxes will continue for the next generation, no matter what we may do now. The American people are looking forward to the time when relief will come to them. Hundreds of thousands of men will be coming back from the other side, out of employment, and they will be in a starving condition in many cases before they will find a job. We have starvation existing in some cases in America now. It is not long since that the people of the Southern States appealed to the Congress to help them when the price of cotton was so low that everybody was out of funds down there. We believed then that we were not justified in voting money from the Public Treasury for private use. In 1913 there were 4,000,000 men idle in America. The bread lines then, under the present administration, were longer than they ever had been before. Did anyone suggest that we appropriate $100,000,000 to feed America's starving men that were standing in the bread line at that time? Will anyone appeal to the Treasury of the United States to feed them now, if necessary? I doubt it. We have been told that at the request of President Roosevelt we voted an appropriation of $800,000 for the relief of the Italians on account of the earthquake at Messina. Yes, we did; we voted $800,000 that they might be fed and cared for medically and surgically, but we were told specifically what the money was to be used for. We knew the facts in the case. An earthquake had swept these people into death and ruin and starvation. They were unable to relieve their own distress. The people for whom we propose now to appropriate this money could earn the bread which they need if they would but quit fighting among themselves and go to work. The more we feed them the less they will work. The American people are not willing that they should be taxed for the purpose for which this appropriation is asked. At any rate, they are not willing that we should appropriate $100,000,000 of their money until we know that the countries beside whom we fought are willing to contribute their share in cooperation with us.

Mr. LAZARO. Will the gentleman yield for a question?

Mr. MADDEN. I have not the time to yield. If they are willing to contribute their share of the fund, if they will agree to do that among the peace commissioners of which the President of the United States is one, and he will send word to the Congress of the United States that in common with the allied nations he wants America to contribute its share to any charity which the world deems necessary and important, there will not be a man, woman, or child in America who will not say amen; but to say, without information, without facts, without knowledge, that we must be the only Nation to contribute to a fund like this is to say that we are willing to impose upon the American people to an extent unlimited. We have already spent $25,000,000,000 of their money to win the war. We have yet many billions of dollars to pay. We are maintaining a great Army and a great Navy that will not be all demobilized for the next two years. We will call upon the American people soon for the payment of a $6,000,000,000 tax. We will call upon them also for the purchase of $6,000,000,000 more of liberty bonds. We will continue to tax them to the limit during more than the coming generation. We will find ourselves in the not far distant future in need of help for our own people, but notwithstanding that I would be willing to be one of 110,000,000 of people to contribute to the fund now sought as a citizen of America but I am not willing to cast my vote to take this $100,000,000 out of the pockets of an already overtaxed people

Let us appeal to the charity of America in its private capacity. They have already in the not far distant past contributed $225,000,000 to the Red Cross for just the very purpose this $100,000,000 is sought. Let us contribute $200,000,000 more, if necessary, out of our private purses; but do not let us as the spokesmen of America prostitute the Treasury of the United States instead of giving of our private means to provide for any charitable necessities that may exist either in this country or anywhere else throughout the world. Stop it. The time is come when we must call a halt to this extravagant waste of public funds. Stop it or the people of America will soon stop you. Stop the extravagance. We have been going on and on in a headlong rush of extravagant waste until we do not know what we are doing, but the time is come to call a halt and this is the place to call it. Let the President of the United States formulate his plan in common with the allied nations with whom he sits and give the information that will justify action by the American people through their spokesmen in the American Congress. [Applause.]

Mr. McCULLOCH. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. I ask permission to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GILLETT. Mr. Chairman, I ask that all gentlemen who have spoken have that right.

The CHAIRMAN. That can not be done in Committee of the Whole.

Mr. SHERLEY. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. BRYNS].

Mr. BYRNS of Tennessee. Mr. Chairman, the gentleman from Illinois who preceded me complained that we have not sufficient information and details as to the plan to be adopted in the distribution of food that will be purchased and as to the amount of expense that will be borne by our Government, and, really, that is the chief complaint made by gentlemen who oppose this resolution. It is, of course, very desirable to have all the information available when we vote upon any appropriation and particularly upon an appropriation of this magnitude. But we are 3,000 miles away and there is no opportunity for the Congress to get in touch with representatives of the allied powers. There is a great American now in Europe who is in touch with the allied powers and who has cabled to the Congress requesting this appropriation. While we talk here people are starving in Europe, and I for one am willing to trust the President of the United States, whom the people have trusted and do trust, to safeguard the interests of the American people and their Treasury. [Applause.]

The gentleman from Massachusetts [Mr. GILLETT] said that the United States Government was to be the great almoner of Europe. That I deny. I would not vote for a resolution which had for its purpose the financing solely by the United States Government of the whole project of feeding the starving in Europe, or even for paying the greater portion of that burden. It is true, as the gentleman from Kansas has stated, that the Governments of Europe are at the peace table asking for either territory or indemnity on account of the war and that our Government is the only great power which is not asking for an indemnity. We are asking only that a peace be agreed upon which will have as its chief corner stone the recognition of the rights of the people everywhere and which will be made as permanent as human endeavor can possibly make it. This fact, Mr. Chairman, does not absolve us from all obligation arising by reason of our participation in the war. But I deny that we are to do more than our fair share, along with the Governments of Great Britain, France, and Italy. We have the assurances of the peace commissioners and the representatives of the United States who are now in Europe that our Government will not be expected to shoulder the burden alone.

Cablegrams have been read here to the House, statements have been made as to the extent to which Great Britain and Italy are now furnishing food to the suffering and starving in Europe, and an interallied commission has been appointed to handle these funds. And it seems to me that sufficient evidence has been presented to the Congress that our Government is not expected and will not be required to bear anything more than a reasonable and proper proportion of the burden which rests upon our Government and the allied powers of Europe.

The gentleman from Ohio [Mr. GORDON] has stated that nothing had been read from the hearings showing that this Government would not be expected to do more than bear its just and fair proportion. I want to read from page 5 of the hearings the statement made by a representative of the Government who appeared before the committee in support of this appropriation.

Mr. GORDON. What was his name?

Mr. BYRNS of Tennessee. Mr. Glasgow. He says:

> The purpose of this appropriation, as we gather from the cables, is that England and France—Italy not yet having signified her ability to put up her proportion—have agreed to put up their proper proportion of the relief fund necessary to take care of the starving people throughout Europe, and, at the President's request, this $100,000,000 would be America's contribution to the common fund. It is not the purpose to use any part of this fund for charitable contributions where there is a possibility that those starving people can by any means, by securities or by money, pay for it, but the purpose is to use it as a revolving fund for handling the situation so far as possible, but in certain isolated cases where it is impossible to get payment at once it is to be used to relieve the starvation and anarchy.
>
> That, Mr. Chairman, is about the situation.
>
> The assurance we get is that England and France will pay their proportion. Mr Rickard, who is thoroughly familiar with the Belgian relief work, informs me that in the Belgian relief work, which has been carried on with remarkable success throughout its entire career, England and France contributed to that relief just twice what America contributed. That is the only guide we have as to what may be the proportions in which the contributions will be made.

The President tells us that this appropriation is necessary as our part of a fund to relieve the starving and put down anarchy in certain sections of Europe in order that where anarchy now prevails stable governments may be formed which are capable of entering into terms of permanent peace. I am not willing by my vote to help to paralyze the arm or handicap in any way our great President, who is now in Europe in the endeavor to carry out the wishes of the American people and to write a peace treaty which will save future generations from the terrible experiences of the past four years which have drenched the whole world with blood.

Say what you please, the American people are behind Woodrow Wilson. They have bidden him godspeed in his efforts. The heart of every father and mother, every soldier, every son and daughter, beats in sympathy with his efforts to bring about a permanent peace league. Do not delude yourselves with the idea that the people will look with patience upon the action of any party or any individual who throws an obstacle in his path, as the defeat of this resolution would do. The people would rather pay many times this appropriation and secure a quick and permanent peace and the early return of our boys than to have no appropriation made and see hostilities resumed or be threatened with another war in the early years to come. Do not by the defeat of this resolution make it possible for the President's opponents to detract from his great prestige in the allied countries by saying that he has not the support of the representatives of the American people, whom he is trying to serve and who are earnestly supporting him.

Mr. Chairman, I support this resolution because I regard it as distinctly a war measure. It is intimately connected with and grows out of the great war in which we have been engaged and which we have won. I will vote for it because I regard it as an obligation to the world which rests upon the United States Government and the allied powers in Europe on account of the great war. And certainly no true American would desire to see his country, rich, proud, powerful, and resourceful as it is, fail to measure up to the full obligation and responsibility resting upon it. [Applause.]

Mr. SHERLEY. Mr. Chairman, I ask for the reading of the bill.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to offer an amendment.

Mr. SHERLEY. Mr. Chairman, I ask that the bill be read for amendment, and then the gentleman can offer his amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read, as follows:

> *Be it enacted*, That for the participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration thereof to such populations in Europe, outside of Germany, as may be determined upon by the President from time to time as necessary, and for each and every purpose connected therewith, in the discretion of the President, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000,000, which may be used as a revolving fund until June 30, 1919, and which shall be audited, where practicable, in the same manner as other expenditures of the Government are audited: *Provided*, That expenditures hereunder shall be reimbursed, so far as possible by the governments or subdivisions thereof or the peoples to whom relief is furnished: *Provided further*, That a report of the receipts and expenditures under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 1, line 4, after the word "States," insert the words "in conjunction with the allies engaged in the war against the Imperial German Government."

Mr. MOORE of Pennsylvania. Mr. Chairman, I am not in favor of this bill, but if the bill is to pass I believe it should be amended and certain limitations should be put upon the expenditures, and that we should also insist that our allies should bear a fair proportion of this expense. I am not satisfied that the United States is getting that square deal in this war business to which it is entitled. I am not satisfied that our diplomacy up to date has been so wholly in the interest of the United States as it should have been. I am not satisfied that we are safeguarding our trade routes as they should be safeguarded. Every time a foreign nation desires to regard us as an "easy" people we seem "to fall for it." If it is money, we furnish the money; if it is men, we furnish the men; or, if distress prevails, then comes an appeal for charity and we help. All this time we ignore the fact that there are thousands at home, within our own jurisdiction, who knock at our door in vain for the encouragement Congress withholds. Bills remain upon the calendar for the relief of individuals and concerns in the United States until the parties in interest are dead, and we take no action. Appeals come up from the wives and children of our soldiers, now policing these foreign lands, and all we do is complain and find fault with the administrative officers. We take no hurried action to see that justice is done to our own people. Business men contend, owing to the increase in bureaus and the appropriations necessary for their maintenance, that they are hamstrung and limited in their trade affairs. We are told by them that the increase in the cost of living is due to the fact that we have been placing too much confidence in bureaucratic chiefs, like the gentleman who is now upon the other side of the water making arrangements to dispense American charity in foreign nations——

Mr. CANNON. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Illinois.

Mr. CANNON. Now, I have no objection, so far as I am concerned, as to Italy, France, Great Britain, and several other countries, Cuba—for instance—but if we are going to consult all those the people will be dead and buried on the other side that we want to help. I say that in the hope that the gentleman will amend his proposition.

Mr. MOORE of Pennsylvania. The gentleman is older than I am, and holds a most respected place in this House. I am going to ask him if he has not heard these cries for relief coming up from the Far East ever since he has been a Member?

Mr. CANNON. That is foreign to the subject. We have been in this war, and are still in the war.

Mr. MOORE of Pennsylvania. I am asking the gentleman if he has not heard, from the time he began his service in this House, these cries for relief from the Far East?

Mr. CANNON. Oh, yes; and from the West as well as the East. We are committed to China, and we have done a lot of things.

Mr. MOORE of Pennsylvania. If the gentleman prevails in this, we would involve ourselves in these matters in Europe until we are compelled to add $100,000,000 and another $100,000,000, even until the people of the United States bleed. There is distress amongst our own people here just as there is amongst these restless people abroad.

Mr. GARRETT of Tennessee. The gentleman's amendment is the only suggestion in the way of real legislation that would involve us with foreign Governments.

Mr. MOORE of Pennsylvania. I am trying to put the foreign nations on the plane of good faith with the United States, and I will tell the gentleman why: Have we tried to do business in South America recently? Yes; we have, and our War Trade Board, in conjunction with the British officials, have restricted the space on which we may go into the markets of the world. We have been held up at every point. While they are busy capturing trade, our food prices are going up. While we are providing food for others we are forcing our own food prices so high——

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the gentleman be given five minutes more. He has not had a chance to speak in general debate.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania may proceed for five minutes more. Is there objection?

Mr. SHERLEY. I shall not object in this instance, but in order that it may not in the future carry any personal phase to it, I shall object to undue extensions under the five-minute rule. I think the House wants to vote on the amendments as offered and finish the business.

Mr. MOORE of Pennsylvania. Does the gentleman object in this instance?

Mr. SHERLEY. I do not object in this instance, but in order that in the future it may not carry any personal phase, I announced that I shall object to undue extensions hereafter.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes more.

Mr. MOORE of Pennsylvania. I thank the gentleman from Kentucky for withholding his objection for the present. When the gentleman, who is chairman of the Committee on Appropriations, was on the floor I endeavored to ask him a question. He was interested in his subject and could not at that time accord me an answer. I wanted to ask him then how much money had been spent of the first $100,000,000 we turned over to the discretion of the President for such use as he saw fit during this war. I wanted to ask him how much money Mr. Hoover, the Food Administrator, had spent since the President appointed him to that high charge. I wanted to know whether at the present time the funds of the United States, whether of the President's $100,000,000 fund or not, were going into these foreign countries for the relief of these people, and I wanted to know whether it was an afterthought or whether it was due to the ostentatious reception given to our representatives on the other side, that the thought had come to them that they were to play Kris Kingle to the people of Europe? [Applause.]

I was wondering, then, if the gentleman would answer me as to the amount of taxes we are obliged to levy upon the people of the United States. The gentleman is on the Committee on Appropriations, which spends our money; I am on the Committee on Ways and Means, which raises it. This morning I was unable to participate in the debate, because in conference we were deliberating upon the methods of imposing an additional burden of taxation that may run up to $8,000,000,000, which the people of the United States will have to pay. The burden is heavy, and now that war profits are no more, we were proposing to distribute that taxation, to take it not only from the profiteers but to spread it all over the country. We must make the farmer pay and the industrial worker. All along the line they must bear the expense of this war. We were considering these things. I wanted to know whether these $100,000,000 funds, which were new in this country three years ago, and which seemed to be enormous when we began them, are being properly expended, and it made no difference to me whether they were being expended by the President of the United States, by Mr. Hoover, or bureau chiefs down along the line. The money thus spent must be paid by the people of the United States, who are not aware, I am sure, that their Congress is endeavoring to make them, by the passage of this bill, the almoners of the entire earth. [Applause.]

I have seen widows, I have seen wives of soldiers in distress here. I have seen children clinging to the breasts of their mothers in the United States. You do not have to carry me over to Armenia for pictures of misery and distress. I have seen American collectors on the streets begging for Armenians, when American women, passing by with children clinging to them, have asked, "If this money goes to Armenia what will become of us?" We have plenty of pitiful stories right here at home.

I have here the evidence of the tax that the American soldier boys have been paying upon the ships of foreign nations carrying them abroad for a price, to protect the people over there. I have evidence of the commissary established by money makers on these ships, taxing our boys out of the paltry wages we are paying them to lay down their lives on the other side. I have some evidence of the taxes that are levied upon the expenditures of our soldiers on the other side. They pay heavily for everything they buy and some of them come back penniless. I know that every claim that is set up against us over there for aiding in the establishment of "democracy throughout the world" has been made a matter of record, and that we are paying lavishly for every damage done, and knowing all this I thought the gentleman from Kentucky might be able, when I asked him the question, to tell us something about it. I think we might well be informed whether we are throwing this $100,000,000 away for the gratification of a few individuals who want to be philanthropic and generous with other people's money, or whether it is an attempt on the part of somebody "to put something over on us." I wanted to know whether somebody, national or individual, was trying to unfairly involve the United States, and I think the time has come for us to find out. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CANNON. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. CANNON moves to amend the amendment offered by Mr. MOORE of Pennsylvania by adding after the word "allies" the words "Great Britain, France, and Italy," so that the amendment will read:

"Page 1, line 4, after the word 'States,' insert the words 'in conjunction with the allies, Great Britain, France, and Italy engaged in the war against the Imperial German Government.'"

Mr. CANNON. Mr. Chairman, I offer the amendment to perfect the amendment of the gentleman from Pennsylvania. Without that amendment the gentleman's amendment would kill the object of the bill if it was adopted. The Central American States, Cuba, and many other nations, have allied themselves with us in this war.

Mr. MOORE of Pennsylvania. I will accept the gentleman's amendment if it is confined to France, Italy, and Great Britain.

Mr. CANNON. Very well, the gentleman modifies his amendment, and I want to ask him now, with that amendment, is he willing to support the bill?

Mr. MOORE of Pennsylvania. I am frank to say that I will not support it, because I think the precedent would be a very bad one, indeed.

Mr. CANNON. The gentleman from Pennsylvania is my personal and political friend, and I would not say anything to hurt his feelings, but I must be true to my own views. I must be reconciled to myself and perform my duty as I see it. The gentleman in his remarks has spoken about starvation in the United States, about women with children asking alms. I am here to say that, so far as I am informed and believe, here in the United States we are organized to relieve those who are not able to relieve themselves, and we are quite as well off in that respect now as we have ever been in the United States. [Applause.] In my own city, and in every other city, township, and county, thank God, we are organized to give relief to distress. Sometimes the people who ask relief are not candid. Sometimes relief is given, even by residents of the United States, where the people relieved might support themselves by industry. We are no worse off in that respect than we were before this war was declared. [Applause.]

I want to say one other thing, and I must insist upon it. The gentleman says the war is over. Somebody has said that Woodrow Wilson, the President of the United States, has said that the war is over. What he said was, "So the war comes to an end." But he did not mean it when he said it, because the war can not be over until peace is made. Now, how is peace to be made between the warring powers? Our principal enemies are Germany and Austria. In the beginning Russia was one of our allies. No other countries except the three that I have mentioned, Great Britain, France, and Italy, joined with us can give assurances that the terms of peace will be enforced, because the other countries have not organized governments. I pray God that the Czecho-Slovaks and the Jugo-Slavs and Serbia and Roumania may come in, but there is a proposal in the newspapers that Germany shall be taxed $40,000,000,000. Is there any government in Germany to assent to such a tax? Why, in the Far East Bolshevism is universal and progressing in Germany.

I am not afraid of this $100,000,000 being misappropriated. The gentleman says, and other gentlemen have said, "Oh, it is the entering wedge." Good God, you can not make any appropriation in this Congress that will be an entering wedge, that will bind any future Congress. After the 4th of March the next Congress will be here, either in extra session or in regular session later on. I hope we will not be sidetracked with embarrassing amendments and that we will get a vote upon this bill to-night.

Mr. MANN. Mr. Chairman, I very much deplore the lack of information which we have from the President in regard to this appropriation. It seems to me that Congress might have been taken somewhat further into the confidence of the President regarding the needs of the appropriation and proposed application of the money. But I regard this proposition as purely something which grows out of and is a part of the war. The peoples who will be benefited by this appropriation are those who have joined with us, or we have joined with them, in making war. And because of the war there is the shortage of food supplies there. If our Army were in the Balkans, with starving people on every side, we would criticize the Army if it did not give to the starving people a portion of the rations which we had furnished to the Army. And while I deplore the lack of information given to us by the President, I do not feel disposed to punish the starving people of southeastern Europe because of any failure of the President to give the information. [Applause.]

We know enough about what has taken place in Europe to believe that there is a shortage of food there, that there is danger of starvation there because of the war, and when we believe that there is the danger of starvation there, that peoples are starving for lack of food, I think it would be proper for us, as a part of the war expense, to help feed them until peace comes to them in their own localities. [Applause.]

Of course, I hope and believe that the expenditures of any money by this country there will be joined with expenditures by Great Britain and France. I have no doubt that will be the case. I do not think that we ought to hesitate to give the money now, so that it can be used as soon as possible. Before we could acquire the information, if we waited, these people will have passed beyond. Their government will still be disorganized and anarchy will still prevail. It is to our interest as a country to establish not merely the forms of government there early, but to establish real peace there. I do not believe that all the troops from the United States will be returned to-morrow. There is danger over there yet, and we would not be willing then to have the danger show up and send our troops back, but if we can establish a stable government in the Balkans and southeastern Europe we then can safely bring home our boys from Europe. We ought to establish a stable government in Germany. I had hoped that our troops would march into Berlin and establish a government there. That ought to have been done, but we ought now to see to it that as soon as possible a stable form of government is established in those countries and that our troops may return to peaceful pursuits at home. [Applause.]

For these reasons I shall support the bill, because I do not believe we ought to take the responsibility on our side of turning down the first request the President has made in connection with the peace table, when the danger of starvation threatens these people if we refuse the request. If it was a matter of punishing the President I might join in the punishment. I am not willing to punish other people because of the failure of the President to properly perform his duty in giving information to Congress. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last word. Mr. Chairman, during the debate some of the gentlemen who have spoken seemed almost to doubt the urgency of the situation over there. As I listened to these gentlemen I was reminded of a meeting that I attended in this city one Sunday afternoon three years ago, at the home of Miss Boardman, then and now the head of the local Red Cross. About 100 members of the Senate and the House were present, together with a number of the residents of this city.

We were invited to hear a Mr. Wolcott, then recently returned from Europe, where he had been prominently connected with the American Red Cross, describe what he saw in Poland. It was a vivid recital. I have time to mention only two or three of the many incidents of which he told us, and which he said were typical of countless thousands in Poland alone.

In company with an officer he was one day walking along the street during a snowstorm when he noticed, near the walk, a little mound of snow. Pushing his cane down into it they found a boy about 7 or 8 years of age, unconscious, with the emaciated arms and legs, the swollen stomach, and the bulging eyes of those who suffer from starvation. They carried him to a house and he revived sufficiently to tell them that he had had nothing to eat for two days; that two days before he had had a crust of bread, and that was all, and he died—starved to death.

The speaker threw on a screen pictures he had taken for the Red Cross in Poland. One was of a long, low, white structure in front of which were seated a number of persons. Among these was one to whom he directed especial attention, saying she was an anemic woman whom he at first thought must die of hunger, but whom they succeeded in saving. In the building back of her, when the picture was taken, were more than 100 men lying on the floor, of whom more than 100 died of starvation, and among them was her husband. This woman had lost her husband and six children in 12 days from starvation.

Gentlemen who doubt the urgency of the situation should remember that these incidents occurred three years ago, and that conditions have steadily grown worse.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

Mr. SHERLEY. Mr. Chairman, in view of the notice that I served sometime ago I feel constrained to object to an extension of time, though personally I should like to have the gentleman continue, but I must follow the rule.

The CHAIRMAN. Objection is made.

Mr. GARRETT of Tennessee rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GARRETT of Tennessee. I should like to ask the gentleman from Kentucky whether he is going to accept this amendment?

Mr. SHERLEY. I expect to discuss the amendment and am prepared to discuss it at this time, but I realize that a number of gentlemen who had not spoken under general debate are desirous of speaking briefly now, and for that reason I have not claimed the floor.

Mr. GARRETT of Tennessee. Mr. Chairman, I do not care for recognition to discuss anything except the amendment, and I really do not care for recognition to discuss that.

Mr. SHERLEY. I am ready to discuss the amendment now.

Mr. GARRETT of Tennessee. Very well.

Mr. SHERLEY. Mr. Chairman, I desire to say simply this touching the amendment: There is not, in my judgment, the slightest doubt of the fact that England, France, and Italy have agreed to cooperate with the United States, and that they will cooperate, and I have that statement, as I have repeatedly said to this House, from the cables that have been sent by our representatives in France to the State Department and transmitted to me. There are two objections, to my mind, to legislating it into this bill. The amendment as offered by the gentleman from Pennsylvania [Mr. MOORE] would require cooperation and work on the part of all the allies. Manifestly that would not be a practical thing. In order to remedy that the gentleman from Illinois [Mr. MADDEN] suggests three allies; but you get out of one dilemma only to get into another, because then you confine the activities to the four allies—England, France, Italy, and the United States. I submit in all candor, in good faith to this House, that the attempt by this language to narrow activities is a mistake. We are dealing in Europe with affairs of tremendous moment. I do not share at all the suspicions of the gentleman from Pennsylvania touching the good faith of our allies. I have not shared his suspicions in the past touching our allies, and I do not share them now. I do not think it is necessary to write in here the names of the different nations. I do not think it is becoming for this Nation to undertake to arrange the detail of cooperation with other nations upon the same terms that men might arrange a horse deal or participation by individual Members in connection with personal matters. The language of the bill provides for the participation by the Government of the United States in furnishing these various things. Let us be frank. You are not going to really safeguard your $100,000,000 by that language, and all you do is to add what, in my judgment, is simply evidence of bad taste. I hope both amendments will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois to the amendment offered by the gentleman from Pennsylvania, and for the information of the House, without objection, the Clerk will again report the amendment offered by the gentleman from Illinois.

There was no objection, and the Clerk again reported the Madden amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Pennsylvania, which the Clerk, without objection, will again report for the information of the committee.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. I had accepted the amendment offered by the gentleman from Illinois.

Mr. GARRETT of Tennessee. But the committee did not.

The CHAIRMAN. There was no unanimous consent given for its acceptance. Without objection, the Clerk will again report the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

There was no objection.

The amendment was again reported.

The CHAIRMAN. The question is on the Moore amendment.

The question was taken; and the Chair announced the noes had it.

On a division (demanded by Mr. MOORE of Pennsylvania) there were—ayes 42, noes 85.

So the amendment was rejected.

Mr. GILLETT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. GILLETT: Page 4, line 6, after the word "furnished" insert "and no part of said sum shall be expended until Great Britain, France, and Italy shall have agreed to contribute to the relief herein provided their fair share thereof as determined by the President in view of the interest and economic ability of said nations."

Mr. GILLETT. Mr. Chairman, I do not wish to take up the time of the committee, as I have already discussed this measure, but this amendment goes somewhat further than that offered by the gentleman from Pennsylvania [Mr. MOORE]. It simply provides that Great Britain, France, and Italy shall contribute fairly. Now, I do not agree with the gentleman from Kentucky [Mr. SHERLEY] that it is at all a slight upon those nations for us to say that they ought to contribute their fair share, too. The gentleman, in fact, says the reason why we need not do this is that he is satisfied they will do it. Well, perhaps they will and perhaps they will not. They certainly will not do it unless they feel that it is necessary. They will not do it if our $100,000,000 alone is enough. This may end the need or we may be entering into a very far-reaching support of those nations, and it seems to me it is but fair that the United States should say, "We are glad to contribute; we will contribute liberally, but you ought to contribute such an amount as your interests and your economic condition makes reasonable." I do not say what that is. I leave that in this amendment to be decided by the President of the United States. It seems to me that is a fair, reasonable, and proper limitation to be put on this bill. I believe it really carries out what is the view of every man in this House that the other nations ought to cooperate with us in this charity, and I do not believe that either of the other nations would conceive it was an insult for us to make our appropriation dependent upon their also contributing their fair amount. [Applause.]

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Massachusetts.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. GILLETT) there were—ayes 55, noes 94.

So the amendment was rejected.

Mr. WOOD of Indiana and Mr. McCULLOCH rose.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. WOOD], a member of the Committee on Appropriations.

Mr. WOOD of Indiana. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WOOD of Indiana: Page 1, lines 10 and 11, after the word "President," insert "and to be expended through the American Red Cross."

Mr. GARRETT of Tennessee. Mr. Chairman, I make the point of order on the amendment.

Mr. WOOD of Indiana. Just reserve it.

The CHAIRMAN. Does the gentleman make or reserve the point of order?

Mr. GARRETT of Tennessee. I make the point of order that it is not germane to the bill.

The CHAIRMAN. Does the gentleman from Indiana desire to be heard?

Mr. WOOD of Indiana. I desire to be heard. I insist, Mr. Chairman, that it is germane——

Mr. GARRETT of Tennessee. If the gentleman will wait a minute——

Mr. MANN. It is not subject to the point of order.

Mr. GARRETT of Tennessee. May the amendment be again reported?

The CHAIRMAN. Without objection, the Clerk will report the amendment offered by the gentleman from Indiana, a member of the committee.

There was no objection.

The amendment was again reported.

Mr. GARRETT of Tennessee. I have made the point of order; I will reserve it.

Mr. SHERLEY. I will reserve it if the gentleman wants to speak to it.

Mr. WOOD of Indiana. Mr. Chairman and gentlemen of the committee, I insist that this amendment is germane. This money is to be expended through some agency. It has been repeatedly said here by the proponents of this measure that it is to be expended through this international food-supply organization of which Mr. Hoover is the head and appointed by the President.

Now, that being true, it is perfectly germane to change the agency and define what the agency is through which it shall be expended. I take it for granted that the majority of gentlemen here want to get the best possible results from this legislation. If it is for the purpose of relieving the distress throughout Europe, why not place it in the hands of that agency that is prepared and qualified to see that every dollar of it goes for the purposes for which we desire to expend it. Why should we be

taking and expending a large portion of it for the purpose of paying for cargoes of pork already over there and those that are on the way over there, directed, if you please, by this new agency? If it is to be expended for the relief of distressed Europe, place it in the hands of those men and women who have been relieving the distress of Europe since this war commenced, who are in the localities, if you please, where this distress is, and who get their information first hand, and who are not engaged constantly around banquet tables and know nothing of the facts except by hearsay. [Applause.]

The American people have responded, as no people on the face of the earth have ever responded, to charity, and to every war necessity. It is time that they were being informed now as to how the future expenditures are to be made. We will be going before the people presently asking for another loan of $5,000,000,000; soon after that for another loan of $5,000,000,000. The American people have a right to know, now that the war is over, and when they have a right to ask questions, how this money of theirs is being expended. There is no right in law for the expenditure of this money at all. And no man can maintain that there is, unless it be by the exigency of war—a war that the President has said in this House is ended.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. GOODWIN of Arkansas. Will the gentleman vote for the bill if his proposed amendment is adopted?

Mr. WOOD of Indiana. Absolutely. I will vote for it. I want to see that this money is expended for the purpose for which we are intending it. [Applause.] No one here doubts but what the Red Cross can expend this money better than any new agency that is now being organized over there. And no one doubts but what they have the information with reference to where this distress exists and where the relief can be best applied. Why should we then furnish a new overhead, with all the expenses necessary to that overhead, and put it in force so that it can expend this money?

Mr. MOORE of Pennsylvania. Does the gentleman know that the President has indorsed the plan of the American committee to raise $30,000,000 to be expended in the Far East, and much of this money is collected and in the war chest now?

Mr. WOOD of Indiana. Yes. The papers are full of it. But I want to confine myself to the matter immediately before us. I take it that everyone here is acting in good faith in reference to this thing, and my only opposition to it before the committee and here is the medium through which this money is to be expended. My belief is that there will not be one-half of it that will go for the purposes we are voting it for if it is placed in the hands of this new agency. My belief, on the other hand, is that every dollar of it will go for the purposes we are voting it for if it is placed in the hands of the Red Cross. Who has heard of any money being diverted from their purposes by the Red Cross?

Mr. ROBBINS. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. ROBBINS. I wish to suggest to the gentleman from Indiana that his amendment, which names the distributing agency as the "Red Cross" is incorrect. I read from chapter 23, session 3, of the Fifty-eighth Congress, which incorporates this organization, and I find the proper corporate name is the "American National Red Cross." It is important that the proper corporate name be given, if it is to perform this very important international charitable work.

Mr. WOOD of Indiana. I will ask that it be changed.

The CHAIRMAN. The Chair will say to the gentleman that the amendment of the gentleman is not correct so far as it applies to lines 10 and 11. It applies to lines 9 and 10, and, without objection, the changes indicated by the Chair will be made.

There was no objection.

Mr. LAGUARDIA. Will the gentleman from Indiana yield?

Mr. WOOD of Indiana. I will.

Mr. LAGUARDIA. Would the gentleman have the official representatives of this Government in dealing with the official representatives of other Governments, deal with them through the medium of a private organization?

Mr. WOOD of Indiana. What is the organization that has just been created over there but a number of citizens, two designated from this country, namely, Mr. Davis and Mr. Hoover? Two were designated by France, two were designated by England—a new combination, if you please. We ought not to quibble about the agency through which this money is to be spent. It is the result, I dare say, that we are all wanting, and if we want the best possible result, why not give it to that agency whose business it is to expend money in this way? [Applause and cries of "Vote!"]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SHERLEY. Mr. Chairman, I withdraw the point of order and desire simply to say this in connection with the amendment offered.

The CHAIRMAN. The point of order is withdrawn.

Mr. SHERLEY. It is perfectly impracticable to adopt this amendment and to put into effect the cooperation which gentlemen on the other side, including the gentleman from Indiana [Mr. WOOD], have so greatly urged. I know nothing that warrants the belief that this money will not be properly expended by the President and by the representatives he has named upon this allied food commission, and I do know that the Red Cross has been dependent in the past, as it is to-day, for much of its information and much of its help in granting its relief to the allied food commissions that have existed and that do now exist. I hope the amendment will be defeated. [Applause and cries of "Vote!"]

Mr. MANN rose.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. MANN. Mr. Chairman, if you write a letter up to the War Department to-day and ask the War Department in reference to some soldier in France who has been killed or wounded, some one, perhaps, who may be in a hospital, the distinguished gentlemen who run the War Department will refer you to the American Red Cross. [Applause.] They will tell you that they have to rely upon the American Red Cross for any information concerning any soldier boy of the Republic in a hospital in France. And it does seem to me that if the Army admits either its own incompetency or the utmost competency of the Red Cross in giving information concerning men in the service of the United States abroad, we might very properly use the machinery of the American Red Cross in distributing charity in Europe. [Applause and cries of "Vote!"]

The CHAIRMAN. The question is presented upon the amendment offered by the gentleman from Indiana [Mr. WOOD].

The question was taken, and the Chair announced that the noes appeared to have it.

Mr. WOOD of Indiana and Mr. SNYDER demanded a division.

The CHAIRMAN. A division is asked for. Those who favor the amendment will rise and remain standing. [After counting.] One hundred and one gentlemen have risen in the affirmative. Those opposed will rise and remain standing. [After counting.] One hundred and nineteen gentlemen have risen in opposition.

Mr. WOOD of Indiana. I ask for tellers, Mr. Chairman.

The CHAIRMAN. Tellers are asked for. Those who favor the taking of the vote by tellers will rise and be counted. [After counting.] Evidently a sufficient number have risen.

Tellers were ordered; and the Chair appointed Mr. SHERLEY and Mr. WOOD of Indiana to act as tellers.

The committee again divided; and the tellers reported—ayes 103, noes 129.

The CHAIRMAN. On this vote the ayes are 103 and the noes are 129.

So the amendment was rejected.

Mr. McCULLOCH. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

Mr. MANN. Mr. Chairman, we could not hear the announcement of the vote.

The CHAIRMAN. The announcement of the vote was ayes 103, and noes 129. The Clerk will report the amendment.

The Clerk read, as follows:

Amendment offered by Mr. McCULLOCH: Strike out in line 7 the words "the President" and insert in lieu thereof the following: "a commission, to consist of three members, one of which shall be appointed by the President, one of which shall be named by the Senate, and one by the House of Representatives; not more than two members of said commission shall be of the same political party."

Mr. McCULLOCH. Mr. Chairman, I do not care to take more than a minute.

It has been admitted on both sides of the Chamber during the discussion that information in regard to how this fund is to be expended, where it is to go, and how it is to be administered, is very meager. The information received from the other side of the ocean is meager, and the information given the House by the chairman of the committee in charge of the bill has been exceedingly meager. I gathered from the newspaper report, to which I have already referred, just a portion of which I desire to call to the attention of the House now, something of what is to be done. In an article in the Evening Star on Saturday this paragraph appears:

The reason given by administration officials for not specifying more definitely to whom the food supplies are to go is that Mr. Hoover should be left free to meet changing conditions as the needs arise.

Now, I submit that on an appropriation of $100,000,000, which comes out of the pockets of the taxpayers of America, it would be as little as we could do to add to the medium of distribution one Member from the House and one Member from the Senate.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I will.

Mr. GARRETT of Tennessee. I want to see how we could work out practically the amendment proposed by the gentleman in the event that it should be adopted. The amendment provides for one member appointed by the President, one elected by the Senate, and one elected by the House.

Mr. McCULLOCH. Elected or appointed, either way.

Mr. GARRETT of Tennessee. The amendment provides "elected." And it provides that no more than two of them shall be members of the same political party. Now, how are we going to arrange about the election, in the event that the gentleman's amendment prevails? If the President appoints one and appoints a Democrat, and the Senate elects one and elects a Democrat, then would we have to elect a Republican? Or if the President appoints a Republican, and the Senate elects a Republican, then will the House have to elect a Democrat? What is the practical result?

Mr. McCULLOCH. It perhaps does seem somewhat impracticable to one so partisan as the gentleman, but it will be more practicable after the 4th of March. There would be no trouble about it then. Now, I believe that the impracticability suggested by the gentleman from Tennessee would remedy itself. The proposition I am trying to advance is just this, That it is our duty now to place some safeguard around the expenditure of this money, and that this appropriation would be accepted by the people in a better spirit if they know that there is a supervising committee consisting in part of the representatives of the people; and I can not see, if there is nothing to this except charity and good will and justice and equity, why everybody should not be willing to have proper safeguards around it. For my part I will gladly and willingly vote for this bill if this amendment, or the amendment which will probably be offered in a motion to recommit, is adopted. I think we ought to do something. We owe it to the taxpayers to put some safeguard around the expenditure of this money.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. McCULLOCH].

The amendment was rejected.

Mr. LITTLE. Mr. Chairman, I send up an amendment and ask that it be read.

The CHAIRMAN. The gentleman from Kansas is recognized to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LITTLE: Page 1, line 6, after the word "to," insert "the Armenians."

Mr. SHERLEY. I reserve a point of order on the amendment.

Mr. LITTLE. Mr. Chairman, the Armenians have waited a thousand years to get a little attention from Christendom, and I did not know but I would have to wait as long before I got a hearing here.

For a thousand years the Armenians have been ground between the upper and the lower millstone, and they have not been pulverized yet. That means that they must necessarily be a race of the utmost stamina and entitled to the utmost consideration, and I am asking you to give it to them to-day. You wish to be charitable and to do a Christian thing. The universal voice of mankind will tell you that no race in the world is as needy to-day as is Armenia. No other race has suffered so and is suffering as much.

If you wish to reward a deserving race, no other race has endured as much as this race has endured for the cause for which we stand. They put 160,000 men into this war, first with the Russian Army, and then in their own army when they held the Turks for months, and at last they put 8,000 men with Allenby's army when he broke the power of the Turks. They are deserving because they have shown that they have the recuperative and self-sustaining power that with a little aid now will make them a great and powerful and rich nation. They are the industrious and ambitious people of all that vast area between the Caspian and the Mediterranean. They are the artisans and farmers of that land and the business men of the whole Turkish Empire, the only race that has demonstrated the capacity to organize and develop a nation. They are the one people who entered this war in chains and emerged with a recognized republic of their own, won by their own arms, the little Republic of Ararat. This mighty Christian Republic of the Occident should not overlook the rights of the first Christian nation which 1,500 years ago raised the banner of a Christian civilization in the Orient.

Mr. CANNON. Will the gentleman yield?

Mr. LITTLE. I yield to the gentleman from Illinois.

Mr. CANNON. As I understand it, Armenia is a part of Turkey in Asia?

Mr. LITTLE. It is the Christian part of Turkey. It lies right against the Caucasus. These people are of the same race and blood that we are. They just happened to land down there instead of in Europe.

Mr. CANNON. But this bill says Europe, and the Armenians are in Asia.

Mr. LITTLE. We do not undertake to take care of Europe. You will notice that this resolution says "the population of Europe," and these people are the same population and the same principle applies. The same reasoning applies. Turkey offered them more when this war began than our allies have as yet, but they cast their lot with us. They are Christians, they have suffered and endured for a thousand years, and they have shown a stability that entitles them to a chance to make their country great.

Mr. SHERLEY. Will the gentleman yield for a suggestion?

Mr. LITTLE. Yes.

Mr. SHERLEY. I doubt the wisdom of adopting the language in the form in which the gentleman has suggested it.

Mr. LITTLE. I should be glad to have a suggestion.

Mr. SHERLEY. I just wanted to make a suggestion to the gentleman. It occurred to me that perhaps the situation could be reached if the language in the bill was made to read "such populations in Europe and countries contiguous thereto, outside of Germany." That would deal with the situation without specifying any particular country.

Mr. LITTLE. If I accept that, will the gentleman accept my amendment?

Mr. SHERLEY. I am willing to offer the amendment.

Mr. LITTLE. Then I am through, and I am much obliged.

Mr. SHERLEY. Mr. Chairman, I offer the following amendment: After the word "Europe," in line 6, insert "and the countries contiguous thereto."

The CHAIRMAN. Does the gentleman offer that as a substitute for the amendment offered by the gentleman from Kansas?

Mr. SHERLEY. I think the gentleman from Kansas will withdraw his amendment.

Mr. LITTLE. I understand the gentleman from Kentucky to indicate that that would include all of Turkey.

Mr. SHERLEY. A part of Turkey is in Europe and a part of Turkey is out of Europe, and certainly that would be contiguous thereto.

Mr. LITTLE. I do not want any quibbling about it hereafter. Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 1, line 6, after the word "Europe," insert "and countries contiguous thereto."

The amendment was agreed to.

Leave to extend remarks in the RECORD was granted to the following Members: Mr. JOHNSON of Washington, Mr. PARKER of New Jersey, Mr. CLARK of Pennsylvania, Mr. SHERLEY, Mr. SCHALL, Mr. HUDDLESTON, Mr. HERSEY, Mr. CANNON, Mr. ROBBINS, Mr. CAMPBELL of Kansas, Mr. BYRNES of South Carolina, Mr. RUBEY, Mr. HUMPHREYS, Mr. HAWLEY, Mr. GALLIVAN, Mr. OLIVER of Alabama, Mr. ROGERS, and Mr. LUNN.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise and report the bill and amendment to the House, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The CHAIRMAN. Under the rule which was adopted the committee rises automatically.

The committee rose; and the Speaker having resumed the chair, Mr. GARD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill 13708, providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary, and had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time.

Mr. WOOD of Indiana. Mr. Speaker, I move to recommit the bill to the Committee on Appropriations with instructions to report it back forthwith with the following amendment.

The Clerk read as follows:

Mr. WOOD of Indiana moves to recommit the bill to the Committee on Appropriations with instructions to report the same back forthwith with the following amendment: Page 1, line 10, after the word "President," insert "to be expended by the American National Red Cross."

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. WOOD of Indiana. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 117, nays 202, answered "present" 3, not voting 108, as follows:

YEAS—117.

Anthony	Fairfield	Knutson	Rose
Baer	Fess	Kraus	Sanders, N. Y.
Bland, Ind.	Focht	La Follette	Schall
Blanton	Fordney	Little	Scott, Iowa
Bowers	Foss	Longworth	Sells
Browne	Frear	Lufkin	Sinnott
Browning	Fuller, Ill.	McArthur	Sloan
Burroughs	Gillett	McCulloch	Snell
Butler	Glynn	McKenzie	Snyder
Campbell, Kans.	Good	McLaughlin, Mich.	Steenerson
Cary	Goodall	McLaughlin, Pa.	Stiness
Chandler, N. Y.	Green, Iowa	Madden	Sweet
Chandler, Okla.	Greene, Mass.	Magee	Swift
Clark, Pa.	Greene, Vt.	Mann	Switzer
Classon	Hadley	Mason	Tilson
Cooper, W. Va.	Hamilton, Mich.	Miller, Wash.	Timberlake
Copley	Haskell	Moore, Pa.	Tinkham
Curry, Cal.	Haugen	Moores, Ind.	Towner
Dale	Hawley	Morgan	Treadway
Dallinger	Hayes	Mott	Vestal
Darrow	Hersey	Mudd	Ward
Davis	Hicks	Nolan	Wheeler
Dempsey	Hollingsworth	Osborne	White, Me.
Denison	Hull, Iowa	Paige	Williams
Dillon	Johnson, Wash.	Purnell	Winslow
Dowell	Juul	Ramseyer	Wood, Ind.
Dyer	Kelley, Mich.	Rankin	Woodyard
Elliott	Kennedy, Iowa.	Robbins	
Esch	King	Rodenberg	
Fairchild, B. L.	Kinkaid	Rogers	

NAYS—202.

Alexander	Dooling	LaGuardia	Saunders, Va.
Almon	Doolittle	Lampert	Scott, Mich.
Anderson	Doremus	Larsen	Sears
Aswell	Doughton	Lazaro	Shallenberger
Austin	Drukker	Lea, Cal.	Sherley
Ayres	Ellsworth	Lee, Ga.	Sherwood
Bankhead	Elston	Lever	Shouse
Beakes	Emerson	Linthicum	Sims
Bell	Evans	Lobeck	Sisson
Benson	Farr	London	Small
Beshlin	Ferris	Lonergan	Smith, Idaho
Black	Fields	Lunn	Smith, C. B.
Blackmon	Fisher	McAndrews	Smith, T. F.
Bland, Va.	Flood	McKeown	Snook
Booher	Foster	McLemore	Stafford
Brodbeck	Freeman	Maher	Steagall
Buchanan	French	Mansfield	Stedman
Burnett	Gallagher	Mapes	Steele
Byrnes, S. C.	Gallivan	Martin	Stephens, Miss.
Byrns, Tenn.	Gandy	Merritt	Stephens, Nebr.
Caldwell	Gard	Mondell	Stevenson
Campbell, Pa.	Garner	Moon	Sullivan
Cannon	Garrett, Tenn.	Nelson, A. P.	Sumners
Cantrill	Garrett, Tex.	Nelson, J. M.	Tague
Caraway	Godwin, N. C.	Nicholls, S. C.	Taylor, Ark.
Carew	Goodwin, Ark.	Nichols, Mich.	Temple
Carlin	Gordon	Oldfield	Thompson
Carter, Okla.	Gray, Ala.	Oliver, Ala.	Tillman
Church	Griffin	Olney	Van Dyke
Cleary	Hamlin	O'Shaunessy	Venable
Coady	Hardy	Overmyer	Vinson
Collier	Harrison, Va.	Overstreet	Voigt
Connally, Tex.	Hastings	Padgett	Volstead
Connelly, Kans.	Hayden	Parker, N. J.	Walsh
Cooper, Ohio	Heflin	Phelan	Walton
Cooper, Wis.	Hensley	Polk	Watkins
Cramton	Holland	Pou	Watson, Va.
Crisp	Houston	Quin	Weaver
Crosser	Huddleston	Ragsdale	Welling
Currie, Mich.	Hull, Tenn.	Rainey, H. T.	Welty
Davey	Humphreys	Rainey, J. W.	Whaley
Decker	Igoe	Raker	Wilson, Ill.
Dent	Jacoway	Randall	Wilson, La.
Denton	James	Rayburn	Wilson, Tex.
Dewalt	Johnson, Ky.	Riordan	Wingo
Dickinson	Jones	Romjue	Wise
Dies	Kehoe	Rubey	Wright
Dill	Kelly, Pa.	Rucker	Young, N. Dak.
Dixon	Kettner	Sabath	Young, Tex.
Dominick	Kincheloe	Sanders, La.	
Donovan	Kitchin	Sanford	

ANSWERED "PRESENT"—3.

Barnhart	Harrison, Miss.	Taylor, Colo.

NOT VOTING—108.

Ashbrook	Delaney	Graham, Ill.	Hutchinson
Bacharach	Drane	Graham, Pa.	Ireland
Barkley	Dunn	Gray, N. J.	Johnson, S. Dak.
Birch	Dupré	Gregg	Kahn
Borland	Eagan	Griest	Kearns
Brand	Eagle	Hamill	Keating
Britten	Edmonds	Hamilton, N. Y.	Kennedy, R. I.
Brumbaugh	Essen	Heaton	Key, Ohio
Candler, Miss.	Estopinal	Heintz	Kless, Pa.
Carter, Mass.	Fairchild, G. W.	Helm	Kreider
Clark, Fla.	Flynn	Helvering	Langley
Claypool	Francis	Hilliard	Lehlbach
Costello	Fuller, Mass.	Hood	Lesher
Cox	Garland	Howard	Littlepage
Crago	Gould	Husted	Lundeen
McClintic	Parker, N. Y.	Rouse	Strong
McCormick	Peters	Rowe	Templeton
McFadden	Platt	Rowland	Thomas
McKinley	Porter	Russell	Vare
Mays	Powers	Sanders, Ind.	Waldow
Miller, Minn.	Pratt	Scully	Walker
Montague	Price	Shackleford	Wason
Morin	Ramsey	Siegel	Watson, Pa.
Neely	Reavis	Slayden	Webb
Norton	Reed	Slemp	White, Ohio
Oliver, N. Y.	Roberts	Smith, Mich.	Woods, Iowa
Park	Robinson	Sterling	Zihlman

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. SLAYDEN with Mr. GRAHAM of Illinois.

Mr. SCULLY with Mr. COSTELLO.

Mr. PARK with Mr. EDMONDS.

Mr. MCCLINTIC with Mr. ROWE.

Mr. MONTAGUE with Mr. GRIEST.

Mr. HARRISON of Mississippi. Mr. Speaker, I voted "nay," and I desire to withdraw that and vote "present," as I am paired.

The name of Mr. HARRISON of Mississippi was called, and he answered "Present."

Mr. TAYLOR of Colorado. Mr. Speaker, I desire to vote "nay."

The SPEAKER. Was the gentleman in the Hall listening?

Mr. TAYLOR of Colorado. No; I was not.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. TAYLOR of Colorado. Mr. Speaker, I desire to vote "present."

The name of Mr. TAYLOR of Colorado was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. SHERLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 242, nays 73, answered "present" 1, not voting 114, as follows:

YEAS—242.

Alexander	Doughton	King	Ramseyer
Anderson	Drukker	Kinkaid	Randall
Aswell	Ellsworth	Kitchin	Rankin
Austin	Elston	LaGuardia	Rayburn
Ayres	Emerson	Lampert	Rogers
Barnhart	Esch	Larsen	Romjue
Beakes	Farr	Lazaro	Rose
Bell	Ferris	Lea, Cal.	Rubey
Benson	Fields	Lee, Ga.	Rucker
Beshlin	Fisher	Lever	Sabath
Black	Flood	Linthicum	Sanders, La.
Bland, Va.	Fordney	Little	Sanford
Blanton	Foss	Lobeck	Scott, Mich.
Booher	Foster	London	Sears
Brodbeck	Freeman	Lonergan	Shallenberger
Browning	French	Longworth	Sherley
Buchanan	Fuller, Ill.	Lufkin	Shouse
Burnett	Gallagher	Lunn	Sims
Burroughs	Gallivan	McAndrews	Sinnott
Byrnes, S. C.	Gandy	McCulloch	Small
Byrns, Tenn.	Gard	McLemore	Smith, Idaho
Caldwell	Garner	Magee	Smith, C. B.
Campbell, Pa.	Garrett, Tenn.	Maher	Smith, T. F.
Cannon	Garrett, Tex.	Mann	Snook
Cantrill	Glynn	Mansfield	Stafford
Caraway	Godwin, N. C.	Mapes	Steagall
Carew	Goodwin, Ark.	Martin	Stedman
Carlin	Gray, Ala.	Merritt	Steele
Carter, Okla.	Greene, Vt.	Miller, Wash.	Stephens, Nebr.
Cary	Griffin	Mondell	Stevenson
Classon	Hadley	Moon	Stiness
Cleary	Hamilton, Mich.	Moores, Ind.	Sullivan
Coady	Hamlin	Morgan	Sumners
Collier	Hardy	Mudd	Swift
Connally, Tex.	Harrison, Va.	Nelson, A. P.	Switzer
Connelly, Kans.	Haskell	Nelson, J. M.	Tague
Cooper, Ohio.	Hastings	Nichols, Mich.	Taylor, Ark.
Cooper, Wis.	Hayden	Nolan	Taylor, Colo.
Cramton	Heflin	Oldfield	Temple
Crisp	Hensley	Oliver, Ala.	Thompson
Crosser	Hicks	Olney	Tillman
Currie, Mich.	Holland	Osborne	Tilson
Dallinger	Houston	O'Shaunessy	Tinkham
Darrow	Huddleston	Overmyer	Treadway
Davey	Hull, Tenn.	Overstreet	Van Dyke
Decker	Humphreys	Padgett	Venable
Dempsey	Igoe	Paige	Vestal
Dent	Jacoway	Parker, N. J.	Vinson
Denton	James	Phelan	Voigt
Dewalt	Johnson, Ky.	Polk	Volstead
Dickinson	Jones	Porter	Walsh
Dill	Juul	Pou	Walton
Dillon	Keating	Purnell	Watkins
Dixon	Kehoe	Quin	Watson, Va.
Donovan	Kelley, Mich.	Ragsdale	Weaver
Dooling	Kelly, Pa.	Rainey, H. T.	Welling
Doolittle	Kettner	Rainey, J. W.	Welty
Doremus	Kincheloe	Raker	Whaley

Wheeler	Wilson, Tex.	Wise	Young, Tex.
White, Me.	Wingo	Wright	
Wilson, La.	Winslow	Young, N. Dak.	

NAYS—73.

Almon	Dies	Hollingsworth	Schall
Anthony	Dominick	Hull, Iowa	Scott, Iowa
Baer	Dowell	Johnson, Wash.	Sells
Bankhead	Dyer	Kearns	Sherwood
Blackmon	Elliott	Kennedy, Iowa	Sisson
Bland, Ind.	Fairchild, B. L.	Knutson	Sloan
Bowers	Fairfield	Kraus	Snell
Browne	Fess	La Follette	Snyder
Butler	Focht	McArthur	Sweet
Campbell, Kans.	Frear	McKenzie	Timberlake
Chandler, N. Y.	Gillett	McKeown	Towner
Chandler, Okla.	Goodall	McLaughlin, Mich.	Ward
Clark, Pa.	Gordon	McLaughlin, Pa.	Williams
Cooper, W. Va.	Green, Iowa	Madden	Wilson, Ill.
Copley	Greene, Mass.	Moore, Pa.	Wood, Ind.
Curry, Cal.	Haugen	Mott	Woodyard
Dale	Hawley	Robbins	
Davis	Hayes	Rodenberg	
Denison	Hersey	Sanders, N. Y.	

ANSWERED "PRESENT"—1.

Harrison, Miss.

NOT VOTING—114.

Ashbrook	Fuller, Mass.	Lesher	Rouse
Bacharach	Garland	Littlepage	Rowe
Barkley	Good	Lundeen	Rowland
Birch	Gould	McClintic	Russell
Borland	Graham, Ill.	McCormick	Sanders, Ind.
Brand	Graham, Pa.	McFadden	Saunders, Va.
Britten	Gray, N. J.	McKinley	Scully
Brumbaugh	Gregg	Mason	Shackleford
Candler, Miss.	Griest	Mays	Siegel
Carter, Mass.	Hamill	Miller, Minn.	Slayden
Church	Hamilton, N. Y.	Montague	Slemp
Clark, Fla.	Heaton	Morin	Smith, Mich.
Claypool	Heintz	Neely	Steenerson
Costello	Helm	Nicholls, S. C.	Stephens, Miss.
Cox	Helvering	Norton	Sterling
Crago	Hilliard	Oliver, N. Y.	Strong
Delaney	Hood	Park	Templeton
Drane	Howard	Parker, N. Y.	Thomas
Dunn	Husted	Peters	Vare
Dupré	Hutchinson	Platt	Waldow
Eagan	Ireland	Powers	Walker
Eagle	Johnson, S. Dak.	Pratt	Wason
Edmonds	Kahn	Price	Watson, Pa.
Essen	Kennedy, R. I.	Ramsey	Webb
Estopinal	Key, Ohio	Reavis	White, Ohio
Evans	Kiess, Pa.	Reed	Woods, Iowa
Fairchild, G. W.	Kreider	Riordan	Zihlman
Flynn	Langley	Roberts	
Francis	Lehlbach	Robinson	

So the bill was passed.

The Clerk announced the following additional pairs:

On this vote:

Mr. ROWE (for) with Mr. GRAHAM of Illinois (against).

Mr. VARE (for) with Mr. ROWLAND (against).

Until further notice:

Mr. EAGAN with Mr. GOULD.

Mr. GREGG with Mr. LEHLBACH.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. ESTOPINAL with Mr. PETERS.

Mr. NICHOLLS of South Carolina with Mr. DUNN.

Mr. ROUSE with Mr. KAHN.

Mr. THOMAS with Mr. LANGLEY.

Mr. EAGLE with Mr. STEENERSON.

Mr. RIORDAN with Mr. BACHARACH.

Mr. SAUNDERS of Virginia with Mr. WATSON of Pennsylvania.

Mr. KEY of Ohio with Mr. KIESS of Pennsylvania.

Mr. DUPRÉ with Mr. RAMSEY.

Mr. MONTAGUE with Mr. MASON.

Mr. ROBINSON with Mr. GRIEST.

Mr. WEBB with Mr. FULLER of Massachusetts.

Mr. DENISON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I ask unanimous consent that my colleague, Mr. GRAHAM of Illinois, who is absent on account of illness, be permitted to extend his remarks on this bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HASKELL. Mr. Speaker, Mr. SIEGEL, of New York, is unavoidably detained on account of important business. If he were here he would have voted for this bill and likewise this morning would have voted against the motion to recommit and for the passage of the river and harbor bill.

Mr. FARR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. WALSH. On what?

Mr. FARR. On this bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. WELLING. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. KEATING. Mr. Speaker, the gentleman from West Virginia [Mr. NEELY] is absent. He has asked me to state if he were here he would have voted against the motion to recommit the bill and vote for the final passage of the bill.

Mr. DOMINICK. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. LA FOLLETTE. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The result of the vote was announced as above recorded.

On motion of Mr. SHERLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. MANN. Mr. Speaker, I suggest to the gentleman from Kentucky that he move to amend the title.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that the title be amended to conform with the text.

The SPEAKER. Without objection, the title will be amended to conform with the text of the bill.

There was no objection.

Mr. SHERLEY. Mr. Speaker, I now move that the House adjourn.

Mr. MANN. Mr. Speaker, pending that, may I ask if it is the intention to call up the legislative bill to-morrow?

Mr. SHERLEY. It is my understanding it will be called up.

Mr. GARNER. Is it the purpose to move to adjourn until 11 to-morrow?

Mr. KITCHIN. Some gentlemen who have left said that if that request were made they would object, so we do not ask it.

Mr. WALSH. I shall object.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LANGLEY, for two days, on account of sickness.

ADJOURNMENT.

Mr. SHERLEY. Mr. Speaker, I renew my motion to adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 21 minutes p. m.) the House adjourned until to-morrow, Tuesday, January 14, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce submitting a supplemental estimate of appropriation required for the Department of Commerce for the fiscal year 1919 (H. Doc. No. 1680); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the executive officer of the Arlington Memorial Amphitheater Commission submitting a supplemental estimate of appropriation for expenses of dedicating the amphitheater and chapel (H. Doc. No. 1681); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a proposed paragraph of legislation authorizing a credit in the accounts of George W. Evans, chief disbursing clerk (H. Doc. No. 1682); to the Committee on Claims and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce submitting a supplemental estimate of appropriation required by Bureau of Fisheries for the fiscal year 1919 (H. Doc. No. 1683); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting a supplemental estimate of appropriation required by the Public Health Service for the fiscal year 1920 (H. Doc. No. 1684); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Postmaster General submitting a supplemental estimate of appropriation required by the Postal Service for the fiscal year 1919 (H. Doc. No. 1685); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy submitting additional estimate of appropriation required by the Navy Department for the fiscal year 1919 (H. Doc. No. 1686); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of the Navy, transmitting a tentative draft of a bill to prescribe the membership of boards of selection for promotion in the Naval Reserve Force (H. Doc. No. 1687); to the Committee on Naval Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Miss RANKIN, from the Committee on the Public Lands, to which was referred the bill (S. 3571) granting lands for school purposes in lots No. 111 in each of the town sites of Fort Shaw and Simms, Sun River reclamation project, Montana, reported the same without amendment, accompanied by a report (No. 914), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WATKINS, from the Committee on Revision of the Laws, to which was referred the bill (H. R. 13304) authorizing the appointment of a commission to codify, revise, double index, and annotate all the laws of the United States of a permanent and general character, reported the same with amendment, accompanied by a report (No. 916), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 12862) granting a pension to Nancy Robinson, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHERWOOD: A bill (H. R. 14214) authorizing the Secretary of War to donate to the Board of Commissioners of Ottawa County, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14215) authorizing the Secretary of War to donate to the Board of Commissioners of Ottawa County, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14216) authorizing the Secretary of War to donate to the Board of Commissioners of Lucas County, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 14217) authorizing the Secretary of War to donate to the city of Hinckley, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14218) authorizing the Secretary of War to donate to the village of Pecatonica, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14219) authorizing the Secretary of War to donate to the village of Durand, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14220) authorizing the Secretary of War to donate to the village of Rockton, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 14221) authorizing the Secretary of War to donate to the borough of Northampton, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 14222) authorizing and directing the Secretary of the Interior to increase the monthly salaries of registers and receivers of local land offices; to the Committee on the Public Lands.

By Mr. STEVENSON: A bill (H. R. 14223) authorizing the Secretary of War to donate to the city of Lancaster, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14224) authorizing the Secretary of War to donate to the city of York, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14225) authorizing the Secretary of War to donate to the city of Camden, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14226) authorizing the Secretary of War to donate to the city of Cheraw, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14227) authorizing the Secretary of War to donate to the city of Gaffney, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14228) authorizing the Secretary of War to donate to the city of Chesterfield, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14229) authorizing the Secretary of War to donate to the city of Chester, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14230) authorizing the Secretary of War to donate to the city of Fort Mill, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14231) authorizing the Secretary of War to donate to the city of Kershaw, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14232) authorizing the Secretary of War to donate to the city of Rock Hill, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14233) authorizing the Secretary of War to donate to the city of Winnsboro, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RAYBURN: A bill (H. R. 14234) donating captured cannon and cannon balls to the city of Sherman, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 14235) donating captured cannon and cannon balls to the city of Denison, Tex.; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 14236) authorizing the Secretary of War to donate to the village of Roosevelt, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14237) authorizing the Secretary of War to donate to the village of Mineola, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14238) authorizing the Secretary of War to donate to the armory of the National Guard at Flushing, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14239) authorizing the Secretary of War to donate to the village of Port Washington, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SCULLY: A bill (H. R. 14240) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of Red Bank, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14241) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of Perth Amboy, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14242) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of South Amboy, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14243) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of Toms River, Ocean County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14244) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of Long Branch, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14245) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of Asbury Park, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14246) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of New Brunswick, Middlesex County, N. J.; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 14247) authorizing the Secretary of War to donate to the town of Yates City, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14248) authorizing the Secretary of War to donate to the city of Kewanee, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14249) authorizing the Secretary of War to donate to the town of Orion, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14250) authorizing the Secretary of War to donate to the town of Oneida, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 14251) authorizing the Secretary of War to donate to the city of La Farge, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GEORGE W. FAIRCHILD: A bill (H. R. 14252) authorizing the Secretary of War to donate to the city of Oneonta, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HASKELL: A bill (H. R. 14253) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 14254) providing that the Secretary of War may turn over to the Postmaster General camp buildings and material suitable for the Postal Service; to the Committee on Military Affairs.

By Mr. CLASSON: A bill (H. R. 14255) authorizing the Secretary of War to donate to the city of Sturgeon Bay, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14256) authorizing the Secretary of War to donate to the city of Antigo, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14257) authorizing the Secretary of War to donate to the city of Crandon, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14258) authorizing the Secretary of War to donate to the city of Appleton, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14259) authorizing the Secretary of War to donate to the city of Green Bay, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14260) authorizing the Secretary of War to donate to the city of Kewaunee, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14261) authorizing the Secretary of War to donate to the city of Marinette, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14262) authorizing the Secretary of War to donate to the city of Oconto, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14263) authorizing the Secretary of War to donate to the city of Florence, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 14264) authorizing the Secretary of War to donate to the city of Sullivan, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14265) authorizing the Secretary of War to donate to the city of Shelbyville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14266) authorizing the Secretary of War to donate to the city of Mattoon, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OLIVER of Alabama: A bill (H. R. 14267) authorizing the Secretary of War to donate to the county of Hale, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14268) authorizing the Secretary of War to donate to the county of Sumter, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14269) authorizing the Secretary of War to donate to the county of Tuscaloosa, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14270) authorizing the Secretary of War to donate to the county of Greene, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14271) authorizing the Secretary of War to donate to the county of Perry, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14272) authorizing the Secretary of War to donate to the county of Bibb, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 14273) authorizing the Secretary of War to donate to the city of Clinton, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14274) authorizing the Secretary of War to donate to the city of Monticello, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14275) authorizing the Secretary of War to donate to the city of Decatur, Ill., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14276) authorizing the Secretary of War to donate to the city of Homer, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14277) authorizing the Secretary of War to donate to the city of Champaign, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14278) authorizing the Secretary of War to donate to the city of Urbana, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14279) authorizing the Secretary of War to donate to the city of Charleston, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14280) authorizing the Secretary of War to donate to the city of Tuscola, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 14281) authorizing the Secretary of War to donate to the city of Fulton, N. Y., two German cannon or fieldpieces; to the Committee of Military Affairs.

Also, a bill (H. R. 14282) authorizing the Secretary of War to donate to the city of Oneida, N. Y., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14283) authorizing the Secretary of War to donate to the city of Watertown, N. Y., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14284) authorizing the Secretary of War to donate to the city of Oswego, N. Y., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14285) authorizing the Secretary of War to donate to the village of Lowville, N. Y., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14286) authorizing the Secretary of War to donate to Colgate University at Hamilton, N. Y., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. FLOOD: A bill (H. R. 14287) authorizing the Secretary of War to donate to the city of Staunton, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14288) authorizing the Secretary of War to donate to the town of Palmyra, Va., one German cannon or fieldpiece; to the Committe on Military Affairs.

By Mr. BENSON: A bill (H. R. 14289) authorizing the Secretary of War to donate to the town of Bel Air, Md., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14290) authorizing the Secretary of War to donate to the town of Westminster, Md., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14291) authorizing the Secretary of War to donate to the Board of County Commissioners of Baltimore County, Md., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SWIFT: A bill (H. R. 14292) to establish the American Academy of Government and Diplomacy; to the Committee on the District of Columbia.

Also, a bill (H. R. 14293) authorizing the Secretary of War to donate to the Borough of Brooklyn, city of New York, N. Y., for Bushwick and Highland Parks, cannons or fieldpieces, with carriages and suitable complements of projectiles; to the Committee on Military Affairs.

Also, a bill (H. R. 14294) authorizing the Secretary of War to donate to the Borough of Queens, city of New York, N. Y., for Forest Park and Richmond Hill Library Square, cannons or fieldpieces, with carriages and suitable complements of projectiles; to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 14295) to create an athletic commission and to legalize boxing in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SCULLY: A bill (H. R. 14296) to donate to the borough of Atlantic Highlands, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14297) to donate to the borough of Barnegat City, Ocean County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14298) to donate to the borough of Spring Lake, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14299) to donate to the borough of Keyport, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14300) to donate to the borough of Highlands, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14301) to donate to the borough of Farmingdale, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14302) to donate to the borough of Englishtown, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14303) to donate to the borough of Deal, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14304) to donate to the borough of Bradley Beach, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14305) to donate to the borough of Belmar, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14306) to donate to the borough of Allentown, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14307) to donate to the borough of Allenhurst, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14308) to donate to the borough of Spottswood, Middlesex County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14309) to donate to the borough of South River, Middlesex County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 14310) authorizing the Secretary of War to donate to the village of St. Albans, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SCULLY: A bill (H. R. 14311) to donate a captured cannon or gun to the borough of Roosevelt, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14312) to donate a captured cannon or gun to the borough of Rumson, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14313) to donate a captured cannon or gun to the borough of Metuchen, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14314) to donate a captured cannon or gun to the borough of Seabright, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14315) to donate a captured cannon or gun to the borough of Milltown, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14316) to donate a captured cannon or gun to the borough of Tuckerton, Ocean County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14317) to donate a captured cannon or gun to the borough of Highland Park, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14318) to donate a captured cannon or gun to the borough of Bay Head, Ocean County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14319) to donate a captured cannon or gun to the borough of Dunellen, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14320) to donate a captured cannon or gun to the borough of Helmetta, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14321) to donate a captured cannon or gun to the borough of Jamesburg, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14322) to donate a captured cannon or gun to the township of Lakewood, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14323) to donate a captured cannon or gun to the township of Sayreville, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14324) to donate a captured cannon or gun to the township of Eatontown, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14325) to donate a captured cannon or gun to the township of Cranbury, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14326) to donate a captured cannon or gun to the township of Matawan, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14327) to donate a captured cannon or gun to the township of Woodbridge, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14328) to donate a captured cannon or gun to the township of Shrewsbury, Monmouth County, N. J.; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 14329) donating a captured German cannon or field gun and carriage to the village of East Burke, Vt., for decorative purposes; to the Committee on Military Affairs.

By Mr. CHARLES B. SMITH: A bill (H. R. 14330) to amend an act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905; to the Committee on the Judiciary.

Also, a bill (H. R. 14331) to provide for the appointment of an additional district judge in and for the western district of the State of New York; to the Committee on the Judiciary.

By Mr. ELSTON: A bill (H. R. 14332) to change the name of Sequoia National Park, Cal., to the Roosevelt National Park; to the Committee on the Public Lands.

By Mr. SNYDER: A bill (H. R. 14333) authorizing the Secretary of War to donate to the city of Little Falls, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14334) authorizing the Secretary of War to donate to the city of Utica, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14335) authorizing the Secretary of War to donate to the city of Rome, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14336) authorizing the Secretary of War to donate to the village of Waterville, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LAMPERT: A bill (H. R. 14337) authorizing the Secretary of War to donate to the village of Westfield, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14338) authorizing the Secretary of War to donate to the city of Chilton, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14339) authorizing the Secretary of War to donate to the village of Kiel, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14340) authorizing the Secretary of War to donate to the city of Manitowoc, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14341) authorizing the Secretary of War to donate to the city of Berlin, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14342) authorizing the Secretary of War to donate to the city of Ripon, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14343) authorizing the Secretary of War to donate to the city of Neenah, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14344) authorizing the Secretary of War to donate to the city of Menasha, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14345) authorizing the Secretary of War to donate to the city of Oshkosh, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14346) authorizing the Secretary of War to donate to the city of Fond du Lac, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OSBORNE: A bill (H. R. 14347) to provide for the payment of mileage to officers on joining their first stations when commissioned in the National Army; to the Committee on Military Affairs.

By Mr. LUFKIN: A bill (H. R. 14348) authorizing the Secretary of War to donate to the city of Salem, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14349) authorizing the Secretary of War to donate to the city of Newburyport, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14350) authorizing the Secretary of War to donate to the city of Gloucester, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14351) authorizing the Secretary of War to donate to the town of Salisbury, Mass., one German cannon or fieldpiece; to the committee on Military Affairs.

Also, a bill (H. R. 14352) authorizing the Secretary of War to donate to the city of Haverhill, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14353) authorizing the Secretary of War to donate to the town of Topsfield, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14354) authorizing the Secretary of War to donate to the city of Beverly, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14355) authorizing the Secretary of War to donate to the town of Rowley, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14356) authorizing the Secretary of War to donate to the town of West Newbury, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14357) authorizing the Secretary of War to donate to the town of Swampscott, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14358) authorizing the Secretary of War to donate to the town of Ipswich, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14359) authorizing the Secretary of War to donate to the town of Manchester, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14360) authorizing the Secretary of War to donate to the town of Merrimac, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14361) authorizing the Secretary of War to donate to the town of Marblehead, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14362) authorizing the Secretary of War to donate to the town of Newbury, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14363) authorizing the Secretary of War to donate to the town of Georgetown, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14364) authorizing the Secretary of War to donate to the town of Groveland, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14365) authorizing the Secretary of War to donate to the town of Hamilton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14366) authorizing the Secretary of War to donate to the town of Danvers, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14367) authorizing the Secretary of War to donate to the town of Essex, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14368) authorizing the Secretary of War to donate to the town of Amesbury, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14369) authorizing the Secretary of War to donate to the town of Rockport, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14370) authorizing the Secretary of War to donate to the town of Wenham, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DYER: Resolution (H. Res. 501) providing for investigation and report by the Interstate Commerce Commission as to what the present methods are that are now being used in the purchase of railroad ties, switch ties, car material, and crossing plank; whether said methods are the most efficient; and as to whether there are any satisfactory substitutes now on the market for taking the place of the railroad ties, etc., now generally used and made of timber; to the Committee on Interstate and Foreign Commerce.

Also, joint resolution (H. J. Res. 384) providing for a joint committee to investigate all matters relating to mail and pay of soldiers in France; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BESHLIN: A bill (H. R. 14371) granting a pension to William J. Taylor; to the Committee on Pensions.

By Mr. DENISON: A bill (H. R. 14372) granting an increase of pension to Simpson Newman; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 14373) granting a pension to Thomas B. Leeper; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 14374) granting an increase of pension to Elizabeth A. Deuel; to the Committee on Pensions.

By Mr. SCULLY: A bill (H. R. 14375) for the relief of Edward S. Farrow; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 14376) granting an increase of pension to Edward T. Jackson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of National League for Woman's Service in Wisconsin, asking support of the Lewis-Raker bill; to the Committee on Military Affairs.

Also, resolutions of American Federation of Labor, protesting against sections of the war-revenue bill relating to the zone system and increase of postage on second-class mail; to the Committee on Ways and Means.

Also, resolutions by the Industrial Commission of Wisconsin, indorsing the Smith-Bankhead bill for the rehabilitation of industrial cripples; to the Committee on Education.

By Mr. ELSTON: Resolution to be proposed by Hon. A. A. Wendering, California assemblyman, bespeaking action of Congress relative to naturalization of aliens; to the Committee on Immigration and Naturalization.

Also, resolutions of board of education and city clubs and associations of Oakland, Cal., indorsing Senate bill 4987; to the Committee on Education.

By Mr. ESCH: Resolutions of National Educational Association Commission on War Emergency, declaring approval of organizing youth of Nation for agricultural service; to the Committee on Education.

Also, resolutions of the Industrial Commission of Wisconsin, indorsing the Smith-Bankhead bill for the rehabilitation of industrial cripples; to the Committee on Education.

By Mr. DOOLING: Resolutions of National Automobile Chamber of Commerce of New York, petitioning Congress to increase appropriations to aid extension of export trade; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Federation of Federal Employees of Greater New York, requesting that the order directing a reduction in the civilian force at the navy yard, Brooklyn, N. Y., be withdrawn temporarily until members of enlisted personnel have been released; to the Committee on Labor.

By Mr. JOHNSON of Washington: Resolutions of the Tacoma Rotary Club, Tacoma, Wash., urging that aliens refusing to bear arms in defense of the United States be forever barred from the privileges of citizenship; to the Committee on Immigration and Naturalization.

By Mr. KETTNER: Letter from Hon. Lyman M. King, Redlands, Cal., relative to maintenance of zone rate of postage; to the Committee on Ways and Means.

Also, petition of Anaheim and Fullerton, Cal., regarding House bill 13159 and Senate bill 5306, prohibiting amateur wireless operations; also, letter of George P. Bush, manager Santa Fe telegraph offices, San Diego, Cal.; to the Committee on the Merchant Marine and Fisheries.

Also, letters from Clarence W. Barton, El Centro; Eugene De Burn, chairman registration and selection military service, San Diego; R. O. Price, chairman local board No. 1, San Bernardino; and Charles C. Chapman, member of local board, Fullerton, all in the State of California, relative to recognition by Congress for part taken in war by selective-service boards; to the Committee on Military Affairs.

Also, resolutions submitted by W. J. Capnel, recording secretary Brotherhood Railway Carmen of America, San Bernardino, Cal., relative to Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Resolutions by the Teachers' Association of Oakland, Cal., indorsing Senate bill 4987; to the Committee on Education.

SENATE.

TUESDAY, *January 14, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, at the beginning of a new day we lift our hearts to Thee and seek to draw from Thee day by day grace and courage and wisdom and strength for the battle of life. As we face the tremendous issues that are upon us to-day we would not face them alone, but, as our fathers did, we would gain Thy guidance and blessing. So we come, we trust, in the spirit of our fathers and in their faith lift our hearts to the God of Nations, praying that Thou wilt indue us plenteously with heavenly gifts and guide us in the discharge of our duty. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, in which it requested the concurrence of the Senate.

AFFAIRS IN GREECE.

Mr. SPENCER. I send to the desk a resolution in the nature of a petition from citizens representing all the Greek societies, Greek community, and all Greeks who are American citizens, residents of the city of St. Louis, Mo., and vicinity, in meeting assembled on the 29th day of December, 1918, which I should like to have printed in the RECORD. The resolution deals with the rights of Hellenism, as they see it, at the peace conference.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

We, native Americans and American citizens of Greek birth, representing all the Greek societies, Greek community, and all Greek residents of the city of St. Louis, Mo., and vincinity, in meeting assembled on this 29th day of December, 1918, at the Greek Church of St. Nicholas, St. Louis and Garrison Avenues, have unanimously adopted the following resolution:

Whereas the world war that cost humanity an untold sacrifice and suffering has come to an end, thanks to the valor and heroism of the combined forces of the free peoples of the world; and

Whereas the leaders and representatives of the allied powers are about to assemble in peace conference at Versailles, France, to permanently decide the future peace, freedom, and happiness of the world; and

Whereas the heads of the allied Governments have declared that the war has been fought to abolish all arbitrary and autocratic powers and to secure the absolute freedom and justice for all the nations and peoples, strong and weak, upon the foundation as expressed by our illustrious President Woodrow Wilson, "The reign of law based upon the consent of the governed, sustained by the organized opinion of mankind": Now, therefore, be it

Resolved, That we request very respectfully that the peace delegates of the allied powers extend the ideals and principles of freedom and self-determination to the unredeemed Hellenism, inhabiting the northern Epirus, all of Thrace, including the Grecian metropolis Constantinople, the northern, western, and southern coast of Asia Minor, and all the islands of the Archipelago or Ægean Sea, including the Dodecanese, held by Italy since 1910, and Cyprus, held by England. These territories are either entirely inhabited by Greeks, or the Greek race predominates over all the other inhabitants. Historically, geographically, and ethnologically the rights of Hellenism is undisputable. These peoples have originally occupied and built the above districts, and for 2,518 years have heroically defended civilization and Christianity, which they themselves established, and saved more than once the western civilization from Asiatic rule. They have suffered more than any other race in the hands of the unspeakable Turk, and certainly more than any other are entitled to be helped to rid the black slavery and servitude imposed upon them by barbarians, and be permitted to reunite with their mother country—Greece—from which they have been forcibly torn away, while defending the ideals and principles for which the present democracies of the world united to preserve; be it further

Resolved, That a copy of this resolution be sent to our noble President Woodrow Wilson, the United States Senate, the Governments of Great Britain, France, and Italy, and to the true leader of all Hellenism, Eleutherious Venizelos.

GUS. V. R. MÉCHIN,
Chairman.
JOSEPH CONSTAND,
Secretary.

DEMOBILIZATION OF AMERICAN TROOPS.

Mr. JOHNSON of South Dakota. I present a resolution adopted by the Huron Rotary Club, of South Dakota, on the subject of demobilization, a subject which is very important to everyone, I think, at this time, and I ask that it be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HURON ROTARY CLUB,
Huron, S. Dak., January 11, 1919.

Hon. EDWIN S. JOHNSON,
United States Senate, Washington, D. C.

DEAR SIR: I am inclosing herewith copy of a resolution passed by the Rotary Club of Huron at their meeting January 8, 1919.

This resolution is the outcome of discussion on the matter of demobilization. Reports from the fathers of these young men in France and in cantonments in the United States show a condition that is demoralizing to these young men. Now that the armistice has been signed those who are so badly needed at home should be returned as soon as possible.

Very truly, yours, W. H. MAUL, *Secretary.*

Whereas it is now two months since the armistice was signed and it is manifest that no public good can be promoted by longer keeping our soldiers in camps and cantonments in the United States; and

Whereas it is also manifest that only a comparatively small portion of the American Expeditionary Forces is needed in Europe as an army of occupation; and

Whereas a vast number of men are held in idleness in various places in France and in cantonments in the United States who should be at once returned to their homes, where they are sorely needed in all the various fields of employment or where they should resume their studies in schools and colleges; and

Whereas the conditions that necessarily followed the taking away from these noble young men of the incentive to give their lives, if necessary, to win the war are those of relaxation, weakening of morale, and idleness, which tends to demoralization; and

Whereas thousands of these young soldiers are in foreign lands, where there is a most deplorable disorganization of the mail service, and they have been unable to receive news from their homes for months; and

Whereas in this community, which is fairly representative of the situation generally in the country, 16 boiler makers and machinists, 15 agents and telegraphers are imperatively needed by the local division of the Chicago & North Western Railway Co. at Huron and can only be secured by a return of soldiers, while every bank and business house and trade in this city is similarly in need of men, one dealer needing 10, another 8, another 6, and so on down the line; and it is the same in the country on the farms; and

Whereas tremendous demands are daily made by parents and employers for the release and return of men from the Army; and

Whereas the lack of men in all useful pursuits is both appalling and apparent, and that by reason of the unnecessary detention of men in the cantonments and camps of this country successful agriculture is threatened, commercial activities are paralyzed, manufacture and industries are handicapped, and all useful and peaceful pursuits suffer, and the situation can only be relieved by the immediate discharge from the Army of all men in the camps in this country.

We urge upon Congress such action as may be necessary to bring about the immediate demobilization, and we demand such congressional investigation necessary to hasten the discharge of every man under arms not absolutely needed in completing the demobilization of men from overseas as rapidly as they can safely be returned to this country.

Rotary Club of Huron, S. Dak.: John Longstaff, president; W. H. Maul, secretary; R. E. Cone, banker; H. E. Dickinson, superintendent Chicago & North Western Railway Co.; J. C. Dexter, dry goods; D. G. Medbery, mayor; Paul Braden, train dispatcher; H. A. Perriton, drug store; W. F. R. Whorton, dentist; J. H. Foasberg, laundry; Coe I. Crawford, lawyer and lecturer; C. W. McIlvaine, secretary South Dakota State Board of Agriculture; B. E. Beach, president Dakota Savings & Loan Co.; George C. Fullenweider, president National Bank of Huron; A. H. Dodsley, manager oil company; F. C. W. Kuehn, architect; E. W. Pigion, clergyman; George H. Costain, music dealer; I. A. Churchill, lawyer; A. M. Urquhart, automobiles; A. K. Gardner, lawyer; W. C. Gagnon, wholesale candy; J. M. Morin, wholesale groceries.

EXTENSION OF FARM-LOAN ACT TO PORTO RICO.

Mr. SAULSBURY. I present a petition from the Farmers' League of San Juan, P. R., asking for the extension of the farm-loan act to that Territory. I move that it be referred to the Committee on Banking and Currency.

The motion was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. NORRIS:

A bill (S. 5339) providing for the disinterment and removal of the remains of the infant child, Norman Lee Molzahn, from the temporary burial site in the District of Columbia to a permanent burial place; to the Committee on the District of Columbia.

By Mr. OVERMAN:

A bill (S. 5340) to provide for the protection of persons from liability for the consequences of compliance with orders or instructions issued during the period of the war by Government officers or agents; to the Committee on the Judiciary.

By Mr. UNDERWOOD:

A bill (S. 5341) donating a captured German airplane, field-piece, and shells to the city of Birmingham, Ala.; to the Committee on Military Affairs.

By Mr. LEWIS (by request):

A joint resolution (S. J. Res. 209) authorizing and directing the Secretary of the Treasury to permit the entry of distilled, malt, vinous, or other intoxicating liquors, except distilled spirits, into bonded warehouses under bond conditioned for the export of such distilled, malt, vinous, or other intoxicating liquors to some foreign country within one year from the date of entry into the United States; to the Committee on Finance.

RIVER AND HARBOR APPROPRIATIONS.

Mr. FLETCHER submitted seven amendments intended to be proposed by him to the river and harbor appropriation bill, which were referred to the Committee on Commerce and ordered to be printed.

SALARIES OF JUDGES.

Mr. SMITH of Georgia. Mr. President, I wish to call the attention of Senators to the fact that immediately after the morning business to-morrow I hope to bring before the Senate the bill with reference to judicial salaries and retirement. I mention my intention publicly because there are a number of Senators who have expressed a desire to be present when the bill is considered.

RESOURCES OF ARIZONA.

Mr. ASHURST. Mr. President, I observe in a widely circulated and remarkably influential magazine, Collier's National Weekly, an editorial entitled "Prearranged pioneering." I am surprised that the editor of this high-class publication should have made such a sarcastic reference to the State of Arizona as he has done in this editorial. I ask that the article be read. It appeared on Saturday, January 14, 1919.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

PREARRANGED PIONEERING.

"Everyone seems to be entitled to at least one suggestion as to what is to be done with the returning soldier. Everyone, that is, except the returning soldier himself.

"'I know just the thing,' says a solicitous official. 'The arid lands of the West! Our veterans can reclaim them.'

"'The swamps of Florida leave much to be desired as homestead land,' suggests another. 'They would keep any number of men busy draining and shoveling for years to come.'

"This leads to a train of similarly benevolent propositions, involving the working over of various undeveloped sections of the country, with an eye to keeping the unemployed veteran busy. But what about the veteran? He has not yet been quoted for publication on this 'arid-land' question. Presumably when he left this country a few months ago he was a normal American with a normal American's preconceived notions of what constitutes a good time. It is safe to assume that reclaiming arid lands has not been on his list of things that he wanted to do when first he reached home. What, therefore, will be his emotions on being greeted by his local reconstruction committee with this message: 'Welcome home, our hero! Your old job is gone, but we have the jolliest little bit of desert in Arizona which the Government will grant to you, and on which you can raise a practically unlimited family and perhaps a radish or two in time. Go West, young man; go West!'

"Life in God's great outdoors is doubtless a wonderful thing, and we have been led to believe that the thrill of the pioneer is a reward in itself; yet there ought to be at least an alternative reward for those returning soldiers who have benefited so little by military training as still to hanker after the effete life in the congested but congenial centers of human life."

Mr. ASHURST. I present a paper by one HENRY F. ASHURST, entitled "Arizona, the Old New State, Rich in Scenic Grandeur, Romance, History, and Natural Resources." I ask that it be included in the RECORD.

Mr. THOMAS. In view of the absence of the senior Senator from Arizona [Mr. SMITH], who objects to everything being printed in the RECORD except spoken words, I simply suggest that the Senator from Arizona seems to be taking advantage of that fact.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

ARIZONA, THE OLD NEW STATE, RICH IN SCENIC GRANDEUR, ROMANCE, HISTORY, AND NATURAL RESOURCES.

[By Senator HENRY F. ASHURST.]

Arizona was a populous land before the Pyramids were built. Years before Romulus and Remus were suckled, ancient Arizona peoples builded cities, not wholly lacking in grandeur. These peoples of antiquity wove and spun cotton and flax into gaudy tapestries; they melted gold and silver, from Arizona's hills, into chieftains' ornaments and queens' girdles, before Cæsar's shouting legions and laureled ensigns brought tribute back to Rome.

Centuries before the Knickerbocker set foot on Manhattan Island, their engineers watered Arizona's fertile sands from canals and reservoirs finished with hard linings of tamped or burnt clay, which in some degree possessed the endurance of our modern concrete. The origin of this people is unknown, enwrapped in the mists of antiquity. Nothing has been found of sufficient distinctiveness to enable us to do more than speculate and form ingenious theories as to whence they came, how long they enjoyed their tolerable civilization, and whither and why they went.

The Pima Indians reported to Padre Quino in 1698 that the Casa-Grande ruins were in the same condition at least 300 years before, which seemed to be as far back as the Pima tradition ran.

Whether these ancient peoples perished, migrated into Mexico, or broke up into the numerous tribes of aborigines still inhabiting the State is a matter of speculation.

Obscure and meager is that portion of our annals where we must seek for the meaning and derivation of the name "Arizona." According to bulletin 613, "Guidebook of the Western States," issued by the Department of the Interior in 1915, the word "Arizona" is taken from the Papago language, in which it is said to signify "place of small springs." According to the Encyclopedia of Names, the word is said to be "a corruption of Pima or Papago, 'Orlison,' meaning 'little creeks.'" Mowray in his "Arizona and Sonora," says: "The name is undoubtedly derived from the Aztec. In the original it is 'Arizuma' and the change is a corruption into the present word, which is accepted as Spanish. The impression among those who have been curious enough to investigate is that it signifies 'silver-bearing.'"

EARLY SPANISH EXPLORATIONS.

The first Caucasians to enter Arizona were two friars, Juan de la Asunsion and Pedro Nedal, who came in 1538. Fra Marcos de Niza, a Franciscan friar, and his party, entered in 1539 and journeyed to the source of the San Pedro River. History reveals nothing more fascinating than the annals of the "conquistadores" who represented Castillian pride and power—Ponce de Leon, Cortez, Pizarro, De Soto, Coronado, and their comrades, who flourished in the sixteenth century and made their grand tours over the western hemisphere impelled by a thirst for adventure and imbued with a contempt for danger.

Francisco Vasquez de Coronado, a native of Salamanca, Spain, of noble descent, who had attained distinction as a soldier and statesman, entered Arizona at the head of his command in 1540 and wandered for years in search of the gems and gold of the mythical seven cities of Cibola. Coronado's vagrant rambles yielded him no pecuniary profit, but he reported to his sovereign that in his explorations he was as richly rewarded as if he had found the legendary cities and Quivera's phantom towers.

Hernando de Alarcon sailed from Acapulco in May, 1540, to explore the region north of New Spain and reached the head of the Gulf of California, then known as the Sea of Cortez. He reported that he "found a mighty river that ran with so great a fury that we could hardly sail against it." There began the acquaintance of Europeans with the Colorado River, the "Nile of the West."

The Colorado River, which forms the western boundary line of the State, has the energy to drive practically unnumbered industrial enterprises, and if its waters were scientifically conserved they would irrigate lands sufficient to support nearly 2,000,000 persons. This river annually discharges 360,000,000 tons of fertilizing material. The wealth, population, produce, and tradition of the land of the Pharaohs could easily be reproduced in the valley of this river.

SPANISH MISSIONARIES AND MISSIONS.

Father Quino, subsequently known as "the great apostle to the Pima Indians," established the first mission in Arizona. He was a native of Trent, in the Austrian Tyrol, and died about the year 1710 after 26 years of missionary work in Arizona and in Sonora, Mexico.

The Mission of San Xavier del Bac, near the city of Tucson, known as a "rancheria" in the seventeenth century, and as a mission since 1720, is the oldest mission in Arizona or California which has not fallen into partial decay. It stands a monument to the zeal, industry, and architectural skill of the early missionaries.

AMERICAN INVASION.

The leaders of the American invasion were Kit Carson, the great scout and trapper; Sylvester Pattie and his son; Felix Aubrey; Lieut. Zebulon M. Pike; Bill Williams; R. W. Hardy; Jedediah Smith; Pauline Weaver; Gen. John C. Fremont, Senator from California, candidate for President and governor of Arizona; Brig. Gen. Stephen W. Kearny, commander of the Army of the West; and Col. Alexander W. Doniphan, the versatile lawyer and valorous soldier from Clay County, Mo.

In 1850 the first steamboat, the stern-wheeler *Yuma*, entered the Colorado River to the amazement of the Indians, who fled in terror.

In 1858 Lieut. Ives, of the Engineer Corps of the Army, with the little steamer *Explorer*, ascended the Colorado River as far as the lower end of Black Canyon.

The northern line of the Mexican Republic constitutes the southern boundary of the State. Physically considered, the State consists of series of wide plateaus, having a mean elevation of 1,500 feet on the southeast and up to 6,000 feet above sea level on the north. These plateaus are riven in all directions by vast gorges and great canyons of remarkable grandeur cut by the rivers which long ago eroded their way through. Mountain ranges and numerous high peaks greatly diversify the prospect. In no other place is nature more clearly caught in the act of world making than in the physical character of the larger portion of the State.

The climate of the State is varied, ranging from north-temperate winter in the mountains to isothermal heat in the tropical levels in the south-center. Infectious pulmonary afflictions never originate in the State. Health seekers are therefore very numerous. The glaring sunlight and ozone-laden atmosphere are said to be specifics for all tubercular troubles in the primary stages. The humidity is less than in any other State except Nevada, the rainy season being confined almost wholly to July and August. The rainfall is at times almost tropical in its excessiveness and rapidity of precipitation.

The population, exclusive of tribal Indians, is about 410,000. Of its 72,000,000 acres, only about 8,000,000 are privately

owned, the remainder being public land, Indian reservations, and national forests.

The Territory, as originally created, in 1863, embraced 120,912 square miles, but its area was afterwards reduced by Congress to 113,956 square miles.

Obviously there can not be narrated in this paper even a portion of the exalted heroism of the early pioneers in their contests with ferocious Indians, or their fortitude and sagacity in traversing and settling uncharted stretches of desert, whose raw and ruthless sun came down as a pitiless flail and where life was in constant peril from lurking savages or from a miscalculation as to the distance to or location of the next "watering place."

The process of evoluting a vast, unknown domain into a prosperous State is a grim game.

Prior to the entry of the Southern Pacific Railroad into the Territory in 1879 merchandise and supplies were brought to Yuma by steamboat and thence distributed by freight teams to the various settlements. Six months were frequently required to transport a consignment of goods from San Francisco to the interior of the Territory.

Two transcontinental railway lines, the Santa Fe and the Southern Pacific, now cross the State. These pulsating arteries of commerce follow the general course of historic trails and stage roads.

The Santa Fe Railroad follows the general course of the "Old Santa Fe Trail," while the Southern Pacific follows the once busy Butterfield stage line. Over the Butterfield route, established in 1858, was run a triweekly stage for a distance of 2,535 miles, traversing a land infested by Indian tribes of unspeakable brutality. Twenty-four days were required to cover the distance between St. Louis and San Francisco. The shortest period of time in which the mail was ever carried was 21 days and 23 hours. The journey was difficult and filled with peril. The cost of passage per person was $150, exclusive of meals. The route was abandoned in 1861 on account of the inveterate hostility of the Indians and the outbreak of the Civil War. The Butterfield stage line, although the longest, most important, and most romantic, was not the first to cross Arizona. The first stage line established was in 1857 and extended from San Antonio, Tex., on the east, to San Diego, Cal., on the west.

The Santa Fe trail, established in 1822, first ran from the Missouri settlements to Santa Fe, N. Mex., was later extended to the Pacific Ocean, and followed largely the same stretches of country explored by the first detail of European civilization on its way to the Grand Canyon in 1541. It in turn passes the Petrified Forest, the logs of which are the remains of trees that grew in Triassic time. The trees were of several kinds, most of them being related to the Norfolk Island pines. A small amount of iron oxide is distributed through the logs, which gives them their beautiful yellow, brown, and red tints. This old trail also passes near the Hopi villages, where may be seen to this day the most remarkable indigenous religious rite in the Western World—the snake dance; it passes the Painted Desert, and crosses and recrosses the path where walked the steps of Fray Garces, who, in 1776, wandered along the brink of the Grand Canyon the while the Liberty Bell in Philadelphia was proclaiming freedom.

The city of Tucson, probably the oldest city in the United States, has undergone strange mutations and various conditions of occupancy, to wit: An Indian pueblo; mission for Spanish priests; presidio for Spanish soldiers; rendezvous for Mexican troops; capital of the Confederate Territory of Arizona and later capital of the Union Territory. Tucson was the first and only walled city in the United States. This wall existed for about 150 years and was built in the form of a square. The wall rose to a height of about 5 feet above the roofs of the houses. A tower guarded each corner and there were two entrances, defended by immense doors of heavy timbers, invariably closed at night. Some of the old wall was later used in the construction of modern buildings.

In December, 1846, Lieut. Col. St. George Cooke, commanding the Mormon battalion, composed of 500 courageous Mormon soldiers who were marching to the assistance of Gen. Stephen Kearny, then hard pressed by the Mexicans in California, issued the following order:

HEADQUARTERS MORMON BATTALION,
CAMP ON THE SAN PEDRO,
December 13, 1846.

Thus far on our course we have followed the guides furnished us by the general (Kearny). These guides now point to Tucson, a garrisoned town, as our road, and assert that any other course is a hundred miles out of the way and over a trackless wilderness of mountains, rivers, and hills. We will march then to Tucson. We came not to make war on Sonora, and less still to destroy an important outpost of defense against Indians; but we will take the straight road before us and overcome all resistance. But shall I remind you that the American soldier ever shows justice and kindness to the unarmed and unresisting? The property of individuals you will hold sacred. The people of Sonora are not our enemies.

By order of Lieut. Col. Cooke.

(Signed) P. C. MERRILL, *Adjutant.*

Reaching Tucson the next day, the command passed through the gate into the walled city, whereupon Col. Cooke raised the American flag and then made a short speech in which he stated that no one would be harmed, as his troops would not in any way interfere with the private property and civil rights of the citizens.

To the unsophisticated "tenderfoot," the deserts of Arizona present nothing attractive, whereas a familiarity with them reveals that they bear upon their bosoms, flora of gorgeous beauty. Much has been written of the "arboreal Arizona deserts," for these deserts bloom with flowers. The prevailing hue of the desert is not monotonous; for there are ever-changing color-tones of the sky and far-away mountain peaks that form the rim of your world. The rich purple tones in the distant hills, the pearl gray touches, and the deep translucent azures in the arching heavens make up myriad glints of light and color that may not be set upon canvas.

Within the State is the largest area of recent volcanic action to be found on the continent, "recent" being employed in its geological sense. In the State is the largest and most interesting cave dwelling; the most extensive "pinus ponderosa" forest in the United States, and in the forest are hundreds of small parks—bowl-like gems of exquisite scenery.

Maj. J. W. Powell, whose labors as an explorer and geologist were of incalculable value to the American people, left a rich legacy by his early explorations of the Grand Canyon. Scarcely less fearless and prominent were the subsequent journeys and explorations through the canyon made by Lieut. Wheeler in 1871, Mr. R. B. Stanton in 1890, and the Kolb brothers in 1912.

The total number of Indians maintaining tribal relations in the State is about 44,000. The Navajo (one of the boldest and most sagacious of tribes) is domiciled in northeastern Arizona. The Navajos were wily foes and their raids and depredations were usually victorious. After the acquisition of the great Southwest by the United States, the Navajo warriors killed many citizens. Several attempts were made to subdue the Navajo, but none succeeded until 1863, when Col. Kit Carson drove them into New Mexico, where they were held as prisoners until 1867, when they were permitted to return to their old haunts in Arizona, where a reservation covering more than 9,000,000 acres was apportioned to them. Since that time they have been peaceful and in some ways prosperous. The Navajo was not mentioned by travelers prior to 1629 and apparently began as a small offshoot of the Apaches. They call themselves Dinneh, "the people." The Spaniards called them, "Apaches de Navajo," from Navahu, the name of an old Tigua pueblo. The women weave the famous Navajo blankets, which bring them nearly $500,000 a year, and men and boys tend their sheep and goats and raise a few crops.

Despite their history as predatory savages, the Navajo are in general jovial, intelligent, and, as Indians go, industrious and capable. They have an ample vocabulary, a complex grammar, an elaborate religious system, and hundreds of songs.

Arizona is the premier copper mining State; it produces annually one-third of the copper output of the United States, being about one-sixth of the entire world output. The value of the State's copper production for the year 1918 was over $200,000,000, while the annual output of gold, silver, lead, and zinc aggregated $13,000,000.

The total value of crops raised in Arizona for the agricultural year of 1918 is $36,000,000, and of this crop long-staple cotton furnished a value of $14,000,000.

That portion of Arizona, exclusive of the Gadsden purchase, was formally ceded by Mexico to the United States in 1848 by the treaty of Guadalupe Hidalgo.

The Gadsden purchase, consummated in 1854, added 24,940 square miles to the Territory's domain.

Immediately after the Gadsden purchase, increasing numbers of Americans, from the stream of immigrants to California, began to make permanent homes in the Territory. These pioneers possessed the vision and energy of State builders and the spirit of Crusaders. As early as 1856 the settlers in Arizona petitioned Congress for separation from New Mexico and for the establishment of a Territorial government. In December, 1859, Senator Jefferson Davis introduced a bill to create a temporary government for the Territory of Arizona. Through the vicissitudes of government, Arizona was organized as a Territory by the Congress of the Confederate States a year before the Congress of the United States erected the Union Territory, and was occupied during the Civil War by a force of Confederates

from Texas, who were driven out by the Federal troops entering from California in 1863.

The civil government of the Union Territory was formally set up at Navajo Springs in 1863; hence the capital may be said to have been once at Navajo Springs. It was at Prescott from 1863 to 1867; at Tucson from 1867 to 1877; again at Prescott from 1877 to 1889, when it was permanently located at Phoenix. Almost immediately upon the erection of the Territory the question of statehood was agitated. Such a bold and dominant vanguard of American pioneers would not long permit their new home to remain in a posture of vassalage and dependency. Moreover, the Territorial government was set up by men of large ability and high ambition. The first Delegate to Congress, Charles D. Poston, born in Hardin County, Ky., in 1825, was a brilliant orator and charming raconteur.

The first man inducted into the office of governor was John Noble Goodwin, born in South Berwick, Me., in 1824, a graduate of Dartmouth College. Mr. Goodwin was elected to the Thirty-seventh Congress from the State of Maine. His state papers, and especially his messages to the Territorial legislature, evince a high order of patriotism and scholarship. After his service as governor he was Delegate to Congress from the Territory.

The first secretary of state was the classically educated Richard Cunningham McCormick, born in New York City in 1832. He was with the Army of the Potomac as a correspondent of the New York Evening Post in 1861 and 1862; was secretary of the Territory, governor, and in the Forty-first, Forty-second, and Forty-third Congresses, was Delegate; appointed minister to Brazil in 1877, but declined; appointed minister to Mexico in 1879, but declined; elected as a Republican from New York to the Fifty-fourth Congress.

The efforts of the people of the Territory to obtain statehood have at times been marked by disagreement between the people of the Territory and the Federal Government. A constitution was framed in 1891, and undoubtedly Arizona would have been admitted into the Union at that time, except that the Arizonians were unwilling to eliminate from their proposed State constitution a provision that silver and gold should be a standard of legal tender.

In 1903 statehood was defeated by a filibuster led by the able Senator Beveridge, of Indiana, who with other Senators, "talked to death" what was known as the omnibus statehood bill, providing separate statehoods for Arizona and New Mexico. In the following Congress, Senator Beveridge obtained committee approval in both Houses for his plan of uniting Oklahoma and Indian Territory as one State and Arizona and New Mexico as another. The bill passed the House and came to the Senate, where Senator Joseph Benson Foraker, of Ohio, encouraged and aided by the then Delegate from Arizona, MARCUS A. SMITH, now United States Senator, the wisest and most experienced statesman of the Southwest, conducted a determined contest with Senator Beveridge. The Beveridge bill passed the Senate with the "Foraker amendment," which provided that the vote of Arizona and New Mexico, counted separately, should determine whether they were to be admitted as one State. Under this amendment Arizona found refuge, and at the elections in 1906, by a large majority, refused to link her destiny with another community.

An enabling act authorizing the admission of Arizona and New Mexico as separate States was passed by Congress and approved by President Taft on June 20, 1910. The constitutional convention assembled in October of that year, and after a session of 60 days framed a constitution, which was ratified in February of the succeeding year by nearly four-fifths majority of those voting.

Congress by joint resolution of August 21, 1911, agreed to admit Arizona if the judicial recall provision were eliminated from the proposed constitution, which was done by the voters at the general elections held in the following December.

On February 14, 1912, President Taft issued his proclamation declaring Arizona admitted as a State, and on the same day George W. P. Hunt, president of the constitutional convention, was inducted into the office of governor.

The laws of the State represent an enlightened policy, and have mitigated, if not wholly removed, some of the worst evils that most balefully afflict society.

As a State, Arizona united the energy of youth with the wisdom of experience, and accomplished that rare feat in reforms of fusing progress with stability. The birth of a sovereign State and its entry into the American Union is an important and majestic event. Under our Federal system it is the most beautiful and symmetrical creation of political authority known to men. Although at times it seems that the States are being gradually weakened or absorbed by the Federal Government, no American should forget that the sovereignty of statehood is the highest and most beneficent plan which human wisdom can devise.

Do you seek the land of romance! Go to Arizona.

Would you engage in stock raising! There are grown the wool and hides that clothe a Nation and the mutton and beef that sustain it. Hydroelectric power! There are strategic points where may be generated sufficient hydroelectric power to turn all the wheels and propel all the trains requisite to carry the commerce of the entire southwest.

Von Humboldt called Arizona the "treasure vault of the Americas," over 100 years ago. The State is nature's alembic, where the base metals are transmuted into gold. She is El Dorado! Remain there and shout "Eureka!" for into her hills and caverns nature has poured more mineral wealth than Ophir had to burden the fleets of Solomon.

Scenic grandeur! The deep alcoves, the green and gray crags, the vermilion gleams and roseate hues of the Apache trail, open the door to regions of beauty and glory.

Let Music Mountain, with its regularity of strata and its singular erosive work, point you to a sheet of music carved on the face of the mountain by the Great Composer, through the agencies of wind and water.

The Painted Desert casts its bewitching spell upon you and you perceive the "sea of jasper;" you seem to descry fortifications with flags flying on their ramparts, walled towers on conical hills amidst an admixture of light and shade beneath a vault of flawless turquoise blue.

Only a facile pen and not this dull one may be dipped deep enough into the ink of temerity to attempt a description of the colonnades, pyramids, fluted pilasters, swelling domes, sculptured architraves, mosques, minarets, and inverted temples in that 13-mile-wide gash, the Grand Canyon.

A prose-poet of no contemptible order will find himself hard pressed, even tamely, to describe the bold escarpments, sheer cliffs and isolated mesas, within that wondrous canyon, between whose walls there tumbles and rolls and boils the rapid and forbidding Colorado River.

Would you follow that noble vocation by which the multitudes of the earth are nourished, agriculture? Would you become a producer? Consider then that the fertile sands and salubrious climate of Arizona produce the Tunis date, the Egyptian long staple cotton, the orange, the olive, the lemon, the Louisiana sugar cane, the Michigan sugar beet, the Canadian strawberry, the Kalamazoo celery, the California cantaloupe, the French asparagus, and all the fruits and grains and flowers. And lest the rainy season might not synchronize with the "heated spell" there have been built irrigation projects so big and yet so simple, so practical and yet so ideal that they charm the imagination with their wizardry the while they pour their "living waters" out upon the rich alluvial soils.

Do you seek health? Arizona is a dreamful tranquillity, which soothes the throbbing nerve of pain. She blows a bracing, healing air that reddens the bloodless lip and paints the rose upon the invalid's pallid cheek. And the citizens! They are of active enterprise and unbending courage. They are disciples of industry, therefore apostles of success who know that all independence, competence, and all livable conditions of life come only from constant striving and long-sustained effort. The wealth and beauty of enterprise, the public order, justice, and progress that have been set up in Arizona during the past 30 years make the lamp of Aladdin and the purse of Fortunatus appear tame and commonplace by comparison. Her people, testifying to the eternal and supreme truth of Christianity as a solid foundation for civilization, have built a State which will give good government to the people and strength to the Union so long as men love liberty. Fair dealing, moderation, industry, sobriety, frugality, freedom from bigotry, are the great virtues, and they who visit these shrines never come away empty handed. These virtues build a State.

Hail the giant—the old-new State! Her past is romantic; her present is radiant. Those who are banished from her borders by caprice or misfortune are irresistably recalled by the splashing splendors of her noonday sun; her sunsets that are wedges of flaming gold, and her cloudless nights lit with eternal stars, which, bright and clear, bespangle the serene and silent arch above.

PEACE POLICIES.

Mr. FRANCE. I offer a resolution and ask to have it read and referred to the Committee on Foreign Relations.

The resolution (S. Res. 412) was read and referred to the Committee on Foreign Relations, as follows:

Whereas on the 11th day of November, 1918, the President of the United States announced the signing of an armistice between the United States and the central powers, against which this Nation had been at war, the President at that time declaring "the war thus comes to an end"; and

Whereas it has not as yet come to the knowledge of the Senate of the United States that peace negotiations have been entered into with the enemy; and

Whereas the keeping for any length of time of an American Army upon European soil is undesirable and a cause of vast expense and of deep anxiety to the American people; and

Whereas profound unrest among the people of many nations and violent revolutions in several countries, which spirit of unrest and revolution are augmented by the hardships resulting from the maintenance of armies of occupation and by that underproduction throughout the world of the necessities and commodities of life, which has resulted from the long withholding of many millions of men from productive industry, must be a cause for deep concern on the part of the several Governments: Therefore be it

Resolved,

First. That the Senate, as part of the treaty-making power of the Government, does hereby consent to and most earnestly advise that at the very earliest possible moment negotiations be entered into with the enemy looking to the establishment of a just peace and that all subsidiary questions, which might delay the establishment of such a just peace between the nations, without which peace national stability is everywhere endangered, may be postponed for a later discussion at an international conference.

Second. That the Senate, as part of the treaty-making power of the Government, does hereby consent to and most earnestly advise that at the earliest possible moment consistent with the safety of this Nation American troops be returned from Europe; and, further, that after the establishment of peace the President call upon the Governments of North and South America to appoint two delegates each to an international conference, to be held at some suitable time and place, to consider plans for the closer cooperation of these Governments in promoting justice, progress, and friendship among and within the said countries of the Western Continent; and, further, that the President also, at some time subsequent to this conference of the American Republics, call upon all the nations to appoint delegates to another international conference, to be held at some suitable time and place, to discuss and consider plans for the promotion of justice, progress, and friendship among and within the nations of the world, such conference to particularly discuss and consider plans for the removal, so far as may be, of the economic and social causes of war, and to this end particularly give attention to—

1. The congestion of population of some nations.
2. The underpopulation of other nations.
3. The unregulated competition between the more populous and industrial countries for the raw products and trade of the less populous and agricultural ones.
4. The exploitation of the weaker and the less advanced by the stronger and more highly organized nations.
5. A larger self-determination of peoples and nations.
6. The possibility of the cooperation of the more advanced nations for the improvement of the conditions of the backward countries, particularly those of Africa and parts of Asia, by the formulation of plans for the reclamation of waste lands, for the utilization of natural resources, including water powers, for wise colonization, for education, and for the spread of civilization in the interest of those countries and of the world.
7. The best means for the wider and more rapid extension of education and civilization throughout the world, looking to the ultimate elimination of national, racial, and religious antagonisms.
8. The establishment of constitutional republics or of governments of such uniformity throughout the world as would make for that national stability upon which could be based a permanent international order.
9. The elimination of all causes of national enmities and the establishment of friendship and justice between the nations, with a view to the ultimate establishment of a league of nations or world federation of republics for the purpose of promoting the cause of progress and of peace throughout the earth.

CALENDAR MONDAY.

Mr. SHEPPARD. Mr. President, the Senate proceeded yesterday with its usual custom of disregarding Calendar Monday. The Vice President called attention to the fact that Calendar Monday had not been observed since the rule providing for it was adopted. I wish to give notice that hereafter on Calendar Monday I shall object to any variation whatever from the regular order to the end that Calendar Monday may be observed. I give this notice now in order that Senators may be fully advised.

HOUSE BILL REFERRED.

H. R. 13708. An act providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, was read twice by its title and referred to the Committee on Appropriations.

LEAGUE OF NATIONS.

Mr. BORAH. Mr. President, whatever there may be of virtue or of vice, of strength, or of weakness in the proposition of a league of nations, whether it shall prevail or whether it shall fail, I think it profitable to discuss the problem. Certainly no subject of such moment should be permitted to pass into practical form without the most thorough consideration and discussion upon the part not only of those in public place but of and by private citizens.

There are, it seems, as many different kinds of leagues of nations as there are advocates. But I think it may be fairly said that all are but modifications of two fundamental types or plans. The first is a league which would organize the moral forces of the world. The second is a league which would organize the military forces of the world. The former depends for its effect upon public opinion and the power of ideas. The second rests ultimately, if not primarily, upon force, upon repression. The former is indicated in President Wilson's speeches in France and Italy. The second has its most distinguished and industrious advocate in ex-President Taft.

I do not at this time discuss the first plan. I recognize in government and among men the power of public opinion. We shall watch with interest the development of the machinery by which it is to be made effective for the settlement of concrete questions and particularly difficulties in international affairs. It is upon the second plan that I wish to submit some observations, for peace by repression may be infinitely worse than war. It may not be a peace of justice or of liberty at all. It may be the same kind of a peace that Germany contemplated for all the world in case her scheme had ripened into success. It was frustrated, however, by the liberty-loving people of the free nations, who thought there were some things dearer than peace, and among them the right to live our own lives in our own way.

At the time that the League to Enforce Peace was first organized it was apparent to those who gave it consideration that it must rest ultimately upon force, upon the principle of repression. But the advocates of this particular league were very slow to admit to the public that that was the true construction to be placed upon their program. It was some time before it was conceded that force would have any particular part in the maintenance and execution of the objects and purposes of this league. It was argued that it might ultimately be relied upon, but that it would be seldom used. We have now arrived at that stage of the discussion when its proponents concede that the distinguishing feature of this league over all others is that it depends upon force and that its fundamental principle is that of repression; that it can only be maintained by the organization of the military power of the great nations, to be used whenever those powers shall deem it proper.

Naturally, the first question that one would ask would be, "How are you going to raise your Army to sustain this vast military program or this league based upon force?" Would the citizens of the United States volunteer to enter the Army for the purpose, for instance, of settling difficulties in the Balkans? Would the American boys leave their homes or the farms or the factories for the purpose of taking part in the adjustment of a controversy between Japan and Russia over Manchuria? How are you to have a sufficient force in a free nation with which to maintain the program outlined by this league? After some delay, the ex-President was frank enough to say precisely how it was expected to raise and maintain a sufficient Army to support a league to enforce peace. I call attention to this because it is one of the practical features now indicated in the workings of this program; it is one of the things which come home direct to the citizen, and which enable him to see precisely what his duties and obligations are to be if this particular principle should be incorporated in the league of nations. We are to have conscription in time of peace.

We yielded, Mr. President, to the principle of conscription in the great emergency through which we have just passed, but it is certainly of extraordinary moment to the people of this country to have presented to them the question of conscription in time of peace in order to secure a force with which to sustain the proposed league. In a speech made in New York some time ago in advocacy of the league of nations, the ex-President said:

> Very little service of any kind has been exacted from the great body of the people. Conscription is needed to discipline our native young men and to teach them respect for authority. It is needed to teach our millions of newly created citizens loyalty. Congress should enact a conscription law making provision not only for the present but for the future after the war shall end.

The ex-President should be commended for his candor. It was clear from the beginning that must be the true basis, and the only basis, upon which a league to enforce peace, based upon the principle of force, could ever be maintained. We will never be able to call into activity or into service a sufficient force from the American homes to do our part in a league of nations to settle the controversies of Europe and of Asia by means of military power except by fastening conscription upon the American people. At a time when other governments, which have had experience with conscription, are pledging the people that it shall be abrogated and eliminated from their system this Republic is to have it made permanent. While others are trying to get away from it the league to enforce peace would require that we ingraft it upon our system as an abiding principle. Lloyd George and others who have spoken upon the subject have said that it shall not only be eliminated but that it shall be forgotten as a precedent. The league to enforce peace states that the basis upon which it expects to operate is that of inaugurating

this principle even in time of peace. That is the practical, and the first practical, proposition with which we shall have to do in the organizing of this particular form of a league. I think it well to read a paragraph from Mr. Lloyd George's speech about the time that he was asking the people of England for their suffrages:

On the eve of this important election which means so much to the country I wish to make it clear beyond all doubt that I stand for the abolition of conscript armies in all lands. Without that the peace conference would be a failure and a sham. These great military machines are responsible for the agony the world has passed through, and it would be a poor ending to any peace conference that allowed them to continue.

That which the premier of England looks upon as the basis of militarism and the exclusion of which is essential to the peace of the world, the ex-President regards as indispensable to the successful operation of a league to enforce peace. Both are correct, and, peculiarly enough, both are for a league of nations.

We pass on to another feature of this program of a league to enforce peace. We are not only to have an army based upon conscription but we are to have the largest navy in the world. Admiral Badger, appearing before the Committee on Naval Affairs, outlined the Navy we should have, and frankly stated the objects and the purposes for which it was being built. I trespass upon the patience of the Senate long enough to read a paragraph or two from the admiral's testimony. On page 495 of the hearings he gives a list of the battleships, battle cruisers, scouts, and so forth, which are to make up the largest navy in the world, as follows:

Battleships	12
Battle cruisers	16
Scouts	30
Destroyers	108
Submarines:	
Fleet	21
S type	146
Antisubmarine	24
Mine laying	42
Mine sweepers	284
Destroyer tenders	12
Submarine tenders	6
Airplane carriers	6
Patrol vessels	376
Aircraft:	
Large seaplanes	1,704
Dirigibles	156
Kite balloons	544
Rigid airships	24

In his testimony he says:

Navies must be the principal support of a league of nations, and the United States, from its wealth, influence, and power, will be called upon to contribute a very large share of the international police force to render such a league effective.

The able Secretary of the Navy, addressing the committee a few days afterwards, among other things said:

It is desired to enter the Paris peace conference with the assurance from Congress that the American Navy would be enlarged to a size commensurate with the greatest naval power.

Why should we enter a peace conference at which no one will have a seat other than our friends and our allies with the assurance from the American Congress that we are building the biggest war machine in history? If I meet with my neighbor to settle a difficulty, announcing in advance that we are there for the purpose of arranging our difficulties upon peaceful terms and in a peaceable way, it is calculated to disturb the serenity of the gathering if I throw upon the table my loaded revolver. There is no one at the peace table, Mr. President, to whom it is necessary to say that we are preparing for war upon a gigantic scale. I have no particular objection to the game of international bluff, provided it is not too expensive for the taxpayers. Besides, the bluff might be called, and that would be the beginning of another war.

Again he states:

I may say that you can not do anything in the world which would so strengthen this country's position at the peace conference as to authorize this enlarged naval program.

I quote from a report of his testimony in the New York Times of December 31:

It is the desire of Secretary Daniels and the Navy officials to have a Navy which will be as large as that of any other country, not only for defensive purposes but for policing the world in case a league of nations to enforce peace is created at the Versailles conference.

This program is estimated to cost $600,000,000. This is the largest single naval expenditure in the history of the world, all in order that a league to enforce peace may not fail for want of respectability.

I can not understand this demand for so heavy an expenditure for warships at this particular time. The facts and the reason and the psychology of the situation, if I may use that term, are all against it. Battleships are made for war, for the purpose of fighting some one. Where is the enemy that compels this speedy and tremendous expenditure at this time? Germany is conquered and her navy subject to the disposal of her conquerors. Russia is dismembered and broken. Every one of these ships built at this time will rot upon the sea before Russia is again a factor upon the ocean. Are we then challenging or throwing doubt upon the friendship of France or of England? Japan is a powerful nation, but her relations with this people are now friendlier than they have been for a decade. In addition to that, the relation of England and Japan is amicable enough. I would favor a reasonable building program at this time, although the necessity for it is less commanding than it has been for 15 years. But to put out this extraordinary and bewildering and threatening program at this time is unnecessary to the situation, unwise as an international move, and highly unjust to the taxpayers of this country, already harried and worried with the fearful burdens of the war.

Mr. THOMAS. Mr. President, may I suggest to the Senator that in enumerating these formidable countries he should not overlook Bolivia and Switzerland?

Mr. WEEKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Massachusetts?

Mr. BORAH. I yield.

Mr. WEEKS. I do not know that the Senator from Idaho has stated it, but if this program is carried out it will give the United States a larger and stronger Navy than that of Great Britain at the beginning of the war, and if the ships that are now under construction are completed, it will give the United States a stronger Navy than the combined navies of the three next powers—Japan, France, and Italy.

Mr. BORAH. Mr. President, we can best realize this stupendous program by comparison. France, Russia, Germany, and England combined expended in round figures $200,000,000 upon their navies in the year 1913. This was at a time when there was a feverish, though undefined, feeling of unrest in Europe. In fact, after 1906 Germany had in a sense challenged England's sea power by her increased building program. But even so, those four great powers combined expended little more upon all their navies than we now propose to expend upon ours in the next year. After the war has come to an end, with our enemies defeated and all the great naval powers friendlier than ever before in our history, we propose to spend $600,000,000 in the next three years upon a powerful fighting machine. Is this not a direct challenge to the good faith of our allies, or does it not throw doubt upon the sincerity of our own professions? Above all, is it not a signal act of injustice to the people of this country, who have paid taxes and bought liberty bonds and saved and stinted and denied themselves in this crisis? Is the American taxpayer to have no place whatever in this program of national affairs save that of a coddled peon? Are we going on with this shameless orgy of expenditure until the people are forced to cry out with the voice of revolution against the madness that is grinding them to powder? The expenditures of this war will amount to easily thirty billions, and yet we are proposing to add billions upon billions for war purposes in time of peace.

Then there comes from the War Department a demand for the purchase of all the cantonments. These vast war utilities are to be purchased at a cost of from twelve to fifteen millions and to be maintained and kept up at a cost annually of from fifteen to twenty million dollars. These things are the first incidents or preliminary preparations of the league to enforce peace. These are the modest preparations for peace by repression, by force. While we seem to have great plans in theory, nevertheless in practice we are still apparently following the rule of kings and autocrats and that is to first frighten the people and then rob them through taxation. I call attention to these facts at this particular time for the reason that it is a program advocated by men of vast influence and of great standing in this country who have announced that they propose to hold conventions in all the large cities of the country in order that the people may understand precisely what their program is and to secure an indorsement at the hands of the people. What effect that might finally have upon the congress at Versailles I do not know, but I want, if I can in my humble way, to convey to the people the fact that the league to enforce peace does not mean disarmament, it does not mean relieving them from taxes or from the great burdens of war but of adding to them permanently and for all time to come. It is not certain that this program will bring peace, but it is morally certain that it will bring great armies and navies and crushing burdens and taxes without "stint or limit."

Now, let us see what they propose to do with that great military force when they get it. We are not left in doubt in regard to it. The principle upon which they propose to use

it has been stated repeatedly. Slowly but surely the scheme unfolds.

Speaking at Baltimore, December 9, 1918, the ex-President of the United States said:

We have got to have a league with force enough to say to all those small nations: "We do not propose to let you start a conflagration that will destroy this peace that we have endured so infinitely much to bring about."

Again, at Atlantic City:

We should make a start in Russia right soon. You can not deal with the Bolsheviki in any other way than their own system. The only way to deal with those people is to kill them off.

The league to enforce peace is, therefore, according to the explicit language of its most distinguished advocate, based entirely upon the principle of repression. The only remedy which is now proposed is that of absolutely repressing any movement that does not accord with the idea of the league to enforce peace.

The whole scheme, Mr. President, is founded on force. These advocates of this particular league can find no amelioration, no remedy, save that based upon force. "Kill them off," cries the league's most distinguished exponent. While yet in the formative period, even before they have an army at their command, before they have actually tasted the power for which they hunger, the watchword is "kill them off." What will be the program when once power is lodged in their hands? "He tasted blood and felt no loathing. He tasted again and liked it well." That is the story of all individuals and of all institutions believing in or founded upon the gospel of force. If these people would enter Russia, with whom we are at peace, and slay and decimate because of internal troubles, what would they do with other nations which might from time to time have internal disturbance or revolutions? Have they not said in explicit language that "we want a force to deal with small nations when they start a conflagration." Are all conflagrations to be put out save those which meet with their approval? The fathers started a conflagration in 1776. Other peoples may start conflagrations of the same kind. India, with her countless millions, may in future years express a desire for independence and for freedom. Other subject nationalities may feel some time or other that they want their independence and freedom. What will be the doctrine of the league? They have announced it—"Kill them off."

The people have been told of the halcyon days that were to come with the league. Men would no longer make war. The crushing burdens of stupendous armaments were to be lifted. The dull, menotonous struggle of the masses bending under the weight of governmental expenditures was to have an end. But not so. We are to have a larger standing army than ever. Why? In order to support the league. We are to have the largest Navy in the world. Why? In order to support the league of peace. We are to have militarism such as Prussia only dreamed of. We are to have taxes beyond the taxes of any era or of any age. Why? In order to support the league of peace. We are to compose all the troubles and put out all the conflagrations started to destroy kingship or bureaucracy. And how are we to stop the troubles? How are we to put out the conflagrations? Why, in the same old way, nothing new about it at all. Precisely the same way and in the same method of the holy alliance—"kill them off." If the people are to be taxed and taxed, and if they rebel against the burden are to be killed off I do not see the virtue of the scheme. I confess that my vision may be somewhat blurred and I know my fancy is somewhat troubled when I see these vast equipments of war, this vast array of force—standing armies, conscription, great navies, and taxes without stint or limit—with no answer to give the people when they cry out in resistance save the cry coming down through the centuries from the lips of tyrants and despots, "kill them off."

Those who while wanting peace nevertheless have feared a league backed by a vast military power have not had long to wait to see their fears justified. They had looked into the pages of history and they feared that human nature was in all probability still the same—that arbitrary power backed by military force would resort to repression as the only means of maintaining peace. And how quick the change! They changed their shibboleth overnight. During the war the air was laden with promises for a freer and more democratic world, a less burdened people, the rights of small nations with no invidious exceptions, self-determination, open diplomacy, disarmament, and democracy. These things intoxicated the very air we breathed. Cheered by these promises the people fought and bled and died in the great cause. Mothers gave up their sons, wives their husbands, and the common people faced hunger and disease, starvation and death in the belief that they could see ahead for their children at least a freer and a less burdened world. Kings and armaments and royal tinsel and secret agreements and all the pretense and vicious practices which have weighed humanity down seemed nearing their eternal end. But scarcely had the armistice been signed until a different tone, a discouraging warning voice was heard from those in authority. A noted leader, an advocate of the league on the other side, hastened to say, "The world can not be made safe for democracy by increasing the number of democratic states." Self-determination, it was declared, could only have a most limited application. Open diplomacy has been rejected, disarmament has given way to an ambitious program for stupendous armies and navies. As for the rights of small nations, if they should start a conflagration the remedy is to kill them off. These are not the principles upon which we fought the war; and these are not the principles, either, upon which permanent peace may rest, but they are the principles which are already foreshadowed by this league based upon force.

The league to enforce peace organized just 100 years ago ran the same course. Its original protestations were upon a high plane. Its purposes were based upon the widest humanitarianism and the greatest liberty for all. It specifically declared in favor of self-determination and it pronounced in favor of open diplomacy. But when once organized and backed with power it had but one principle by which it was guided, and that was repression. When the people cried out against injustice and made a move for liberty they were suppressed by force without regard to their rights or to the justice of their cause. When the small nations of South America started a conflagration they made a move to put it out. This putting out conflagrations is a fascinating pastime. But America said no; these conflagrations are shedding a kindly light upon the homes and the hearthstones of the long repressed and they shall not be put out, neither shall those who started them be killed off. Revolution is the people's law of self-defense, and you shall not deny it to those South American people.

Senators, you can not establish peace by force, by repression. If you have any other workable scheme or plan, bring it forward, but the scheme based on force is more repulsive and destructive of human justice and human liberty and human progress than Prussianism itself. It is Prussianism extended, amplified, and denationalized. If you think you can seek out and do justice to all nations, great and small; if you think you can found an organization based upon the principles of human progress and whose decrees are enforced by public opinion; if you think you can prescribe reasonable rules for change and growth and progress; if you think you can look into the hearts of a particular people and interpret that inexplicable passion which when the appointed hour comes melts away all obstacles, rejects all restraints, and forces its way from a small to a great nation; if you think you can look upon a French revolution cursed with apparent stupidity and steeped in blood and foretell that in a hundred years those same people, disenthralled and free, will stand between civilization and organized barbarism as the French stood at the Marne; if you think you can now look upon a broken and dismembered and bleeding Russia and foretell her future or point out along what paths she will move in order that she may realize the best there is in her; if you think you can do what the living God has not been able to do, standardize the human family; if you feel you can undo what He in His inscrutable wisdom did when He planted race prejudice in the hearts and stamped color upon the faces of men, then give us your prospectus. We will be glad to look it over. We shall be infinitely happy if we find that it is workable. But if you are simply going back to the old discarded league of military power with which to put out conflagrations, to repress movements, and to kill off those who are dissatisfied and who in their madness and helplessness are striving for better things, we should reject it and denounce it as a menace to human liberty and a challenge to human progress.

Mr. President, it may not be uninteresting to call attention to some other views, foreign views, of this league to enforce peace. I think it throws some light upon it to have the construction of those who do not feel timid on account of our institutions or the possible bias or prejudice of the people against transferring their sovereign powers to a supertribunal. Mr. H. G. Wells, one of the most fascinating writers of the day, in his book entitled, "The Fourth Year," discusses the league of nations as follows:

If this phrase, "the league of free nations," is to signify anything more than a rhetorical flourish, then certain consequences follow that have to be faced now. No man can join a partnership and remain an absolutely free man. You can not bind yourself to do this and not to do that and to consult and act with your associates in certain eventualities without a loss of your sovereign freedom. People in this country and in France do not seem to be sitting up manfully to these necessary propositions.

I like the candor of the writer. He states without circumlocution that any organization of the league which will amount to anything at all must necessarily imply the surrender of sovereignty upon the part of the individual nations. We must transfer to some one the right to determine when we shall enter a war or when we shall make use of our armed forces for any particular purpose in the execution of the plans of the league. He can not conceive of an organization which would have any prestige which did not detract or subtract from some one a sovereign power which it had taken unto itself. Some one must give up that sovereign power, and the individual nations must do that. Further along in his interesting volume he says:

Firstly, then, it must be able to adjudicate upon all international disputes whatever. Its first function must clearly be that. Before a war can break out there must be the possibility of a world decision upon its rights and wrongs. The league, therefore, will have as its primary function to maintain a supreme court, whose decisions will be final, before which every sovereign power may appear as plaintiff against any other sovereign power or group of powers. * * * But in addition there is a more doubtful and delicate class of case—

After having enumerated the different cases which have occurred to him—

arising out of the discontent of patches of one race or religion in the dominions of another. How far may the supreme court of the world attend to grievances between subject and sovereign?

The author is probably correct. It is likely true that the next war will not be a war between governments or between nations but between the governments and the people. I admit that the future is filled with many forebodings, but they are of internal conflicts. Those of us who believe in an orderly, regulated liberty, in a government of law, a government by the people in orderly and manly fashion, have something of a task before us. I deplore the madness and the fearful crimes of Russia, but we must find some remedy besides killing them off. I am one of those who believe that the French Revolution and the Russian Revolution, that Robespierre and Lenine, are the legitimate outgrowth and offspring of the injustice and oppression, the hideous, prolonged, and insistent cruelty of the governments which preceded. There has not been a mass movement in all history that did not have a just foundation. We might have differed wholly with the methods, we might have deplored the madness, but there was a cause for it, nevertheless, lying back. There has not been a crime committed in Russia in the last six months that had not its legitimate parent crime in the indescribable oppression of the bloody Romanoffs for the last two and one-half centuries. Now, my friends, we can not shoot up or kill that kind of movement. If we are not strong enough and wise enough to remove the injustices and the wrongs, to restore security and confidence to the people, then these things will have to work themselves out in blindness and in wrath and in destruction. You have got to feed the Russian people on something besides bullets. That is the food which the Romanoffs have fed them for the last three centuries. America should adopt a different plan. You have got to remove the causes of disturbances or the disturbance will go on, for starving people are not afraid to die at the cannon's mouth. It is natural, therefore, that this writer, as well as the ex-President, entertaining the views they do, advocate a league which will not only determine controversies between different nations, but which will go into Russia, which will go into this country and into that country, and adjust the internal affairs of that particular nation in accordance with the program of the league.

You can see, therefore, that this conscript army for which Mr. Taft calls and the greatest navy in the world are not alone to settle the difficulties between the different nations, but they are to adjust and compose the internal difficulties of the different nations, especially if they are calculated to spread over national lines. Mr. Wells says here, giving an illustration of some of the things that may arise:

Such cases are highly probable, and no large, vague propositions about the "self-determination" of peoples can meet all the cases. In Macedonia, for instance, there is a jumble of Albanian, Serbian, Bulgarian, Greek, and Roumanian villages always jostling one another and maintaining an intense irritation between the kindred nations close at hand. And quite a large number of areas and cities in the world, it has to be remembered, are not homogeneous at all. Will the great nations of the world have the self-abnegation to permit a scattered subject population to appeal against the treatment of its ruling power to the supreme court? This is a much more serious interference with sovereignty than intervention in an external quarrel. Could a Greek village in Bulgarian Macedonia plead in the supreme court? Could the Armenians in Constantinople, or the Jews in Roumania, or the Poles in West Prussia, or the negroes in Georgia, or the Indians in the Transvaal make such an appeal?

The author seems to reason that unless these difficulties are adjustable before this tribunal and before the league it must necessarily result in disturbing the stability of the nations which compose the league. I do not myself see how we can avoid following the gentleman to the final conclusion where his logic leads.

Then he says:

Behind the decisions of the supreme court must lie power. And here come fresh difficulties for patriotic digestions. The armies and navies of the world must be at the disposal of the league of free nations, and that opens up a new, large area of delegated authority.

In a discussion of this subject in the New Statesman, an English publication, in a recent issue, this exceedingly interesting suggestion is made:

One of the first things to be considered by the league of nations must necessarily be the need for an international agreement for the enforcement in all countries of legislation on factory conditions, a maximum eight-hour day, the prevention of sweating and unhealthy trades necessary to protect the workers against exploitation and oppression, and the prohibition of night work for women.

Would the American workingman be willing to have the standards for labor, what constitutes exploitation and what constitutes oppression, determined by a supertribunal composed of representatives from nations whose labor standards are confessedly far below ours? Would it likely result in raising the standard to ours or lowering it to theirs? Could we compete against labor standards before a tribunal better than we can in actual fact, and would labor of this country be willing to throw down the bars to the labor standards of China, Japan, the Balkans, and countless south European countries?

No better illustration of the difference between theory and practice can be found than appeared in the public prints a few days ago. Mr. Gompers, the able and patriotic leader of the labor forces of this country, a recognized leader among the labor forces of the world, appeared before a committee of the Senate within the last few days and warned them and the country that labor would not stand for enforced arbitration, and then hastened away to the boat to take passage to Versailles to lend his influence to the league to enforce peace. While the laboring men of this country will not submit to a league to enforce peace in labor troubles, it is thought that a league to enforce peace throughout the world would be both practicable and satisfactory. Mr. Gompers was right. If labor consents to enforced or compulsory arbitration, it will result in labor becoming in many industries the peon of superior forces. But if labor, a part of the Nation, will not submit to the principle of enforced peace, shall all the people, of which labor is a part, submit to enforced peace? Is the principle of repression to be rejected by a part and not the whole of a nation? Can a people submit to compulsory arbitration things which may involve their liberty, their independence, their prosperity and industrial existence and labor reject it because it is supposed to be inimical to its vital interests? And how would labor like to submit to enforced peace or compulsory arbitration at the hands of a tribunal composed of members whom, save one, they had no voice in selecting or electing and whose viewpoint might be wholly different from the viewpoint of those upon whose interests they were passing? How would American labor like to submit its vital interests, the question of wages, of sanitariness, to a tribunal composed of a Chinaman, a Japanese, a Bulgarian, and a Russian, and even the nations with labor standards much higher? And yet is it not clear, and does not Mr. Gompers know, that enforced peace at the hands of such a tribunal would inevitably have its effect upon the standards of American workingmen? If it were not for the common sense which the experiences of men inject into the schemes and dreams of men, what a bubble-chasing life we would live—at least until supper time.

Another quotation from this earnest and illuminating article in the New Statesman is interesting and possibly instructive. It should be remembered that this is an article which works out the whole plan in detail and leaves nothing to the imagination. We seem to get a better insight into just where we think we are going. It reads:

The league of nations that the world is about to establish ought, if it is to be anything more than the ropes of sand in which diplomatists have hitherto delighted, to have its District of Columbia, with its own metropolitan city independent of any other jurisdiction, free from the suspicion of police or economic pressure by any of its constituent units, conveniently easy of access for them all on the borders of the sea which has become the world's greatest highway; and last but not least, under climatic conditions making for composure rather than for nervous excitement.

It will be seen from this that the capital of the league is not to be upon this mundane sphere. It is to be in the celestial kingdom beside the crystal sea. Heaven alone knows who the president will be under such circumstances.

But summing it all up, the views of the ex-President, the platform of the league, the constructions placed upon the platform by its authors and by those who are in sympathy with it, here is what the league to enforce peace proposes: Conscription in time of peace and a large standing army; the greatest navy in

the world; adding by the Navy alone to our great tax burdens from two hundred and fifty to three hundred million dollars a year; the transferring, if not legally, in effect, the power to declare war from the Congress of the United States to some tribunal over which the people themselves who must fight the battles and pay the taxes have no control; the renouncing of the doctrine of Washington and the entering of the politics and alliances of Europe; becoming a member of a league from which we can not withdraw; the abandonment of the Monroe doctrine and permitting Europe to interfere in the affairs of the western continent; the sending of American soldiers to Europe and Asia and Africa whenever any disturbance arises, although it may not affect our people at all; and the whole scheme has just one ultimate power, and that is military force—the same power and the same principle which every despot has relied upon in his efforts against the people when the people were seeking greater liberty and greater freedom, the same power which George III and Wilhelm II made the basis of their infamous designs. That is the program to be given to the American people under the soporific term of a league to enforce peace.

Mr. President, I am not ashamed to say in these days of advanced thought and cosmopolitan faith that I believe in the old-time Americanism, in the policies and principles which made us great and which alone will keep us great. I want America, disenthralled and disentangled, by precept and example, through influence and counsel, to continue her lead in the grand march of civilization—in the world struggle for free government. What we need—and may Providence hasten the hour—is a rebaptism of the national spirit and a reconsecration to the national ideals. Give us again the vision and the courage of that steadfast pilot who guided our frail bark through the first perilous years; give us the Americanism which fired the fighting soul of Andrew Jackson; give us the faith in our institutions and the love of our common country of him who walked unscathed through the fierce fires of an internecine war to the deathless glory of martyrdom; give us a people bound together by the ties of respect and confidence, inspired by a common hope, devoted to a common country; give us something that is our very own, which we may love and for the preservation of which men are willing to die, and you will have an America, a United States, which will exert far more influence and dispense greater happiness and lead more certainly to world contentment than an America shorn of her individuality and embarrassed in her free movements by alliances or sickened and enfeebled by the international virus. I beg you to believe that there is nothing to take the place of this old-time Americanism. Let us cling to it as of old they clung to the horns of the altar. Let us foster it as you would foster the virtues about your own family hearthstone. Without it we will go the way of all the republics of the earth.

The fact is we have come in contact with two evil forces from the Old World—Prussianism and internationalism. Instead of repelling and rejecting them we are yielding to their slimy maw the proudest heritage ever left to the keeping of any people—American principles and the American conception of government. These two hands are not more alike than, in the last analysis, are the doctrines of Lenine and Trotsky and that of Wilhelm and Ludendorff. Both contemplate world dominion and the utter destruction of the national spirit everywhere. Each would undermine and destroy the individuality of all governments and compound all under one universal rule. Both are founded upon treachery, deceit, lying, repression, force, decimation, and assassination. They came together at Brest as naturally and as inevitably as common criminals combine to stay the hand of the law. They were both against America and everything for which America stands. But while civilization starts back in shuddering contemplation of the rule of either, certain American statesmen propose to take something from the creed of both and substitute it for the teachings of Washington and the faith of millions of American homes. Instead of our own Government, controlled and directed by the intelligence and patriotism of our own people, instead of American standards and American principles, instead of devotion to our institutions and to our own flag, we are to have an international superstate resting upon Prussian force, with a vast army of repression, a superstate in which the national spirit stands rebuked and the international flag is the sole symbol of our hopes. I do not know what the future has in store. I can not look very far into that time which is not yet. But I do know that there was brought into being on this western continent nearly 150 years ago an experiment in government which has weathered every storm, which was baptized with the wisdom of the greatest leader of this or any other age, which has excited the emulation and inspired the efforts of people in every quarter of the globe, which has given freedom and prosperity to the people at home and precept and example and inspiration to the world abroad. And as for me, I shall not by any act or vote of mine surrender it or even compromise it in the eyes of the world.

If the chief objects of government be that of disseminating happiness among its people and building character, of endowing the citizen with individual worth and the nation with collective strength, why should we turn our backs upon the policies of the past? Is there an American who, looking abroad in other lands and making his comparison, is not in this respect proud of the achievements of his country? Why should we disregard the teachings and disown the policies under which we have come to our present commanding position in the world? Or if the highest glory of a State be the devotion and love which the people bear it, where shall we look for greater glory than our own Government has experienced from the first until now? And when has the patriotism of its people known such exaltation as at this very hour? Go with me to Chateau-Thierry or look upon the scene at Belleau Wood. The crisis of the great war is at last at hand. The whole liberty-loving world is awaiting the contest. The stakes for which they fight is nothing less than civilization. All that the free people of the earth have, all they love is here to be saved or lost. Three brave nations are reeling under the fearful blows of organized barbarism—force incarnate. Circumstances and chance itself, that silent arbiter of so many battle fields, seem to favor the desperate foe. Can the enemy pass? Can he enter Paris? In this dread hour the American marines arrive upon the scene. They are boys from American homes—not soldiers by profession, not the Hessian puppets of some superinternational tribunal, nor yet the anemic minions or soulless scavengers of internationalism—they are red-blooded Americans, representing the majesty and the authority of a self-governing Nation accredited to their fearful task by the sovereign act of a free people, sustained and encouraged by the prayers around countless thousands of American hearthstones, themselves imbued with the spirit of liberty, fighting for the country they love; and as such they are invincible.

The thing which finally won this war, which overcame and beat down militarism—trained, efficient, disciplined, brutal militarism—was the Frenchman's love of country, the Briton's love of country, the American's love of country—that which internationalism would murder. This it was that stayed the march at the Marne; this it was that turned the tide at Chateau-Thierry; this it was that went into the Belleau Wood, which human fiends had made into an earthly hell, and dragged militarism from its chosen lair; this it is that defends the ideals of a nation. God pity the ideals of this Republic if they shall have no defenders save the gathered scum of the nations organized into a conglomerate international police force, ordered hither and thither by the most heterogeneous and irresponsible body or court that ever confused or confounded the natural instincts and noble passions of a people. Oh, no, Mr. President, let us leave these things—the lives of our people, the liberty of our whole Nation—in the keeping and under the control of those people who have brought this Republic to its present place of prestige and power. What we need in this hour is faith in the institutions that our fathers gave us, faith in the career which everything indicates we shall enjoy unless we in public place prove recreant to our duties in this great and trying hour.

Mr. THOMAS obtained the floor.

Mr. WILLIAMS. Mr. President——

Mr. THOMAS. I yield to the Senator from Mississippi.

Mr. WILLIAMS. Mr. President, I shall not take much of the time from the Senator from Colorado nor much of the time of the Senate. I understand the Senator from Idaho [Mr. BORAH] has just made a speech in its main intendment bearing against the proposition of a league of nations. I want to insert in the RECORD a couple of short poems, and I want to say nothing about them except that the first one was written by the author soon after her boys had been reported to be dead. All that she had went, all that she had died, and she wrote these lines:

Lie down and sleep,
Leave it with God to keep,
This sorrow, which is part
Now of your heart.
When you awake,
If still 'tis there to take,
Utter no wild complaint;
Work waits your hands;
If you should faint,
God understands.

That was published some time ago, coming from the pen of Katrina Trask. Later on came this answer to the Senator from Idaho, and it is complete and sufficient, although she did not even know that he was going to speak. It is entitled "Citizens, arise!"

CITIZENS, ARISE!

[By Katrina Trask.]

Rise, Citizens, arise! the mad world war is done,
But our divinest duty has only now begun:
With every power we now must work to make a righteous world,
To hold Truth's standard steadfast, to wave Truth's flag, unfurled,
To plow and sow the shadowed earth until it blooms anew,
To make the Word of Prophet and Philosopher come true.

Not the word of the so-called "practical man" who never saw beyond his nose in his life—

'Tis ours to help, to teach mankind to choose the better part—
To clasp kind hands with brother, not to shoot him thro' the heart.
To us the glorious victory, O Citizens, is given
To bring to this black, bloody Earth a foretaste of clean Heaven.
Let beast tear beast to fragments, let ruthless savage fight:
For man there dawns a morning—a clearer, holier light:
Redemption, federation, are possible at last—
Great hopes that have been cherished in all the ages past.

This was written by a woman whose boys were dead, not written by me or any other man who was in the safest bomb-proof position on the surface of the earth, to wit, the floor of the Senate of the United States—

Behold! the dreams that prophets dreamed are now upon the way—
A league of nations may be formed to match the dawning day,
A bond of human brotherhood, a true God-welded bond,
To hold mankind together, with cohesion far beyond
The strength that comes from weapons and from armaments of might,
Nations allied to nations by everlasing right.

"Everlasting right," which, in the long run, by the way, I will say is might—

This potent league of nations will need no gun nor sword,
Its order is the law of the Everliving Lord—

"The Everliving Lord," who still exists, I do not care what you say about it—

The law of harmony, all brutal war shall cease—
Its corner stone is justice, its translucent walls are peace.
Rise, citizens! Arise from the weary, blood-drenched sod,
Proclaim the league of nations—sealed with the seal of God!

"Translucent walls"! Anybody not a fool can see through them. They *are* translucent—God is behind them. Ultimately you *must* see Him, whether you will or not.

"With the seal of God," and, thank God, not with the seal of the Senate of the United States, unless the Senate shall hereafter indicate a sufficient degree of common sense to affix its seal, which I doubt.

Mr. BORAH. Mr. President, may I thank the Senator from Colorado for yielding to the Senator from Mississippi that we might be regaled by that profound discussion of a league of nations?

CONDITIONS IN RUSSIA.

Mr. THOMAS. Mr. President, on the 12th day of December last the Senator from California [Mr. JOHNSON] introduced a resolution requesting the Secretary of State to send to the Senate, if not incompatible with the public interest, "all data, documents, and information showing or bearing upon our present relations with Russia as to peace or war, so that the Senate and the Nation may know why and for what purpose our soldiers are in Russia and what is the policy of the Government in reference to Russia, and if not incompatible with the public interest to advise the Senate of the number of United States soldiers in Russia and their location, and of their operations, together with any lists of casualties which they may have suffered."

The resolution was referred to the Committee on Foreign Relations, of which I am a member. It there became the subject of consideration shortly afterwards and again just prior to the Christmas holidays. On each of those occasions I voted to report the resolution to the Senate. Should it again become the subject of discussion I shall, if opportunity be given, again cast my vote for its appearance upon the calendar.

I do not, Mr. President, mean to be understood as favoring the resolution because of my attitude toward it as a member of the Committee on Foreign Relations; but I believe that, inasmuch as the suppression of a resolution can not suppress the discussion of its substance, and inasmuch as the resolution calls for information to which the Senator and the public in general are entitled, unless it be incompatible with the public interest, and inasmuch as such information will be withheld if it is so incompatible, nothing can be gained by keeping it within the possession of a committee.

Moreover, a failure to report so important a resolution justifies the impression that the real purpose is to withhold the information desired, whatever the real purpose may be. Hence the very conditions which the withholding of a resolution may be designed to prevent will assert themselves because it is withheld.

There are two methods of reporting a resolution—one favorable, the other adverse. Either is sufficient to place it on the calendar, and neither is necessary to a full discussion and consideration of its purpose. Hence I felt, and I still feel, that some committee disposition should be made of this resolution, to the end that we may dispose of it and proceed to the consideration of other and perhaps more exigent business during the short session of this Congress.

The resolution involves in some degree the great question of allied duty toward Russia, not only for the present but for the future, and I have no doubt that one of the reasons actuating the Senator from California in introducing the resolution was to enable him, by information to be obtained through it, to intelligently discuss all features of the situation. I regard it as one of the very important problems now confronting the allies; one which they can not avoid; one which they must solve if we are to have, indeed, a permanent peace after a hard-earned victory. I think, Mr. President, that we can aid in the solution of that problem by considering their former attitude toward Russia and the part which that great people have played in the war during its first two years.

Mr. President, the primary object which Germany had in view when upon the 1st day of August, 1914, she declared war against Russia was the overwhelming of that great nation. Bismarck had taught his people the importance of conquering other nations, one by one, and of preventing, so far as diplomacy and falsehood could do so, any interference with that program by other nations.

Russia had just emerged from a disastrous war with Japan. She had not yet fully reconstituted her civil government, her army, or her navy. She was in that formative process through which every nation must pass after a great war. She was potentially formidable in her vast population and in her vaster territory. Her reestablishment as the practically dominating balance of power in Europe would impose limitations upon German ambitions and German expansion.

To avoid this embarrassment Russia must be overthrown as the first step toward world dominion. It is therefore a significant fact that immediately upon the service by Austria of the ultimatum upon Serbia and the known attitude of Russia as the protector of Serbia, Germany at once became prominent in the negotiations preceding the declaration of war, and that she declared war against Russia six days before Austria did so, although the mobilization of the Russian forces was aimed at Austria and officially declared to be for that purpose only. The interval between the service of that ultimatum and Germany's declaration of war against Russia was utilized by the Kaiser in the effort to detach both France and England from the struggle. Germany's purpose was to mass her forces upon the eastern frontier and to make Russia the first victim of her terrific power. Russia crushed, the ultimate problem which France and England presented would, as a matter of course, be greatly simplified and the ultimate result made morally certain.

Germany supposed Great Britain would remain neutral in the event of a declaration of hostilities because of her domestic difficulties. Ireland was upon the verge of civil war; disaffection ran riot throughout her dominions in India; and, by some strange mental aberration, the German people believed that England's entry into a world war would be inevitably followed by the desertion of her colonies. She was, therefore, much more concerned with France.

Her ambassador was instructed to ascertain, in the event of a declaration of war against Russia, whether France would remain aloof from the struggle and virtually disregard and disavow her obligations to Russia, assumed some time before under treaty stipulations with which the world is familiar. Should she respond favorably to the ambassador's inquiries he was authorized to say to the French Government:

If it declares it will remain neutral, your Excellency will be good enough to declare that we must, as a guarantee of its neutrality, require the handing over of the fortresses of Toul and Verdun; that we will occupy them and restore them after the end of the war with Russia. A reply to this last question must reach here before Saturday afternoon at 4 o'clock.

The reply of France to this astounding demand has become historic. Germany thereupon declared war against Russia, and shortly afterwards against France. Germany struck France first. She expected to overwhelm that great people, while Austria, her forces having been mobilized, should hold Russia in check on the eastern front. The Central Empires would then easily overcome Russia, and Germany, as the mistress of Europe, would then dispose of England and America when her interests required it.

This, then, Mr. President, was Germany's original war program, and it may be said that because of the preparation which she had made and the weaknesses which, largely through her intrigues, were then apparent among her enemies, every probability indicating her swift and sure success. Disregarding treaty

obligations, her vast army poured over little Belgium, held for a short time by the gallant though ineffective defense of that splendid people. She swept through northeastern France, and within the short space of 60 days the sound of her guns was heard upon the streets and boulevards of the great city of Paris.

Mr. President, the actual winning of the war has been attributed to many causes. Some say the intervention of America; some, British supremacy upon the sea; others, the food supply; and still others the morale of the Anglo-Saxon. All these causes were, to my mind, essential to the great victory, but we must not overlook the part which Russia played during the time that she was in this war as one of its most active participants.

It is true that Russia was the typical despotism of the world; that under the Government of the Romanoffs neither life nor property was safe from the ambitions or the whims of the monarch; that, as compared to Russia, Prussian kaiserism had its elements of attraction and superiority. I make no defense either of the Czar or of the character of his Government, for neither is compatible with American ideals of liberty and justice; but the fact must be told, as a part of the history of the war, that the cooperation of the most despotic Government in the world with the freer and more enlightened countries of western Europe made it possible to defeat German ambitions and to dethrone the House of Hohenzollern.

Before the French frontier had been reached by the German armies the Grand Duke crossed the eastern frontiers of Germany and entered upon German territory with hundreds of thousands of his troops, and between that hour and the time when the German forces reached the Marne the German general staff was compelled to detach 13 divisions from the army of von Kluck and speed them with all haste under the command of Ludendorff to the eastern frontier. I need not ask whether the miracle of the Marne would have been possible but for this diminution of German force at such a time.

Shortly afterwards, when the little army of England was the sole impediment between the legions of the Kaiser and the channel ports, another demonstration by the Grand Duke required the detachment of 15 more German divisions to withstand the increasing menace upon the eastern frontier. I need not ask whether but for that situation the splendid little army of England would not have been sacrificed in vain.

I can not take the time to describe in detail the many—because they were numerous—instances in which the cooperation of the Russian Army and the Russian Government with those of France and England saved the day to civilization. It may, however, throw some light upon the general subject and illustrate the extent of Russian sacrifice for the allied cause to refer to Russian casualties during her engagement as an active combatant in this mighty struggle.

The lowest estimate which I have seen of Russian casualties is 9,500,000 and the highest 12,000,000. I think perhaps the average of these two figures would conservatively state her actual losses from the 1st day of August, 1914, until the Bolshevist appeared, when her armies collapsed and she disappeared as a combatant in the struggle against Teutonic world dominion. This average is 10,750,000.

Russia's losses, therefore, exceeded the total casualties of France, England, Italy, and the United States from the commencement of the war to its triumphant close, on the 11th day of November. Her actual losses of life are estimated in round numbers at three and a half millions of men, equaling those of all her allies. If buried side by side in a straight and unbroken line, their graves would cover a distance of 2,000 miles. And we must not forget that during the time when Russia was an active ally her soldiers were poorly clad; they were poorly armed; they were betrayed by enemies at home while holding at bay those upon the front; but, notwithstanding all these terrible drawbacks, the Russian soldier always fought. He fought whether advancing or retiring. When there was 1 rifle to 2 men he fought, when the supply became 1 to 5 he fought, and when they were reduced from 1 to 10 he still fought on, waiting his turn to take the rifle falling from the hands of the dying man who held it.

What would have been the result of this conflict but for the heroism of the Russian soldier, but for the activities of the Russian Czar, but for the tremendous Russian front, extending from the shores of the Baltic Sea to the confines of Constantinople, compelling a division of the forces of the central powers for more than two years, when the Russian Government collapsed and chaos supervened? We can not conceive, although we are very prone to forget, the far-reaching and immeasurable benefits she conferred upon civilization and upon democracy by these heroic efforts and sacrifices. Indeed, so tremendous are they that we may condone much of the conduct which has since characterized Russia's attitude toward this great war.

I express no regret over the downfall of the Czar or any sentiment but approval of the action of the Russian people in determining that the time had come for their emancipation.

Indeed, Mr. President, the anachronism between the Russian despotism of the East and the British and French democracies of the West united against the same foe, for the same purpose, and practically committed to the same future destiny was too manifest to have resulted otherwise. It was not only inconsistent—under ordinary circumstances it would have been unbelievable—but the contrast did more to hasten the hour of the overthrow of the Romanoffs than any other single influence.

The Government overthrown, a provisional government was established in its place, which was immediately recognized by the allied powers. It had the confidence of the world, and evidently had behind it the progressive, orderly, and liberty-loving forces of that great people. Unfortunately it was a weak government in experience, comprised largely of incapable men, who believed rather in compromise with the turbulent elements always accompanying changes in government than in meeting and repressing them for the time being, to the end that social and industrial stability might attend the crystallization of the new order into permanency and strength.

At this time Nicholas Lenine, since noted as the real ruler of Russia, was a refugee in Switzerland, where, during the previous period of the great struggle, he was preaching in German interest the doctrine of misgovernment and demoralization and using his influence wherever possible against the cause of the allies, while Leon Trotzky, high in the councils of the I. W. W., was denouncing the Government of the United States upon the streets of the city of New York. Both were working against the allies, and both went to Russia as soon as possible after the overthrow of the Czar as emissaries and representatives of the Kaiser; and from the time of their return to this good hour they have represented forces antagonistic to everything for which the allies stand and to every principle upon which the American Government has been established.

These succeeding the weak and despicable Kerensky government represent the forces and the influences now confronting us and which are directly involved in our attempted solution of the Russian problem. Russia's sacrifices and heroism under the Czar and her base and cowardly betrayals of her allies under the Bolshevists are its principal factors.

It is perhaps a fortunate circumstance for us that America entered the war after the Czar's abdication. She never was the ally of a despot, however greatly her sympathy with the cause to which he devoted himself, his people, and his resources. America's entry into the war almost synchronized with the abdication of the Czar. To us, therefore, came from Russia's new government appeals for that aid which she must have if she were to continue the struggle. I well recall the occasion when, in this Chamber, the new ambassador from the provisional government addressed the Senate from the platform which you, Mr. President (Mr. HENDERSON in the chair), now occupy. I well remember the enthusiasm with which his assurances and his pledge of Russia's aid to the end were greeted. We responded to that appeal at once. We responded with money, with men, with supplies. We gave of our abundance in unstinted measure of every resource upon which we could draw. We were conscious of the great debt which civilization owed to Russia. We were conscious of the obligations of the American Government to every people struggling for freedom and imitating our example; and, above all, we were conscious of the necessity of continuing the eastern front intact, and by that means hastening the war to a glorious conclusion.

The Secretary of the Treasury, in his recent report, tells us that a credit was established after April 6, 1917, with Russia of $325,000,000, of which cash advances were $187,729,000, and balances under established credits were $137,270,000. All this occurred before Kerensky's downfall. The money advanced was perhaps the smallest part of our contribution. We sent engineers, we sent industrial experts, we sent economists, we sent mechanics, we sent from every class of our citizens those who were competent by their experience and education to expand the great resources of that mighty country and to continue its industries, to the end that they might become effective agencies in the prosecution of the war and minister to the well-being of the Russian people after its close.

Upon the wharves of Vladivostok, American supplies soon appeared in tremendous bulk and quantity, consisting of artillery, ammunition, clothing, railway supplies, hundreds of new American locomotives, and all the paraphernalia essential to an active and vigorous offensive. We united with our allies in landing supplies nearer the field of action, and large quantities, valued at hundreds of millions, were also sent to the Murman coast and to Archangel, there to be transported over two lines of railroads to Petrograd and to the front. During the time

we were transporting these huge supplies France and England were calling for all the aid upon the western front that we could give them. Losses by the submarines far outstripped our capacity of construction. Our soldiers were going over slowly, our supplies more slowly. Both could have been vastly increased could we have utilized the tonnage essential to the transportation of Russian supplies. Uncle Sam did his bit in the Orient as well as upon the western front, and responded to every call from the Russian people up to the hour when the Kerensky government collapsed and Bolshevism rose from its ruins armed with the torch and the dagger.

Mr. President, in this we only did our duty. We did it manfully, and the sacrifices which we made we would duplicate were we confronted with a similar emergency.

But during this time in what work were the agencies now in control of Russia busily engaged? They were engaged in demoralizing the army, in undermining the navy, in slandering the allies and their cause. They preached animosity to Americans and the American Government. They were the most potent forces working for German militarism and the undoing of democracy outside the ranks of the German Army.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). The hour of 2 o'clock having arrived, the Senator will yield while the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. THOMAS. It is not necessary, Mr. President, to rehearse the bloody and dismal tragedy of Bolshevik supremacy from the hour when Lenine and Trotzky became the dominant forces in Russia down to the date of the Brest-Litovsk treaty. That treaty embodied conditions dictated by Germany and was negotiated at a time when its psychological effect upon the allied morale would be far-reaching and possibly disastrous. Lenine and Trotsky received their orders from Berlin and obeyed them with alacrity.

The prospect was a somber one for the allied forces all through the fall and winter of 1917–18. It was during that period that the tide of their fortunes reached its lowest ebb. It was first signalized by the final collapse of the entire Russian land and naval forces. Then followed the Caporetta disaster to Italy, an event which turned the tide completely within 48 hours upon the Italian front and threw the magnificent Italian Army, broken and demoralized, back to the plains of Venetia. They narrowly escaped utter annihilation, but were rescued through the heroic efforts of Diaz, who re-formed and held his broken lines upon the Piave River. Saloniki was thus left to its own resources; and Roumania, surrounded by enemies, collapsed and surrendered.

The Brest-Litovsk treaty was therefore aptly timed and while the shock of the Caporetta disaster was putting French valor and British nerve to the supreme test. That treaty, Mr. President, will go down into history as the most shameful and humiliating surrender of a great nation recorded in the tides of time. To call it a treaty is to play with words. It was Bolshevik betrayal of civilization in the name and by the apparent authority of the Russian people. Except the subsequent surrender of the German fleet without a blow, it stands as a reproach to the integrity of every human virtue.

Lenine and Trotsky, at the command of their German employers, invited the allied nations to participate in their treaty deliberations and extended to them the advantages and privileges they pretended to hope for as a result of their efforts. Impudence and insolence could not go beyond this.

What did it accomplish? It placed Russia absolutely at the mercy of Germany. It released not less than 500,000 effective veteran German soldiers for duty upon the western front. It enabled Germany for the first time during the history of the war to concentrate all her forces at a given point. It enabled her to abandon the eastern front to second and third class soldiers, who went from Province to Province, from city to city, and from section to section without meeting any resistance whatever, and to annihilate Roumania, who fought on, notwithstanding the Russian debâcle and in the face of the most fearful odds that ever confronted a weak and dying people.

I only refer to the March drive for the purpose of emphasizing its importance as a Bolsheviki contribution to the German cause. That it did not succeed was little short of miraculous. Nothing there saved the allies except the incomparable discipline of the French and the bulldog determination of the Anglo-Saxon. But for these two indispensable and unconquerable attributes, the channel ports would have been reduced and Paris taken. The war would have ended in the triumph of Germany, and the triumph of Germany would have been due to its Bolsheviki mercenaries.

Fortunately, the tide of battle finally went the other way, and we can say with truth and a feeling of devout thankfulness that our victory was achieved over all the powers of man and all the powers of hell; achieved against the Kaiser of Germany and the Bolsheviki of Moscow and Petrograd.

Meantime, Mr. President, what was this so-called government doing on its own account? What were its other contributions to German success and to German victory? It repudiated Russia's debts to all other nations, including the allies. It repudiated its $325,000,000 of obligations just assumed to the United States.

It outraged ambassadors and murdered consuls, outraged the rights of the citizens and subjects of other countries, conducted its campaign of murder and robbery against the stranger within its gate as against the unfortunate people subject to its domination. It confiscated the property of allied citizens and subjects everywhere. It robbed Roumania of the little fund of gold which it had deposited in Petrograd as a safeguard in the hour of possible disaster. It sold all war supplies that could be found to German agents; it sent its own throughout the country gathering them up and delivering them upon whatever terms the Germans might impose. It delivered the Russian fleet to Germany, a transaction as shameful though not so extensive as the subsequent surrender of the German fleet. It submitted to Germany's cold exactions and depleted the Russian treasury, that Germany might profit thereby. All this time it proclaimed its animosity to all forms of organized government, its bitter hatred of Germany and of everything German, its mission to revolutionize and destroy the world in the cause of idealistic principles and a bloody pretense of universal brotherhood.

It encountered domestic difficulties, one of the most important of which was the obstinacy of the Finnish people, who determined to set up a government of their own upon the principle of self-determination, and who did so, thereby incurring Bolshevik invasion, pledged to Finnish massacre, robbery, and subjugation in the name of brotherhood and democracy.

Finland appealed to the Kaiser. She threw herself into the arms of Germany, and the Kaiser, nothing loath, instantly responded. Between a union of his troops and the White Guard, bolshevism was repelled. Pending the determination of which German prince should occupy the throne of Finland, German forces menaced Archangel and the Murman coast through Finnish territory. Her purpose was obvious. First, she desired these northern ports for another submarine base. America and Great Britain had thrown a barrage of bombs and mines across the northern boundary of the North Sea, and submarine outlets to the Atlantic were mined with tragedy and disaster.

Mr. KING. Mr. President, will the Senator yield for a moment?

Mr. THOMAS. Certainly.

Mr. KING. I dislike to interrupt the Senator in his very able exposition of the situation, but it seems to me at this point where he mentions Finland it would not be inappropriate to invite attention to the fact that there has been unjust criticism in our own land of the Finnish people. The Finnish people did not desire an alliance with Germany, but, as the Senator from Colorado has stated, they invoked Germany because they preferred German protection to Bolshevik rule. The Finnish people are democratic and desire a liberal progressive democracy. They do not desire bolshevism and they do not desire German control.

Mr. THOMAS. Mr. President, some day the history of the laying of that barrage will be given to the public. It will constitute one of the most thrilling incidents of this war. Suffice it to say, it was an effective barrier to that outlet into the Atlantic Ocean. It is true that an occasional submarine might successfully negotiate the passage, but equally true that it had been made practically inaccessible to submarines. Germany was therefore dependent upon the channel, perhaps more dangerous than the barrier to the north of the sea, and these northern submarine bases were absolutely essential to the further prosecution of her submarine campaign.

Her second object was the securing of the vast stores of supplies and munitions which the allies had landed at these harbors, which they and the Red Guards were equally anxious to obtain.

Meantime she was also intriguing with Bolshevik authorities for the capture and utilization of the stores at Vladivostok, which, of course, involved control of the Siberian Railroad. To that I shall presently refer.

The allies met, as they should have met, that situation by throwing a force as soon as possible on the Murman coast and into Archangel. I can not conceive what criticism of them would

not be just if they had failed to act upon the crisis as they did. The only one which occurs to me as now applicable is that the force was not as large as it should have been, but Germany at that time had her hands too full with the marines and American soldiers and soldiers of the allies on the western front, and the menace therefore to throw additional detachments northward developed its Bolshevist features, for German stress was Bolshevist opportunity, and the Red Guards again overwhelmed Finland and threatened both Archangel and the Murman coast. But our forces were still on guard and our supplies intact. When they are withdrawn our property must be withdrawn also.

I come now, Mr. President, to another one of the fundamental events which helped to win the war. Had it not occurred there is every probability that the hundreds of thousands of German and Austrian prisoners in Russia would have been speedily repatriated and remustered into the armies of the central powers, and Germany would have secured possession of the Siberian Railway and of the vast allied supplies at Vladivostok. I refer, of course, to the retreat of the Czecho-Slovakian forces.

It will be recalled that during the campaign of 1916 Gen. Brusiloff, in his offensive against Galicia, captured about 500,000 prisoners. The facts are that most of those prisoners were Czecho-Slovaks who deliberately, taking their guns with them, left the ranks of the Austrian Army and eagerly surrendered to the Russians. They were inspired, rightly or wrongly, by their views of patriotic duty. They were devoted not to Austria but to their own people, who had been subjected to Austrian oppression and domination for centuries. They perceived that the war gave them the great opportunity of time, and that they would be faithless to their countrymen and to themselves did they not take advantage of it. After their surrender they volunteered for the Russian service, were mustered into her forces, and held their part of the eastern front from the good hour when they became an integral part of the Russian Army and long after the main Russian force had collapsed. Not until they were the only remaining force upon the eastern front with arms in their hands did they retire.

The Austrian Government offered them full immunity and full pardon, provided they would return to their former allegiance and reenter the Austrian service. They were also urged by the Bolsheviki to identify themselves with the Red Guard. True to themselves and to their faith, they spurned both of these temptations and determined upon a course which will command the admiration of mankind for all time. They resolved to continue the fight for the allies and to proceed, regardless of obstacles, from the Russian front across Russia and Siberia to Pacific ports, across the Pacific Ocean to San Francisco and Seattle, across the American Continent to our Atlantic ports, and across the Atlantic Ocean to the front in France.

Mr. President, these heroic men determined in the face of the most appalling difficulties and dangers to traverse three-quarters of the globe and reappear as militant soldiers against the power of the German Kaiser. When we consider the distances, the vast spaces by land and by sea, the desolation of the Siberian desert, the limitless difficulties of transportation across two oceans, the dangers lurking in their pathway across the 5,000 miles of territory stretching from the Ukraine to Vladivostok, and their resolution to brave them all, we may well conclude that the heroism and moral courage of man admits of no limitation. They began that march. They were assured free conduct by the Bolsheviki Government only to have them revoked through the intrigues of the German Government. They disregarded the revocation. They were then assured that if they would surrender their arms to the Bolsheviki they would be permitted free and safe passage to Vladivostok. They surrendered their arms, and as a result were immediately attacked by the Red Guard. With bare hands, the only weapons that nature gives to man, these heroes assumed the offensive against their treacherous enemies, recaptured their arms, and continued their march to the Pacific Ocean.

Not only so, but they maintained themselves as a fighting force against the rapidly accumulating Red Guard army, manned with German munitions and officered by German veteran commanders. They saved the Russian situation. They saved the Siberian line of communication. They relieved the pressure on the western front. They compelled the retention in Russia of that vast body of German and Austrian prisoners which under the treaty of Brest-Litovsk would have been rapidly transported back to the central empires and reincorporated into their militant armies.

It must not be assumed for a moment, Mr. President, that the progress of these men was attended by unbroken triumphs. On the contrary, their very existence was more than once imperiled. They appealed more than once to the allies for aid, and finally, through the efforts of Masaryk, now President of the Czecho-Slovak Nation, that appeal was heard. They asked to be aided in the struggle to reach the Pacific Ocean. They said, and said truly, that theirs was the only force representing the allied powers in Russia. Their supplies were exhausted. Their ammunition had practically given out. Their clothing was in tatters. They were menaced by constantly increasing foes. They called upon the allies for help, and they called in vain for weeks and months. Winter, with all its Siberian horrors, confronted them. Death in its most horrible form lurked in their rear and threatened their flanks, embodied in the powers of the Red Guard.

Finally some action was taken. The allies sent a force to Vladivostok, and the President announced in August what our purposes and objects were. The Johnson resolution recites that announcement.

I have heard this episode compared to Xenophon's retreat of the Ten Thousand. It is the only thing in history that furnishes any parallel. But Xenophon's Ten Thousand marched a bare thousand miles up the Tigris from central Persia to the Black Sea and then reenlisted as mercenaries in the ranks of another contestant. These men in a hostile country, destitute of clothing and provisions and almost destitute of arms, determined to march over 10,000 miles of land and traverse 3,000 leagues of ocean, not to enlist as mercenaries but to continue to fight for their ideals of freedom and of justice and to liberate their countrymen, their wives, and children from the tyranny and oppression of Austria. Xenophon's memorable episode fades into insignificance when compared with this epic of the Czecho-Slovak, fighting every foot of their beleaguered way. This campaign of 150,000 heroic central Europeans, inspired by devotion to the greatest cause that ever animated mankind, justified its sacrifice of blood and treasure.

As I have said, we finally and reluctantly yielded to this appeal and dispatched a very small contingent of soldiers, together with those of France and Great Britain, with a very much larger contingent of Japanese, to their relief. Japan announced her purpose by a pronunciamento of August 2. Her Government declared that it "agreed with the American Government to dispatch troops to relieve the pressure weighing upon the Czecho-Slovak forces, who, aspiring to secure a free and independent existence for their race and loyally espousing the common cause of the allies, justly command every sympathy and consideration for the belligerents.

"In adopting this course the Japanese Government remains constant in their desire to promote relations of enduring friendship, and they reaffirm their avowed policy of respecting the territorial integrity of Russia and of abstaining from interference in her internal politics."

They further declare that upon the realization of the objects above indicated they will immediately withdraw all Japanese troops from Russian territories and will leave wholly unimpaired the sovereignty of Russia in all its phases."

Mr. President, this comparatively small contingent of soldiers rescued the Czecho-Slovaks within the territory lying between Vladivostok and Lake Baikal, but there is a considerable body of them west of the lake who need all the force that the allies can spare for their rescue from certain annihilation, yet it is announced that not only America, but Great Britain and Japan, according to dispatches of this morning, have determined to withdraw all of their troops from Asia, thus leaving these heroic souls to their fate.

I assert that if we carry out this program and desert these men, we will put an ineffaceable stain upon the glorious record of the allies. We owe it to every consideration of justice, of decency, and of gratitude to rescue every Czecho-Slovak soldier in Russia from that hell of bolshevism, aid him in returning to his country, now, for the first time in centuries, enjoying the blessings of freedom. I am amazed that, our task being half done, we propose to abandon it and leave these immortals to the terrible fate confronting them. It is wrong, and posterity will hold us, and ought to hold us, accountable if we now desert these heroic men, who saved the situation upon the eastern front, who deserve our immediate and most effective assistance, who are allies in very truth, and who in the immortal words of Lincoln have given our cause the full measure of devotion. If we now withdraw, it is certain that before the suns and showers of springtime shall again visit the earth we will read of their massacre, attended by circumstances that will revive our schoolboy memories of death and torture by American savages and African bushmen.

Moreover, Mr. President, our enormous stores are still at Vladivostok. Scarcely anything that we sent there has found transportation farther west. They were all seized by Bolshevist looters. Some of them were scattered and sold for a song.

They will become a total loss if we are to abandon Russia altogether.

I for one protest, Mr. President, against the withdrawal of American troops either from the Archangel coast or from Vladivostok until every American and every dollar's worth of allied property has been salvaged and returned.

The complaint which I make, Mr. President, is that the force which we sent to Russia was insufficient. I grant you that they may have been exposed to undue danger and peril; I grant you that, with the ever-increasing Bolshevik menace, they may be seriously imperiled; but should we, Mr. President, withdraw because of that fact? Should we not rather reenforce our gallant men at both these critical points, that we may successfully establish ourselves there until the need which requires it shall have been fully subserved.

Mr. JOHNSON of South Dakota. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Colorado yield to the Senator from South Dakota?

Mr. THOMAS. I yield to the Senator.

Mr. JOHNSON of South Dakota. I have been very much interested in the remarks of the Senator from Colorado, with the latter part of which I very fully agree; but I want to ask him a question, if it will not interrupt him to have me do so. Does the Senator understand that the Bolshevik soldiers in Russia to-day are largely officered by Germans?

Mr. THOMAS. They are largely officered by Germans. Their instruction has been entirely that of German officers. The Bolshevik program, among other things, resulted in the murder of Russian officers; indeed, of every one who fell into their clutches.

Mr. JOHNSON of South Dakota. Further, I should like to ask the Senator from Colorado if we have no power under our armistice agreement to compel Germany to take those officers out of Russia?

Mr. THOMAS. The terms of the armistice require that the German forces occupying any Russian territory shall evacuate it, but that does not meet this difficulty. These officers are Germans, but they are not now German officers. They are the commanders of the Russian army and are an integral part of the Russian force. Consequently they are no longer subject to the orders of the German Government.

Mr. JOHNSON of South Dakota. Mr. President, if, under the terms of the armistice, we should compel our small forces which are in the country now to come out of Russia we would not only sacrifice largely the Russian people who welcomed our forces there and who would welcome, no doubt, an additional force and the establishment of a government along the lines on which the allies entered the war, but it would neutralize all that we have done. Such a course is based on neither right, duty, nor justice. What the allies ought to do, in my opinion, is to send enough soldiers into Russia to assist our comrades there in arms and to help the people who fought with us so bravely for the freedom of the world to establish a government of their own choosing rather than to allow them to be starved first and then slaughtered like beasts by a force infinitely worse than that of the despised Prussian armies. The Bolshevik government is a creature inspired by the German Kaiser. Their agents and soldiers were sent into Russia to organize it, and it seems to me to be all one common enemy.

For myself, I am free to say that I fear the red flag of Russia. I have repeatedly talked with Members of this body, pointing out, as I saw it, its great and immediate danger to our peace conference at Versailles, as well as the European countries as a whole. I do not hesitate to say that, in my opinion, if it is not stamped out now and forever, it will be a living menace to the European countries and may eventually control them. And I also greatly fear its influence upon our own Nation. I have argued that it was the first question that ought to be taken up and settled, and time only convinces me that my conclusions were right.

Bolshevikism is an enemy to every civilized nation in the world, and I fail to see why we are not to-day at war with the same class of people that we have been since we allied ourselves with the Russian people.

Mr. THOMAS. Oh, Mr. President, the problem is fraught with a great many difficulties, and its solution with a great many undesirable consequences.

It is said, Mr. President, in view of the fact that conflicts have occurred between our own and the Red Guard troops, that we are making war upon Russia. I do not think that our troops were sent there with guns in their hands simply to stand quietly and let the enemy run over them. Foch says the best of all defenses is an offensive, and that is also a fundamental principle in the strategy of the German staff; but, be that as it may, the Red Guard troops will not be troubled by our troops at Archangel or at Murman if they let them alone, and because we have successfully attacked them some distance from Archangel by no means implies that we are waging a war against them. We are protecting our property and our citizens as far as we can reach them, and I think that it is our duty to continue to do so. I confess to much apprehension regarding the situation there, because of the constantly increasing Red Guard forces and the constantly diminishing allied forces. It seems to me that England, France, and the United States are pursuing the worst possible policy, which is the policy of inaction. If there are not troops enough for the purpose, they should either be reinforced or withdrawn. To withdraw them without taking also the property which they were sent there to safeguard would render the entire enterprise humiliating and disgraceful, if not absurd. It is said by some that we are warring against an ally.

Mr. KING. Mr. President, will the Senator from Colorado yield to me?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. KING. Apropos of the statement of the Senator from South Dakota [Mr. JOHNSON], I desire to say that lately I have been talking with a man who recently came from Russia, and he stated that the withdrawal of the troops from the Murman coast and from Archangel would subject to massacre at the hands of the Red Guard the Russians who have been loyal to the allies and loyal to the views for which the allies contended and the 6,000 or 7,000 Russian soldiers who were there operating with the allied troops.

Mr. THOMAS. Certainly they would share the fate now threatening the few Czecho-Slovaks operating west of Lake Baikal.

Mr. President, we are not warring against an ally. Russians who have acted with the allies have begged for intervention much more actively than they have received it. If there is any element in Russia which deserves intervention at the hand of the allies it is that element which cooperated with them during the reign of the Czar, during the existence of the provisional government, and of the Kerensky administration.

But, Mr. President, the Bolsheviki long ago declared war against us. They have declared war against every established government upon the face of the earth. They have announced their purpose to wage war until they are overthrown. Theirs is an international movement; and they make no disguise of the fact. Theirs is a movement designed to substitute for established government everywhere the Bolshevik government of Russia. They proclaim eternal warfare against all organized society. How, then, can it be said that we are making war against an ally? God deliver us from such an ally! It is Bolshevik influence that is opposing peace; that is embarrassing the reconstruction of Roumania; that has postponed the crystallization of the governmental forces of the Czecho-Slovaks and the Jugo-Slavs. At the behest of the imperialists of Germany, and under the leadership of Liebknecht, they are endeavoring to reduce the condition of that unhappy people to chaos, that their followers may plunder the multitude, while junkerdom secures the return and restoration of the Hohenzollern dynasty.

Mr. KING. Will the Senator from Colorado yield to me?

Mr. THOMAS. I will do so in just a moment. There is grave danger that these influences will overwhelm both Poland and the Slovak peoples before a treaty of peace shall have been negotiated and the allies shall have framed even the rudiments of their proposed league to enforce peace.

Now I yield to the Senator from Utah.

Mr. KING. In connection with what the Senator from Colorado is just stating, I invite his attention to the fact that recently there have appeared in Hungary a number of the Russian Red Guard and representatives of Lenine and Trotzky, with Russian gold and Bolshevik paper money, and that they are doing everything possible to prevent the Hungarians from establishing a stable form of government upon the ruins of the Austrian Empire.

Mr. THOMAS. Oh, Mr. President, I have considerable material upon that feature of the situation as affecting not only Hungary but many others.

To give a fair notion of what the Bolshevik idea of its relations to other Governments should be, let me recall the Bolshevik proposal to Great Britain for the establishment of diplomatic relations, which, of course, involved the recognition by Great Britain of the Bolshevik government. The British authorities said, "Suppose that we do this, we understand that your diplomats, in the event we receive them, will at once become the advocates of bolshevism in Great Britain." The answer was, "Certainly; that is why we want to make this

arrangement. Our ministers and our consuls will be instructed to propagate bolshevism wherever possible, to urge your people to overthrow your Government, to tear down the pillars of your social fabric, and introduce into your country the conditions now prevailing in Russia."

Who does not remember the recent conduct of Joffe? I regret that this creature bears a name so nearly identical with that of the great hero of France, who must be tempted to change his name and adopt some other appellation. Joffe is the Bolshevik ambassador to Berlin appointed pursuant to the treaty of Brest-Litovsk and recognized as a matter of course by the German Government. With the liberation of Liebknecht from his prison, Joffe began his Bolshevik propaganda among the people of Germany. He became so offensive, and went to such extremes in his advocacy of fire and sword, death and destruction, that the Ebert provisional government ordered his deportation from the country. Why, Mr. President, the Bolsheviki are serving Germany in France and England and America as efficiently as German secret service ever did. A recent article in the New York Times, of January 7, by the Times's correspondent in Paris declares:

In well-informed circles here the feeling grows daily stronger that bolshevism is one of the greatest dangers with which the allied conference must cope. The mass of the public does not yet realize the full extent of the danger, as the newspapers avoid alarming news on the one hand and on the other are overready to feature exaggerated stories emphasizing the utter disorganization and ruin of the Bolshevist régime in Russia.

Yet those who know the "secrets of the gods" in Paris no longer disguise their alarm at the course of events in Europe. Holland, Spain, and Switzerland are seriously menaced by labor troubles. Stockholm is overtly the headquarters of the Bolshevist propaganda, whose funds amount to millions of dollars as a result of unprincipled speculation by henchmen of Lenine and Trotzky on the ruble exchange and in Russian oil and other industrial shares whose variations they can influence at will.

Even in France, England, and Italy there are disquieting symptoms whereof the dissatisfaction over the demobilization question is not the sole manifestation. In Germany the Spartacists grow daily more dangerous, powerful, and daring, and while the allies are hair splitting over the conference procedure and the exact significance of the league of nations the Bolshevist flood rolls steadily westward across Poland.

What is really happening in that direction may be judged by a leading editorial in the Swiss Journal de Geneve, whose neutral impartiality can not conceal its profound anxiety. The writer says:

"The Russian Bolsheviki are advancing. They have reconstituted an army of mercenaries very well paid, and, it is said, organized and disciplined. Its numbers, reckoned by its adversaries as high as 2,000,000, are, perhaps, exaggerated; but at least they are sufficient to move almost without meeting resistance on the footsteps of the retreating Germans.

"All the populations of western Russia, Lithuanians, White Russians, etc., are falling, one after the other, into the power of triumphant anarchy. Now Poland is threatened. The aid promised by the allies is not forthcoming, and the Poles are hard pressed on all sides by Ruthenians and Bolsheviki, without its being possible to determine the unique and mysterious hand which certainly is maneuvering their host of enemies.

"The internal situation of the country is hardly less threatening. Ravaged by the Germans in an unparalleled fashion, Poland has no longer a single machine or single plow. Her industrial cities are thronged by a starving mass of Russian prisoners, Polish workers dismissed by the Germans, and retiring German troops scouring the country of its last reserves of food like a plague of locusts. Disorder, pillage, riot, and murder are the order of the day.

The remainder of this article, which is very short, I ask to have incorporated in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

"The Polish Government is faced by well-nigh insurmountable difficulties. Its chief, Gen. Pilsudski, is unsupported by the allies, and his efforts are hampered by a committee of people who for four years have not set foot in Poland. Czechs, Jugo-Slavs, and other exiles in the entente countries have returned home, but the Poles alone continue to create in Paris difficulties for the Government of their country. Meanwhile anarchy rises and grows more serious.

"And what is Germany's attitude in this turmoil? It is hard to say. While the Poles are accusing the Germans of favoring bolshevism in Poland and break off diplomatic relations on that account, the Germans, for their part, dread the Bolshevist danger which the neighborhood of Poland represents to them. At the moment when, despite all assertions to the contrary, Liebknecht grows every day stronger and more menacing, Poland is for Germany a peril no less social than national.

"In any case Europe's interest is evident—to save Poland and in order to save it to strengthen the hand of its Government, for bolshevism is not a force that can be checked with ease. To-day it is at Minsk, perhaps to-morrow at Vilna. When it shall have triumphed at Warsaw and Cracow can it be prevented from reaching Berlin and Vienna? And then what will become of all of us—allies and neutrals alike?"

The despairing appeal of the last sentence, coming as it does from one of the soberest and most reliable newspapers in Europe, whose friendship to the entente cause has been unswerving throughout the war, should be enough to open the eyes of the allied leaders to the danger of further talk without action and further temporization and delay.

Mr. THOMAS. I might read a similar communication from the Paris correspondent of the New York World, on the 9th day of January, and of similar import; but I will not detain the Senate by doing so.

While bolshevism is arrayed against the property-holding class, and while its avowed purpose is to endow a very small segment of people with all of the power of organized society, while it proposes to abolish selfishness and cupidity, it recruits its army of mercenaries, and holds it in leash by paying wages hitherto unknown in military history. One of the greatest inducements to war, through all the stages of civilization, has been the cupidity of the soldier, the prospect of plunder, of loot, of rapine. The acquisition of property and of goods by conquest instead of labor has attracted the cupidity of the world from time immemorial; and the Bolsheviki are utilizing precisely the elements for the dissolution of the social compact which the allied countries propose to disarm by a league to enforce peace. Their soldiers receive from 250 to 450 rubles a month. Having looted the treasure of 180,000,000 of people, being in control of their industrial forces, operating through the Soviets, they have no difficulty in securing sufficient funds for their army and their emissaries engaged in the work of instigating riot and revolution in other countries. This explains the expansion of the Bolsheviki army, an army of mercenaries, well paid and encouraged to plunder and loot at home and abroad.

These creatures are creating dissension among the allies now gathered at Paris for the reestablishment of peace. They are directed by the cunning German hand, so potent for mischief when working in secret. Bolshevik emissaries, with ample funds, spin their webs and weave their toils as German brains suggest and German hands direct. An "ex-attaché" has recently informed us through the columns of the Washington Post that Prince Von Bulow, the greatest chancellor that Kaiser Wilhelm ever had, and one of the greatest and most unscrupulous intellects of time, was in charge of Bolshevik propaganda; that his master hand in intrigue is easily recognized by those familiar with his methods in all of the dissolving forces and influences now so active in Paris, in every country in the world. Germany is seeking, under cover of bolshevism, to undo the power of the allies through agencies more dangerous than her armies ever were, for they are organized not only but subtle and unseen.

What bolshevism has done for Russia through German agencies it may do elsewhere. And bolshevism calls itself democracy. One of the first acts of this democratic organization was to disperse the Duma, which had been elected under the Kerensky régime which revealed an overwhelming anti-Bolshevik majority in its attempted organization. It was dispersed with bayonets the day succeeding its meeting; it never has been permitted to reconvene, and bolshevism has made no attempt to ascertain the will of the great majority in Russia either through the processes of an election or otherwise.

In fact, Mr. President, bolshevism in Russia has been one long agony of murder, of pillage, of destruction. It has attracted to its ranks all the criminals, the idlers, the adventurers, and the outcasts of the Empire. Murder and all the crimes of the category are sanctified in the Bolshevist declaration of faith. It is an inverted autocracy. Composed of numbers of many instead of one, it is far more atrocious and far more demoralizing and far more cruel than Czardom ever was.

Mr. President, the French Revolution has ever been regarded as the most awful episode of blood and carnage in human history, and down to the accession of Bolshevik power in Europe that was true. No one doubts the awful character of the French Revolution, nor yet that it was largely justified by the events of preceding centuries. The guillotine was said to be active in Paris, during the days of Rebespierre and Marat, by day and by night. It counted its victims every moment; and yet, Mr. President, the total number of men and women sacrificed to the guillotine during the French Revolution was less than 4,000. My friend from Utah [Mr. KING] says it was 2,700. But the Bolsheviki in Petrograd in a single day last fall murdered 860 human beings; and if all the victims of its reign of terror could be enumerated they would doubtless reach into the hundreds of thousands. There is no similar period of organized butchery known to history.

The French Revolution, too, had an organized government. It was a forceful government. It was a government which in large degree respected life and property. Its terrors were waged against practically a single and a very small class, the nobility, which had oppressed and trodden underfoot the common people of France for centuries. Even so, Mr. President, the reaction from its horrors resulted in the downfall of Robespierre, and in the emergence of Napoleon from its wrack and ruin. France, drunk with blood and reeling under the weight of a task it could not accomplish, threw herself into the arms of a usurper, and abandoned her ideals for the glories of world dominion. And when bolshevism shall have run its

bloody course, Russia, stricken and despairing, may welcome a deliverer albeit he may rescue her from its infernal clutch only to rivet her chains of servitude more securely than before.

I have stated my view regarding what our attitude toward Russia should be. Summarized, I contend that we should rescue the Czecho-Slovaks west of Lake Baikal at whatever cost; second, that we should safeguard until we can remove the property of the allies at the ports of the Pacific and of the northern ocean; and, lastly, that we should determine upon some policy toward an international condition more menacing in its consequences than any which our civilization has confronted. If we have overthrown the Kaiser only that bolshevism shall wax in power then it were better that an all-conquering Kaiser had spread his dominions over every land. His was a government infinitely preferable to the enthronement of the criminal clements of society, devoted to the destruction of life and the confiscation of property everywhere, without trial, without investigation, without appeal. I shall never believe that after paying the price which autocracy's overthrow demanded America will fail to measure up to the more supreme duty of the hour and take this hideous monstrosity by the throat and strangle it forever.

What is bolshevism? It is hard to describe in adequate language what is meant by that term. The recent Dutch minister from Holland to Russia, who barely escaped with his life, and who has made an impassioned plea for allied intervention as a duty to civilization, in an interview in the London Times said:

I wish to give a solemn warning to the working classes of all nations. Bolshevism, I say without exaggeration, is the end of civilization. I have known Russia intimately for 20 years and never have the working classes of Russia suffered as they are suffering at the present moment. I have never seen or dreamed of the possibility of such corruption, tyranny, and the absence of all semblance of freedom as there are in Russia at the present moment.

Translated into practice, the five points of bolshevism really come to this: (1) High wages; (2) do not work; (3) take other people's property; (4) no punishment; (5) no taxation; and I suppose there will always be a certain number of people who will adopt a program which in practice amounts to this. That is why, having myself seen the disastrous effects of this policy on all classes of society, I take the first opportunity on my arrival in England to warn the public. The bulk of the workmen in Russia are to-day far and away worse off than they ever have been, and the state of unemployment is simply terrible. When I left Petrograd the situation was one of utter starvation, and most people hardly knew how they would exist through the following day. The future to me seems hopeless. One thing is certain, that, left as she now is, Russia will be in a state of utter and complete ruin. Wherever bolshevism rules the nation has been beaten to a pulp and is utterly helpless.

I have said that this movement appeals to the predatory instincts of the criminal class, and I will venture the assertion that there is no so-called Bolshevist organization in any country in the world that is not welcomed by its criminals, by the man who would cut his neighbor's throat for a nickel or burn his neighbor's house for pastime. Bolshevism is destruction enthroned against a civilization that is entirely constructive, and if it succeeds it means relapse into a condition of absolute and primitive barbarism.

Mr. President, Russia is the center from which all governments, as I have said, are being attacked. I want to call attention to a few significant and sinister circumstances in support of that assertion.

I have here an extract from the New York World of January 9, which states the policy of the so-called Spartacus Bund, which is the name of the organization in Germany.

The Spartacus Bund is a group of direct-action Socialists determined to carry on the class struggle of the working classes against the bourgeoise until a Government is established by and for the working classes, excluding all others from participation. It represents the great mass of the proletariat, not only in Germany but in the entire world.

WORLD-WIDE PLANS.

The revolution it is carrying on in Germany is only a step toward the world-wide revolution, which is to end in the universal establishment of dictature by the proletariat. Class struggle must be carried to the point where government by the proletariat masses shall be so thoroughly established that it can crush resistance. The proletariat of all countries must be united, and it must rule the world.

The immediate objects of the Spartacus Bund in Germany were outlined by the recent Spartacus Congress. What the Spartacus Bund proposes to do follows:

It will disarm all the police, all the soldiers, and all others not belonging to the proletariat. It will deprive the ruling classes of all arms and make resistance impossible. It will take control of all arms and ammunition plants in the name of the Arbeiter-Soldatenrat and arm all workmen devoted to the cause of the proletariat as a workmen's militia.

A red guard will be constructed from the proletariat as an active militia to fight counter-revolution. Discipline imposed by officers and under officers will be removed, substituting the free disposition of the soldiers, thus putting an end to military caste. All officers and their adherents will be removed from the soldiers' soviets.

The old administration will be replaced by one true to the cause of the proletariat.

A revolutionary tribunal will be established, before which will be tried the men chiefly guilty of causing and prolonging the war. This list will include both the Hohenzollerns, Ludendorff, Hindenburg, Tirpitz, and all their accomplices, as well as counter-revolutionists.

If the purpose were confined to the last recital, I do not know that the world would seriously object; but, unfortunately, bolshevism perceives no distinction between the world-wide criminal who deserves punishment and the peaceful citizen who happens to have a clean collar and 10 cents in his pocket.

Politically the purpose of the Spartacus Bund has been to put an end to the federation of States and to substitute a single German Socialist republic, the Arbeiter-Soldatenrat, to take over all parliamentary functions and all State functions except those originating in that body.

Election to public office and to parliament will be confined to soldiers and workmen, and there will be the right of instant recall of representatives. A central committee will be constituted by the Arbeiter Soldatenrat for the exercise of executive power. There will be absolute socialization of the State, with a six-hour day and unemployment insurance.

God have mercy upon the company which takes the risks or the Government that may be called upon to assume them.

I have another clipping, which I shall not read, Mr. President, because I have already spoken longer than I intended, but which indicates the class of individuals, and those alone, who will be permitted to exercise any power or enjoy any rights of citizenship. It consists solely of those who do not employ anybody for anything. If I ask John Smith to curry my horse for wages I instantly disqualify myself from the right of citizenship. If a man employs another to do anything, however needful, however helpful to the employee, he writes his sentence of political death under the Bolshevist régime and is excluded from this choice band of thieves and scoundrels by virtue of that simple fact. This, they say, is carrying to its logical sequence the doctrine of the rule of the proletariat, and I am inclined to think that is true. It surely demonstrates the utter hollowness, tragedy, and impossibility of the Bolshevist scheme.

Mr. President, I have said that Russia is the center from which all Governments are being attacked. The attacking forces are operating in America actively, operating quite as freely as in countries across the sea. They have been identified with our industrial life for some time through an organization known as the I. W. W.; and it is a significant fact that nearly all of the prominent leaders of bolshevism in Russia, Lenine excepted, graduated from eastern New York, from Chicago, from Philadelphia, and from Buffalo, and every mother's son of them were members of the Industrial Workers of the World.

We are told by the press in the last few days that the Bolsheviki are organizing soviets in our large cities and that two, I believe, already exist in New York, and others are forming or are to be formed in Chicago, San Francisco, and Seattle. This means the establishment in free America of organizations whose avowed object and purpose are to agitate for the overthrow of this Government. It means, if it is permitted to be, that these scoundrels and expatriates from Russia, in combination with other scoundrels and criminals in this country, may organize with impunity for the propagation and practice of treason. It means that these centers of pernicious activity are to become the rallying points and nurseries of the I. W. W. When we consider the vast range of the criminal population of the great centers of this country, men who live by crime, and who will flock to these organized points under the rallying cry of "Brotherhood and the proletariat," disseminating their doctrines upon every street corner under the plea of freedom of speech, and the temptations which they offer to the unscrupulous, the unemployed, and the dissatisfied, we may readily perceive that here will be fruitful ground for this terrible menace to civilization.

I predict that unless the Government of the United States in cooperation with the States, in their sovereign capacity, shall stamp out these organizations and punish those who dare thus to menace the integrity of our institutions and advocate the overthrow of our Government the scenes of Petrograd and Moscow will be repeated on the shores of Lake Michigan and the island of Manhattan. How much further they will spread God only knows; but I am convinced that there is no duty to-day confronting the people of the United States, the American Congress, and the legislatures of our Commonwealths more imperative than this to which I am now calling attention.

Mr. President, only a few days ago a terrible riot—a so-called labor riot—developed in the Republic of Argentina. It was so formidable in its dimensions that the army was mobilized, the President for the time being surrendered his functions to the commander in chief, and the military power of the Republic was invoked to quell the insurrection. Two hundred and fifty lives were lost and some 750 persons were wounded, many of whom will die. It now appears that this entire trouble was fomented

and engineered by Russian Bolshevists from Petrograd and Moscow, and that Uruguay would have been involved in the uprising but for the rigor of its authorities.

MONTEVIDEO, URUGUAY, *January 12, 1918.*

The police have uncovered a plot on the part of Russians to instigate a Bolshevik movement here and in Buenos Aires. Four of the leaders in the movement are said to have confessed their participation in a plan to overthrow the Uruguayan and Argentine Governments and institute soviets in both countries. The police by quick work prevented an outbreak here which had been arranged to occur simultaneously with that in Buenos Aires.

The director of the "cultured center" is Isaac Molinoff, a Russian, who is said by the Buenos Aires police authorities to have been an accessory in a bomb-throwing plot in the Colon Opera House several years ago. Since that time Molinoff had lived here. He was arrested during the general strike last August, charged with carrying explosives.

FREED AFTER SHORT SENTENCE.

He pleaded that he was taking the bomb to sea to destroy it. He was given a short sentence and recently was released from custody. It is said that Molinoff since his release has been engaged in Bolshevist propaganda.

Among those arrested with Molinoff are Moses Federmann, Numann Patulyoski, and Marcos Mirnovich. Federmann, questioned by the police, is reported to have said that an anarchist revolution could not be long delayed in Uruguay, and that he would establish a soviet government along the lines of Nikolai Lenine. He is alleged to have said that he did not believe the arrest of the ringleaders in the present movement would hinder the ultimate success of the plan.

Patulyoski told the police that he had come to Montevideo from propaganda work in Buenos Aires in order to aid in the local movement. He said he knew Molinoff in Russia, where Molinoff had been active in propaganda work.

Another serious disturbance, formidable in its proportions, has just broken out in Peru. I have no particle of doubt that it has been fomented by the same pernicious influences, and that these will continue to occur until the strong hand of the Governments shall be unsparingly exercised against them.

I have referred to the I. W. W. It is beyond controversy that this criminal organization was a potent agency for German intrigue and German crime prior to America's entrance into the great war. There is no question that the 20 or 30 men affiliating with it who have been convicted were properly convicted, and that, considering their menace to this country in time of war, their sentences were not extravagant. But now that the war is over this organization is again beginning its activities and the exercise of its deviltry. It is the original and will continue to be one of the agencies of the Bolshevik propaganda in the United States.

I have read from a newspaper clipping the purpose of the Bolsheviki in Germany. I now read the preamble, or statement, of the I. W. W. principle:

The working class and the employing class have nothing in common. There can be no peace so long as hunger and want are found among the millions of working people and the few who make up the employing class have all the good things of life.

Between these two classes a struggle must go on until the workers of the world organize as a class, take possession of the earth and the machinery of production, and abolish the wage system.

Instead of the conservative motto, "A fair day's wage for a fair day's work," we must inscribe on our banner the revolutionary watchword, "Abolition of the wage system."

It is the historic mission of the working class to do away with capitalism. The army of production must be organized not only for the every-day struggle with capitalists but to carry on production when capitalism shall have been overthrown. By organizing industrially we are forming the structure of the new society within the shell of the old.

Its methods are thus set forth by its historian:

As a revolutionary organization the Industrial Workers of the World aims to use any and all tactics that will get the results sought with the least expenditure of time and energy. The tactics used are determined solely by the power of the organization to make good in their use. The question of "right" and "wrong" does not concern us.

This organization is tolerated in many parts of this country. It boasts of apologists and admirers. Some regard it as one of a natural sequence of our disturbed and altogether unsatisfactory social and industrial condition. It may be, Mr. President; but it is a matter of great satisfaction to me to know that the American Federation of Labor repudiates it and that it denounces all labor organizations recognizing and operating under the wage system. I know individually some of the leaders of this organization. I know their purpose to be identically the purpose of Russian bolshevism. There is no difference. "Direct action" is their watchword, which means kill, burn, destroy, assassinate. Before the war in some of the States upon the Pacific coast juries dared not punish these people for their crimes, because over their heads hung the constant threat and menace of the organization. In the section from which I hail that condition at one time came very near being the established fact. This means that unless the citizenship of the country are protected by their Government and by counter organization the criminals that constitute these organizations will increase in numbers, in terrorism, and in menace to our established institutions.

Mr. President, just a word, and I am through.

I do not believe that a disorder of this kind can be destroyed by penal legislation, however rigidly enforced. There is much unrest in the world. There is a widespread and largely justified dissatisfaction with the existing industrial, social, and economic conditions. The complaints against the oppression of trusts, combinations, and organized capital are in many instances unfortunately only too well founded. There can be such a thing as bolshevism in high life, depriving men by illegitimate combinations through legal processes of their property without taking their lives, perhaps more pernicious in their consequences than violent assaults upon human life and property.

No man can deny the Bolshevist's argument when he says that but for the despotism of the Romanoffs there would be no Bolshevists, although it is but partly true. Nor can we deny that the Industrial Workers of the World is the offspring of the railroad wrecker and the monopolist. The leading industrial, commercial, and financial forces of this country, recognizing the perils confronting society, must abandon practices and policies engendering these conditions and conform the economic life of the Nation to the lines of equity and of justice. This, more than codes and correctives, will promote tranquility and deprive anarchism of its only refuge.

I had thought, Mr. President, that with the affliction of a world war, the magnificent response the American people have made to all consequent demands upon them, the transient extinction of class differences, the prevalence of a true spirit of democratic sacrifice and cooperation, the predatory outrages of financial power would terminate during the interval of strife. But, unfortunately, Mr. President, I was overoptimistic. Some of them have occurred during the war, whose excitements have served to make their perpetuation easy; others are in process.

A great railroad in my State, the Denver & Rio Grande, one of the most prosperous systems in the United States prior to the war, is to-day in hopeless, irredeemable bankruptcy. Its stockholders have lost virtually their entire investment through no fault of their own. A few years ago this stock commanded from $80 to $85 a share upon the market. To-day there is no market for it whatever. The road has been looted, wrecked, robbed, and destroyed by as heartless and conscienceless a combination of bankers and capitalists as ever coveted a prosperous and desirable property. Strange to say, they have accomplished this object by utilizing its obligations to another railroad, which they also captured for a song, and then used the guaranty of the Rio Grande for its destruction. When the history of this incident shall be understood by the people of the United States they will perceive in it a bolshevism as dangerous to American institutions and to the integrity of our civilization as that of Lenine and Trotzky at the other end of the social system.

No, Mr. President, there is much to do besides legislation. We must recognize and remove, as far as we can, the evils and the abuses which are the sole possible defenses for this unfortunate and dangerous situation.

LEAGUE OF NATIONS.

Mr. SHAFROTH. Mr. President, I wish to offer a few remarks upon the Knox resolution, which was presented some time ago by the junior Senator from Pennsylvania.

The principal object of the Knox resolution is contained in the third paragraph thereof, which reads as follows:

That any project for any general league of nations or for any sweeping change in the ancient laws of the sea as hitherto recognized as international law and violated by the Teutonic powers should be postponed for separate consideration not alone by the victorious belligerents but by all the nations, if and when at some future time general conferences on those subjects might be deemed useful.

The present war has been the most disastrous of any in the history of the world. It is estimated that over 7,000,000 men have been killed and that over 15,000,000 men have been disabled or wounded. It has been calculated that the cost of the war, including the destruction of property, has amounted to more than $200,000,000,000, in consequence of which bonds have been or will be issued by the various nations involved which it will be impossible to liquidate for more than a hundred years. It is safe to say that no wars are remunerative, even to those nations that are victorious.

The United States at all times has recognized the horrors of war and sought in every way to avoid engaging in conflict. Not until ruthless disregard by Germany of the principles of international law in sinking American ships and destroying American lives did we make our declaration of the existence of a state of war. The United States has at all times in the past been among the foremost of nations to encourage the formation of arbitration tribunals for the settlement of international disputes and the making of agreements to mitigate the brutalities of war. In the interest of humanity and civilization it has always been the pur-

pose of the United States to form some kind of covenant with all or the leading nations of the world to prevent the recurrence of war which ruthlessly exterminate so much of the youth and flower of our land and which places a burden of crushing taxation upon the countries of the world. It must be remembered that this burden rests mostly upon labor, as wealth is nothing but accumulated labor. It has taken just such frightful results as are unfolded to our view to demonstrate the necessity of avoiding war, to make people consider seriously some method of averting future visitation of such catastrophes. It is said that the Napoleonic wars, by reason of the death and disabling of so many of the stalwart soldiers, reduced in the following generations the average height of the men of some large districts of Europe as much as 2 inches. Our policy has produced a nation of wealth, power, and intelligent citizenship which is unequaled in the history of the world.

The question presented by the Knox resolution is whether, when these evils are vividly before us and when all of the world is appealing for some measure to prevent such terrible recurrences, we should proceed with the peace negotiations and not consider at this time any proposition concerning a league of nations, by which such horrors might be avoided. The resolution bears upon the face of it an opposition to any such league. It states that the subject "should be postponed for separate consideration, not alone by the victorious belligerents but by all the nations, if and when at some future time general conferences on those subjects might be deemed useful." It suggests no time when such conferences shall be held; it casts doubt upon the propriety of ever holding them when it says, "if and when at some future time general conferences on those subjects might be deemed useful."

Mr. President, there are two ways of defeating the plan for a league of nations: First, by openly opposing and voting against it; and, second, by postponing its consideration to a time when other subjects are engrossing the attention of the world and when there may exist divisions and disputes among nations which might destroy any chance of effecting an agreement. In my judgment, to vote for the Knox resolution proposing postponement is virtually to vote against the formation of any league of nations for the purpose of avoiding wars.

One of the principal reasons for our entering the war was to bring about such a compact with other nations as would insure the peace of the world forever. That was the statement made by the President to the Senate and House of Representatives at the time of our entrance into the war. No dissent was made to that declaration by Senators or Representatives, but all enthusiastically applauded the sentiment. We have said time and again that if such a result is obtained it will compensate us for the great loss of life and property occasioned by this disastrous war. Every Senator or Representative who has addressed citizens of our country in favor of the various liberty loans has dwelt upon this as one of our highest aims. Is it possible that anyone with fairness can now in an indirect manner propose the abandonment of that, the greatest argument we had in getting the approval of the people of the United States to subscribe to gigantic loans for the prosecution of the war?

In the past the principal retarding influence in the creation of a league of nations has been the fear on our part that the court or arbitration body would be so dominated in the interest of the monarchies of Europe that we might be swept into the monarchial system instead of having prevail the just principles of the rights of humanity as set forth in our Declaration of Independence. It was the apprehension that we might be at a disadvantage in submitting our disputes with other nations to a tribunal composed of judges the majority of whom would in all likelihood be from monarchies.

The continued discussion of the formation of a league of nations has developed many proposals for the determination of international disputes. In order to induce nations to enter into such a league it is necessary to avoid giving any advantage to one nation over another in the trial of such causes.

Mr. President, I have always believed that there should be established an international court to which all controversies threatening war between nations must be submitted; that the judges thereof should not be selected for the determination of all disputes presented, but should sit only in those cases to which they may be assigned; that each nation should have at the court as many judges as it deemed proper to appoint to act as a panel from which to select those who are to pass upon each international question; and that when a dispute threatening war arises between any two nations each nation, after the formulation of the pleadings, should select an equal number of judges of its own if it so desires, and those so chosen to select the odd judge of the court, and if they can not agree upon the odd judge, then, if no other way can be devised, they shall resort to chance in the selection of such odd judge. Even if, in the selection of the odd judge, an advantage should be obtained by one side, it would be inconsiderable when weighed with the destruction of life and property of each nation in case of war.

A court so constituted would be regarded by all nations as fair, and thus the first great requisite of a successful arbitration tribunal would be accomplished. Under those conditions all of the nations would find security in the league which would prevent many, if not all, wars, and consequently they would likely be willing to enter into such a league.

Mr. KING. Will the Senator yield?

Mr. SHAFROTH. I yield.

Mr. KING. The Senator may intend discussing at a later part of his speech the point concerning which I was about to interrogate him, and, if he does so intend, I shall be very glad to have him so inform me.

Mr. SHAFROTH. I shall be glad to have the statement of the Senator.

Mr. KING. Does the Senator contemplate a system which would require that all who are parties to the convention or league of peace, whatever form it assumes, shall submit to it every question affecting the vital interests or the honor or territorial integrity of each nation?

Mr. SHAFROTH. I do not as to territorial integrity. My idea concerning an agreement as to the territorial integrity is this: I believe there ought to be specified in the peace treaty we are negotiating the boundaries of each nation, and we should stipulate that those boundaries, except as modified by mutual agreement of each nation interested, with the consent of the inhabitants of each, shall be respected and protected by the nations to the league. That, in my judgment, would do away with nine-tenths of the wars of the world, because territorial acquisition has been the bone of contention and has been the aim of nations who desired conquest more than any other cause. I have no doubt that nine-tenths of the nations of the world that have been fighting have had their causes originate from a desire to obtain the territory of some other nation.

Mr. KING. The Senator knows that upon the part of those who are discussing this question the terms justiciable and non-justiciable are employed?

Mr. SHAFROTH. Yes.

Mr. KING. Accepting the terminology and the definition so given, is the Senator willing to have our Nation join a league of nations which would require that we should submit to the league of nations, for instance, the Monroe doctrine, the question of tariffs, and other vital questions, some of which would be entirely nonjusticiable?

Mr. SHAFROTH. I must say that it would depend somewhat upon the controversy which was presented. But my desire is as near as possible to submit all questions that arise in controversies between nations. I will cover that, if the Senator will allow me, a little further on, and probably a little more clearly. The Monroe doctrine will not be jeopardized by a league of nations to enforce peace, but will be made more secure by the guaranty of all the nations instead of by ours alone. If the United States should have a dispute with Belgium, that kingdom could well say that it has as good a chance of winning the controversy against the great United States as would be the chance of our own Government, and we, desiring no acquisition of territory and desiring nothing but what is right and just, would be glad to accept the terms of arbitration and select our judges of the court which would determine the controversy. We could not refuse, unless we were to exercise those very qualities of domination of great nations over smaller nations which we have so unanimously condemned in this war. With the full confidence on the part of both Belgium and the United States that the tribunal would be fair, both would submit, knowing that the determination in the judgment of the majority of a tribunal so formed would be in the interest of the orderly administration of justice. The first great requisite in the formation of a league of nations for the prevention of wars is, in my judgment, the establishment of a court so constituted.

Mr. President, the difference between that kind of a court and a court of fixed judges named by the league or named by all the nations to determine all controversies that come before it is the difference between night and day as to whether the arbitration will be regarded as fair. In other words, we have our doubts whether, if we have but one judge upon the tribunal and the monarchies of Europe have seven or eight, we will not be engulfed in the influence of those judges appointed from monarchial governments. Consequently the fear has been that we will not get justice. If we were sure that we would get justice there would be no difficulty in agreeing to almost any proposition for a league of nations that might be presented;

but where you agree that the court which determines the matter shall consist of judges selected by your own Government and judges selected by the opposing Government, and that those judges shall meet and determine and agree upon a third or fifth or seventh or ninth judge, dependent upon the size of the court, you can readily see that all nations will agree to come into a league that will have for its court such an organization. They will then know that their chances are equal, and that while there might be some advantage obtained by one nation over another in the selection of the odd judge, it would be inconsiderable compared to the great damage and wrong and death and destruction that must result from these wars.

As to the manner in which the decrees of the court shall be enforced there are many differences of opinion; some believe that its decrees should be enforced by such a great army and navy of its own as would make resistance by one nation futile. This, of course, would involve an agreement among the nations to reduce their armies and navies far below those provided for the international tribunal. If successful, the tribunal would prevent the enormous burdens upon the people which are now made necessary in order that each nation may be prepared for conflicts. Unless some agreement among the nations is made providing for compulsory submission of controversies to an international court, the powers of the world will compete more sharply than they have in the past in the enlargement of armies and navies. That policy will produce not only great burdens but will breed in each nation warlike tendencies and autocratic attitude in the exercise of its powers.

Others believe that the league of nations should simply exercise a moral influence against the entrance of nations into war or that by hindrance and delays such a length of time might elapse that the passions of each nation would subside and reason induce each to forego the declaration of hostilities.

There are objections to these contentions for the enforcement of the decrees of the court, but that some measure should be adopted which would prevent many, if not all, wars it seems to me clear. If nothing more results from the peace treaty than that each nation agrees to respect the territorial boundaries as fixed in the treaty and to aid in maintaining such territorial integrity, nine-tenths of the wars of the world will be prevented. As soon as a nation obsessed with the idea of conquest knows that it must fight the entire world if it attempts to seize territory, it will conclude that nothing is to be gained by an aggressive course and abandon such schemes. Nine-tenths of the wars of the world have been started for the purpose of acquiring territory, and if such an agreement were made by all the nations of the world it would eliminate nine-tenths of the wars of the world. Germany has been the one nation of all others to decline to enter into an international agreement for arbitration of controversies and now, in the formation of the peace treaty, we have a right to compel her to keep the peace by some such contract; whereas if the matter is delayed there is no way of requiring her to enter into such an agreement. It is therefore imperative, to my mind, that an international agreement, which will at least tend to prevent war in the future, should be considered and agreed upon before the peace treaty is concluded. There are others who believe that the decree of the court should be enforced, if necessary, by the army and navy of each of the signatory powers.

Mr. President, we heard a very eloquent speech to-day from the able Senator from Idaho [Mr. BORAH] condemning that form of an international agreement. He said that there would be a competition by each nation endeavoring to get as great an army and navy as possible in order to preserve the peace of the world. He overlooked the fact that in that same agreement for the arbitration of controversies it can be stipulated and agreed that there shall be no enlargement of the armies and navies of the nations, or a limitation of the armaments can be specified and fixed according to population of the respective nations or by such other means and such other ways as may be devised. With an agreement of that kind I see no reason why that competition would exist which the Senator fears, but it will exist if no league of nations is agreed upon.

There are some who believe that the decrees of the court should not be enforced except by an agreement that a nation refusing or failing to submit a controversy to the international court should be punished by certain commercial restrictions imposed by all the nations of the world. Others contend that a nation refusing to submit a controversy with another nation to the international court should not recover against the other nation any indemnity. Such a rule, of course, would place the nation refusing to submit its controversy to arbitration at a disadvantage and likely to cause it to refrain from a declaration of war. To those who say it would be futile to simply agree to submit all controversies threatening war to an international court and abide by the result because some nations might regard such treaties as mere scraps of paper, it may be said that the results from treating the Belgian treaty as a scrap of paper would likely prevent any nation in the future breaking a treaty with all the nations of the world.

While I believe in some of the more drastic means of enforcing the decrees of the court, yet any of the means suggested would be better than no agreement.

President Wilson is now in Europe endeavoring to negotiate a peace treaty that will not only settle the disputes as to the nations in this war but that will at least have a tendency to prevent wars in the future. As we have said so many times that we are fighting for a permanent peace among the nations of the world, that this is a war to end all wars, it seems to be inconsistent with our own declarations when we advise that he make no treaty with respect to the world's peace. He knows the situation and views of the nations and as to whether we can get a treaty that will insure peace to the world better than we who have no communication with the representatives of other nations. It may be that he will not accomplish the thing which we all desire, namely, making the world safe from wars, but we impair his influence if we pass resolutions urging that he should not endeavor to consummate such purpose at the most opportune time. Now is the psychological moment to produce such an agreement, and if there is anyone in the United States who can produce such a happy result it is the President, who, as the demonstrations in Europe show, is held not only in the highest regard but in the greatest affection by the people of the entente powers. To impose our advice on him when we are not familiar with the situation, it seems to me, is a proceeding which would greatly weaken his influence in the negotiation of the treaty. It, therefore, in my judgment, would be the height of impropriety to pass the Knox resolution.

THE CENSUS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). The question is on the amendment of the Senator from Texas [Mr. SHEPPARD] on page 8.

Mr. SHEPPARD. After consulting further with the Senator from Utah [Mr. SMOOT] I have prepared an amendment to be offered in lieu of the amendment which I presented yesterday afternoon and which is now pending. I ask that it may be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. On page 8, line 20, after the word "act," at the bottom of the page, at the end of section 7, insert the following additional proviso:

And provided further, That in the selection of the additional clerks and employees provided for by section 6, the director is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918, so far as the same applies to permanent appointments by competition.

Mr. CURTIS. Mr. President, two or three Senators who are absent have suggested that they desired to be present when the pending bill was being considered. I therefore suggest the absence of a quorum. I do not know anything about the pending amendment.

The PRESIDING OFFICER. The Senator from Kansas suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Jones, N. Mex.	Moses	Shafroth
Colt	Kellogg	Myers	Sheppard
Culberson	Kendrick	New	Smith, S. C.
Curtis	Kenyon	Norris	Smoot
Fletcher	King	Overman	Spencer
France	Kirby	Page	Sutherland
Frelinghuysen	La Follette	Poindexter	Thomas
Gay	Lewis	Pollock	Underwood
Gronna	McKellar	Pomerene	Vardaman
Hale	McNary	Ransdell	Wadsworth
Henderson	Martin, Ky.	Reed	Wolcott
Johnson, S. Dak.	Martin, Va.	Saulsbury	

Mr. CURTIS. I have been requested to announce the unavoidable absence of the junior Senator from New York [Mr. CALDER]. I will let this announcement stand for the day.

I have been requested also to announce the unavoidable absence of the Senator from Washington [Mr. JONES]. I will let this announcement stand for the day.

I have been requested also to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness. I will let this announcement stand for the day.

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness. I desire that this announcement may stand for the day.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

Mr. FLETCHER. I desire to announce the necessary absence of my colleague [Mr. TRAMMELL].

Mr. KIRBY. I wish to announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON] on account of illness.

Mr. FRELINGHUYSEN. I desire to announce the unavoidable absence, on account of illness, of my colleague, the junior Senator from New Jersey [Mr. BAIRD].

Mr. LEWIS. I wish to announce that the Senator from Oregon [Mr. CHAMBERLAIN], the Senator from Maryland [Mr. SMITH], the Senator from Georgia [Mr. HARDWICK], the Senator from North Carolina [Mr. SIMMONS], and the Senator from California [Mr. PHELAN] are detained on official business.

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Secretary called the names of absent Senators, and Mr. SMITH of Georgia, Mr. SWANSON, Mr. TOWNSEND, and Mr. WEEKS answered to their names when called.

Mr. BANKHEAD entered the Chamber and answered to his name.

The PRESIDING OFFICER. Fifty-two Senators having answered to their names, a quorum is present.

The pending question is on the amendment offered by the Senator from Texas [Mr. SHEPPARD], which the Secretary will state, as perfected by that Senator.

The SECRETARY. At the end of section 7, on page 8, line 20, after the word "act," it is proposed to insert the following:

And provided further, That in the selection of the additional clerks and employees provided for by section 6, the director is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918, so far as the same applies to permanent appointments by competition.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Texas.

The amendment was agreed to.

The next amendment of the Committee on the Census was, in section 8, page 9, line 10, after the word "home," to insert "whether or not a survivor of any war in which the United States has been engaged, and if so, of what war," so as to make the clause read:

SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, to forestry and forest products, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, place of abode, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, nationality or mother tongue of all persons born in foreign countries, nationality or mother tongue of parents of foreign birth, number of years in the United States, citizenship, occupation, whether or not employer or employee, whether or not engaged in agriculture, school attendance, literacy, and tenure of home, whether or not a survivor of any war in which the United States has been engaged, and if so, of what war, and the name and address of each blind or deaf and dumb person.

The amendment was agreed to.

The next amendment was, on page 10, in line 2, after the word "manufactures," to insert "to forestry and forest products," so as to make the clause read:

The schedules of inquiries relating to manufactures, to forestry and forest products, and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and the amount of their wages; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time in operation during the year; character and quantity of power used; and character and number of machines employed.

The amendment was agreed to.

The next amendment was, on page 10, in line 14, after the word "manufactures," to insert "of forestry and forest products," so as to make the clause read:

The census of manufactures, of forestry and forest products, and of mines and quarries shall relate to the year ending December 31 next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood, household, and hand industries.

The amendment was agreed to.

The next amendment was, on page 11, line 6, before the word "determined," to strike out "The form and subdivision of inquiries necessary to obtain the information under the foregoing topics shall be" and insert "The number, form, and subdivision of inquiries provided for in section 8 shall be," so as to make the clause read:

The number, form, and subdivision of inquiries provided for in section 8 shall be determined by the Director of the Census.

The amendment was agreed to.

The next amendment was, in section 9, page 11, line 18, after the words "by the," to strike out "Secretary of Commerce upon the recommendation of the Director of the Census" and insert "President, by and with the advice and consent of the Senate," so as to make the section read:

SEC. 9. That the Director of the Census shall, at least six months prior to the date fixed for commencing the enumeration at the Fourteenth and each succeeding decennial census, designate the number, whether one or more, of supervisors of census for each State, the District of Columbia, Alaska, Hawaii, and Porto Rico, and shall define the districts within which they are to act; except that the Director of the Census, in his discretion, need not designate supervisors for Alaska, Hawaii, and Porto Rico, but in lieu thereof may employ special agents as hereinafter provided. The supervisors shall be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That the whole number of supervisors shall not exceed 400: *Provided further*, That so far as practicable and desirable the boundaries of the supervisors' districts shall conform to the boundaries of the congressional districts: *And provided further*, That if in any supervisor's district the supervisor has not been appointed and qualified 90 days preceding the date fixed for the commencement of the enumeration, or if any vacancy shall occur thereafter, either through death, removal, or resignation of a supervisor, or from any other cause, the Director of the Census may appoint a temporary supervisor or detail an employee of the Census Office to act as supervisor for that district.

Mr. SMOOT. Mr. President, I ask that the amendment go over for the present.

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Without objection, the amendment will be passed over.

The reading of the bill was resumed and continued to the end of line 13, on page 13.

Mr. KING. Mr. President, in lines 11, 12, and 13, on page 13, I move to strike out the words "and in addition thereto $1 for each thousand or major fraction of a thousand of population enumerated in his district, such sums," so that the section, if amended, will read:

SEC. 11. That each supervisor of the census shall, upon the completion of his duties to the satisfaction of the Director of the Census, receive the sum of $1,500, to be in full compensation for all services rendered and expenses incurred by him—

And so forth.

It seems to me that the sum of $1,500 provided in the section is ample for the few days' work that will be required at the hands of the enumerators.

Mr. SHEPPARD. Mr. President, this is compensation for the supervisors, I will say to the Senator, and not for the enumerators. The work of the supervisors lasts for five or six months and sometimes longer. This is the compensation that was provided 10 years ago when the Thirteenth Census was taken. No change from the provision then enacted has been made in the present bill, and I do not think that the Senator ought to insist upon his amendment.

Mr. KING. Mr. President, in reply I will say that if experience has demonstrated that $1,500 is inadequate compensation we ought to provide in the bill an amount that will be sufficient and fair. It seems to me that to leave it in this indefinite way is not the wisest and best method of legislation.

Mr. SHEPPARD. It is the method that has commended itself to the experts who prepared the bill originally and who made examination of the entire situation with a view to seeing what changes, if any, should be made. It was their view, the view of the House committee, and the view of the House itself that the compensation provided 10 years ago would be sufficient at the present time for the supervisors, which is $1,500 and a dollar for each thousand people and major fraction thereof enumerated in a district.

Mr. KING. I will ask the Senator why we can not specify the amount to be allowed instead of leaving it in rather an indefinite way?

Mr. SHEPPARD. It is uncertain as to how many people are in the various districts, and for that reason it was thought that a given sum plus a dollar for each thousand names and major fraction thereof would be a better form of compensation and would be something of an inducement to greater activity in the performance of duty.

Mr. KING. Does the Senator state that the evidence before the committee and the experience of the department have proved that $1,500 is not sufficient compensation?

Mr. SHEPPARD. That seems to be the consensus of opinion among those who have had experience in the matter.

Mr. KING. I believe, Mr. President, that the $1,500 compensation provided is adequate, but I withdraw the amendment if the fact is that in the past they have been allowed the same compensation provided by this bill.

Mr. SHEPPARD. That is the case.

The PRESIDING OFFICER. The amendment offered by the Senator from Utah is withdrawn.

The reading of the bill was resumed and continued to the end of section 15, on page 17.

DEMOBILIZATION OF AMERICAN TROOPS.

Mr. McKELLAR. Mr. President, I wish to say a few words in regard to the question of demobilization. It will be remembered that shortly after the armistice the War Department, through Gen. March and others, as I recall, made statements to the press of the country that the Army would be demobilized at the rate of about 30,000 men a day. The latest figures shown by the department on Saturday are that 693,889 had been demobilized up to that date, or an average of about 11,564 men per day since the armistice, just a few more than one-third of the estimate of the department. Of course, the department must have planned to demobilize 30,000 per day or the first statement would not have been made. Of course, the department must have thought it advisable to demobilize 30,000 per day or that number would not have been fixed upon. We can not assume that the department was guessing at the number it planned to demobilize per day. It is no answer now to say we are demobilizing faster than England is. England's situation is different from ours. England's needs are different from ours. Surely our own original plans have not been changed because England is demobilizing more slowly than we are.

Mr. President, soldiers are being kept in camps, having absolutely nothing to do; officers are being kept in camps also with no duties to perform. I am speaking solely of our domestic forces. The Army abroad is under the control of Gen. Pershing, and, of course, he should be absolutely in control of that situation, but when he sends troops back here they should be immediately demobilized. If he had a use for them they would not be sent back.

The war is over, and it is our duty to get back to a peace basis at the earliest practicable moment. Our boys went into the Army, most of them, giving up excellent positions in civil life, in order to defend their country in the time of their country's peril. Now that that peril is over, surely it is as little as their country can do to permit them to go back to their accustomed duties. This was what was promised them. In many instances it seems to be the policy of the authorities not to permit the boys to be discharged upon application, if such discharge can be avoided. This is unjustifiable.

I wish especially to call the attention of the Senate to Circular No. 77 of the War Department, which I ask to have inserted in my remarks at this point without reading.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair hears no objection.

The matter referred to is as follows:

Circular No. 77.

WAR DEPARTMENT,
Washington, November 21, 1918.

DISCHARGE OF ENLISTED MEN FOR RELIEF OF FAMILY OR URGENT NEED IN INDUSTRIAL WORK.

1. Department commanders within the United States, commanders of ports of embarkation, and commanders of camps not under the jurisdiction of department commanders or of chiefs of bureaus of the War Department, are authorized to discharge enlisted men upon their own application when there is sickness or other distress in the soldier's family, or when he is needed to resume employment in an industry or occupation in which there is urgent need of his services, provided that such discharge will not disrupt or cripple an existing organization, and that the soldier's services can be spared. Consideration will be given to the fact that the machinery of camps must be utilized in the demobilization of the Army and due regard must be taken that it is not retarded by the discharge of personnel connected therewith.

2. The instructions contained herein apply only to individual and exceptional cases and are not intended to release men in large groups or blocks for any general employment or occupation.

3. Application for discharge under the provisions of this circular will be made in each individual case by the soldier concerned and through his immediate commanding officer. No man who voluntarily enlisted prior to April 1, 1917, will be discharged under this authority.

4. Men discharged under these instructions will be included in such weekly reports of men discharged as are required by the War Department.

5. Cases of the character indicated arising in places not covered by this authority will be forwarded to The Adjutant General of the Army for final action.

(220.81, A. G. O.)

By order of the Secretary of War:

PEYTON C. MARCH,
General, Chief of Staff.

Official:
P. C. HARRIS,
The Adjutant General.

Mr. McKELLAR. While this circular in its general terms is broad enough, men are not being discharged under it as rapidly and as freely as they should be discharged. Apparently it is the purpose of the commanding officers not to discharge at all, except when it can not be avoided. I think also a very restricted meaning has been given to it by the department. I have in mind especially the case of development companies, which, under a circular of the War Department, were to be demobilized among the first, as I recall. Up until a few days ago, and I imagine they are still there, there were four battalions of the development companies, two white and two colored, that were being held at Camp Meade for the purpose, so I am told, of keeping the development companies together until a plan could be devised by the War Department for handling permanent development companies.

Of course the Senate understands what development companies are. They are men underweight, frail and weak men, men afflicted with disease or unfit for military service. They are not soldiers and can not be made soldiers until they are rehabilitated and cured.

The idea of keeping these undeveloped and diseased men in the Army, now that the war is over, is little short of ridiculous. The idea of having permanent development companies in a peace army is farcical. It puts the Army authorities in an indefensible position to keep these men in the Army.

I have written the department about this matter, but no action has been taken up to this time.

I wish to call the attention of the Senate and the country to another great mistake that is being made by the Army authorities in not permitting the discharge of men who have their old or who may have new places in civil life open to them. Circular No. 77 ought to be amended so as to provide that any soldier, enlisted man or officer, who has a place open to him and who presents an application for a discharge and an affidavit from a would-be employer showing that the old place or a new one is open to him in agriculture, industry, commerce, or business, or in any other capacity, ought to be discharged at once, without regard to any supposed need of the Army for him. The need of the soldier for a permanent place is greater than the need of the Army for a particular soldier, now that the war is over.

Mr. VARDAMAN. Mr. President, would it interrupt the Senator for me to make a suggestion at this point in his very able speech?

Mr. McKELLAR. Not at all.

Mr. VARDAMAN. I am glad the Senator is calling attention to what seems to me a very serious oversight on the part of the War Department. From my State recently I have had probably a hundred letters from fathers whose sons are in the Army, mothers, and wives who live in the country; and they are impressing upon me the necessity of having the boys at home in the very near future if they are to make crops during the present year. It seems to me the War Department would see the necessity especially for letting the farmer boys out of the Army now, if they are to make a crop, and be relieved from a year of idleness. I am glad the Senator from Tennessee is calling attention to what seems to me a very serious dereliction on the part of the War Department.

Mr. McKELLAR. Mr. President, it is true that farmer boys all over the country ought to be returned to the farms without delay, where they have farms open to them. There are great numbers of men in the Army who have no such positions open to them and who can do such necessary work as may be required for the Army. It is safe to say that not less than 100 letters are received by me each day from citizens of Tennessee, urging that Tennessee soldiers who have positions open to them be discharged and permitted to take these places while they can get them. I imagine other Senators get as many or more.

At least one department of the Government—the Department of the Interior—is making most strenuous and splendid efforts to secure positions and employment for our returning soldiers. This department is entitled to the greatest commendation for its effort along this line; but while it is making these efforts, apparently the War Department, doubtless for the most part unintentionally, but nevertheless it is in effect dealing with the subject so as to prevent young men from getting places which are now open to them. The Interior Department is trying to get them employment. The War Department is in many cases refusing to let them off to accept employment.

Our departments should get together and work in harmony for the benefit of these soldiers, getting them employment wherever possible.

Mr. President, according to the present outlook, it will take 12 months to demobilize our Army. Plans for a more rapid demobilization ought to be made at once. The present plans are inadequate. Indeed, these men are not being demobilized much faster than they were brought into the Army by Gen. Crowder, and they were drafted, it will be remembered, only at intervals. A comparison of the two systems, one of the draft under Gen. Crowder and the one of demobilization under the War Department, shows a very marked difference in success of the draft plan as compared with the plan for demobilization adopted by the department. The department had better place the demobilization of the Army in the hands of Gen. Crowder. He gets results, and if he planned to demobilize that number it would be done.

Mr. President, the people of the United States are tired of this red tape in demobilization, and I want urgently to request the War Department to dispense with it. The sooner we get back on a normal peace basis the better it will be for the country, and the better, I may say, for the Army. It can hardly be believed that any officer in the War Department or in the Army is trying to hold back demobilization in order to effect a larger peace organization of the Army. If there are any such officers, and I hope there are none such, they are making a great mistake. Nothing will work more to prevent a large peace-time organization than this red tape and delay as to demobilization.

I have introduced a bill providing for a more expeditious demobilization of our domestic troops, but I hope the War Department may speed up without requiring further legislation.

Mr. SMOOT. Mr. President——

Mr. McKELLAR. I yield to the Senator from Utah.

Mr. SMOOT. I have heard from several sources that there has been an order issued to the commanding officers at most of the cantonments in the United States that only a certain percentage of the men should be discharged. As the Senator is a member of the Military Affairs Committee, I wish to ask him whether he has any information on that point?

Mr. McKELLAR. No, Mr. President, I have not. I think the Navy has some such proposition, and I think that is whence the Senator received his information, or that it relates to the Navy Department.

Mr. SMOOT. I am quite sure the Navy has——

Mr. McKELLAR. The Navy has, I know.

Mr. SMOOT. Because I have received letters from the officials of the Navy Department virtually stating that and giving the reasons why; but I have understood from letters that I have received—and, I will say to the Senator, from the soldiers themselves—when I have asked that they be discharged if not inconsistent with the successful working of the Army, stating that the soldier could not be discharged because of the fact that the percentage that had been agreed upon by the War Department for discharges had been reached, and he would have to wait his turn. I wondered whether or not any such order as that had been issued by the War Department.

Mr. McKELLAR. Mr. President, I do not think there is such an order from the department. It may be the order of some camp commander. I will call the Senator's attention to circular 77, bearing on this subject, and, as it is a very live question, for the benefit of the Senate I will read just a part of it:

> Department commanders within the United States, commanders of ports of embarkation, and commanders of camps not under the jurisdiction of department commanders or of chiefs of bureaus of the War Department are authorized to discharge enlisted men upon their own application when there is sickness or other distress in the soldier's family, or when he is needed to resume employment in an industry or occupation in which there is urgent need of his services, provided that such discharge will not disrupt or cripple an existing organization and that the soldier's services can be spared.

If the War Department would leave out that proviso and instruct camp commanders to follow the order this matter would be absolutely settled; but I will say to the Senator, under this order the department commanders pay a great deal more attention, according to the letters I have received from them, to the proviso than they do to the main body of the circular. They seem to think that the discharge of a single man "disrupts or cripples an existing organization." In other words, whenever they see fit they decline to discharge soldiers, apparently without regard to the order, and the result is that only a very few men are being discharged on their own application, judging from the number of letters I receive on the subject. If that order was given its proper interpretation there probably would not be much trouble. Gen. Jervey, acting for the Chief of Staff, has in a letter to me put a very restricted meaning on the phrase "needed to resume employment in an industry or occupation in which there is urgent need of his services," and I assume that this restricted and distorted meaning of the phrase has been sent out to all commanding officers of camps. At all events, very few cases that have come under my notice have been discharged for this reason. I do not see how any fair-minded officer, under existing conditions, could refuse to discharge a man under him when a place is open to the soldier.

Now, it is clear that all of us are intensely anxious to get places for these boys in the Army. We are going to be called upon, and I think it will be perfectly right, to make appropriations that will cause the employment of a large number of these returning soldiers; public improvements may have to be made just to give them employment; and, while that is true, and while we all want to get them employment, here are thousands of young men with places open to them, but who can not take them because the War Department will not release them. I receive every day affidavits from would-be employers showing that men in the Army are absolutely necessary to their business. I had one the other day as to the manager of a concern that has been paid $20,000 a year salary The concern have no manager, and they are anxious to get their former employee back.

Mr. POMERENE. Mr. President——

Mr. McKELLAR. If the Senator will excuse me just a minute, they were anxious to get this former employee back to take charge of the business. The War Department had refused time and time again to grant that young man a discharge, and it was only after the most strenuous exertion upon my part that I finally got him discharged a day or two ago, and I am very grateful to the department for granting that discharge.

Mr. SHAFROTH. Mr. President——

Mr. McKELLAR. Let me yield to the Senator from Colorado, who addressed the Chair first, and then I will yield to the Senator from Ohio.

Mr. SHAFROTH. I want to call the attention of the Senator first to the very circumstances that he has set forth, to show that demobilization can not take place as rapidly as he might desire.

Mr. McKELLAR. Just let me reply to the Senator in this way, and then I will let him go ahead and make the statement: If 30,000 per day can not be demobilized, why was it that our military authorities told us in the beginning that they were making arrangements to demobilize at the rate of 30,000 a day? Why now are they performing that promise by demobilizing at the rate of only 11,500 a day? In other words, if it is now right to demobilize 11,500 per day, why did the department fix upon 30,000 per day and lead the country to believe that they were going to demobilize 30,000 per day?

Mr. SHAFROTH. We had a discussion here the other day by the chairman of the Committee on Military Affairs, the Senator from Oregon [Mr. CHAMBERLAIN], and he was protesting most vigorously about the demobilization of men in large number without picking them out. He wanted those who had dependents upon them to be selected first, and the others to be held subject to the orders of the War Department. He made various other objections to the demobilization of men quickly. Now, Mr. President, I have not any doubt but that the policy of the Government is to demobilize these men within a reasonable time.

Mr. McKELLAR. According to the department apparently a reasonable time is 12 months. The law provides for 4 months after the peace signing in which the entire Army is to be demobilized, and the department, according to its own figures now, will occupy 12 months in demobilization. If they do not demobilize faster, or get the law changed, it may be that a part of the Army will be demobilized by lapse of time and by operation of law.

Mr. SHAFROTH. But, Mr. President, it becomes necessary, for the very reasons that the Senator proposes, to find out who have dependents, who are needed for the farms, and so on. I supposed that demobilization usually took place in companies, but under the system which is proposed, and which seems to meet the approval of the Senator, as a matter of fact these discharges are made by individuals, depending upon the individual circumstances, and, of course, inquiry with relation to the matter, and perhaps the presentation of affidavits, must of necessity take considerable time. There should be examinations as to the physical condition of the soldier, because this war is going to bring forth enormous numbers of pension applications, and it will be important to know whether the man when he was discharged had a certain ailment or disease and as to whether he had it at the time of his enlistment. All of these matters make it almost impossible to discharge men in the manner that probably we would like to have them discharged, and I have no doubt, too, that there are many soldiers who do not care to be discharged quickly.

Mr. McKELLAR. My remarks have nothing to do with those men about whom the Senator is talking. I refer only to those who have places open to them, with an affidavit from the would-be employer that there are places open to them as the ground for asking the War Department to discharge them.

Mr. SHAFROTH. I have no doubt but that they will be discharged as soon as it can be gotten around to.

Mr. McKELLAR. Evidently they are not being discharged as the War Department expected to do it. There is a great difference between 11,500 and 30,000 per day.

Mr. SHAFROTH. Well, that may be. The department no doubt finds difficulties in the way, as we all do when we undertake something that is new to us; and on that account it seems to me that we are making a very creditable showing when we have demobilized six hundred and some odd thousand soldiers since the armistice took place.

Mr. McKELLAR. I now yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, I simply wanted to call attention to the fact that the other day Gen. March gave out an

interview to the effect that we were demobilizing our troops twice as rapidly as the British Empire had.

Mr. McKELLAR. The Senator probably was not in the Chamber when I addressed myself to that statement.

Mr. POMERENE. No; I was not.

Mr. McKELLAR. Gen. March gave out an interview in November, saying that the plan of the department was to demobilize at the rate of 30,000 a day; that they had not quite reached it then, but that was what they would do. They had demobilized up to last Saturday 693,889, which, by a simple calculation, is 11,564 per day, just a little over one-third of what they said they were going to demobilize per day. Now, by another simple calculation it will be found to take 12 months to demobilize our armies that were used in this war if we proceed in the future as we have in the past. The fact that England is not demobilizing more rapidly is a very different situation, because England is very differently situated. Besides, the department has already fixed 30,000 per day as the number of men that should and would be discharged. They published this determination. It was not conditioned upon the number that England might demobilize.

Mr. POMERENE and Mr. SHAFROTH addressed the Chair.

Mr. McKELLAR. I yield to the Senator from Ohio first.

Mr. POMERENE. There are certainly two sides to this proposition. I want to see these soldiers demobilized and in their homes as quickly as we can get them there; but it is a question of employment now, and that must be considered; and I know the department has taken steps looking to the determination of what portion of these soldiers have employment in prospect and what portion have not.

Mr. McKELLAR. Mr. President, will the Senator yield to me now?

Mr. POMERENE. Yes; surely.

Mr. McKELLAR. Does not the Senator receive letters every day from young men or their parents saying that places are open to them and asking the Senator to get them discharged from the Army, and does not the Senator find that it is practically impossible to get them discharged from the Army? I find it most difficult to get young men discharged. There is no question of employment, I will say to the Senator, in the class of cases that I am talking principally about. I am talking about the cases where employment is open to the soldier and the employer is trying to get the soldier released for the purpose of giving him employment, and the Army officials will not discharge him for that worthy purpose.

Mr. POMERENE. We do get some of them; but I have a case which came to my knowledge to-day from my own State, referring to a young physician at one of the camps here. He is a specialist on nervous diseases. There is need for him at home, but the Army authorities say: "We need him here. These boys are coming back, and many of them need specialists of his type, and we must look after the returning boys first." Now, that is one illustration. I can understand why, though this young man is needed at home, the Army could not see their way clear to release him.

Mr. SHAFROTH. Mr. President, I will state to the Senator from Tennessee that the governor of the State of Colorado wrote me a letter recently in which he very seriously objected to the discharge of soldiers in other places than the places where they enlisted. His theory was that they were discharged and given pay to get back to their point of enlistment, and that sometimes instead of doing so they expended their money and were unable to get back, and consequently he protested against the discharge of men other than at the place of enlistment. In other words, he wanted them brought back in a body to the cantonment and there mustered out of the service in the way which he thought would be the best way. Now, all of those are retarding things; and we who do not see the difficulties may think that they are taking a long time, but it seems to me that in view of the fact that nearly 700,000 men have been discharged in less than two months that is a mighty good record.

Mr. KIRBY. Mr. President——

Mr. McKELLAR. Mr. President, I will say to the Senator from Colorado, if the Senator from Arkansas will excuse me just a minute, that there either has been or will be an application here from The Adjutant General's Department for increased clerk hire to answer letters about discharges. They are coming in in countless numbers, and most of them are about young men who have places open to them. I say that where a young man who is in the Army to-day has a place offered to him where he can go into civil life and make his own way, as he has done heretofore, it is the duty of the Government to discharge him instantly upon his examination.

Mr. SHAFROTH. I think the Senator will find no difficulty in getting the discharge of that man.

Mr. McKELLAR. Why, it is almost impossible to do it now. My mail is filled with refusals to discharge under these conditions.

Mr. SHAFROTH. The Senator at present makes inquiry with relation to the matter, and that means delay; and the very fact that the department wants a large increase in the force for the purpose of determining this matter demonstrates, to my mind, that there is an inadequate force to make these decisions, and for that reason there must be delay occasioned by that inadequate force.

Mr. McKELLAR. Well, it is high time we were furnishing a sufficient force to get these requests for discharges acted upon promptly. Let us get our boys back into their usual occupations at the earliest moment possible.

Mr. KIRBY. Mr. President, I do not see that very much good can result from this discussion, which seems to me inopportune, but which has been projected and thrust in here.

I am getting tired of hearing everything that the War Department does criticized all the time. The chairman of the Committee on Military Affairs stood here for two or three or four hours the other day and criticized the alleged mistakes and failures and miscarriages of plans of the War Department. Notwithstanding we had, after declaring war, mobilized an army and put it on the battle front in one-half of the time that it took England to mobilize and get her army only 30 miles across the Channel into France, he criticized the organization of our Army and the slowness of the department's procedure, and commended especially the wonderful system of demobilization of the Army of England, and said that we were unable to demobilize our Army at all; that we had no plan for it, and knew nothing about what would be done in the future; and now here is another member of the Military Affairs Committee, who is jumping on the administration in the same way.

I desire to have printed in the RECORD, without reading it, an article from the New York Times that shows how the British Army is being demobilized, and that Lloyd George must ask the patience of the army for the length of time required for its being disbanded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair hears no objection.

The matter referred to is as follows:

[From the New York Times of Jan. 9, 1919.]

LLOYD GEORGE ASKS PATIENCE OF ARMY—PREMIER SAYS POWERFUL FORCE MUST BE MAINTAINED TILL PEACE IS CONCLUDED—FLEET JOINS IN GRUMBLING—WAR OFFICE WARNS MEN CLAMORING FOR DEMOBILIZATION THEY ENDANGER COUNTRY.

LONDON, *January 8.*

Demobilization demonstrations were repeated to-day at the war office and some of the country camps. Gen. Robertson, commander of the forces, again received a deputation and promised the men the fullest investigation of their grievances.

An appeal was issued to-night on behalf of the premier saying Mr. Lloyd George was giving his personal attention to the matter and urging that as the German armies still were powerful it was necessary for Great Britain to maintain a strong army during the peace negotiations.

The men were urged to submit patiently to the inevitable inequalities and hardships. They were reminded that discipline was imperative and that the present course of the the soldiers would delay and not advance demobilization.

The Government has issued an announcement that from a date to be fixed no officer or soldier in France will be allowed to come to England on leave except on the distinct understanding that he will return to France at the expiration of his leave, and that on no pretext whatever will he be discharged during leave. The statement adds:

"Experience shows this order to be necessary in order to insure the maintenance of the army of occupation, the personnel of which must receive leave in their return."

The vicinity of the war office was invaded yesterday by lorries filled with men and by marching soldiers. They came from the Shoreham Camp. Many of them were on leave from Saloniki and objected to being sent back.

On the sides of the lorries were signs reading, "Get a move on," "We won the war; give us our tickets," "Get on with it, Lloyd George," and other similar sentiments. The men were generally well-behaved and treated the matter humorously, although they refused to disperse until a deputation was seen by officials, who assured them that Viscount Milner, secretary of state for war, and Gen. Sir William Robertson were then in conference on the grievances advanced by the soldiers.

A war office statement prints an address by Maj. Gen. Fielding, commander of the London district, to troops assembled in the war office quadrangle. He absolutely declined to consider grievances submitted in such a manner by the troops, and told them they must bring their objections to their own headquarters and to their own commanding officers. He reminded them that the war was still on and that "although we have won the war, we may lose the peace." He said he knew the trouble was being fomented by only a few agitators, and that "most of the men would be ashamed of the action they are taking if they only knew the danger in which they are placing the country."

One of the chief causes of dissatisfaction has been the belief held by numbers of the troops that they were to be sent to Russia. This has been dispelled by the official statement issued at the war office yesterday, saying that there was not the slighest intention of dispatching new forces to Russia.

It has been announced authoritatively that the rate of demobilization, which last week was 10,000 per day, has been already increased to between 20,000 and 25,000 daily.

Discontent has also made its appearance in the Grand Fleet, especially among the auxiliaries, whose duty it has been to sweep up mines.

The crews of many of the auxiliaries were recruited from the fishing fleets, and the men wish to share in the huge profits now being made by the fishermen. Two pounds extra weekly had been offered to them to continue at work, but they agitated for their discharge. The Admiralty has settled the matter by deciding that only volunteers shall be engaged in sweeping mines. About 65 per cent of those engaged in mine sweeping volunteered for that service.

The press is generally displaying full sympathy with the troops, but the more influential newspapers do not hesitate to tell them that they are acting inadvisedly in taking their present course, which is not open to their comrades overseas, who are equally entitled to demobilization.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. KIRBY. Yes.

Mr. McKELLAR. Will the Senator give us his views on the question of our military plans in Russia?

Mr. KIRBY. My views about the military plans of this country in Russia are already made known to the public. I do not know why the American Army is in Russia to-day, except that the military exigencies originally required that a small contingent be sent there. I do say that if it is necessary for the Army to remain in Russia it must be reinforced until it is strong enough to take care of itself against all comers; or, if that can not be done, it ought to be withdrawn at once.

Mr. McKELLAR. I am in entire agreement with my friend from Arkansas about that matter; but when my friend jumps on me for being critical it seems to me that he is in the same boat. He has been criticizing our Army affairs in Russia.

Mr. KIRBY. I have not criticized our military affairs. I have not criticized the Government for finding a necessity for sending the Army there. I have not criticized the Government for retaining the Army there; but, if it is necessary to be done, then it must be strengthened; that is all.

Mr. McKELLAR. That is what I am saying about these boys. If it is necessary to let them be demobilized, let us demobilize them.

Mr. KIRBY. We should not demobilize our Army until the war is over; and the bill for the organization of the Army provides that within four months after the war is over the demobilization shall occur.

Mr. McKELLAR. One minute. The Senator says—and I judge he speaks with authority—that the War Department is not intending to demobilize our Army. When the Chief of Staff comes forward in an interview and says that he is going to demobilize them at the rate of 30,000 a day, it looks as if there is some difference of opinion between the Senator himself and the Chief of Staff, at any rate. I think the Senator ought to get together with his department before he defends it.

Mr. KIRBY. I am only discussing the law. The law providing for the organization of the Army says when it shall be demobilized, and we have not yet declared that the war is ended by proclamation of the President. We are proceeding with demobilization as rapidly as it can be done. Suppose we took the view that the Senator from Colorado [Mr. THOMAS] has expressed here to-day, that we must send an army across into Russia to protect a bandit horde of Czecho-Slovaks who became traitors to their own country and joined the Russian Army, and when the Russian Army quit fighting they continued, overran Russia, and harassed the Russians throughout the old Empire. According to that Senator we must organize an army and go to Russia to protect these people from the fate that must inevitably overtake them. If that is to be done, why demobilize the Army at all? He says that there are 2,000,000 mercenaries, trained fighting men, in the army that now recognizes the Russian authority; and the same people that are in authority in Russia now said to us when our little force went there: "This is Russia, and whenever an army comes into our borders here, without our invitation, we must necessarily regard it as an unfriendly force and declare war against its country to protect ourselves."

That was done. Now, that is the condition over there. We talk about demobilizing the Army here. Why, the Senator from Tennessee talks about demobilization of the Army just as though it could be done like dismissing a country school. He would say, "Well, school is out, children; you can all go home." He seems to have some sort of an idea like that in his mind. As has been suggested by the Senator from Colorado [Mr. SHAFROTH], these men must be examined physically.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. KIRBY. Yes.

Mr. McKELLAR. I am not taking that course at all. I am just saying that I would prefer that the department would do what it said it was going to do, namely, that it would demobilize at the rate of about 30,000 a day. It seems to me that is a reasonable amount. That can be done. There is no doubt in the world about our ability to demobilize our forces at the rate of 30,000 a day. The department thought so 40 or 50 days ago. There is no reason why it should not be done; and I am insisting that they carry out their promise to the people to demobilize along that line. The people accepted it, and they ought to have it.

Mr. SHAFROTH. Was not that simply an estimate made by an officer there as to whether they could do it?

Mr. McKELLAR. Surely nobody ought to be in a better position to make an estimate than the Chief of Staff.

Mr. SHAFROTH. How many estimates have been made as to the time it would take to construct a public building, and how many times are we disappointed in many respects? As a matter of fact, can you not allow latitude to an officer of the War Department to change his mind after he has determined upon an estimate of that kind?

Mr. McKELLAR. A difference of 19,000 out of 30,000 is a pretty wide latitude, and if he falls a little short there ought not to be any complaint.

Mr. SHAFROTH. That may be; but——

Mr. McKELLAR. If the Senator will pardon me a minute, he is paid $7,500 a year, as the rest of us, and if two-thirds of it should be dropped off he would be left in a rather undesirable position about his salary.

Mr. KIRBY. Mr. President——

Mr. McKELLAR. So it is with the War Department when it comes out and makes a statement to the country that the troops are going to be demobilized and sent back home and the boys with positions are going to be allowed to be discharged upon their individual application. I think they ought to comply with what they say. That is all I am saying, all I believe in, and all I request.

Mr. KIRBY. The Senator's position is a little singular in one respect of inconsistency, it seems to me. He has read a general order of the War Department, showing what the purpose is and how it ought to be applied. He has made no complaint that in the Navy Department only 20 per cent are expected to be released at all, and I understand the Marine Corps, consisting of over 200,000 men, nearly all of whom saw no fighting whatever in the war, is still intact.

Mr. McKELLAR. I want to correct the Senator. In the first place, I am not as familiar with the Navy and Marine Corps as I am with military affairs, and I am talking about military affairs because I am familiar with them and keep up with them. In the next place, the Marine Corps is discharging men as rapidly as possible. I have never seen such activity as is displayed in that matter. They are acting very diligently about it from the commandant, Gen. Barnett, on down, as far as I know. The Navy Department I am not familiar with, but they are discharging men quite rapidly in that department; but that is different from the Army, because there are very few men comparatively in the Navy.

Mr. KIRBY. They provide for the discharge of only 20 per cent, and when it gets down to results they are allowing certain commanders and commandants to exercise the exclusive power to discharge these men, and if they do not think the men can be discharged without injury to the service they are not discharged at all. Their decisions are not reviewed like is done in the War Department, where discharges are granted in great numbers, notwithstanding the action of the commandants in refusing them in the first instance. But let us pass by that for a moment. Has it ever occurred to the Senate what might happen if the war is not over? Some of you have stood here and talked about universal military training and what shall be done hereafter to keep an Army and how many men we shall have in our standing Army, as though the war is over. But if this war is not ended, if all the government that Germany has is destroyed and Germany gets into the condition of the Russian people, so that we must go there and occupy that country with an army and reestablish the government under a protectorate, in order that it may be compelled to perform its obligations because of the crimes it has committed against humanity, how many men in an army from this country will it take to do it? Will a new army need to be raised for that purpose? How many will it take if we must go into Russia and pacify that country, which is torn and dismantled and dismembered and destroyed from the mighty empire it once was?

Mr. McKELLAR. Do I understand that the Senator argues in favor of sending a great army into Russia?

Mr. KIRBY. I am not in favor of that; but if you must do it, how many men do you want to discharge now?

Mr. McKELLAR. I may be mistaken, but I thought the Senator was opposed to the War Department sending any troops into Russia. Am I mistaken?

Mr. KIRBY. You are not mistaken.

Mr. McKELLAR. That is what I thought.

Mr. KIRBY. But it all hinges on negotiations that are pending now yonder in the Old World about the settlement of this controversy. We have found it necessary to retain 30 divisions of the Army in France and Germany, and suppose it is necessary to resume fighting.

Mr. McKELLAR. May I interrupt the Senator again? Does the Senator want the Senate and the country to understand that he is opposed to the demobilization of our troops in this country?

Mr. KIRBY. No; the Senator does not want the country to understand that, nor does he want the Senate to understand it, and he does not want to be interrupted any more by the Senator. I let him finish his speech, and I would be glad to hear him make another speech when I get through. I do not care about having him take my time here on that proposition. Before we get too far from the subject of demobilization I want to say that I think every man ought to be permitted to go home at the earliest possible moment, consistent with the good of the service and the safety of the country. I think that ought to be done. I think we ought to have a policy outlined as soon as it can be done definitely about what is to be done with reference to future armament; and until that is done, what are you going to do? Here is one man who insists that we ought to have universal military training. Another Senator says all the Army ought to be discharged at once, and he talks about it like it might be done in 15 or 20 minutes.

It seems to me if there was a policy and if we do need a great army we might have dispensed with any necessity for universal military training in the next few years by putting all the men who are to be discharged upon the inactive reserve list subject only to call into active service again on the proclamation of the President within three years, upon a declaration of war being made. We would then have had an army that could be raised on the proclamation of the President upon a declaration of war and the necessity of it, an army already thoroughly trained, and that necessarily would be composed of able fighting men. That would have dispensed with all the idea of this other way of doing things that has been suggested and would not have required any soldier on the reserve list to report for active service again unless a declaration of war was made and an army needed in the next three years. It is suggested that we dismember and demobilize our domestic army, and that our foreign army be allowed to remain yonder where necessity requires it until the necessity is ended, however long that may be.

I believe the War Department is going along with this work as rapidly as it can be done under existing circumstances. I know the War Department performed wonderful achievements in the organization of this Army. I know the Army has covered itself with glory in fighting on the fields of France. Now, we are back here at home. We have won a great victory, and I believe we ought to be a little patient and let these men be demobilized as rapidly as they can be, without too much criticism of the War Department down here that put the whole thing into being in the first place and established, transported, and maintained the Army and expect to continue to demobilize it as rapidly as it can be done.

That is all I want to say about it.

Mr. SHEPPARD. Mr. President——

Mr. SMOOT. Will the Senator yield to me for a moment?

Mr. SHEPPARD. I yield to the Senator from Utah.

EDITH CAROW ROOSEVELT.

Mr. SMOOT. From the Committee on Pensions I report back favorably without amendment the bill (S. 5318) granting a pension to Edith Carow Roosevelt, and I ask unanimous consent for its immediate consideration.

Mr. SHEPPARD. I ask that the unfinished business be temporarily laid aside for the consideration of that measure.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole, and it was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Edith Carow Roosevelt, widow of Theodore Roosevelt, late President of the United States, and pay her a pension at the rate of $5,000 per year from and after the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE CENSUS.

Mr. SHEPPARD. I ask that the unfinished business be laid before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

RECESS.

Mr. SHEPPARD. I move that the Senate take a recess until 12 o'clock to-morrow noon.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, January 15, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 14, 1919.*

The House met at 12 o'clock noon.

The Chaplain, the Rev. Henry N. Couden, D. D., offered the following prayer:

Unto Thee, O God, our heavenly Father, in whose sacred presence we dwell, do we lift up our hearts in gratitude for that providence which hitherto has shaped and guided the destiny of our Republic.

Keep us, we beseech Thee, evermore in touch with Thee, that we may more and more increase in everything that makes a nation great and glorious; that we may further demonstrate to the world the utility of our sacred principles, justice, liberty, equal rights for all, and thus hallow Thy name as faithful disciples of the Jesus of Nazareth. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Vice President, in pursuance of Senate concurrent resolution No. 28, had appointed as members of the joint committee on exercises in commemoration of the life, character, and public service of the late Theodore Roosevelt Mr. WADSWORTH, Mr. MARTIN of Virginia, Mr. SIMMONS, and Mr. CHAMBERLAIN.

The message also announced that the Senate had passed the following order:

Ordered, That Mr. FLETCHER be appointed a conferee on the part of the Senate on the bill (S. 1419) entitled "An act to amend an act entitled 'An act to regulate the construction of dams across navigable waters,' approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce," in the place of Mr. SHIELDS, excused.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

An act (S. 3469) to amend an act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," approved August 10, 1917; to the Committee on Agriculture.

SPEAKER PRO TEMPORE FOR SUNDAY, JANUARY 19, 1919.

The SPEAKER. The Chair assigns the gentleman from Illinois [Mr. CANNON] to preside next Sunday.

LIGNITE COAL AND PEAT.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 3220, known as the lignite bill, insist on the House amendments thereto, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent to take from the Speaker's table the bill S. 3220, to insist on the House amendments thereto, and agree to the conference. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (S. 3220) to authorize the Secretary of the Interior to make investigations through the Bureau of Mines of lignite coal and peat, to determine the practicability of their utilization as a fuel and in producing commercial products.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER announced the following conferees: Mr. FOSTER, Mr. WINGO, and Mr. DENISON.

CHANGE OF REFERENCE.

Mr. SEARS. Mr. Speaker, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of the bill H. R. 14077, a bill introduced by the gentleman from California [Mr. RANDALL], and relating to motion-picture shows, and that the same be referred to the Committee on Education. I understand the chairman of the Committee on the Judiciary stated to Mr. RANDALL that he thought this bill should go to the Committee on Education, and I will state for the information of the House that last year the committee had considerable hearings and those hearings have been printed, and perhaps

some expense in the form of printing hearings this year might be saved if this bill were referred to the Committee on Education.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I do not see how the Committee on Education has jurisdiction of a bill of the character the gentleman has mentioned.

The SPEAKER. The bill was sent to the Judiciary Committee because it contained a penalty.

Mr. SEARS. I simply made the request because session before last it was referred to the Committee on Education, and at the last session it was also referred to the Committee on Education. It is immaterial to me.

Mr. GARD. I reserve the right to object for the purpose of asking the gentleman a question. Does the bill carry a penalty for some noncompliance with the law relating to moving-picture shows, or what is it?

Mr. SEARS. I find in section 12 that "a violation of any of the provisions of this act shall be punished by a fine of not more than $1,000." I had not read the bill.

Mr. GARD. Then it is clearly not a bill for the Committee on Education, Mr. Speaker, and I object.

EXTENSION OF REMARKS.

Mr. SANFORD. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter written to me by Mr. Simon W. Rosendale on the subject of "Zionism."

The SPEAKER. The gentleman from New York asks unanimous consent to insert in the RECORD a letter on the subject of "Zionism." Is there objection?

Mr. STAFFORD. Mr. Speaker, I object.

Mr. SANFORD. Will the gentleman reserve his objection? The "official censor" of the House has passed on this, and I thought you would not press that in his absence.

Mr. STAFFORD. I was asked by my distinguished colleague, the gentleman from Massachusetts [Mr. WALSH], to safeguard the RECORD in his absence.

Mr. SANFORD. Perhaps you will take my word for it that he has passed on it.

Mr. STAFFORD. Of course, I am exercising in his absence my own particular judgment, and therefore I object.

CALENDAR WEDNESDAY.

Mr. KITCHIN. Mr. Speaker, I want to ask unanimous consent to dispense with the business in order on to-morrow, Calendar Wednesday, for the purpose——

The SPEAKER. The gentleman from North Carolina asks unanimous consent to dispense with business in order for Calendar Wednesday—to-morrow. Is there objection?

Mr. MANN. Reserving the right to object, what are we going to do to-day and to-morrow?

Mr. KITCHIN. We will have under consideration the legislative bill. We are going to try to get through by Thursday night, if possible.

Mr. MANN. You can not do that.

Mr. KITCHIN. I am asking to dispense with it for the purpose of trying to do the best we can to conclude it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the legislative, executive, and judicial appropriation bill.

LEAVE OF ABSENCE.

Mr. LITTLE. Just one minute. Mr. Speaker, I ask for indefinite leave of absence for Congressman LUNDEEN, of Minnesota, on account of sickness.

The SPEAKER. The gentleman from Kansas asks unanimous consent for indefinite leave of absence for Congressman LUNDEEN on account of sickness. Is there objection? [After a pause.] The Chair hears none.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of House bill 14078, the legislative appropriation bill.

Mr. BYRNS of Tennessee. Pending that motion, Mr. Speaker, I wish to ask the gentleman from Wisconsin [Mr. STAFFORD] if we can not agree upon time for general debate.

Mr. STAFFORD. I think, if the gentleman is in an agreeable frame of mind, there will be no difficulty whatever in agreeing upon time. I have requests on this side for more than four hours, not considering a request from my colleague on the committee [Mr. GOOD] or considering any time for myself. That is the condition of affairs that confronts me in the determination of what can be agreed upon as to time in the discussion of this bill in general debate.

Mr. BYRNS of Tennessee. I am sure the gentleman is as anxious as I am or any other Member of the House to dispose of this bill at the earliest possible moment. The gentleman is aware that another appropriation bill is to follow this, and then another. I was wondering if some of these gentlemen who have asked the gentleman for time would not be willing to take their time on a succeeding appropriation bill.

Mr. STAFFORD. I wish to say to the gentleman that I am quite as desirous as the gentleman is toward having this bill completed at an early date. It is a very long bill. I believe when we come to the consideration of the bill under the five-minute rule we shall make rapid progress, but these requests have been pending for a long time. They are largely upon subjects connected with current legislation, and those gentlemen are very insistent that they be granted the privilege at the present time. I would suggest that we go ahead to-day without any limitation and run maybe until 6 o'clock or 6.30, and then see what the status is and limit debate either when we get back into the House to-night or when we meet to-morrow morning.

Mr. BYRNS of Tennessee. Could we not agree that debate close to-night? We could sit until 9 o'clock if necessary.

Mr. STAFFORD. I think that is impracticable in view of the fact that these Members who have requested time desire an audience. I think if we run to 6.30 we would make good headway and be able to close debate some time to-morrow afternoon.

Mr. SLAYDEN. Mr. Speaker, will the gentleman from Tennessee permit me to suggest that in making that arrangement I would like to have him consider me for an hour?

Mr. BYRNS of Tennessee. I will state to the gentleman from Wisconsin that, including the request just made by the gentleman from Texas, I have requests for about three hours, and I shall want a little time for myself to explain some of the provisions of the bill. Could the gentleman get along on eight hours, to be equally divided?

Mr. STAFFORD. I do not see how we possibly could, unless the gentleman wishes to keep out the gentleman from Iowa [Mr. GOOD] and myself from making remarks.

Mr. BYRNS of Tennessee. Of course I do not want to do that.

Mr. STAFFORD. In that case I shall be willing to sacrifice my own time.

Mr. BYRNS of Tennessee. I ask unanimous consent, Mr. Speaker, that the time for general debate be equally divided, and that one-half be controlled by the gentleman from Wisconsin [Mr. STAFFORD] and one-half by myself. Perhaps we can agree later on as to limitation of time.

The SPEAKER. Do you fix any limit?

Mr. BYRNS of Tennessee. Not at present.

The SPEAKER. The gentleman from Tennessee, pending his motion, asks unanimous consent that the time be controlled half and half by himself and the gentleman from Wisconsin. Is there objection?

There was no objection.

BOARD OF VISITORS TO THE NAVAL ACADEMY.

The SPEAKER. The Chair announces as members of the Board of Visitors at Annapolis: Mr. PADGETT, Mr. ESTOPINAL, Mr. RIORDAN, Mr. BUTLER, and Mr. BROWNING. The statute is so obscure that I do not know whether the chairman of the Committee on Naval Affairs is an ex officio member or not, but the Chair will consider it.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Tennessee, that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14078, the legislative appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Missouri [Mr. ALEXANDER] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14078, the legislative appropriation bill, with Mr. ALEXANDER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14078, the legislative appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Tennessee is recognized.

Mr. STAFFORD. Mr. Chairman, if it is agreeable to the gentleman from Tennessee, I would like to yield some time at the present moment. I yield 30 minutes to the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The gentleman from Illinois is recognized for 30 minutes.

Mr. MANN. Mr. Chairman, I have received so many letters on different subjects relating to the failure in the main of the War Risk Insurance Bureau or the War Department to attend properly to the Government's business that I think that I ought to call the attention of the House in the CONGRESSIONAL RECORD to a few of them. My information is, from talks with other Members of the House, that they are in receipt of similar letters, although I hope not to the extent that I have been during the last few days or weeks.

I have not asked for very much time; I will proceed with these letters. I read:

CHICAGO, *January 6, 1919.*

Hon. JAMES R. MANN,
House of Representatives, Washington, D. C.

DEAR SIR: I am inclosing a copy of letter written by Mrs. Ethel Halpin to The Adjutant General of the United States with reference to her wounded husband, Thomas E. Halpin.

She and her mother-in-law have been left in absolute ignorance as to the condition of this man, who was severely wounded by machine-gun bullets in September, 1918. Mrs. Halpin is amazed to receive from the War Department a letter by which she is referred to the Bureau of Communications, American Red Cross, Washington, D. C., for information as to the condition of her husband, a soldier of the United States, wounded in its service. The absurdity of referring relatives to some voluntary organization for information regarding the condition of a man wounded in the service of his country, in the hospital, or perhaps dead, is such that it calls for the most vigorous action on behalf of the relatives here.

I respectfully request you, on behalf of Mrs. Halpin, that you make an effort to obtain some information as to this man's whereabouts and condition. I confidently intrust this matter to you with the expectation that some information may be obtained through the War Department.

Yours, very truly,

GEO. R. SANDERSON.

P. S.—I am inclosing you a photostatic copy of Gen. Parker's letter.

—

CHICAGO, ILL., *January 6, 1919.*

Hon. AUSTIN A. PARKER,
Adjutant General United States,
War Department, Washington, D. C.

DEAR SIR: I have your letter of the 3d instant with reference to my husband, Thomas E. Halpin, Company D, One hundred and eighth Engineers, who was severely wounded by machine-gun bullets September 26, 1918. Neither his mother, Mrs. Mary C. Halpin, 3641 Lexington Street, Chicago, Ill., nor myself has received any information from him, from the War Department, or from any source, respecting this wounded man since the first information to my mother-in-law.

Surely the United States takes more interest in its wounded soldiers than to ignore the repeated requests of interested relatives as to their whereabouts and present condition. Instead of having to refer to the American Red Cross, I repeat my inquiry to the War Department. I want to know where my husband is and how he is. I think I am entitled to this information from official sources, without being asked to call upon some voluntary organization for information.

I invoke the prompt action of the War Department, and I shall certainly expect to get definite and immediate answer from you.

Yours, very truly,

———.

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, January 3, 1919.

Mrs. ETHEL HALPIN,
Care Continental Casualty Co.,
919 Michigan Avenue, Chicago, Ill.

MADAM: I regret to advise you that this office has received no further information concerning Pvt. Thomas E. Halpin, Company D, One hundred and eighth Engineers, who was wounded severely by machine-gun bullet September 26, 1918.

Notification to this effect was sent by telegraph to his mother, Mrs. Mary C. Halpin, 3641 Lexington Street, Chicago, Ill., the emergency address left by the soldier.

For further information concerning his condition you should write to Bureau of Communications, American Red Cross, Washington, D. C.

Respectfully,

AUSTIN A. PARKER,
Adjutant General.

These parties had written to The Adjutant General's Office for information, and they received this reply under date of January 3, 1919:

I regret to advise that this office has received no further information concerning Pvt. Thomas E. Halpin, Company D, One hundred and eighth Engineers, who was wounded severely by machine-gun bullet September 26, 1918—

And so forth; and this:

For further information concerning his condition you should write to Bureau of Communications, American Red Cross, Washington, D. C.

Here is a man wounded severely in the service of the United States on the firing line in September last. His wife has been informed of the injury and, as I shall show later, with other letters, is probably unable to get into communication directly with the soldier through correspondence and writes to The Adjutant General's Office to inquire about the soldier. Now, it would be just as cheap for The Adjutant General's Office to cable to France or to write to France as it is for the Red Cross to do it. I can conceive no meaner disposition on the part of the Government than to tell a wondering and grieving wife, "Your husband was severely wounded nearly four months ago, and if you want to know how he is communicate with a private party."

I can understand how the Government in certain cases may not be able to give information, but when they can acquire it as easily as somebody else there is absolutely no excuse for the Government refusing to perform its duty in order to turn it over to the Red Cross. [Applause.]

I said probably the department had not been able to get into correspondence with the soldier, because letters written to soldiers in hospitals in France are meanwhile being returned to the writers through the Dead Letter Office, and no effort apparently is being made by the Army to deliver the letters addressed to soldiers in hospitals in France. Here is a letter dated January 6:

Inclosed find returned letter to me not delivered to my son who has been in France for 14 months.

This is from a father. He has a letter from his son dated December 17, saying:

No mail from you for five weeks and no pay for six months.

Notwithstanding the letter of Gen. Lord published in the newspapers and the letter of Secretary Baker, stating that these men were being paid up to date, no mail for five weeks and no pay for six months; and this is a mild case. This letter is from Theodor Rasch. Here is the envelope addressed to Harry H. Rasch, Headquarters, One hundred and forty-ninth United States Field Artillery, Base Hospital No. 17, American Post Office 715, American Expeditionary Forces, France, postmarked at South Chicago, September 14, 11.30 p. m., 1918. Stamped "Returned to writer." The letter in full is as follows:

SOUTH CHICAGO, ILL., *January 6, 1919.*

Congressman JAMES R. MANN.

DEAR SIR: Inclosed find returned letter to me not delivered to my son, who has been in France for 14 months. He was gassed August 7 at Fismes and sent to hospital at Dijon Base Hospital No. 17; from there he went to different camps and latter part of September he received two letters from home. October 10 he wrote from Base Hospital No. 6; next letter written October 23, when he was at front north of Verdun. He received letters at front November 10, and now he is or has been at Base Hospital No. 49; letter written by him to home dated December 17, in which he said no mail from you for five weeks and no pay for six months. Kindly give this your attention.

Yours, respectfully,

THEODOR RASCH.

Here is a letter from a gentleman, who is a man of very high standing in the city of Chicago:

TREASURY DEPARTMENT,
CUSTODIAN SERVICE,
South Chicago, Ill., January 4, 1919.

Hon. JAMES R. MANN, M. C.

DEAR MR. MANN: I again trouble you, and this time with a genuine grievance not only of my own but of several other parents here, who have the same tale to tell that I have.

I inclose three envelopes just received back from France. These are only a few of several, similarly treated, received by other parents here; however, I will only deal with the case of my own son.

This boy enlisted at the age of 19. He was not 21 till the 8th of December last. You will note from the address that he is a member of Col. Foreman's regiment. He is first gunner of his battery, and, I am informed, has the reputation of being the best gunner of the regiment. He was all through the fighting with his regiment up until about the middle of October when he was sent back to a base hospital. During this time he was one whole month without ever taking off his clothes, slept in trenches, where he would wake up with water about him and rats running over him; slept on the bare ground, lived on bully beef and hard tack, and most of this time handled his gun with his hands in bandages and regretted exceedingly to have to leave the fighting zone when he did. And now the sequel: This boy that offered his life for his flag and country is wounded or incapacitated and sent to a base hospital, and through the orders or regulations of some military martinet or stupid postal official he has not received a particle of mail since going to the hospital, and his case is only one of hundreds of other boys wounded or sick in the hospitals. In God's name, what good military or other purpose is served by such regulations? Surely if there is any time in his life when a boy would be anxious to hear from his family and friends it is when lying sick amongst strangers. The man who is responsible for this regulation, whether military or postal and whether high or low, is a stupid brute, and instead of occupying a responsible position should be punching red steers on the plains.

The family and friends have been writing him regularly. The night I heard he was sent to the hospital I wrote him and inclosed a money order for $50, thinking he might need funds. I sent him money again, as a Christmas present, and his sisters have sent him money as well as other little inclosures that they thought he would like. One of my

brothers, a priest in Ireland, on learning that he was in hospital and expecting that he would get a furlough when he recovered, wrote him and offered to pay all his expenses if he would visit the old home and relatives. And not one of those letters has he received. He writes home regularly, and in all his letters is begging for some word from home. Here is a quotation from a letter received yesterday from him:

"It seems years since there was any mail from home for me. This isolation from the place that occupies my mind at all times now makes me feel like an outcast, but I am expecting mail any day now. It is bound to get here some time, unless I leave too soon. A bunch of letters would be the most welcome Christmas present that I could ask for."

Imagine what thoughts must pass through this poor chap's mind. He does not know whether we at home are now among the living or the dead. Such a mental state is certainly not conducive to his quick recovery. And the brute who is responsible for those regulations did not have human feeling or wit enough, if there was any excuse for such regulations, to let the poor wounded or sick boys know that they would not have any mail sent them to the hospitals and thus in a measure relieve them of some cause of worry. We hear so much on this side of the water of the wonderful things that are doing and to be done for the sick and wounded. If there are any other regulations like this one, may God help the poor fellows. And this is the reward for those boys who endured untold hardships and shed their blood for their country.

I can not believe that Secretary Baker or other responsible Army heads know of this treatment of the sick and wounded, as well as their families, for the relatives worry as much as the poor boys in not being able to communicate with them. One of my daughters yesterday, in desperation, sent a cablegram to the hospital where Clifford is. I don't suppose that he will even be allowed to receive this. I may add that the boy says that he is in good health, only that there is infection in his wounded hands, hence receiving mail could be of no possible injury to him.

Now, Mr. MANN, I would ask you as a great favor to take this matter up with officials of the War Department that a stop may be put to this regulation. It may not do my boy any good, as he may be back with his regiment or on his way home before anything is done, but it will be a great act of charity on your part toward the other poor fellows in the hospitals.

My son's address to where we send his mail is as given on the envelopes:

"Corpl. Clifford O'Sullivan, Battery C, One hundred and twenty-second United States Field Artillery, American Expeditionary Forces, France."

The hospital to which he was sent is: "Base Hospital 19, Vichy, Allier, France." He cautions us to send all mail to his regimental address.

Wishing you a happy and prosperous New Year, I remain,

Very sincerely, yours,

P. T. O'SULLIVAN.

And here are the letters that were sent, returned to the writers, addressed to Corpl. Clifford O'Sullivan, Battery C, One hundred and twenty-second Regiment, Field Artillery, American Expeditionary Forces, France. They are marked "Sick, 10/10. Return to writer. Dead Letter Division, P. E. S., C. P. O., A. E. F."

Mr. DYER. Will the gentleman permit a question?

Mr. MANN. I have not the time.

Mr. DYER. I just wanted to know if the letters were returned from France, or if they ever left the United States?

Mr. MANN. They were returned from France, from the dead-letter office of the American Expeditionary Forces. They knew where he was. Somebody knew, and any sort of organization would have found him. Money was sent to him, letters from home were sent to a boy less than 21 years of age who had been fighting his machine gun with his hands bandaged. Then he was sent to the hospital and could not hear from home. And if his family should ask the War Department about him they would be told to go to the Red Cross, that they have something else to do besides give information about wounded soldiers. In the opinion of The Adjutant General a wounded soldier is a petty thing.

Here is another letter:

JANUARY 2, 1918.

Hon. JAMES R. MANN,
House of Representatives, Washington, D. C.

DEAR SIR: I take this liberty in addressing you on a matter which not only concerns myself but also many other western men, who, after serving their country faithfully and suffering great hardships in the field overseas, return to this great country of ours and are held for an indefinite period in eastern training camps.

My case is this: Our regiment arrived from Brest, France, December 22. Upon our arrival at this camp all the men from the Eastern or New England States were discharged in the course of four days. We of the West are being held here for what reason no one seems to know, and in spite of our appeals for discharge, even offering to waive our transportation money, we can get no results.

There is not a man among us who is not frantic to get home to his loved ones, and it seems that we are entitled to some consideration as well as those who live in Boston.

Could I call upon you, Mr. MANN, to look into this matter and see if it is not possible to have us discharged and sent home from here without any more red tape of being sent to some other camp for another stretch of waiting

Yours, sincerely, Private JAMES J. HILL.

Battery "C," Seventy-third Artillery, Camp Devens, Mass.
Chicago address, 1639 North Tripp Avenue.

Here is another letter:

MY DEAR CONGRESSMAN MANN: I am a member of the Medical Department, United States Army, and have been for nearly a year past located at the base hospital, Camp Grant, Ill. You will, therefore, understand my reason for withholding my name for the present, as a good many men whom I have known have been severely handled for writing to their Senators and Congressmen, and I do not care to run the risk of a court-martial at this late date.

No effort whatever is being made to demobilize the enlisted personnel, and it appears that we may be in service for another eight months or a year. The manner in which applications for discharge are handled is an absolute farce. Although an average of 20 applications for discharge are being accepted each day, only 5 have been approved to date. Letters addressed to the commanding general, Capt. Grant, through military channels are returned to the writer without individual comment by the commanding officer base hospital, in direct contradiction to instructions contained in Army Regulations regarding the transmittal of military letters. At least 90 per cent of the applications are cases of actual hardship in the applicant's family and are supported by the usual affidavits. They are not even given consideration and their rejection unquestionably means that untold suffering will result.

This letter is not being written because of my personal grievance, but because I feel that a man who has served his Nation faithfully and well should not be treated like a dog, but should receive justice.

Here is another letter:

CHICAGO, ILL., *January 8, 1919.*

Hon. JAMES R. MANN.

DEAR SIR: Will you kindly tell me why my husband has never received one of my letters since he arrived in France? He arrived at France around the 1st of October, and I have written every other day reguarly, and he keeps sending cablegrams, "Why don't you write?" He went over with the Thirty-first Division from Macon, Ga., and was transferred to the postal express service lately. Will you please see what you can do for me, as I need him home badly, as my father died in November, leaving me an added expense to my mother. Will you please help me to find out why he does not receive my letters, as he is terribly worried at not hearing from me.

Thanking you in advance for this kind favor, I am,

Very truly, yours,

Mrs. R. A. MACKIE,
7157 South Halsted Street, Chicago, Ill.
(Third Apartment, care of Mrs. Hull).

My husband's address is as follows: Corpl. Rae A. Mackie, No. 1360966, Postal Express Service, A. P. O. 717. American Expeditionary Forces, Tours, France.

And this man is in the postal express service of the Army; but through the absolute disorganization of the War Department a man in the postal express service, who has the money to cable home, can not hear from his wife. He might have been exempted from the service if he had asked exemption, but he did not.

Here is another letter:

CHICAGO, ILL., *January 8, 1919.*

Hon. JAMES R. MANN, M. C.,
Washington, D. C.

DEAR SIR: Inclosed you will find clippings from the Chicago Tribune of January 5 and 6 relating to treatment given our boys who are over in France. You will find it a good sample of many cases who have been treated the same way. I have a son over there since August 2, who has not received one letter since arriving there; we have written more than 50 letters and friends have written at least 25 more, and he has not received a solitary one. We receive letters from him about every three weeks, the last one about a week ago said he had not had a cent of pay for five months but would not care for the money if he could only hear from home to know we were still alive.

He was quite seriously wounded in the Argonne fight, and about the 5th of October was in base hospital 54, where he wrote to us from, saying he would give anything for a letter from home. About the 20th of October I wrote him at the base hospital. I wrote a letter at the same time to the United States Postal Express Service and his commanding officer to try and get some mail to him, but could not stir up anything. On December 6 I got telegram from adjutant's office saying, "Sorry to inform you Earl Eyer is missing in action since October 30." I answered back telling in which hospital he had written us from and to verify and answer back. I got no response in reasonable time, so I wrote him full particulars as to the boy being wounded and in hospital since October 5; that we had several letters from him and the date of last one at that time, which was November 3.

In a few days I received a telegram which read: "December 16. Cabled for information concerning Pvt. Earl Eyer; will advise report when received. Harris." On January 6, 1919, I received the following telegram, "Pvt. Earl Eyer, Infantry, previously reported missing in action since October 30, now reported returned to duty December 30. Harris."

I received a cablegram from the boy January 2 saying he was well; that gave me a telegraph address, and I cabled back next day to let him know we were all well. I will also inclose the envelopes of two letters returned on the 6th; you can judge for yourself whether they have ever been across the ocean or not; if they have been, why were they not delivered to him? If they knew he was wounded before I told them where he was, they surely could have delivered mail. It looks like the mail service overseas has been as rotten as the aeroplane and munition works corporations. You will please excuse my very plain expressions in this matter, but when we have deprived ourselves to help win this war and have our sons suffer the way so many do, and apparently on account of inefficiency of management of our worthy Cabinet, can you wonder that we feel the way we do?

Yours, truly,

W. EYER,
710 East Sixty-ninth Street, Chicago.

This envelope, addressed to Earl Eyer, Company I, Fourth Infantry, American Expeditionary Forces, via New York, has a pencil memorandum—

Wounded 11/13.

It is postmarked at Chicago September 23 last. It has also—

Returned to writer.

Here is another one addressed to the same man, and it is also marked—

Wounded; returned to writer.

Here is another letter from the boy himself. It is dated December 11 last, and is as follows:

DEAR MOTHER, DAD, AND BROTHERS: It has been three months since I have had any mail, and I am lonesome and downhearted. My mail is somewhere in France, and the Lord only knows when I will get it. I hope and trust you are all well and happy. Life for the past month has been hell. It seems as though all of the S. O. S. are against us. There are 490 of us in this camp. All of us have either been wounded or sick; and do you know what they have us doing? Stevedore work, unloading coal, etc. While we do such work the S. O. S. are playing ball and writing letters. If you hear of me going to jail, you will know that I put one of these S. O. S. birds to sleep. It gets a fellow's goat after he has spent nine months in the lines, dodged death a few times, sleeping in shell holes, rain and mud, and then have to come back here and do their work. We spend most of the time in pup tents, while they are sleeping in barracks, with stoves and bunks in them. After two weeks of the above we moved into a barracks and were told to make ourselves comfortable. Everyone got for himself a bunk, after carrying it about half a mile and putting it together. We spent one night in it and were told to move, and in came negroes to sleep in the bunks we carried and built. They moved us into barracks without windows and doors, and we again had to sleep on the ground. It rained last night, and the barracks were as waterproof as a sponge. We have not seen a pay day in months—

I call this especially to the attention of Secretary Baker—

and they will not try to get our mail, so you see how miserable this makes things for us. The Eighty-sixth Division, as you know, is the Blackhawk, and it comes from Chicago. They have been over here for four months, and they think it is awful because they have not gone back by this time. We have been here since October 31, 1917, and, according to the papers, they are going to ask Congress to pass a law which will give them authority to keep us over here indefinitely. Oh, well, we had an easy time of it. We were only in the following battles: Champagne, Chateau-Thierry, St. Mihiel, Verdun, and the Argonne Forest, and in each one saw many of our pals fall from the Hun fire; but regardless of all, I can go back and say I have done my bit to help win the war. I was in the first big American battle and the last one and did not quit until I was forced to. It has been three long, weary months since I heard from home, and I am lonesome and disgusted. I have been in this camp for a month and, to tell you the truth, it has been the most miserable month I have spent since I have been here, and I have had some miserable days. I feel as bad and pretty near worse than when I was sent to the hospital, having been taken off the field of battle. All they think of back here is to work us day and night. There are 400 from our division here. Everyone has seen action and has been sick or wounded. Instead of giving us good living quarters, they house us in barracks without windows or doors, and, to top things off, we have been sleeping on the ground. You will not find the S. O. S. men living like this. They have warm barracks and bunks and instead of working they write letters and play ball, and we have to do their work. I told you in one of my letters not to write to me any more. Well, mother, cancel that order. It looks as though we will be here for a long time, so keep on writing. I must close, as I am out of news, and disgusted. Hoping you are well and happy, I remain, with love,

Your son,

JACK.

Was he entitled to a letter from home? Do you not think the Government could afford to deliver his mail to him—a boy who was in almost every one of the big battles, who was wounded and sent to a hospital, who was compelled to sleep on the ground? Do you not think the Government might at least have given him his mail? It did not pay him; it did not provide him with decent quarters. He was sent to the hospital. Was not the least the Government could do to deliver his mail to him? What kind of an organization is it over there—hampered undoubtedly by regulations from here—which after a year and a half of war can not pretend to get the mail into the camps and hospitals?

Mr. LINTHICUM. Mr. Chairman, I would like to ask the gentleman why those letters were returned. Was there any reason for it? Were they not delivered to the hospital—the one the gentleman mentioned previous to this.

Mr. MANN. There was no reason given except that the man was wounded and it was returned to the writer.

Mr. FLOOD. I would like to ask the gentleman how many letters were returned.

Mr. MANN. I have given the address here of quite a number, but I have a great many more in my office. I was just about to say that the Assistant Postmaster General is reported to have said the other day that there were three or four tons of these letters returned from France.

Mr. LINTHICUM. I want to say to the gentleman that several days ago I got a letter from a parent of one of the boys who went over there, and he was wounded and in the hospital, saying that certain letters had been returned, and I wrote him and suggested that perhaps the boy was on his way home, and about a week after that he arrived at Norfolk. I thought perhaps that might be the case here.

Mr. MANN. Oh, no; there can be no excuse made. The boys were there in the hospital and the letters were in the hands of the postal officials of the War Department over there, and instead of being delivered they were returned to the writer, although they had the indorsement on the envelope itself that the man was wounded, and they knew he was wounded, and they knew he was in the hospital.

Mr. FREAR. It was 8 or 10 carloads the assistant postmaster said, not tons of letters, when he testified before the Senate committee.

Mr. MANN. Very well. It may have been carloads. I do not remember. Now, I think the boys at home ought to be discharged. They are granting discharges to the boys in the camps at home very slowly. Here is a letter from a boy who is at Camp Grant—I dare not give his name:

As you know, there are many thousand boys here in our camps who are not doing a hand of work, not even earning the salt they use, for the Government, but yet are wasting valuable time which they might be utilizing to the interest of their family or themselves. This does not seem hardly fair, that these men should be held here in the Army when they have their future to look forward to. For the War Department to hold these men any longer is outrageous. I for one haven't done a lick of work for the last two months, but yet when I apply for discharge I am only refused and told that my services are needed in the work of demobilization of other troops, and the only thing I am needed for is to eat three meals a day and sleep. Now, if any fair-minded man can show me any reason for such kid's play, I am willing to keep quiet about it and stay for as long a time as Mr. Baker or any of his gang wants me to, but I am not willing to stay here doing nothing for my country and losing plenty for myself and probably my family future. Are not we deserving of an immediate discharge when our services are not needed? But that may be all true enough, but like all Army regulations the officers say it is an order, and so it will have to be carried out. The personnel officer of this camp says that there must be 17,000 men retained here for demobilization work. Now, anyone with an ounce of sense will readily see that there is no need of that many men to discharge 1,500 men a day. So, under such regulations, we soldiers that have been unfortunate enough to be assigned to what our personnel officer has classed as permanent units are held and will be held until the middle of summer or four months after peace has been signed. There are too many officers in our Army of to-day who now have the best position they ever had, and do not want to discharge their men, as they want to hold on to the soft snap as long as possible. Are you men who sent us here going to stand for such a condition as this? We have given up everything to go forth and fight for fairness and justice. Now show us, by the use of your good office, that you intend for every man to get a square deal.

I have had a great many letters from boys in camps similar to that. Nothing to do in camp, with an opportunity to take a good position at home. And they are not discharged, and you can not get any information from the War Department about the cases, or if they answer a letter, as they probably will, they answer with a form letter, a form letter giving no information.

Mr. FULLER of Illinois. And it takes six months to get that.

Mr. MANN. They are making no effort to let these boys out who have got jobs awaiting them and who want to go to work. I have letters from men in all branches of the service, a whole lot of them here. I have not the time to read them, because I want to read to the House a letter received from one of the boys at Brest, if I have the time, and I want to say in connection with the conditions at Brest, I have made some inquiry about the matter, and the conditions there are not the fault of the men in charge at Brest. The conditions there are the fault of the Army, the General Staff here in Washington. This is dated:

BREST, FRANCE, *December 17, 1918.*

SWEETEST MOTHER: It would take volumes to tell you of the trip here and another set of classics to tell about the horrors of Brest. The famous 5-foot shelf of Harvard classics would hardly suffice. If I dared use such language as the men use, I'd probably be thrown out of the Army for abuse of the mails and disowned by you, but I would be better able to describe Brest.

Imagine 600 hungry men, tired out from four days in what are known as "eight-forties" (chevaux and hommes, respectively), with an 85-pound sack on their backs, a heavy overcoat, heavy underwear, heavy "arctic" overshoes, detraining in the dark, marching 4½ miles in mud that kept getting deeper and deeper! Finding all Army tents pitched in the mud, having to sleep in the selfsame mud that night, and finding the next day that they had to eat in centralized kitchens, waiting in line from an hour to an hour and a half to get chow, and, having gotten it, finding that it was impossible even for a hungry man to eat it!

And I may say that this letter is absolutely a private letter and never expected to see public light—

There must be between 40,000 and 60,000 men here. Transportation is so scarce that water carts are hauled by details of 14 men. Our outfits haven't any cart. We send details with the men's canteens to get water. There are no latrines. Big cans (galvanized iron) are set along the roadsides for the men to defecate in. Every few hundred yards—perhaps every quarter of a mile—there is a row of these cans. The smell is fierce. Trenches are dug near every outfit for urinating. The camp is so crowded that there seems to be no head or tail to anything. From 11 until 2, from 4 till 7, the roads are packed with men and officers trying to get chow. I've dipped my mess kit into "suds 'n' rinser" together with lieutenant colonels, who were just as vociferously damning the whole place as the loudest second lieutenant. Men are only allowed to take one pair of shoes to the States. Their outfits may have been here for weeks, all prepared to embark four days after their arrival here. These men have nothing but wet shoes and wet socks to wear, and can't get anything else—

A General Staff regulation—

To-day two colonels inspected the mess. They came a whole hour before the terrible mob scene. They will report "everything lovely."

This morning I was down at headquarters, over a mile from where our part of the camp is. This headquarters group used to be all the camp there was here. Now it is just about big enough, with a lot of wooden shacks added, to house the necessary offices. Troops and mud, troops and mud—more mud and then some more—everywhere. And

thousands more arriving daily—not mud, but troops. When Mr. Wilson arrived at this port they hustled him aboard a train. I wish he could have waded incog. through this camp. To cap the climax, it rains every half hour. Then the sun shines; then the sky clouds up and it gets awfully chilly. You always have to have your raincoat with you, and when it isn't raining you suffocate from just carrying it. There's no use trying to dodge the mud holes. If you don't step in them, some one else will and slop it all over you, or a truck will go splashing through with "a bone in her teeth," throwing mud for 10 feet on either side. You can't tell where the holes are, for the whole road is a pool of liquid mud. The traffic of trucks and soldiers, and soldiers pulling water carts, prisoners loading defecating cans onto trucks, is a mad whirl of mud, men, and smells. It reminded me of the crowd leaving the ball game, if the game were played in the slums of garbage row and the fans all wore khaki. To-day I helped a major carry his own bedding roll for half a mile!

There is not enough truckage so that individual units can run their own mess. The men are scurrying the country roundabout the camp for loaves of French bread, cans of sardines, anything they can get, to fill out the voids in their stomachs. If the American Expeditionary Forces are demobilized through Brest and the present conditions keep up, there will never be another draft put over in the States nor will any of these men ever volunteer.

Brest is the greatest antimilitary argument in the whole, wide, wide world. The situation is just not handled at all. The men came to me to-day. "Lieutenant, how about our mess fund?" I had to tell them that when we arrived they took our field kitchen away from us, so we couldn't cook; there was no wood to be had, and no trucks to haul fuel if we could get it—no trucks to haul food. But to-morrow I'm going to take 40 or 50 men with me to the sales commissary and buy enough stuff so we can serve our own breakfasts—cold, it's true, but we can heat coffee and can give men enough to start the day on.

We'll probably all of us have the most miserable Christmas in our existence if we stay here. I can't imagine a worse hole than this—and we have a so-called War College to teach officers how to handle such a situation. I hope they court-martial me for this letter—perhaps the information I could divulge would open the eyes of a few of the officials in the Capitol, who hear nothing but flowery tales of the American Expeditionary Forces.

And now, sweet mother, it's time for me to kick in. Thank God, I've got my bedding roll with me and haven't as yet lost the blankets.

Good night, and love, love, love—

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask leave to insert these letters complete——

Mr. STAFFORD. Does the gentleman desire any more time?

Mr. MANN. I would not like to take more time; I do not want to take time away from gentlemen who desire time. However, I will take two minutes more.

Mr. STAFFORD. I will yield the gentleman five minutes.

Mr. MANN. Well, I do not want to take time away from other gentlemen.

Mr. STAFFORD. The gentleman can yield back the time if he does not need it.

Mr. MANN. I know a boy, a brigadier general, who was reported to be in charge at Brest, an officer of the Marine Corps. I know him well; I have known him since he was a small boy. I learned that he did one thing, probably many more like it; he took the hay the Army had sent for the horses and gave it to the boys to lay on the mud that they might lie on the hay. I do not know whether they will court-martial him for that or not. They had no nurses at this camp. This boy, Brig. Gen. Butler, had 2,000 marines there, and he put them at work taking care of the sick who came there. They had influenza at the camp. These marines took the men, carried them directly from the train to the camp and laid them on the hay. They fed them, took care of them, and were acting as nurses for them. Lo and behold! an order came to ship these marines and scatter them through camps throughout France. They were there acting, and willing to act, as nurses, and they were ordered away where they had nothing to do but kill time, and the men who were sick were required to wait on each other. Who can imagine a more brutal and inefficient service than that? [Applause.] There can be no excuse for it. We, we of this body, forced the men into the Army by the draft. It is true many of them volunteered, but we forced them into the Army. We knew they would undergo hardships, perhaps lose their lives, perhaps lose their limbs, but we intended and put into the law that they might give part of their pay to their dependents at home and the Government would supplement that. That has not been done. We guaranteed to them that we would give them as good protection as could be given to them while in the Army, and we have utterly failed as a Government to carry out our promise. If there was to be a new war to-day, after these boys come home, it would not be so easy to get a new army if the same Army officials were to be in charge of the Army. [Applause.]

Mr. GOOD. Will the gentleman yield for a question?

Mr. MANN. I will.

Mr. GOOD. I was wondering if the gentleman knew anything about the practice that is indulged in here in Washington in regard to St. Elizabeths? Everybody knows that is an institution for the insane, and I was told by a man just back from France that in the insane ward there a great many boys who had come back a little nervous because of shell shock were put along in the same ward with men who are insane, and had been insane for years, are incurable, and they are all in the same wards together.

Mr. MANN. Well, there are so many things being done that are incomprehensible that I sometimes wonder if the men in charge of the War Department have utterly lost sight of what is known as common sense——

Mr. FREAR. And humanity.

Mr. DYER. Is there not something that Congress can do to remedy the situation?

Mr. MANN. I think there might be, but I do not know.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 40 minutes to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. STAFFORD. Will the gentleman permit me to direct an inquiry to the chairman? May I inquire of the gentleman having the bill in charge as to what his desire is as to yielding time? There are many men on ths side who would like to hear the gentleman from Illinois [Mr. MASON] speak on the league of nations, and I would like to accommodate them so far as to give them notice as to when he will be recognized.

Mr. BYRNS of Tennessee. That, of course, depends on the gentleman from Wisconsin.

Mr. STAFFORD. I do not know whether the gentleman desires recognition after the gentleman from Massachusetts [Mr. GALLIVAN] concludes or not.

Mr. BYRNS of Tennessee. I take it that we will alternate in the time.

Mr. STAFFORD. Then I give notice that I will next yield to the gentleman from Illinois [Mr. MASON].

Mr. BYRNS of Tennessee. I yield 40 minutes to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. Mr. Chairman, the recital of the story by the gentleman from Illinois [Mr. MANN] was most interesting and heart appealing, but it is not new to most of us. We all have heard the things which he has heard, and some of us have heard of even more outrageous things than he has told us. Delayed mail, mistaken reports of casualties, and various other lapses of the War Department have been told to every Member of this House in his daily mail. When a distinguished Member of the other branch said that the War Department had failed to function because we were at war, he was assailed in a certain part of the public press from Maine to California; but when he said that the War Department had failed to function he told a whole lot of truth. [Applause.] And his direct attack on that department awoke the country and the department so that it proceeded to function in part.

Mr. Chairman, what will the men of this Congress say when they hear the story of an entire division of American boys, the first National Guard unit in this country to leave our shores and fight in every fight since February, 1918, beginning at Chemin des Dames, and who were at Soissons, Apremont, Seicheprey, Flirey, Xivray, Chateau-Thierry, St. Mihiel, Belleau Wood, Verdun, and the Argonne Forest? Twenty-six thousand men left New England in September, 1917; in February, 1918, these boys went into the trenches; and on November 11, 1918, a shattered remnant came out of the trenches. Thirteen thousand casualties occurred in the "Yankee Division." Think of it, men of America! Five hundred and sixty boys of a regiment, the One hundred and first Infantry, formerly the Ninth Massachusetts, and of the Fifth Massachusetts, and of the Sixth Massachusetts, sleep their last long sleep under the blood-soaked fields of France; 2,300 of those boys wounded—arm off, leg off, eye out, gassed—oh, I can not go on!

And on the 6th of November, 1918, the colonel of that regiment, who had stood with his boys from September, 1917, until November 1, 1918, shoulder to shoulder with them in the trench and in combat, was relieved of his regiment to make way for a dandy pet of the Leavenworth clique.

Mr. BUTLER. I have had the same experience.

Mr. GALLIVAN. You have all the same story of what has happened to the commanding officers of regiments which went out in the National Guard, because, forsooth, some one in authority did not believe that the man from your State, and from your State, yes, and from your State [pointing], and from my State, who went out as colonel or major in authority, just as well versed in modern warfare, as exemplified on the battle fields of France, as a graduate of West Point or of Leavenworth, was the kind of fellow that the Regular Army colonel wanted to rub elbows with or get the glory that comes out of war. They were all right for months, when the shells were shrieking and the "H. E.'s" exploding; but just like the last quarter of a football game, when the whistle is about to blow, and the ball is on the 1-yard line ready to go over, they take out these gallant officers from the National Guard in this country and they hand the com-

mission and the salary that goes with the job to some fellow who never engaged with combat troops in all the period of the war.

Now, Mr. Chairman, if there be any man who doubts what I have said, I am going to ask at a later date that this entire thing be investigated by this body. [Applause.]

Mr. BUTLER. Will the gentleman permit me to add here that the same occurrence, the same facts, occurred with a soldier in my congressional district? The day before the armistice was signed they removed him and sent him home, after being in continuous battle for four months as the captain in an artillery regiment.

Mr. GALLIVAN. One of the finest men in Texas was removed under similar conditions; two splendid colonels in Missouri were removed; a brigadier general from Pennsylvania was removed under similar conditions. And then, if you ask the Secretary of War for an explanation, you are told that he has nothing to do with it; that Gen. Pershing is in complete authority; and if you ask him the second time for some other information he gets peeved. He does not like to be cross-examined. [Laughter.] And his Chief of Staff—why, I read with amusing interest what my good friend from Illinois [Mr. MADDEN] said the other day about the Chief of Staff and his upstart aide. And since then I have had a similar experience. I asked him politely when the division to which I have referred—the Yankee Division—which has been in France since September 23, 1917, and which is now stranded in France, would be permitted to come back to the States. Remember, Mr. Chairman, that the division of which I speak has been longer in France than any other division, with the single exception of the troops that went over, at the beginning of our entrance into the conflict, with Gen. Pershing. Ninety-six hundred men have passed through one regiment, with whose work I am more familiar than with the work of other regiments in that division. Think of it! The war strength of a regiment is 3,650, and 9,600 men have passed through the One hundred and first Infantry from February to November. And I asked when these boys, what is left of them, would be permitted to come home.

I directed my inquiry to Gen. March, and I wrote on the outside of the envelope the words "Personal; special attention of Gen. March." [Laughter.] I received a reply on Saturday, in which I was informed by one Swing, a major in the National Army, that—

> Gen. March directs me to say to you that the Twenty-sixth Division is not on priority and will not be placed there until Gen. Pershing decides to place it there. Any other information on this division will be furnished you through the press.

[Laughter.] That is the gospel truth, gentlemen. [Renewed laughter.]

Mr. BUTLER. You have got to read it in the newspapers.

Mr. GALLIVAN. That is the gospel truth. Well, I wrote the heroic Gen. March, and I told him that if he tried to ignore me he was not going to get away with it. [Applause.] I repeated my inquiry, and I said to him, "Now, you tell me it is up to Pershing. I want to ask you how I can reach Gen. Pershing." I had written him two or three letters since this war started, and I wrote at the suggestion of the War Department, and until this hour I have never received a reply from Gen. Pershing or from any member of his numerous and highly tailored staff [laughter], which from the inception of the conflict has slept comfortably in Chaumont and Tours.

So that, Mr. Chairman, while I had not the faintest intention of referring to this matter in the time allotted to me in this debate, I could not keep quiet after listening to the gentleman from Illinois [Mr. MANN], when I had the story and knew it to be true and wanted to share some little part of it with Congress. I do not desire any publicity about this matter, gentleman. But I dare say I will get a little bit on account of some things I have said. [Laughter.]

I want to say to the practical politicians in Congress that I would not wish my political enemy any more harm than that he should select for high public preferment one or two of the so-called great generals who are abroad and who have never even seen a combat. [Laughter.] I mention no names. [Laughter.] I have talked with the boys, and there is not one of them—no, not one of them—that has either affection or respect for the two or three that I have in mind. [Applause.] Now, Mr. Chairman, Congress ought to do something. Congress, through its Military Committee or through its leaders, ought to do something, and it ought to do it on a nonpartisan basis. There ought not to be any politics in it. [Applause.] Remember, as the gentleman from Illinois [Mr. MANN] has said, that a great many of these boys were shoved into the Army. They were good men. The boys for whom I speak volunteered. They were in the Massachusetts Volunteer Militia. They were only home a short time from a six-months' tour of duty on the Mexican border, and they went to France, and I am proud to say this word: They went to France, the first State unit to go from this country, because they were the first State unit ready. Honest to God, they taught Regular Army men at their elbows how to do things. [Applause.] They taught them how to take care of themselves. They had an intelligent leader. Col. Logan was the peer of any officer. They were good boys from good families, and those of them who still survive are over there yet. There has not been a day since they were placed at this so-called rest camp when from two to six of them have not died from illness in some hospital.

Of course, their mothers and their fathers want the boys to come back. But for the first time I am beginning to hear from the boys themselves that they would like to come back. They have been there now since September, 1917. That is a long, long time. They have seen their comrades go over the top and into the mouth of hell and they have buried them in France, and now, with the fighting over, their minds go back to the early days when they talked with one another as to what the future had in store, and then they count over the list of those who were their tent mates, and they find that they have gone—"gone west"—and the boys who survive would like to come home.

What is Congress going to do about it? Is it going to allow the Secretary of War to "pass the buck" to Pershing? Is it going to allow the handsome Chief of Staff to "pass the buck" to Pershing? What are we elected for? I respectfully submit that I hope my words will be thought over after you gentlemen have left the Chamber. I confess that I do not feel powerfully important enough to start such an investigation as I would like to see begun, but unless some big fellow does it, a little fellow like myself will undertake it. [Applause.]

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. SNYDER. Yesterday we passed a bill through this House giving the Commander in Chief of the Army $100,000,000 to be spent as he saw fit. Does not the gentleman think that some of the arguments he has made here to-day would have had greater effect if we had had this knowledge? And does he not fear that, the President of the United States being Commander in Chief of the Army and having control of the Secretary of War, there is a possibility of as many mistakes being made in the expenditure of this $100,000,000 which the Congress saw fit to give him yesterday as have taken place in the management of the Army?

Mr. GALLIVAN. Oh, anything is likely to happen; but that has not anything to do with this case whatever.

Mr. SNYDER. It seems to me it has.

Mr. GALLIVAN. And the question has no place in my remarks.

Mr. LITTLE. Mr. Chairman, will the gentleman yield for a question?

Mr. GALLIVAN. If it has to do with my remarks, gladly.

Mr. LITTLE. I think it has.

Mr. GALLIVAN. I will decide that point. [Laughter.]

Mr. LITTLE. The day before this you allowed the War Department the same authority to spend $4,000,000,000. Is it not possible that there might be as many mistakes in the expenditure of that $4,000,000,000 as in the expenditure of the $100,000,000?

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes; if it has any bearing on what I am talking about.

Mr. DYER. Will not the gentleman state what his idea and suggestion is as to what we, the Congress, can do to help in this deplorable situation of which he and the gentleman from Illinois talked this morning?

Mr. GALLIVAN. I have an idea that either the Committee on Military Affairs or a special committee appointed by the Chair, with equal representation from the two political parties, should at once conduct such an investigation as I have referred to, begin taking evidence here, and then go abroad and visit in France every outfit that has a complaint and that wants to be heard.

Mr. DYER. I take it from the gentleman's remarks that he thinks it should be composed of Members of both branches of Congress.

Mr. GALLIVAN. Exactly.

Mr. DYER. Of both political parties.

Mr. GALLIVAN. Exactly, in equal numbers.

Mr. DYER. I advocate that, and suggest that the gentleman urge such a proposition on the Democratic leaders of this Congress. [Applause.]

Mr. GALLIVAN. How much time have I left, Mr. Chairman?

The CHAIRMAN. Twenty minutes.

Mr. WHITE of Maine. The gentleman has spoken of one colonel of this Twenty-sixth Division being relieved of his command. Can he give us any information as to how many other officers with this division have been relieved?

Mr. GALLIVAN. I can, and I am glad the gentleman has asked the question. The colonel whom I had in mind was from my own city, and he is my next-door neighbor. He was the longest-in-service colonel in command of a regiment now in France when relieved, a distinguished graduate of Harvard College, who left Harvard in 1898 to go into the Spanish War as a boy, and he has been a soldier ever since. He gave up his place on the bench to go to France, and he led as brave an outfit as ever left America. He is the man that went into the trenches and into the gutters night after night with his boys; and just before the bell rang, when everything was safe, he was relieved of his command, and it was not given to his lieutenant colonel, mark you, noble Jack Greenaway, whom most of you have heard of. Jack Greenaway was with Col. Roosevelt in the Spanish War. He was a Yale man, a great athlete, and a wonderful fellow. In August last he became lieutenant colonel of the One hundred and first Infantry and a loyal aid to Col. Logan. The command was not given to Jack Greenaway, the colonel's assistant, but it was given to a Regular Army officer.

The gentleman from Maine asks me if I know about any other colonel. The colonel of the Maine outfit was removed even later, another gallant New Englander, Col. Hume, with a splendid career in the service of his State and of his country, and a brigadier general from my State, in command of the Fifty-second Brigade, was relieved of his command, and Maj. Gen. Clarence R. Edwards—God bless his name [applause]—who went to France in charge of this division, was sent home in September because he refused to do the dirty work. [Applause.] That is the story, gentlemen. He was told to his face by a whipper-snapper chief of staff of the Twenty-sixth Division named Duncan K. Major, a lieutenant colonel, "If you don't get these National Guardsmen, we will get you." And they got Clarence Edwards; but, as I said before, he refused to do their dirty work, and when he came to Boston he owned that town, and as long as he lives he will have a place in the hearts of New England second to no other man. [Applause.]

Mr. BUTLER. Will the gentleman permit me to ask him a question?

Mr. GALLIVAN. Yes.

Mr. BUTLER. Of course, the country knew very well that Gen. Clarence Edwards had been sent home; but did I understand the gentleman to say that he was threatened with dismissal if he did not get these National Guardsmen?

Mr. GALLIVAN. The man who threatened him had no power of dismissal, but he had the power of scheming and of "framing" and of misrepresentation. You know that the chief of staff of a division is a pretty powerful fellow. In most instances he runs the division. The major general does not always run it. I am not yet permitted to give to the public my authority for the statement that this chief of staff had said to Gen. Edwards, "If you do not get these National Guardsmen, we will get you," but they "got" Clarence Edwards. He is back in Boston once more at the head of the Northeastern Division, and I have no doubt that when all the boys come back home we shall hear more about it. The boys will be discharged and they will be home some day, but I want to see this thing all come out, and I want the deserving brigadier general and the colonels to whom I have referred restored to their commands, and I want to see tribute paid, at least by the Congress of the United States, to the wonderful sacrifices which each and every one of them has made. [Applause.]

Mr. LITTLE. Will the gentleman yield for a question?

Mr. GALLIVAN. Yes.

Mr. LITTLE. I want to call the gentleman's attention to the fact that probably another reason——

Mr. GALLIVAN. Has the gentleman a question to ask me? I can not yield for a statement.

Mr. LITTLE. I will put it in the form of a question. Does the gentleman know that Gen. Clarence Edwards was out of fashion with that clique for another reason—that is, that he was a fighting soldier instead of an expert? He was with Lawton in the Philippines, and before this war began had fought in more fights and commanded more troops in action than any major general that went to France. For that reason he was a little unfashionable. And I can add a little to the gentleman's statement of facts by saying that the week before he sailed he said to me that he proposed to get either a bullet or a promotion. I am sure he tried hard for both. It is a subject of great regret to me that he did not get the promotion. I sympathize with the gentleman. [Applause.]

Mr. GALLIVAN. I understand from what the gentleman from Kansas has said and from my own knowledge that Gen. Edwards is just as he has described him. He was a fighting general and he saw combat and participated in combat, and few of these other fellows did, and do not you get bluffed when they come back home. Many of them do not know a "77" from a "dud," if you know what a "dud" is. It is a flivver explosive and most of the petted favorites would run away from a baked apple hurled in their direction. [Laughter.] Now, I have finished what has come to me on the spur of the moment.

Mr. GREEN of Iowa. Will the gentleman yield to me now?

Mr. GALLIVAN. Yes.

Mr. GREEN of Iowa. You know the Secretary of War stated that it was the intention to leave 32 divisions, or more than a million and a quarter of men, in Europe. Does the gentleman approve of that?

Mr. GALLIVAN. I do not approve it, and the gentleman reminds me of something else in connection with this division. It was picked for the army of occupation, and when its new major general looked it over he found that the boys were all in. And I might say to my California friends and to my Wisconsin friends in this House that to-day that division is composed in the main of California and Wisconsin troops. We have some from Illinois, quite a few, but New England has less than 20 per cent of the division, and when picked to be a part of the army of occupation the new division commander, on report from brigade commanders, threw up his hands—the boys were gone, physically gone. Then they took their equipment away and they gave it to other troops which were going into the army of occupation. The newspaper correspondents have written home to Boston, and their language, Mr. Chairman, has been allowed to pass through the censors' hands, and according to them the boys of the Twenty-sixth New England Division, the Yankee Division, were left stranded at Montigny le Roi. There they are now, stranded. When I asked the Chief of Staff what he could tell me in reply to the newspaper stories, his upstart aide tells me nothing—"Read the papers," and I have read them. The papers tell me the division is stranded, and out of the One hundred and first Infantry, when it went to France, three-quarters of the boys came from my district. I knew every company commander, and, by God, I am going to see that that regiment is treated right—what is left of it. [Great applause.]

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman permit me to ask him one other question?

Mr. GALLIVAN. Gladly.

Mr. GREEN of Iowa. Will not the gentleman also agree with me that none but those who volunteer especially for that purpose ought to be kept in Europe now?

Mr. GALLIVAN. I am hardly prepared to answer that question. I do believe they could get enough volunteers.

Mr. GREEN of Iowa. Certainly.

Mr. GALLIVAN. To take care of that work.

Mr. GREEN of Iowa. From those on this side and on the other.

Mr. GALLIVAN. And I believe that system ought to be tried out. I do believe we perhaps ought to try the volunteer system and that they would get more than enough.

Mr. GREEN of Iowa. I will say to the gentleman that the Military Committee now has before it a bill for that purpose.

Mr. GALLIVAN. Mr. Chairman, I rose as a member of the Committee on Appropriations to discuss this bill, and that is the reason I asked for 40 minutes. What I have to say should be in no way a reflection on the committee or the hard-working subcommittee which has been hearing heads of departments since the 23d of November, and which has finally completed its report, which comes to us in the form of the legislative, executive, and judicial appropriation bill for the next fiscal year. The information that I have has come to me since the committee has finished its hearings, and that must be my apology to my excellent friend, the hard-working chairman, for not having brought this matter to his attention and to the attention of his associates.

THE BUREAU OF EFFICIENCY.

It seems an inescapable part of the natural order of things that about every decade some big new idea should suddenly capture public fancy. For a time it enjoys a startling vogue, and during its destined hour woe be unto him who questions or challenges. Now one thing, then another, but always its pretensions are paraded as something just a little short of a universal panacea for human ills. Then, almost overnight the illusion collapses or subsides into sober moderation, permitting those remaining sane while the craze was at its flood to venture out of their retreats to hold an orderly autopsy over the remains.

Naturally, the big idea possesses a certain merit, else it could not hold public attention. Taking this element of truth for a foundation, thereupon is reared some wonderful and fantastic philosophy that claims everything, cures everything.

An army of suddenly converted zealots sing its praises, the idea swells to the proportions of a crusade sweeping aside with arrogant intolerance all opposition and purposely perverting and misinterpreting any honest inquiry, until one excess after another is committed under the cloak of its pretended virtues. What little merit the idea held at the beginning is tortured by its bigoted followers out of all its original shape or understanding.

Something like this has been the history of the big idea of "efficiency." Some few years ago this new thought of efficiency, with its concommitant, all-embracing philosophy, suddenly projected itself across the people's vision, and for a time occupied the center of the stage. Just exactly what the term "efficiency" really meant no one dared press to an answer unless he was willing to be listed as an undesirable citizen and the motives that prompted the inquiry malevolently misconstrued. It is true that some one has aptly defined "efficiency" as doing the right thing at the right time with the least possible effort, and while this definition rings pleasing to the ear, still it throws little additional light upon the subject. The term and its definition could readily be interpreted to suit individual tastes.

Anyway, the idea grew. It became the style. New ideals were invoked and the Mecca of individual development which marked the superman was to achieve 100 per cent efficiency. No one could say that efficiency was not a good thing, the public voted that it was, and its popularity grew apace. True enough, the country needed to apply its principles. We had grown too loose in our business methods. There was too much waste. The general idea was sound.

But just here is where trouble begins. Because the acknowledged utility of the general idea of efficiency had won approving prominence made it possible to foist on the public all sorts of contraptions, prompted under its fair name. Then, too, so-called efficiency experts without a shred of business experience; self-centered theorists, whose life had spelled failure written large; fakirs, charlatans, and adventurers, each with some plausible sophistry to exploit, now appeared on the scene to persuasively urge some new-fangled efficiency device or system, certain to save an incalculable amount of time, money, and labor. Efficiency experiments became the order of the day.

As a rule these experiments met with painful failure. Generally speaking, their glib promoters have been discredited and forgotten. The devices and systems they offered were all right in theory, only they would not work in practice. Their memory lingers, however, and in this fact lies danger, because where yesterday the term "efficiency" was a name to conjure with, now, in the light of our unfortunate experiences, with an invasion of efficiency experts, we are just as likely to swing to the other extreme, forgetting the fundamental virtues that efficiency holds and its imperative need in all well-ordered business. But, first, we should have no cloudy conception of its meaning and we should be sane about it. In no quarter is the application of its sober principles more necessary than in the work of the Government, and I propose to briefly review our experiences along the line of efficiency in the administration of Government business. A Bureau of Efficiency in connection therewith is now and for some time has been in operation, and I deem the occasion timely to speak frankly and plainly about its activities because the record of this bureau offers little hope of encouragement to those who long to see Government work conducted on a practical business basis.

Some six or seven years ago the late Senator Aldrich was credited with a statement which at that time received wide publicity, wherein he charged that $300,000,000 was annually wasted in the Government's expenditures which could be saved through the application of ordinary business methods. It is certain that this statement sank deep in the public mind and doubtless contributed much to legislation that followed. The efficiency idea was about this time blossoming into prominence, and, knowing full well that there was much room for improvement in administrative methods, a sentiment in Congress developed favoring the creation of some sort of an agency intended to institute efficiency methods in the various departments.

Accordingly on March 25, 1913, the Division of Efficiency was created, with a chief at $4,000 a year, to which was later added a staff of five persons, beginning with an expert investigator at $3,000 and closing with a messenger at $600 per annum. Mr. Herbert D. Brown was named as chief of this division, a position which, through all the varying fortunes of the enterprise, he still retains. The Division of Efficiency, in its initial operation, was tacked onto the United States Civil Service Commission. Just exactly what its duties were supposed to be, the evidence at hand fails to disclose, nor is much light thrown on the subject by a careful reading of the several annual reports of the Civil Service Commission covering the two or three year period this connection continued. In the beginning much was said about efficiency rating of civil-service employees, and it was assumed that the standardization of some such system was the main purpose for which the Division of Efficiency was created.

On page 13 of the thirty-first report of the Civil Service Commission, 1913–14, appears the following statement, which gives some clue of what the Division of Efficiency was expected to accomplish:

WORK OF THE DIVISION OF EFFICIENCY.

Under the acts of August 23, 1912, and March 4, 1913, the duty was laid upon the commission of instituting systems of efficiency ratings for the personnel of the service and also of investigating and reporting to the President, with its recommendations as to the administrative needs of the service relating to personnel.

Presumably, this was the chief work of the Division of Efficiency at the outset, but apparently it fell down on the job. Continuing, this report adds:

At the outset it became clear that any system of efficiency ratings for the personnel of a given office would be of little value if subsequent investigations of the administrative methods of the office disclosed the advisability of changing the methods.

In other words, there was little work for the Division of Efficiency here, so other tasks must be found for these efficiency experts, which vaguely are referred to as "a study of administrative methods." Just what this term means is not quite clear nor is further information disclosed in the brief reference to Mr. Herbert D. Brown and his division, although from time to time we have been assured by excellent gentlemen on the floor of Congress that great and good work was being done.

Evidently some one was favorably impressed or else Mr. Brown was exceedingly busy with his friends in Congress. His importance grew apace, and on March 4, 1915, an amendment to the legislative, executive, and judicial appropriation bill provided that the Chief of the Division of Efficiency shall be appointed and shall report to Congress at the beginning of each regular session, through the President, the nature and progress of the work undertaken and the results accomplished. What work, if any, was performed in the two years preceding the record fails to disclose. Nevertheless, again on February 28, 1916, another amendment, this time tacked on to the urgent deficiency bill, provided for an independent bureau, and thus the Division of Efficiency grew to the Bureau of Efficiency.

"Upon what meat doth this our Cæsar feed, that he is grown so great?" From a small beginning in a few short years there rises an independent bureau; a bureau, too, which, from all available reports, has absolutely nothing to offer in justification for its existence during the preceding years, but hides its impotence under the glare of the magic word "efficiency." Only one scant mention, and this in the thirty-third report of the Civil Service Commission, and that publishing the divorce and announcing that hereafter Mr. Herbert D. Brown and his efficiency trappings would keep house by themselves. But no mention of any work performed, good, bad, or indifferent.

That was in 1916. Since that time one report has been issued by the Bureau of Efficiency, a small pamphlet of some 1,500 words, reading matter, and the remaining space devoted to a lengthy roster of employees and a recapitulation of the salaries paid. In this brief report the following ingenious alibi is offered for nonperformance of duty:

During the past year the Bureau of Efficiency has not departed from the principles which have governed its procedure from its inception in March, 1913. It has stood not for publicity, but for results. It does not publish reports except when required by Congress to do so.

Could a more illuminating explanation be offered? Instituting a widely heralded system of efficiency and then shrinking from publicity after five long years of experimenting. Setting forth full of promise and with an ambitious program, this Bureau of Efficiency now modestly hides its head when called on to proclaim its achievements. Results, indeed! Let us see what they are.

Evidently Mr. Brown is not so certain about the matter himself. Quoting from his report we find him treating the subject in the following hesitating language:

Much of the work of the Bureau of Efficiency during the past year will not produce savings, except, indirectly, through better administration. Nevertheless the actual savings resulting from the work by the bureau during the year would seem to justify the cost of its maintenance.

"Would seem to justify the cost of its maintenance" is a faint echo of the confident promises that paved the way for the creation of the bureau. One thing is certain: There is no "seems" about the increasing expense involved in its adminis-

tration. The first year some 5 employees were sufficient; last year there was a total of 49. From an annual expense of $15,000 this cost has jumped to $100,000, practically all for the payment of salaries. This year it reaches the fine sum of $125,000, and it is still on the way up. According to the testimony of Efficiency Expert Brown, the pay roll for permanent employees amounted last year to $80,000 and for temporary employees $23,000. Even in these days of billions, the sum total spent on this experimental bureau will make an imposing figure.

Meanwhile the results are negligible. In fact, of all the jobs assigned to this Bureau of Efficiency by Congress only one, and that a report on work performed by Subtreasuries, seems to have been fully completed. Even in this instance, little in the way of concrete results has followed the recommendations of Mr. Brown.

On every other job the Bureau of Efficiency has either lagged lamentably or completely fallen down. This statement is abundantly confirmed by a review of the hearings before the Committee on Appropriations of the House, where, despite insistent instructions from Congress, Mr. Brown was unable to make a complete or even partial report on the several tasks assigned the bureau. Among these assignments was one to examine and audit claims; another to investigate the methods employed by the Civil Service Commission; another to submit comparative tables showing the rate of pay granted for similar work to Government and private employees; another to ascertain and submit to Congress a compilation showing the prospective cost of various old-age retirement plans for civil-service employees. The hearings before the House Appropriations Committee of January 7, 1918, disclose that little, if any, progress was or had been made on these several items, and it is doubtful if any worth mentioning has been made since. After more than a year's delay and after much heckling and prodding, a very limited compilation of figures of doubtful accuracy relative to the prospective cost of a retirement plan has been submitted, but utterly without any explanatory data or advice, as would be naturally expected.

Compared to the large appropriation voted for its maintenance, nothing worth mentioning has been accomplished by the Bureau of Efficiency in the more than five years it has existed. And yet Mr. Brown complains that "unless our force is substantially increased we will not be able to do it"—referring to the several tasks assigned and unfinished by this bureau. It is Congress that wants results, and Mr. Brown replies with a plea for more money. So lamentable was the condition as disclosed at these hearings that Mr. Brown was moved to admit at the conclusion, "We have spent most of our time at this hearing in apologizing for not finishing certain work." In the light of these revelations, the "Bureau of Inefficiency" would be a more fitting designation.

And the testimony at these hearings discloses more. It showed that while the Bureau of Efficiency pretended to be busy introducing systems of scientific management in other departments, it, in fact, reveals an appalling lack of system in managing its own affairs.

Its reports are beyond understanding, and the references made to the work it is supposed to be performing are couched in the vaguest terms when, indeed, it makes any reference at all. It fails to complete its work on time or when ordered by Congress to do so. It fails to maintain any settled administrative policy or to forecast with even passing accuracy its prospective cost of maintenance. It fails to confine its own expenditures within the appropriation granted. It fails to furnish a single specific instance where it has simplified former methods or benefited administrative processes. In fact, it fails to show any good reason for its existence or why it should be designated as a bureau of efficiency. And yet this is the bureau that is presumed to tell other departments how to run their business.

Moreover, among all other departments, this bureau was the only one, as the testimony disclosed, that failed to submit its annual report on time, much less a report on any of the work it was supposed to be doing. Finally, on February 1, 1918, about two months late, a little pamphlet of 1,500 words of reading matter made its appearance, labeled "Report of the United States Bureau of Efficiency." Herein the several duties assigned the bureau by Congress are mentioned and brief excuses offered why nothing had been done. In this report Mr. Brown insists that the bureau is saving the Government money, but he explains "that much of the work of the Bureau of Efficiency during the past year will not produce savings, except indirectly through better administration." The nearest approach that can be gleaned of what Mr. Brown thinks his efficiency staff is doing and the nature of the saving effected is shown by the following extract and accompanying table taken from his annual report:

The bureau has effected annual savings of about $500,000, or nearly $9 per annum for each dollar spent once. Most of these savings will not appear as reductions in appropriations, because they have been brought about in the organization of new activities occasioned by the war. Nevertheless they represent actual money savings and the elimination of expenditures which otherwise would have been incurred for personal service and equipment.

Here follows a table showing in general terms the character and amount of the alleged savings:

Accumulated totals of savings in Government expenses from Mar. 25, 1913, to June 30, 1918, that have been accomplished by the Bureau of Efficiency.

	1913–14	1914–15	1915–16	1916–17	1917–18	Total.
Estimates for increased appropriations withdrawn	.....	$50,000	$51,000	$62,000	$50,000	$213,000
Estimates reduced below previous appropriations	.....	38,000	87,300	151,490	217,199	493,989
Saving in floor space, at 50 cents a foot	.....	.....	1,300	2,950	2,950	7,200
Increase in clerical labor and printing avoided	$100,000	100,000	115,600	130,600	561,356	1,007,556
Increase in postal revenue	.....	.....	17,500	30,000	30,000	77,500
Intention to increase estimates abandoned	.....	.....	6,200	6,200	6,200	18,600
Reduction in work offset by increases in other work of office	.....	.....	.....	.....	57,000	57,000
Work reduced, but no reduction in estimates	.....	.....	.....	10,000	10,000	20,000
Total	100,000	188,000	278,900	393,240	934,696	1,894,836

An ordinary, careful examination of the foregoing tables will reveal the indefinite character of the alleged savings. They are not savings that will be reflected in reduced appropriations. Mr. Brown admits as much. There is no statement showing in what department this saving occurred or just how it was brought about. Neither was there any explanation of the character of these several items offered at the hearings, and it is well to recall at this juncture that the annual report of this bureau did not make its appearance until long after the Appropriations Committee had completed its annual budget. In the light of its other known delinquencies, it is a matter of grave doubt whether these so-called savings will pass muster under careful inquiry. In fact, it is quite unlikely that there has been any saving at all. The whole business bears a curious aspect.

In a concluding portion of Mr. Brown's testimony at the hearings of January 7, 1918, the following passages occur:

Mr. VARE. When was this department organized?
Mr. BROWN. In the spring of 1913.
Mr. VARE. Can you point to any reduction in any one year in the cost of running the Government?
Mr. BROWN. Oh, yes, sir.
Mr. VARE. I mean as a whole.
Mr. BROWN. Well, of course, we can not cover the whole Government, but the offices in which we have worked there has been a substantial reduction.

"In the offices which we have worked there has been a substantial reduction," pleads Mr. Brown. Let us see. Let us note how this general statement squares with the record. Let us trace the history of "Expert" Brown's Division of Efficiency in the light of the evidence disclosed at the several hearings in the intervening time.

THE CIVIL SERVICE COMMISSION.

The Division of Efficiency began its work early in 1913 as a part of the Civil Service Commission. Its duties, we gather, in keeping with Mr. Brown's alluring prospectus, were to ihstitute a system of efficiency ratings for Government employees and to install modern administrative methods for handling Government business.

No sooner, it seems, had the Division of Efficiency been added to the Civil Service Commission than trouble broke out. Mr. McIlhenny, president of the commission, and Mr. Brown, chief of the division, could not agree, with the result that efficiency ratings and modern methods marked time while the controversy raged.

As Mr. McIlhenny considerately testifies, this difference in opinion was due to "my idea at that time that we should formulate a system of efficiency ratings which we could throw over all the departments as a blanket," while Mr. Brown strongly took the stand that a reorganization of methods and a general reclassification of salaries must come first. The entire service, according to the Brown idea, it appears, must be completely revolutionized before his efficiency system would fit, which it is well to note in passing was quite an ambitious program. This contention over efficiency methods was sufficient, however, to block progress, and little, if any, was made. It is further evident that the Civil Service Commission were little impressed with the efficiency ideas of Mr. Brown.

THE WAR DEPARTMENT.

Anyway, nothing seems to have been accomplished along the lines of efficiency ratings until about two years later—sometime during the summer of 1915—when Mr. Brown suggested the establishment of a system of efficiency ratings in the War Department. Again the Civil Service Commission vetoed the project. This time President McIlhenny explains his opposition to the proposal on the ground that Expert Brown's efficiency system was still an untested experiment, and besides the necessary reorganization and reclassification of salaries had not been effective, the latter a Brown idea. Thus the Brown efficiency system was not tried out in the War Department.

THE BUREAU OF PENSIONS.

Somewhere during the intervening period, after long and thoughtful study of the subject, as Mr. Brown testifies, he made an effort to introduce a better system of handling pension checks and accounting same in the Bureau of Pensions and the Department of the Interior. The Bureau of Pensions objected; they did not take kindly to his ideas. Trouble was encountered at the very outset. Finally a conference was held in the office of the Secretary of the Interior, with the Secretary of the Interior presiding, and the Brown efficiency system was suavely and plausibly explained and apparently just as bitterly challenged. The Secretary, being in doubt, decided to refer the matter to Mr. Ryan, Comptroller of the Reclamation Service, and the result of this investigation seems to have forever put a quietus on the Brown efficiency system as far as the Bureau of Pensions was concerned. In any event, some time later, as Brown testifies, "the Commissioner of Pensions refused to permit our employees to collect any further information in his office." Thus the incident closed "without any substantial reduction of expense" in this particular office.

THE TREASURY DEPARTMENT.

Some time early in 1914 it appears that Chief Brown, acting upon the request of the Committee on Appropriations and the Secretary of the Treasury, set out to install his efficiency system in the Treasury Department. Mr. Brown states that he worked at this job something more than a year. Mr. Malburn, former Assistant Secretary of the Treasury, says it was about two years. What the Efficiency Division did or were trying to do during this period is not made clear, but it is certain that after more than a year of experimenting trouble again began brewing and no peace would come until Brown and his efficiency staff finally betook themselves from the Treasury Department. Two years' work and nothing completed is what the record shows. "They barely skimmed the surface of it," charged Assistant Secretary Malburn in the hearings of January, 1916.

The evidence indicates that this last trouble developed and kept pace with a growing conviction among Treasury officials that the Brown efficiency system was chimerical and unsafe. It was all right in theory, but it would not work in practice. Performance did not square with promise. In Mr. Malburn's testimony occurs the following statement:

When I took my present office, which was in August, 1914, the efficiency committee had already taken up the work for some time in the Treasurer's office and had prepared a table of efficiency ratings for the national bank redemption agency in the Treasurer's office, which, however, was not complete. We have never been able to get them to complete that up to date.

Expert Brown admits this charge to be true, but he seeks to explain the delinquency by shifting the burden of blame to the shoulders of the Civil Service Commission. He says:

I was unable to get the Civil Service Commission to establish efficiency records in the War Department, and therefore I thought it not worth while to attempt any efficiency records in the Treasury Department.

A curious angle of this incident, as the testimony discloses, is that Mr. Brown, when on the force of the President's Commission of Economy and Efficiency, under the Taft administration, is credited with installing an efficiency rating system for the national bank redemption agency. Five years later the system, it seems, it still unfinished, which is strange, to say the least.

This and similar friction of the same sort seems to have marked Brown's two years' experience with the Treasury Department, until, as the evidence indicates, despite the authority granted the Division of Efficiency to experiment carte blanche, an ingenious plan was devised to grease the skids and hasten their going from this department. A committee on improvement of five members, composed of Treasury officials, with Assistant Secretary Malburn as chairman, were appointed by the Secretary of the Treasury for the purpose of investigating conditions in the Treasury Department and, if need be, to install more efficient methods for the conduct of its business, just exactly the same work that the Brown Efficiency Division was supposed to be doing at the same time. The aims and duties of this improvement committee were illuminatingly set forth in the following testimony:

Mr. STAFFORD. How many subcommittees were there?
Mr. MALBURN. Twelve.
Mr. STAFFORD. What was their special work as originally planned by the general committee of which you were chairman?
Mr. MALBURN. Each one had certain offices in the Treasury.
Mr. STAFFORD. What was their special duty?
Mr. MALBURN. To go into the offices and investigate the methods of doing the work, with the idea of getting more efficient service.
Mr. STAFFORD. The very line of work that the efficiency commission was originally created to perform.

The appointment of this committee seems to have been the beginning of the end for Brown's Efficiency Division in the Treasury Department. Furthermore, there is reasonable ground for the presumption that the object of the improvement committee was chiefly to neutralize and limit the harm that might arise from too much experimenting. As it would naturally be expected the appointment of this committee resulted in more and still more friction, until eventually, in high resentment, Mr. Brown personally filed a protest with the Secretary of the Treasury. His reception by this official is best told in his own words:

Mr. BROWN. * * * I called on the Secretary of the Treasury and asked him, in view of the fact that we were unable to make any satisfactory arrangements with his committee, would he not permit us to go ahead independently and finish our work. He said, no; that he would not be willing; that he did not think it desirable to have two investigational organizations running neck and neck in the office at the same time.

Whereupon, in the language of Mr. Brown, the Efficiency Division withdrew from the Treasury Department. "If substantial reductions in expenses" were achieved in this instance, then certainly the department officials did not show the proper appreciation.

THE POST OFFICE DEPARTMENT.

And now, at last, where do we find it? In the Post Office Department.

Mr. MADDEN. You will find it also in the Bureau of War Risk Insurance.

Mr. GALLIVAN. Oh, I am coming to that after a bit.

Some time early in 1915, about the close of his ill-starred two-year campaign in the Treasury Department, Chief Brown turned his attention to the Post Office Department, and here, it seems, his reception was much more cordial than in any previous assignment. Later we find Postmaster General Burleson, in the hearings before the House Appropriations Committee, graciously referring to Mr. Brown as a "member of my personnel committee in the Post Office Department." At the same time Mr. Denning, chief clerk of the Post Office Department, explains:

The committee in the Post Office Department is called the committee on personnel, as distinguished from the Division of Efficiency, as it is called in the Civil Service Commission. Mr. Brown is chief. The Civil Service Division works out the ratings, based on the law, and the committee on personnel in the Post Office Department is charged with the enforcement of those ratings, so far as the Post Office Department is concerned.

The act of August 23, 1912, was enacted into law while Mr. Burleson was a member of the Appropriations Committee of the House, and it appears that he was keenly interested at that time in the idea, and later, as Postmaster General, anxious to give the system a trial. Accordingly, as President McIlhenny, of the Civil Service Commission, testified, "the Efficiency Division therefore went in and, with Mr. Burleson's powerful assistance, has accomplished a reorganization of that department and the establishment of an efficiency system." Nevertheless, we find Mr. McIlhenny in 1916 quite dubious regarding the success of the efficiency system as installed in the Post Office Department, viewing it rather as an experiment whose worth could only be determined by the test of time. On the contrary, Mr. Brown held no such fears. "We have worked out," he said, "a system of efficiency ratings in the Post Office Department that I think is about as good as it is possible to get. The results speak for themselves."

That was in January, 1916. Since that time the efficiency system thus fastened on the Post Office has given the department the time of its life, and "the results," as Mr. Brown said, "speak for themselves," but far from the way Mr. Brown so confidently predicted.

From the day this efficiency system began operation trouble piled on trouble has accumulated for the Post Office Department. Mails have been delayed inexcusably; the service has been dislocated and at times almost demoralized; soldiers' mail, both at home and abroad, has been scattered and held up without rhyme or reason; a flood of public complaint has deluged Congress, coming from all sections of the country; and the subject has been the source of bitter debate on many occasions at both ends of the Capitol; newspaper criticism has raged, going so far as to

call for the resignation of the Postmaster General; and even the postal employees sulked at their work in sullen and rebellious resentment. The results speak for themselves indeed. Confusion and chaos has been the mature flower of the Brown efficiency system in the Post Office Department, compelling finally a softened attitude of those in authority and a modification of the system itself in deference to this indignant nation-wide public clamor. In a speech I delivered in this body on May 1, 1918, the workings of this efficiency system were exposed and its claims exploded, proving it to be an utter failure in every particular. Let me now repeat one emphatic statement made at that time:

* * * Were the people familiar with the multitude of injuries they have suffered through having a commendable purpose of efficiency twisted and perverted out of all shape or meaning by a squad of egotistical, tinkering experimenters, inspired by an utterly selfish motive, they would make short shrift of them and in less time than it takes me to explain the workings of their so-called efficiency system.

The system is a hopeless financial failure, just as it is in every other way. Nothing good can be said in its defense. It is philosophically unsound, and it is based on an utter misconception of the proper relations of the post office to the people and the worker to his work. It must go.

And here I may add both Burleson and Brown ought to be thrown into the discard with it. Hasten the day!

THE WAR RISK BUREAU.

Quite recently the management of the War Risk Bureau has been the subject of bitter denunciation both in the House and in the Senate. Everybody is familiar with the subject. Incompetency, negligence, and an utter lack of system in conducting its business are alleged, and many pathetic incidents are recited showing the embarrassments and injury to soldiers and soldiers' dependents that flowed from its choked and confused administrative process. Almost unbelievable stories have been told of the demoralized condition of this bureau, which Representative MADDEN charged in an address to the House on January 2, 1919, "is a stench in the nostrils of every man that has anything to do with it." Representative RUCKER, on December 13, 1918, referred to information he had received showing where some 300,000 letters had reached this bureau, accumulating in a neglected pile, while soldiers' wives and dependents waited in vain for a reply. Much more evidence in the same strain has been filed, leaving no doubt that the indictment against this bureau was grounded on solid fact.

It is to this very bureau that Chief Brown, now of the Bureau of Efficiency, has come to climax his unusual career as an efficiency expert in the Government service. Some time in October, 1917, he was called to aid in supervising its organization work and to install efficient administrative methods. He has been there ever since. He is there now. "I hold no brief for Mr. Brown," says Representative STAFFORD in the House on December 13 in reply to the flood of criticism of the War Risk Bureau, "but I do know they are employing clerks by the thousands in order to pay the allotments and pay the insurance that will come due and the compensation to those that have been injured."

Yet this is the same Bureau of Efficiency, according to Mr. Brown's testimony of January 7, 1918, before the House Appropriations Committee, whose services were enlisted to place the War Risk Bureau on a business basis and, in his words, "to work out the simplest and most effective method of doing every job." Here Mr. Brown had no rival officials to dispute his sway. Here were no time-honored customs to overturn. The War Risk Bureau was virgin soil. Expert Brown was in flush at the very beginning to install his efficiency system without let or hindrance and to swing into full play his long-treasured ideas on effective organization. The results speak for themselves. With complaints rising in a swelling tide, while some 14,000 employees, housed in 18 buildings, are standing in each other's way in helpless confusion, it must finally dawn on Mr. Brown that there is something sadly wrong with his efficiency system. Nor is here any evidence of "substantial savings." And yet, strange as it may seem, despite much trouble, little progress, and many rebuffs, Mr. Brown and his idea have kept growing in prominence. Just a minor department, then an important division, and now an independent bureau—this is a record of less than six years. Surely there must still be magic in the word "efficiency."

THE NATIONAL CIVIL-SERVICE REFORM LEAGUE.

Even with his latest unfortunate experience, Mr. Brown and the Bureau of Efficiency may still cherish ambitious dreams of expanding influence and power. In this tumultuous hour of reconstruction anything is possible, and recent developments indicate that in this particular instance big things may now be under way.

The National Civil Service Reform League is an organization opposed to the spoils system in politics and committed to ideas of efficiency in the Government service. It numbers among its members men prominent in public affairs. Its president is Mr. Richard H. Dana, of Boston, and late in November, 1918, Mr. Dana, as chairman of a league committee of five members, released a sweeping indictment against the present Civil Service Commission, charging it with general incompetency and calling for its reorganization. President Dana furthermore charges particularly that the Civil Service Commission is in collusion with the Post Office Department, and by submitting eligible lists to Congressmen have cooperated in "securing the partisan reconstruction of the so-called motor Rural Free Delivery Service." More revelations along the same line are promised by Mr. Dana in the early future.

A surprisingly intimate knowledge of the inside workings of both the Civil Service Commission and the Post Office Department is revealed in this attack by the league causing the initiated to be curious as to their source of information. It is known, however, that a bond of friendly intimacy exists between the officers of the league and Mr. Herbert D. Brown, and President Dana in committee hearings has on a number of occasions referred approvingly to Mr. Brown's opinions, stating in one instance that "the league had employed Mr. Brown years ago."

The peculiar aspect of this whole affair lies in the fact that while Mr. Dana, president of the league, goes gunning to promote the reorganization and run the present Civil Service Commission out of office it happens that at almost exactly the same time Mr. William A. Bird, editor of Good Government, the official publication of the Civil Service Reform League, offers a comprehensive plan to expand the powers of the Civil Service Commission and provide for its reorganization. And the strange part of the whole business is that, according to Mr. Bird's plan, Mr. Herbert D. Brown would naturally and logically float into the vacancy at the head of the reorganized Civil Service Commission, which President Dana leading a determined onslaught had created.

The Public is a widely read weekly publication of aggressive and progressive tendencies. In its issue of November 16, 1918, there appears a contribution from the pen of William A. Bird on the subject of civil-service reform. This article calls for a reorganization of the Government service along more efficient lines, and, what is more to the point, offers a platform showing how this reorganization should be effected. Here is how it is to be done:

Transformation of the Civil Service Commission into a genuine employment department by giving it complete jurisdiction over all appointments, promotions, and removals, except of officers appointed with senatorial confirmation.

Prescription of competitive examinations for the latter class of offices, except those of Cabinet rank or those having distinctly policy-determining functions, and the nomination to the Senate of the highest on the list.

Consolidation of the Efficiency Bureau with the Civil Service Commission, giving it the duty of keeping service records of all employees, on which all promotions, dismissals, etc., should be based.

Discontinuance of separate hiring and firing by all other agencies of the Government and of recruiting applicants for examinations, these functions to belong solely to the Civil Service Commission.

A careful perusal of this program of reorganization will show the unlimited authority it is proposed to vest in the Civil Service Commission. Promotions, removals, transfers, the right to hire and fire are, according to this plan, to be the future functions of the Civil Service Commission and fully a million employees are to come under its benign jurisdiction, no one escaping except the few of Cabinet rank. This is indeed an ambitious program. The Civil Service Commission would achieve a distinction at once that would make it the mecca of all office-seekers' hopes. But the important item in point is that the Bureau of Efficiency is to be joined to the Civil Service Commission, with greatly expanded powers over the Government employees. Then it must naturally follow when the present Civil Service Commission has been thrown out of office on President Dana's list of changes some one else must be selected to fill their places. And who would be more logically a candidate than the Chief of the Bureau of Efficiency, Mr. Herbert D. Brown? And the fact that Mr. Brown might aspire for and even reach this prospective eminence would not be a whit more strange in the light of his past career than that he now holds his present important station. It is a matter well worth thinking about.

Did the situation warrant this entire subject could be continued at length. A careful inquiry tracing the ramifications of this bureau will, I am sure, reveal further evidence that will justify its entire discontinuance. I disclaim any animus or interest either in Mr. Brown or the Bureau of Efficiency other than what springs from a concern for the public welfare. Any error I have made in this indictment will be freely acknowledged when the facts presented in rebuttal prove my deductions incorrect or inaccurate statements to have been made. In the light of all information available, however, I am utterly unable to see where this Bureau of Efficiency fills any useful niche in

governmental activities or contributes any beneficial service worth mentioning. I doubt that it has effected any considerable saving of the people's money. The cost of its operation has grown to be an imposing total and each year a large additional appropriation is demanded for its maintenance. The conviction grows upon me that the Bureau of Efficiency could be entirely wiped out without loss to the public service.

If, however, it is the wish of Congress to continue this bureau, then its affairs should be overhauled and a more efficient system of accounting and administration installed. Its expenditures should be confined within its appropriations. It should make its reports promptly to Congress when ordered to do so. It should give a detailed and specific account of its activities, clearly show the character of work it is doing, state explicitly the amount and nature of the savings it has effected, and compile its reports in such a manner that the ordinary legislator can read and understand. We want efficiency; it is a good thing. What we do not want, however, is any Government institution, guilty of gross negligence and inattention to public duty, attempt to conceal its impotence under some high-sounding title. Efficiency is as efficiency does. [Applause.]

Mr. STAFFORD. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I address myself to the question of a league of nations to enforce peace, and approach it with sincerity and humility, asking only unprejudiced and thoughtful colleagues to consider the views suggested, with the same spirit of charity which I am endeavoring to use in presenting them. I am told that there is a tribe in Africa, who, when meeting anything in life that is new to them, they immediately shoot at it; and that in the same neighborhood there is another tribe which, when meeting anything new they immediately fall down and worship it. Let us hope that we will rear a tribe in Congress that will meet this new question without either violence or fear, but rather meet it calmly and with what intelligence we can command, patiently solve the problem. The league of nations to enforce peace is of necessity, somewhat vague and indefinite, and most of the objections thus far raised seem to me to grow from a misconception of the plan suggested by the organization in this country, known as "The League to Enforce Peace," which apparently has met the practical approval of the President of the United States, and, as I think I shall show, with the substantial approval of the late ex-President Roosevelt. In order that it may be understood, I quote from propositions made by the league. The following is a brief exposition of the league's program, presented by ex-President Taft:

Briefly, it is proposed that a league of nations, including the United States, be created at the end of the present war. An invitation to join the league would probably be extended to all civilized and progressive nations. A general treaty would be signed, by the terms of which the member nations would mutually agree to submit to public hearing any and all disputes which might arise among them. Such an agreement would not apply to quarrels of a purely national character and would not, therefore, interfere with insurrections or prevent revolutions. To carry out the program it would be necessary to set up two international tribunals—a judicial court, for the purpose of hearing those questions that can be determined by the accepted and established rules of international law and equity, and a council of conciliation, for the purpose of composing by compromise all other questions that come up which, unless settled, would be likely to lead to war. A peaceful way would thus be provided to change unjust conditions however arising. The court, after preliminary inquiry, would determine before which tribunal a given case would go. In the event of any member nation, without first submitting its quarrel to public review and report, all the other nations who are members of the league would immediately join in bringing to bear both diplomatic and economic pressure to stop the would-be aggressor. If after this joint protest it persisted with overt acts of hostility and actually commenced war, then the other member nations, with their combined military and naval forces, would come to the defense of the one attacked. It is confidently expected that the acceptance and operation of the program would result in the gradual reduction of armaments, if a specific agreement to reduce armaments were not made one of the essential terms of the treaty creating the league of nations.

I read now from an article by Theodore Roosevelt:

Fortunately, Mr. Taft has set forth the proposal for such a league under existing conditions with such wisdom in refusing to let adherence to the principle be clouded by insistence upon improper or unimportant methods of enforcement that we can speak of the league as a practical matter. I think that most of our people are in favor of the establishment of the principle of such a league under common-sense conditions which will not attempt too much and thereby expose the movement to the absolute certainty of ridicule and failure. There must be an honest effort to eliminate some of the causes that may produce future wars and to minimize the area of such wars.

SUPPLEMENT TO NATIONAL DEFENSE.

Mr. Taft explicitly admits and insists that the league is to be a supplement to and in no sense a substitute for the duty of our Nation to prepare its own strength for its own defense. He also explicitly provides that among the various peoples who would not be admitted to the league on an equality with the others there shall be different spheres of interests assumed by the different powers who have entered into the league.

For example, the affairs of either Asia, the Balkan Peninsula, and of north Africa are of prime concern to the powers of Europe, and the United States should be under no covenant to go to war about matters in which its people have no concern and probably no intelligent interest.

MONROE DOCTRINE MUST STAND.

On the other hand, the Monroe doctrine—at least for all America between the Equator and the southern boundary of the United States—is a vital point of American policy and must in no shape or way be interfered with. We do not interfere with existing conditions, but aside from these no European or Asiatic power is to have any say so in the future of Mexico, Central America, and the lands whose coasts are washed by the Caribbean Sea.

The Panama Canal must not be internationalized. It is our canal. We built it, we fortified it, and we will protect it, and we will not permit our enemies to use it in war. In time of peace all nations shall use it alike, but in time of war our interest at once becomes dominant.

RESERVES INTERNAL QUESTIONS.

Most wisely, Mr. Taft's plan reserves for each nation certain matters of such vital national interest that they can not be put before any international tribunal. This country must settle its own tariff and industrial policies and the question of admitting immigrants to work or to citizenship and all similar matters, the exercise of which was claimed as a right when in 1776 we became an independent Nation. We will not surrender our independence to a league of nations any more than to a single nation.

Moreover, no international court must be intrusted with the decision of what is and what is not justifiable. In the articles of agreement the nonjustifiable matters should be as sharply defined as possible, and until some better plan can be devised the nation itself must reserve to itself the right as each case arises to say what these matters are.

And a few excerpts from the addresses of President Wilson:

I pray God that if this contest have no other result, it will at least have the result of creating an international tribune and producing some sort of joint guaranty of peace on the part of the great nations of the world. * * * Now, let us suppose that we have formed a family of nations and that family of nations says: "The world is not going to have any more wars of this sort without at least first going through certain processes to show whether there is anything in its case or not." If you say "We shall not have any war," you have got to have the force to make the "shall" bite. And the rest of the world, if America takes part in this thing, will have the right to expect from her that she contribute her element of force to the general understanding. Surely that is not a militaristic ideal. That is a very practical ideal."

Mr. Chairman, I ask leave to extend my remarks, because I did not think it necessary to read to my colleagues all of these excerpts.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. MASON. If there is any desire on the part of anyone to know the President's views in a general way, I would recommend them to read his address delivered in Washington, D. C., May 27, 1916; also his Memorial Day address, May 30, the same year; and of June 13, 1916; June 17, 1916; September 2, 1916; October 6, 18, and 25, 1916; November 4, 1916; his address to the Senate, January 22, 1917; and his war message to Congress, April 2, 1917. I also desire to call your attention to the remarks of Lloyd George on January 11, 1917, when he says: "The best security for peace will be that nations will band themselves together to punish the peace breaker." The former prime minister of Great Britain, Hon. Herbert Asquith, indorses our President's views in the following:

The President held out to his hearers the prospect of an era when the civilization of mankind, banded together for the purpose, will make it their joint and several duty to repress by their united authority and, if need be, by their combined naval and military forces, any wanton or aggressive invasion of the peace of the world. It is a fine ideal, which must arouse all our sympathies.

Mr. Chairman, the league of nations and all others speaking of the cases to be heard use the word "justiceable," and it may not be out of place to explain briefly its meaning, for I believe that it has been greatly misconceived by distinguished statesmen of our own country, and when you once get at the root of the word and its proper use it will seem as though our distinguished friends in the Senate fight a man of straw and are afraid of their own shadows. I say this with great respect, for, as a matter of fact, I discuss this question with humility, because such distinguished Senators have seemed to comment adversely upon the whole proposition. One, a Senator from Massachusetts, who has earned his leadership in American diplomacy, another distinguished Senator who has honored the office of Secretary of State, another Senator from the State of Missouri who has attracted the attention of Americans by his courage and ability. The questions they ask are entirely pertinent, but clearly indicate their opposition to the plan. First, Mr. Speaker, it is proposed to submit only "justiceable" questions. Those who write dictionaries say that the word is obsolete. It is used by our Supreme Court in a way that clearly indicates that it applies not only to the cause but to the authority or jurisdiction of the court. Kinny's Law Dictionary shows "justiceable" in old English law means "amenable; summonable." "Summons" at law means "called by authority to appear at the place named." So that a cause to be justiceable in the court means not only that it involves the question of

justice between parties, but it means that the court considering it has jurisdiction and with power to compel attendance. To illustrate, the Supreme Court of the United States in several cases where they use the word show that it means something more than the cause itself. No cause can be submitted to this international court or league that is not submitted by the Senate of the United States, and when Senators ask questions which even suggest the possibility of submitting fixed American principles to that court or submitting questions which would involve the constitutional rights of the citizen he expresses a fear as to his own future conduct, which, it is hoped, in the fair and open discussion of this case they will overcome. To illustrate, if some foreign country, being aggrieved at the conduct of our citizens, should demand that those citizens be tried at this international court, an American Senate could be relied upon not to make a treaty which would deprive a citizen of his *right of trial* by jury, and even if the President and the Senate should so far forget their duty as to attempt to compel an American citizen to be tried without a jury the Supreme Court of the United States will grant a writ of habeas corpus just as cheerfully as they now set aside the laws now passed by Congress which they find to be in conflict with the Constitution.

Then the word "justiciable," as it must be used now, carries with it a jurisdictional question, and clearly no question which involves the honor of this Nation or the fixed constitutional rights of our citizens would be "justiciable" in an international court, and could not be made so by treaty which violates the Constitution of the United States. Any such league or court could not, under the present propositions, hear without the consent of the parties in interest, because the United States, regarded as one State, under international law has not surrendered or agreed to any such power. The difference can be illustrated by the opinion of Chief Justice Fuller, Louisiana *v.* Mississippi (202 U. S. Supreme Court, p. 33). Mr. Justice Fuller used this language:

"The demurrer was overruled because the court was of opinion that the bill presented a prima facie case of justiciable controversy between Louisiana and Mississippi, and such a controversy as to fully sustain our jurisdiction.

By the Constitution of the United States, all of the States submitted certain questions of controversy between themselves to the Supreme Court, and gave to that court exclusive jurisdiction.

Mr. Justice Bradley, in the case of Hands *v.* Louisiana (134 U. S. Supreme Court, p. 1), stated that the Constitution of the United States made some causes justiciable "which were not known as such at the common law." And in the case of Missouri *v.* The Illinois Sanitary Districts of Chicago the court took jurisdiction because of the drainage in the sanitary districts affecting the waters in Missouri, and though no boundary lines, or anything which had been theretofore considered as a controversy between States was involved, yet the court held that it was justiciable in the Supreme Court of the United States, and the reasons given are most progressive, holding, in substance, that as Missouri could not make war against Illinois there must be some remedy and that the cause presented was justiciable, again showing that "justiciable" in its modern application involved *jurisdictional* questions.

The United States, being a sovereign State and having power to make war, can not be forced into this court except by agreement, and that agreement would be the thing would give jurisdiction and that agreement will not only lay down the questions to be settled but might, and probably would, make certain rules which would become part of the law of the case submitted.

As a matter of fact, Webster says that the word "justiciable" is obsolete, but the word is not obsolete, although the old definition is, in my opinion, out of use. When the Supreme Court of the United States uses the word "justiciable," it means that there is a case which can be heard in that court either by agreement of the parties or by reason of the Constitution of the United States—in other words, there is a case of which the Supreme Court has jurisdiction with power to summon the offending party into court—which gave that court jurisdiction and power. In my humble opinion a better definition of the word "justiciable," or at least a definition which explains its true meaning when considering this tribunal which may be established by a league of nations, is to add to the definition a cause that may be heard and determined in a court of justice where the court has jurisdiction with power to summons and where the agreement submitting the question becomes a part of the law governing the cause submitted. With this definition in view, every nation can guard its own interest in the submission of its cause, and looking, as it is our duty to do, to the interests of the United States, no cause could ever be made "justiciable" which endangered our integrity as a Nation or put in jeopardy the inalienable rights of our citizens.

Suppose the Senate should submit a treaty which allowed that court or league to determine how much tax we should pay in support of a given church. That would not be "justiciable" nor could the Senate make it so. There is not a suggestion in the so-called Taft plan, or any plan in the President's speeches, that would allow that court to interfere with the domestic policy of any nation. The opposite is suggested by everyone. So we can put aside our timidity on that score.

Mr. TILSON. Will the gentleman yield for a question at that point, before leaving the question of justiciable cases? I desire to ask him as to what number of cases that would remove if you applied it to justiciable cases only. Would it be important in number?

Mr. MASON. It means simply this, in my opinion, that every case would have to be submitted separately at first; and that in submitting a case the stipulations or treaty submitting it would limit the questions to be tried and it would become a part of the law governing the case.

Mr. TILSON. It would simply be submitting it that makes it justiciable?

Mr. MASON. Yes; otherwise it could not be until you submit it, because it has no natural jurisdiction. The Supreme Court has jurisdiction in the controversies between the States, because the States have no power to declare war, having delegated that power to the United States of America, and the Supreme Court of the United States got exclusive jurisdiction over all controversies between the States by the Constitution.

But, Mr. Chairman, we are asked of what use can such a court be unless it has power to enforce its own jurisdiction as well as power to enforce its decrees? Anyone familiar with arbitration in our domestic affairs will remember that we met that same question in different States when we established boards of arbitration that were not compulsory, and all know what a great stride that was toward the protection of the peace of our community. We said to the capitalist and to the labor organization, "There is the board of arbitration"; and the one who refused to step into that tribunal immediately lost public sentiment and lost his cause. We can not expect in this starting in to make new international law to accomplish all at the beginning, but the moment that the tribunal is established and war is threatened between any nations, great or small, the nation that refuses to submit to an impartial court loses the respect and the confidence of the nations of the world, the respect and the confidence of its own people, and by its very refusal admits that its demands are not based on justice.

Again I say to the timid: Let not your heart be troubled. The Senate will never by general or special treaty submit Americanism to any court, and they can not do it if they try, for which thank God and the Constitution of the United States.

My next proposition is that there is a treaty, under law and good conscience, existing between all the nations at war which agrees to the league of nations to enforce peace and for self-determination of the little peoples of the world. When, you may ask, did the powers agree to that treaty? My answer is, the day that President Wilson's propositions were approved by our allies and accepted by the central powers. By the law of right, not might, all other treaties, private and public, between any or all of the parties were merged into that treaty.

I know the terms of secret treaties between our associates made before we entered the war provided, in the case of success of their arms, that territory should be taken and government be without the consent of the governed. I know that the Senate of the United States did not in form advise and consent to that agreement, made by us and accepted by our allies. I know that the several sovereigns did not in form authorize it to be signed and sealed by their several ministers. But I also know the two propositions for which I contend—self-determination and permanent peace—were reduced to writing by our President, approved by our associates, accepted in writing by our enemies, approved by 100,000,000 American people, and sealed by the blood of our sons. And that signing and sealing ought in honor to bind any honorable man or nation.

Mr. Chairman, our country is facing the greatest problem that has ever confronted it. In all of written history no such situation or anything approaching it has presented itself. We will be able, as a Nation, to meet these great questions if we will put aside partisan jealousy and political interests and, forgetting all past differences, approach these questions in a spirit of unselfishness.

The conflict just closed will be known in history as "The War," possibly "The World War" or "The Great War"; and while we felicitate ourselves on its result we must give credit where credit is due—not to statesmen, not to the great business men who have made sacrifices, not to the great officers who have rendered such splendid service, but to the sturdy American boy who on the western front went fearlessly into the face of the enemy and turned the tide of war on that spring morning in

1918. And the first step in the discharge of the duty that lies before us is to protect those boys and those who depend upon them against further sacrifices. None of our higher aspirations for an ideal future can come about if we can neglect "the least of these" who tendered their all in their country's service.

Mr. Chairman, it is the duty of the President to negotiate treaties for acceptance or rejection by the Senate of the United States. According to both Webster and Clay, the House of Representatives must be interested in those treaties, as that body must furnish the means—the legislation and money—to carry out any treaty which the President and the Senate may make. And, then, back of us are the people themselves, who make and unmake Presidents and Congresses; and, in the last analysis, public opinion must approve any treaty to make it valuable to the world.

The American people, then, having to pass final judgment upon the conduct of the President and the Congress—the American people being the court of last resort—it follows that that court should be informed as to all the facts, and this can be made possible only by open and free discussion in the peace parley now in progress. It would be worse than folly to ask an intelligent verdict from a jury when the facts had all been excluded from that jury. No final verdict that will make for civilization can be had if the American Congress and the American people are to be gagged, bound, and tongue-tied while considering these great questions. There must be absolutely no secret trading or conniving. Let those who come to the peace table be prepared to speak openly, and, if they are so compelled to do, there will be less of selfishness and none of us will make demands that do not appeal to the human sense of justice. And in the greatest of all the questions, the right of self-determination of the little peoples of the world, all should be open and free, so that there may be no controversy in the future as to what facts were permitted to be known by the people and what facts were concealed from the people.

It is said by some that the treaty of peace will be somewhat hampered by secret treaties of the past; if so, then the keeping of the secret treaties will be kept rather in the "breach than in the performance." I have shown it would not be a breach of treaty since the terms have been agreed to by all nations. The trouble all along has been that international law has not kept pace with civil law, for under international law there is written into every treaty by the law itself "This treaty is binding only so long as it is found to be to the interest of the parties hereto." We have complained of the breach of treaties; the complaint lies deeper—the complaint is against the unethical rule of international law which permits the cancellation of treaties whenever either party says they are against the interests of that party. We are standing facing the greatest opportunity to amend international law that has ever been presented to us, and if we fail to rise in this emergency the great sacrifices of the past few years will have been in vain.

Every citizen has a right to think and speak. I suggest as a part, at first, the simple statement:

We hereby form a league of nations to secure permanent peace, to which all nations are invited.

We agree to refrain from making with any nation any secret treaty or agreement.

We agree that in case of any disagreement between the parties hereto or between any of the parties hereto and any other nation—provided such disagreement does not involve the sovereignty of any nation—to submit such disagreement to such league of nations for conciliation before committing any act of war upon any nation.

We are in a position now to stop the wicked demands of "military necessity" and the plea of "national safety," given as a reason for war. We are in a position now to prevent international dueling, called war, as we have stopped the dueling of individuals in the United States.

It is feared by some of the best of our students of statecraft that we might, in entering such a league, violate the Constitution of the United States. That objection, however, answers itself when we consider that whatever we do in maintaining the peace of the world will be done by the treaty-making power which becomes the law of our land.

Those treaties need come only to the establishment of "neutral" zones, territories, or States. It was not unconstitutional for the United States to agree that Panama should be neutral territory; it was not unconstitutional when, in the keeping of that treaty, the President of the United States forbade and prevented fighting and the killing of people there; in other words, he prevented war.

Of course, that was in the interest of trade and commerce, another name for a dollar; and, now, standing in the shadow of our great sacrifice, sorrowing in the loss of our children and suffering with the broken-hearted wives and mothers, have we not enough of genius and the spirit of Christ with us to demand in the field of diplomacy as much consideration for human hearts and lives as we have heretofore given in the interest of trade and commerce?

Some say that in our action in Panama we did violence to our little neighbor, the United States of Colombia. Then, if so, let this great international court consider that very question. Our sister Republic has made a claim against us; our President has recommended the payment of a large sum of money. He makes this recommendation in good conscience, yet I never could, as an American or as a judge sitting in the case, with my knowledge of the facts, vote for one cent to our sister Republic. But I know the dangers of an interested judge or a prejudiced jury, and while I feel that we do not owe them one penny I would be willing to leave the matter to a disinterested court, because the case could be made by treaty to come within the word "justiciable." It is a claim sounding in dollars and cents, and if a disinterested court should decide that the United States owes the Republic $10,000,000 or $20,000,000, as one citizen I would rather pay it than to face the world with the proposition that we refused to pay our honorable obligations to the little peoples of the world wherever they may be located and refused to enter a court of justice. If, by any course of reason, an unprejudiced court was to decide against America, I would rather suffer what seems to be a financial wrong than to take the life of our neighbor or sacrifice an American boy.

Suppose a treaty was made that we would make war on certain conditions. This could not relieve Congress from its power to declare war or not as the conditions require.

We are told that it would destroy the Monroe doctrine. Mr. Chairman, the Monroe doctrine is as full of strange constructions and debatable propositions as the plan of salvation in religion and as surrounds the "freedom of the seas" in the field of diplomacy.

I think that about the middle of the last century Lord Palmerston announced the doctrine that where citizens invested their money it was the duty of the Government to collect it, and if a few freebooters in one country could, by bribery or corruption of the officials of a little nation, put the burden of taxes upon that nation, then the army and navy could be used to collect, regardless of the equity. We have seen enterprising, unsavory gentlemen, even from our own dear country, going into South America and by corrupting the ruling powers they have been able to get millions of bonds guaranteed by the Government where the money invested was from one-tenth to one-third of the bond.

It can be said to the credit of President Roosevelt that he enlarged along the lines of justice the rules of the Monroe doctrine. We have gradually stretched the Monroe doctrine around Cape Horn and taken in all of the islands of the sea, except where some other unselfish nations, including monarchies and republics, have extended their Monroe doctrines and got there ahead of us. The whole Monroe doctrine, as stated by President Monroe, is but the placing in words of what was known in international law as the "zone of influence." That zone of influence law was based on geographic nearness; but history shows that it was a rule that did not work. On the contrary, the doctrine of nearness gave way to the doctrine of diligence and expansion. The Monroe doctrine can be improved under the league of nations as proposed by Mr. Taft and his colaborers, and is not an impossible or an iridescent dream to say that that league, once established, the duties of the United States of America would be much lightened, for back of the Stars and Stripes would be the colors of every civilized nation in the world, prohibiting the invasion of one country by another and protecting the sovereignty of the smallest peoples on the earth.

Mr. Chairman, again we are told there are so many intricate questions. I know it, Mr. Chairman. When one enters the field with open mind he is staggered to see how little he knows of the intricate problems that confront us. It is most distressing to hear inexperienced men who solve these great human problems in the twinkling of an eye.

To-day, in the ancient birthplace of Christianity, wrested from "the unspeakable Turk," grave questions are arising. The people of the United States judge the Jewish race by our citizens here, and we, having seen their advancement in art, their success in commerce, and their loyalty to American ideals, feel that they can be trusted to manage their own inheritance. Our noble ally, France, makes a suggestion as to the reconstruction of that country, while our equally splendid ally, the English Jew begins to be fearful, I can judge by their writings, that the reorganization of that government may be left still subject to political intrigue and commercial exploit.

The paper of to-day shows that our noble and brave ally, the Italian, who has fought side by side with our boys and given unstintingly of lives and treasury, is met by a proposition of

those who seek to organize the new Serbian Nation, and a demand is made that the Italians evacuate Trentino and Istria. A few months' study of the Russian situation will leave you less informed than when you first began. We do know that American lives are being sacrificed in Russia to support one political party without the consent of Congress, which is alone the war-making power of the United States. We do know and feel sure that Poland, so long oppressed, is to rise again and take her place among the nations of the earth, and nowhere in the world is the news received with such joy as here in the United States, where we native Americans have learned to know that race to be able and worthy of self-government. We in Chicago know the Bohemian and the Lithuanian deserve that we keep our word. That is all they ask.

But it has its complications which must be met and solved in a spirit of righteousness, and unless we begin now, in this world parley, it would seem as though the sacrifice of blood and tears has been in vain. The "little peoples" of the world are promised consideration regardless of the question of whether they are nations or simply little peoples. We are told that we are not entering the realm even of discussing the relations of Great Britain and Ireland. Why? The British, the Scottish, and the Irish fought side by side with our boys; there is not a field where English valor was so nobly shown that is not stained by Irish blood. Are some questions too sacred to speak of? We have, or claim to have, some sovereignty in the Philippine Islands. They stood ready to serve; they are asking independence. If they should knock for admission and I was the doorkeeper, I would open the door and bid them thrice welcome as one of the "little peoples" of the world whose rights are to be considered. I know many of our friends will say that is an American question, but I say, "No; not after the sacrifice we have made for the little peoples of the world."

They say our flag is over the Philippine Islands, and that the British flag is over Ireland; and I say that the American flag has never been over the Philippines with the consent of the little people, and the flag of our ally, Great Britain, was put over, and has been kept over, Ireland by force and without the consent of the men, women, and children beneath that flag.

Mr. Chairman, I say this with no unkind feeling in my heart toward our ally, Great Britain, and certainly with no desire to cast reflections upon our splendid ally or upon our native land; but we have yet to learn, again and again, the old lesson that territory and people governed by force and against their will is wrong—eternally wrong—and that it means happiness neither to the Government nor to the governed.

It is a question of international honor; it is a question of whether the broad propositions made by the President of the United States, which were accepted by the American people, by our allies, and finally by Germany, means one thing for our friends and another for our enemies. If the President is right, and I believe he is, then the United States can not afford to demand independence for the little peoples of the world while we keep the American flag over the Philippine Islands and the British flag over Ireland. Mr. Chairman, the great hindrance to civilization has been the ungodly desire of one man to govern another man without his consent; the ungodly desire of one people to govern another people without their consent. [Applause.] To make other people happy our way. George III said from the throne he wanted us Americans to have the blessings of happiness that come from English liberty. Be happy our way. We got the large ego and said the same thing to the Filipino. [Applause.] They now ask independence. I am for it. How can we talk about self-determination for others and refuse it to the Filipino? Hear their prayer.

The legislature in a joint session held in the marble hall of the Ayuntamiento has adopted the following joint resolution:

"Whereas the chief executive has just informed the legislature that it may take official cognizance of the termination of hostilities in Europe under the terms of the armistice laid down by the United States and her associated Governments; and

"Whereas said terms of the armistice are such as to insure the advent of peace: Be it therefore

"*Resolved*, That a message of most heartfelt congratulations be sent to the President of the United States for the brilliant success obtained by the United States in the terrible war just ended, together with the expressions of the confident expectation of the Filipino people that this victory of power shall be converted into the victory of right through the glorious realization of the great ideals of humanity, justice, and liberty and self-government enunciated and reiterated by President Wilson.

"*Be it further resolved*, That it be recorded, as it is hereby recorded, the gratitude of the Filipino people to the United States for the part they were allowed to take in the most far-reaching enterprise ever undertaken by democracy, the first part of which, fought in the field of arms, has successfully ended.

"*Be it finally resolved*, That the Filipino people, which has unqualifiedly sided with the United States when the war was thrust upon her, hereby renew their adherence to the noble purposes sought in this war, and they place themselves again, as heretofore, at the pleasure of the American people, ready to contribute their modest but cordial and determined service in the forthcoming task of reconstruction and peace. The Filipino people believe that Providence, in choosing the American people as the leader in this stupendous and immortal enterprise, has ordained in its high designs that through the complete development and application to all peoples of the principles which have given birth to the United States the fruit of victory gained at the cost of untold sacrifice shall not have come to naught; that the world be made safe for democracy; that the rights and liberties of the small nations be forever secured and guaranteed; that the peoples desiring to be free be liberated and allowed to establish, without fear or hindrance, a government of their own choosing, and change it at will when so demanded by their best interests; that the weak be not at the mercy of the strong, and that the spirit of selfishness and domination be destroyed and established in its place amongst all free men of the world a new kingdom of constructive and equalitarian justice based upon foundations that will make it universal, secure, and permanent, and when all these things shall have been confirmed that the war, which has happily ended, has been fought in the interest of free humanity and the everlasting peace of the world."

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MANILA, *November 19, 1918.*

SECRETARY OF WAR,
Washington.

Referring to telegram from your office of the 15th instant, which I referred confidentially to the presidents of both houses of the legislature, I beg to transmit at their request the following:

"The main purpose of the Philippine mission was to secure from the United States the final adjustment of matters affecting our national independence. This mission could have been sent some time ago, but the war in which America was engaged and the noble issues to which we have given our most unqualified indorsement did not permit us to take such a step. The hostilities having now ended with the victory of American arms and ideals, our duty called upon us to act, hence the joint resolution unanimously passed by the Philippine Legislature providing that a special mission be sent to the United States. The Filipino people, which demand of its representatives these final steps, is earnestly desirous to establish its own independent government, not alone as the only fitting culmination of its efforts on behalf of its ideals of liberty and democracy but also as a practical corollary of the principles of self-government enunciated and reiterated by the President of the United States in his war messages. The mission is now organized and has decided to sail on the *Manoa*, due in San Francisco about the 17th of next month. This trip is publicly known and it has received the cordial approval of the whole country. In view, however, of the suggestions of the War Department transmitted to us by the Governor General four days ago, and having, as we have, absolute faith in the President, we are ready to defer to his wishes by postponing for the time being the trip of the mission. We are mindful of the grave responsibility we are assuming before the Filipino people in delaying the execution of a demand in which are involved its most vital interests, but we take this step after full deliberation, without misgivings, because of our firm conviction that the President already has a plan that will satisfy the national aspirations of the Filipino people, which we have on repeated occasions presented to the Government of the United States, and that the execution of such plan in so far as the Government of the United States is concerned is assured, during the present administration. In view of these facts and so that we may submit the point of view of the Filipino people, would the President allow us to hope that he will find some opportunity to confer and deliberate with the Filipino mission as to details as soon as it may be compatible with the most pressing war matters of the Government of the United States? As the authorized spokesmen of our people, we would not properly express its feelings if we did not take advantage of this opportunity to say that the Filipino people is profoundly grateful to the United States for her encouraging promises of independence, and for the assurances now reiterated, all confirming our faith that the interests of the Filipino people are safe in the hands of President Wilson."

In transmitting the foregoing message I have received another evidence of the wisdom of the Filipino leaders and of their faith in the President. I invite the President's attention, however, to the effect of his war addresses upon the Filipino people. They are encouraged by them to expect that independence would follow as a matter of course the victory of America. All agitation for independence has been avoided here during the war on account of the anxiety of the Filipinos to repress any expression of opinion which might be constructed as a lack of appreciation and loyalty to us at a time when their utmost support and cooperation was expected and enthusiastically given. It is certain that the Filipino people believed that the main issue of the war was the right to self-determination to every people, once disappointed, could present a serious military problem to the United States, but I respectfully submit that our position would be difficult and the situation of the representative of our country in the Philippines most embarrassing if the consideration of Philippine independence is now indefinitely postponed. The people here have become restless * * * and are really anxious to secure early action, settling definitely their future from a sympathetic and responsive Congress. Indecisive treatment of the question would be, in my opinion, an unfortunate culmination of our policy, which has made the people of the islands so content and so prosperous during recent years. Will the President authorize me, at his convenience, to make some statement of policy here which will meet this situation?

HARRISON.

See our situation in Cuba. For the first time in the history of the world we made sacrifices without demanding territory or power. We promised, when we declared war against Spain, that we would not take territory. Notwithstanding that promise, the cry went up that wherever the American flag went up, it went to stay. "Keep Cuba"; and men and newspapers, sounding like a large parrot lined with a graphophone, repeated it from ocean to ocean: "Don't haul down the American flag; it's up to stay!" And then they branded as traitors and pro-Spanish every American gentleman who demanded that our country should keep its promise.

Mr. Chairman, I was in Cuba on the day our flag came down and the little republican flag of the single star took its place. Our flag, sir, is the most beautiful emblem in the world, but it never looked so beautiful to me as it did that day coming down,

because it was keeping the promise of a Christian Nation. [Applause.]

If I could speak to the conscience of the English Government and the English people I would beg them to know how much stronger to-day the American Government is in Cuba than the British Government is in Ireland. [Applause.] There is not a man, woman, or child in Cuba who does not love the American flag, and the moment we declared war against Germany the little brother sprang to our side with all he had to give in men, money, and ships. Why? Because we kept faith; because we stood by the right of the little peoples of the world to govern themselves. We made room in the Cuban sky for the Cuban flag; and when our brave and splendid mother country, Great Britain, makes room in the Irish sky for an Irish flag she will have a stronger ally in trade and commerce, peace or war, than she can ever have while the Irish citizen is a subject of Great Britain by force.

Mr. Chairman, in discussing the treatment to be given to Ireland, I agree with the proposition that we must stand with our allies in this now critical movement for the future peace of the world, and any American who knows the sacrifices of the English people, the loss in blood and treasury which they have sustained; any American who knows the willing sacrifice made by the English people and the bravery of her soldiers would not, for a moment, do anything to belittle the greatness of the English people. But, Mr. Speaker, that does not mean that the American Government and the American people shall be silent, nor does it mean that any American citizen, however weak and unimportant, shall be denied the right of speaking fearlessly, though with affectionate regard for our allies, upon every question that involves American honor and the future of our country. For that reason we can not stop to discuss the differences which have existed for centuries between the Irish people and the English Government. It is not necessary to recall the sorrows of Ireland any more than it is necessary for us to go back foolishly and talk about our differences in war more than 100 years ago. But, Mr. Speaker, one of the things which holds the French and the American people, which made our people so willing to sacrifice in this war, was the help rendered to America in the War of the Revolution by the French people; and it will not be improper in this connection to consider that at the same time France was helping us to win our independence Ireland was doing the same thing. While our great Benjamin Franklin was preparing for the independence of our country, he visited Ireland as early as 1771. He went there to convince the Irish that their interests were the same as American interests; and Franklin says that he found the Irish people "disposed to be friends of America, in which I endeavored to confirm them with the expectation that our growing weight might in turn be thrown into one scale, and by joining our interests with theirs a more equitable treatment from this nation (England) might be obtained for themselves as well as for us."

It needs no great student of diplomacy to know that Franklin knew, and both England and Ireland knew, that he was, if necessary, willing to stir up trouble between Ireland and Great Britain if in so doing he could help America.

The first General Congress, which met in Philadelphia in 1774, appointed a committee to draft an address to the people of Ireland. That address was read on July 28, 1775, and says, among other things:

> You have ever been friendly to the rights of mankind, and we acknowledge with pleasure and gratitude that your nation has produced patriots who have nobly distinguished themselves in the cause of humanity and of America.

The great Pitt, in his defense of America in the English Parliament, declared that "Ireland was with America to a man"; and when the Earl of Effingham declared that we Americans were fellow subjects and that he would not draw his sword against our lives and liberties he was given by the people in Ireland an address of honor for his friendship for America.

Money was raised in Ireland by popular subscription to assist the American cause in the Revolutionary War. True it is that many Irishmen were in the war against us, but they were there as subjects of the nation at that time at war with us, and the thousands of Irish citizens who fought for our independence took the double chance of being killed in war and also of being tried for treason in case we failed. I speak of this in no spirit of resentment, but simply to correct the impression so prevalent among our people that the Irish people as a nation, or as a people, if you please, did not fight with us or help us in our own struggle for independence.

Mr. Chairman, the propositions made by our President were accepted in terms by our allies and with not a single protest except a suggestion as to some limitation of the meaning of "freedom of the seas." Therefore, in stating the propositions, so far as the Irish people are concerned, in quoting the demands of President Wilson, I am quoting what has been accepted by our allies. I call attention to the language of the President who, in making his demands, used the language of peoples and did not limit it to governments, so that for the purposes of this discussion it may be conceded that Ireland is not a nation; but no one will deny that the Irish are a people.

In the speech of September 27, 1918, the President names as the first of the five great issues of the war, "Shall the military power of any nation or group of nations be suffered to determine the fortunes of peoples over whom they have no right to rule except the right of force?" The third issue is, "Shall peoples be ruled and dominated, even in their own internal affairs, by arbitrary and irresponsible force or by their own will and choice?" And the President states that these "are the issues, and they must be settled definitely and once for all."

In the same speech he says "the satisfaction of the several peoples whose fortunes are dealt with" must be reached. The reading of this speech shows that that was addressed to all of our allies.

We turn to the 14 points made by the President on the 8th of January, 1918. In the tenth point he says: "The peoples of Austria-Hungary should be accorded the freest opportunity of autonomous development." In the twelfth point, while it provides that "the Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development."

In the thirteenth point the language is even more explicit:

> An independent Polish state should be erected which should include the territories inhabited by indisputably Polish population. * * *

At the close of this address, he demands justice to all peoples and nationalities.

In the speech of the President of February 11, 1918, in replying to Von Hertling, he says:

> This war had its roots in the disregard of the rights of small nations and of nationalities which lacked the union and the force to make good their claim to determine their own allegiances and their own forms of political life. Covenants must now be entered into which will render such things impossible for the future; and those covenants must be backed by the united force of all the nations that love justice and are willing to maintain it at any cost.

I quote three of the four cardinal principles again laid down by the President to Congress on the 11th of February, 1918:

> II. That peoples and provinces are not to be bartered about from sovereignty to sovereignty, as if they were mere chattels and pawns in a game, even the great game, now forever discredited, of the balance of power; but that—
>
> III. Every territorial settlement involved in this war must be made in the interest and for the benefit of the populations concerned and not as a part of any mere adjustment or compromise of claims among rival states; and—
>
> IV. That all well-defined national aspirations shall be accorded the utmost satisfaction that can be accorded them without introducing new or perpetually old elements of discord and antagonism that would be likely in time to break the peace of Europe and, consequently, of the world.

I quote now from the President's great address at Mount Vernon, in which he restates his four points, and I insert in full his second point:

> II. The settlement of every question, whether of territory, of sovereignty, of economic arrangement, or of political relationship, upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery.

To-day there is no doubt that those who sit at the peace table will hear and consider the just claims of all the little peoples of the earth except Ireland. Mr. Chairman, we are told that this is purely an English question, and some say purely an Irish question. Mr. Chairman, I say it is neither.

We are told that self-determination and lasting peace are dreams. Dreams are thoughts.

There are good and bad dreams, practical dreams and idle dreams.

Less than 20 years ago a small number of men in a chamber near us said we should have Government savings banks. "Dreams," said our bankers. That we should have parcels post. "Dreams," cried the transportation companies. That we should have an income tax. "Dreams," said the rich man. That we should elect Members of that body by the people. "Dreams," said the political boss. That we should some time permit the majority to run that body. "Dreams," said the lovers of legislative power. Yet all these dreams have come true, and many more have come and will come. Every step in art, mechanics, or morals that has made for civilization has met with opposition, either by selfishness or pessimistic incredulity, sometimes both. While the dreamer of bad dreams has failed and been

forgotten, the dreamer of good dreams may be forgotten, but his dreams come true.

The German Emperor dreamed of a world conquest, of self. A poor boy from Illinois, Abe Lincoln, on his flat-boat trip to New Orleans saw them selling human beings to the highest bidder, and he dreamed a dream. Which one of these dreams has come true?

To say that good dreams come true is only another way of saying that right and not might shall prevail. We poor optimists who dream of a league to enforce peace are scoffed and called bad names by some of the ablest statesmen; yet I tell you the law is fixed as eternal as the law of gravitation, that our dream of peace is born of unselfishness; it is brought to us by the better angels of our nature, and as sure as God is marching on it shall come true.

Ever since the shepherds on the hillside heard the angels' song of "Peace on earth; good will to men," men have doubted, but that promise has persisted.

In the midst of the roar of cannon and the whine of the shell the "still small voice" has been heard, and now, with uncovered heads and open hearts, in the presence of our heroic dead, shall we not dedicate ourselves to that for which the Master died and for which our boys have rendered the full measure of service?

I pray that the God of battle, that has given victory to our colors in every war, may be with us still in our struggle for an honorable and lasting peace.

Mr. TILSON. Will the gentleman yield?

Mr. MASON. If it does not come out of that 10 minutes.

Mr. TILSON. I should like to know just how far the gentleman would carry the principle of self-determination. For instance, in the Philippines or in Ireland, as the gentleman has referred to these two cases, to how large a group would he apply the principle?

Mr. MASON. I would let the people there settle for themselves, as your dad and mine did in 1776. I asked Katherine Hughes, a well-known writer and a reliable representative of Irish nationality, as to the Ulster question, and this is her answer:

Ulster is an integral part of the ancient nation and territory of Ireland. It is a popular and a mistaken opinion in this country that all the Protestants of Ulster are opposed to the government of Ireland by the Irish. Ulster men qualified to judge claim that one-fifth of the Protestants of Ulster are nationalist Irish. Some of the most ardent Sinn Fein leaders to-day, like Blythe and Figgis and Hobson, are Protestants.

In all Ulster there is only a Protestant majority of 200,000. In Belfast city alone the entire Protestant majority of Ulster lives. In 5 of the 9 counties of Ulster the majority of the people are Catholic, viz, 81, 56, 74, 55, and 78 per cent of the population. In the 4 remaining counties the Protestant majority is 54, 54, 79, and 69 per cent. Ulster is not the richest Province of Ireland. Leinster is the richest and pays the largest share of taxes.

As Lindsay Crawford, an Ulster Protestant and founder of the Independent Orangemen, stated at Toronto last year in a public speech: "We can not forget the part that this Ulster played in the years gone by in the national fight. If in later years, through the intrigues of British statesmen, these men have been weaned from the national cause, it is not, I am convinced, a hopeless task to bring them back to the side of Ireland, to make them stand, as their fathers stood, for the defense and maintenance of Irish nationality."

It is an historical fact that 130 years ago the Protestants of Ulster were fighting with the Catholics of Ireland—the possessors and dispossessed making common cause—against England for Irish independence.

It is also a fact that some of the religious and political prejudice planted in Ulster after that era of independence still lingers. There are Ulstermen who claim their first duty is to England, not to their native land, Ireland. But I ask you to recall what Washington did with the Ulster problem on his hands in 1776. Those residents of America who preferred to remain "Loyalists" to England did so. Fifty thousand of these "Loyalists" fought in the English Army against American independence, and Washington simply regarded them as traitors to their country. It is on record that he called them "abominable pests of society." When American independence was established such of these Loyalists as desired to do so lived peacefully in America; the others moved into British territory and were recompensed by England for any pecuniary loss they suffered.

It is not even the dream of the leaders that war between half-civilized and hoggish nations can be stopped at once, but it is believed that it will prevent war in many cases and that in the course of time, patience, and unselfishness this human being will work out a plan so that the decrees of this court will be respected as much as we now respect the decrees and judgments of our State and national court. No one believes for a minute that in our courts we reach absolute justice in all cases. Justice is that most valued and priceless jewel frequently so hard to find, but civilization has taken the position in civil law that we would rather submit to the payment of the dollars which the courts say we owe and which we believe we do not owe. I say civilization has reached the point where we would rather pay it than to appeal from the courts of the country to a shotgun.

Even this great international court, hedged in by racial and religious prejudices or national interests, may in some cases work an injustice. We take the same chance in every court in this country, including the United States Supreme Court. Sometimes their opinions are given by a bare majority of one. Frequently in cases in which you have no possible interest the minority opinion may strike you as much sounder in law and logic, but under our American civilization in obedience to a high sense of Americanism we bow to that decision without dreaming of a bombing plane, a submarine, or even a "six gun" or a stiletto.

Mr. Chairman, the mere fact that such a court was established, the mere fact that its doors stood open would be an invitation to nations standing in a war-like attitude, would tend to prevent wicked and unreasonable demands on the part of one nation as a mere excuse for conquest. In the present state of mind of the people of this world no civilized nation will march into the territory of another nation, refusing an invitation into this court.

But some of the ablest and most distinguished students of diplomacy in and out of Congress say we must have peace first and trust to the future to make this league of nations. We have peace now; true, the final treaties have not been signed; and in my humble opinion unless some such court is agreed upon, as a permanent fixture in the jurisprudence of the world with power to hear submitted cases and power to enforce its decrees, we will have failed to accept this glorious opportunity now knocking at our door.

If we fail now, then American statesmanship has not reached the high level of American valor. How brave they were. Four Illinois regiments that formed the Infantry of the Thirty-third Division, from July 4 until the armistice was signed, never moved back 1 inch. Not one coward in 2,000,000 men. Why repeat the sacrifice to you? You have stood at the open grave. You have seen the mutilated still live, the deaf, the blind. We called to mothers to give their son's blood for a permanent peace, and some of the gentlemen who cried loudest for the sacrifice now shrug their shoulders and say, "What's the use, there has always been war; there will always be war." If we fail now and find that our sacrifice only meant to leave the world as it was—our dead have only given another twist to the kaleidoscope—swiftly changing the colors on the map. If we leave our enemies out to go home and in sullen despair to pay their debt and tax their people for another war; if our allies are to be able to say, see there our banner floats over an unwilling people; see we have more territory, regardless of the golden rule of self-determination; see the colonies that have changed their masters and have a new flag. If that is what our sons have died for, they have died in vain, and the world's war was a shamble and a farce. But, sir, if we can catch the spirit of the vision of peace and self-determination, it shall be ours to know that "There is a Divinity that shapes out ends," and ours to sing again, "Mine eyes have seen the glory of the coming of our Lord, and God is marching on." I thank you, gentlemen, for your attention. [Applause.]

Mr. STAFFORD. Mr. Chairman, did the gentleman from Illinois consume all of his time?

The CHAIRMAN. Yes; just exactly consumed his time.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 40 minutes to the gentleman from Virginia [Mr. MONTAGUE].

The CHAIRMAN. The gentleman from Virginia is recognized for 40 minutes.

Mr. MONTAGUE. Mr. Chairman and gentlemen of the committee, I beg to say in advance that I will not yield to interruptions, and I hope I shall not consume the 40 minutes which have been allotted to me.

Mr. Chairman, the President's departure from Washington to participate directly or indirectly in the peace conference soon to assemble at Versailles has unhappily evoked some criticism—criticism as to the authority and the wisdom of his mission and of his views upon the objects of his mission. But, fortunately, this House has not been the forum of originating or disseminating these criticisms, and it is the public conviction that this House does not share in these untimely and unnecessary animadversions.

HIS AUTHORITY.

Mr. Chairman, from my viewpoint, whatever may be the expediency or inexpediency of the President's extraordinary errand, no criticism thereof is justifiable at this time. Inquiries relating to his constitutional authority to absent himself from the seat of government for so long a time and at a distance so great are, of course, not untimely, for every act of the President must be sustained by the Constitution and laws made in pursuance thereof. Some eminent lawyers have denied the President's constitutional right thus to absent himself. This contention is comprehensively refuted by the organic authorization empowering him to make treaties, subject to the consent of

two-thirds of the Senate. By usage the President has heretofore delegated to others the framing of treaties in his behalf, which he has in turn presented to the Senate for concurrence. But whatever the usage, the original power to negotiate treaties is conferred upon the President by the express language of the Constitution itself. Manifestly he can not delegate a power which he does not possess, and if he were not so expressly empowered the repeated recognition of the validity of his delegation *proprio vigore* presupposes the existence of such power in the President. Therefore the President has the power either directly to negotiate a treaty himself or indirectly to negotiate it through his agents. To argue that he can exercise this power only by delegation is to give to an agent more authority than is given to the principal himself. In brief, the President has the whole power to negotiate treaties, and he may delegate a portion or all of this power or he himself may exercise the whole or any part of it. And it inevitably follows that in exercising this power he may do all things necessarily incident to its exercise. To empower the President to negotiate a treaty and to forbid his presence at the time and place of its negotiation is a palpable contradiction, a plain negation of his power. An analogy is found in his constitutional authorization to act as the Commander in Chief of the Army and Navy. It is obvious that he may execute this power by agents or he may assume it himself. If he assumes it, he may unquestionably accompany and command these forces, wherever they may lawfully be, and the Supreme Court has recently held that these forces may lawfully operate on foreign soil.

So I submit that the President may in person negotiate a treaty, and as an inexorable incident of this right he may visit such places at home or abroad and consume such time as may be necessary to conduct such negotiations. The power is clearly granted to him, and the method of its exercise is within his executive discretion, for which he is answerable to the people of America in the manner required by its institutions.

THE EXPEDIENCY OF HIS MISSION.

So much, Mr. Chairman, for the President's constitutional authority and right to absent himself from the country to participate in these negotiations. What of the expediency of his errand? There have been and are sincere differences of opinion as to the wisdom of his going abroad. But he has gone, he is in France, and he is there to exert more effectively than could be done by any other agency of our Government the great weight of this Nation to the negotiation of a proper treaty, and, in my unbiased judgment, all differences of opinion should now be composed or their expression withheld; and the President of the Nation should have, as I believe by an overwhelming majority he does have, the united and affirmative support of its people.

Mr. Chairman, I would accentuate the contention that it is the peculiar province of the President alone to determine at this vital juncture in the affairs of the world whether he can best serve America and civilization by staying at home or going abroad. The exigencies, the responsibilities, and the opportunities are best known to him. Then, too, his presence at the deliberations in Versailles has been most earnestly insisted upon by at least England and France, and their satisfaction at his presence in Europe has been expressed in the past few days by demonstrations of unprecedented magnitude and enthusiasm. So in the presence of the assembled nations he now finds his own errand approved, and shall we at this anxious period of human history impair their confidence or destroy their hopes—their confidence in us as a nation, their hopes in us as a friend? Shall we by partisan or hasty speech strike him down among those whom he and we would most serve in this agonizing hour?

Moreover, Mr. Chairman, the premiers of the allied nations will represent in person their Governments in the conference. These premiers practically appoint the representatives of their Government just as the Presidents have heretofore done for the United States. So when the premiers themselves decide to represent their Governments in the conference, there was no other course open to the President save practically to perform the same functions if the same weight and dignity were to be secured for America in the conference that will accrue to the allied Governments.

Mr. Chairman, in considering the criticisms made upon the President's errand, criticisms to which I have already alluded as well as criticisms to which I shall hereafter call attention, I would accentuate an observation that may be generally applied to them all, namely, that while any given criticism may in and of itself be wise in a given instance, another circumstance and another occasion will render the same criticism wholly unwise and positively injurious.

THE CONDUCT OF HIS MISSION.

I turn now, Mr. Chairman, to another class of criticisms; that is, criticisms relating to his manner or method of conducting or administering his mission. For example, it is contended that before his departure for France he should have taken "the American people into his confidence"; that he should have advised them in advance of the exact lines he would follow or the particular positions he would take in the conference; that he should have stated to the American public with meticulous precision his views upon the questions to be submitted to the conference and the order of precedence in which they should be considered.

We should bear in mind, Mr. Chairman, that this particular criticism emanates from those who energetically resent the President's personal performance of this great diplomatic function and who insist that it shall be performed by the old accustomed method of selected and appointed commissioners. The contrast of the two methods demonstrates the sincerity or logic of the critics, for the old method is the method of concealment, the method of secrecy. So we have this palpable contradiction: The same critics who demand of him a more definite expression of our international objects in reality would not have him but his representatives, namely, his delegated agents or commissioners, who, it should not be forgotten, must necessarily exercise concealment. These critics with one breath would have the President give his views, but in the next breath they would have in place of him a commission which must inexorably withhold their views. Therefore what other conclusion can be drawn than that the purpose of this criticism is not to secure a more definite expression of the objects of our Nation at the conference but to destroy the influence of the President in the performance of his mission by misleading the people to believe that the President should do what it is impracticable for him or any other agent of our Government to do?

Mr. Chairman, we should keep in mind that the President does not go to dictate but to help negotiate a treaty. Why, then, should we demand the particulars of his policies? Has he not already gone far beyond the other participating Governments in outlining the purposes and objects of his country? What of his "fourteen points" and other addresses, all of which have been directed to the precise subjects that will be submitted to the conference?

COMPOSITION OF THE COMMISSION.

Mr. Chairman, the President has incurred some criticism because he did not constitute the commission in whole or in part of Senators, the basis of the criticism being that the Senate itself would thereby be better informed regarding the details and temper of the conference from time to time. Obviously all of the proceedings of the conference, whether in full session or sitting in sections or committees, will be accurately recorded, preserved, and made available. Steam, mails, telegraph and telephone, stenography, and the press, all will combine to keep the Senate in intimate and adequate touch with the conference and all of its deliberations and conclusions. The "incidents living as they rise," the facts substantive or cognate, the arguments, relevant and irrelevant, all will be caught in repose or in motion and may be easily placed before the Senate. But why should the President be charged with this omission now? The United States has negotiated or been party to over 600 treaties, and I can recall only one of these the signers of which were in whole or in part Members of the Senate, and that one was the Spanish-American peace treaty. It is true that Senators have sat in arbitrations or other councils in some few instances, but these tribunals negotiated no treaties, though subsequent treaties sometimes preserved and perfected their conclusions or findings. On the contrary, Mr. Chairman, there has been for some years, certainly since the Spanish-American peace treaty, a noticeable public sentiment in opposition to senatorial membership of treaty conferences. And for the commanding reason that the public interest is the better served and promoted, the real purpose of the Constitution the better expressed and applied, by holding that great tribunal in reserve as a revisory or appellate agency, detached in interest or association, calm and judicial, to consider and concur or nonconcur in the treaty submitted by the Executive. This desirable achievement can never be fully accomplished if that body must pass upon work partly or largely from the hands of its own membership. [Prolonged applause.]

Of course, I would not be understood to controvert the full right of the Senate to advise the President in respect of contemplated treaties. This has been done from time to time, and Presidents have even gone so far as to ask in advance for this advice, but the advice of the Senate in its collective or collegiate capacity is very different from the actual consent or review by the Senate of the action of its individual Members in negotiating treaties. One action is free from the personal equation, while the other is embarrassed by the personal factor.

HIS UNDISCLOSED PURPOSES.

Mr. Chairman, animadversions have been directed to what is alleged to be the vicious or uncertain meaning of some of the

items of the President's "fourteen points" address. For example, the danger said by some to be found in his views respecting economic barriers, and the indefiniteness of his views as to armaments and freedom of the seas. Criticisms of these three propositions are based mainly upon assumptions as to the President's meaning, despite the fact that as to economic barriers he has written letters expressly disclaiming the meaning or interpretation imputed to him, expressly disclaiming any purpose or plan whereby the economic or fiscal policy of the Nation may be interfered with or in any manner controlled save by the unhampered constitutional agencies of the Government.

The question of proportional or relative reduction of armaments can, of course, only be wisely and practically considered and determined in the conference itself. But that there is a serious purpose in the mind of the civilized world to secure a reduction of armaments, either immediately or gradually, is beyond question, and the President merely expresses this righteous desire. Are the allied Governments more definite in their expressions as to conscription and standing armies? Indeed, Mr. Chairman, has any of the Governments likely to participate in the conference been more definite in expressing its views upon the subjects to be considered than our own Government through its President?

And of the freedom of the seas? America has always favored this freedom, which has perhaps been one of her three traditional and historic foreign policies. Does the President's language authorize an unprecedented extension or limitation of this freedom? Let his words answer:

> Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

I submit that in this language the President simply makes a pronouncement of the general policy of America and of civilized nations respecting the lawful use of the seas, and that the detail or concrete enlargement or abridgment of the rights of navigation is preeminently a matter to be considered and adjusted at the council table.

A LEAGUE OF NATIONS.

Mr. Chairman, the storm center of criticism, though very late in gathering, is directed at the President's attitude on a league of nations. This criticism declares that the proposed league means either too much or too little and that, in any event, it should not be considered at the peace conference. I imagine the President claims no originality for the idea of establishing such a league. Many men in America have favored such an international arrangement for some years, notably ex-President Taft and Mr. Lowell, president of Harvard University. The plan brought forward by the association headed by these eminent men gives a rather distinct outline of the object and plan of the league, which may be found in the current literature of the day. The subject, however, seems to have been even more profoundly discussed in England, and I hear in France as well.

Dr. David Jayne Hill, a distinguished publicist, has in a recent article given the names of those who have made special study of the scheme. He does not, however, mention what to me appears to be the most philosophical of recent discussions, namely, two articles appearing in the Edinburgh Review by W. Alison Phillips. This writer puts his finger upon the vital joint in the armor; that is, the success of the league depends largely upon the development of a cosmopolitan patriotism which in given instances may be paramount to our national patriotism—broadly, that our allegiance to the league may be greater than our allegiance to the Nation. Viscount Bryce not only attempts to answer, with his accustomed penetration and learning, this particular argument but presents an able and favorable discussion of the whole subject in what, I believe, is the last published volume of his writings.

Again, Mr. Chairman, the ultra-conservative thinkers contend that the impracticability of the league is shown by several historical examples. They cite alleged former similar attempts of nations and contend that all of them have been failures. For example, some 900 years ago mediaevel Christendom undertook to stop feudal wars by a league known as the "truce of God," supported by solemn religious oaths and by armed forces. Following the peace of Utrecht, the Abbé de St. Pierre, in 1713, published his scheme for perpetual peace, from which the Russian Emperor Alexander developed the project that he submitted to Pitt in 1804, and which was revised and developed after the downfall of Napoleon into what is known as the Holy Roman Alliance, which was neither holy nor Roman and against which ambitious undertaking America proclaimed the Monroe doctrine. There may be other instances, and certainly men as great as Grotius and Kant have devoted profound and practical consideration to the subject.

I am an ardent supporter, Mr. Chairman, of the purposes of a league of nations, but I have some misgivings as to the success of its practical administration. But when I consider the immeasurable loss and welter, the incomparable misery and agony imposed by this great war whose end is not yet visible, I can not be indifferent to any plan which aims to prevent a repetition of such a catastrophe. [Applause.] Nor do I believe, Mr. Chairman, that the leagues mentioned by the eminent publicists afford a formidable or deterrent analogy. The political, social, economic, and industrial systems, as well as the civilizations of that day and of to-day are so unlike that the free governments of our time are not justified in withholding from the plan their most sympathetic consideration. I for one am not willing to close my ears to the voices from millions of graves, to shut my eyes to the millions of wounded and suffering peoples, and to immeasurable areas of destruction, and thereby contribute in the slightest degree to the embarrassment or defeat of a plan to which a stricken world looks forward with longing hopes. What other device or remedy is offered? Shall the nations tread again the wearisome road from Vienna to Versailles? We can not stand still.

> He that considereth the wind shall not sow, and he that looketh to the clouds shall not reap.

So the voice of the ancient seer bids us to take a step, to take a chance. Must we not, therefore, at least give our approval to the consideration by the conference of a league of nations supported, in the language of the President—

> by a reign of law based on the consent of the governed and sustained by the organized opinion of mankind?

Mr. Chairman, can we not make a more rational classification of the law? Why, for example, should individual homicide be crime and collective homicide directed by the state be innocence? Why should not crimes committed by a state be the concern of all of the family of nations as much so as a crime by the person is the concern of every individual of the State? Why should criminal law apply to the crimes of persons and the civil law, the law of property and of contracts, apply to the crimes of nations? May not a league of nations afford the medium by which a rational and moral reclassification of the law of nations may be made to fit the crimes of the state?

Nor can I concur, Mr. Chairman, in the criticism that the President would favor or the conference would develop any plan for a league of nations that would affect the sovereignty of our Nation, or the vigor of our constitutional system, or our internal and domestic powers and policies.

But, Mr. Chairman, we are told that the President should be more definite in his expressions as to the objects and workings of the proposed league of nations. Is he not as clear as is Clemenceau's "balance of power" device? And is not this "balance of power" to be established by a league or agreement of nations? There are leagues and leagues—leagues of ambition and leagues of conscience, and this great war has been fought for the supremacy of the moral forces of the world. Shall we trudge along the same old road to come again at the end of fifty or a hundred years to another field of blood, to another hurricane of gas, to another fire from heaven, to another upheaval of the seas? Will the years to come forgive us unless we hold out now some hope to mankind that the light of peace will shine longer and more uninterruptedly upon earth than it has ever heretofore done? [Applause.]

A MORE CONVENIENT SEASON.

There is, Mr. Chairman, another criticism of this immediate subject to which I have heretofore alluded. That is that, though a league of nations may be expedient, yet the pending Versailles conference is not the time or the place to deal with the subject; that this conference should deal with peace alone; and that such subjects as armaments, the law of the seas, and the league of nations should await another day and another place. All I have to say as to this, Mr. Chairman, is that if these subjects are not considered by this conference and are postponed to another day and another place, then that other day and other place may not come until the world shall have passed through another and greater catastrophe than the one that now occasions the coming conference at Versailles.

Mr. Chairman, I would submit in this connection a more serious thought. Some one has said that great revolutions occur without being known at the time. But are we ignorant of the present ominous symptoms? Do we not hear strange sounds, and do we not see portentous signs? Are there not sinister and abhorrent forces moving about in the slime and welter of the aftermath of this great war? Behold Germany and Russia and the Bolshevik. Coming from the common heart of humanity, is there not the threat that civilizations should end wars or revolutions may end civilizations? From every group of peoples the world over do we not hear the insistent

demand that statesmanship should speedily set up some device that will materially limit or prevent the recurrence of wars? Is there any known design other than a league of nations? And if we do not try it out in some form, what is left to us? A critical, a terrible moment, confronts the world. Shall we wait for another upheaval? Shall we wait for the procession of the dark ages? So-called historic precedents, sustained by the brilliance of pen or the eloquence of senates, will not answer the question. Some serious, tangible effort must be made or civilization may well be anxious as to the fabric and foundation of political institutions.

Mr. Chairman, I wish in conclusion to say that there is as much need of unity of action to-day in support of the conference as there was for unity of command for the success of the allied armies on the field of battle. Amidst the tribulations of Europe the President now seems to carry the one healing touch. In the courts and chancelleries of Europe he is the most hopeful and commanding figure [applause]—independent, initiative, and courageous. He is lifting high before the peoples of the world the standards of a virtuous democracy. He is not encumbering his task with the questions of the equipoise and balance of powers. He is dealing broadly with the principles which make for an enduring peace. He is confronting immense perplexities, infinite difficulties, and stubborn congeries of traditions and castes, and the spirit of America that all unconsciously sustains his counsel and compels his action should give hope and confidence to the people of America. Therefore, not as a partisan, but as an American, I congratulate the House, which constitutes the most concrete and multiform expression of the will of the American people, upon the temper and judgment it has heretofore exhibited, and to express the hope that in this vital hour the American people shall sustain the efforts of the President and our representatives abroad, as I believe they now do and will continue to do. Their failure will be our failure and their success will be our success. [Applause.]

Mr. Chairman, I yield back such time as I have not consumed.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. DEWALT] 30 minutes.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 30 minutes.

Mr. DEWALT. Mr. Chairman and gentlemen of the committee, on last Saturday I requested unanimous consent to address the House, but yielding to the suggestion of the minority leader [Mr. MANN], who was very courteous in his suggested objection, I succeeded in obtaining time through the courtesy of the gentleman from Tennessee [Mr. BYRNS].

I doubt very much—indeed, I am quite sure of the fact—whether what I have to say will be as interesting or as entertaining or as beneficial, possibly, as the very learned and instructive remarks that we have just heard from the gentleman from Virginia [Mr. MONTAGUE] or as those that we heard from the gentleman from Massachusetts [Mr. GALLIVAN], and therefore I crave the indulgence of the committee and possibly ask for the patience of the committee in approaching a subject which, although very interesting and perhaps instructive, is not very entertaining. And yet I believe that to-day it is one of the most important matters now before the people of the country. It is this great railroad problem. What shall we do with the transportation systems of this country?

The President, when he last addressed the Congress, used the following words and pointed out three different modes of procedure:

> We can simply release the roads and go back to the old conditions of private management, unrestricted competition, and multiform regulation by both State and Federal authorities; or we can go to the opposite extreme and establish complete Government control, accompanied, if necessary, by actual Government ownership; or we can adopt an intermediate course of modified private control under a more unified and affirmative public regulation and under such alterations of the law as will permit wasteful competition to be avoided and a considerable degree of unification of administration to be effected.

He was frank enough to say to the Congress that as to these three courses he had no definite choice, nor did he have any definite recommendation to make. But coming as he did before the Congress and presenting the question to us, it seems to me that it becomes the duty of the Congress to speedily—and as speedily as the circumstances will warrant—find some remedy for the evils which we all admit to be existent.

In approaching this subject it is well enough to recognize that we have a great problem. In the first place, there are so many different and diverse interests. We have the public, consisting of the shippers and the travelers and consumers. We have the Government itself, which is vitally interested. We have the stockholders and the bondholders of the various corporations making up the transportation systems of the country. And then, last but not least, we have the employees, and all these diverse interests are vitally concerned with this proposition.

Mr. EMERSON. We have the consumers also.

Mr. DEWALT. And the consumers as well. I was going to speak of them in connection with the public at large, because after all the public pays the freight in the ultimate analysis. Now, in many points these different interests, whilst they converge, nevertheless are sometimes antagonistic. When we consider the enormity of this problem, let me say to you that the total trackage of the railroads in operation on January 1, 1917, was 397,014 miles, and that trackage system was owned by 2,095 different companies in the realm of the United States. The number of employees was 1,700,000, almost as many men as we had in France fighting for the liberties of the world. The outstanding bonds of these various corporations were $10,875,206,665, and the stock at par value aggregated $8,755,403,517.

Mr. HUMPHREYS. Would it interfere with the gentleman's argument to ask a question there?

Mr. DEWALT. Not at all, sir.

Mr. HUMPHREYS. What was the market value of that stock?

Mr. DEWALT. I have no means of ascertaining, except to say that the fluctuation in the market gradually increased during the year 1916, and then decreased after that time.

Mr. WHITE of Maine. Has the gentleman the number of security holders?

Mr. DEWALT. I have not. Take these alone, the interest of the stockholders and the bondholders in these various corporations, the enormous amount of money invested and invested by the public at large, securities held by orphans, trustees of orphans, insurance companies, banks, stockholders who are enumerated throughout the entire country, little and large, if you please, and then take in conjunction with that the fact that there are 1,700,000 employees engaged in the operation of these railroads, and then take the concluding fact to which the gentleman from Ohio has just referred, that here we have a public of 110,000,000 people who are daily using the transportation systems of this country either by travel or by the carriage of freight, they ultimately, as I have suggested, must pay the freight, and you see, as I have said, the enormous problem that confronts the Congress of this country.

Mr. GOODWIN of Arkansas. Can the gentleman state the number of stockholders throughout the country?

Mr. DEWALT. I can not. Therefore it seems almost effrontery for one who has had as little experience as I have in legislative matters, particularly here in the House of Representatives, to attempt in any way to formulate a system which may be of some effective force.

And whilst I am going on with this argument—because I propose to make it an argument if I possibly can, instead of a speech—I want with all modesty to say that the ideas I have formulated I do not attempt by any means to assert are perfect; nor do I claim entire credit for what I have formulated, because many of the ideas that I have in the bill that I will afterwards introduce, or which has been introduced, have been gained by my experience on the Committee on Interstate and Foreign Commerce and have been gained by conversation and observation of the methods and knowledge that the other members of that committee had, far superior to my own. Further than that, I have consulted in very large measure Mr. William Cook, the author of Cook on Corporations, who has examined this subject with particular care and attention.

After considering the enormous magnitude of this problem, is there any necessity for legislation of this kind? I doubt very much whether there is anyone in my hearing, whether there be anywhere anyone, who will contradict the assertion that the public has been inconvenienced during the last year during which we have had Federal administration. I doubt very much whether anyone will controvert the position that I now take, that the expenditures under Federal control have been far in excess of those that we had during private management. In fact, it is an established fact now that the deficit under Federal control is $796,000,000. That is not chargeable to inefficiency; that is not chargeable possibly to waste or mismanagement; but it is chargeable to the fact that we were operating under extraordinary circumstances in extraordinary times. But nevertheless the fact remains that, for reasons which are apparent upon the face of the record and disclosed by evidence satisfactory to anyone who examines it, there is this deficit, caused not alone by Federal administration of the roads but caused by concurrent circumstances during that time.

Mr. HUMPHREYS. Will the gentleman permit an inquiry there?

Mr. DEWALT. Certainly.

Mr. HUMPHREYS. The statement I have seen in the papers was that that deficit was $136,000,000. The gentleman says it is $700,000,000.

Mr. DEWALT. It is $796,000,000. That is the true figure.

Mr. GOODWIN of Arkansas. Is that exclusive of the amount appropriated by Congress for the railroads?

Mr. DEWALT. No.

Mr. GOODWIN of Arkansas. It includes that?

Mr. DEWALT. It includes that; yes.

Then, more than all that, which to me is a very potent fact, we have had during the course of Federal administration of these various roads and prior to that time a conflict of authority between the States of the Union and the Federal authorities, a matter which to my mind, as a lawyer and as a patient investigator of a part of this subject, is totally abhorent to any good management. What do I mean by that? There is no doubt that as a proposition of law—and I am addressing myself largely now to the legal side of this proposition—the States have the right to control commerce within their own territory, and so far as intrastate traffic is concerned the State authorities, if they choose to exercise that authority, have the right so to do. But there is no doubt of the other proposition, that when the Federal authority, in the exercise of the commerce clause of the Constitution, does or attempts to exercise authority even as to intrastate traffic which is intermingled with interstate traffic, then the power of the Federal Government is supreme and paramount. The Minnesota rate case has gone so far as to say that the State authorities may, for the public health of its inhabitants and for the welfare of the inhabifants of the State, control intrastate traffic, but that so soon as the Federal Government exercises its authority wherever interstate commerce is mingled with State traffic, there, upon the assumption or exercise of that power by the Federal Government, the Federal power becomes paramount and supreme.

Therefore I take it as a sound legal proposition that there must be in the near future, if we desire efficient management of the transportation systems of the country, a radical change, and that radical change ought to be with the Interstate Commerce Commission or the Federal authorities by the exercise of a proper agency for supreme and ultimate control, not only of rates but of other appliances in regard to transportation, except in so far as that traffic is entirely included within State borders. If that be a good proposition not only legally, but according to common sense, then it seems to me that I have pointed out to this committee not only the reasons for legislation but the necessity for legislation.

Mr. Chairman, it is easy to find fault. Anyone can say to anyone else, You are a sick man, and anyone can sympathize with that sick man, but it requires a skilled physician and it requires more than sympathy to give a potent remedy for the disease from which the man is suffering. Therefore you have a right to say to me whilst I am addressing you, "Admitting that the patient is ill, admitting that there is necessity for legislation, admitting the largeness of the proposition you are about to discuss, what is your remedy?" As I before said, I have tried to formulate that remedy. I have tried to formulate it by introducing a bill in this House, which, with all due modesty, I again repeat I desire each and all of you who are interested in this subject to examine, to criticize, to reform, to remodel, because I do not claim for it perfection, nor do I claim for it all-wise knowledge. He who attempts to assert that he knows all things has not yet learned the beginning of wisdom, because the beginning of wisdom is to know that you know nothing.

What do I propose in this legislation? In the first place, in the bill introduced I create an executive department headed by a secretary of railroads, who shall be a member of the Cabinet, and be paid the same salary as a member of the Cabinet, and who, of course, shall be nominated by the President of the United States, and who shall be confirmed by the Senate, if the Senate so sees fit. I then divide the territorial limits of the United States, exclusive of Alaska, into five regional districts, something upon the order of the divisions of the reserve bank system. I place marking of the territorial limits geographically, as to the needs of commerce and as to the needs of the railroads in these various geographical districts, in the hands of the Interstate Commerce Commission and say by the bill that the Interstate Commerce Commission, having due regard to the needs of commerce and to geographical location, shall carve out of this territory five districts, or, at most, nine; not more than nine.

I then create Federal railroad companies, and they are created by a Federal railroad board. That Federal railroad board consists of six members. One of those members is the executive head of the department, to wit, the Cabinet officer. The other five are selected in a manner which I shall afterwards give to you, but they must all be confirmed by the Senate of the United States, and if there be a vacancy that vacancy can be filled by the President of the United States, but his tenure of office shall not last more than 30 days after the convening of the next session of the Senate, so as to give the Senate the opportunity of acting on the nomination thus made. After this Federal railroad board is constituted they are in turn to constitute and organize Federal railroad companies in these various districts. They are to select nine men, and those nine men are to form a Federal railroad corporation in the district. Those nine men having formed this corporation by subscribing to stock, which is $10 a share, and each one of them having $1,000 worth of shares, constitute the corporation, and they have all of the inherent powers which are given to a corporation, to sue and be sued, to make contracts in regard to all railroad matters, to buy and to sell, to settle and dispute, to recognize the courts of law, and to be recognized by the courts of law, in all of the proceedings inherent to and concurrent with corporate legislation. But more than that, they have the power then to condemn, if you please, railroad property, and to take it by condemnation proceedings, but those condemnation proceedings shall be in the jurisdiction of the State authorities and not the Federal authorities, to wit, the condemnation proceedings for the taking of the property shall be local proceedings, and if the property be taken in the State of Pennsylvania, the Pennsylvania courts shall have jurisdiction under the usual forms of procedure in regard to condemnation proceedings. After this corporation is formed they also have the right of issuance of stock, and for what purpose? To buy, if you please, the outstanding stock of the railroad companies in their various regional districts. To make it more plain, the Pennsylvania Railroad Co. in one of these districts, or the Federal corporation in these regional districts, issues its stock, and in turn that stock may be taken by John Jones, who is one of the stockholders of the Pennsylvania Railroad Co., as an exchange for the stock of the Federal corporation. If he refuses so to do, it is up to him, but the Federal corporation in this region has the right to acquire by the issuance of its stock, or the raising of money upon its stock, which raising of money becomes easy by a different provision in the bill, to purchase all or any portion of the stock of the various companies in the district, which is within the circumscribed limits of the region.

After that stock has been purchased, or while it is still outstanding, the corporation within the district, however, preserves its personal identity. The Pennsylvania Railroad Co. does not lose its identity; the New Jersey Central Railroad Co. does not lose its identity. They in turn select their directors by a vote of stock. If the Federal organization within the regional districts has control of the stock or a majority of the stock of the New Jersey Central, then they elect the directories; but those directors must be residents within the territory within which the road is located.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. DEWALT. Yes.

Mr. MADDEN. Would not the proposal of the gentleman authorizing the local Federal board, which is the corporation, to buy the stock existing and the bonds existing, make his scheme in effect Government ownership?

Mr. DEWALT. It would not be Government ownership unless the Government itself through a holding corporation acquired all of the stock or a majority thereof. Then it would be; yes.

Mr. MADDEN. That is what I mean.

Mr. DEWALT. Yes; it would be.

Mr. MADDEN. In effect.

Mr. DEWALT. Yes.

Mr. MADDEN. The foundation the gentleman is laying is a foundation for the ownership of railroads by the Government of the United States without the expenditure of any money. Is that it?

Mr. DEWALT. No; it would scarcely be that, because it would be the expenditure of money; it would be the issuance of stock which afterwards is guaranteed by the Federal Government itself; and more than that, there would be no necessity in buying the bonds of the various outlying corporations because those bonds are a first lien on the property itself, and are always the best of security.

Mr. MADDEN. Does not the gentleman's plan contemplate allowing bonds to remain intact and taking control of the stock by exchange or condemnation or purchase?

Mr. DEWALT. By condemnation or purchase.

Mr. MADDEN. Of course, I might overstate it in talking about bonds——

Mr. DEWALT. Of course, that would remain upon the property as a first lien. How, when this stock is issued, does it become of value to the parties who desire to obtain it? In

order that this stock may be used by the people who wish to have the backing of the Government, I provide in this bill that the Government of the United States shall guarantee a 3 per cent dividend upon this stock, that the dividend upon the stock shall be no greater than 6 per cent, and if more than 3 per cent is earned, of course the stockholder gets this per cent, but the guarantee of the Government is 3 per cent, which makes the stock a valuable asset to investment holders and investment seekers. It might be said they can get more than 3 per cent, but this bill has an added feature, that the stock may be used in the reserve banks of the country, and it may be used as collateral in national banks and that national banks may deal in the stock and use it as collateral for loans, thus making it not a liquid asset in the currency of the country but making it a negotiable asset for the securing of loans for the conduct of business, and it therefore becomes not what you would call currency or a liquid asset but an available asset for business transactions. But some of these might earn more than 6 per cent. What, then, shall be done with the balance above the 6 per cent? The bill then provides that if more than 6 per cent shall be earned by any one of these regional or Federal corporations that one-half of the excess above 3 per cent shall be Government property and shall be used for betterments, improvements, and so forth, and the purchase of the outlying stock of the regional corporation if seen so fit or the retirement of bonds, and that the excess of one-half shall be given to the regional corporation for the use of the companies and they in turn to pay as much as necessary thereof for betterments and improvements.

Mr. McKENZIE. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. McKENZIE. Does the gentleman expect to explain in his time the relation of these zones one to the other, the overlapping, and how he controls the income of a certain railroad in one certain zone which extends over into another zone?

Mr. DEWALT. I shall be glad to do that very soon.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. GOODWIN of Arkansas. The Government guarantees 3 per cent, but in no event shall there be an earning capacity of over 6 per cent?

Mr. DEWALT. No; the earning capacity may be 20 per cent.

Mr. GOODWIN of Arkansas. But not over 6 per cent can go to the stockholder. Is this stock free from taxation? It should not be exempt from taxation.

Mr. DEWALT. The stock would not be free from taxation, but would be subject to State taxation.

Mr. GOODWIN of Arkansas. Upon an earning of 3 per cent alone, could that be made attractive to purchasers of the stock?

Mr. DEWALT. I doubt whether it would in that relation; but that, after all, is but a mathematical calculation and clearly goes to what we call a large measure of the bill, and it might be a matter of minutia, it might be a matter to consider in the amount to be floated, but we do know that 3 and 3½ "per cents" guaranteed by the Government are considered to be very attractive.

Mr. EMERSON. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. EMERSON. Now, the whole hornets' nest of this whole railroad proposition is this——

Mr. DEWALT. As long as the gentleman omits the hornets I do not care about the nest.

Mr. EMERSON. You will find it is a hornets' nest before we get through with it; but the Director General, in taking over the roads, has raised the pay of the men, then he raised the fares, and then he passes it over to us, dumps it on our porch to take care of, and that is the hornets' nest.

Mr. DEWALT. That is a condition; that is not argumentative; it is nothing more than assertion. It is one of the things we have to meet whether it is a hornets' nest or not; it neither diminishes nor enlarges the efficacy of the proposition we are considering. I admit in the beginning we had these difficulties to contend with. Knowing the condition, it is useless to say, Here we are; and the next question is, What are you going to do about it? I admit all you say, and I admit the great strength of it, too, because I know what the figures show. They say:

At the very outset of his administration the Director General started to economize on railway operation by separating 400 officers drawing salaries of $5,000 a year or over from the railway operating pay roll. "Under private control," says he in his report of his seven months' stewardship, "salaries as high as $100,000 per annum were paid to officers of railroad corporations. Under Government control the highest salaries paid are to the regional directors (of whom there are seven), and these salaries range from $40,000 to $50,000 per annum." By this strike Federal control saved $4,614,889 a year in operating cost——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. The gentleman is making a very interesting and instructive address; does he desire some more time?

Mr. DEWALT. Will the gentleman give me 10 minutes?

Mr. BYRNS of Tennessee. I yield the gentleman 10 minutes.

Mr. DEWALT (continuing reading)—

But by a succession of orders Mr. McAdoo has added something like $700,000,000 annually to the pay rolls of the railways, without adding one foot-pound to the efficiency of the 1,800,000 employees.

And, worse than that, we are partly responsible for the situation, may I suggest to the gentleman? When we passed the Adamson bill there was an increase of $268,471,074 in pay of railway employees in 1917 over 1916, and $196,240,000 of this may be traced directly to the Adamson law and to the advances incident to putting the new law into effect.

So the Director General was not at all to blame for this extraordinary circumstance. We passed the Adamson law, and I think we rightfully passed it, and I think it was of benefit ultimately to the Nation at large to have it passed; but that does not alter the circumstance. The fact remains that there was this increase of expenditure in operating expenses, and although the increase of income was large it was not sufficient to meet the expenditures; and therefore this deficit.

I might go on with the bill, and I should be very glad to explain another feature thereof. I provide in this bill for something else which is consistent also with the Federal reserve act, to wit, an advisory council. This advisory council is to consist of 10 members. Those members are to be selected by the different regional railroads within the region; but I provide that all of those men on the advisory council must be resident within the district, and all of them must have continuous residence for at least nine months to two years prior to their selection for these places; and I provide that three of these men shall be representatives of labor connected with the labor organizations of the railroad companies. I have been insistent, and will always be, as one who worked on the railroads himself, that there are certain inalienable rights that every workman has, and one of those rights is representation where his wages are concerned. But I have provided also in this bill that in these directorates there must be a representation of labor, and when a vacancy occurs in that representation upon the directorate, if that vacancy is to be filled, it must be filled by the selection of somebody connected with the labor organizations of the various railroad companies.

Mr. ROSE. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. ROSE. Does the gentleman prohibit the construction of railroads by private capital?

Mr. DEWALT. Oh, no. You can build all the railroads you desire.

Mr. ROSE. And what becomes of them after they are constructed, under your proposed bill?

Mr. DEWALT. God only knows what becomes of anything that is constructed by anybody else. They will take care of themselves. Even in the making of shoes, if the Government made all the shoes that were to be consumed, it would not prohibit you and me from manufacturing them.

Mr. ROSE. I was wondering if under the items of the bill you have been discussing you provide that all these railroads should be taken over by the different——

Mr. DEWALT. Oh, no. There are 765 of what we call short lines. The rest of them are not all trunk lines, but concurrent with the trunk traffic. The other question you might present in the same way—and that is one of the vital things in connection with this bill—is this: What shall you do about the rates? Under the railway-control bill that we now have, Federal control, the President has initiative power in the making of rates and the fixing of rates. There is no doubt about that. Now, shall this question of rates remain with the Interstate Commerce Commission? The great trouble with the Interstate Commerce Commission—and I say it in no detriment at all to their functions and their exercise thereof—was this, that in spite of the insistent demands of the railroad companies, in spite of the pleas of the railroad companies that they could not make enough money to carry on the traffic of the country, when it was demonstrated beyond doubt they could not go into the market and get credit on their securities in order to get money for their equipment, and when the war came, when they were totally inefficient to take care of the traffic they were receiving—in spite of that thing the Interstate Commerce Com-

mission refused to give them a raise of rates but insisted on their improving the service. When the Federal Government took control of the railroads it raised the rates 25 per cent, and in some instances more. They raised the wages almost as high as 43 per cent in some instances, and then they had what they call efficient control. I maintain now, and I think without fear of successful contradiction, that if the Interstate Commerce Commission and the Federal authorities had been as generous or as wise—let us put it that way—as they should have been in the raising of rates according to reasonable demands, we would not have had the trouble we had with the railroads.

Mr. MADDEN. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. MADDEN. In regard to what the gentleman has said about percentage of increase in the rates, as to 25 per cent being the minimum rate, it ran up as high as 900 per cent.

Mr. DEWALT. I do not know anything about the 900. I did not get as high as those figures, but I do know about the 43.

Mr. RAYBURN. The gentleman does not intend to convey the impression as to these rates that if that had been done at first these rates would have been raised as high?

Mr. DEWALT. I do not understand.

Mr. RAYBURN. You say rates were raised horizontally all over the country 25 per cent. You say that if the Interstate Commerce Commission had been generous with the railroads they could have operated and we would not have had to take them over. Does the gentleman intend to say that he thinks, even though they had possibly the same conditions that we had when the Interstate Commerce Commission increased these rates, that the horizontal increase would have been made?

Mr. DEWALT. Oh, no. Nor would my remarks bear out that inference. But I do maintain the business proposition that you can not have the invested capital of this country in railroads or any other enterprise unless you give that enterprise a sufficient income to manage its operation and return dividends to its stockholders. You may say they inflated their stock. I grant you that to some extent. You may say there was an overvaluation of railroads, and I grant you that to some extent. But I maintain as a business proposition, from the experience of the Pennsylvania Railroad, which is considered to be one of the best managed railroads in this or any other country, if they were not able to live and pay dividends to their stockholders that they could not have raised the credit necessary to buy equipment when the war came.

Mr. RAYBURN. The gentleman will admit also that the railroads paid a larger percentage the year before the Government took them under Federal control than they had had since 1910?

Mr. DEWALT. I think the table of 1916 had the largest percentage of dividends. Nevertheless, the gentleman will also admit, from what took place in the Interstate Commerce Commission investigation, that they had not increased their workmen's wages or terminal and trackage facilities, simply because they could not raise the money.

Mr. RAYBURN. I think that one reason, and the main reason, why the railroads have been unable to raise money in this country and sell their securities is that they had reached the point where their securities in a great many instances did not stand for anything. And that was a vanishing hope.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. COOPER of Ohio. You stated a moment ago that this rate question was one of the most important. I believe so. What about the wage question? Do you not think that is one of the most important in the operation of railroads, too?

Mr. DEWALT. They are correlative.

Mr. COOPER of Ohio. If you will pardon me, do you not think that the wage-making power ought to have something to say in regard to the wages of the employees?

Mr. DEWALT. I have provided for that in this bill by their representation upon these directorates. And more than that, I took the position at the time the Adamson bill was before the Supreme Court, in discussion with one of the best lawyers in this House—and I do not pretend by any means to compare with him in legal ability—that the time would come, and it did come, when they decided the Adamson case, that they would also at least inferentially decide that the question of wages was within Federal jurisdiction and the power of Congress; and I will tell you why.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DEWALT. I ask for a little more time, Mr. Chairman.

Mr. BYRNS of Tennessee. I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes more.

Mr. DEWALT. When you make up rates you have got to take into consideration every component part that goes into the rate. One of the greatest component parts of that rate is the wage of the man who operates the railroad train or the fellow at the switch or the man in the tower house. Whatever occupation he has in regard to the operation, whether he be a superintendent or track walker, goes into the wage problem, and whenever you make your scale of rates you have to take that into consideration. Therefore if the United States, through the Interstate Commerce Commission, has the right to regulate rates, I take it as a part of that proposition that the Interstate Commerce Commission would also have the right to regulate wages. That is the proposition.

Mr. COOPER of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield; and if so, to whom?

Mr. DEWALT. I will yield first to my friend from Ohio.

Mr. COOPER of Ohio. Is it not a fact that under private ownership and operation the Interstate Commerce Commission has nothing at all to do with wages, and yet they fixed the rates?

Mr. DEWALT. That is right. Now I yield to the gentleman from Illinois.

Mr. CANNON. I have listened with interest to the gentleman's statement. The iron is composed of iron and labor and coal of the people that eat, including the farmer. It takes it all to run a railroad.

Mr. DEWALT. There is no doubt about that.

Mr. CANNON. Now, then, in the gentleman's opinion, can we by legislation cover the whole ground, from the cradle to the grave, in every possible industry and undertake to fix wages?

Mr. DEWALT. I recognize the strength of what the gentleman says, because it would be reducing the argument to what you would call the reductio ad absurdum. Nevertheless, notwithstanding the gentleman's opinion, for which I have great respect, after all legislation always has been and will be and should be confined by the Supreme Court of the United States to matters relative and pertinent to the material issue then before the court.

That being so, let us consider the argument of the gentleman from Illinois. He says the ore that goes into the rail and the man who digs the ore that goes into the furnace which makes the rail also earns wages, and therefore my proposition in regard to the rate-making power and the wage-fixing power should be in Congress or some other authority, and therefore he argues that we should also say that they should control the wages by Congress of the man who digs the ore and puts it into the furnace. That might be so, if you reduced the argument to its ultimate conclusion and finality, if it were not for another proposition, that those things are too far removed from the correlative subjects for which the legislation is had, and for that reason it would not be true.

Mr. FOCHT. Mr. Chairman, will the gentleman yield?

Mr. DEWALT. Certainly.

Mr. FOCHT. I have listened to the plan laid out by the gentleman in regard to the new method of operating our railroads, but in the presence of some very serious and widely extended opposition to Government ownership, I wish the gentleman, if he does not have time now, will, in the extension of his remarks, amplify a little in respect to the necessity, for this reason: It is a very common belief that had the Interstate Commerce Commission yielded to the importunities of the railroads the railroads might have made these extensions and provided ample accommodations for the freight and passenger traffic of the country, and that the railroads themselves, with the exception possibly of the New Haven, which was willfully wrecked, as shown by the testimony before the committees here—the railroads, I say, such as the Philadelphia & Reading Railroad Co., which came out of a receivership and to-day is one of the wealthiest organizations in the world, paying a high dividend, and the Pennsylvania Railroad Co., the best operated organization of any on this earth, not excluding the United States Government itself, paying a high dividend, and the Northern Pacific, and the Great Northern, and the Union Pacific, and the Illinois Central——

Mr. DEWALT. Will you permit me to interrupt you a moment? I would like to have this incorporated in my remarks as a part of my speech. [Laughter.]

Mr. FOCHT. The thought I would like to have the gentleman present is, first, before you talk so much about the new plan, what is the necessity of complicating this ramifying railroad system, financially and otherwise, with the Government? That is the idea. [Laughter.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DEWALT. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. DEWALT. I append herewith the bill I introduced on January 11, 1919:

A bill (H. R. 14186) to provide for the incorporation of Federal railroad companies and the regulation thereof, and to establish a system of supervision of railroads in the United States, and for other purposes.

DEFINITION OF TERMS.

Be it enacted, etc., That wherever the words "Federal railroad company" are used in this act the words shall be construed to refer to each of the corporations to be organized under this act, as hereinafter provided.

The words "Federal railroad board" used in this act shall be construed to mean the board of nine members herein provided for.

The words "secretary of railroads" used in this act shall be construed to be the head, at the seat of government, of an executive department to be known as the department of railroads, said head to be appointed by the President, by and with the advice and consent of the Senate. Said appointee shall receive a salary of $12,000 per annum and his term and tenure of office shall be uniform with other members of the President's Cabinet.

FEDERAL RAILROAD DISTRICTS.

SEC. 2. That continental United States, excluding Alaska, is to be divided into five districts, to be known and designated as (1) New England railroad district, (2) central railroad district, (3) southern railroad district, (4) northwestern railroad district, and (5) central Pacific railroad district. The aforesaid railroad districts as designated by name shall each include territorially such portions of continental United States as shall be prescribed and determined by the Interstate Commerce Commission, having due regard to geographical lines and traffic requirements.

SEC. 3. That the Interstate Commerce Commission shall, as soon as possible after the passage of this act, determine and designate the territory of the various railroad districts hereinbefore specified in section 2 of this act and make report of the same to the Federal railroad board hereinbefore designated; and the Interstate Commerce Commission shall have power, from time to time as necessity demands, to increase the number of districts to, but not beyond, nine, and to change the territorial limits and boundaries of such districts.

FEDERAL RAILROAD COMPANIES.

SEC. 4. That the Federal railroad board shall supervise the organization in each of the said districts of a Federal railroad company by nine individuals in each district selected by the Federal railroad board, and thereupon such individuals thus selected in each district shall, under their seals, make an organization certificate which shall specifically state the name of such Federal railroad company, the territory and extent of the district as defined by the Interstate Commerce Commission and the lines of railroad included therein as defined in section 2 of this act, the city and State in which its principal office is to be located in said district, the amount of capital stock ($9,000), and the number of shares into which the same is divided ($10 each), and the number of shares subscribed for by each incorporator (100), and the said organization certificate shall be acknowledged before a judge of some court of record or notary public; and shall be, together with the acknowledgment thereof, authenticated by the seal of said court or notary, transmitted to the secretary of railroads, who shall file, record, and preserve the same in his office. Upon the filing of such certificates with the secretary of railroads as aforesaid, each of the said Federal railroad companies shall become a body corporate, and as such and in the name designated in such certificate shall have power—

First. To adopt and use a corporate seal; to have succession in perpetuity, unless it is sooner dissolved by act of Congress or unless its franchise becomes forfeited by some violation of law; to make contracts; to sue and to be sued in any court of law or equity; to appoint by its board of directors such officers and employees as are not otherwise provided for in this act, to define their duties, require bonds of them and to fix the penalty thereof, and to dismiss such officers or employees; to prescribe by its board of directors by-laws not inconsistent with law, regulating the manner in which its general business may be conducted, and the privileges granted to it by law may be exercised and enjoyed; to exercise such incidental powers as shall be necessary to carry out the purposes of this act.

Second. To acquire, hold, and exercise the power of ownership of any or all of the shares of the capital stock and bonds and other obligations of any or all railroad companies within its district as aforesaid; also to construct, acquire, maintain, and operate railroads within its district; also to issue shares of its capital stock from time to time, either for cash or in exchange for shares of stock or bonds or other obligations of any and all railroad corporations within its district on such basis of exchange as may be authorized by its board of directors; also to issue shares of its capital stock from time to time for such purposes (including its own expenses and disbursements) connected with or incidental to the control, acquisition, construction, management, use, and development of railroads, railroad business and railroad stock, bonds, or other obligations already issued or hereafter to be issued by railroad companies within its district (including the issue of Federal railroad company stock, to provide money to enable any railroad company in its district to pay or purchase outstanding obligations or to pay for past or future improvements, equipment, or extensions, stock of such railroad company being issued to the Federal railroad company in consideration of such money) as may be determined by its board of directors; also to exercise the power, which is hereby given to it, of eminent domain, to acquire any shares of the capital stock or bonds or other obligations of any and all railroad corporations within its district or to acquire any railroads themselves or railroad property for railroad purposes in its district, whenever in its opinion it is necessary or advantageous to it to do so, by condemnation under judicial process, and the local State courts wherein such stock or property is located shall have jurisdiction of proceedings for such condemnation. The practice, pleadings, forms, and modes of proceedings in causes arising under the provisions of this act shall conform to the practice, pleadings, forms, and proceedings existing at the time in like causes in the courts of record of the State within which such stock or property is held or located.

Third. To vote its holdings of stock and to solicit proxies from other stockholders to vote their holdings of stock in any railroad corporation in its district, and such vote of such stock and proxies by the Federal railroad company for directors in said railroad corporation or corporations shall be limited to persons who shall have resided within the district for at least nine months in each of the three years prior to the election, and have been actively engaged during said three years in the district in commerce, agriculture, or some other industrial pursuit, including railroad management, operation, or other work in connection with such management or operation, or in the practice of a profession.

SEC. 5. That at least six members of the board of directors of each Federal railroad company shall for at least nine months of each of the preceding two years have resided in the district in which they have been chosen directors. No Senator or Representative in Congress shall be an officer or director of the Federal railroad company. No director of the Federal railroad company shall be an officer, director, or employee of any other railroad company. Any director of any Federal railroad company may be removed at any time for cause by the Federal railroad board, but before such removal the director sought to be removed shall be furnished with a copy of the alleged causes for such removal and shall be given an opportunity to make defense thereto, all of which proceedings shall be a matter of record in the office of the secretary of railroads. The board of directors of each Federal railroad company shall consist of nine members, all of whom shall be appointed by the Federal railroad board, but at least three of such directors shall in some official way be connected with the employees of the railroads of the district governed by such Federal railroad company. Protests of stockholders or by the public shall be open to public inspection. Vacancies from any cause in the boards of directors of any Federal railroad company shall be filled by the Federal railroad board, having due regard, however, to the representation of the employees of the roads in such district where the vacancy occurs. The directors of each Federal railroad company shall receive such compensation as the board of directors may determine in each instance, subject to the approval of the Federal railroad board. The board of directors of each railroad company shall at its first meeting (after its first board retires from office) designate three directors to serve one year from the next 1st day of January, and three for two years, and three for three years, and thereafter all directors shall hold office for three years. Each Federal railroad company shall every six months make a full report of its operations to the Speaker of the House of Representatives, who shall cause the same to be printed for the information of the Congress.

SEC. 6. That there is hereby created a Federal advisory railroad council, which shall consist of two members from each Federal railroad district. Four of these members shall be appointed by the secretary of railroads, three shall be selected by the Federal railroad company directors, and three shall be elected or designated by the stockholders or directors of the various railroad companies in the regional district, but such appointments and selections shall be limited to those who have been actively engaged in commerce, agriculture, or labor, or in the management and operation of railroads. The meetings of said Federal advisory railroad council shall be held at least three times each year, and oftener if called by the secretary of railroads, in the city of Washington, D. C., or some other place deemed more suitable by the secretary of railroads at the time of such call for such meeting. The council shall select its own officers and adopt its own methods of procedure, and a majority of its members shall constitute a quorum for the transaction of business. Vacancies in the council shall be filled in each instance by designation as hereinbefore provided. The compensation of such advisory council shall be the sum of $25 per day for each member and necessary traveling expenses incurred by such member.

SEC. 7. That the advisory council shall have power, by itself or through its officers, to confer directly with the Federal railroad board and with the Federal railroad companies and their boards of directors, and with the boards of directors of the various railroad corporations in any or all of the regional districts on general business conditions relevant to railroad operation, management, or control; second, to make oral or written representations containing such matters to any or all of such boards or to the secretary of railroads; third, to call for information and to make recommendations in regard to the matters pertaining and relevant to railroad management, operation, and control.

SEC. 8. That the capital stock of each Federal railroad company shall be divided into shares of $10 each. The outstanding capital stock may be increased from time to time as authorized by the board of directors, but no such increase of capital stock shall be authorized without the previous consent of at least a majority of the Interstate Commerce Commission. When the capital stock of any Federal railroad company shall have been increased the board of directors shall cause to be executed a certificate to the secretary of railroads showing the increase of capital stock. The shares shall be represented by certificates which shall be transferable.

SEC. 9. That dividends on the stock of each Federal railroad company shall not exceed 6 per cent.

SEC. 10. That the United States Government hereby guarantees the payment of 3 per cent dividends on the shares of the stock of the several Federal railroad companies and the Secretary of the Treasury is hereby authorized and directed to sign the name of the United States of America to a guaranty to that effect on the face of the certificates of stock issued by the corporation (the guaranty on canceled certificates to be canceled when the certificates are canceled by transfer), the form of said guaranty to be as follows:

"The United States of America hereby guarantees to the record holder of this certificate of stock the payment by the Federal railroad company issuing the same 3 per cent annual dividends on the shares of the capital stock represented by this certificate, payable semiannually on the 1st days of January and July of each year after the date of this guaranty.

"If at any time the United States of America by act of Congress ceases to pay said guaranty, the United States of America shall pay to the holders of said certificates of stock the price at which they were originally issued or the value at the time of issue of the property for which they were originally issued."

The said guaranteed rate of dividend may be varied by Congress from time to time, but not as to any issue already made.

SEC. 11. That the United States Government shall be entitled to one-half of all the profits of the said several Federal railroad companies in excess of aforesaid 6 per cent dividends, and shall apply so much thereof as is necessary for the payment of one-half of the extensions and improvements necessarily made to the various railroads, or purchase of railroad bonds or stock, or reduction of rates, or retirement of stock issued hereunder, or for any other purpose the Government may deem best in connection with the railroads, and the remaining one-

half of the excess of above said 6 per cent dividends shall be retained by the several Federal railroad companies, and so much thereof as is necessary shall be applied to the payment of the remaining half of the expenses for extensions and improvements necessarily made to the railroads, or purchase of railroad bonds or stocks, or reduction of rates, or retirement of stock issued hereunder, or for any other purpose the Government may deem best in connection with the railroads.

SEC. 12. That national banks and Federal reserve banks may invest and deal in the shares of stock of the said Federal railroad companies or any of them, and such shares may be transferred to and deposited with the Treasurer of the United States in lieu of United States bonds as prescribed by sections 5159 to 5189, inclusive, of the Revised Statutes of the United States as amended and by section 4, subdivision 8, of the Federal reserve act, and may be deposited with the Treasurer of the United States as security for deposits by said Treasurer of funds of the United States in national banks, and may be deposited as security for and in accordance with the act of Congress of May 30, 1908, amending the national banking laws. The board of trustees, established by act of Congress of June 25, 1910, to establish postal savings depositories may invest postal savings funds in such shares as securities of the United States within the meaning of that act. Said shares of the capital stock of said Federal railroad companies or any of them shall be receivable at par as a satisfactory collateral security for Federal reserve notes and as a reserve available as eligible paper under the Federal reserve act and as investments by Federal reserve banks.

SEC. 13. That the Federal railroad companies shall proceed with all reasonable dispatch to acquire sufficient of the outstanding capital stock of the Pennsylvania; New York Central; Illinois Central; Chicago, Milwaukee & St. Paul; Chicago & North Western; Union Pacific; Atchison, Topeka & Santa Fe; and Southern Pacific Railroad systems to control those railroad companies; each Federal railroad company so to acquire the stock of any said railroad system or systems within its district. Such acquisition may be by purchase or by exchange of Federal railroad company's stock for the stock of said railroad system or systems or by condemnation proceedings.

FEDERAL RAILROAD BOARD.

SEC. 14. That a Federal railroad board is hereby created, which shall consist of six members, one to be the secretary of railroads and the remaining five members to be appointed by the President of the United States, by and with the advice and consent of the Senate. In selecting the said five members of the Federal railroad board not more than one shall be selected from any one Federal railroad district. The said five members shall devote their entire time to the business of the Federal railroad board and shall receive an annual salary of $12,000, payable monthly, together with actual necessary traveling expenses. In addition to the salaries hereinbefore provided for, each of the said six members shall each year receive $10,000 for each and every one of said five Federal railroad companies which pays its guaranteed dividend without resort to the guarantor, each year being taken by itself. No Senator nor Representative in Congress shall during his term of office, or for five years thereafter, be a member of the Federal railroad board. The members of the said board shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any railroad company, and shall not during that time hold or own stock therein. At least one of said five members shall be a person experienced in the management and operation of railroads. One member shall be designated by the President to serve for 2 years, one for 4, one for 6, one for 8, and one for 10 years, and thereafter each member so appointed shall serve for a term of 10 years, unless removed for cause by the President. Whenever a vacancy shall occur, whether by expiration of term or otherwise, among the said five members of the Federal railroad board, a successor shall be appointed by the President, with the advice and consent of the Senate, to fill such vacancy. The President shall have power to fill all vacancies that may occur on the Federal railroad board during the recess of the Senate by granting commissions which shall expire 30 days after the next session of the Senate convenes. Of the five members thus appointed one shall be designated by the President as governor and one as vice governor of the Federal railroad board. The governor of the Federal railroad board, subject to its supervision, shall be the active executive officer. A majority of the members at a meeting duly called shall constitute a quorum, and a majority of those present at such meeting shall be sufficient for affirmative action. The salaries and expenses of the Federal railroad board shall be paid by the Federal railroad companies in proportion to the respective outstanding capital stock of each from time to time. The Federal railroad board shall annually make a full report of its operations to the Speaker of the House of Representatives, who shall cause the same to be printed for the information of the Congress. The Federal railroad board shall have power to examine, at its discretion, the accounts, books, and affairs of each Federal railroad company and to require such statements and reports as it may deem necessary, and shall at all times furnish full information to the public regarding its operations of each Federal railroad company.

SEC. 15. That said Federal railroad board is hereby given the power to fix and determine all interstate railroad rates and service, and also such intrastate rates and service as Congress has power to regulate under the Constitution of the United States. No State or State commission or other State authority shall fix, determine, or regulate any rates, service, or operation of railroads owned by any of said Federal railroad companies.

SEC. 16. That no stock shall be issued by any Federal railroad company except after the approval thereof by the Federal railroad board, which board shall also first approve the use to be made of such stock and the terms of its issue. All financial operations of every Federal railroad company shall be approved by the Federal railroad board before becoming effective.

SEC. 17. That if any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of the act but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SEC. 18. That all provisions of law inconsistent with or superseded by any of the provisions of this act are to that extent, and to that extent only, hereby repealed.

SEC. 19. That this act may be altered from time to time or repealed.

Mr. STAFFORD. Mr. Chairman, I yield to the gentleman from Illinois [Mr. MADDEN] 30 minutes.

The CHAIRMAN. The gentleman from Illinois is recognized for 30 minutes.

Mr. MADDEN. Mr. Chairman and gentlemen of the House, I was intensely interested in the speech of the gentleman from Pennsylvania [Mr. DEWALT]. It suggested a new thought with respect to the organization and management and operation of railroads. I had intended, without having made any preparations, to give my views as to what should be done by the Congress in the matter of the organization of the railroads, in the matter of organization of merchant ships, as well as in the matter of the organization of the telegraph and the telephone and cable lines——

A MEMBER. Any more?

Mr. MADDEN. It is a big job, I hear some one say, and I do not pretend to have given it the kind of study that it merits. But I think the time is opportune for those who have opinions, or who think they have on what I consider these fundamental problems, to express their views, not with any intention of outlining definite legislation upon them, but rather for the purpose of inviting public discussion. For after all these questions must arrive at a stage before very long when definite and conclusive action must be taken upon them by the Congress of the United States. The people all over the United States are looking forward to the time when the Congress is to express a definite attitude. And while Members of the House and perhaps Members of the Senate are frequently reluctant to express their opinions in advance, lest they may not be in conformity with the public sentiment of the country, I think it well that some one should have the courage to have opinions and be willing to express them, regardless of whether they meet with the public view or not, in order that the discussion may go on and that something tangible may result from the discussion. And so I presume—for I assume that it is a presumption on my part, having no legal knowledge, having no special knowledge on either of these subjects—to assert an opinion.

But my opinion is that the railroad problem is of such transcendant importance that it must meet with some sort of satisfactory settlement before very long. It can not continue to remain under the control of the United States Government without either having money invested in it or having ownership in some form, for I apprehend that no one will claim that the Government has the right to maintain control over private property in times of peace while the owners of the property are held up in the air without any knowledge of what treatment their interest in the property is to receive; and so I have reached the conclusion that the owners of the property have rights which even the Government is bound to respect. For myself, I believe that the properties owned by the railroad companies of the United States can never go back into the same form of ownership which obtained before the war. Government operation has involved the expenditure of a large amount of Government money, and we have adopted a scheme of operation which, in effect, has set aside the Sherman law, and we have unified the railways. We have made the terminals common terminals. We have, in other words, pooled the issues of all the railroad companies merely by authorizing the President of the United States to take them over for operation during the war. We could have accomplished all this without the Government taking them over, but it might not have been considered wise, and perhaps it would not have been popular. To do without Government control during the war what we have done through Government control would involve the repeal of the Sherman law and would have permitted what has been claimed to be the basis of scientific management and operation of the railroads by men who have devoted all their lives to the practical solution of that problem. But, as it was, we did not have the courage or the good sense to do directly what we have done indirectly. We have had railroads under private ownership, with the rate-making power in the Interstate Commerce Commission. To the extent of the rate-making power and the accounting system we have had a measure of Government control. My judgment is that when this problem is finally settled it must be settled along lines that will unify the railroad systems of the country, and that this unification will involve the organization of a very strict Government regulation; that that regulation will be such as to give to the Government not only the power to make rates but to regulate the conduct of the operation of the roads, and also give to some board that may be created by the Congress the power to fix wages.

Mr. COOPER of Ohio. Will the gentleman yield right there?

Mr. MADDEN. Yes.

Mr. COOPER of Ohio. Does not the gentleman believe that ought to be vested in the rate-making power?

Mr. MADDEN. The regulation may be covered all in one board. I do not undertake to say. I am giving just a rough outline of my own views for example.

In the consideration of this subject there are four general plans possible:

First. Government operation with private ownership (present condition).

Second. Government ownership and operation.

Third. Government ownership and private operation.

Fourth. Private ownership and operation with Government regulation.

To be satisfactory any plan must create the following fundamental conditions:

First. Confidence in the mind of the investor that the investments in railroad securities will be protected against improper methods of finance and lowering of rates below a reasonable level; that the principal and income will be secure. This is necessary because railroads must be improved and enlarged concurrently with the industrial growth and expanse of the country. Also the greater the stability in the railroad investments, the lower the interest rates at which money can be secured for railroad improvement and expansion. This interest cost of money is a substantial part of the cost of transportation, therefore a saving in this item will result in cheaper transportation. The truth of this statement has been proven by the events of the last 15 years. During this period, due to gradual undermining of the investor's confidence in railroad securities, funds for railroad development have been increasingly harder to secure and interest rates have advanced, consequently the railroads were practically standing still while the industrial life of the Nation was enormously expanding, with the inevitable result that when the peak load was reached the railroads were unequal to the task.

Second. Confidence on the part of the shipper that money received by the railroads for transportation will be properly used. The shipper first of all wants adequate service, and secondly he wants this service at the lowest consistent rate. However, he does not want service at less than cost, because later he will inevitably have to make up the deficit of to-day with an added penalty. The shipper will be willing to pay the necessary cost of adequate service economically produced. The confidence of the shipper has been undermined in the past, first by improper financial methods which placed unnecessary financial burdens on certain roads, and in other cases diversion of earnings which properly belonged in the properties. Secondly, many public agitators for personal reasons have taken advantage of these episodes to condemn the whole field of railroad endeavor, with the result that an atmosphere of suspicion and distrust has been cast over the whole railroad situation, even though, as a whole, we have the best and cheapest railroad transportation of any country in the world. No effort should be made to defend the improper practices, and attention is drawn to them only to point out the necessity of preventing their repetition.

Third. Confidence upon the part of railroad labor that it will receive a just compensation and that proper working conditions will be maintained. A workable method must be devised that will provide means of settling controversies, because strikes can not be tolerated as a means of settlement.

Fourth. Working conditions for the managements which will enable them to operate and develop the railroads along progressive lines. By this is meant that hampering restriction of laws, preventing pools, consolidations, and mergers, plural control by commissions, who ofttimes have different interests and no responsibility as to the general results of their acts, and restrictions in the funds allowed for maintenance and improvements should be eliminated.

Fifth. Confidence on the part of the general public that a square deal will be given; that the transportation agencies will be adequately developed along the right lines and economically operated, and that abuses will be prevented.

Taking up the possible plans and analyzing them with respect to the foregoing fundamentals, we arrive at the following conclusions:

GOVERNMENT OPERATION WITH PRIVATE OWNERSHIP (PRESENT PRACTICE).

This has the advantage that the railroads can be operated as a unit, are free from all restrictions, both Federal and State, and have the entire credit of the Nation behind the operation.

On the other hand this plan weakens instead of strengthening the credit of the owners, makes extensive improvements impossible, and produces a general unsettled and disturbed state.

Manifestly this method can not be permitted to continue for any prolonged period. The sooner it is discarded the sooner will settled conditions be established.

GOVERNMENT OWNERSHIP AND OPERATION.

This method will settle all questions relating to finances and to plural control, and would effect certain economies resulting from unified operation.

On the other hand it would be impossible to keep this enormous organization free from the effects of politics. The employees would use their political influence to force more favorable wages and working conditions; the various communities would use political influence to obtain improvements for their communities similar to the so-called "pork-barrel" method in appropriations for public improvements; and the constituents of officeholders would force the officeholders to make the railroads a job-hunting ground, with all the attendant evils resulting to the morale of the operating organization.

The railroads could not be operated economically, because the personal initiative and responsibility of the management would be entirely changed. Management can not be expressed in cut and dried formulas. It is the place where freedom of judgment must be allowed and personal initiative encouraged by fear of a penalty for failure and promise of reward for success. Government ownership and operation would stifle the morale of the railroad organizations. This morale is as important in business organizations as in an army on the firing line. It is harder to maintain than in an army, because it must be maintained continuously year in and year out, while in an army it is only for a relatively short period and under the stress of a great emergency.

Government operation would eventually become a huge imponderable machine tied up in the traditional red tape, entirely devoid of any personal element, either in its dealings with the public or its employees.

GOVERNMENT OWNERSHIP AND PRIVATE OPERATION.

This method would solve the financial difficulties, but would be very close to Government ownership and operation and would have many of the objections of it. In addition, there would be the traditional troubles between landlord and tenant.

PRIVATE OWNERSHIP AND OPERATION WITH GOVERNMENT CONTROL.

This plan offers a way to attain the advantages of the other plans without the disadvantages, if properly worked out and fearlessly and constructively applied. Manifestly this control must be vested in one body, made up of our most experienced and able men. This body must be removed from all influences, both political and personal, other than the best interests of the whole country. The control body must also shoulder the responsibility for the success or failure of its control.

This body must be so organized that it will be easily accessible and will be in intimate touch with the various sections of the country, and will be capable of making prompt business-like decisions.

With the above in mind, it is suggested that the following things should be done:

First. All restrictions of present laws as to consolidations, pools, mergers, and so forth, should be repealed.

Second. Control should be centralized in the Federal Government.

Third. Create a commission whose organization, personnel, methods of doing business, powers, and responsibilities should be along the following general lines:

ORGANIZATION.

Divide the country into five regions, one to embrace New England with offices at Boston, one to embrace the eastern section with offices at New York, one to embrace the central section with offices at Chicago, one to embrace the West with offices at San Francisco, and the other to embrace the South with offices at Atlanta.

Each region to have a commission of five, who would handle all matters relating primarily to its own particular region.

For matters relating to the country as a whole, the five commissions would meet in Washington as a committee of the whole.

All the commissions to report to a director of transportation, whose duties would be entirely supervisory and who would determine questions of jurisdiction as between the regional committees and the committee of the whole. Each regional committee would have authority to render decisions as to matters brought before it or originated by it, and these decisions would be binding unless and until superseded by decisions of the committee of the whole. Methods of procedure should be left with the commission.

PERSONNEL.

Each regional committee should be made up of permanent residents of that particular region, and who should be required to live in that region during tenure of office.

The members of these committees should be appointed by the President, subject to approval of the Senate, under the same conditions as the Justices of the Supreme Court. The appointment to be for life or until reaching the age of 70.

Appointments should be made from men experienced in the following lines of endeavor:

1. Banking or investment.
2. Railroad management.

3. Commerce (representing the shippers).
4. Labor.
5. General (representing the general public).

Vacancies should be filled from the field from which the vacancies occurred.

POWER AND AUTHORITY.

These commissions should have the power and authority over the following things:

1. The issue of securities of all kinds, to prevent improper methods of finance.
2. Authority to approve or disapprove, or to order pools, mergers, and consolidations, with authority to approve, disapprove, or fix the terms thereof.
3. Authority to approve or disapprove or to order extensions and additions and betterments on all projects involving expenditures of more than $200,000 for each single project.
4. Supervision with authority to order corrections in the maintenance of the properties and charges made for depreciation, it being the duty of the commission to see that the properties are adequately maintained and adequate depreciation reserves set up to guarantee the integrity of the properties.
5. Supervision with authority to adjust working conditions and wages of railroad labor when agreements or settlements of controversies can not be reached by the employees and managements.
6. The power, authority, and responsibility of regulating service.
7. The power, authority, and responsibility of fixing rates.
8. Power and authority to approve or disapprove the dividends paid.
9. The authority to employ all necessary assistants.
10. Authority to prescribe methods of recording and accounting and reporting by the railroads.

In other words, the commissions would be given complete authority and power. The commissions would be made up of our best men experienced in the work and would then be responsible for the results.

Mr. GARNER. In the beginning the gentleman said we would not undertake to regulate property in which we had no interest. Now, if you adopt the scheme you suggest, do we not undertake to regulate the railroads in which the Government has no interest?

Mr. MADDEN. I think the Government must be said to have an interest, in the face of the fact that we have already expended a large amount of money for the development of the properties of the railroad companies during Government control, and for the interest which the Government has it may be necessary for us to have the power to regulate not only the rates but the wages; but, aside from that, the Government represents the people's interests, which must be taken into consideration.

Mr. GARNER. But I understood the gentleman in the beginning to say that fundamentally it was wrong for the Government of the United States to take property and undertake to regulate it when it had no financial interest in it. Let me direct the attention of the gentleman to the fact that under the condition that existed before the war the Interstate Commerce Commission was undertaking to regulate the freight rates of the country and certain other phases of the railroads, and under the gentleman's scheme it would be just an enlargement of their powers over properties which, if I understand the gentleman, are still to be owned by the individuals.

Mr. MADDEN. The Government is doing to-day what I said I objected to, but will not be permitted to do when we finally reach an adjustment and turn the roads back.

Mr. IGOE. Will the gentleman yield for a question?

Mr. MADDEN. I would prefer to go on.

Mr. IGOE. Go ahead.

Mr. MADDEN. I think we ought to have regional boards of directors. I think that on these regional boards there ought to be men representing all the elements of activity within the region. I think labor should be represented, I think agriculture should be represented, I think banking and manufactures should be represented, and when we reorganize the roads, in my judgment, the men who are selected as members of a regional board should be men who live within the territory for which they are selected, and if they have the qualifications that they should have they should be appointed to these positions for life, so that they would be taken away from the political influences that might shape their actions if they were appointed only at the will of the President or some other public functionary. Personally I am against Government ownership, but I am in favor of the strictest Government regulation consonant with proper conduct of these great arteries of commerce. I believe in stabilizing, I believe in unifying, I believe in utilizing the instrumentalities of commerce to the full limit of their power. I believe that if we unify and permit the use of the terminals in common and permit the pooling, so to speak, of the issues, of the incomes, and the traffic under proper Government regulation we will not only be able to treat labor fairly but we will also be able to treat capital fairly and that we will have a condition of things which will meet with the approval of the American people.

After all, whatever settlement of the question is made, it must be made with a view to meeting the approval of the people, because they are the greatest factor in the case.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. EMERSON. I would be glad to get the gentleman's reasons why he favors regional control.

Mr. MADDEN. Because I think the conditions are different in different sections of the country and require different treatment. For example, in a strictly agricultural territory the conditions are totally different from what they are in a strictly manufacturing territory. I think the conditions are different in a strictly agricultural territory from what they are in great centers of population. I think they are different in the mountain territory from what they are in the prairie territory, and I believe men acting as regional directors within the different zones will have a better conception of the needs of the community over which they preside than they would have if they were selected entirely from New York or Chicago or some other great center of population.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. RAYBURN. The gentleman says, in argument for the regional control, that there are different conditions in different sections of the country. Take it within one of the regions—I care not how large or how small—will you not have poor railroads and rich railroads?

Mr. MADDEN. We would have one system of railroads, in my judgment, if we are going to meet this case as it ought to be met. We will not have any rich or poor railroads, but we will have whatever they are, rich or poor. We will have one system.

Mr. DENISON. Then should competition be entirely eliminated?

Mr. MADDEN. Yes; entirely eliminated, if you want to put it in that way. I would eliminate it to the extent that the Government permits its elimination. I am not afraid to eliminate competition if the Government regulates it. That is the point.

Mr. DENISON. If you eliminate competition entirely and private initiative in the management of railroads——

Mr. MADDEN. I am not eliminating private initiative in the management of ralroads.

Mr. DENISON. Why not as soon have Government ownership?

Mr. MADDEN. I am not eliminating private initiative; I am encouraging it.

Mr. DENISON. But you can not have private initiative if there is no competition.

Mr. MADDEN. There will be competition between the railroads. They will use the roads in common, and if the Government is to regulate with the rigidity I think it can there will be no trouble either about the initiative or about the competition.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. HUMPHREYS. Does the gentleman believe that the ownership of the roads should remain private?

Mr. MADDEN. Yes; and the operation of them.

Mr. HUMPHREYS. But that the directors of the road who should control it should be appointed by some other agency?

Mr. MADDEN. I did not say the directors of the road; I was talking about the regional regulating directors.

Mr. HUMPHREYS. Regulating what?

Mr. MADDEN. Regulating the conduct of the railroads, the issuance of stocks and bonds, the finances, and doing the things that ought to be done to prevent the owners from putting on the market spurious securities.

Mr. HUMPHREYS. And also regulate the rates?

Mr. MADDEN. Yes.

Mr. HUMPHREYS. Then what would be left of the owners of the roads?

Mr. MADDEN. The scientific management of the business. I maintain that the man who manages the practical side of a business is infinitely more in need of scientific knowledge than the man who is charged with the responsibility of regulating his action.

Mr. HUMPHREYS. But if you regulate and determine his income and his expenses, what scientific financial expertness can benefit the owner of the road?

Mr. MADDEN. I think the gentleman is assuming now that we are attempting to pass a law, while I am only outlining my views, and I think the gentleman is taking a too restricted view of what I say.

Mr. HUMPHREYS. I was asking for information, in order to learn what the regional directors would be permitted to do, what powers they would have.

Mr. MADDEN. The railroad directors, the managers of the railroads, would be permitted to run the roads, to regulate the employment of men, to make the schedules of trains, to regulate every part of business of the institution, except the issuance of securities, the making of the rates, and the regulation of the conditions that will be laid down by the law, through the regional directors. The manager of the railroad would be the man who would need knowledge, brains, and experience. The other men, the regional directors, need nothing except a knowledge of how to carry out the law that is laid down, within the strict lines of which they must act. But the railroad man, the manager, the man with scientific knowledge, will have to have knowledge extending throughout the ramifications of the railroad business. He will have to coordinate, he will have to manage, he will have to provide, he will have to buy, build, and supply the equipment, and he will have to know how to schedule his trains, he will have to know what connections to make here, there, and everywhere. This is something that requires scientific knowledge. The other is simply a knowledge that will be laid down for the men between the lines of the law.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. FESS. The Federal Reserve Board can regulate the rates of interest that a bank can charge, but the Federal Reserve Board does not supersede the owners of the bank. The owners do the business of the bank just the same as before.

Mr. MADDEN. Why, certainly.

Mr. FESS. As I understand your plan would be an opportunity which would give regulation, but the owners of the road would run the road just as the owners of a bank run the bank?

Mr. MADDEN. Just as the owner of the plow runs the plow, exactly. [Laughter.]

Mr. RAYBURN. Will the gentleman yield?

Mr. MADDEN. I want to get away from this and start on something else. I do not say that I want to get away because I am not anxious to answer the gentleman, but my time is limited.

A MEMBER. The gentleman is getting into deep water.

Mr. MADDEN. No; I am not getting into deep water; I am willing to swim in any water there is. I yield to the gentleman.

Mr. RAYBURN. The gentleman says when he gets these regions established, of which he talks about, this Utopia, there will not be any rich roads or poor roads, and yet he says he believes in private ownership——

Mr. MADDEN. Yes.

Mr. RAYBURN. Is he going to carry his structure to that point where every stockholder will be paid the same return upon his investment regardless of what kind of a road his money is in?

Mr. MADDEN. I think the regional directors ought to coordinate with the main board at Washington. This board will be a subsidiary body of the main board, and they will be under the direction of the main body exactly as the regional directors of the Reserve Bank System are under the Reserve Board, exactly. Of course, you know you can not outline a bill here in an ordinary 30 minutes' talk. It is very easy for a man to rise in his place and ask questions that have no relation whatever to the subject. I stated when I arose that I only rose for the purpose of creating discussion on the outside, and I hope whatever I may say here to-day will create discussion that will result in some concrete legislation.

Mr. RAYBURN. If this talk gets out it will create some discussion on the outside.

Mr. McKENZIE. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. McKENZIE. I simply desire to ask my colleague if I have not understood him correctly, that he favors one great central corporation of railroads rather than the regional proposition submitted by the gentleman from Pennsylvania?

Mr. MADDEN. I am in favor of one great corporation authorized by the Government of the United States to cover the whole United States.

Mr. McKENZIE. Will the gentleman permit one other question?

Mr. MADDEN. Yes.

Mr. McKENZIE. In the gentleman's judgment, with the study he has given to this question, does not he believe that the administration of a zone system when applied to railroads that extend entirely across the country will be an impossibility?

Mr. MADDEN. Well, no; I think not. I think that certain jurisdiction could be given to the regional directors by the Federal board that will give them the jurisdiction within the division as it is to-day under private ownership. Under private ownership the managing director of a railroad company appoints a division superintendent, and within the division the superintendent is supreme.

Mr. FESS. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. FESS. The regional plan would not necessarily be divided upon the basis of geography?

Mr. MADDEN. Not at all.

Mr. FESS. It would follow the thoroughfare?

Mr. MADDEN. Surely. There is one more thing I was going to say.

Mr. GREEN of Iowa rose.

Mr. MADDEN. I can not dwell upon this any longer, because I intended to take up the ship proposition. I realize, Mr. Chairman and gentlemen, that this is a big topic, and it is one that can not be dealt with offhand or it can not be dealt with in a jocular way, as you gentlemen have attempted to deal with it. Of course it does not make any difference how you joke with me about it. You know you can not take me off my feet, and it will not embarrass me, no matter what you say; and whether I have thrown any light upon the subject does not matter. I have expressed the opinion that I have crudely formed. I would perhaps have expressed that much better if you gentlemen had let me alone. [Laughter.]

Now I desire to take up the shipping question. Since the war began we have built a very large number of ships. We have built those ships at an enormous cost. Those ships are owned by the Government of the United States. It must be evident to everybody who has given any thought to the question that the Government can not itself engage in the shipping business in competition with the shipping of the world. Something will have to be done when this war is over to utilize the great merchant marine which we have accumulated and of which we are all so proud in order that we may be able to meet the competition of England, France, and the other nations in the markets of the world.

Mr. FESS. Before the gentleman leaves that point, will he yield for one question?

Mr. MADDEN. Surely.

Mr. FESS. I would like to have the gentleman's opinion on Mr. Hurley's statement that on account of the grade of efficiency on the part of American labor we will be able to meet that competition.

Mr. MADDEN. There can not be anyone who has given an hour's thought to the question of efficiency in labor who will agree that Mr. Hurley is right, not that our men are not efficient, but we are paying very much more money than any other nation pays to the men who are following a seafaring life. For example, Japan pays on an average about $15 a month to its sailors, England pays about $30 a month, and America about $60 a month. Now, there must be something done in the matter of legislation to equalize this situation so that we can successfully compete with the shipping of the world, and I have a suggestion to make which you men may not think to be wise or to be practicable. I think, first, that we must either sell or lease the ships that the Government has built if we expect to maintain the supremacy which these ships should give to the United States in the markets of the world. Whether it will be by sale or lease is a matter for the Congress to determine. Then the question, if we sell, is, How are we going to encourage the men who buy to operate the ships at a profit?

If we lease, what are to be the terms of the lease? And how can the man who leases our ships afford to fly the American flag if he is compelled to pay $60 to a sailor in competition with Japan, who pays $15? How can he afford to operate the ships, and can he operate the ships successfully and profitably—and the two are together—if he has to compete with England, who pays her men $30 a month? The natural logic of the situation might suggest a subsidy to pay the man who leases the boat or ship for his loss. That would not be popular, and never has been popular, in the minds of the American people.

Then, what is the necessary thing to do? Are we going to draw on the Treasury of the United States to make up the deficit, and are we going to hand the amount that we draw from the Treasury over to the man who leases the ship? That is not a popular thought, because in the mind of the ordinary man every man who is transacting business is making a lot of

money, though he may be losing it. Most people say that no man will run business at a loss; but I have seen business run for several years at a loss. And I have been asked why. It was because those who owned it were trying to hold on until they could see a chance for a profit. They had their money invested; it was all they had in the world. What were they to do with it? Throw it away without an effort? Of course not. Most men who have hung on under adverse circumstances and have had the courage to meet the situation as it was have won out in the end. Now, we have this situation to meet: We have the opposition of the American people to a ship subsidy. It does not sound well to the average American. Then, what are we going to do?

I have this suggestion to make: If we pay $60 and Japan pays $15 and England pays $30, we can have a board appointed, through which board we can pay out of the Treasury of the United States the difference in wages paid by England and Japan and the wages paid to the American sailor. When you pay it direct to the sailor, there will be no opposition to it, because everybody knows he is not getting it to make him rich.

Mr. GARNER. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GARNER. That brings up the old problem. As an economic proposition, how is England to compete with Japan if it costs them 50 per cent more?

Mr. MADDEN. Every shipper in England takes stock in the shipping company in proportion to the size of his business—does it as part of a voluntary plan.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I would like to have perhaps 5, or maybe 10, minutes more.

Mr. STAFFORD. I yield 10 minutes to the gentleman.

Mr. GARNER. Does that interest equal the difference in the cost between Japan and England?

Mr. MADDEN. Yes; it does, as both owner and shipper meet the loss in proportion to their interest.

Mr. GARNER. Our cost, then, would be equal to, say, $35 per man as between Japan and this country, and if Japan went down——

Mr. MADDEN. Equal to $45.

Mr. GARNER. And if Japan went down to $12 we would have to increase it to $48, and if it went down to $10 we would have to increase it to $50.

Mr. MADDEN. And my idea is that if we have an opportunity we will pay this to the men themselves.

Mr. McKENZIE. Does the English Government pay a subsidy to their freighters?

Mr. MADDEN. The gentleman from Pennsylvania [Mr. EDMONDS] can answer that more correctly than I can.

Mr. EDMONDS. They do not pay it to freighters or to tramps. But they do pay it to passenger and package steamers.

Mr. MADDEN. We will have to do it if we are going to maintain the standard of wages.

Mr. GARNER. How are you going to ship freight from England in competition with Japan with only 50 per cent of the cost, maybe, that we can do the work with?

Mr. MADDEN. Maybe we can. I am in favor of establishing a board through which we can pay to the men who sail under the American flag the difference between the wages paid here and the wages paid in other places.

Mr. McKENZIE. I am interested in what you are saying, and I want to ask you this one question in regard to your proposition. The wages of the American seamen are fixed, as I understand it, by the Seamen's Union?

Mr. MADDEN. Yes.

Mr. McKENZIE. And in these other cases they do not have such regulation. Now, if we would adopt such a plan as you suggest, what difference would it make to the shipowner or the Government running a ship if they could fix any price for their labor and it would be paid out of the Treasury?

Mr. MADDEN. We have got to assume that we are going to be reasonable and our labor unions are not going to make it impossible for the American flag to fly on the world's seas.

Mr. GARNER. From the gentleman's experience with the Post Office Department, he ought to be convinced at this time that those wages are going up.

Mr. MADDEN. Whatever it is, whatever it may be in the future, we must meet it if we expect to run American ships. I think that is the way to deal with it, and I believe if we deal with it in any such fashion as that we will be able to float the American flag on every American merchant ship that has been made in every American shipyard and will be able to meet the competition in the markets of the world.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. KEARNS. Your proposition in effect is a subsidy, after all, is it not?

Mr. MADDEN. Yes; of course it is a subsidy, but it is the kind of a subsidy that the people would agree to.

Mr. KEARNS. You only call it by another name so that they will not object to it?

Mr. MADDEN. No. I do not think the people themselves object to a subsidy in fact if it is paid to somebody who needs the money rather than to the man to add to his profits.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. HUMPHREYS. A few years ago, before the war broke out in Europe, when we were in normal peace times, I heard Capt. Dollar say that a ship that cost here pretty nearly a million dollars—close to a million—which was an ordinary freighter—I think it was about 7,000 tons or maybe 10,000 tons—could be bought abroad for $500,000, according to my recollection.

Mr. MADDEN. I think he said $600,000.

Mr. HUMPHREYS. Yes. Now, that is true. You can buy a ship abroad—a Japanese can get a ship at $500,000, or an Englishman can do it, and it costs $900,000 or $1,000,000 to buy the same ship here. How would the gentleman undertake to compete?

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. MADDEN. We are up against that situation. We already have a certain number of ships that we have built. The cost of building a ton of shipping before the war was about $75 for a wooden ship, and to-day it is $200. But we have the ships, and we must make some disposition of them, and we want to use them in the markets of the world, and we must provide some method by which they can be used. We constantly boast of American genius, of its ability to overcome obstacles. Our people continue to insist that we can do what other people can do. They want an active American merchant marine. If they insist upon having American ships, built in American yards, operated by American sailors, under the American flag, at American wages, they will doubtless sustain us in our efforts to meet their views if we can but develop American commerce on the high seas.

Mr. STAFFORD. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. HICKS].

The CHAIRMAN. The gentleman from New York is recognized for 20 minutes.

Mr. HICKS. Mr. Chairman, I ask permission to revise and extend my remarks.

The CHAIRMAN. The gentleman from New York asks permission to revise and extend his remarks. Is there objection?

There was no objection.

Mr. HICKS. America's answer to the poem "In Flanders Fields":

Rest ye in peace, ye Flanders dead.
The fight that ye so bravely led
We've taken up. And we will keep
True faith with you who lie asleep
With each a cross to mark his bed,
And poppies blooming overhead,
Where once his own lifeblood ran red.
So let your rest be sweet and deep
In Flanders fields.

Fear not that ye have died for naught.
The torch ye threw to us we caught.
Ten million hands will hold it high,
And freedom's light shall never die!
We've learned the lesson that ye taught
In Flanders fields.

Your flaming torch aloft we bear,
With burning heart our oath we swear
To keep the faith, to fight it through
To crush the foe or sleep with you
In Flanders fields.

And our boys kept the faith and fought it through! [Applause.] On this winter's day, on the eve of a new era in world politics, when the implements of warfare are already rusting upon battle fields but yesterday the scene of awful carnage, we give our heartfelt thanks for the blessings of peace—blessings achieved in large measure by the matchless courage and the superb bravery of our own boys and by the unflinching spirit of devotion and determination of our people at home. [Applause.] Each week welcomes back tens of thousands of our boys in khaki and in blue, and we say to them each one, and we say also to every man who did not have the opportunity of going abroad: "We appreciate what you have done and the country thanks you for your heroic deeds. For all time you men in blue and you men in khaki have earned the gratitude of your country for your unselfish sacrifice in maintaining the princi-

ples of our Nation and the honor and the glory of the flag." [Applause.]

In the brief time allotted me to-day I desire to speak of some of the things I saw on the firing line last summer and a year ago. I regret that opportunity does not permit me to speak fully of the achievements of Great Britain in this conflict; but let me say that the men of English blood and of Scotch and of Irish and of Welsh blood and the men from the colonies overseas fought in this conflict like the bulldogs which they are, and that the people of that great empire gave of their substance and of their blood without stint and without reserve. [Applause.] And of France—heroic, noble France, bearing in this conflict the greatest blows in the history of war; France, our friend and ally in the dark days of our Revolution—think for a moment of what France has done in this great struggle! One million four hundred thousand of her sons dead; 1,400,000 more helpless cripples; thousands and thousands of her women and children victims of the savagery of war; scores of her cities shapeless ruins; hundred of acres of her rich land desolate waste; homes destroyed, churches demolished; and yet the resolution of France rose supreme to the sacrifices, the horrors, and the losses, and through the weary years of darkness stood steadfast between Prussia and her ambition to rule the world. [Applause.]

They say "France was bled white." Yes, in men and in money, but not in spirit and in heroism; and the blood that was shed by those French soldiers on the last day of the fight was the reddest of the red blood of heroes. Bleeding and maimed as she was, France through it all gave a promise like the rainbow in the heavens that democracy was safe in her hands. [Applause.]

I want to take you a moment, my colleagues, to the battle line. We will go to the city of Rheims, the city which of all cities appeals to us for sympathy. It was in November a year ago, just as the lengthening twilight of a gray November afternoon was casting its somber hues on those torn and gloomy walls that we entered the city of Rheims. Rheims, ill-fated, battle-scarred Rheims! What memories and associations of the past, what tragedies and sorrows of the present, are awakened at the sound of that name! Religion, history, art, chivalry, romance—the epitome of human aspirations and of human endeavors—crowd the centuries of her existence. To-day empty homes, crowded cemeteries, desecrated churches, crumbled walls, and battered pavements tell of the bombardment and the destruction wrought by German guns. And there, surmounting all, a pathetic monument to the frightfulness and wreckage of war, stands the shattered cathedral. For 800 years this masterpiece of architectural splendor has been the shrine of countless thousands. But yesterday the pride of France, to-day a bleak and broken relic of its former glory. Birds flight their passage through those empty windows, once studded with the noblest expression of the glazier's art. Molded column and chiseled art, rich with the tracings of a master hand, lie as heaps of dirt upon the pavement. And there in front of the altar, where once stood Joan of Arc when her King was crowned, is a great pile of broken glass and fragments of holy figures. Oh, the pathos and the wantonness of it all!

And I want to take you with me for a moment to the heights of the Meuse on the eastern frontier of France, to Verdun, immortal Verdun, the rock of destiny! [Applause.] Verdun, against whose slopes were hurled the mightiest assaults that the world has ever known; Verdun, whose very hills were blasted to their base beneath the heaviest cannonading in all history; Verdun, a name which will endure for the ages; Verdun, where the blood of heroes was transmuted into everlasting glory! Go out on those hills which surround the city like a necklace, 35 miles in extent. Down in those valleys and on the hills beyond, and yet beyond, was fought that great fight of two years ago. Square mile after square mile, with not an inch that has not been torn by shell and consecrated by the supreme sacrifice of those who fell in its defense. It is as if nature herself had sickened at the terrible carnage being wrought on her bosom and died in the agonies of smallpox leaving its mark upon every hand. Shell hole and crater, crater and shell hole, crowd there one upon the other in terrible confusion, and those holes to-day are filled with pieces of artillery, rifles, hand grenades, helmets, gas masks; yes, dead men, too, are lying there in the mud at Verdun! I have seen the ruins of Port Arthur in Manchuria, and have been to the top of 303 Meter Hill, where the Russians and Japanese crossed swords in 1904; but all the devastation and ruin of Port Arthur is not one-tenth of what we saw at Verdun. We passed three cemeteries containing 30,000 men, and I asked the commandant, "Where lie the rest?"

"There they lie beneath your feet, ground back into the elements." Three hundred thousand men gave up their lives in this inferno of death; 180,000 Germans, 120,000 French; five men killed for every 9 square feet of earth on those blood-soaked fields. Oh, remember what happened at Verdun. Line after line of Germans in that terrific onslaught poured up those slopes to be beaten back time and time by the French soldiers. Fort Douaumont had fallen, and the German lines were only 4 miles from the city. Then the Kaiser, watching the battle, telegraphed to Berlin that he held the key to Verdun, and the capital decorated itself with flags and bunting in anticipation of a victorious march to Paris. But between those gray German lines and their goal stood the intrepid soldiers of France! True to the traditions of their glorious past, they met charge with charge, attack with attack, bayonet with bayonet, club with club, stayed the avalanche which had piled the ground in places with 9 feet of human corpses, and held on; and the victory flags of Berlin, tattered and torn by waiting, became shrouds on the coffin of the Kaiser's dream of conquest. [Applause.] And to-day Verdun, with all the blood and all the anguish that it represents, stands forth as the greatest monument to courage and bravery in all the world, and it stands there, too, as the sepulchre of Prussian hopes and ambitions. [Applause.] Oh, my colleagues, think of what transpired there at Verdun and what hung in the balance. It was here that civilization itself tottered, then fell as the German hosts swept onward, then rose again as the dauntless soldiers of France, inspired by the watchword of liberty, "They shall not pass," drove back again and yet again the onslaught of the Huns. [Applause.] Let me tell of what we saw in one of our great training camps in France a year ago. Do you know that some of your own sons have been arrested as deserters from the American Army? Our own boys have been arrested for leaving their colors; and I will tell you why. Many of those boys in khaki were stationed back of the line, in the south of France and at the seaports, and, despairing of a chance to go to the trenches, they deserted; and when they were found they were on the firing line with rifles in their hands, fighting with their victorious comrades. [Applause.]

But to return to the training camps. We went to one a year ago and saw those boys of ours coming in from their training. I said, "Boys, how are you?" They said, "All right." "How is your food?" "All right," they replied. "How are your quarters?" "We are not kicking." "How is your equipment?" "Oh, we are satisfied." I said, "Well, now, boys, haven't you any kick at all to make? Remember, I am a Congressman, and if I do not get a few kicks once in a while it does not seem natural. Now, let me have your complaints, if you have any." And they gathered around me, not one but dozens, and this was their trouble: "Our complaint is that we can't get to the front. For God's sake give us a chance to fight before this war is over." [Applause.] That is all the complaint our boys had.

I want to tell you some of the things about our boys and what they have done—some personal things. Oh, we came into this fight not one minute too soon. Last March the Germans started that great offensive, the objective being to break in two the allied armies and seize Paris and Amiens while yet America was preparing. They launched that terrific line of fire, a line that left in its wake ruin, desolation, death, outrage, pillage, rape; a line of fire that trampled under foot every precept of law, every right of Christianity and of humanity; a line of fire as if the very flood gates of hell had broken loose. That line crept farther and farther southward. You and I recall how we would go out there in the lobby day after day and watch that thin line of defense on the great map being pushed nearer and nearer toward Paris. What was the answer to it all? Oh, there was only one. America in all her faith and strength answered the call and hurled into the vortex 2,000,000 of her sterling manhood, with 5,000,000 more to follow if it had been necessary. [Applause.] Then those Germans, sweeping on day after day, with every day a victory, came against a stone wall. They thought when they saw those old slouch hats and those khaki uniforms that the stone wall was made of Australians and Canadians, and it was an honor to be taken for an Australian or Canadian on that firing line. [Applause.]

They sent back for more artillery; they sent back for their reserves; they sent back for their Prussian Guard; and they stormed and stormed that stone wall, but it did not give way, for those slouch hats belonged to the boys from the States, the American devils. [Applause.] You know you have to take account of every piece of information you pick up. One day up there on the line we came across 10 German soldiers lying in a circle not larger than this hall. We went through their pockets to see if they had any information which would be of

benefit to our own lines. We found nothing, but in front of Chateau-Thierry an American officer discovered the diary of a German officer, and this is how it read:

July 11. Things are going fine. We will soon be in Paris.
July 13. The fighting is becoming furious.
July 14. We have sent back for our reserves, and we are fighting like hell.
July 15. Mein Gott! How those Americans can fight.

[Applause.]

I want to say a word or two about little Belgium. Belgium restored once more, thank God, to her own boundaries and to her own people! [Applause.] When we were in Belgium the part free from the invader was only 30 miles long and 15 miles wide. If that flag behind the Speaker was a map of Europe, those of you in the rear seats would not be able to discern the part which was free Belgium. We went there, as my friends, GOODWIN, DALE, and TIMBERLAKE, will remember, on the birthday of the King. We were not dressed in court attire; we had on trench shoes and old trousers covered with mud and slime, flannel shirts, and old slouch hats. The King welcomed us in that great democratic simplicity which has endeared him to the world. We told him that America was proud of what the Belgians had done, and he replied, "Here I am in the little remnant of my Kingdom, and here I will remain until every Belgian is killed and until Belgium is no more." [Applause.] We told him that the American people thought a great deal of him and of his people, and I asked him what message I could take home with me to America. Putting his hand on my shoulder, he said, "Take this message to the American people," and I give it to you to-day from the heroic King of the Belgians:

"Tell the American people that without their help and their support my people would have starved to death, and from the bottom of my heart I thank them." [Applause.]

Let me tell you some stories, some deeds, of those boys of ours. Let me give you some of their actual experiences. Up there on the front at the Vesle River we met some of the officers who had been out in no man's land with their men. There was an Irishman from my own State, and one night an officer going over the top discovered this young lad going forward with a revolver in his hand. The officer said, "Here, Mike, put up that pistol; that is not heavy enough. Use your rifle in this kind of a fight." The Irishman said, "Officer, I can't do it; I am wounded." "Wounded; whereabouts?" "In my stomach." And the officer looked and saw that a machine-gun bullet had ripped up the man's stomach, and he was holding his intestines in with his left hand, but he was going toward the enemy, fighting with his right hand. [Applause.]

Let me tell you another story. One night a man was found crawling on his stomach through that shell-infested area, and an officer coming upon him said, "Stand up." The man replied that he could not, that he was wounded. "If you are wounded, you want to crawl the other way, because you are crawling toward the enemy." "Yes; I know it, but I am going that way because I know that right up there is a German machine-gun nest, and I am going after it." That man gave his life's last blood fighting the enemy of his country. [Applause.]

Now, do you wonder why it was that Bulgaria gave up? Do you wonder why it was that Austria cried, "Kammarad"? Do you wonder why it was that the Imperial German Army crumbled and then ran for home and have been running ever since? Do you wonder now why it was that the German Government when they asked for peace found themselves in pieces? Do you wonder now why it was that a great navy hauled down its flag without striking a blow? Do you wonder now why it was that the German Kaiser deserted his people and fled to Holland, and lies in hiding, wrathfully contemplating the smash up of the divine right of kings and the dissolution of that nefarious compact between "Me und Gott"? [Applause.]

Mr. Chairman, on this winter's day, somewhere in the Valley of the Rhine, somewhere in Alsace-Lorraine, somewhere in northern France, the Stars and Stripes are flying. They are kissed by the golden sunbeams, messengers from on high, in the effulgent light of victory for God, for civilization, and for country. They fly in the triumph of a holy cause, glorified in their rededication to the cause of human rights. [Applause.] Let us remember on this day what St. Paul said 2,000 years ago; when we behold our flag flying there in triumph, let us remember his words in those days of long ago. Facing the angry mob, which beset him, he said, "Beware how you molest me, for I am a citizen of Rome."

He epitomized in that declaration the power and the determination of that great Empire of antiquity whose protecting arm stretched to the ends of the earth. To-day the American flag, the symbol of the unity, the purpose, and the will of a mighty people, proclaims to all the world the admonition, Beware how you molest him who renders me allegiance, for he is a citizen of America. [Applause.]

Mr. STAFFORD. How much time did the gentleman yield back?

The CHAIRMAN. Two minutes.

Mr. STAFFORD. I yield five minutes to my colleague [Mr. FREAR].

Mr. FREAR. Mr. Chairman, the House was very much interested to-day when the minority leader, Mr. MANN, discussed the failure of our soldiers abroad to get their mail. I have with me a short article which states that Assistant Secretary Praeger told the Senate Committee on Post Offices on January 11 that from 8 to 10 carloads of mail are now standing on the tracks in one place in France undistributed. Secretary Praeger, of the Post Office Department, laid the blame for this tragic mismanagement directly upon the War Department. Probably millions of undelivered letters have failed to reach our boys in Europe through this criminal carelessness. Responsible officers should be court-martialed for such neglect, because it violates every pledge given that we would look after the boys properly. Let me say, I have not heard from my own son, somewhere in France or Germany in times of peace, now for two months. Other parents have not heard from their sons for several months. Who is responsible for this neglect and what punishment is to be given them? The wives, parents, and other relatives who have boys abroad are anxious and every Member here should take it unto himself to force a reply and determine where the responsibility rests. Will we do it?

Mr. GREEN of Iowa. Did the gentleman say tons or carloads?

Mr. FREAR. Carloads; 8 or 10 carloads of undelivered mail in one place. I have another matter I desire to present. I am receiving hundreds of letters, like every other Member of Congress to-day, asking that soldier boys be brought home from the cantonments and camps. Let me read two or three letters that carry their own message. However small or uninfluential may be the individual Congressman, they will be obliged eventually to listen to us at the War Department if we bring our voices together in an emphatic demand, because we have the final determination. Congress gave the War Department every facility with which to carry on this war. Sooner or later that department must make an accounting, and we ought to hold the Army staff or responsible officers strictly accountable for conditions such as are now disclosed. I received the following from Camp Hancock several days ago. I can not give the boy's name, but he is from my home State and writes from this Georgia camp.

He writes:

Start a movement to get these boys in camp home. There are thousands of men and almost every family interested. Here is a camp that costs the Government something well over a hundred thousand dollars a day to maintain, yet demobilization plans have not taken a good step forward. What are they waiting for—until the cold, cold winter weather steps in and then transfer the northern boys north? In this way many will undoubtedly die.

However, it appears the mayor of Augusta still has influence at Washington, despite his practical admission of being implicated in camp-contract scandals.

I do not assume responsibility for that statement; I give it as it comes to me, but I do know that such influences are sometimes urged to keep boys in local camps.

He continues:

Some of the soldiers are of the opinion that his frequent trips to Washington are for the purpose of keeping the camp here as long as possible. The boys from the North need champions—see that we get a square deal. Every week in the Army costs some of us $60.

Now, I will read from another letter.

Mr. BANKHEAD. Will the gentleman yield?

Mr. FREAR. I can not, because my time is limited. Here is another letter relating to another camp in Georgia, Camp Jessup. It comes from the father of a boy, who writes me from Wisconsin. He asks why his boy can not be released. The father writes:

Received a letter from my son to-day, that an order was issued at his camp that no application for discharge was to be accepted, and states that he thinks the only thing to do to get a discharge is to take it up with the head of the Motor Transport Corps, at Washington.

Why can not our boys be discharged from these Georgia camps? Who issued that order refusing to discharge, and why?

I have another letter, a third, also from Georgia, this time coming from Camp Gordon. I prefer not to give the name, but the writer, an officer of the camp, says:

The commanding officer of this organization can fully appreciate the conditions as outlined in your letter, but no orders have been received to discharge the men now in this depot. As soon as such order has been received this man will be given consideration. Under the circumstances nothing can be done at the present time toward relieving him of duty at this depot.

Here are three letters coming from three camps in one State—Georgia—and men can not get released from their enforced service. They are not drilling nor working, just idling, and they all want to go home.

Why does the War Department hold them there?

In a letter received from Wisconsin, the cashier of a bank writes me regarding his wife's brother, who served with the One hundred and twenty-eighth Infantry. He writes:

My wife's brother was wounded about July 20, near Soissons, in France. His parents, at Menomonie, Wis., never received any notice from the War Department, and the first word finally came in a letter from him. On December 9 he arrived at Hoboken, N. J., and has been confined to his bed for over five months. During that time he has had three operations on his leg and will have to have another to save it. During all this time he has not received any mail, though his sisters have written him every week. A draft for $15 sent him in France also failed to reach him. He has not been paid a cent since June. When he arrived at Hoboken he sold his shirt to get money for cutting four months' growth of hair. In a letter received to-day (Dec. 21) he states he is to be sent to Fort Snelling.

These letters are from or concerning boys from my home State who were taken from their homes sometimes with only a few hours' notice, and this is the treatment given by the War Department. I am not giving trivial complaints. These boys might as well be in prison pens as unemployed in southern camps. In the last case what treatment could be more brutal than to leave this wounded boy without a cent for six months and no letters or money ever reached him. In fact, he sold his shirt to get money to look human and have his hair cut. Many court-martials are in order, and the men to be tried for neglect are those who wear shoulder straps and are responsible for such treatment as these boys receive.

The gentleman from Massachusetts [Mr. GALLIVAN] has just spoken of the arrogance of Regular Army officers. Let me read from another letter that confirms his statement.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. FREAR. In a moment I will be glad to do so. This is from a man, a brave officer who fought at Chateau-Thierry. I know him intimately and have known him for many years. He was over there in the hot fighting with the Wisconsin National Guard Division. He has been sent to a camp in this country. He writes of his present duties:

A general court-martial is held (I have sat on many of them) and some badly frightened youngster is brought in, and according to the accusations by the judge advocate, who is picked from among the lawyer officers, the lad is a notorious criminal. Upon cross-examination it seems that the lad has been in the service, we'll say, a year, having been drafted. He has asked for a pass only to be refused, receives a pitiful letter from his sister that their mother has become dangerously ill and there are doubts as to her recovery, and she wants to see her boy. He again applies for a pass and is told that the full number has gone and he is turned down. He calmly gets out of camp and goes to his home to see his mother. After a couple of days he suddenly realizes what he has done and becomes frightened and is afraid to go back. He remains in the house with his uniform on but not daring to go out. A detective places him under arrest and he is brought back to camp and to the guardhouse. The testimony is finished and court closed. The court solemnly decides that the boy is guilty of deliberate desertion in time of war; in fact, their minds are usually made up in advance. The boy has been defended by some lieutenant, who has agreed to handle the case and who laughingly says after the case is over, "Oh, I told the lad to plead guilty and throw himself on the mercy (?) of the court, because I don't know anything about the case." What shall the sentence be? After strong protest by one member of the court, the lad is sentenced to "dishonorable discharge" and 15 years at Fort Leavenworth.

I have described an actual case, being a member of the court myself.

Thank God, I was in the National Guard, who did the fighting over in France while the Regular Army stayed over on this side, filling the prisons with homesick boys.

What have you to say of such treatment of boys we have taken from their homes by the strong arm of the law in order to give up their lives, if need be, for their country? A few understrapping officers who never saw real service, but who sat in solemn judgment over this kid soldier that went home to see his sick mother, these officers who would Prussianize this country by such methods, sent that boy to Leavenworth for 15 years. Is it not time that Congress takes cognizance of such matters? Every man who sat on that court-martial and who voted to railroad that boy into Leavenworth should himself be court-martialed and imprisoned, if these facts appear as stated. I have served many years in the Regular Army and National Guard myself and have a wholesome respect for discipline, but these little martinets blessed with a brief authority are trying to out-Prussianize Prussia.

I have not discussed scores of complaints received against the War Risk Bureau, casualty division, allotment branch, or other recognized inefficiency in the past. These mistakes or neglect have caused much suffering in individual cases; but I am trying to place before the House matters that should receive certain and immediate attention.

Mr. Chairman, with the state of affairs I have described, with carloads—yes, trainloads—of mail undelivered to our soldier boys in France, with no pay in many cases for months at a time, with the disgraceful showing at Brest, where 70,000 boys were forced to sleep and live in rain and mud, with the scandalous conditions described in letters read to us by the gentleman from Illinois [Mr. MANN], with a widely published statement by Gov. Henry J. Allen a day or so ago that our troops fought for four days in Argonne Forest without artillery support, suffering casualties of one-half of the division, that were concealed by a rigid censorship as absolute as that of Germany but "lacking only the German intelligence," with courts-martial here at home of boys sent to Leavenworth for long terms because absent without leave from camps in this country after the war was over, with hundreds of thousands of boys unable to get out of southern camps, I say what indictment can be laid against any department stronger than that?

We are a patriotic people, and we have been fighting to maintain democracy and bestow it upon other peoples. What can we say of the facts that are given by Members on this floor day after day in view of our avowed purposes?

Members sit here helplessly, and no one has suggested a remedy. I am willing to overlook many shortcomings during times of war, but now that the war is over I believe those responsible for wrong conditions should be punished, no matter where it hits. Unless demobilization proceeds in southern camps without delay we should investigate conditions and do more than idle resoluting when responsibility is fixed.

Why do we sit here helpless? We represent these boys and their wives and parents. The letters are filed with the testimony of the men, and they ask for relief.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HICKS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

Mr. FREAR. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from New York and the gentleman from Wisconsin ask unanimous consent to extend their remarks in the RECORD. Is there objection. [After a pause.] The Chair hears none.

Mr. FESS. Mr. Chairman, I would like to ask the gentleman from Wisconsin [Mr. FREAR] a question.

Mr. STAFFORD. I yield one additional minute to the gentleman from Wisconsin.

Mr. FESS. I wanted to ask the gentleman a question based on this situation: A young man, formerly of rank in the National Guard, under the impulse of war, enlisted. He has made no effort to get any rank. He left a good salary in this city. I called on the general to know what he was doing and why he could not be discharged. The reply came to me that in order to discharge him they would have to state they did not need him. Therefore, later on, they could not find anybody to take his place. He is doing clerical work that a boy could do without any training. Here is a man of good salary, identified with some of the Members here, of rank in the National Guard, who seems to be held simply to save the ranks of others.

Mr. FREAR. Let me say, Mr. Chairman, in reply, that in my judgment the case cited by the gentleman from Ohio is indefensible; but I have recited cases that are far worse, in that these boys in Georgia camps are not even permitted to work. They are idling away their time in three Georgia camps and can not secure their discharge. No intelligible reason can be given for such treatment. Let us bring the boys home now.

Mr. STAFFORD. Mr. Chairman, I yield one minute to the gentleman from Ohio [Mr. COOPER].

Mr. COOPER of Ohio. Mr. Chairman and gentlemen, while we are on this question of the soldier boys in France, I would like to say that there are a great many fathers and mothers in this great land of ours who feel proud of their boys who have made the supreme sacrifice on the fields of France. A great many of the boys are still living, and we think of them; and I am wondering whether the War Department can not provide some means whereby the fathers and mothers of this country can send these boys a little money. I received a letter from a young man to-day who is located in France. He is not yet 20 years of age. He volunteered in the service last July. This letter was written on the 15th day of last December, and in that letter he said to me: "I dislike very much to ask for any money, but I have not received one cent of money from our Government since I entered the service of my country." Now, it seems to me there is something radically wrong there when this great Government of ours can not provide these boys with a cent of money for months at a time. We can furnish and appropriate large sums of money for other purposes, for other people, but we can not do anything for these boys who have shed their blood and have made the sacrifice for us.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I yield one minute to the gentleman from Ohio [Mr. KEARNS].

Mr. KEARNS. Mr. Chairman, referring to the incident that the gentleman from Wisconsin referred to about the boy who was court-martialed because he left camp to go to the home of his dying mother on the advice of his sister, I want to say that I think he refers to the same case I have in mind. The proceedings of the court-martial were sent to the War Department here in Washington just a few days ago, and the officer who examined what we would call the bill of exceptions in the case immediately recommended that the boy be restored to all of his rights in the Army and that he be immediately released from Fort Leavenworth. I am very glad to say that this young officer who had the honor and integrity and courage to make this recommendation comes from my district. [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. STEELE]. [Applause.]

Mr. STEELE. Mr. Chairman, several days ago the gentleman from Kentucky [Mr. FIELDS] placed in the RECORD a statement issued by the War Department showing what had been accomplished during the period of the war by American manufacturers in the way of manufacturing war munitions. It was a most remarkable statement, particularly in view of the fact that an increased burden had been placed upon American manufacturers, because at the very outset of this war the central powers were able to conquer Belgium and the industrial part of northern France, which included large deposits of coal and iron in those sections. The American manufacturers met that situation in a way that reflects great credit not only upon the manufacturers but upon the laboring people of the country who assisted in bringing about that great result.

In a newspaper article a few days ago Mr. J. Leonard Replogle, former steel administrator and member of the War Industries Board, said:

There will be no brighter pages in the history of the greatest and most terrible war the world has ever known than those which describe the deeds of the steel makers of this country, who wiped commercialism from their slate and set themselves to the herculean task of meeting all emergencies, cooperating with the Government in every possible way, and doing everything humanly possible to help win the war.

About a month ago Mr. Charles M. Schwab, former president of the Bethlehem Steel Co. and now chairman of its board of directors, made a speech in the city of New York, in which he stated the achievements of that company in the way of manufacturing war munitions during this war. It was such a remarkable statement that I thought it would be of interest to the House and the country and to the future historian of this war that these results should be placed in some permanent form. I therefore addressed a letter to the president of the company, Mr. E. G. Grace, and asked him to give me a summary of these results. I have his reply in my hand, which I send to the Clerk's desk and ask the Clerk to read.

The Clerk read as follows:

BETHLEHEM STEEL CO.,
South Bethlehem, Pa., December 23, 1918.

Hon. S. J. STEELE, M. C.,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN STEELE: It gives us much pleasure, in response to your letter of the 19th ultimo, to outline, in part, our production for the Government and the allies during the period of the recent world war.

While all of our plants were employed directly in the furnishing of war essentials, we could hardly attempt, at this time, to go into statistics showing the quantities of steel produced by us in various forms, such as armor plate, forgings, shell steel, air flasks, structural shapes, engine shafts, castings, etc., nor would it be advisable to enter into the magnitude of the new construction and extensions to our plants to produce war materials, but we will endeavor to give you a report descriptive of our production of ordnance material and shipbuilding.

ORDNANCE MATERIAL.

There was supplied by the Bethlehem Steel Co. to the United States Government and its European allies during the world war a total of 3,319 guns, together with their mounts and such accessories, including ammunition wagons, as are appropriate and necessary for their use. The guns in question include guns of all sizes, from the largest guns now in general use in our service—namely, 14-inch—down to the smallest gun used in the field, excepting only rifles. There are 14-inch, 12-inch, 9.2-inch, 6-inch, 5-inch, 4-inch, and 3-inch guns.

As compared with this, we are reliably informed that all other concerns of this country, including Government arsenals, furnished approximately 2,500 gun equipments complete, and the performance of the Bethlehem Steel Co. was approximately 60 per cent of the total of the entire country.

Since the time of our entry into the war, in April, 1917, there were shipped in complete units, in calibers up to 9.2 inches, to this and allied countries from Bethlehem 1,350 units, and from every other place in this country, including Government arsenals, 710 units, making a total of 2,060, showing 65 per cent of the entire production as coming from Bethlehem.

In addition to the finished guns, there was supplied by the Bethlehem Steel Co. to the United States Government and its European allies, in the past three years, semifinished guns in the form of forgings upward to 55,000,000 pounds, with an additional 8,500,000 pounds supplied in the form of forgings for naval torpedoes. This does not include forgings for our own finished guns, but in this semifinished-gun total of 55,000,000 pounds it is well to state that this poundage is the equivalent of approximately 10,000 finished guns, so that in all, the Bethlehem Steel Co. has shipped over 13,000 completed or partially completed guns in this world conflict. Of this amount—55,000,000 pounds—35,000,000 pounds have been made since our entry into the war in April, 1917, and is approximately 65 per cent of the total furnished by the entire country, including our Government arsenals. It is well to know that approximately 2,000,000 pounds per month have been supplied the French Government, who, in turn, have manufactured finished guns for the United States forces in France.

There has been supplied ammunition for the above-mentioned guns to the number of between 18,000,000 and 19,000,000 complete rounds, with an additional 1,500,000 projectiles. This in itself was approximately 40 per cent of the entire shipments of this country since the world war began in August, 1914.

In addition to the above-mentioned materials, this company has placed in operation three large plants for the manufacture of high explosives, and for the filling of projectiles and fuses, and for the assembly of complete ammunition.

There has also been maintained by the Bethlehem Steel Co. throughout the war three proving grounds for the testing of guns, projectiles, powders, and fuses. These proving grounds not only served the United States Government and its allies for testing the materials supplied by the Bethlehem Steel Co., but carried on tests of similar materials for other companies.

There has been fired from the proving grounds of the Bethlehem Steel Co. during the war a total of 390,481 rounds for the purpose of testing war materials being delivered to the United States Government and its allies.

SHIPBUILDING.

From August 3, 1917, the date upon which the United States Shipping Board commandeered all merchant tonnage, to the 15th instant the Bethlehem Shipbuilding Corporation (Ltd.) delivered 17 tank vessels and 38 cargo vessels, making a total of 55 merchant ships with a deadweight tonnage of approximately 525,000 tons, representing over 20 per cent of the total steel merchant tonnage delivered during that period.

During the same period there were delivered 25 destroyers for our Navy and 15 submarines, representing over 60 per cent of the total number of destroyers delivered to the Navy during that period and nearly all of the submarine boats. In addition to this we have, at the present time, nearing completion and in the water, 34 destroyers and 8 submarines, as well as 2 tank vessels, 5 cargo vessels, and 2 tugs.

We trust this information will be of interest to you, and with the compliments of the season,

Yours, very truly, E. G. GRACE, *President.*

Mr. STEELE. The particular credit this company is entitled to is that at a time of great stress in the history of the country they voluntarily placed at the disposal of this Government their entire plant, so that in that time of great crisis the Government was able to get the benefit of that wonderful plant, which I have heard Mr. Schwab say was 50 per cent more efficient than the great Krupp plant at Essen, in Germany. [Applause.] It was a valuable asset to this country during this time of great war conflict to have had the benefit and assistance and equipment of this complete plant, and therefore its work was a great achievement for them and for the country.

It turned out 65 per cent of all the large munitions and really large guns manufactured in this country during the great contest. Their plant at the time of the signing of the armistice was engaged 100 per cent upon Government work. At the outbreak of the war, in 1914, the Bethlehem plant employed about 8,000 persons, and at the time of signing the armistice 32,000, and, including the subsidiary plants, about 75,000 persons. At a hearing before the House Committee on Naval Affairs several years ago Mr. Grace said that the officers of his company were first patriotic Americans, and if ever the country got into trouble the company would place its entire plant at the disposal of the Government. It has faithfully kept that promise. The Government itself fixed the prices; the Government itself fixed the price of labor; and they were the instrument of the Government; and the fact that the Government had this large plant at its disposal, without having to spend a dollar or risk a dollar in the erection of a plant of that kind, was of great material benefit in bringing this war to an end when it did. And if it had not been for the assistance that the Bethlehem plant and other steel plants gave to the allies previous to the entry of the Government in this war the result might have been different. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. STAFFORD. Mr. Chairman, I yield two minutes to the gentleman from California [Mr. ELSTON].

The CHAIRMAN. The gentleman from California is recognized for two minutes.

Mr. ELSTON. Mr. Chairman, I simply wish to detain the House for a moment to make mention of a bill which I introduced on yesterday following the introduction in the Senate of a similar bill by Senator PHELAN, of California. It has for its object the changing of the name of Sequoia National Park in California to "Roosevelt National Park."

The suggestion was made by Mr. Lane and by Mr. Mather, the Director of National Parks. The proposed park is an enlargement of the smaller parks heretofore called the Sequoia National Park. The greater park, when it is authorized by Congress, will include some wonderful scenic features; not only

the largest grove of *Sequoia gigantea*, the largest trees of the world, but it will also include the great canyon of the Kern and King Rivers, as well as the tremendous Alpine Meadows; and it will also include the highest point of continental United States, Mount Whitney. I think it is extremely fitting that this great park, which includes some of the most magnificent scenic features in the world, should be named after Theodore Roosevelt. It has in many of its aspects the grand features which were characteristic of Roosevelt himself.

I thought it proper to direct the attention of the House to the fact that this bill has been introduced and may come up for consideration before long. [Applause.]

Mr. STAFFORD. Mr. Chairman, I yield three minutes to the gentleman from Massachusetts [Mr. GILLETT].

The CHAIRMAN. The gentleman from Massachusetts is recognized for three minutes.

Mr. GILLETT. Mr. Chairman, I simply wish to indorse the statement which the gentleman from California has made. Three years ago I went through this Sequoia National Park and the King and Kern Valleys that he speaks of. We went in, out of the reach of the telegraph or the mail, with a pack train and I spent there two of the most interesting and healthful weeks of my life. I do not suppose it is possible to compare different beauties of nature according to their relative excellence, but if there is any finer scenery in the world than this I should like to see it. But until I have seen it I shall be skeptical about it and be satisfied with the wonderful picturesqueness and variety of the valleys and gorges and mountains and chasms and streams of this extraordinary region. It did not seem to me it was useful for anything except a great camping-out place for the American people. Possibly a few sure-footed animals might get grazing there, but it was apparently created as a grand aggregation of scenic beauty, where tired man could refresh and enjoy himself. As the gentleman from California [Mr. ELSTON] has said, it is very desirable that the present Sequoia Park should be enlarged so as to include this neighboring tract of wonderful scenery, and then nothing could be more appropriate than to name the whole after such a lover of nature as Theodore Roosevelt. [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 34 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 15, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Interior, transmitting report of expenditures under appropriation, "Construction and operation of railroads in Alaska," to and including September 30, 1918, in and for the town sites named (H. Doc. No. 1688); to the Committee on Expenditures in the Interior Department and ordered to be printed.

2. A letter from the Secretary of Agriculture, transmitting statement showing in detail the travel from Washington to points outside the District of Columbia performed by officers and employees of the Department of Agriculture on official business during the fiscal year 1918 (H. Doc. No. 1689); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SUMNERS, from the Committee on the Judiciary, to which was referred the bill (H. R. 13629) to provide for the appointment of an additional district judge in and for the northern judicial district of the State of Texas, reported the same with amendment, accompanied by a report (No. 929), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 5192) for the construction of a bridge across Rock River at or near South Jackson Street in the city of Janesville, Wis., reported the same without amendment, accompanied by a report (No. 930), which said bill and report were referred to the House Calendar.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13273) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917, reported the same with amendment, accompanied by a report (No. 931), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 11673) for the relief of John K. Ashley, jr., reported the same without amendment, accompanied by a report (No. 917), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 653) for the relief of Henry P. Grant, of Phillips County, Ark., reported the same with amendment, accompanied by a report (No. 918), which said bill and report were referred to the Private Calendar.

Mr. CLAYPOOL, from the Committee on Claims, to which was referred the bill (H. R. 7705) for the relief of the Cleveland Trinidad Paving Co., reported the same with amendment, accompanied by a report (No. 919), which said bill and report were referred to the Private Calendar.

Mr. STEAGALL, from the Committee on Claims, to which was referred the bill (H. R. 12014) for the relief of Nancy A. Parsons, C. M. Parsons, D. F. Staggs, Ollie Staggs, Roas Staggs, Lena Birchfield, Alice Birchfield, Bertie Gwin, Greely Gilbert, Linville Gilbert, and Nelson Gilbert, reported the same, with amendment, accompanied by a report (No. 920), which said bill and report were referred to the Private Calendar.

Mr. LITTLE, from the Committee on Claims, to which was referred the bill (H. R. 5308) for the relief of James A. Henderson, reported the same without amendment, accompanied by a report (No. 921), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 13023) for the relief of John T. Adams, reported the same without amendment, accompanied by a report (No. 922), which said bill and report were referred to the Private Calendar.

Mr. CLAYPOOL, from the Committee on Claims, to which was referred the bill (S. 280) for the relief of Alfred Sjostrom, reported the same without amendment, accompanied by a report (No. 923), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 745) for the relief of George H. Grace, reported the same without amendment, accompanied by a report (No. 924), which said bill and report were referred to the Private Calendar.

Mr. CLAYPOOL, from the Committee on Claims, to which was referred the bill (H. R. 12236) to refund certain duties paid by W. Loaiza & Co., reported the same without amendment, accompanied by a report (No. 925), which said bill and report were referred to the Private Calendar.

Mr. WELLING, from the Committee on Claims, to which was referred the bill (H. R. 7074) for the relief of Mrs. Thomas McGovern, reported the same with amendment, accompanied by

a report (No. 926), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 2504) to reimburse Capt. E. D. Kremers, Medical Corps, United States Army, for rent of quarters at Honolulu, Hawaii, reported the same without amendment, accompanied by a report (No. 927), which said bill and report were referred to the Private Calendar.

Mr. CLARK of Pennsylvania, from the Committee on Claims, to which was referred the bill (H. R. 2867) authorizing the Treasurer of the United States to pay Catherine C. Schilling $599, reported the same with amendment, accompanied by a report (No. 928), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MOTT: A bill (H. R. 14377) authorizing the Secretary of War to donate to the town of Richland, N. Y., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14378) authorizing the Secretary of War to donate to the village of Hannibal, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 14379) authorizing the Secretary of War to donate to the city of Marseilles, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14380) authorizing the Secretary of War to donate to the city of Streator, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14381) authorizing the Secretary of War to donate to the village of Poplar Grove, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WEAVER: A bill (H. R. 14382) authorizing the Secretary of War to donate to the town of Waynesville, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14383) authorizing the Secretary of War to donate to the city of Asheville, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14384) authorizing the Secretary of War to donate to the board of trustees of Hollis High School, Hollis, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OSBORNE: A bill (H. R. 14385) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities; to the Committee on Military Affairs.

By Mr. BLACKMON: A bill (H. R. 14386) authorizing the Secretary of War to donate to the city of Talladega, Talladega County, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14387) authorizing the Secretary of War to donate to the city of Jacksonville, Calhoun County, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WALTON: A bill (H. R. 14388) authorizing the Secretary of War to donate to the city of Santa Fe, N. Mex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14389) authorizing the Secretary of War to donate to the city of Roswell, N. Mex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14390) authorizing the Secretary of War to donate to the city of Albuquerque, N. Mex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14391) authorizing the Secretary of War to donate to the town of Silver City, N. Mex., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BENJAMIN L. FAIRCHILD: A bill (H. R. 14392) authorizing the Secretary of War to donate to the town of Eastchester, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14393) authorizing the Secretary of War to donate to the town of Pelham, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14394) authorizing the Secretary of War to donate to the city of Mount Vernon, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14395) authorizing the Secretary of War to donate to the city of Yonkers, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HASTINGS: A bill (H. R. 14396) authorizing the Secretary of War to donate to the city of Stilwell, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14397) authorizing the Secretary of War to donate to the county of Cherokee, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14398) authorizing the Secretary of War to donate to the city of Muskogee, Okla., four German cannon or fieldpieces; tot the Committee on Military Affairs.

Also, a bill (H. R. 14399) authorizing the Secretary of War to donate to the city of Okmulgee, Okla., four German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14400) authorizing the Secretary of War to donate to the city of Henryetta, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14401) authorizing the Secretary of War to donate to the county of Wagoner, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14402) authorizing the Secretary of War to donate to the city of Stigler, Haskell County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14403) authorizing the Secretary of War to donate to the city of Checotah, county of McIntosh, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14404) authorizing the Secretary of War to donate to the city of Eufaula, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14405) authorizing the Secretary of War to donate to the town of Muldrow, county of Sequoyah, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14406) authorizing the Secretary of War to donate to the county of Sequoyah, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14407) authorizing the Secretary of War to donate to the town of Vian, county of Sequoyah, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14408) authorizing the Secretary of War to donate to the city of Westville, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TIMBERLAKE: A bill (H. R. 14409) donating a captured German cannon or field gun and carriage to the city of Manitou, county of El Paso, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Br. Mr. DENT: A bill (H. R. 14410) to authorize the acquisition of land for a national military cemetery in France and to provide for the establishment, care, and maintenance thereof, and for other purposes; to the Committee on Military Affairs.

By Mr. BACHARACH: A bill (H. R. 14411) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. RAMSEY: A bill (H. R. 14412) authorizing the Secretary of War to donate to the borough of Leonia, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14413) authorizing the Secretary of War to donate to the city of Phillipsburg, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14414) authorizing the Secretary of War to donate to the borough of Oakland, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14415) authorizing the Secretary of War to donate to the borough of Woodridge, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14416) authorizing the Secretary of War to donate to the town of Hackensack, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14417) authorizing the Secretary of War to donate to the town of Newton, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. NICHOLLS of South Carolina: A bill (H. R. 14418) authorizing the Secretary of War to donate to the city of Greenville, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14419) authorizing the Secretary of War to donate to the city of Union, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14420) authorizing the Secretary of War to donate to the city of Spartanburg, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14421) authorizing the Secretary of War to donate to the city of Laurens, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

By Mr. RAYBURN: A bill (H. R. 14422) donating captured cannon and cannon balls to the city of Ladonia, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 14423) donating captured cannon and cannon balls to the city of McKinney, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 14424) donating captured cannon and cannon balls to the city of Greenville, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 14425) donating captured cannon and cannon balls to the city of Honey Grove, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 14426) donating captured cannon and cannon balls to the city of Commerce, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 14427) donating captured cannon and cannon balls to the city of Celina, Tex.; to the Committee on Military Affairs.

By Mr. CARTER of Massachusetts: A bill (H. R. 14428) authorizing the Secretary of War to donate to the town of Needham, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANTRILL: A bill (H. R. 14429) authorizing the Secretary of War to donate to the city of Winchester, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. ASWELL: A bill (H. R. 14430) authorizing the Secretary of War to donate to the cities and towns in Louisiana German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14431) authorizing the Secretary of War to donate to the city of Alexandria, La., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLACKMON: A bill (H. R. 14432) authorizing the Secretary of War to donate to the city of Piedmont, Calhoun County, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. COOPER of West Virginia: A bill (H. R. 14433) donating a captured German cannon or field gun and carriage to the city of Bluefield, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14434) donating a captured German cannon or field gun and carriage to the town of Union, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14435) donating a captured German cannon or field gun and carriage to the city of Hinton, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14436) donating a captured German cannon or field gun and carriage to the town of Logan, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14437) donating a captured German cannon or field gun and carriage to the city of Princeton, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14438) donating a captured German cannon or field gun and carriage to the town of Pineville, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14439) donating a captured German cannon or field gun and carriage to the city of Williamson, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14440) donating a captured German cannon or field gun and carriage to the town of Wayne, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14441) donating a captured German cannon or field gun and carriage to the town of Hamlin, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14442) donating a captured German cannon or field gun and carriage to the town of Welch, W. Va.; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 14443) authorizing the Secretary of War to donate to the city of Bath, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14444) authorizing the Secretary of War to donate to the city of Lewiston, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14445) authorizing the Secretary of War to donate to the city of Auburn, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14446) authorizing the Secretary of War to donate to the town of Canton, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14447) authorizing the Secretary of War to donate to Fryeburg Academy, in the town of Fryeburg, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WEBB: Resolution (H. Res. 502) authorizing the Committee on the Judiciary to designate an additional assistant clerk during the third session of the Sixty-fifth Congress; to the Committee on Accounts.

By Mr. CAMPBELL of Pennsylvania: Resolution (H. Res. 503) making in order an amendment to the legislative, executive, and judicial appropriation bill increasing the salaries of Members of Congress; to the Committee on Rules.

By Mr. CAMPBELL of Kansas: Joint resolution (H. J. Res. 385) proposing the establishment of a league of nations; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONNELLY of Kansas: A bill (H. R. 14448) granting an increase of pension to Henry O. Pixley; to the Committee on Invalid Pensions.

By Mr. CURRY of California: A bill (H. R. 14449) for the relief of Robert L. Brantley; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 14450) granting an increase of pension to Gussie Rash; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 14451) granting an increase of pension to John Gellinger; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 14452) granting a pension to James Sweeney; to the Committee on Pensions.

By Mr. KING: A bill (H. R. 14453) granting an increase of pension to John Hobart; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 14454) granting an increase of pension to Wilson B. George; to the Committee on Invalid Pensions.

By Mr. LONGWORTH (for Mr. HEINTZ): A bill (H. R. 14455) granting an increase of pension to George Sullivan; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 14456) granting an increase of pension to John J. Kraft; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANTHONY: Petition of Joshua Mitchell and other citizens of Seneca, Kans., for repeal of postal zone rate law; to the Committee on Ways and Means.

By Mr. DILLON: Petition of Rotary Club and business men of Huron, S. Dak., urging Congress to bring about immediate demobilization and hasten the discharge of men under arms overseas as rapidly as they can safely be returned home; to the Committee on Military Affairs.

By Mr. HOLLINGSWORTH: Memorial of Brotherhood of Railway Carmen of America, Wellsville, Ohio, asking continuance of Government control or ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLY of Pennsylvania: Petition of Iron City Central Trades Council, of Pittsburgh, Pa., favoring public ownership of railroads, telegraphs, and telephones; to the Committee on Interstate and Foreign Commerce.

By Mr. OSBORNE: Memorial to the Congress in the matter of creating the rank of general emeritus, United States Army, to be held by the marshal of France, in the recent war against the central powers; to the Committee on Military Affairs.

By Mr. SNYDER: Petition of Hall of Division, No. 3, Ancient Order of Hibernians, for the enactment of the Gallagher resolutions, looking to an independent government for Ireland; to the Committee on Foreign Affairs.

By Mr. TAYLOR of Colorado: Petition of Retail Merchants' Bureau of Civic and Commercial Association of Denver, Colo., protesting against luxury-tax provision of pending revenue bill; to the Committee on Ways and Means.

Also, petition of Fur Dealers' Group of Civic and Commercial Association of Denver, Colo., protesting against luxury tax on furs; to the Committee on Ways and Means.

SENATE.

WEDNESDAY, *January 15, 1919.*

(Legislative day of Tuesday, January 14, 1919.)

The Senate met at 12 o'clock noon.

PETITIONS AND MEMORIALS.

Mr. PHELAN presented a petition of sundry teachers of the public schools of San Luis Obispo, Cal., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. TOWNSEND presented petitions of the Ladies' Literary Club of Wayland; of the School Teachers' Association of Albion; of the Chamber of Commerce of Albion; and of the Rotary Club of Ann Arbor, all in the State of Michigan, praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

Mr. MOSES presented a resolution adopted by the State Federation of Labor of New Hampshire, favoring the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of sundry citizens of Milford, N. H., remonstrating against the enactment of legislation prohibiting amateur wireless, which was referred to the Committee on Military Affairs.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULBERSON:

A bill (S. 5342) providing for the appointment of an additional district judge for the northern judicial district of the State of Texas; to the Committee on the Judiciary.

By Mr. SAULSBURY:

A bill (S. 5343) to authorize the governor of the Territory of Hawaii to ratify the agreements of certain persons made with the commissioner of public lands of the Territory of Hawaii, and to issue land patents to those eligible under the terms of said agreements; to the Committee on the Pacific Islands and Porto Rico.

By Mr. BANKHEAD:

A bill (S. 5344) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes"; to the Committee on Post Offices and Post Roads.

By Mr. McNARY:

A bill (S. 5345) for the relief of William Mortesen; to the Committee on Claims.

A bill (S. 5346) granting an increase of pension to Harvey L. Smith; to the Committee on Pensions.

By Mr. MARTIN of Kentucky:

A bill (S. 5347) granting an increase of pension to Harlin L. Clark (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5348) to amend an act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911; to the Committee on Naval Affairs.

By Mr. CALDER:

A bill (S. 5349) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. MOSES:

A bill (S. 5350) to donate a gun or howitzer to the town of Plaistow, in the State of New Hampshire; and

A bill (S. 5351) to donate a gun or howitzer to the town of Bennington, in the State of New Hampshire; to the Committee on Military Affairs.

By Mr. CALDER:

A joint resolution (S. J. Res. 210) authorizing the War Department to employ civilians to perform clerical and manual work in order to insure the immediate discharge of soldiers now performing such duties; to the Committee on Military Affairs.

SALARIES OF JUDGES.

Mr. HENDERSON submitted an amendment intended to be proposed by him to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, which was ordered to lie on the table and be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. POMERENE submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

AMERICAN SOLDIERS' CEMETERY IN FRANCE.

Mr. SPENCER submitted an amendment intended to be proposed by him to the bill (S. 5313) authorizing the Secretary of War to acquire and maintain a cemetery in France in the name of the United States for the reception and interment of the bodies of American officers and men who lost their lives in connection with the European war, and to appropriate $500,000 therefor, and for other purposes, which was referred to the Committee on Foreign Relations and ordered to be printed.

MEMORIAL ADDRESSES ON THE LATE SENATORS STONE AND JAMES.

Mr. REED. I ask unanimous consent to have an order made by the Senate at this time to fix a date for memorial addresses on the late Senator WILLIAM J. STONE.

The order was read and agreed to, as follows:

Ordered, That the Senate convene on Sunday, February 2, 1919, at 11 o'clock a. m., to consider resolutions in commemoration of the life, character, and public service of the late Senator WILLIAM JOEL STONE.

Mr. BECKHAM. On January 2 an order was entered fixing February 9 as the date for memorial addresses on the late Senator JAMES. Owing to a conflict in dates I ask that the order be changed to February 2 instead of February 9.

The VICE PRESIDENT. Without objection, it is so ordered. The Chair hears none.

THE CENSUS.

The Senate, as in Committee of the Whole, resumed the consideration of bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The Secretary resumed the reading of the bill at section 16, page 17.

The next amendment of the Committee on the Census was, in section 16, on page 18, line 19, after the word "this," to strike out "act," and insert "act"; in the same line, after the word "shall," to insert "so far as practicable"; and in line 22, after the word "city," to insert "township, or other civil division," so as to make the section read:

SEC. 16. That the compensation of enumerators shall be determined by the Director of the Census as follows: In subdivisions where he shall deem such remuneration sufficient, an allowance of not less than 2 nor more than 4 cents for each inhabitant; not less than 20 nor more than 30 cents for each establishment of productive industry reported; not less than 20 nor more than 30 cents for each farm reported; not less than 20 nor more than 50 cents for each irrigation or drainage enterprise reported; and 10 cents for each barn and inclosure containing live stock not on farms. In other subdivisions the Director of the Census may fix a mixed rate of not less than $1 nor more than $2 per day and, in addition, an allowance of not less than 1 nor more than 3 cents for each inhabitant enumerated, and not less than 15 nor more than 20 cents for each farm and each establishment of productive industry reported. In other subdivisions per diem rates shall be fixed by the director according to the difficulty of enumeration, having special reference to the regions to be canvassed and the sparsity of settlement or other considerations pertinent thereto. The compensation allowed to an enumerator in any such district shall not be less than $3 nor more than $6 per day of eight hours' actual field work, and no payment shall be made for time in excess of eight hours for any one day. The subdivisions or enumeration districts to which the several rates of compensation shall apply shall be designated by the Director of the Census at least two weeks in advance of the enumeration. No claim for mileage or traveling expenses shall be allowed any enumerator in either class of subdivisions, except in extreme cases, and then only when authority has been previously granted by the Director of the Census; and the decision of the director as to the amount due any enumerator shall be final: *Provided*, That within the limits of continental United States each supervisor to be appointed or selected under this act shall be an actual resident of the district, and each enumerator to be appointed or selected under this act shall, so far as practicable, be an actual resident of the subdivision within which his duties are to be performed; but an enumerator may be appointed if he be an actual resident of the city, township, or other civil division of which the subdivision in which his duties are to be performed is a part.

The amendment was agreed to.

The next amendment was, in section 20, page 21, line 22, after the word "having," to strike out "five thousand" and insert "two thousand five hundred," so as to make the section read:

SEC. 20. That the enumeration of the population required by section 1 of this act shall be taken as of the 1st day of January, and it shall be the duty of each enumerator to commence the enumeration of his district on the day following, unless the Director of the Census in his discretion shall defer the enumeration in said district by reason of climatic or other conditions which would materially interfere with the proper conduct of the work; but in any event it shall be the duty of each enumerator to prepare the returns hereinbefore required to be made and to forward the same to the supervisor of his district within 30 days from the commencement of the enumeration of his district: *Provided*, That in any city having 2,500 inhabitants or more under the preceding census the enumeration of the population shall be completed within two weeks from the commencement thereof.

The amendment was agreed to.

The reading of the bill was continued.

Mr. SMOOT. Mr. President, I wish to refer to the last amendment agreed to, for the purpose of asking the Senator having the bill in charge a question. I notice that the Senate committee has stricken out 5,000 and inserted 2,500, referring to the inhabitants of a city. That amendment virtually means a doubling of the cost in securing the number of inhabitants as against the provision made by the House.

Mr. SHEPPARD. I shall state to the Senator that it refers to places having 2,500 inhabitants at the last census. By this time most of the places that had 2,500 inhabitants at the last census have three, four, and five thousand inhabitants. The amendment is in the interest of the promptest possible returns.

Mr. SMOOT. I thought that in cities of 5,000 inhabitants the return ought to be made within two weeks, as provided by the House. The Senate committee has stricken out 5,000 and reduced it to 2,500, as applied to cities where the returns shall be finished within two weeks.

Mr. SHEPPARD. If you take places that had 2,500 inhabitants 10 years ago you will come nearer to reaching your figure of 5,000 now than by using the number 5,000 in this bill.

Mr. SMOOT. The Senator should know that many cities that had hardly any people at all 10 years ago may have now 2,500 and perhaps all of them. There is no doubt there are as many of them that have grown in population so as to reach nearly 2,500 as there are cities that have grown from 2,500 inhabitants to 5,000 inhabitants.

I wish to ask the Senator, however, what the present law provides. Does it not apply to cities of 5,000 inhabitants? If I remember correctly, the provision applies to cities of 5,000 and the object was exactly what the Senator has stated—to secure early returns. The past experience has been that in a city of 5,000 people the returns could be made within two weeks.

Mr. SHEPPARD. The existing law contains a clause making this provision applicable to cities of 5,000.

Mr. SMOOT. I think that is very much better than the Senate committee amendment. In other words, if there is a city of 3,000 people, under the Senate committee amendment the two weeks' provision does not apply, and it certainly should apply, because there is no reason why in any city with a population of 5,000 the returns should not be made within two weeks. It has always been done in the past. I think the Senate committee made a mistake in reducing the number.

Mr. SHEPPARD. We followed the recommendation of the committee of experts who prepared the bill for the House. The House made the change in the face of that recommendation. I desire to read to the Senator the recommendation of the committee of experts.

Mr. SMOOT. All I want to say is that if 2,500 is to become the law, then every city with 3,000 people will not have its returns made in two weeks, but more than likely it will take four weeks and involve twice the amount of cost that it should bear.

Mr. SHEPPARD. That would be the case if you left the provision at 5,000, would it not?

Mr. SMOOT. Oh, no.

Mr. SHEPPARD. Then the enumerators would take 30 days for all cities under 5,000.

Mr. SMOOT. But under this provision they are compelled to make the return within two weeks.

Mr. SHEPPARD. Yes; in all cities having populations of not less than 2,500. If we do not put in this provision, they will take 30 days, and thus prolong the time for the report.

Mr. SMOOT. I either misunderstand the amendment or else the Senator does. Under the House provision, if there was a city of 4,999 inhabitants, the return would have to be made within two weeks. Under the amendment the Senate committee has made, if it is a city of 3,000 people——

Mr. SHEPPARD. But the minimum population for two weeks' requirement is 5,000. If the population is under 5,000, enumerators may take the longer time. The minimum population limit for cities in which the enumeration is to be completed within two weeks has been lowered from 5,000 to 2,500. The committee of experts say:

> The enumeration of all areas of fairly compact population should be completed in the shortest possible time, and it seems entirely possible to have the limit of two weeks apply in 1920 to all places of 2,500 inhabitants or more, as shown by the census of 1910.

That is the minimum population of cities within which the returns must be made in two weeks.

Mr. SMOOT. The proviso as passed by the House reads this way:

> That in any city having 5,000 inhabitants or more under the preceding census the enumeration of the population shall be completed within two weeks from the commencement thereof.

The Senate committee has stricken out "5,000" and inserted "2,500." So under the Senate committee amendment if the population is 3,000 or 3,501 they are not compelled to have completed returns within two weeks and they will take 30 days.

Mr. SHEPPARD. It is the intention of the Senate committee to require the return from all cities of 2,500 inhabitants or more to be made within two weeks. That is the intention of the committee. If we have not expressed it properly, it is our fault.

Mr. SMOOT. I will take it up with the Senator later.

The VICE PRESIDENT. It is so expressed.

The reading of the bill was continued.

The next amendment was, on page 26, after line 16, to insert:

> The provisions of this section shall also apply to the collection of the information required and authorized by the act entitled "An act to provide for a permanent Census Office," and by acts amendatory thereof or supplemental thereto.

Mr. SHEPPARD. Mr. President, that amendment should be disagreed to, because it appears in a different form in another part of that section. I ask that it be disagreed to.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was rejected.

The next amendment was, in section 27, page 27, line 12, after the words "Census Office," to insert "or, instead of such an allowance, their actual subsistence expenses, not to exceed $5 per day," so as to make the section read:

> SEC. 27. That the Director of the Census may authorize the expenditure of necessary sums for the actual and necessary traveling expenses of the officers and employees of the Census Office, including an allowance in lieu of subsistence not exceeding $4 per day during their necessary absence from the Census Office, or, instead of such an allowance, their actual subsistence expenses, not to exceed $5 per day; and he may authorize the incidental, miscellaneous, and contingent expenses necessary for the carrying out of this act, as herein provided, and not otherwise, including advertising in newspapers, the purchase of manuscripts, books of reference, and periodicals, the rental of sufficient quarters in the District of Columbia and elsewhere and the furnishing thereof, and expenditures necessary for compiling, printing, publishing, and distributing the results of the census, the purchase of necessary paper and other supplies, the purchase, rental, exchange, construction, and repair of mechanical appliances, the compensation of such permanent and temporary clerks as may be employed under the provisions of this act and the act establishing the permanent Census Office and acts amendatory thereof or supplemental thereto, and all other expenses incurred under authority conveyed in this act.

The amendment was agreed to.

The next amendment was, in section 33, page 30, line 16, after the word "certificate," to insert "and that the Director of the Census is authorized to furnish transcripts of tables and other records and to prepare special statistical compilations for State or local officials, private concerns, or individuals upon the payment of the actual cost of such work: *Provided, however*, That in no case shall information furnished under the authority of this act be used to the detriment of the person or persons to whom such information relates," so as to make the section read:

> SEC. 33. That the Director of the Census be, and he is hereby, authorized, at his discretion, upon the written request of the governor of any State or Territory or of a court of record, to furnish such governor or court of record with certified copies of so much of the population or agricultural returns as may be requested, upon the payment of the actual cost of making such copies and $1 additional for certification; and that the Director of the Census is further authorized, in his discretion, to furnish to individuals such data from the population schedules as may be desired for genealogical or other proper purposes, upon payment of the actual cost of searching the records and $1 for supplying a certificate; and that the Director of the Census is authorized to furnish transcripts of tables and other records and to prepare special statistical compilations for State or local officials, private concerns, or individuals upon the payment of the actual cost of such work: *Provided, however*, That in no case shall information furnished under the authority of this act be used to the detriment of the person or persons to whom such information relates. All moneys hereafter received by the Bureau of the Census in payment for labor and materials used in furnishing transcripts of census records or special statistical compilations from such records shall be deposited to the credit of the appropriation for collecting statistics.

The amendment was agreed to.

The reading of the bill was concluded.

The VICE PRESIDENT. Are there any further committee amendments?

Mr. SHEPPARD. Mr. President, we are about to return to amendments which have been passed over. Some of them involve controverted items, and in order that there may be as full an attendance as possible while they are being considered, I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Dillingham	Johnson, S. Dak.	Lodge
Bankhead	Fernald	Jones, N. Mex.	McKellar
Beckham	Fletcher	Kellogg	McLean
Calder	France	King	McNary
Colt	Hale	Knox	Martin, Ky.
Culberson	Henderson	La Follette	Martin, Va.
Cummins	Hollis	Lenroot	Moses
Curtis	Johnson, Cal.	Lewis	Myers

New	Pollock	Smith, Mich.	Underwood
Nugent	Pomerene	Smith, S. C.	Vardaman
Page	Ransdell	Smoot	Wadsworth
Penrose	Reed	Spencer	Warren
Phelan	Saulsbury	Sutherland	Watson
Pittman	Shafroth	Swanson	Williams
Poindexter	Sheppard	Thomas	

Mr. LEWIS. I desire to announce that the Senator from Rhode Island [Mr. GERRY], the Senator from Maryland [Mr. SMITH], the Senator from North Carolina [Mr. SIMMONS], the Senator from Montana [Mr. WALSH], the Senator from Georgia [Mr. SMITH], and the Senator from Arkansas [Mr. KIRBY] are detained on official business. I wish also to announce that the senior Senator from Arkansas [Mr. ROBINSON] is detained by illness.

Mr. McKELLAR. I wish to announce the unavoidable absence of my colleague, the senior Senator from Tennessee [Mr. SHIELDS], on account of illness. I will let this announcement stand for the day.

Mr. POMERENE. I have been requested to announce the absence of the Senator from North Carolina [Mr. OVERMAN], the Senator from Minnesota [Mr. NELSON], and the Senator from Delaware [Mr. WOLCOTT] on official business of the Senate.

Mr. FLETCHER. I desire to announce the unavoidable absence of my colleague [Mr. TRAMMELL]. I will ask that this announcement stand for the day.

Mr. SMOOT. I wish to announce the absence of the Senator from South Dakota [Mr. STERLING] on account of death in his family.

I desire also to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness.

I wish also to announce that the Senator from Washington [Mr. JONES] is unavoidably absent.

I will let these announcements stand for the day.

Mr. McNARY. I desire to announce the unavoidable absence of my colleague [Mr. CHAMBERLAIN] on official business.

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present. The Secretary will state the first amendment passed over.

The SECRETARY. The first amendment passed over is in section 5, page 4, line 10, after the words "Director of the Census," to strike out "$7,000" and insert "$7,500," so as to read:

SEC. 5. That during the decennial census period the annual compensation of the officials of the Census Office shall be as follows: The Director of the Census, $7,500.

Mr. SMOOT. Mr. President, I am going to take the time of the Senate only for a few moments to state my position on this amendment.

The Director of the Census is paid $6,000 annually, which compensation is provided for in the annual appropriation bill; but during the census 10 years ago the Director of the Census was paid $1,000 additional, or $7,000 per annum.

Mr. SHEPPARD. Mr. President, the Senator must remember that 20 years ago an increase of $1,500 was allowed the Director of the Census.

Mr. SMOOT. At that time, however, the Director of the Census was receiving $5,000, instead of $6,000; in other words, with the $1,500 he then received, $6,500.

Mr. SHEPPARD. But Congress allowed him $7,500 for the decennial census period 20 years ago; and if what the Senator says is correct, Congress gave him an addition of $2,500 for the three years.

Mr. SMOOT. Well, Mr. President, in the last census that was taken the Director of the Census was allowed $7,000 per annum; and, as I stated, that is a thousand dollars more than his regular salary. I recognize that there is more work done in the Census Office while the census is being taken than in the ordinary year; but, upon the other hand, there are many, many more hundreds and thousands of employees to do the work; and it does seem to me that the House was wise in fixing the salary at $7,000 instead of $7,500. I say this because the heads of bureaus and of some of the divisions are receiving no more than $5,000, but some of them $6,000, which the Director of the Census in ordinary times receives.

If this policy is to be followed out, whenever there is any legislation passed that throws an additional amount of work for a short time upon the head of any bureau or any division, we must immediately make an additional appropriation to pay him for that extra period. I think the policy is an unwise one; and I believe that the House, in giving the thousand dollars extra, has done all that ought to be done. Therefore I shall content myself by asking that a vote of the Senate be taken upon the question of whether the director shall be paid $7,000 or $7,500. I recognize the ability and energy of the present director and appreciate his labors in the past.

Mr. SHEPPARD. Mr. President, the Senate Census Committee has made, on the whole, a decrease of $500 in the salary list granted by the House to these supervisory officials for the decennial-census period. We cut out several positions altogether; we kept some at the figures fixed by the House, and we made small increases in the salaries of others; we hope that the disposition we made will be sustained by the Senate.

We are merely allowing the director what his predecessor was given 20 years ago for the Twelfth Census period. The census next year is to be probably the greatest and the most complete ever taken in the history of the world. The director receives a permanent salary of $6,000 a year, but his duties are going to be multiplied fifty-fold during the three years of the coming decennial-census period. We believe it but fair that we should follow the precedent established so long ago as 20 years and give him this small increase of $500 over what the House has allowed.

Mr. SUTHERLAND. Mr. President, I call the attention of the Senator from Utah to the fact that the work of the Census Bureau during the census period is in no wise comparable to the work of the ordinary bureaus of the various departments. It is high-pressure work. It is work that requires the time and attention of men nights, days, and Sundays in order to complete the work and get these statistics into proper form. It involves in this case the handling of an estimated number of 113,000,000 cards, which have to be counted four times, the equivalent of handling about 500,000,000 cards once. Then, too, there is the responsibility of wisely directing the expenditure of $20,000,000. No business concern in this country which contemplated spending that amount of money would be able to get a man competent to handle it for the meager sum of $7,000.

Twenty years ago the Director of the Census was allowed $7,500. Ten years ago, for some reason, the salary was reduced to $7,000. The work has largely increased. The number of people to be counted and the responsibilities have increased. Everybody knows that the purchasing power of a dollar at this time is very much less than it was 10 years ago, 50 per cent of what it was at that time, possibly 40 per cent of what it was 20 years ago; so that the director's present contemplated salary of $7,500 is much less than it was 10 years ago at $7,000, and much less than it was 20 years ago at the salary of $7,500.

While we must be economical in the passage of these supply bills, and, while we must not give a dollar more than is justly due to these people, yet we must be fair and just to these public servants who are required to do this responsible work; and I hope the Senate will uphold the decision of the committee in these amendments.

Mr. SMOOT. Mr. President, of course I recognize, as I stated before, that there is extra labor in the Census Bureau at the time when the census is being taken. I recognize that there are millions of cards to handle, but we all know that the Director of the Census does not handle the cards. He has nothing to do with them, other than to give the order as to how they shall be cared for; and, speaking of a private corporation distributing $20,000,000 securing the services of a man at $7,500, I call the Senator's attention to the fact that the Commissioner of the General Land Office, who has charge of hundreds of millions of acres of land, who pays out millions and millions of dollars annually, whose employees usually are greater in number than those in the Census Office, is receiving a salary of $5,000, and has been receiving it for a number of years.

If we are going to take into consideration the question of the high cost of living, that applies to every single employee and officer of the Government of the United States; and if we are going to make any kind of an advance upon that ground, it ought to be universal, and we ought not to pick one out here and another there.

As I said, I hope that the House provision will prevail.

Mr. KING. Mr. President, I desire to submit a few observations before the vote is taken upon this amendment. Like many other Senators, I have been struck with astonishment at the ease with which appropriations can be obtained. It is true, technical objections are often urged against meritorious propositions and obstacles are sometimes interposed to appropriations entirely legitimate and proper; but, as a working formula, I think it may safely be said that appropriations are often made by Congress which lack merit and are not grounded in morality or justice. There is too much of a disposition to follow the suggestions and wishes of bureaus and public officials who are benefited, or who seek to be benefited, by the legislation which is sought. I know it is difficult to always get the right angle from which to judge as to the propriety and wisdom of a given item or as to the justice of a proposed appropriation; but more and more Congress relies upon the representations of those agencies of the Government which will have to do with the appropriation or will be benefited by the appropriation in legislation relating thereto. Notwithstanding the fact that in many

instances where representatives of the department or bureau or division who appear before committees have a direct interest in the legislation, particularly if it is an appropriation, there is a disposition upon the part of the committee to sit with open mouths as if Sir Oracle were speaking. In making this statement I do not desire to impugn the honesty or integrity of the agents or employees or officials of the Government who seek the appropriations or appear before committees to testify in respect thereto. The departments and bureaus and agencies of the Government are interested in extending their powers and jurisdiction and authority. Often the head or chief of bureau or agency feels that the particular activity in which he and those under him are engaged is of vital interest to the Government. He is ambitious to extend its functions and powers and authority. Often officials feel that their work or the work of the bureau or agency with which they are identified is of supreme importance to the Government and that sufficient recognition has not been accorded it in the past. Anyone who has studied the growth and development of the departments, bureaus, and agencies of our Government can not help but be impressed with the view that those who have been connected with the same have exhibited great zeal in extending the authority and activities of such organizations.

A cell, so to speak, is organized and it increases in strength and power and soon ceases to be unicellular and becomes multicellular. Each cell, as it is created, expands and grows, and those connected with it are interested in emphasizing its importance. Of course, it is to be expected that every representative of a governmental agency, when appearing before a committee of Congress, will emphasize the work which has been performed by the organization with which he is connected. He seeks to make a good showing and to aggrandize the agency or bureau for which he speaks. It is a matter of common knowledge that there has been competition between bureaus and governmental instrumentalities. If one publishes a magazine or paper exploiting its achievements, some other bureau or department or agency follows the same course and attempts a better publication. If an increase in salary is given to one bureau, immediate demands are made in other bureaus, and there is a constant effort to show that the work performed by a given agency is greater or more important than the work accomplished by some other agency of the Government. Under such circumstances very strong presentations are made to committees, and Senators and Representatives, perhaps properly and certainly inevitably, are impressed with the enthusiasm and earnestness with which various items of desired appropriations are advocated. Requests, if not demands for increased compensation, if not constant, are so persistently made as to be regarded as more than intermittent. I have sometimes felt that there is not sufficient scrutiny and examination of estimates submitted by Government departments and bureaus and by the chiefs of divisions and officials of the Government. We know that millions are often asked for when hundreds of thousands only should be appropriated. I am afraid that the spirit which has been developed since we have been talking in billions has become somewhat of a mental strabismus upon the part of all. A dollar seems so insignificant as to be beneath our notice. To add a few hundred thousand dollars to an appropriation bill seems unimportant, and to take millions out of the Treasury excites no concern and provokes little if any comment. The Democratic Party historically has been the party of economy and has insisted upon wise and economical expenditures of the public moneys. During war times there is a tendency to depart from safe and sane paths of legislation. In the hurry incident to war and in the haste required for enacting imperative war legislation, watchfulness of appropriations and strict economy did not always obtain.

Indeed, there is a disposition to pass unchallenged whatever legislation is asked for by the Government, and particularly by those departments that are intrusted with war activities and with those officials who are particularly charged with conducting military and naval operations. The result is that war usually breeds extravagance. Of course, war means waste, but the war is now practically concluded. We are passing from the war clouds into the light of peace. There must be a sharp turn in Government appropriations. There must be no haste and confusion in making appropriations. There must be calm, careful, and painstaking examination of every bill calling for appropriations and of every penny that is taken from the Public Treasury. The Democratic Party can not afford to disregard its principles and its past record which calls for economy.

I lift my voice to warn the leaders of the Democratic Party that unless they demand and practice economy in dealing with public funds, the party will be held to strict account by the public, and if it is guilty of extravagance it will be sternly and deservedly rebuked by the patriotic people of the land. It is particularly important that there should be economy at this time. The expenses incident to the war and growing out of the war have not yet been paid. There are billions of dollars of claims yet to be liquidated. To meet the stupendous amounts which the Government will be called upon to pay, will require the laying of heavy and, indeed, burdensome taxes, and will call for the strictest economy. Those who study our industrial situation and are cognizant of the present resources of the people, know that there will be difficulty in obtaining the enormous sums necessary to discharge the pressing obligations of the Government. The transition from peace to war will be accompanied by industrial disturbances. Indeed, we will be fortunate to escape serious financial difficulties. If all act patriotically together, keeping in view the welfare of the Nation and the peace and happiness and prosperity of all classes and of all sections of our Nation, I believe we will escape financial disaster and pass successfully through the troubled social and economic waters into the calm sea which will bear the ship of state into a haven of progress and prosperity. This hour calls for an exhibition of sanity and common sense upon the part of legislators. Expenditures must be cut wherever possible. It is not a suitable time to make a general increase in salaries.

In most labor circles there may be reductions in compensation. Of course, war produces high prices, and high prices result in wage increases. The laboring men are always sufferers during periods when nations are passing from inflation and high prices to a stage calling for a reduction in prices and in the scale of wages. Of course, everyone is concerned in the welfare of those who toil. Their interests must be guarded, and to secure the welfare of the laboring man, now more than ever, requires the earnest and sympathetic consideration of the Government as well as that of the employers of labor.

But it is not the time, in my opinion, to begin raising the wages of those in the Government service. They have many advantages over the workingmen employed in the various activities of our land. Protected by the civil service and guaranteed positions for life, they have peculiar and special advantages which should be taken into consideration when the question of raising salaries of Government employees is up for consideration.

Speaking to the question under consideration, we find that the salary of the Superintendent of the Census is $6,000 a year. The duties of this office during seven years of the decennial periods are not very onerous. While the census is being taken his duties and responsibilities are augmented. At the same time he is given additional help and numerous competent and efficient aids. The House added a thousand dollars to the salary provided by law, and we are now asked to increase that amount to fifteen hundred dollars. Generally speaking, it is not a wise or safe plan to increase the compensation of employees because there is a temporary increase in the work devolved upon them. If this is done it provokes demands in all lines of governmental service. Occasionally there will be indefinite periods when the work in a bureau or of some employee may be increased over that required during the normal period. It is difficult to measure what such work performed for a short time is worth. The person expecting the position knows that such position calls for increased work at infrequent times. He accepts the position with the knowledge of that fact. To give one additional compensation will, as stated, provoke demands from others. The precedent is bad and the consequences of such a course can not be fully apprehended. The committee amendment, in my opinion, is unwise and should be rejected.

Mr. WILLIAMS. Mr. President, the official whose salary is in question is one of the most useful members of the administration, one of the most efficient, and deserving of all sorts of praise and all due compensation. I am not at all astonished that the Senator from Utah [Mr. KING] came to the relief of his colleague [Mr. SMOOT]. I agree with both of them. I do not see why now, when the whole world is threatened with national and international bankruptcy, we should give way to everybody who wants an increase of salary; and in saying that, I do not mean that this man is to be classed as "everybody," because he is beyond that. He is outside of that class. He deserves very much more than to be classed with the ordinary people who are serving the Government; but it does seem to me that we ought to put a check upon this idea of demanding from every quarter, everywhere—I am not so much afraid of this particular case as I am of the general trend of it all—an increase because of the increased cost of living. The increased cost of living is going back to a normal status after a while; but after you once fix these salaries they will never go back at all.

Mr. SHEPPARD. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS. Yes.

Mr. SHEPPARD. Does the Senator know that this increase is only temporary, only for three years, and that at the end of that time it automatically goes back?

Mr. WILLIAMS. No; I did not know that, to be frank with the Senator, and that would reconcile the proposition somewhat to my mind. But I started out to say a few words about the general trend of getting out of the Government every cent that everybody can.

Just at this time, when patriotism and self-denial and self-sacrifice are very highly called for, everybody is coming up, from the laboring man in the navy yard up to the very highest official, demanding something to "compensate them for the sacrifices of the war." Why should they be compensated? The balance of us have suffered without compensation. The ordinary blacksmith and school-teacher—and especially the school-teacher, who is doing more good than anybody else—have not found that it was possible to recoup at the public expense while they were making their sacrifices in order to carry on the war. I have not found it possible to recoup, and I do not want to. I would not vote for a proposition to increase the salary of a Senator or a Member of the House of Representatives because we have been called upon to stand our part of the gaff in this war. It seems to me everybody ought to be willing to stand his share of it. Your boys have gone; they have stood their share of it. Some of them have come home, thank God, without a scratch. A great many have come home wounded and hurt. Some of them are left there to be buried "where the tree fell."

Now, why should we, whenever an appropriation bill is up, appeal to the charity and philanthropy of Congress to increase a man's salary because he has suffered while the war was going on? Of course he has suffered; but he has suffered in a bomb-proof place. All of us here have suffered in bomb-proof places, and there has not been very much suffering about it. I would have been very glad to have taken my boys' places in this struggle. I think I would. I do not know whether I would or not. I am not so sure of myself, but I think I would. But not having done it, being unable to do it, why should I appeal to the American people to recoup me for the high cost of living due to the war, and why should anybody else do it? Why should not every man be willing to say, "Now is the moment of supreme sacrifice; and my sacrifice has not been so awfully great, either; I have not starved. I have not done without enough clothing to the point of being arrested for indecent exposure. I have been able to go through with it all." Why should not that spirit be spread around among the American people, and why should we not tell the people who stayed at home during all this time—some of them because they wanted to, some of them because they could not help it—why should we not tell the people who stayed at home all this time, "You must no recoup your war losses at the expense of the American people; you must have patriotism and self-abnegation enough to be willing to say that you and I have thrown that much into the pot for which the world has played, and which the world has won in behalf of freedom, in behalf of democracy, and in behalf—as we all hope—of a league of nations to keep the peace of the world for years to come?"

I am not making this speech so much about this particular case. If there is any man who deserves peculiar reward and increase of salary, it is this particular man. I am not talking about that so much; but I am talking about the general idea that seems to prevail all over the country that this is a time to bite something out of the Public Treasury, when it seems to me it ought to be a time for patriotic citizens to say, "I will not bite; if I bite, I will bite later when the world is not threatened with bankruptcy and when the United States is free to carry on its own domestic concerns without the extra burden of taking care of Armenia, Serbia, Belgium, Roumania, Syria, and Palestine, all of which must come out of our pockets in one way or another, publicly or privately."

Now, why can we not just simply say, "This is a time for self-denial and not a time for self-assertion; this is a time to get along with less salary than we have been having if we can do it, not a time to demand higher salary?"

Mr. President, this world either has a soul or it has not. This country either has a soul or it has not. If it has no soul, of course, everybody is for himself and the devil take the hindmost; but if it has a soul, it seems to me that that soul ought to express itself in acts, not merely in words; and those acts ought to consist in taking less, if we can, from the public than we hitherto have taken and not in taking more.

Mr. MYERS. Mr. President, I have listened with interest to the remarks of the Senator from Mississippi. It occurs to me to suggest that the approaching census will involve a great deal more work, labor, and responsibility than any other census which has ever been taken in the United States. There will be more to do, more to be responsible for, in taking the Fourteenth Census than there was 10 years ago or at any previous census. The work is continually growing.

It further occurs to me to suggest that $7,500 now is not nearly the equivalent of what $7,000 was 10 years ago. The committee amendment seems to me to be fair and right, and I shall support it.

Mr. SUTHERLAND. Mr. President, I desire to call the attention of the Senate to the statement made by the Senator from Utah [Mr. SMOOT], made under a misapprehension perhaps. He was probably comparing the size of the Land Office with the permanent Census Bureau.

Mr. SMOOT. That was what I was doing.

Mr. SUTHERLAND. The pending bill provides for the census period, which is a term of three years, during which the entire decennial census will be taken.

I have before me the legislative, executive, and judicial appropriation bill for the year ending June 30, 1920, as reported by the House committee, and I find that the total number of employees outside of special agents, for which an appropriation of $6,000 was made, is 512, whereas during the census period that is about to ensue a force of 4,000 clerks will be employed in connection with the Bureau of the Census, and a field force consisting of supervisors, enumerators, and special agents numbering from 85,000 to 90,000.

The work of selecting this vast organization, the responsibility for their selection, the responsibility for their work, rests finally upon the Director of the Census. It seems to me, in view of the very large number of people to be directed, the amount of money to be expended, and the care with which the statistics have to be assembled, $7,500 is an exceedingly moderate salary.

Mr. KING. If the Senator——

Mr. SUTHERLAND. Just a moment. I will say, in answer to the junior Senator from Utah, in relation to the appeals made here for increases in salary, and our gullibility, that in this particular matter I had rather an inside view of the working of the Census Office, because I was chief of the largest division of the Census Office a good many years ago—in the 1890 census. I therefore had rather a familiar view of the inside working of the Census Office, and I know from actual experience that not only do they have a day force there but they have a night force, and the Director of the Census and the chiefs of divisions and expert special agents, the men who are responsible for the conduct of the clerks and the work done by them, are not only occupied many hours during the day but during the night and frequently on Sundays, because it is high-pressure work, requiring constant attention under high-pressure methods, which are very exhausting and for which all these men should receive at least the fair compensation which is provided by this bill as amended by the committee. I now yield to the Senator from Utah.

The VICE PRESIDENT. The Senator from Utah [Mr. SMOOT] requests the yeas and nays.

The yeas and nays were ordered.

Mr. SMOOT. The question is on agreeing to the Senate committee amendment?

The VICE PRESIDENT. It is.

The Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS]. In his absence I transfer my pair to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. KNOX (when his name was called). I am paired with the Senator from Oregon [Mr. CHAMBERLAIN]. In his absence I withhold my vote.

Mr. SAULSBURY (when his name was called). Has the junior Senator from Rhode Island [Mr. COLT] voted?

The VICE PRESIDENT. He has not.

Mr. SAULSBURY. I have a pair with that Senator, and therefore withhold my vote.

Mr. SWANSON (when his name was called). I am paired with the senior Senator from Washington [Mr. JONES]. I do not know how he would vote. If I were permitted to vote, I would vote "nay."

The roll call was concluded.

Mr. DILLINGHAM. Has the senior Senator from Maryland [Mr. SMITH] voted?

The VICE PRESIDENT. He has not.

Mr. DILLINGHAM. I have a pair with that Senator, which I transfer to the Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. CURTIS. I desire to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness. I will let this announcement stand for the day.

I also announce that the Senator from South Dakota [Mr. STERLING] is absent on account of death in his family.

I wish also to announce the unavoidable absence of the Senator from Washington [Mr. JONES].

Mr. KENDRICK. I have a general pair with the senior Senator from New Mexico [Mr. FALL]. I transfer that pair to the Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. JOHNSON of South Dakota. I have a pair with the Senator from Maine [Mr. FERNALD], which I transfer to the Senator from Arkansas [Mr. KIRBY] and vote "yea."

Mr. CURTIS (after having voted in the negative). I have a pair with the junior Senator from Georgia [Mr. HARDWICK], who, I understand, has not voted. I will transfer my pair to the senior Senator from Minnesota [Mr. NELSON] and let my vote stand.

I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON]; and

The Senator from South Dakota [Mr. STERLING] with the Senator from South Carolina [Mr. SMITH].

Mr. LEWIS. I wish to announce that the Senator from Montana [Mr. WALSH] and the Senator from Maryland [Mr. SMITH] are detained on official business.

The result was announced—ayes 34, nays 27, as follows:

YEAS—34.

Ashurst	Johnson, Cal.	Martin, Ky.	Shafroth
Beckham	Johnson, S. Dak.	Myers	Sheppard
Culberson	Jones, N. Mex.	New	Simmons
Fletcher	Kendrick	Overman	Smith, Ga.
France	La Follette	Phelan	Smith, Mich.
Gerry	Lewis	Pittman	Sutherland
Hale	McKellar	Pollock	Wolcott
Henderson	McLean	Pomerene	
Hollis	McNary	Ransdell	

NAYS—27.

Borah	Kenyon	Nugent	Townsend
Calder	King	Page	Vardaman
Cummins	Lodge	Penrose	Warren
Curtis	McCumber	Poindexter	Watson
Dillingham	Martin, Va.	Reed	Weeks
Gronna	Moses	Smoot	Williams
Kellogg	Norris	Spencer	

NOT VOTING—35.

Baird	Goff	Nelson	Sterling
Bankhead	Gore	Owen	Swanson
Brandegee	Harding	Robinson	Thomas
Chamberlain	Hardwick	Saulsbury	Thompson
Colt	Hitchcock	Sherman	Trammell
Fall	Jones, Wash.	Shields	Underwood
Fernald	Kirby	Smith, Ariz.	Wadsworth
Frelinghuysen	Knox	Smith, Md.	Walsh
Gay	Lenroot	Smith, S. C.	

So the committee amendment was agreed to.

Mr. SMOOT. I suppose the same vote would be recorded on the other increases proposed, and I shall not, therefore, ask for a record vote upon them.

Mr. SHEPPARD. There is one amendment which I wish to submit. In line 16, after the words "chief of division," to strike out "$2,250" and insert "$2,500."

The VICE PRESIDENT. There are some amendments on the preceding page which have not been acted upon, and they will be stated.

The next amendment passed over was, in section 5, page 4, line 10, after the words "Director of the Census," to strike out "$7,000" and insert "$7,500"; in line 11, after the words "assistant director," to strike out "$4,500; three chief statisticians and the chief clerk, $3,000 each; two" and insert "$5,000; the chief clerk and three chief satisticians, $4,000 each; three"; in line 13, after the words "chief statisticians," to strike out "$3,000"; and in line 14, after the word "geographer," to strike out "$2,750" and insert "$3,000 each," so as to make the section read:

SEC. 5. That during the decennial census period the annual compensation of the officials of the Census Office shall be as follows: The Director of the Census, $7,500; the assistant director, $5,000; the chief clerk and three chief statisticians, $4,000 each; three other chief statisticians and the geographer, $3,000 each; the disbursing clerk, $3,000; the appointment clerk, $2,750; the chiefs of division, $2,250 each; the private secretary to the director, $2,250; the statistical experts, $2,000 each; and the stenographers provided for in section 3 of this act, $1,800 each.

The amendment was agreed to.

The VICE PRESIDENT. The amendment proposed by the Senator from Texas [Mr. SHEPPARD] will now be stated.

The SECRETARY. It is proposed by the Senator from Texas, in line 16, after the words "chiefs of division," to strike out "$2,250" and insert "$2,500."

Mr. SMOOT. I do not know that it would be wise at this time to ask the Senate to change any motion that may be made by the chairman of the committee, but the increase in salary for the chiefs of division from $2,250 to $2,500 is, I think, unwarranted. I will be content with just a viva voce vote of the Senate, without the yeas and nays.

Mr. SHEPPARD. I am told by the director that it is absolutely essential that this increase shall be made, in order to hold the services of competent men; that these men can get similar positions in the War Department and in the Treasury Department now at $2,500; and that the Internal Revenue Commissioner now has positions carrying $2,500 which he is very willing to tender them. The director will have the greatest difficulty in holding men with sufficient skill and ability at $2,250 per annum.

Mr. SMOOT. Mr. President, in answer to the Senator, I desire to say that that statement is made to the members of the appropriations committee every year. I know it has been made for at least 12 years, but men who then held positions in the departments of the Government are still there, though the increases asked for have not been made. Many of the heads of divisions get $2,000 per annum, though some of them get $2,500, as is provided in the pending bill. Of course, we made exceptions as to the Census Department, and I so presume all of the others ought to be included.

Mr. SUTHERLAND. Mr. President, I desire to inform the Senator from Utah that, under the pending legislative, executive, and judicial appropriation bill in the House of Representatives, a number of the chiefs of divisions are given pay at the rate of $2,500 per annum, recognizing the fact that this is a proper time to give those men some equitable increase. That plan has been followed, and the House committee is certainly not wildly extravagant, but is much more economical than is the Senate committee. They have gone over the schedule of the legislative, executive, and judicial appropriation bill, and have granted increases of salaries to $2,500 as to a number of chief clerk positions.

Mr. SMOOT. Mr. President, I have not seen the legislative, executive, and judicial appropriation bill for this year, but I desire to say that there are one or two chiefs of divisions in the service of the Government who have been receiving for some time a salary of $2,500 per annum. I am not going to take the time of the Senate to state the reasons why they have been granted that salary, but there are reasons why they are receiving it, and good reasons, too, which do not apply to the Census Bureau.

Mr. KING. Mr. President, from the vote just taken and the motion now made by the chairman of the committee to increase the compensation of the officials embraced within the class contemplated by his motion it would seem—at least, to the casual observer—that the pledges of the Democratic Party in behalf of a reduction of governmental expenditures and economy were rather lightly regarded.

Mr. SHEPPARD. I desire to suggest to the Senator from Utah that we have made a total decrease in the salary list as the bill came over from the other House.

Mr. KING. Conceding what the Senator from Texas has just stated—and, no doubt, his statement is correct—that does not lead me to change the statement just made. The bill as it came from the House shows an increase in the salaries of various officials provided for in the bill now under consideration. I do not know that there is any very great credit due because there has been a slight reduction in the aggregate amount carried by the bill as it came from the House and now reported by the Senate committee. The House bill, in my opinion, is too liberal in the appropriations made. The total amount required for the taking of the census is entirely too large for the results obtained. I have no doubt but what the same work could be performed by private individuals for a very much less sum than that which the Government will be required to pay. Of course, the taking of the census is a work which could not well be delegated to a private concern, no matter how honorable and efficient its personnel might be. But I desire to emphasize the fact that the party which has stood for economy, as I have heretofore suggested, should—particularly at this time, when the expenses of the Government are so gigantic—maintain its honorable record. We have always charged that the Republican Party was inefficient in its administration of public affairs and was wasteful and extravagant in the handling of the Public Treasury. The stupendous appropriations made during the period of the war, together with the charges intermittently made by the minority of extravagance upon the part of the party in power, influenced many people and led them to believe that this Democratic administration was not mindful of the public welfare and economical

in its conduct of national affairs. I am afraid that an examination of some of the appropriations made will afford some justification for the feeling prevalent in some quarters. It has been stated that the recent defeat of the Democratic Party was in part chargeable to the belief entertained by some that it had not zealously guarded the Public Treasury and had not with that scrupulous care which should have characterized its course discharged its obligations as a servant and trustee of the people.

This is no time for an increase in the compensation of public officials. Here and there some glaring injustice can be found which, perhaps, should be remedied, but, generally speaking, there should be no revision of the salaries of Federal employees at the present time. We are in a condition of flux. The industrial and economic situation is uncertain, and abnormally high prices which have prevailed during the war, not only in the United States but throughout the world, inevitably will suffer a declination. It will not prove an easy task to readjust conditions. There is no question but what there will be in many activities sharp declines; not only raw materials but finished products, including food supplies, will suffer reductions in prices. There was far greater reason for an increase in the salaries of the employees of the Government when the war was on than at this time when the war is ended, and we are seeking to reach a peace basis without financial disaster or serious industrial and social unrest. Every possible effort should be made to economize and to reduce governmental expenditures. Public officials, particularly those who are intrenched in office for life, ought to be the first to aid in bringing about a prompt and satisfactory readjustment in the economic and social life of the Republic. As long as the toiling masses—those who work in mine and field and factory—may be affected, and possibly affected in a more or less serious way, by the changes compelled during the period of transition from war to peace, it would seem that those who have life positions, particularly positions which have proved and still do prove so attractive as to cause great competition to secure them, would not be the first to insist upon a revision upward of their schedules of compensation. I know it is popular to advocate high salaries and increased compensation, and one who objects to an increase for those in the public service usually arouses intense animosities. I believe not only in good wages but high wages for those who work and toil and who by their efforts produce the food we eat and the clothes we wear and construct the habitations in which we live. I would like to see the workingmen—the great toilers of our land—not only liberally but generously compensated. I hope the day may come when they will enjoy more leisure and have more of the comforts and pleasures of life than the past has awarded them. I am not in favor of making public offices so attractive by high salaries as to lead to the scrambling and competition that in the past and now exist to secure them.

The Senator from Texas [Mr. SHEPPARD] states that unless the salaries covered by his amendment are increased, it will be difficult to hold in the public service those now filling the positions. It might not be a misfortune if some in the public service should be separated from it. However, I do not entertain the view just expressed by the Senator. I do not hesitate to make the prophecy that if these men or any of the officials provided for in this bill leave the service, there will be a multitude of competent persons seeking their vacant posts. There are now numerous applicants for Government positions. Senators are importuned daily by numerous individuals for positions in the Government service; and there is no question but what the applications for such service will greatly increase within the next few months. I repeat, as I have heretofore stated to-day, that the obligation rests upon the Democratic Party to reduce in every possible way the expenses of the Government. There will be thousands of demands made upon Congress for appropriations. Meritorious and unmeritorious schemes will be presented, and Congress will be besieged upon all sides for gifts, bonuses, largesses, and appropriations, the granting of a tithe of which would bring national bankruptcy and ruin. Our duty is to set our faces against all demands, except those that can not be avoided, and aid the country by reducing the burden of taxation to the lowest possible degree. If the Democratic Party fails to discharge this high duty, it will be sternly rebuked by the people, in which event the Republicans, perhaps profiting by such default, might attempt to follow a safer path.

I sincerely hope the amendment offered by the Senator from Texas will be rejected.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Texas. [Putting the question.] The noes seem to have it.

Mr. SHEPPARD. I ask for a division, Mr. President.

The question being put, on a division the amendment was agreed to.

The VICE PRESIDENT. The next amendment passed over will be stated.

The next committee amendment passed over was, in section 6, page 4, line 25, after the word "clerks," to strike out "of classes 4, 3, 2, and 1" and insert "with salaries at the rate of $1,800, $1,680, $1,560, $1,440, $1,380, $1,320, $1,260, $1,200, $1,140, $1,080, $1,020, $960, and $900; one engineer at $1,200; and two photostat operators, at $1,200 each."

Mr. SMOOT. I withdraw my objection to that amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next committee amendment passed over was, in section 6, on page 5, line 13, after the word "clerks," to strike out "of classes 2, 3, and 4" and insert "with salaries at the rate of $1,440 or more per annum."

Mr. SMOOT. Mr. President, I see that class 1 is not included in this House provision, and, that being so, I have no objection to the amendment.

The VICE PRESIDENT. The amendment is agreed to, without objection. The Secretary will state the next amendment passed over.

The next amendment passed over was, on page 11, line 18, after the words "by the," to strike out "Secretary of Commerce upon the recommendation of the Director of the Census" and to insert "President, by and with the advice and consent of the Senate."

Mr. SMOOT. Mr. President, I propose to amend the committee amendment by inserting after the word "appointed," in line 18, page 11, the words "in conformity with the civil-service act and rules," so that it will read:

The supervisors shall be appointed in conformity with the civil-service act and rules.

Mr. ASHURST. Mr. President, let me inquire of the Senator from Utah, if he will yield to an interruption, if, under the terms of his amendment to the committee amendment it would mean that the names of the appointees would not come to the Senate at all?

Mr. SMOOT. It would mean that the appointments would be made under the civil-service act and rules. There are only 400 of them, I will say to the Senator from Arizona, but those 400 have some 85,000 enumerators to select; and it does seem to me that, so long as the other employees of the Government are under the civil-service act and are to be selected under that act, the supervisors ought to be placed under that act as well.

Mr. ASHURST. How many supervisors did the Senator from Utah state there will be?

Mr. SMOOT. There will be 400 of them.

Mr. ASHURST. I do not wish to prolong the discussion on this bill, but this seems to me one of the vital things in the bill. We are from time to time creating new offices, offices that have no responsibility to anybody, and it seems to me, on a matter so important as is this, that these officials should be confirmed by the Senate. The Senate has a right to know who is going to do this work. I was somewhat instrumental in securing the adoption in the committee of the amendment which provides that these appointees shall be confirmed by the Senate. I have not the slightest objection to the Senator's amendment including these employees in the civil service after they have once been confirmed by the Senate.

Mr. SMOOT. I will say to the Senator that the President can, without an examination, cover them into the civil service without any act of Congress, and that is just exactly what I do not want him to do.

Mr. ASHURST. That is the very thing I object to. Employees are being covered into the civil service who have no capacity whatever, and there they remain for life, responsible to no constituency, responsible to no man, and not subject to recall.

The Senate from time to time has complained about the aggressions of the Executive power. Incompetent and unreliable men were appointed as judges advocate, and the Senate was not called upon nor permitted to reject or confirm the appointments. I will make the assertion here that in a number of cases had the Senate been called upon to confirm appointees in the Judge Advocate General's Department several of them would have been rejected. So it seems to me that those Senators, especially those upon the other side of the Chamber, who complain that there is constant aggression on the part of the executive department, ought to realize that here is an opportunity to stay the Executive power, to restore the Senate to its

proper function, and to give it an opportunity to say whether or not these men are worthy or unworthy.

I hope the Senate will adopt an amendment prohibiting a Senator from making any recommendation in these matters. I hope to escape the burden and the liability—for it is a liability—of making any recommendation; but the Senate ought to know who these appointees are; the Senate has a right to know; and if it is willing that the Executive shall make these dozens upon dozens of appointments without the Senate having a voice in the matter, Senators upon the other side ought to withhold any criticism about Executive domination and about Executive encroachment upon the prerogatives, constitutional rights, and powers of the Senate.

Mr. SMOOT. Mr. President, will the Senator accept, then, an amendment of this sort——

Mr. ASHURST. The Senator from Texas is in charge of the bill.

Mr. SMOOT. The Senator from Arizona stated what he was in favor of, and I am simply asking him whether he will accept such an amendment as I am about to suggest——

Mr. ASHURST. I will be glad to hear the suggestion.

Mr. SMOOT. Not that it can bind the chairman of the committee in any way. Would the Senator be agreeable to an amendment so as to make the provision read like this?

The supervisors shall be appointed by the President, by and with the advice and consent of the Senate, provided they shall be selected from persons having passed the civil-service examination.

Mr. ASHURST. Mr. President, that is almost an ideal suggestion. I do not know how the English language could make it any better. That is, to my mind, a most perfect amendment, and so far as I am concerned I am glad to accept it.

Mr. SMOOT. It will be perfectly satisfactory to me if such an amendment as that can be accepted, and I will ask the chairman of the committee having the bill in charge if that amendment is satisfactory to him?

Mr. SHEPPARD. I deem it my duty, Mr. President, to present to the Senate what the director says on this subject. The responsibility of taking the census rests on him, and his views are entitled to consideration. He says that these supervisors serve for only five or six months, and that he does not believe that men of the requisite business capacity and executive ability can be induced to take civil-service examinations and enter the civil-service competition for places of such temporary nature. He makes the following comment:

The selection of supervisors is largely on account of their business capacity; in other words, their business capacity to organize the work and force in a district that usually conforms to the congressional district, to come in contact with enumerators under him, to be able to see that the enumeration is done accurately and well, and then to see that the returns of the enumerators are properly made and transmitted to the Census Office. The personal knowledge of those men by any source that we may resort to is for the purpose of finding that they are men of character, that they have the respect of the community or the district in which they work, and to facilitate the appointment, which is done in that way.

The supervisors have not been selected under the civil-service rules in preceding censuses, but have been appointed in the same manner as they are to be appointed under this proposed law. In justice to the director, who has this work to do, the committee decided to submit the measure as he recommended it and as he believed it to be most practicable, in view not only of his own opinion, but of the position taken by a committee of experts who prepared this bill and many of whom had had practical experience with former censuses. The Senator from West Virginia [Mr. SUTHERLAND] was the chief of a division during a former census, and he can give the Senate the benefit of his personal knowledge on this question.

Under all the circumstances, Mr. President, I would not feel justified in accepting the amendment proposed by the Senator from Utah, but will leave the matter to be decided by the Senate as its judgment may suggest.

Mr. SMOOT. Mr. President——

Mr. ASHURST. Mr. President, will the Senator from Utah yield to me for just a moment?

Mr. SMOOT. Yes.

Mr. ASHURST. I am not making any assault on the civil service. The first thing we know we are going to have hundreds of thousands—yea, millions—of people drawing salaries out of the Federal Treasury. The taxpayer's back is bending now under the burdens of taxation, and if we keep on and on including people into the civil service, finally we will have one person out of every hundred we meet drawing salaries from the Federal Government, and then we will have, like some of the European Governments, a great horde of officialdom not subject to removal fastened upon the people. There are no terms prescribed when they shall leave a public office; they are there for life; and the longer they are there, frequently the more inefficient they become.

Without intending to reflect upon the civil service at all, I do think there is some philosophy in the suggestion that new blood now and then is a very good thing for official life, but I think the Senate at this time ought to begin—and it should have begun long ago—to insist that those who are going to hold office, perhaps, for a long time ought to be confirmed by the Senate; instead of yielding, we ought to insist upon our prerogatives and our rights and perform our duties under the Constitution. I have no information personally as to how or in what manner the names are selected; indeed, I would prefer that they be sifted through the civil service. Then if they come to us and are objectionable, they can be rejected.

Mr. SMOOT. The Senator seems to be under the impression that once in the civil service the Government has to employ them all the time. That is not the case, however. We have just adopted an amendment to this bill directing the Director of the Census to employ people who are not on the permanent rolls now and who have been discharged because of lack of work. That is only giving them a preference; but there are thousands of persons in the United States who have passed the civil-service examination who are not now in the employment of the Government.

Mr. SUTHERLAND. Mr. President, may I ask the Senator a question?

Mr. SMOOT. Yes.

Mr. SUTHERLAND. Would not these supervisors, though, once on the civil-service list, be eligible for transfer to other departments, provided vacancies exist?

Mr. SMOOT. Why, certainly.

Mr. SUTHERLAND. That is possibly the point that the Senator from Arizona has in mind—that while this bill does not contemplate their permanent employment, yet by transfer to other permanent bureaus of the Government they may become permanent employees of the Government.

Mr. SMOOT. Mr. President, if there is no position for them, then they are not employed; but if they want to enter the employment of the Government, and there is a place made for them by vacancy, why not appoint them if they pass the civil-service examination and the President has selected them for this particular place? I see no objection whatever to that.

Mr. SUTHERLAND. I call the Senator's attention to the fact that these men only function for a few months. They are selected largely for their executive ability. They do not themselves go out and make inquiries. They have charge of the selection of a large number of enumerators, and they supervise the work of these enumerators. They must be men of business capacity and judgment, rather than men having technical knowledge along the lines that are frequently prescribed by civil-service examinations; and some of the examinations have no relation whatever to the duties which the men to be selected have to perform. It seems to me just about as sensible to require a civil-service examination of these men as it would be to require a Member of Congress first to take a civil-service examination before he could be eligible to election for Congress. You might get men of a certain class and character; but I believe a requirement such as the Senator suggests here would deprive this important branch of the Government of the services of a large number of valuable men who would not subject themselves to a civil-service examination.

Mr. SMOOT. Mr. President, the only reason why they would not subject themselves to a civil-service examination is because they could not pass it; and if they can not pass it, they ought not to be appointed. Now, we either ought to abolish the civil-service law entirely or we ought to live by it. As far as I am personally concerned, I will be satisfied with the action of Congress; but as long as we have the civil-service law on our statute books, we ought to live up to it.

Mr. ASHURST. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Utah yield to the Senator from Arizona?

Mr. SMOOT. Yes.

Mr. ASHURST. It is not the fault of Congress that the civil-service rules and laws are not obeyed. It is because the favorite of some bureau chief here or there is selected and preferred over some one else, although the selected one does not have the standing and the grade that the one who is passed over has. It is because of the fact that human elements will enter into this situation, just the same as they will elsewhere.

I have never been an enthusiast over the civil service. My objection to the civil service is that it places in office a horde of officials who, as the years glide by, lose initiative, lose the spirit of attack, lose the spirit of bold endeavor, and lose the desire to accomplish anything. Sitting at a desk and watching the clock as the years roll by, the first thing they know they become inefficient. As I said before, if new blood can be infused from time to time into official life, if the civil-service

appointees know that there may be a time when they must leave their offices and go out into the world of business and of endeavor and win a living by their own efficiency, they will keep up the high standard of efficiency they have when they come in as new blood.

I am not an enemy of the civil service. In fact, I have no sympathy for those who sneer at it and call it the "snivel service." Grave injustices have been done under it. It has done some good—not as much good, however, as it could do if it were rigidly enforced, as the authors of the law intended some 30 years ago that it should be enforced.

Mr. SMOOT. Mr. President, I am afraid the same objection that the Senator now makes to those who have taken the civil-service examination applies to the men that enter the Government service at any time. I have stated upon the floor of the Senate a number of times, and I will state again, that no friend of mine by my assistance or recommendation will be given a permanent Government position in Washington if he intends to make his calling and vocation in life a position in one of the departments.

This is what it means, and nothing else: He becomes an absolute machine, and it is only a few years until he loses confidence in his ability to make a living, and he gets settled down in one position, and he spends just the amount of money that he gets from the Government of the United States, and he becomes a dependent. He dares not enter into competition with other men of the country to earn his livelihood; but he thinks: "Well, the Government is a good employer and the monthly pay comes regularly, and I will live within that if I can; and if I can not, I will get accommodated in some other way."

I want to say now that I have seen more good men ruined by being put into a chair in one of the departments than in any other way—men who could have made their mark in this life, men who would have stood high in their profession; but rather than go out and enter competition, rather than to take that starvation period which comes to men, whether he be a business man or whether he be a lawyer or a professional man of any kind, he remains a dependant. He sees a fourth-class clerk in the departments receiving $1,800. He perhaps has no children about him, and he thinks he can live on that salary and live in Washington; and I have heard some of them say that they would rather live in Washington and half starve than live in other places in the United States and have a comfortable living.

I like to see men encouraged who come here for the purpose of securing an education and while going to school earn enough to live on, and I want to see the universities in Washington filled with such young men; but I say now that when a man has received his certificate of graduation from the university the best thing that can happen to him is, as soon as that certificate is issued, to be told to get out and go home and follow the vocation in life that he has previously selected.

Mr. ASHURST. Mr. President, I think the Senator has performed a very useful public service. He has graphically and, I think, accurately described what happens to large numbers of men who come here and take positions in the departments. In my judgment the Senator has correctly said that there are men practically buried in the departments here who, were they out measuring wits with other men in the world, would rise to high places in the law, in medicine, in business, in industry, and in other walks of life; but confident, whether rain or shine, whatever happens, that this particular stipend may be depended upon, it does degenerate one, and they lose that bold spirit.

In view of that very statement and argument made by the Senator, with which I thoroughly agree, here are a number of other people that we are going to include in this very class. If these enumerators are included in the civil service, there is another large number, four or five hundred, going into that very class; and there they will remain, because after the census has been taken they have a civil-service status, and they will secure employment somewhere else under the Government, instead of going out into the fields of civil life.

This matter is not vital to me. I did this because over a year ago I made up my mind that hereafter when any new offices are created I shall insist that the Senate shall put its seal of approval or disapproval on the appointees.

So far as the point is concerned about Senators making recommendations I wish Senators were precluded from making recommendations, but limited themselves solely to their constitutional function of voting "yes" or "no" on the appointees after they come in here.

I do not wish to pursue the subject any further. I have said all that I want to say.

Mr. SMOOT. Mr. President, we know that if these supervisors are not under the civil service, every political influence that can be brought to bear upon the Director of the Census will be brought to bear upon him to appoint all of them from one political party. There is no question at all about it.

Mr. ASHURST. Mr. President, may I interrupt the Senator right there?

The PRESIDING OFFICER. Does the Senator from Utah further yield to the Senator from Arizona?

Mr. SMOOT. Just as soon as I conclude I will yield. Then, when those 400 supervisors are appointed, they have the selection of 85,000 enumerators, and we all know exactly what that means.

As I said before, I think that if we are going to have a civil-service law upon the statute books we ought to live up to it, and if not we ought to repeal it; and therefore I feel just like the Civil Service Reform League feel in relation to this matter. Let me read to the Senator what they say:

> The league is very glad to see this change—

That is, of the 4,000 clerks that are provided for—

> which is made substantially as urged by us before your committee. There remains, however, one very serious defect in the bill. I refer to the method of employment of the 400 supervisors who will select the 85,000 enumerators. In the original bill these supervisors were to be selected by the Director of the Census and appointed by the Secretary of Commerce.

And I want to say here that I approve the Senate committee amendment as against the House provision.

Mr. ASHURST. The Senator does think the Senate committee amendment is some improvement over the House provision?

Mr. SMOOT. I do.

> In the bill as now reported—

That means as reported to the Senate—

> the appointments are to be made by the President and confirmed by the Senate. This is the procedure followed in previous censuses. It is quite certain that under this system of appointment the actual selection of enumerators will be guided by political considerations, as in the past.

And I will say to the Senator that the appointments have always been along political lines.

> Now that the war is over it can no longer be argued that the Civil Service Commission is too busy with other work to establish registers of eligible persons for appointment as supervisors. If these appointments are made impartially, without reference to politics, then the 85,000 enumerators chosen by the supervisors are likely to be appointed impartially, and the country will be spared a repetition of past scandals.

Mr. President, I think I have said enough upon this point. Every Senator knows just what it means, and all I want is a record vote upon it. If the chairman of the committee does not wish to accept the amendment as I last proposed it, in conformity with the suggestion made by the Senator from Arizona, then I shall want the vote upon the original amendment as I offered it. In other words, Mr. President, it will then read as follows:

> The supervisors shall be appointed in conformity with the civil-service act and rules.

I offer that as a substitute for the committee amendment. I should like to have the yeas and nays upon the substitute, Mr. President.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the amendment to the amendment as proposed by the Senator from Utah. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. MOSES (when his name was called). I have a general pair with the Senator from Kentucky [Mr. MARTIN]. In his absence I withhold my vote.

Mr. FLETCHER (when Mr. SWANSON's name was called). I was requested to announce that the junior Senator from Virginia [Mr. SWANSON] is paired with the Senator from Washington [Mr. JONES].

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON]. I transfer my pair to the senior Senator from Minnesota [Mr. NELSON] and vote "yea."

The roll call was concluded.

Mr. DILLINGHAM. I have a general pair with the senior Senator from Maryland [Mr. SMITH]. I am informed that he has not voted. I therefore transfer my pair to the Senator from New Jersey [Mr. BAIRD] and vote "yea."

Mr. CALDER. Is the Senator from Rhode Island [Mr. GERRY] recorded as voting?

The PRESIDING OFFICER. He has not voted.

Mr. CALDER. I have a pair with that Senator and withhold my vote.

Mr. SAULSBURY. I transfer my general pair with the Senator from Rhode Island [Mr. COLT] to the junior Senator from Florida [Mr. TRAMMELL] and vote "nay."

Mr. KNOX. I transfer my pair with the Senator from Oregon [Mr. CHAMBERLAIN] to the Senator from Washington [Mr. POINDEXTER] and vote "yea."

The PRESIDING OFFICER (Mr. KIRBY in the chair). I wish to announce that the senior Senator from Arkansas [Mr. ROBINSON] is unavoidably absent on account of illness. I ask that this announcement may stand for the day.

Mr. PENROSE (after having voted in the affirmative). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. I notice that he has not voted, but I feel justified in permitting my vote to stand.

Mr. WILLIAMS. I will permit the pair to stand.

The PRESIDING OFFICER. The pair stands as already announced.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON].

The result was announced—yeas 27, nays 25, as follows:

YEAS—27.

Cummins	Kenyon	McNary	Spencer
Curtis	Knox	New	Townsend
Dillingham	La Follette	Norris	Wadsworth
France	Lenroot	Page	Warren
Gronna	Lodge	Penrose	Watson
Hale	McCumber	Smith, Mich.	Weeks
Kellogg	McLean	Smoot	

NAYS—25.

Ashurst	Jones, N. Mex.	Pittman	Sutherland
Bankhead	Kirby	Pomerene	Thomas
Culberson	McKellar	Ransdell	Vardaman
Fletcher	Martin, Va.	Reed	Wolcott
Hardwick	Myers	Saulsbury	
Henderson	Nugent	Shafroth	
Hollis	Overman	Sheppard	

NOT VOTING—44.

Baird	Gerry	Martin, Ky.	Smith, Ariz.
Beckham	Goff	Moses	Smith, Ga.
Borah	Gore	Nelson	Smith, Md.
Brandegee	Harding	Owen	Smith, S. C.
Calder	Hitchcock	Phelan	Sterling
Chamberlain	Johnson, Cal.	Poindexter	Swanson
Colt	Johnson, S. D.	Pollock	Thompson
Fall	Jones, Wash.	Robinson	Trammell
Fernald	Kendrick	Sherman	Underwood
Frelinghuysen	King	Shields	Walsh
Gay	Lewis	Simmons	Williams

So Mr. SMOOT's amendment to the amendment was agreed to.

Mr. SMOOT. I call attention to the fact that the words "by the" in line 18 should be stricken out.

The PRESIDING OFFICER. Without objection, the words "by the" on page 11, line 18, after the word "appointed," will be stricken out. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. GRONNA. I offer an amendment on page 9——

The PRESIDING OFFICER. The Senator will suspend a moment, until he finds out what the parliamentary situation is. The Chair will ask the Senator from Utah to state his amendment.

Mr. SMOOT. When I asked to strike out the words "by the" I was led to believe that the amendment that was offered by myself had been disagreed to.

The PRESIDING OFFICER. It was agreed to, and the Chair so announced.

Mr. SMOOT. As that amendment was agreed to, the words "by the" should not be stricken out.

The PRESIDING OFFICER. The question is on the motion to reconsider the vote by which the words "by the" were stricken out.

The motion to reconsider was agreed to.

The PRESIDING OFFICER. Without objection, the amendment striking out the words "by the" will be rejected. Now, will the Senator from Utah restate his amendment?

Mr. SMOOT. I will read the provision as it will stand:

The supervisors shall be appointed in conformity with the civil-service law and rules by the President, by and with the advice and consent of the Senate: *Provided*, That they shall be selected from persons who have passed the civil-service examination.

The PRESIDING OFFICER. That is the statement of the amendment as it has been agreed to. There seems to be no objection to its correctness, and it is the amendment agreed to.

Mr. SHEPPARD. I give notice that I shall ask for a separate vote on this amendment in the Senate.

The PRESIDING OFFICER. Notice is given that a separate vote will be asked on the amendment in the Senate.

Mr. GRONNA. I should like to have the attention of the chairman of the committee, because I am quite sure he will have no objection to the amendment which I shall propose.

Mr. SHEPPARD. Let the amendment be read.

Mr. GRONNA. On page 9, line 19, after the word "crops," I move to insert a comma and the words "and the cost of producing such crops."

Mr. SHEPPARD. I accept the amendment.

The amendment was agreed to.

Mr. LA FOLLETTE. If I may have the attention of the chairman of the committee, I think he will accept the amendment which I shall propose. On page 8, line 22, after the word "population," I move to add the words "to the distribution of wealth."

Mr. SHEPPARD. I have no objection to the amendment.

The amendment was agreed to.

Mr. LA FOLLETTE. There is one amendment further that I wish to move. After the word "home," in line 10, page 9, I move to insert the words "and the encumbrance thereon," so that it will correspond to the phraseology in the paragraph immediately following it with respect to farms.

Mr. SHEPPARD. I have no objection to that amendment.

The amendment was agreed to.

Mr. NEW. Are general amendments now in order?

The PRESIDING OFFICER. The committee amendments have been disposed of and general amendments are in order.

Mr. NEW. I offer the following amendment.

The PRESIDING OFFICER. It will be read.

The SECRETARY. Strike out all of section 6 after the word "provided" in line 18, page 5, and insert:

That after the passage of this act preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, in making appointments to clerical and other positions in the executive departments and in independent Government establishments.

Mr. NEW. Does the Senator from Texas accept the amendment?

Mr. SHEPPARD. I have no objection to the amendment.

The amendment was agreed to.

Mr. CUMMINS. I should like to ask the Senator in charge of the bill a question with regard to the salaries of the statisticians in the Census Office. There is now in the Census Office an employee known as the chief statistician or Chief of the Bureau of Vital Statistics, is there not?

Mr. SHEPPARD. There are five statistical experts in the Census Office at present. The only effect of the bill is to add one other chief statistician. Does the Senator have reference to chief statisticians?

Mr. CUMMINS. The bill provides that three of the chief statisticians shall receive a salary of $4,000 a year and that three of them shall receive a salary of $3,000 per year. Why does the committee discriminate as between these statisticians?

Mr. SHEPPARD. Because the three who receive the larger salary are at the head of three great divisions of the Census Office, population, manufactures, and agriculture, respectively, and the other three have duties that are not so important.

Mr. CUMMINS. Is there any greater or more important division in the Census Office than the one which has charge of the vital statistics of the Nation?

Mr. SHEPPARD. I think so, because the work of vital statistics goes on from year to year and is not as extensive as is the work of the chief statisticians of the three great divisions during the decennial-census period. The increases referred to are only for the three years of the decennial-census period.

Mr. CUMMINS. There is quite enough to occupy the attention of one man. No matter when he performs his work, he is at work all the time.

Mr. SHEPPARD. But the special labor involved in the work of the three-year period has very much increased. I shall give the Senator the number of employees who will be under the statisticians of population, manufactures, and agriculture during the decennial-census period. The statistician of the Division of Population will have under his jurisdiction about 1,800 employees, the chief statistician of the Division of Agriculture about 1,000 employees, and the statistician of the Division of Manufactures about 500 employees. Each of these divisions is much larger than many of the bureaus of the Government service, and it will be necessary to have in charge of them men of strong executive and administrative ability.

Mr. CUMMINS. I do not think the salary one receives should depend entirely upon the number of subordinate employees in his bureau.

Mr. SHEPPARD. That is only one indication of the increased duties during the decennial-census period.

Mr. CUMMINS. I assume that the amendment which was offered by the committee has been already passed on.

Mr. SHEPPARD. It has been passed upon.

Mr. CUMMINS. Unless it is reconsidered, I shall feel it my duty to reserve it for a separate vote in the Senate.

Mr. SHEPPARD. The Senator can offer an amendment in the Senate on the subject.

Mr. CUMMINS. I do not know anything about the specific work of the other two statisticians to whom I am referring, but I do know something about the work of the chief statistician in the Division of Vital Statistics, and I think the adjustment here is a grave and unwarrantable discrimination against that particular employee.

Mr. SHEPPARD. I shall say to the Senator that the census which will be taken next year will not cover vital statistics. Vital statistics are provided for in the permanent-census act, and they are taken periodically and independently of the decennial census. They only apply to the registration area of the United States, and only a comparatively small number of States have official registration. The taking of vital statistics is confined to that area, and continues as a permanent thing, whereas these increases of salary apply merely to the work of the three statisticians in connection with the Fourteenth decennial census, which continues for a period of only three years. The salaries go back to what they are as a permanent thing at the end of three years.

Mr. CUMMINS. I understand that; but I assume you have attached salaries to the various places because they are commensurate to the volume of work performed?

Mr. SHEPPARD. On account of the increase in the work during the three years of the decennial census. There is no special increase in the work in vital statistics.

Mr. CUMMINS. It seems to me if that work is properly taken care of in the law there will be an increase in the labors of that office, for vital statistics are of growing importance in this country.

Mr. SHEPPARD. Not as a part of the decennial census work.

Mr. CUMMINS. They are the foundation for practically all our social and industrial legislation.

Mr. SHEPPARD. That is entirely true; but they are not a part of the coming decennial census.

Mr. CUMMINS. It is intended that the work shall be done in 1920, is it not?

Mr. SHEPPARD. Quite true.

Mr. CUMMINS. I think the Chief of the Division of Vital Statistics should have a salary of $4,000 per year, and I move to amend the bill, if the Senator will permit this to be done without a reconsideration.

The PRESIDING OFFICER. The motion to amend is not in order without a motion to reconsider.

Mr. SHEPPARD. Is it the intention of the Senator from Iowa to substitute $4,000 for $3,000 in line 13?

Mr. CUMMINS. I simply want to offer an amendment which will increase the salary of the chief statistician of vital statistics to $4,000 per year.

Mr. SHEPPARD. I ask that the amendment be reconsidered in order that the Senator from Iowa may offer the amendment he has in mind.

The motion to reconsider was agreed to.

Mr. CUMMINS. I move, in line 13, page 4, before the word "thousand," to strike out the word "three" and substitute "four" in its stead.

Mr. SHEPPARD. I accept the amendment.

Mr. CUMMINS. Then, after the word "statisticians," in the same line, I move that there be inserted the words "including the chief statistician of the Bureau of Vital Statistics."

Mr. SHEPPARD. I accept that amendment.

The PRESIDING OFFICER. The chairman of the committee accepts the amendment as proposed. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. FRANCE. I understand that the committee amendments have been disposed of?

The PRESIDING OFFICER. They have been disposed of. The bill is still as in Committee of the Whole and open to amendment.

Mr. FRANCE. I desire to offer several amendments to the bill, and as the amendments, while they are quite numerous, really constitute one amendment, I desire that they shall be read at the desk together without reference to the parts of the bill to which they apply.

The PRESIDING OFFICER. The Secretary will read the amendments.

The Secretary read as follows:

In the title and wherever it occurs in the bill strike out the word "decennial" and insert in lieu thereof the word "quinquennial."

On page 1, strike out all of line 1 to line 2 on page 2, inclusive, and insert in lieu thereof the following:

"*Be it enacted, etc.*, That a census and survey of the population of the United States and of its colonies and of the education, health, insurance, agriculture, manufacture, forestry and forest products, mines and quarries of the people of the United States and of its colonies shall be taken by the Director of the Census, beginning in the year 1920, and every five years thereafter: *Provided, however*, That the making of the census, registration, and schedule of inquiries relating to population shall be continuous, as hereinafter provided.

"The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, Porto Rico, Guam, and Samoa, said census to be made in accordance with such plans and regulations as the Director of the Census may prescribe in pursuance of the provisions of this act."

On page 2 strike out all of section 2 and substitute therefor the following:

"SEC. 2. That the period of three years, beginning the 1st day of July next preceding the census provided for in section 1 of this act, shall be known as the quinquennial census period, and the reports upon the inquiries provided for in said section shall be completed and published within such period: *Provided, however*, That the registration of the population and the schedule of inquiries relating thereto shall be commenced on or before the 1st day of July, 1919, and shall thereafter be continuous, and the results of the same shall be continually recorded and shall be from time to time compiled and analyzed, and useful statistics based thereupon published, as the public interest may require, but at intervals of not longer than five years: *Provided, however*, That information identifying any particular individual or firm shall not be published but shall be held in confidence: *Provided, however*, That lists of all citizens over 21 years of age, arranged and divided into sections according to election precincts, districts, counties, congressional districts, and States, which lists shall contain information as to the race, sex, occupation, and residence of each such inhabitant over 21 years of age, shall be published on or before the 1st day of July in each year, such lists to be known as the "official Federal registration lists," and to be printed for distribution in sections as described at such reasonable prices as may be determined upon by the Director of the Census."

On pages 8, 9, 10, and 11 strike out all of section 8 and substitute therefor the following:

"Sec. 8. That the Fourteenth Census shall be restricted to inquiries relating to the education, health, insurance, agriculture, manufacture, forestry and forestry products, mines and quarries of the people of the United States and the colonies, and to the population of the United States and its colonies.

"The survey and schedules of inquiries and the records relating to population shall be so made as to furnish continuing records of each inhabitant, which records shall be kept by complete card system, in duplicate, one set of records to be filed in the census office of the local subdivision and one set to be filed in the office of the Bureau of Census in Washington when it shall be called for. Such continuous survey and records of the inhabitants of the United States shall be so made as to furnish an accurate schedule of vital, educational, and industrial statistics as a basis for the formulation of legislation to promote the general welfare, defense, and safety by improving the vital, educational, and industrial condition of the inhabitants, and such survey and records shall include specifically and in detail for each and every inhabitant, the place and date of birth; acute and chronic contagious diseases; occupational diseases and accidents; school attendance and progress; business or vocational training; military training or service and wounds or disabilities contracted in service; high-school, college, or technical training; health and physical condition; the health and physical condition of all school children under 14 years of age, and of all males under 45 years of age, as ascertained by an annual medical examination; place, character, sanitation, and tenure of abode; relationship to head of the family; color; sex; age; conjugal condition; occupation; condition of employment or unemployment; registration in Federal employment agency; whether employer or employee; trade; business; public offices, honors or special achievements; payment of taxation or insurance premiums; whether qualified and habitually exercising suffrage rights in State and Federal elections; place of birth of parents, nationality, and mother tongue, and knowledge of English if born in a foreign country; nationality, mother tongue, and knowledge of English of parents of foreign birth, and number of years in the United States; literacy; and the date, place, and cause of death; and such schedules shall also include a survey of the almshouses, charitable agencies, and complete and partion pauperism in the United States.

"The survey of and schedule of inquiry relating to education shall be so made as to secure such definite and classified information as might be useful as a basis for the formulation of legislation for the establishment of a Federal department of public education and for the standardization and extension, with the aid of the Federal Government, of all of the agencies of public instruction and for the establishment of a federalized system of free public education and training extending from the elementary schools to and including technical schools, colleges, universities, and professional schools with vocational and rehabilitation schools as well as night schools for adults and immigrants, compulsory in its elementary but optional for and equally available to all in its higher departments; and such schedule of inquiry shall include a survey of the number, character, cost, and value of city and rural public-school buildings for the white and racial groups; of private, technical, and rehabilitation schools; of colleges, universities, and professional schools; salaries of teachers and the total annual cost of maintenance; the total number of children of school age; the number enrolled, the number in regular attendance, and the length of the school year; sanitary conditions; character of curricula and physical and mental training; tuition and living costs in private schools and colleges; and the possible availability of private institutions, schools, and colleges for acquisition for future or continued use as parts of a public system of education.

"The survey and schedule of inquiry relating to the public health and of insurance shall be so made as to secure such definite and classified information as might be useful as a basis for the formulation of legislation for the establishment of an efficient Federal department of public health, vital statistics, and insurance and for the standardization and extension of all of the various existing public-health agencies and for the promotion of rational insurance systems, particularly with the purpose of limiting the ravages of tuberculosis and other communicable diseases and of preventable industrial accidents and diseases and the desti-

tution due to preventable injury, death, and inadequate insurance, and such schedule of inquiry shall include a survey and tabulation of vital statistics and of the health of the population as reported by the population registration records heretofore provided for; also a survey of public and private health bureaus or agencies; of public and private hospitals and sanitoria for general or special diseases; of contagious and industrial diseases; of industrial accidents; safety devices, sanitary precautions, morbidity and mortality in the dangerous and dusty trades; of tenements and insanitary housing conditions; of employers' liability laws, and of systems in force of health, old-age, accident, or other forms of insurance, with cost of same and the distribution and number of those insured: *And provided*, That the President is hereby authorized to appoint, with the advice and consent of the Senate, a commission on education of three members and a commission on public health, vital statistics, and insurance of three members to advise with the Director of the Census as to the most efficient methods of collecting and classifying data relating to these subjects, and each member of said commissions may be granted a salary at the rate of $5,000 per annum for the term of his service, which shall not exceed three years.

"The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, sanitary condition, value of farm implements, number and breeding of live stock on farms, ranges, and elsewhere, and the acreage of crops and the number working, including family, in crop production, and the net and gross income, the quantities and cost, including value of the labor of farmer and family, of crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of tilled and tillable land and of land reclaimed and reclaimable by irrigation and drainage and the crops produced; also as to the location and character of irrigation and drainage enterprises, and the capital invested in such enterprises.

"The schedules of inquiries relating to manufactures and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and hours of labor, and the amount of their wages; sanitary conditions and health preservation methods, and pension or profit-sharing systems; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time and operation during the year; character and quantity of power used; and character and number of machines employed.

"The census of manufactures and of mines and quarries shall relate to the year ending December 31, next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as a factory system, exclusive of the so-called neighborhood, household, and hand industries.

"The form and subdivision of inquiries necessary to obtain the information under the foregoing topics shall be determined by the Director of the Census.

"Whenever he shall deem it expedient the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees to be employed without respect to locality."

On pages 11 and 12, strike out all of section 9 and substitute therefor the following:

"SEC. 9. That the Director of the Census, at least six months prior to the date fixed for commencing the schedules of inquiries and the enumeration as herein provided, shall designate the number, whether one or more, of supervisors of census for each State, the District of Columbia, Alaska, Hawaii, Porto Rico, Guam, and Samoa, or special agents as hereinafter provided, and shall define the various census districts, census subdivisions of the census districts, and the census precincts in which they are to act: *Provided*, That the supervisors of the census shall be appointed by the President with the advice and consent of the Senate: *Provided further*, That so far as possible the boundaries of the census districts shall conform to the boundaries of congressional districts, and the boundaries of the various census subdivisions shall conform to the political subdivisions of the States or colonies, such as counties, cities, or legislative districts, and that the census precincts shall conform to the election precincts of such political subdivisions: *And provided further*, That, if in any supervisor's census district the supervisor has not been appointed and qualified 90 days preceding the date fixed for the survey and enumeration, or if any vacancy shall occur, either through death, removal, resignation, or from any other cause, the President may appoint a temporary supervisor or director of the census district or the Director of the Census may detail any employee of the Census Office to act as a supervisor of the district: *And provided further*, That each supervisor of the census shall select, with the approval and consent of the Director of the Census, a suitable office in each of the census precincts of each of the various census subdivisions of each of said census districts, to be created as heretofore provided, to which office on census enumeration days, which shall be duly specified and publicly proclaimed by the President, all of the inhabitants of said census precinct shall come either in person or through the head of the family, parent, teacher, or head of the firm by which he may be employed, to be enrolled and to receive a numbered registration card: *And provided further*, That the supervisor of the district shall, with the approval and consent of the Director of the Census, also select suitable central offices for each census subdivision corresponding to either city, county, or legislative district, if possible at the county seat or at some other central point where there shall be provided, until a suitable Federal building shall be erected, as may hereafter be provided by law, rooms and facilities for the study, tabulation, classification, and safekeeping of all record cards containing vital statistics and other information provided by the schedules of inquiry: *And provided further*, That such central offices shall also be utilized for the accommodation of the subdivision branch of the Federal Department of Public Health, Vital Statistics, and Insurance; of the subdivision branch of the Federal Department of Education, and of the subdivision branch of the Federal Employment Bureau when and if these shall be authorized and created by Federal statutes. The Director of the Census shall also make regulations concerning the carrying by individuals, after they shall have been registered, of identification numbered registration cards: *And provided further*, That the supervisor in each census district shall select clerks, preferably residents of the census precinct, and preferably the State election or registration officials of the corresponding election district or precinct to act as clerks or enumerators in that corresponding census precinct for the making of the records in said precinct, and the supervisor of the census shall also name an assistant supervisor, and clerks to such assistant supervisor for each census subdivision who shall have supervision of the clerks and enumerators of the census precincts, and who shall receive, classify, and care for the records in the central offices of the census subdivisions and forward them as directed to the office of the Census Bureau in Washington: *And provided further*, That one properly qualified, regularly licensed physician shall be appointed as medical supervisor for each census precinct, and one such physician shall be appointed as medical director for each census subdivision, which medical supervisor and medical director shall assist in the collection and classification of all health and vital statistics for the census precinct and census subdivision, respectively, under regulations which shall be prescribed by the Director of the Census: *And provided further*, That the Secretary of War and the Secretary of the Navy and the heads of the various executive departments of the Government shall be charged with the making, through the offices of the Provost Marshal General, of the Surgeon General of the Army, of the Surgeon General of the Navy, or through other suitable agencies, of the schedules of inquiries relating to the men in the Army, the men in the Navy, and the employees in all of the various executive departments of the Government: *And provided further*, That the President be, and he is hereby, authorized to assist the Director of the Census by calling upon the governors of the various States and colonies and upon State, county, and city officials to promote the speed and accuracy of the census taking by permitting and, so far as may be, requesting or directing the heads of the State and city departments, educational authorities, heads of private schools and colleges, teachers, and school physicians to make the schedule of inquiries relating to all employees of the said departments and to children or students enrolled in the various educational institutions: *And provided further*, That the President be, and he is hereby, also authorized to seek the cooperation of the heads of railroads, public utility, commercial, and industrial enterprises in the making of schedules of inquiries relating to their employees: *Provided, however*, That the public-school teachers who make the schedule of inquiries relating to their pupils shall be, and others, as the Director of the Census may name, may be duly authorized as enumerators of the census and shall be paid for their work, receiving such compensation from the Census Bureau as the Director of the Census may determine."

On pages 12 and 13, strike out all of section 10 and substitute in lieu thereof the following:

"SEC. 10. That the Director of the Census shall also direct that inquiries shall be made through the supervisors of the various census districts and through the assistant supervisors of various census subdivisions as to the best available site in each census subdivision, in the town or city where the central offices of the census subdivision shall be located, for the erection of a Federal building for the permanent accommodation of the census subdivision offices, for the safe-keeping of records, and for the permanent housing of the subdivision branches of the Federal Departments of Education, of Health, Vital Statistics, and Insurance, of the Federal Employment Bureau, Agricultural Extension Services, and of the Post Office; and whether the local authorities or agencies will provide the site or what would be the price of the same, such site to be suitable for the erection of a building either by the Federal Government alone or in conjunction with the local authorities, which building shall be suitable for the aforesaid uses, with fireproof files for the population records, rooms and laboratories for physical examinations, rooms for corrective physical treatments, assembly hall, a library of United States bulletins and publications, the vocational or rehabilitation school, facilities for a Federal community center or such other activities as will best promote the Federal and local needs: *Provided*, That the results of these inquiries shall be tabulated and submitted to the chairman of the Committee on Public Buildings and Grounds of the Senate for consideration by that committee: *Provided further*, That each supervisor of census shall be charged with the performance within his own district of the following duties: To consult with the Director of the Census in regard to the division of his district into subdivisions most convenient for the purpose of enumeration, which subdivisions or enumeration districts shall be defined and the boundaries thereof fixed by the Director of the Census as heretofore provided; to designate to the director suitable persons, and with his consent to employ such persons as enumerators, one or more for each precinct and subdivision; to communicate to enumerators the necessary instructions and directions relating to their duties; to examine and scrutinize the returns of the enumerators, and in the event of discrepancies or deficiencies appearing in any of the said returns to use all diligence in causing the same to be corrected or supplied; to forward the completed returns of the enumerators to the director at such time and in such manner as shall be prescribed; and to make up and forward to the director the accounts of each enumerator in his district for service rendered, which accounts shall be duly certified to by the enumerator, and the same shall be certified as true and correct if so found by the supervisor, and said accounts so certified shall be accepted and paid by the director.

"The duties imposed upon the supervisor by this act shall be performed in any and all particulars in accordance with the orders and instructions of the Director of the Census."

Mr. FRANCE addressed the Senate. After having spoken with interruptions for two hours and a quarter,

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Will the Senator from Maryland yield to the Senator from Texas?

Mr. FRANCE. I yield.

Mr. SHEPPARD. If the Senator is willing to suspend now we will take a recess so that he can go on to-morrow, as it may suit his convenience.

Mr. FRANCE. I will be very glad to suspend, because I could not possibly finish this evening. In fact, I have hardly touched upon the general subjects which I desire to discuss. These remarks have only been made in a most preliminary way, although I have consumed a considerable amount of time. I will be very glad to yield now.

Mr. SHEPPARD. I move that the Senate take a recess until to-morrow.

Mr. MCKELLAR. Will the Senator from Texas withhold his motion for a moment?

Mr. SHEPPARD. Certainly.

DEMOBILIZATION OF AMERICAN TROOPS.

Mr. McKELLAR. Mr. President, yesterday in discussing the subject of demobilization some question was raised as to the attitude of the administration. I had not at the time I made my remarks seen the Washington Times newspaper of January 14. I have it before me now, and I will read this extract from it:

PRESIDENT TELLS PEACE DELEGATES AMERICAN TROOPS MUST GO HOME—ALLIES' PLAN TO KEEP YANKS AS POLICEMEN IS OPPOSED.

PARIS, *January 14.*

The outstanding feature of the allied peace conferences to-day was the announcement by President Wilson to the delegates that American troops must be sent home from Europe without delay.

It is learned that the imperativeness of returning the Yanks to the United States as quickly as possible was strongly emphasized by the President, who wants the fighters to be enabled to resume normal peace-time occupations at the earliest possible moment.

I am delighted to know that the President's views on this subject and mine seem to be apparently the same.

Mr. WILLIAMS. Mr. President, I merely wish to call attention to the fact that that is just a part of some of the recent expressions of the President of the United States and not an expression of his entire purpose.

RECESS.

Mr. SHEPPARD. I renew my motion.

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). The question is on the motion of the Senator from Texas that a recess be taken until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate took a recess until to-morrow, Thursday, January 16, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 15, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Come Thou, Almighty Father, with all Thy power and holy influence, and help us and all the world to extricate ourselves from the tangled web which we have woven about us.

The war presumably is over and we are striving to reconstruct the world into a permanent peace. Remind us, we beseech Thee, that reconstruction begins at home.

Help us to look into our own hearts with a view of reconstructing ourselves. Thou hast made clear the way, but we are strangely forgetful and fail to follow the straight and narrow way, which is life eternal.

Give us the will, the determination, to cast out satan, which is selfishness, and follow the golden rule, the panacea for all the ills that beset us, and the world will reconstruct itself. Peace will be permanent and every home, every nation, will enjoy the fruits of their own labors and the world become a paradise. In Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BOWERS (at the request of Mr. COOPER of West Virginia), for one week on account of illness.

To Mr. LUNDEEN, for six days on account of illness.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested.

S. 5318. An act granting a pension to Edith Carow Roosevelt.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 5318. An act granting a pension to Edith Carow Roosevelt; to the Committee on Pensions.

EXTENSION OF REMARKS.

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the question of the zone postal law, including therein a letter written by me to Mr. Charles Johnson Post, director of the publishers' advisory board.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, who do I understand wrote the letter?

Mr. MANSFIELD. It is a letter from myself to Mr. Post.

The SPEAKER. Is there objection?

There was no objection.

Mr. SANFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a letter from Simon W. Rosendale in opposition to Zionism.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by printing a letter therein from Dr. Rosendale against Zionism. Is there objection?

There was no objection.

SESSION CLERKS TO VARIOUS COMMITTEES.

Mr. HASTINGS. Mr. Speaker, I present herewith a privileged report from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 460.

Resolved, That clerks to committees of the House during the session provided for by the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1919, be, and they are hereby, assigned for the present session of Congress to the following committees, to wit: Committee on Education, Committee on Railways and Canals, Committee on Reform in the Civil Service, Committee on Alcoholic Liquor Traffic, Committee on Invalid Pensions (assistant clerk), Committee on the Judiciary (additional assistant clerk), Committee on Enrolled Bills (assistant clerk), Committee on Disposition of Useless Executive Papers.

With the following amendments:

Strike out all of lines 7 and 8; in line 11 strike out the words "committee on disposition"; strike out all of line 12; after the words "assistant clerk," in line 11, insert the words "Committee on Woman Suffrage," so that the resolution as amended will read as follows:

"*Resolved*, That clerks to committees of the House during the session provided for by the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1919, be, and they are hereby, assigned for the present session of Congress to the following committees, to wit: Committee on Education, Committee on Reform in the Civil Service, Committee on Invalid Pensions (assistant clerk), Committee on Enrolled Bills (assistant clerk), Committee on the Judiciary, Committee on Woman Suffrage."

The SPEAKER. The question is on agreeing to the amendment.

Mr. SANFORD. Mr. Speaker, will the gentleman from Oklahoma yield?

Mr. HASTINGS. Certainly.

Mr. SANFORD. Mr. Speaker, the House will recall that a few days ago the gentleman from Kentucky [Mr. JOHNSON] reported this and the resolution that I assume will be taken up next in order, and at that time I opposed the resolution and asked the gentleman to withdraw it upon the ground that through an error I had not been notified of the meeting of the committee. The committee has now met and has gone with some care into each one of these questions. As a result of our deliberations, and after hearing the chairmen of the several committees, we have stricken out the Committee on Railways and Canals, the Committee on Alcoholic Liquor Traffic, and the Committee on Reform in the Civil Service from this resolution.

Mr. HASTINGS. And we have added the Committee on Woman Suffrage.

Mr. SANFORD. And have added the Committee on Woman Suffrage. In the other resolution we have stricken out about half of the committees. I would not have the House for a moment think that this is wholly a satisfactory method of dealing with this kind of business, but so far as I have been able to see we have taken the only course that is open to us. I have stood for the proposition that any person who asks from this Committee on Accounts for the disbursement of public money should come before the committee and tell his reason. With reference to this particular question I have asked that the chairman shall first say to this committee that in his judgment the proposition calls for a wise disbursement of public money, and that he favors it, and then I have required that he give some reasons to substantiate his judgment. I have not seen fit to go any further than that. The committees that have been stricken from both of these resolutions are the committees where the chairmen have not been able to make that statement.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. SANFORD. Gladly.

Mr. MANN. How has the Committee on Reform in the Civil Service been provided with a clerk until now?

Mr. SANFORD. That is not in this resolution.

Mr. HASTINGS. It is not provided except that we provide for it in this resolution.

Mr. MANN. I thought it was proposed to strike that out.

Mr. HASTINGS. That would leave that committee without any clerk at all.

Mr. STAFFORD. Under the revised form the Committee on Reform in the Civil Service is provided with a clerk.

Mr. SANFORD. My memorandum is that the Committee on Reform in the Civil Service is provided with a clerk.

Mr. HASTINGS. We strike out the Committee on Railways and Canals and the Committee on Alcoholic Liquor Traffic and substitute the Committee on Woman Suffrage and the Committee on Reform in the Civil Service.

Mr. MANN. I understood the gentleman from New York to say that they had taken out the Committee on Reform in the Civil Service.

Mr. SANFORD. In saying so I think I followed a prompting that was made to me, but my memorandum shows that the Committee on Reform in the Civil Service is taken care of in this resolution.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. SANFORD. Yes.

Mr. STAFFORD. I am informed by a member of the Committee on Reform in the Civil Service that it has not met during this entire Congress. What is the need of providing for a clerk in the closing days, except, perhaps, to wind up the business of that important committee?

The SPEAKER. The Civil Service Committee is in the amendment.

Mr. SANFORD. I am unable to answer that question. My position is this: If the chairman of a committee, of a standing committee of this House, comes before our committee and says that, in his judgment, the public work that is intrusted to him can not be done without this assistance and then gives the reasons, I feel that, as a Member of the House, I am bound by his judgment, because the functions that, under the rules, are placed on these several committees are vital and important functions. I know that in many cases the functions are not performed. I know that in a majority of the cases these committees on expenditures do not do any work at all, but in some cases they do do work. In any event, they have very important duties.

Mr. STAFFORD. Will the gentleman yield further?

Mr. SANFORD. Yes.

Mr. STAFFORD. Take, for instance, the once very important Committee on Woman Suffrage. We have passed all the legislation possible that can be conceived on that question, and now we are asked by a gentleman, who is a very busy Member of this Congress, for a committee clerk. What is the reason advanced by the chairman of that committee that he should desire the aid of a clerk in these closing days of the term?

Mr. SANFORD. I would like to have the gentleman know that I struggled very patiently and tried to persuade the chairman of the Committee on Woman Suffrage that the work of that committee was long since done. I opposed this provision, but the chairman of the committee was very serious and said that his correspondence was very extensive, and that the work before it is very vital. I could not quite understand it, but he was a very responsible person intrusted with a very responsible position, and I felt in his case that I was bound by his judgment.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. SANFORD. I will.

Mr. WOOD of Indiana. I wish to call the attention of the gentlemen of the House to the fact that at the time the Woman Suffrage Committee was created, and in the hearings at that time of the creation, it was agreed by those who were interested or promised by those who were interested in the creation of that committee that when the legislation had passed the House there would be no longer need of the Committee on Woman Suffrage, and it would not be longer continued.

Mr. SANFORD. And that situation is with the House. It is for the House to decide, but it is my opinion that we should no more have that committee than a committee on men suffrage. I am very glad to see anybody who is enthusiastic to help the women of the country along, but to have a committee of this kind on woman suffrage when it has wound up all it can do is ridiculous, but it exists by virtue of the judgment and action of the House.

Mr. EMERSON. Will the gentleman yield?

Mr. SANFORD. I will.

Mr. EMERSON. Does this provide for a clerk to this committee for the term of six or eight weeks?

Mr. SANFORD. In this resolution.

Mr. GILLETT. It is not to July 1?

Mr. SANFORD. No.

Mr. HASTINGS. I want to say on behalf of the Committee on Accounts that the chairman of these several committees appeared before the committee and made statements. Now, in reference to this Committee on Woman Suffrage I do not think there is any more important committee of the House. It is a very live question throughout the United States and throughout the several States. The chairman of the committee appeared before us and stated that a vast amount of correspondence is before that committee upon this subject, and I am sure that Members of Congress understand that this being a live subject that there is a vast amount of correspondence coming, of course, to the committee and that a clerk to the committee is needed. It is only a session clerk and expires with the end of this Congress on the 4th of March next, and the committee, after hearing the statement made by the chairman, agreed favorably to report this resolution with this amendment, and we believe it ought to pass.

Mr. GARD. Will the gentleman yield?

Mr. SANFORD. I will.

Mr. GARD. I have a very high regard for the gentleman's work on this somewhat troublesome committee and also for his candid and impartial expression of his views. Will the gentleman state whether in his opinion any of these clerkships are needed at this session in either of these resolutions?

Mr. SANFORD. In answer to the gentleman I should like to say I have very great doubt whether any of them are needed at all or not, but I have felt that the Committee on Accounts is bound by the judgment of the men who have duties imposed upon them under the rules of the House, and that if they come before us and tell us that those duties can not be performed without a clerk I feel I am bound by their judgment. The one thing which I want to impress, however, with reference to this at this time is this, that I felt and feel now that the House should protect this committee to the extent of supporting it in striking out these committees where the chairman is not able to come and make a statement I want to see the House get a little confidence in the method by which the committee is now proceeding.

Mr. GARNER. Will the gentleman yield?

Mr. SANFORD. I will.

Mr. GARNER. I am very anxious the House should get more confidence in the Committee on Accounts myself, but I think the method the gentleman has adopted, and he is very frank with the House, will cause them to lose some confidence in it; that if you simply go and take the statement of a man about the need of a clerk, and you are not going to investigate yourself and ascertain definite knowledge of whether he needs the clerk, I am afraid you will not have the confidence of the House which you ought to have.

Mr. SANFORD. The gentleman from Texas [Mr. GARNER] misunderstands my statement. I say that I want the House to have confidence in the method of exclusion which I have adopted. I do not care whether the House adopts the resolution for any of these committees or not; but I say the thing we are doing now is so much better than anything we have done before that I think the House ought not to put in this resolution any provision in favor of any man who has not the courage to come or has not seen the necessity of coming and stating the facts on which he makes his claim.

Mr. STAFFORD. Do I understand from the statement of the gentleman and the gentleman proposing the resolution that it was the intention of the committee to provide merely session clerks for these committees?

Mr. SANFORD. Under the pending resolution?

Mr. STAFFORD. Yes.

Mr. SANFORD. This resolution assigns to certain committees the clerks provided for in the legislative bill.

Mr. STAFFORD. Ah, will the gentleman permit me? There are no clerks provided for this committee in the legislative, executive, and judicial appropriation bill for the fiscal year 1919. The gentleman is under an error in so proceeding. There is no clerk provided for the Committee on Reform in the Civil Service.

Mr. SANFORD. Oh, no.

Mr. GARNER. There are some clerks provided for.

Mr. SANFORD. I say that the legislative bill provides a certain number of clerks, to the number of eight. The legislative bill provides for eight clerks without assigning them to any definite committees.

Mr. GARNER. And you are undertaking to assign them here?

Mr. SANFORD. It is the function of the Accounts Committee to assign them to certain committees.

Mr. SNELL. Is there any evidence to show about the clerk for the Committee on Railways and Canals?

Mr. SANFORD. That was stricken out.

Mr. SNELL. I was on that committee two years, and I never found the door open. I wondered what they did.

Mr. SANFORD. That explains the situation. I do feel that I would like to relieve my own conscience by saying to the House about this subject that I have found, from day to day and from week to week in the work of this committee, hidden under the cloak of this sort of legislation and this sort of procedure lots

of things that I would not want to talk about in public—things I know the House would not stand for. When conditions of this kind exist men act as they would not act if they were really confronted with the nature of the thing they were doing. I have found that these different authorities for the creation of patronage are used for private and political gain of one kind and another. There is none of it very important, because there is none of it big. It is all little. But little as it is, it seems to enter into the relationships in the House and poison them and contaminate them. I think we can cure this situation to some extent if we will simply insist that men talk about the thing they want to do; tell the thing they want to do.

I have found, for instance, under all the old precedents here that some of these committee clerkships have been taken and given to individual Members of the House who were not on the committees at all; that is, a gentleman getting the right to appoint a clerk under one of these resolutions at $6 a day takes that clerkship and gives it under the direction of some person of authority to some other person, because persons in authority want to reward or help that other person. Now, that is absolutely unjustifiable. That thing has been done under circumstances where it would seem on the surface as if it were done to influence important and vital action in this House. It is done by persons of influence and authority, who perhaps at the time they did it did not understand, perhaps did not give consideration enough to it to realize, the enormity and the moral turpitude of the thing they were doing. These clerkships have been assigned to individual Members for their private and personal use, when no person would have had the temerity to say publicly or to say in the House that there ever was such intention. On the other hand, in this House to-day there are men who by reason of their prominence in national legislation have been confronted with great tasks to perform, and who by reason of their position on this committee or that committee are carrying great burdens, and because of that the business they have to do in their offices has so greatly increased that they are unable to cope with the situation, and they are hiring clerks out of their own pockets. I sometimes think that the House, if it knew the situation with reference to some of these very prominent and capable and busy Members of the House, might be inclined to help the situation out. But I am sure the House would never intentionally authorize the practices that have prevailed in the distribution of patronage.

When I first came on the committee, the committee acted wholly on precedent. It would be said, "There is precedent for this thing; this thing has been done for 20 years"; and if anybody would say that this thing had always been done it would go. And that is where the danger was. Precedent never justifies the expenditure of money. And however little this thing is apparently on its face, because these resolutions only involve a couple of thousands of dollars a month, nevertheless I am anxious to persuade the House to this point of view for the reasons I have indicated.

Mr. HASTINGS. Mr. Speaker, I yield to the gentleman from California [Mr. RAKER] five minutes. How much time have I?

The SPEAKER. The gentleman started in with an hour and has used 20 minutes.

Mr. RAKER. Mr. Speaker and gentlemen of the House, I have taken seriously the appointment of myself on various committees. I believe there are important duties to be performed, and I have attempted to perform them. The only criticism I have received is that I am too active and have asked for too much here and there.

I thought when a man was appointed on a committee it was his duty to do the work of that committee, and the duty of the House to furnish the committee with the necessary clerical assistance and material with which to do the work. The House graciously appointed me on the Committee on the Expenditures in the Department of Justice, and I acted as chairman for six months. I was given no secretary and was told by the House that I should do no work. Notwithstanding that, I gathered a lot of data and information in order that I might judiciously perform my duties as chairman if I was continued upon that committee. There was work that the House ought to have had done. That committee has important functions to perform, as do all of the committees on expenditures in the various departments if they would but do their duty to the House and the country. They could be busy two-thirds of the time, particularly when the Members are not members of other committees. On the Committee on Expenditures in the Department of Justice in particular they should look into the question of the expenditures of that department and its various agents as to what has been done regarding the expenditures in the various penitentiaries, the expenditures of United States clerks of courts, district attorneys, and marshals. The duty of that committee is to take that work up, and I was trying to do that.

Now, when the House determined upon a Committee on Woman Suffrage and I was again given an honor—and I take it to be an honor to be the chairman of that committee—I took up the responsibility of that committee, not only to the House but to the country, and I have tried to do my work and have the committee do its work. We have been doing work—active work—and when a bill is passed through the House that fact is no sign that it is the duty of the committee to cease its work. It is the duty of the committee to push it along and see that it is enacted, if it can get through, if it is proper legislation. There is hardly a day when the secretary of that committee is not at work on correspondence and in personal communication, by telephone and otherwise, with those who favor a constitutional amendment giving the right of suffrage to women.

This committee authorized me to employ a clerk—the same one we had before—and a meeting has been called for Monday, and a hearing is to be had, and I deem it my duty to see to it that the things that belong to that committee are attended to. Merely because some one is opposed to woman suffrage is to me no reason why I should cease to do my work. When we are fighting for democracy abroad and spending over $35,000,000,000 we at home are refusing to extend the same right of democracy to over half of our population, who are begging and pleading for it. The members of the committee are ready and willing to give their time and perform their duty and see to it that the committee is called together, and no member on that committee can say that committee meetings have not been called or that the clerk has not been attentive and is not necessary. I do not believe that we should ask the House to do something that does not belong to proper legislative functions. There are some committees that have a great deal of work to do; and if those who have charge of them would not try to gather before their committees all the important functions that belong to other committees less important those other committees will perform the duties that are placed upon them. If they will do it, they will have their hands full. They have got the chance to have their secretary and their experts do the work that they ought to do.

It is one of the things that this House attempted to do eight years ago, and it is one of the things that you Republicans will attempt to do when the Democrats have turned over the administration of this House to you. You will make an investigation of the executive departments. But you should make an investigation now by your Democratic committees, and let them go to work; and if anything wrong is shown up you can bring in legislation to correct it and not wait until two years from now. Do your duty as it is done now in every county and State in this Union, where they examine into the facts to see whether the public money is properly expended, and enforce the law and see that it is properly expended, and if a correction is to be made, make the correction. Because a man comes here for a year or two and gets on a small committee is that any reason why he should quit and lie down and do nothing?

The SPEAKER. The time of the gentleman from California has expired.

Mr. RAKER. I would like to have two or three minutes more.

Mr. HASTINGS. Mr. Speaker, I yield to the gentleman two minutes more.

The SPEAKER. The gentleman from California is recognized for two minutes more.

Mr. RAKER. I realize that we are taking up the time of the Committee on Appropriations. But yesterday we agreed to dispense with the proceedings in order to-day, and we have done that for a month, putting aside Calendar Wednesday and other matters. I do not want to take up the time of the House unduly, but I believe it is unfair and unjust to criticize small committees because they are trying to do their duty and perform their work. I think it is unfair to criticize a man and try to belittle him because he is on a small committee and not on the Committee on Appropriations or the Committee on Ways and Means or the Committee on Military Affairs or the Committee on Naval Affairs. That ought not to be the spirit of any man in this House. A man if he is on a small committee to-day, if he is attending to his duties and giving proper service to the House and to his constituency, will be appreciated by his constituency and he will be enabled to demonstrate that he is worthy of going on further. That has been the history of this country for a hundred years, and will continue to be the history of this country until the end. [Applause.]

Mr. HASTINGS. Mr. Speaker, I ask for a vote on the amendment. I move the previous question.

Mr. LITTLE. Can I have two minutes?

Mr. HASTINGS. The gentleman can speak on the next resolution.

Mr. LITTLE. Will not the gentleman yield me just two minutes?

Mr. HASTINGS. I yield two minutes to the gentleman.

The SPEAKER. The gentleman from Kansas is recognized for two minutes.

Mr. LITTLE. I just want to say this: I am on that committee, and I see in this list three committees, all of which put together do not do as much work as is done by this single Committee on Woman Suffrage. I think the House ought to be fair with us. Those people receive a stack of correspondence that will keep a clerk busy from now until the 4th of March. The young lady who is acting as clerk has been doing the work of that committee since November, and she should be paid for it, and the people in the country who write about this woman-suffrage amendment to the Constitution should have answers given to their letters. What subject before Congress is more worthy of consideration than this? I think this committee should have a clerk and the clerk should be paid like other clerks of committees. It is an important committee.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

Mr. GARNER. Mr. Speaker, let the amendment be read.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

House resolution 460, as it will read when amended:

"*Resolved*, That clerks to committees of the House during the session provided for by the legislative, executive, and judicial appropriation bill for the fiscal year ending June 30, 1919, be, and they are hereby, assigned for the present session of Congress to the following committees, to wit: Committee on Education; Committee on Reform in the Civil Service; Committee on Invalid Pensions, assistant clerk; Committee on the Judiciary, additional assistant clerk; Committee on Enrolled Bills, assistant clerk; Committee on Woman Suffrage."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BOOHER, indefinitely, on account of illness.

SESSION CLERKS TO VARIOUS COMMITTEES.

Mr. HASTINGS. Mr. Speaker, I send up another privileged resolution from the Committee on Accounts.

The SPEAKER. The Chair will recognize the gentleman for that purpose, provided he will agree that if there is a row about it he will withdraw the resolution.

Mr. HASTINGS. I will. I promised the gentleman from Tennessee [Mr. BYRNS] that I would do so.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 468.

Resolved, That the Committee on Expenditures in the Department of Agriculture, the Committee on Expenditures in the Department of Justice, the Committee on Expenditures in the Department of the Interior, the Committee on Expenditures in the Department of Commerce, the Committee on Expenditures in the Department of Labor, the Committee on Expenditures in the Navy Department, the Committee on Expenditures in the Post Office Department, the Committee on Expenditures in the State Department, the Committee on Expenditures in the Treasury Department, the Committee on Expenditures in the War Department, the Committee on Public Buildings and Grounds each be allowed a clerk at the rate of $125 per month during the third session of the Sixty-fifth Congress, beginning December 2, 1918; that the Committee on Enrolled Bills be allowed a clerk, at the rate of $6 per diem, during the third session of the Sixty-fifth Congress, beginning the 2d day of December, 1918; that the Committee on Rules be allowed an assistant clerk, at the rate of $100 per month, during the third session of the Sixty-fifth Congress, beginning the 2d day of December, 1918. Salaries of said clerks to be paid out of the contingent fund of the House.

Mr. HASTINGS. There is an amendment contained in the report eliminating a number of these committees.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

The Committee on Accounts report the following substitute resolution:

"*Resolved*, That there be paid out of the contingent fund of the House for the services of a clerk to each of the committees designated herein compensation at the rate of $125 per month during the third session of the Sixty-fifth Congress, beginning December 2, 1918: Committee on Expenditures in the Department of Agriculture, Committee on Expenditures in the Department of Justice, Committee on Expenditures in the Department of Labor, Committee on Expenditures in the Treasury Department; that the Committee on Rules be allowed an assistant clerk, at the rate of $100 per month, during the third session of the Sixty-fifth Congress, beginning on the 2d day of December, 1918."

Mr. CALDWELL. Will the gentleman yield for a question?

Mr. HASTINGS. I yield.

Mr. CALDWELL. The Committees on Expenditures in the War and Navy Departments were purposely left out, were they?

Mr. HASTINGS. They were purposely left out. The chairmen of these several committees were sent for, and the chairmen of these two committees did not appear. We allowed clerks only where representatives of the committees appeared before the Committee on Accounts and where, after investigation, the Committee on Accounts found that there were bills or other matters pending before the committees that justified the allowance of clerks.

Mr. HAMLIN. Will the gentleman yield to me a moment?

Mr. HASTINGS. I yield to the gentleman.

Mr. HAMLIN. I notice that in the amendment offered the Committee on Expenditures in the State Department is left out. The chairman of that committee did not appear before the Committee on Accounts. I am not certain that he was requested to appear, but at any rate he would not have appeared, for the reason that that committee does not expect to have any meetings during this session. I am not complaining. I care nothing about it. I only want to say this: That this committee was provided for in 1812. During all the time that the Republicans were in charge of this House, I think without exception, that committee was awarded a clerk at each session of the Congress, and the record shows that during all of that time, under a Republican administration, it met only a few times about the year 1876. Since the Democratic Party has been in control of the House that committee has done considerable work, covering many weeks' time, and have saved the Government enough money to pay the salary of a clerk for the next 50 years, if they wanted to give it to him.

Mr. GILLETT. Was not that work done at the time when the administration was of a different political character from the House?

Mr. HAMLIN. It was; and very valuable work was done. I am only curious to know, when the control of this House passes to the Republicans next session, what they will do as to the allowance of a clerk for this committee. I predict that you will do, as you always have done, give these committees clerks whether they do any work or not. These committees ought to be given clerks or the committees should be abolished.

Mr. HASTINGS. I move the previous question.

Mr. MANN. Will the gentleman yield?

Mr. GARD. Will the gentleman yield?

Mr. HASTINGS. I really agreed not to; but I will yield to the gentleman from Illinois.

The SPEAKER. How much time does the gentleman yield?

Mr. GARD. I only want to ask a question.

Mr. HASTINGS. Then I yield first to the gentleman from Ohio.

Mr. GARD. I wanted to ask whether under the amendment offered by the committee provision is made for an additional clerk to the enrolling clerk of the House?

Mr. HASTINGS. That was attended to in the other resolution, which we have already passed.

Mr. GARD. That seems to be the one thing that is really necessary at this time.

Mr. SANFORD. That was covered in House resolution 460.

Mr. HASTINGS. Now I yield to the gentleman from Illinois [Mr. MANN].

The SPEAKER. How much time?

Mr. HASTINGS. Such time as the gentleman desires.

Mr. MANN. I think the Committee on Enrolled Bills was allowed a clerk at $150 a month instead of $125 a month.

Mr. HASTINGS. At $6 a day.

Mr. MANN. I notice that the resolution reported by the committee strikes out the Committee on Expenditures in the War Department and the Committee on Expenditures in the Navy Department. Neither does it provide for the Committee on Expenditures on Public Buildings. I should think if any of these committees on expenditures were going to be busy, and properly busy at this time, it would be first the Committee on Expenditures in the War Department, second the Committee on Expenditures in the Navy Department, and possibly the Committee on Expenditures on Public Buildings, though I do not know whether that committee would have jurisdiction of some of the frauds that have been committed. Certainly there is room for investigation, even from friendly sources.

I should be delighted to see the Democratic Party investigate some of the things in the War Department and in the public buildings which have been constructed, because even partisanship could not prevent the bringing in of severely critical reports. Mr. Speaker, I think it is safe to say that in the next Congress the committee which will investigate the War and Navy Departments and various other departments of the Government will properly be provided with help, because we know

that in a great many places in the Government there have been rotten frauds, not to mention conscienceless actions and intellectual mistakes. It will not be so pleasant then. Why do you not commence the investigation now? Are you afraid of what you will find? Here are these committees, they want clerks, and the ones which are of least importance have the greatest demand for clerks. I hope they will go ahead. Certainly the committees of these other branches of the Government ought to be at work investigating. Throw the light of "pitiless publicity" on some of the things that have taken place.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on the substitute.

The substitute was agreed to.

The SPEAKER. The question is on the resolution as amended by the substitute.

The resolution as amended by the substitute was agreed to.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14078, the legislative, executive, and judicial appropriation bill. Pending that motion I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BYRNS of Tennessee. Mr. Speaker, when the committee rose yesterday the gentleman from Illinois [Mr. DENISON] had not concluded his remarks. Can the Speaker give me any information as to just how much time is remaining to the gentleman from Illinois?

The SPEAKER. The gentleman has eight minutes remaining.

Mr. BYRNS of Tennessee. Mr. Speaker, I will ask the gentleman from Wisconsin if we can not make some agreement as to the limitation of time for general debate.

Mr. STAFFORD. Mr. Speaker, I wish to say that I am in a much more agreeable frame of mind this morning, in respect to agreement for time, than I was yesterday.

Mr. BYRNS of Tennessee. I am very glad to hear that.

Mr. STAFFORD. Yesterday the gentleman was good enough to take my suggestion, and this morning I am perfectly willing to take any suggestion that the gentleman has to make.

Mr. BYRNS of Tennessee. I understood from the RECORD that the gentleman has consumed probably 44 minutes more than this side of the House. I will ask the gentleman if he is willing to agree to 3 hours for general debate, 1 hour and 45 minutes to be controlled by myself and 1 hour and 15 minutes by himself?

Mr. STAFFORD. That is satisfactory.

Mr. BYRNS of Tennessee. Then, Mr. Speaker, I ask unanimous consent that general debate be limited to 3 hours, 1 hour and 45 minutes to be controlled by myself and 1 hour and 15 minutes to be controlled by the gentleman from Wisconsin.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that general debate be limited to 3 hours, 1 hour and 45 minutes to be controlled by himself and 1 hour and 15 minutes by the gentleman from Wisconsin. Is there objection?

Mr. LITTLE. Mr. Speaker, I would like to get about 15 minutes this morning in some way.

Mr. STAFFORD. The gentleman comes in at the very last minute and asks for time after I have made my arrangements to provide these other gentlemen with time.

Mr. LITTLE. That is correct. I am asking for time.

Mr. BYRNS of Tennessee. Let me say this to the gentleman from Kansas: I understand that either the Diplomatic and Consular appropriation bill or the Indian appropriation bill will be taken up immediately after this bill is concluded. We spent all day yesterday on general debate and are going to spend three hours to-day. If we can get through with this bill by to-morrow or by Friday, the gentleman will doubtless be able to arrange for some time on these other bills, and I hope that that will satisfy the gentleman.

Mr. LITTLE. But I want to speak on this bill.

Mr. BYRNS of Tennessee. If the gentleman wants to speak on this bill, he will have opportunity under the five-minute rule.

Mr. LITTLE. I have no objection to this, providing I get about 10 minutes, though I would rather have 15.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask whether the time remaining to my colleague [Mr. DENISON] is to be taken out of this time?

Mr. BYRNS of Tennessee. If this request which I have submitted is agreed to, I understand that it will be.

Mr. MANN. Of course, it would be under the request, but I understand it was not to be. It is already charged up against the gentleman from Wisconsin on the statement made by the gentleman from Tennessee.

Mr. BYRNS of Tennessee. He will have eight minutes. I am willing to make it an hour and 25 minutes to the gentleman from Wisconsin.

Mr. LITTLE. That should give me some time.

Mr. STAFFORD. I would be very glad to give the gentleman from Kansas some time, but not 15 minutes.

The SPEAKER. Does the gentleman from Tennessee modify his request?

Mr. BYRNS of Tennessee. If the gentleman from Wisconsin desires additional time in order to take care of the gentleman from Illinois—

Mr. STAFFORD. I will be able to give the gentleman 10 minutes.

Mr. LITTLE. How much time could the gentleman give me?

Mr. STAFFORD. I will do the very best I can with the gentleman.

The SPEAKER. Does the gentleman from Tennessee modify his request?

Mr. BYRNS of Tennessee. Make it 1 hour and 25 minutes for the gentleman from Wisconsin and 1 hour and 45 minutes to be controlled by myself.

The SPEAKER. The request is for 3 hours and 10 minutes of general debate, 1 hour and 45 minutes to be controlled by the gentleman from Tennessee and 1 hour and 25 minutes to be controlled by the gentleman from Wisconsin. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Tennessee that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill, with Mr. ALEXANDER in the chair.

The CHAIRMAN. The Clerk will report the bill by title:

The Clerk read as follows:

A bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. STAFFORD. Mr. Chairman, will the gentleman from Tennessee permit me to yield time to the gentleman from Illinois [Mr. DENISON]? Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DENISON] to continue his remarks interrupted last evening by darkness overcoming the Chamber.

Mr. DENISON. Mr. Chairman, I regret that I was temporarily out of the Chamber when the gentleman from Pennsylvania [Mr. DEWALT] was discussing the railroad problem, or rather his solution of it.

I desire to make a few observations on the railroad question, but I am not going to attempt at this time to enter into any detailed plan or solution of the problem, and I only want to make this observation: That whatever plan is proposed or adopted by Congress to settle the railroad problem, if it eliminates from the different individual railroad systems of the country the incentive for profit and competition and private initiative, we might just as well leave the railroads where they are to-day and let the Government own and operate them. And if the zone system which the gentleman proposed and discussed will have that effect upon the different railroad systems it will be useless as a solution of the railroad problem, and we might just as well admit it.

But I want to call the attention of the House first to a news item that was carried in the Washington papers last week, which I want to read:

RAILROAD LOSS $150,000,000—SUM REPRESENTS DEFICIT IN 1918 UNITED STATES WILL HAVE TO MAKE UP.

It will take six months more of receipts from the increased freight rates to permit the Government to recoup its losses, officials believe. If Congress does not approve the proposed five-year extension of Federal control and as a consequence President Wilson carries out his announced intention of returning the roads to private management at an early date, the Government's loss will not be made up.

BIG LOANS NOT INCLUDED.

This deficit does not include the big sums—between $150,000,000 and $200,000,000—which have been loaned to railroads to help them pay for the extensive program of improvements and purchase of new cars and locomotives. These loans will be repaid eventually.

Now, that news item went all over the country and was published in most of the country newspapers. I received several country newspapers from my district carrying this

same item. In the Washington papers of January 11, particularly the Evening Star, I noticed a news item headed—

Walker D. Hines succeeds McAdoo as railroad chief.

And from that I read, as follows:

Walter D. Hines, Assistant Director General of Railroads, has been appointed Director General by President Wilson, succeeding William G. McAdoo, who now retires to private life.

RECOMMENDED BY MR. M'ADOO.

Mr. Hines, who was recommended by Mr. McAdoo, is an advocate of the latter's plan for five-year continuation of Government control to provide a test period and has supported most other policies of the retiring Director General, with whom he has been associated throughout the last year of Government management. He is accredited with having originated many policies of the Railroad Administration. If Congress does not enact new railroad legislation at an early date Mr. Hines favors returning the roads at once to private management, and this is expected to develop into a strongly contested issue within the next month or two.

Of course that, too, has gone all over the United States and was published in the country newspapers. Those two items will be pertinent to what I have to say on this question.

On August 29, 1916, an act of Congress became a law containing the following provision:

The President, in time of war, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation, or any part thereof, and to utilize the same, to the exclusion as far as may be necessary of all other traffic thereon, for the transfer or transportation of troops, war materials, and equipment, or for such other purposes connected with the emergency as may be needful or desirable.

This act was passed in view of the threatened trouble with Mexico, and afterwards, on January 1, 1918, the President, under the powers conferred upon him by this act, took possession of all the railroads of the country and began operating them under his war powers as Commander in Chief of the Army and Navy.

On February 19 following, the bill known as the railroad-administration bill was called up for consideration in the House by the gentleman from Tennessee [Mr. SIMS]. This bill provided for fixing compensation to be paid to the owners of the railroads, the fixing of rates, the period of limitation, and the method of administration of the railroads while under Government control, and was very thoroughly and ably debated in the House. I thought then, and I think now, that no more important legislation had received the attention of Congress.

As the bill was originally prepared by the Secretary of the Treasury and submitted to the Committee on Interstate and Foreign Commerce it provided that the Government control of the railroads should continue indefinitely after the conclusion of peace, making further legislation by Congress necessary, at least under the theory of the bill, before the railroads could be returned to their original owners. Secretary McAdoo, then Director General of the Railroads, submitted a prepared statement to the House and Senate Committees on Interstate Commerce, which may be found on page 2347 of the CONGRESSIONAL RECORD, and in which he presented the reasons why he insisted that no time limit should be placed upon the control of the railroads by the Government, but that the period of Government control should by the law be made indefinite after the end of the war.

It will be remembered that the President took possession of the railroads of the country as Commander in Chief of the Army and Navy in the exercise of a war power under a law which conferred such power upon him only in time of war, and upon what theory, or under what provision of the Constitution, the Director of Railroads insisted that the Government control and operation of the railroads should continue indefinitely after the end of the war was never explained by Mr. McAdoo.

The views of the Secretary of the Treasury on indefinite Federal control were promptly disapproved by the Interstate Commerce Committees of both the House and the Senate, and when the bill was reported to the House it contained a provision limiting the period of Government control to 24 months after the declaration of peace. The gentleman from Tennessee [Mr. SIMS], in presenting the bill to the House, said (CONGRESSIONAL RECORD, p. 2338:

The majority of our committee are of the opinion that a definite period of two years should be set as the time limit within which such legislation should be matured and enacted. Obviously the period may thereafter be extended, if such extension be found necessary in the public interest. The majority were of the opinion that the insertion of a definite time limit for Federal control puts the burden of presenting proper measures of constructive legislation where it belongs—upon the owners of the properties—and that it is inconsistent with the public interest to allow a war control admittedly assumed for emergency purposes only to extend indefinitely in time of peace.

While the bill was under consideration for amendment, the gentleman from Kentucky [Mr. BARKLEY] offered an amendment, striking out the provision limiting the time of Federal control to two years and inserting a provision making the time of Federal control indefinite as the bill was originally prepared by the Secretary of the Treasury. Upon this amendment there were 40 Members who voted for and 143 who voted against it, showing clearly the overwhelming sentiment of the House against an indefinite or even a very long period of Government control after the termination of the war. The gentleman from Wisconsin [Mr. ESCH] offered an amendment changing the period of Government control from two years to one year after the close of the war. Upon this amendment there were 115 voted "aye" and 97 voted "no" in the Committee of the Whole; but afterwards when a separate vote upon the Esch amendment was taken in the House there were 164 for and 205 against it, showing that the sentiment of the House was about evenly divided between those who believed that the period of Government control after the war should be two years, as decided by the committee, and one year. The Senate bill fixed the time of Government control at 18 months after the declaration of peace. In conference the two Houses agreed upon 21 months as a compromise. The bill passed the House on the 28th of February and became a law on March 21, 1918. I was one of those who voted for the Esch amendment fixing the period of Government control at one year instead of two years after the close of the war. And upon its final passage I voted against the bill, because I was opposed to conferring upon the President or the Director General of the Railroads the power of fixing freight and passenger rates for all the railroads in the country, and I was opposed to allowing the President to continue his control of the railroads as Commander in Chief of the Army under a war power for a period of two years after the war had ended and peace had been restored.

Mr. Speaker, the history of this legislation shows that Secretary McAdoo was very insistent that the period of Federal control of the railroads should remain indefinite after the close of the war, and that no limitation of the time of Government control should be inserted in the bill so that the railroads would go back to private control automatically. I do not know how true it may be, but I have been told that the Secretary was deeply disappointed, even resentful, at the action of Congress in refusing to accept his views and in limiting the time of Government control to 21 months after the close of the war.

Since the Railroad Administration bill became a law, on March 21 last, Mr. McAdoo has had absolute control of all the railroads of the country except the short-line railroads, which he released from Government control before Congress had time to pass legislation preventing him from doing so. I do not intend to indulge in any criticism of Mr. McAdoo's administration of the railroads, or to raise any question as to his purpose or motive in doing anything that he has done with them. All I wish to say is that the effect of his policy and his various acts as the Director of Railroads in carrying out his policy has been to dissipate, as far as possible, the individual organizations of the railroad companies; to destroy, as far as possible, their individual identity; to divert customary business from one road to another; and, in short, to scramble the railroads together so completely that the task of unscrambling them is going to present difficulties that I am sure were not foreseen by many of us at the time this legislation was enacted.

I have been told by practicable railroad men that many things have been done which, from the standpoint of economical operation of the railroads, were wholly unnecessary, but which, from the standpoint of thoroughly scrambling the railroads, were, of course, highly effective.

But, Mr. Speaker, I arose more particularly to speak briefly of the latest developments in the railroad question. The armistice, which closed the fighting and presaged the ending of the present war, was signed on November 11, and on December 3 President Wilson appeared before a joint session of the House and Senate to advise the Congress on the state of the Union and to suggest such legislation as he thought necessary. A new Congress had been elected, preparations were being made for the peace conference to settle the international questions growing out of the war, and the people were even then beginning to look to Congress for reconstructive legislation. Everyone, I think, who has been interested in public affairs has looked upon the railroad question as one of the greatest problems that confront the country, and one that will require the earliest and most serious attention of the Congress. Most of the Members of the House, I believe, and most of the country, I am sure, expected the President to speak with some definiteness upon the railroad question, and present to the Congress some solution of it, and to suggest such legislation as would enable the Government to return the railroads to their owners within the time fixed by Congress, and at the same time

conserve the welfare of the public and of the owners of the roads.

Mr. EMERSON. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. EMERSON. Having taken the roads over, some legislation will necessarily be required to turn them back. Now, how are we as Congressmen going to reconcile the increase in pay of the men and the increase in passenger and freight rates?

Mr. DENISON. How are we going to reconcile them?

Mr. EMERSON. Yes; how are we going to work them out? The 2,000,000 men working for the railroad companies are going to say, "Before these roads go back we want to be protected in our wage increase." Now, how are we going to get along on that?

Mr. DENISON. There is no danger in the world but what the railroad men will be protected in their wage increase. None of us need worry about that. They will protect themselves.

Mr. EMERSON. You can not have an increased wage without increased rates.

Mr. DENISON. I think that is true, and we have got to become reconciled to the increased rates.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. HUMPHREYS. Just what does the gentleman from Ohio mean by his statement that legislation will be necessary in order to turn the railroads back? Does he mean necessary in the public interest? It will certainly not be necessary as a matter of law.

Mr. EMERSON. That may be true, but I do not concede for a moment that the Government is going to take over these railroads and then turn them back on the stockholders without taking care of them in some way.

Mr. HUMPHREYS. It may be in the public interest, but I was interested in the gentleman's statement that it would require some further legislation in order that the railroads might go back.

Mr. EMERSON. I think it will, will it not?

Mr. HUMPHREYS. It will not.

Mr. DENISON. Legally it will not, but for practical reasons some legislation will be required.

Mr. HUMPHREYS. It may be very desirable, but certainly we can turn the railroads back without any further legislation.

Mr. EMERSON. I do not think the Government will turn them back without further legislation.

Mr. DENISON. I think some general railroad legislation is very desirable.

I confess I was greatly surprised when the President began his discussion of the railroad problem with the following statement:

> The question which causes me the greatest concern is the question of the policy to be adopted toward the railroads. I frankly turn to you for counsel upon it. I have no confident judgment of my own. I do not see how any thoughtful man can have who knows anything of the complexity of the problem. It is a problem which must be studied—studied immediately and studied without bias or prejudice. Nothing can be gained by becoming partisans of any particular plan of settlement.

I venture to say that this statement struck the Congress as being most unusual for the President. During the past four years there have been many far-reaching and difficult problems presented to us for solution. I think I have heard every address that has been made to the Congress by the President during that time; addresses in which he presented to us for our consideration questions which involved not only the very safety and existence of our Government, but the peace and the prosperity and the welfare of our people at home. I do not recall that the President had ever before presented a problem to Congress without giving us at the same time his solution of it. He has not only recommended what we should do, but generally insisted that we should do it. When a great railroad strike was threatened just before the election of 1916 and the difficult question of properly adjusting an industrial dispute had to be met, if I remember correctly, the President came before us in joint session and presented to us a definite and, to him, a complete solution to the difficulty. It seems, too, that the President has, during these recent trying times, evolved a formula of 14 fundamental principles, which he has enunciated and which, at least in his own opinion, have been the goal for which our men have been fighting in France, and the acceptance of which will solve all the national and international difficulties that have occupied the attention of a distressed world for the past four and a half years, and which, it is claimed, will result in peace on earth and good will among men everywhere. In fact, the President, during his terms of office, has at one time or another had under consideration many great questions which involved our international relations and our industrial and economic welfare, and he has always had a solution that he could recommend to Congress. But how strange it was that the President, after having had control and operation of the railroads of the country for a year, and after having had the counsel and advice of the wise men of his Cabinet and of the Director of Railroads, should come before the Congress and frankly admit that he had no recommendation to make as to the disposition of the railroads.

And how strange, how passing strange, was the President's statement, that he frankly turned to Congress for counsel upon any question. I do not recall that he had ever, on any former occasion, turned to Congress for counsel. His statement that he frankly turned to the Congress for counsel upon this question was so inconsistent with the President's past attitude toward Congress that I confess I could accept it only with considerable mental reservation on my part. However, referring further to the railroad problem, the President said:

> Let me say at once that I have no answer ready. The only thing that is perfectly clear to me is that it is not fair either to the public or to the owners of the railroads to leave the question unanswered, and that it will presently become my duty to relinquish control of the roads even before the expiration of the statutory period, unless there should appear some clear prospect in the meantime of a legislative solution. Their release would at least produce one element of a solution, namely, certainty and a quick stimulation of private initiative.

And later he said:

> I hope that the Congress will have a complete and impartial study of the whole problem instituted at once and prosecuted as rapidly as possible. I stand ready and anxious to release the roads from the present control, and I must do so at a very early date if by waiting until the statutory limit of time is reached I shall be merely prolonging the period of doubt and uncertainty, which is hurtful to every interest concerned.

Gentlemen of the House, I have studied carefully that part of the President's message which deals with the railroad question. I have studied it in view of his attitude and of the attitude of Mr. McAdoo at the time of the enactment of the Railroad Administration law to which I have been referring. I have studied it in the light of the administration of the railroads by Mr. McAdoo during Government control. I have studied it in view of the subsequent statements of Mr. McAdoo, to which I will presently refer; and from my study of the message I think these conclusions are justified: That the President's statement that he had no solution of the railroad problem and no recommendation to make to Congress upon that question was, to say the least, very unusual and unnatural; that the President wished to impress upon the Congress the difficulties of the railroad problem by showing Congress that he, after having had control of the railroads for a year, and after having the counsel and assistance of some of the ablest railroad men of the country, could not make any suggestion as to the necessary legislation; that he expected the present Congress, during this short session when all the time is usually required to pass the necessary appropriation bills, to pass some legislation upon the railroad question before the 4th of March; that in order to secure this legislation by the 4th of March the President would hold over Congress the threat that, if such legislation was not enacted, it will be his duty to relinquish his control of the roads at an early date and return them to their original owners without waiting for the expiration of the 21 months. In other words, the President knew that Congress could not possibly pass permanent railroad legislation before the 4th of March, yet he faced us with the statement that if we did not pass some kind of legislation he would relinquish control of the railroads at an early date.

The question that naturally suggested itself to my mind was, What legislation did the President want that he was unwilling to recommend or even suggest? The answer to this question is found in the recent communication from Mr. McAdoo to the chairman of the Interstate Commerce Committee of the House and found in the CONGRESSIONAL RECORD of December 12.

I hope that the Members have all read this statement of Mr. McAdoo's carefully. It purports to be a statement of his views as to the course that should now be pursued by Congress with reference to the railroads. It does him great credit as a capable, far-seeing politician. It is an ingenious argument of one who professes to be opposed to Government ownership of railroads in favor of a plan for the Government to operate the railroads for a period of five years at the expense of at least $2,500,000,000 for the purpose of experimenting and demonstrating to the country that Government operation is the best solution of the railroad problem. This letter of Secretary McAdoo is dated December 11, just eight days after President Wilson addressed Congress on the railroad question. It is inconceivable, to my mind, that the Director of Railroads would have presented this recommendation to Congress without having consulted the President; and it is just as inconceivable to me that President Wilson should have prepared his message to Congress upon the railroad question without having fully discussed and having come

to an agreement and understanding upon the subject with his Secretary of Treasury and Director of Railroads.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. DENISON. Yes; certainly.

Mr. WOOD of Indiana. Is it not a fact that Director General McAdoo said at the time he submitted this plan that he had the approval of the President?

Mr. DENISON. That is true. I am coming to that.

All doubt upon that question is removed by Mr. McAdoo himself, because he says, in the last paragraph of his statement, "the President has given me permission to say that this conclusion accords with his own view of the matter."

Now, let me call attention briefly to just two or three sentences in Secretary McAdoo's statement. To begin with, he says:

The war is ended, and we are now confronted with the necessity either of legislating intelligently about the railroad problem at this session of the Congress or of promptly returning the railroads to their owners.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. DENISON. For a brief question.

Mr. BLANTON. Is it the gentleman's idea that during that eight days' interim the President's mind was wholly neglectful of this subject?

Mr. DENISON. No; my impression is they had an understanding before the eight days.

Mr. BLANTON. He could have reached a conclusion in the eight days.

Mr. DENISON. Of course, he could have done so; but, of course, we know that is not natural; they must have had an understanding.

Mr. BLANTON. Is it the gentleman's idea that the President was not honest in his assertion to Congress?

Mr. DENISON. No; I never said or intimated that.

Mr. BLANTON. That is his insinuation.

Mr. DENISON. It is not so; I did not intend that. But possibly it might be inferred that the President was not as frank as we were led to believe

Mr. McAdoo ignores the fact that the railroads were taken over by the Government only for one purpose—as a war necessity; he ignores the fact that the railroads were not taken over for the purpose of legislating on the railroad problem, but in order to enable us to more effectively prosecute the war; he ignores the fact that Congress has 21 months after the declaration of peace to solve the railroad problem. Why should Mr. McAdoo think that this legislation has to be passed at the present session of this Congress? He knows that the President can call an extra session of Congress for the express purpose of considering this question during the coming summer, and he knows that before the 21 months expire Congress will have met and a regular long session will have passed. What the Secretary meant but did not say was that it was necessary, in his view, for this legislation to be passed by a Democratic instead of a Republican Congress.

Mr. McAdoo further says:

It will be impossible, I presume, to secure legislation in this short period providing a permanent solution of the railroad problem. This being true, only three courses are open: (1) Government operation of the railroads for one year and nine months following a proclamation of peace, which would mean, in my judgment, Government operation for a period in no event longer than two years and three months; (2) the prompt return of the railroads to private control; or (3) extension of the period of Federal control to five years.

He then proceeds to present an ingenious argument showing the total inadequacy of the present railroad administration law, showing the impossibility of continuing to operate the railroads under the present law, because, he says, it was not enacted in some respects in the form in which he originally wanted it to be enacted; showing the disastrous results to the public and the owners of the railroads that would follow their prompt return to private control; and concluding with a recommendation and a request for immediate legislation by this Congress extending the period of Government control to five years. And the reasons why he urges that the period of Government control be extended to five years are to enable the Government to expend at least $2,500,000,000 in improving the railroads and to demonstrate to the satisfaction of the people of the country the practicability of operating the railroads more economically under unified control.

Now, I ask the Members if it does not seem strange to you, as it did to me, that the President, in addressing Congress on December 3, should state that he had no confident judgment of his own upon the railroad problem and no recommendation to make as to what legislation should be enacted, and yet eight days later the Secretary of the Treasury and Director of Railroads should present to Congress a concise and positive recommendation and request for legislation extending the period of Government control five years, accompanied by the statement that this recommendation and request was made with the President's express approval.

Gentlemen of the House, I think Secretary McAdoo should be entirely frank with the Congress. I think he should give us credit for possessing at least some amount of intelligence. I think he and we should be frank with the people. I do not think we should do anything under false pretenses, and if anything has been done under false pretenses I think it is our duty to disavow it promptly and effectively.

I know that Congress authorized and approved the taking over of the railroads by the Government for one purpose only, and that was as a war measure, to enable us to more efficiently prosecute the war. There are, of course, some Members of Congress who openly and frankly believe in Government ownership of railroads. But I do not believe there are as many as a dozen Members of the House who would have authorized the President to take over the railroads, either for the purpose of owning or operating them permanently by the Government or for the purpose of experimenting in Government ownership or operation, in order to test out or demonstrate the theory of Government ownership.

The people of the country have been led to believe, and we are responsible for it, that the Government took over the railroads as a war necessity. I believed then, and I believe now, that Mr. McAdoo and others connected with the present administration had another purpose in view, and that purpose was to experiment with Government ownership, with a view to grafting that policy permanently upon our Government. But this ulterior purpose was so submerged under war necessity that Congress could not thwart it, although an effort was made to do so by placing a definite limitation upon the time of Government control.

And now comes the Director of Railroads with the bold and open recommendation that we throw off the mask of war necessity entirely, the war now having been ended, and that we extend the period of Government control five years in order to carry out this socialistic experiment in Government operation of railroads; in order to expend at least $2,500,000,000 of the people's money—and, in my judgment, it will be a great deal more than that—in making material improvements for the railroads.

Gentlemen of the House, I will not be a party to a program of this kind, which will amount to a plain deception of the people and the consummation of a questionable purpose which was begun under a patriotic pretense.

Mr. McAdoo does not state under what provision of the Constitution Congress has the power to continue the control and the operation of the railroads of the country for a period of five years when the country is not at war. The railroads were taken over by the President under the exercise of his war power. His rights under the exercise of that power must necessarily cease as soon as possible after the war has ended. There is but one other provision in the Constitution under which Congress could possibly take possession of the railroads according to law, namely, the commerce clause, under which Congress is given power to regulate commerce between the States. In the exercise of that power to regulate commerce between the States Congress could, I suppose, on behalf of the Government condemn and take over the interstate railroads and operate them. But in that case the value of the railroads would have to be ascertained and due compensation promptly paid to the owners. Congress has no power under the commerce clause of the Constitution to take over the railroads of the country for a period of five years for the purpose of demonstrating that they could operate better under a unified control or for the purpose of expending a few billion dollars of the people's money in the improvement of them. I venture the opinion that there can be found no authority under the Constitution for the legislation which Mr. McAdoo asks, and that if Congress should, after the war is ended and when no war necessity exists, pass legislation to continue the control and operation of the railroads for five years for the purposes mentioned by Mr. McAdoo, such legislation would be held to be invalid if it should be tested in the courts.

But aside from the lack of constitutional authority for such legislation, I think we should reject it because it would be morally wrong for the Government to continue in the possession of the property of the railroad companies for one purpose when we took possession of them for another.

In his letter to the chairman of the Interstate Commerce Committee Mr. McAdoo further says:

There is one, and, to my mind, only one, practicable and wise alternative, and that is to extend the period of Federal control from the one year and nine months, provided by the present law, to five years, or until the 1st day of January, 1924. This extension would take the railroad question out of politics for a reasonable period. It would give composure to railroad officers and employees. It would admit of the

preparation and carrying out of a comprehensive program of improvement of the railroads and their terminal facilities; would immensely increase the efficiency of transportation machines. It would put back of the railroads the credit of the United States during the five-year period, so that the financing of these improvements could be successfully carried out. It would offer the necessary opportunity, under proper conditions, to test the value of the unified control, and the experience thus gained would of itself indicate the permanent solution of the railroad problem.

This suggestion of Mr. McAdoo's that the extension of the period of Federal control to five years would take the railroad question out of politics for a reasonable period is one that ought to excite our interest. To me it is amusing and might well suggest the inquiry as to whether Mr. McAdoo is speaking with more or less mental reservation or whether he assumes that the Members of Congress have had no experience with politics and are incapable of any judgment of their own as to the effect of such legislative action upon a question which ought to be an industrial or economic question only.

A more recent statement of Mr. McAdoo, it seems to me, will throw a great deal of light upon this very question, and I think ought to be called to the attention of the House and of the country. This statement was made on Sunday, December 15, and the occasion was a union peace jubilee of the associated congregations of six churches held at the Sixty-ninth Regiment Armory in New York City. Mr. McAdoo was one of the speakers, and in the course of his address he made some remarks on the railroad question which I think are exceedingly significant and afford a key by which his real attitude toward the railroads and his recommendation for railroad legislation are made quite plain. According to the New York Sun of Monday, December 16, Mr. McAdoo said:

I don't know anything more inappropriate than the discussion of the Government ownership of railroads at a church meeting. The Government had to take over the transportation systems during the war, and the private owners had for the time being to step aside. Now, you can do what you please with them. It makes no difference to me whether you decide on Government ownership or not. The majority will rule in the matter, and I am not afraid of the decision of the majority. I think well of American people, even though they did return a Republican Congress last election.

According to the New York Tribune of the same date, Mr. McAdoo refused to forecast the future of the American railroads and said:

"I won't suggest whether I think we ought to have public or private ownership," he said. "We will leave that to the people, and I have faith in their intelligence to judge correctly, even if they did return a Republican Congress last election."

The New York Times of the same date made the following statement:

In his address Secretary McAdoo reviewed the historic points in the Nation's war policy, briefly indicating the unprecedented character of the selective-service act, the liberty loan campaigns, the war-insurance act, and digressed to say concerning the railroad problem that he did not care whether they remained under Government ownership or whether they were returned to private hands. However, he felt certain that whatever was done the decision of the majority of the American people would be decisive, and of the outcome of that decision he had no fears.

Thus Mr. McAdoo, as late as December 15, addressing the people of his own city and State, says that the question of Government or private ownership and control of the railroads is one to be settled not by the Congress but by the people. It is a question, according to the Secretary, upon which the majority will rule, and he is not afraid of a decision of the majority. "We will leave that to the people, and I have faith in their intelligence to judge correctly."

I ask you, gentlemen of the House, what does Mr. McAdoo mean when on December 11 he addresses the Commerce Committees of the Congress, telling them there must be legislation at this short session and that it will be impossible to provide permanent legislation, and that the only reasonable course we can take is to extend the time of Government control for a period of five years, and then addresses the people of New York one week later, telling them that the question as to whether or not we shall have Government or private ownership of railroads is a question which the people themselves must settle and which the majority must decide? How can the question of Government or private ownership of the railroads be made a question to be determined by the majority of the people unless it be made a political issue in a political campaign? If Mr. McAdoo meant anything at all in his New York address, he meant just what he said—in substance, that the question of wnether or not we should have Government or private ownership and operating of railroads in this country is a question which must be made the issue in a Nation-wide political campaign.

In his recommendation to the Congress on December 11 he says that by extending the period of Federal control five years the railroad question will be taken out of politics; and then one week later he tells the people of New York that the railroad question must be made a political question and be determined by a majority of the people. The two statements of the Secretary are directly contradictory and inconsistent. If we are to look to either to find his real views, in my judgment, we come nearer getting them in his address at the union peace jubilee meeting in New York than in his communication to the chairman of the Interstate Commerce Committee.

Mr. Speaker, I do not mean to indulge in any partisan criticism of Mr. McAdoo. But I am within my proper privilege, I think, when I compare his statements upon the railroad question and draw from them and from his management of the railroads while under his control such inferences as I think are reasonable. I believe that Mr. McAdoo believes in the permanent Government control of all railroads, and that he thinks that the continued control and operation of the railroads for a period of five years will not only demonstrate the wisdom of Government ownership but will make it necessary. When the railroad bill was under consideration last February and Mr. McAdoo insisted that the period of Government control should be indefinite after the end of the war I believe it was his intention then not only to use the railroads for the purpose of the war but for the further purpose, in his own language, of affording "the necessary opportunity, under proper conditions, to test the value of unified control."

He knows that permanent railroad legislation can not possibly be enacted at the present short session of this Congress. He knows that such legislation will be enacted by the Republican Congress which is to follow this one, and that such legislation will be passed before the next national campaign, and that the railroad question will thereby be really kept out of politics. But Mr. McAdoo wants the present Democratic Congress to extend the period of Government control five years, so that the railroads may be used as an experiment in Government ownership, and in the meantime at the next presidential campaign the question of Government ownership of railroads will be made a political question to be determined, as he says in his New York speech, by a majority of the people.

We may as well be frank with ourselves and candid with our constituents and speak plainly about this question. Mr. McAdoo does not want the railroad question settled before the next national election. He wants it settled at the next national election. What else could his New York speech mean?

Since Mr. McAdoo delivered his New York speech he has been before the Commerce Committee of the Senate and has made a statement not only urging that Congress pass legislation extending the period of Government control five years, but he has stated, in answer to direct questions from members of the committee, that if this Congress does not grant his request and extend the time of Government control he has no other plan or legislation that he cares to suggest or recommend. This attitude of Mr. McAdoo throws additional light upon his real purpose. If he has any constructive plan of railroad legislation to recommend to the Congress, he is unwilling to recommend it at this time. He is determined to have just one thing, namely, a five-year extension of Government control.

In my judgment there are two courses which Congress can take with reference to the railroad problem, either of which will make it a political issue in the presidential campaign to be determined by the people along political instead of economic lines. In the first place, if this Congress passes the legislation Mr. McAdoo wants passed and extends the Federal control of the railroads for five years, the question of Government ownership will be the dominant political issue in the next national campaign, and in that case the Democratic Party will be responsible.

In the second place, if the Republican Congress that will come into power on the 4th of next March does not take up the railroad question and settle it promptly by the enactment of wise permanent railroad legislation, then, in that case, it will be a political issue in the next campaign; and the Republican Party will be responsible.

Many of us still remember Mr. Bryan's Madison Square Garden speech delivered a number of years ago in which he advocated Government ownership and operation of all the railroads. The socialist element of the Democratic Party has for years been in favor of it. Men high in the councils of that party today, such as Senator LEWIS, from my own State, Secretary Burleson, Secretary Lane, Secretary Wilson, Secretary Baker, and others, as I am informed, are favorable to it. If the railroad question is not permanently settled, so far as it can be by legislation, before the next national campaign, the Democratic national platform in 1920 will contain a straight-out declaration for Government ownership and operation of the railroads, cables, telegraphs, and telephones. That part of the Democratic

Party that can be controlled by Mr. McAdoo, Mr. Burleson, and President Wilson and Davie Lewis quite apparently want the permanent settlement of the railroad question postponed in order to experiment with it and make of it a political plaything and in order to capitalize it in the next national campaign, just as they tried to capitalize the Adamson law in the last presidential campaign.

There is a propaganda going on now all over this country in favor of Government ownership of the railroads. It emanates from Washington City and reaches to every part of the country. Press dispatches, inspired by Mr. McAdoo or by others here in Washington who want Government ownership of railroads, are sent out to all parts of the country advocating Mr. McAdoo's proposition of extending the time of Government control for five years.

As an illustration let me cite one case of what is being done. Last summer a large delegation of business men of the Mississippi Valley, who believed that water transportation on the Mississippi and Ohio Rivers should be encouraged by the Government in order to help relieve the railroad situation, came to Washington to have a hearing before Mr. McAdoo, with a view to getting the Government to construct a line of barges for the transportation of bulky freight on the rivers. Mr. McAdoo referred the matter to the Interstate Commerce Commission, who gave an extended hearing. Several of the Senators and many Members of the House were present at the hearing, where the question was fully presented. Afterwards, upon the recommendation of the Interstate Commerce Commission, Mr. McAdoo decided to construct barges for the Mississippi River, and work upon them was begun. Early in December, after the armistice was signed, it was reported in the press dispatches that the Government would abandon the policy it had begun with reference to the construction and operation of barges on the Mississippi River. Immediately the business men of Cairo, Ill., sent a telegram to Mr. McAdoo to inquire whether or not the Railroad Administration intended to abandon the work it had undertaken for the encouragement of river traffic. Mr. McAdoo wired back in reply to the effect that if we are to have river transportation fostered by the Government until it is an assured success we must also accept his plan of having the railroads remain under Government control for the next five years. Let me quote from Mr. McAdoo's telegram as it was published in the Cairo Evening Citizen on December 16 last:

It is proper that I should call your attention to the fact, however, that unless Congress shall extend the period of Federal control so that a reasonable opportunity may be afforded for a fair test of the value of unified railroad operation along with coordinated inland waterway operation, the experiment on the Mississippi River may not hold out much promise. I doubt if the Mississippi River operation can produce satisfactory results if the railroads should be turned back soon to private control. The old methods of railroad competition with waterways transportation will be revived, and it is probable that the waterways experiment may not be able to survive that competition. I suggest these phases of the problem because interest in proper waterways development has been manifested frequently. I think your business men's organizations in Cairo should consider very seriously the importance of extending the period of Federal control in order that a fair test of unified operation of the railroads may be made and that along with it the inland waterways may be developed and a fair opportunity given to demonstrate the usefulness of such development.

Of course, Mr. McAdoo knows that the business interests of the Mississippi Valley are deeply interested in the revival and the development of river traffic, and he apparently hopes by this kind of propaganda to enlist the assistance of those interests in influencing the Members of Congress from the Mississippi Valley to support his proposed plan of extending the period of Government control.

And I have seen press dispatches recently indicating that there is a general campaign going on all over the country, the apparent purpose of which is to induce various organizations and interests to communicate with the Members of Congress and urge support for Mr. McAdoo's proposed plan of extending the time of Government control.

I, of course, do not know what action the Interstate Commerce Committee of the House or the Commerce Committee of the Senate will take at this session on the plans submitted by Mr. McAdoo. He insists that he is urging his plan in order to keep the railroads out of politics. I think the country understands that he is doing so in order to bring the railroads into politics. Mr. McAdoo may be able, by the approval and the support of the President, to coerce this Congress into extending the time of Government control for five years by the threat to return the railroads to their private owners at an early date. But if they do so, the people of the country will, in my judgment, hold them and their party to a strict accounting for it.

I think the Republicans in Congress should insist upon an extra session being called by the President so that permanent railroad legislation may be enacted as early as possible. We have had very arduous duties to perform here during the last four years, and I know that it will be an added burden for the Congress to have to meet in extra session during the coming spring. But the Republican Party ought not to shirk its plain duty. It ought to assume the responsibility of settling this question during the coming year. It is an industrial or economic and not a political question and ought not to be made a political question by postponing it over the next presidential campaign.

Any person who makes a political prophecy takes more or less chance in doing so, for a certain odium results if he turns out to be a bad prophet. But I am willing to predict that if this Congress extends the time of Government control of railroads five years after peace is declared, the Director of Railroads will, under the directions of the administration, proceed with Mr. McAdoo's policy of expending from two and a half to four billion dollars from the Public Treasury in the improvement of the railroads. He will continue the scrambling of the railroads until the identity of the different systems shall have been completely destroyed.

Government ownership of the railroads will be the dominant political issue in the next national campaign, and Mr. McAdoo will, of course, expect to be the candidate of his party for President. He will hope, of course, to capitalize what has been done for the railroad men. The increase of wages, to which the railroad men were, generally speaking, entitled even before the war, but which were made immediately necessary because of war conditions, will be claimed as an asset of the Democratic Party, and particularly of Mr. McAdoo. There are some who are so shortsighted as to believe that the railroad men of this country can be herded together and voted for this party or that party, or for this candidate or that candidate, because they have been given a substantial increase in their wages. Those who are so foolish as to believe this, those who think that the support of the railroad men of the country can be purchased by giving them out of the Public Treasury an increase of wages to which they were entitled as a matter of right, know very little about human nature and about the nature of railroad men in particular. The men who work upon the railroads of this country know what they are entitled to. They are patriotic, intelligent, and understand that conditions and the necessities growing out of them, rather than the gracious favor of any individual or set of individuals, have brought about their increase in wages. They have their politics just the same as you and I have, and they have the intelligence and courage to vote their own political convictions; and the man or set of men who think that the railroad laborers of this country will be voted at the next election for any man or any political party is going to be fooled.

I have seen in the public press recently where the representatives of the four brotherhoods had refused to approve a policy of Government ownership of railroads. I do not know whether this is true or not, but if it is true it was, in my judgment, a wise decision. If the railroad men of this country are looking to their own future interests and welfare they will hesitate to allow themselves to be influenced into the support of any policy that will take from them the right by which they have won what they now have. Let them inquire of the employees of the Post Office Department of our Government and they will get some valuable information on Government control.

I am opposed to Government ownership of railroads because I believe that private initiative and competition and the desire for profit will give better railroad service than will any system of Government ownership. I am opposed to it because I believe that under Government ownership the railroads will become a political rather than an industrial or economic organization. I am opposed to it because I do not believe the people of this country should have placed upon them at this time the tremendous burden of buying and operating the railroads of the country. I am opposed to it because I think the operation of the railroads by the Government will be detrimental to the interests of all the railroad workmen of the country, as well as to the public, who has to depend upon the railroads for service.

I think there should be a permanent secretary of transportation. He need not necessarily be a member of the Cabinet, but could occupy a place similar to that of Comptroller of the Currency. He should have supervision over the interstate railroads of the country similar to the supervision of the Government over national banks. I think all interstate railroads should be compelled to incorporate under the Federal Government, and the issue of stocks and bonds should be under strict Federal control. New construction, extensive improvements, and the issue of stocks or securities should be permitted only after a certificate of convenience and necessity has been granted by the secretary of transportation. Unification of terminals and reduction of expenses should, and naturally would, follow

from this greater Federal control. Rates should be initiated by the railroad companies themselves, subject to the approval of the Interstate Commerce Commission. A commission should be created to investigate and arbitrate by agreement questions of wages where such questions can not be settled by collective bargains. But private initiative, well-regulated competition, and the opportunity for reasonable reward, both to the owners of the railroads and their managers, for intelligent, efficient, and economical management of the railroads as business organizations and public agencies should never be destroyed; and railroad employees should never become employees of the Government.

I do not think it would be necessary or wise to enact legislation extending the time of Government control. The country wants better railroad service and wants the question settled soon. Congress can solve the question, and if the Republicans here are wise they will not delay it, but will enact permanent railroad legislation as soon after the 4th of March as possible. In any event, it should be done before this great industrial question is made a political football in a national campaign, even if it is necessary to have an extra session of Congress in order to accomplish it.

Mr. BUCHANAN. Mr. Chairman, I yield one hour to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Chairman, I thank the committee for agreeing to indulge me this morning, and I want to say frankly while I have very positive opinions about it, what I am going to say has nothing to do with the railroad proposition per se. Incidentally, I do make some observations that perhaps a shrewd listener might construe as a sort of indirect expression of opinion upon some phases of that question. However, my speech is to be mainly reminiscent.

With the close of the present Congress I will leave the House after 22 years of unbroken service. It has not been as distinguished as every Member secretly hopes to make his service when it begins, but it has been conscientious, and I have done my utmost at all times to advance the highest interest, political and material, of all my countrymen. I have even tried to understand and consider the affairs of my fellow men in other countries, for we are now forced by circumstances to realize that the world is in a certain way growing smaller, and all recent and current history suggests the necessity for a cultivated "international mind."

I have long had great comfort in our isolation, and I can not help regretting that the affairs of Europe and Asia have become our affairs, and if our "associates," so called, in the great war should adopt the unfriendly suggestion to unload African colonies on us our cup of bitterness will overflow. Let us pray for deliverance from all these entangling foreign alliances just as far as possible, but if impossible, if such offenses must come, I believe we should prepare ourselves in every way to meet them bravely and intelligently.

Curiously enough my effort to understand the affairs of other countries has been sharply criticized by some small-minded people who seem incapable of comprehending a world larger than a congressional district and do not appear to know that the right to live in peace and prosperity is almost as important as an appropriation for a Federal building. [Applause.]

But in spite of the inevitable bitternesses and disappointments, petty jealousies, and misrepresentations I have found pleasure in the work of a Representative. In spite of unwarranted and stupid flings at the personal honor of Congressmen, as common as they are silly, I have been proud of the office of Representative, for I was brought up to reverence that branch of our Government that the makers of the Constitution saw fit to put in section 1 of Article I of that wonderful if unfashionable document.

Just to refresh your memories let me quote the first four lines of the Constitution of the United States:

> All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

The founders intended that this particular body should have primacy in the affairs of government, but in some respects it has fallen from its proud estate. Its great prototype, the British Commons, has grown steadily in importance and power since, under Edward the First, in the thirteenth century, the masses of England, by their representatives, were admitted to Parliament. To every patriotic American who believes in a government of the people through their representatives—the only practicable way, despite the clamor for referendum and recall and such like political nostrums—this decline in influence of the people's branch of the legislature causes grief and humiliation.

I heard a story recently that illustrates this decadence of the House. My informant said that the chairman of one of our great committees asked the chief of a department, whom he had the power to call before him, if we were to have any legislation touching that department during this session.

I try to believe that it was merely an unfortunate way of asking if the department referred to would recommend legislation before March 4.

What is the cause of this degradation of the first born of the Constitution? In thinking it over I have not been able to avoid the conclusion that it is due to a voluntary surrender of constitutional rights and duties that only need to be asserted to be respected. [Applause.] We surrender without a struggle rights that some of our British ancestors died for.

I have also reached the conclusion that unreasoning partisanship has something to do with this growth of a menace to the rights and liberties of the people through breaking down their representatives. I am a partisan, Mr. Chairman, and a strong believer in parties. They are necessary in free government, but they are not in themselves the purposes of our political organizations. Parties are supposed to stand for principles and their chief function is to see that those principles are applied to government. If that is not the purpose of their existence, they ought to perish. When devotion to mere party organization becomes so strong that principles are forgotten and loyalty to the instrument of their application is regarded as the thing of supreme importance, we have reached the danger line. That view has grown alarmingly in this body. I have heard Members jestingly say that they had raped the Constitution so often that one more outrage, if in the party interest, was of small importance.

To jest about the Constitution and the solemn oath we all take to support and defend it is as offensive to the moral sense as making jokes about a disregard of truth and personal honesty. But these things help one to understand the contempt with which legislative bodies are treated in the press and by the public they serve.

Yet, in spite of this yielding attitude, I hope and I believe that the American Congress, which is a great body, representing a mighty people, will assert itself and will regain its ancient standing and prestige.

THE FIFTY-FIFTH CONGRESS.

My service here began in the Fifty-fifth Congress and was mainly one of observation and attention. I found it interesting and instructive. There were some great men here at that time in both parties. There were not as many self-styled "Reformers" and "Progressives" as developed later. Those who were here were the flotsam of an earlier political wreck, yet they exercised, and still exercise, a strange and baleful influence on legislation. In my humble judgment they were not superior in virtue, and certainly not in intellect, to the frankly robust partisans in both parties. I do not mean there are not some great men here now, but I was perhaps more impressionable at that period of my career. Not all who cry "Lord! Lord!" shall enter the Kingdom of Heaven, and I doubt if the world will ever accept at their own estimate these holier than thou people who have set themselves the task of criticizing other men's morals and regulating other men's habits. Sometimes when I grow weary of their antics I refresh myself by reading about the Pharisee who stood and prayed thus, "God, I thank Thee that I am not as other men are, extortioners, unjust, adulterers, or even as the publican," and note with some satisfaction that the verdict of the Master was for the publican, who also stood and prayed.

There was in the Fifty-fifth Congress as leader of his party one of the greatest men I ever met. His information was so broad and his intellect so keen that he could snatch the heart out of any question presented for his consideration and by a flash of his incomparable wit make clear the murkiest situation.

I have always regretted that Mr. Reed could not have lived to expose with his biting, penetrating wit a lot of the cant and humbuggery of a later day.

In that Congress Joseph W. Bailey, of Texas, was the Democratic leader, and a great one. There may have been men serving with him who were his peers; there may even have been wiser men among his colleagues; but I do not recall their names, and I am sure they could have been numbered on the fingers of one hand.

While the Cuban question was a hot issue in the early spring of 1898, there was a great deal of speech making, mostly sound and fury, and one day there was a debate in which Mr. Bailey had a leading part. The particular debate to which I refer turned on a resolution offered by him to recognize the Cuban Republic. A point of order was made that it was not a matter of

privilege, and the Chair so held. The Democrats thought the decision wrong and contrary to the rules. Mr. Bailey was vehement and eloquent in his denunciation of the decision and provoked the anger of the Speaker. The Chair made an extremely clever speech, declaring, in substance, that being a mere man he was liable to error, but that the House, in its combined wisdom, was sure to be right, and then an appeal from his decision was submitted. Of course, the perfect machine that the Republican Party of that day was sustained him.

A few minutes later I had occasion to speak to him, and went to his desk for that purpose. At the same moment a southern Member, one of those parliamentary sharps who go about with a book in hand to entrap unsuspecting and better men, also approached the Speaker. He said: "Mr. Speaker, touching your decision of this morning, concerning the wisdom of which I no longer protest, as the House has sustained you, I would like to read you a few lines from this book." "Very well," the Speaker replied; "proceed." He then read a paragraph that contradicted the position taken by Mr. Reed in his ruling. The Speaker asked him from what book he was reading. "That," the Member said, as he smiled triumphantly, "is Thomas B. Reed on Parliamentary Law." "Oh, yes," said the Speaker; "I remember. But the book is wrong." [Laughter.]

There was another leading Republican in that Congress who interested me very much, and still does. I refer to Hon. JOSEPH GURNEY CANNON [applause], North Carolinian by birth, but a citizen of Illinois by habit and for official purposes [laughter], a much misrepresented and maligned individual and as good a legislator and as honest a man, in my opinion, as ever sat in this House. [Applause.] I have never thought that the cruel fight subsequently made on him was a creditable episode in American politics.

The Republican Party under the leadership of Reed, Dingley, CANNON, Dalzell, and Henderson was a wonderful machine, always lubricated and usually working overtime and remorselessly. It was cruel but efficient, and its victims admired it while they squirmed.

It was in that Congress that I made the acquaintance of some half a dozen great Missourians. No delegation ever had three brighter blades in the intellectual play of debate than Cowherd, De Armond, and CHAMP CLARK. [Applause.] The first two are dead, and by their deaths the State and the Union were made poorer.

Three more radically different men holding the same general political views and members of the same party it would be hard to find.

Cowherd had common sense to the point of genius. Frank, earnest, painstaking, he went to the bottom of all questions that interested him and before he finished his investigation he knew all that was knowable about them. He was a man of whom it might be said of every work to which he set his hand, "Well done, good and faithful servant."

De Armond had inherited from some remote French ancestor, who may have been the victim of religious persecution, an earnestness that made him appear almost fanatical. A student of men, history, and law, his subdued unemotional voice was heard all over the House, for it compelled the respectful attention of friend and foe alike. He was a master of debate. His tongue was a rapier and its owner shrunk from no encounter. His speeches went into the RECORD as uttered and are models of concise phrasing.

CHAMP CLARK, thank Heaven, is still with us [applause], elevated to a position which I dare say he picked out for himself in the Fifty-third Congress. Some of us hope he has been preserved for an even higher place than the Speakership. [Applause.] It is useless to tell you what manner of man he is, for he is in the understanding and the heart of nearly everybody here. He would blush if I were to say more.

In order to establish the truth of history I am going to tell of an incident during the discussions that preceded the declaration of war against Spain in 1898 in which he appeared. One day he made a vigorous speech, sparring, like all the other House orators, for political position, and just as he was closing he was asked a question by that excellent and amiable gentleman, George W. Steele, of Indiana.

The question was answered by Mr. CLARK, but when the RECORD appeared neither the question nor the answer was in it. Mr. Steele wanted to know why it had been left out. The RECORD, as posterity will have it, says Mr. CLARK said in reply that the question had nothing to do with what he was discussing and that he assumed responsibility for its failure to appear, that he kept it out because it marred the unity of his speech; besides, he had previously given advance copies of his speech to the newspaper men. [Laughter.] That is what he is reported to have said. Now for the facts. It is a case like that of the old guard at Waterloo, who said a picturesque thing, but in words that do not make choice family reading and others had to be substituted. The future Speaker told Mr. Steele that he had left the question out because it and the reply spoilt a damn good speech. The Indianian laughed good-naturedly and was satisfied.

In the course of my service I have seen the end of an epoch in the passing of the Confederate brigadiers, whose coming to Congress in the seventies caused so much unjustified alarm in the North.

What man is there, North or South, who can forget or regret the service in Congress of John T. Morgan and Edmund W. Pettis? [Applause.] Joe Wheeler, of Alabama, was in the House when I came, but soon after went into the Spanish War, and at the time of his death his faded Confederate gray uniform had become blue. McEnery, of Louisiana; the knightly Walthall, of Mississippi; Cockrell, of Missouri; and that wonderful Tennesseean, Isham G. Harris, with his sturdy old colleague, Bate, as honest as the blue of the sky and as brave as Cæsar, were all in Congress and all had been general officers in the Confederacy. Bate had shed blood for the Union in the War with Mexico and carried its scars with him to the grave.

I sat in the "Cherokee strip," now abolished, by the side of a Republican Member, Gen. James A. Walker, of Virginia, whose proudest boast was that he had commanded the Stonewall Brigade. Later came Gordon, of Tennessee, who was a Confederate brigadier at 25 and a gentleman to his death, more than 40 years later.

Of those with high military rank who served on the other side, so far as I am informed, there is only one left. He is a man whose mental and moral courage measures up to the rare physical quality that sustained him in 43 battles of the Civil War. It is a pleasure and privilege to know ISAAC R. SHERWOOD, of Ohio. I hope he will live to be a hundred years old and die a Member of Congress, if that is his ambition.

Surely, Mr. Chairman, the most bitter Republican partisan in Congress can not now regret that those men were sent here. They were loyal and their service in Congress was an outward and visible sign of a reunited country. Some of them added other honors to their age by drawing swords for the Union in 1898, and would have done so 20 years later if it had been physically possible. Instead they sent their sons to fight and die in France and Flanders.

I wonder if our friends in England and France have ever fully appreciated the real significance of the military association of 1917. "Saxon, Norman, and Dane are we," and I believe that it was something more than a transient political tie that brought those armies together, something far deeper. The sympathy and comprehension by which they made their fight so successful had its genesis with the people from whom they sprang, with the Huguenots of France, with the contemporaries of Bacon, Drake, and Shakespeare, all of whom wrought for freedom.

It was the descendants of these liberty lovers who fought for their faith, who broke the Spanish Armada and pulled the beard of Philip, that sent the Confederate brigadiers to Congress. If they committed a sin then, was it not expiated when their sons won the praise of Foch and Haig at Chateau-Thierry and in the Argonne? [Applause.]

TEXAS.

Mr. Chairman, I have heard a perfectly authentic story about a learned bishop who throughout a long and useful life was noted for his highly developed sense of humor. When he was on his deathbed a solicitous young clergyman asked him if he felt that he was passing away. "How do I know," the bishop replied, "I have never passed away before." This is my first swan song, and I am as ignorant of the rules for such an occasion as the bishop was of the mysteries of death. I can only hope the Chairman will be considerate and let his gavel alone until I can pay a little debt I owe to Texas before I cease to speak for her on this floor.

Of course, I believe Texas is not only the largest State in the federation but altogether the finest. I know it has the most picturesque and interesting history, even if it has no Plymouth Rock or Jamestown, and I have been amazed at the ignorance of that history of some otherwise well-informed gentlemen in Congress. It is my purpose to use a few minutes in telling just enough of the story of the great Commonwealth to encourage my friends who have asked about it to further investigation, and to answer questions that have often been asked me.

Texas has been under five flags. The Speaker, when pleading eloquently in the House for the St. Louis exposition of 1904, contended that it was at one time a part of Louisiana, and thus under the flag of France. But, omitting that claim as apocryphal, it still has vivid chapters of history under the sovereignty

of Spain, Mexico, the Republic of Texas, the United States, and the Southern Confederacy. Yoakum's history says, and I suppose it is true, that the first European immigrants arrived in Texas in February, 1685, under the leadership of Robert Cavalier, Sieur de la Salle, but there are other historians who maintain that the Spanish missionaries who visited Santa Fe had been in Texas. However, that controversy is over a detail that does not concern me now.

La Salle did go to Texas in 1685 and did, after the manner of his time, take possession of the country in the name of Louis XIV, and tried to establish a colony. Hostile Indians and quarrels among his followers led to an abandonment of the colonization project. La Salle himself was murdered by one of his own men and was buried near the Neches, or some other Texas stream, but which will probably never be known.

In 1689 the Spanish Viceroy in Mexico took formal possession of the country in the name of his King, and thereafter Spain's title was never seriously challenged until 1810 when the Mexicans, led by a priest, Don Miguel Hidalgo, revolted and declared for an independent government. That revolution was soon ended by the capture and execution of the priest, but others followed, and after 11 turbulent years the sovereignty of Spain was extinguished.

In 1821 a grant of land was made to Moses Austin, who was born in Connecticut, had lived in Virginia, and was then a citizen of Missouri, and he was authorized to introduce 300 families from the United States. He died within a few months after making his contract with Mexico, but requested his great son, Stephen F. Austin, whose inadequate effigy stands in the old hall of representatives, to execute it. Austin took the first Anglo-American immigrants to Texas in 1822, 137 years after the failure of La Salle.

The venture proved to be an apple of discord thrown into a political and social situation that was normally in a state of suppressed or open revolt.

The impossible had been undertaken. Americans, by the terms of the contract, were putting themselves under the political dominance of an inferior people. In the earth strata are imposed one upon the other, and so it usually is in political organizations. When hardy, self-reliant Americans went to live among Mexican Indians it was quickly evident that they could not long remain the substratum, contract or no contract. The Americans were all trained to the hardships of the frontier and skilled in the use of arms, and the Mexicans had been guilty of great imprudence when they invited such men to come and live among them.

The Texas of that day was, as it is now, a land of strong temptation to the always land-greedy Anglo-Saxon. Its prairies, as far as the eye could see, were a carpet of flowers in spring and its soil as rich as soil can be. Game was so abundant that men could live with the minimum of work and follow the life of adventure most congenial to the descendants of those other men who after settling the first colonies had crossed the Appalachians to open up the great West. They were dangerous neighbors to a more indolent and less aggressive race.

In 1824 Mexico adopted a new constitution that was in some respects modeled on that of this country. But there were fatal dissimilarities. For example, there was no provision for trial by jury, there was a State religion, not that of the immigrants, and Congress was to interpret the constitution.

By that constitution Texas was associated with the exclusively Mexican State of Coahuila, and known as Coahuila and Texas. More ill-matched twins were never born. The Texans did not like the constitution and had most reluctantly consented to it, but made a reasonable effort to adjust themselves to it, and violation of the few rights guaranteed to them was the technical cause of the open revolt in 1835.

From about 1830 the American settlers had grown more and more restless. The eccentric and offensive application of an unfamiliar code, disturbing incidents now and then, such things as would have been settled by a minor court in our country, sometimes an open breach of the peace when the Mexican authorities were resisted with arms got on the nerves of the immigrants, and the Mexicans failed to remember that when Americans get nervous they have a fatal trigger habit.

Petty tyrannies continued, as did contempt for the contractual rights of the colonists under which they had been induced to settle in the wilderness. Then the absolute incompatability of the Anglo-Saxon and the Spanish-Mexican-Indian natures made a conflict unavoidable in spite of the earnest, honest efforts of Austin to prevent it. There were certain dominant, aggressive Americans in the colony who frankly wanted a break with Mexico and hardly made an effort to conceal their purpose to set up an independent government or associate Texas with the United States.

Santa Anna, the Mexican dictator, unwittingly promoted their designs. He was energetic and vicious, ambitious in a military way, and constantly referred to himself as the Napoleon of the West. He disliked and feared the Texans and wanted to expel them from Texas or destroy them.

In 1835 he forcibly dispersed the legislature of Coahuila and Texas, then sitting at Saltillo. The Texas members of that body avoided arrest and returned to their homes and quickly blew into a blaze the smoldering fires of revolution. Santa Anna's order for their arrest was disregarded but it brought matters to a head at once.

A meeting of the citizens of the municipality of Columbia on the 23d of June, 1835, issued an address to the inhabitants of the other municipalities calling for an assembly of all for the 15th of the following October. The meeting then proposed is known in history as the "General Consultation." A significant feature of the call is that the delegates were urged to ascertain and bring with them to the October meeting the number of inhabitants of their respective jurisdictions. They were already making a military inventory of man power.

The General Consultation met on the appointed day and in that meeting the Republic of Texas was really born. Two days later, the 17th of October, a letter was received from Gen. Austin, who was on his way to San Antonio with a small army to attack the Mexicans, in which he urged the delegates to adjourn their meeting and join him in the assault on San Antonio. A large number, preferring a fight to their civil duties, accepted the invitation and a few days later there was a battle between the Texans under Austin and the Mexicans at one of the missions just outside the present city of San Antonio. I need not tell you the Texans were brilliantly successful for that was their habit in such engagements.

On the 1st of November the General Consultation reconvened and published to the world a declaration of purposes and principles that was a sort of preliminary declaration of independence to be followed by a more formal one March 2, 1836.

This General Consultation continued as the government of Texas until October 22, 1836, when the Republic was organized under the presidency of Gen. Sam Houston. Gentlemen who want to understand these movements and want to know something about the capacity of these frontiersmen for the administration of government would do well to read the declaration of purposes and principles issued in November, 1835, and the declaration of independence of March 2, 1836.

It may interest you to know who the 58 signers of the declaration of independence were. Eleven were from Virginia, 9 from North Carolina, the same number from Tennessee, while Kentucky furnished 5 and Georgia and South Carolina 4 each. New York and Pennsylvania were each represented by the signatures of 2 native sons. Massachusetts, never a laggard in such enterprises, had 1 representative, as did New Jersey.

England, Ireland, Scotland, and Canada each had the name of one man on the roll of honor, as did Mexico in the person of De Zavala.

Among the interesting names found on that document are those of Sam Houston, Thomas J. Rusk, afterwards Secretary of War for the Republic and Senator in the United States Congress, and Samuel Augustus Maverick, about all of whom too little is known in other States. The names of other great figures in the Texas war of independence are better known in doubtful tradition and romance than in the dignified pages of history, where they belong. There was, for instance, Col. James Bowie, a brave and honorable member of a distinguished Maryland family of that name, who is chiefly known to his countrymen as the inventor of a knife. Then there was David Crockett, at one time a Member of this House from the Tennessee section, so ably represented by Mr. GARRETT, who is remembered mainly as the hero of hunting adventures and doubtful stories. He and Bowie fought the good fight together and died in the defense of liberty in the absolutely unparalleled massacre of the Alamo.

Another and even more interesting case of perverted history is that of Samuel A. Maverick, a relative of Samuel Maverick, the Massachusetts lad whose monument stands on Boston Common, with those of other bold patriots, who shed the first blood in the contest with King George's men in 1770.

Mr. Maverick was born in Charlestown, S. C., of well-to-do and distinguished parents, and educated at Yale College. Like many another bold and adventure-loving young man, he went to Texas in 1835 to seek his fortune. He arrived just in time to join in the revolution and to participate under Ben Milam in the assault on and capture of San Antonio. He was one of the signers of the declaration of independence, and under the Republic represented the district of Bexar in the first congress.

In 1842 he and other citizens of San Antonio were captured by the Mexican general, Woll, and marched about 1,200 miles

through an almost waterless, treeless, and foodless desert to southern Mexico, where he was imprisoned in the Castle of Perote. For months he wore a ball and chain, still proudly exhibited by his sons, and worked in the quarries.

Through the intercession of Waddy Thompson, then minister from the United States to Santa Anna's turbulent autocracy, he was permitted to return to San Antonio in time to become a member of the last congress of the Republic, that which arranged by treaty for the admission of Texas into the American Union.

And yet this brave and honorable man who spent his entire adult life in constructive work for his country has been the victim of a false and libelous story, told usually without malice, but with that preference for what is picturesque rather than that which is true, that has done such grave injustice to many of our nation-building frontiersmen. Every western man knows that the word "maverick" is used to describe unbranded cattle, but few know the origin of its use. The Century Dictionary, in defining the word, quotes as authority an absolutely correct definition made by the late Col. Roosevelt in the Century Magazine. Col. Roosevelt says "unbranded cattle are called 'mavericks,' and when found on the 'round-up' are either branded by the owner of the range on which they are or are sold for the benefit of the association"—of cattle raisers.

Mr. Maverick, a civil engineer by profession, like most enterprising men of that day went in heavily for land that could then be bought at 5 and 10 cents per acre and he never engaged in any other business.

In 1845, while he was living temporarily at Decrows Point, on the Gulf coast, a neighbor who owed him $1,200 paid the debt in cattle at $3 per head. He did not want the cattle but took them and put them in charge of some negroes, nominally slaves, but essentially free, and with his family returned to San Antonio. The cattle remained on the Gulf until 1853, when they were moved up to the San Antonio River, about 50 miles below the city of that name, and continued in the vigilant care of the same colored family.

Mr. Maverick was so occupied with public duties and other private affairs that he gave no attention to his herds. They were left to graze, to fatten, and wander away at will on the prairies. His unbranded cattle found on the range were referred to as Maverick's, meaning that they belonged to the herd of Mr. Maverick. They were so neglected that from the original stock of 400 taken over for debt in 1845 he still had just that number 11 years later when he sold them to Mr. Toutant de Beauregard, a brother of the Confederate general, from whom I had the story as well as from members of the family. I have seen all the letters that were written and received during those 11 years that referred to the cattle venture, and they establish the accuracy of what I am saying.

This, Mr. Chairman, is the true story of the origin of the word "maverick," as applied to unbranded cattle, and I hope that its publication in the RECORD will end forever the ridiculous lies about a "cattle king" who never had profit out of the business, or more cattle than the 400 head he bought in 1845 and which had not increased in 1856, when he sold them.

Let me go back for a moment to the political history of the Republic.

THE ALAMO.

On the 23d of February, 1836, the 150 Texas troops in the Mission of the Alamo, in San Antonio, were attacked by Mexican soldiers under Gen. Santa Anna. That was the beginning of one of the most historic sieges of all time, one of the most impressive tragedies, and in its consequences one of the most important events in history. Directly traceable to it, and the supplemental engagement at San Jacinto, was the introduction of a new member into the family of nations, and later an accretion to the territory of the United States of an area much greater than the original thirteen States, plus Kentucky, Vermont, Tennessee, Maine, and West Virginia.

On the 1st of March 32 gallant men from Gonzales joined the 150 who were within the walls of the Alamo, and none of the 182 ever came out alive. The army of Santa Anna certainly contained as many as 4,000 men, and estimates run as high as 6,000. The odds were more than 20 to 1 against Col. Travis and his men, and under such circumstances, with no possibility of early relief, the end was never in doubt. On the 5th of March the final assault was made. Among the Texans there was no thought of surrender and all fought to the death, taking an appalling toll from the Mexicans. Veracious chronicles have it that the bodies of Col. Travis, who commanded, and David Crockett, his aid, were surrounded by heaps of slain. I do not doubt that the same thing would have been said of Col. Bowie if he had not been ill and confined to his bed. But where all were heroes why discriminate?

A flame of righteous wrath swept over Texas, and the rest of the war was fought with the battle cry "Remember the Alamo." Meanwhile, Gen. Houston, for strategic reasons, had been falling back toward east Texas, and at San Jacinto, on the 21st of April he engaged and destroyed the Mexican Army that was under the command of Santa Anna himself. In a few minutes after the battle began the Mexicans were in full retreat. The next morning the self-styled "Napoleon of the West" was a prisoner and a supplicant for the favor of Sam Houston.

The Texans killed, wounded, and captured more than double the number of men in Houston's command, which was a very proper score.

However, the importance of San Jacinto is not in the number killed or the number engaged. Its political importance far outweighed all such considerations. Texas was now free, her independence recognized by the enemy, and she could begin her career as a nation. The life of the Republic that began in so much violence and disorder continued until 1845 when, of her own free will, under no compulsion whatever, by formal treaty she became a part of the great Republic of the United States. Texas was not annexed, but came like a bride, after proper wooing, in honorable marriage and protected by a prenuptial contract made between sovereignties. It is the only State of the Union that ever exercised the full rights of sovereignty in dealing with other Governments. The Republic had her diplomatic representatives in Europe and in the United States, and maintained a small but valiant army and something of a navy.

By the terms of her admission to the Federal Union Texas retained all her public lands. It was also stipulated in the treaty that the new State might cut her territory into five States, and that these should be admitted into the Union, a privilege that few people have ever thought of asserting. Each of the States so admitted, whether one or five, was to be permitted to come in with or without slavery.

I want to assure my friends from Massachusetts that that is another treaty right we will not assert.

As a Republic, Texas had a peaceful history. It is probably the only sovereignty that never in its entire life engaged in a foreign war. Texas had ministers in France and England, and both were represented in the Republic, but her people were not skilled in the arts of diplomacy and knew nothing of its forms and conventions. There was a near war with France when a simple Republican tavern keeper threatened to chastise, or, as some have it, did chastise the French minister for shooting his pigs that had wandered into the legation. Fortunately there were no cables in those days to carry such news to the Government concerned, and before France heard of the trouble the entente cordiale had been reestablished.

SOCIAL CONDITIONS.

Life in Texas, when these great things were being done was not all cakes and ale, nor, on the other hand, an unending round of fighting and hardships. I have in my possession at this time the diary of an unusually intelligent, educated, and refined woman that covers the period from 1836 down to the war between the States. Her stories of fierce Indian fights, some of which she saw, are as thrilling as any romance of the frontier ever published. The primitive life of the Republic and of those days is illustrated in stories, each of which is an instructive essay. The complete independence of character and utter unfitness of such people for menial service is shown in her account of a visit made to her by President Lamar and his staff. There was a great dinner to which the fine people came to pay their respects to the President of the Republic. But there was a servant problem then, as now, and our hostess had to pick up such help as she could find. A white man absolutely without experience was engaged and as thoroughly drilled as possible. After he had made one or two trips to and from the kitchen he appeared without a coat. The mistress called him to her side and whispered a command to put on his coat. His perfectly audible reply was, "I would, ma'am, but it is too damned hot."

When Texas did these great things, Mr. Chairman, when she declared her independence of Mexico and made the declaration good, there were in all that vast territory only 30,000 Anglo-Americans. Indians, Mexicans, and negroes were estimated at 22,500. The enemy challenged by the 30,000 whites numbered about 7,000,000, making odds of 233 to 1 against the Texans; but in a few months after hostilities began a new nation was born and constitutional, republican liberty was strengthened by the support of another great moral and physical force. That power never died. When it ceased to exist independently it voluntarily merged with the American Republic; the Lone Star of Texas became one of a constellation.

That, Mr. Chairman, is a very brief outline of the history of Texas to 1845. Heaven grant that the spirit of liberty and order that directed its founders when, in the midst of enemies, they set up government in the wilderness may never die, but remain forever a bulwark of defense for order and law. It seems to be needed now more than ever to avoid the dangers of radicalism sweeping over the world and the more insidious but equal peril of centralization now threatening in our own country. We must grapple with and destroy the monster of anarchy, but in doing so we should not forget for a moment that no government and too much government are both dangerous to the liberty of the people. Anarchy threatens the state and the family on which it is based; centralization in our country will destroy the federated, constitutional Union. Whether born in the disordered minds of Mujiks, who have endured centuries of oppression, or presented in the guise of an economic proposal, anarchy, as well as socialism, is an enemy of liberty and must be destroyed. [Applause.]

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back 15 minutes.

Mr. STAFFORD. Mr. Chairman, I yield 10 minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Chairman and gentlemen, what I wish to say is in regard to the demobilization of our military and naval forces, mostly in regard to our military forces.

On November 21, just 10 days after the signing of the armistice, the War Department issued Circular No. 77, which I shall insert in the RECORD, with the leave of the House, and shall quote only a single paragraph from it:

Circular No. 77.

WAR DEPARTMENT,
Washington, November 21, 1918.

DISCHARGE OF ENLISTED MEN FOR RELIEF OF FAMILY OR URGENT NEED IN INDUSTRIAL WORK.

1. Department commanders within the United States, commanders of ports of embarkation, and commanders of camps not under the jurisdiction of department commanders or of chiefs of bureaus of the War Department, are authorized to discharge enlisted men upon their own application when there is sickness or other distress in the soldier's family, or when he is needed to resume employment in an industry or occupation in which there is urgent need of his services, provided that such discharge will not disrupt or cripple an existing organization, and that the soldier's services can be spared. Consideration will be given to the fact that the machinery of camps must be utilized in the demobilization of the Army and due regard must be taken that it is not retarded by the discharge of personnel connected therewith.

2. The instructions contained herein apply only to individual and exceptional cases and are not intended to release men in large groups or blocks for any general employment or occupation.

3. Application for discharge under the provisions of this circular will be made in each individual case by the soldier concerned and through his immediate commanding officer. No man who voluntarily enlisted prior to April 1, 1917, will be discharged under this authority.

4. Men discharged under these instructions will be included in such weekly reports of men discharged as are required by the War Department.

5. Cases of the character indicated arising in places not covered by this authority will be forwarded to The Adjutant General of the Army for final action.

[220.81, A. G. O.]

By order of the Secretary of War:

PEYTON C. MARCH,
General, Chief of Staff.

Official:

P. C. HARRIS,
The Adjutant General.

As you will observe, this is somewhat cryptic in its phraseology. At least it allowed opportunities for diverse action, as it was construed by different officers of the Army. Perhaps with a view of clarifying the meaning of Circular 77, or of trying to make action under it more nearly uniform, on January 6 of this year Circular No. 6 was issued. I shall read only a part of it and insert it all in the RECORD, if the House will permit:

Circular No. 6.

WAR DEPARTMENT,
Washington, January 6, 1919.

DELAY IN DISCHARGE OF ENLISTED MEN FOR URGENT REASONS.

1. Applications for immediate discharge under the provisions of Circular No. 77, War Department, 1918, will be acted upon as expeditiously as possible, and the applicants will be informed without unnecessary delay of the action taken. Deserving cases should be investigated, and where the applicants have not correctly or fully stated their reasons for asking immediate discharge, officers should render such assistance as may be necessary to correct them so that the applications may be properly presented and acted upon.

2. Circular No. 77, War Department, 1918, was issued to relieve domestic distress and to release men whose individual services are shown to be urgently needed and indispensable to an industry or occupation. In passing on applications under the latter head, the test to be applied is not the existence of a general shortage of labor in any trade or business, but the value to a given employer or business of the particular individual concerned, and the impracticability of securing a substitute. It will be found that nearly all cases properly coming under this head are cases of resumption of a former position in which an individual has been specially trained.

3. All applications for discharge under the provisions of Circular No. 77 will receive careful and conscientious consideration and prompt action.

(220.81, A. G. O.)

By order of the Secretary of War:

PEYTON C. MARCH,
General, Chief of Staff.

Official:

P. C. HARRIS,
The Adjutant General.

Mr. CALDWELL. What is the number of that circular?

Mr. TILSON. It is Circular No. 6, series of 1919. The series for 1918 ended on the 31st of December and a new series began on January 1. This is Circular No. 6 for 1919.

Mr. Chairman, my contention is that these circulars, which amount to orders from the War Department, have not been fairly acted upon by junior, intermediate, and, in some cases, higher commanders.

I can not be accused of being an unfriendly critic of the Army. In fact, I have been regarded during by service in this House as a friend of the Army. I am a friend of the Army, which is sufficient cause for my saying some of the things I shall say to-day. If such conduct as I shall mention continues, it is inevitable that our Army itself will come into ill repute on account of it and the innocent will have to suffer with the guilty.

Army officers should act in good faith under these circulars and not in accord with their own convenience. From numerous cases, papers concerning which are in my possession, it appears that applications made by soldiers, accompanied by the facts clearly stated, showing dependence or showing the needs of their business, have not been accepted by the lieutenant or captain commanding the organization. Perhaps every Member here has received letters of this kind from their soldier boys in which it is stated the captain would not even accept their application. Even where the application has been accepted by the lower unit commander, somehow or other, before it gets through the office of the commanding officer and all the way up to the department commander it has been decided by some one along the line that the young man can not be spared. I have investigated a number of these cases and, as a rule, find the facts to be that a great number of soldiers are in that camp or organization doing nothing—absolutely nothing.

Mr. RUCKER. Will the gentleman yield just a moment?

Mr. TILSON. For a question only.

Mr. RUCKER. In connection with what you have just said, I have had at least two letters from soldiers in camp in which they said the lower officer or lieutenant would not accept their application for discharge because the commanding officer of the camp had told them not to do so. I do not know whether it is true or not.

Mr. TILSON. I think that probably such letters could be duplicated by almost every Member on the floor of this House, indicating that what my friend from Missouri says is true in a great many cases.

Mr. SMITH of Idaho. May I ask the gentleman a question?

Mr. TILSON. Briefly.

Mr. SMITH of Idaho. Do not the regulations require that when an application is filed it must go to the superior officer to be approved by him?

Mr. TILSON. It is the usual military procedure that when an application is properly filed it shall go through regular channels and be either approved or disapproved. I protest against the fact that they are not received in many cases. I protest generally against the attitude of Army officers as shown by their conduct in these cases. Such officers seem to regard it as more important that they should keep men in their companies, for something or for nothing, than that these men when not needed or when they can be spared should be permitted to return to their families and their business. In time of actual war everything must give way to military necessity. Family relationships and the business by which men earn their bread must suffer or be sacrificed if need be. I protest against the attempt of those clothed with a little brief authority to make such abnormal conditions permanent. When the dire necessity of war has passed men's families and their business by which they support their families resume their place of prime importance.

I wish to say that I speak only of demobilization in this country, because those across the water are on a different basis, and I shall not speak of them in this connection. I am speaking of this country, where the boast is being made as to how rapidly we are demobilizing. Thousands of men are being discharged who would gladly remain in the service longer, while other thousands are being held against their will to their great loss.

I have one instance here before me where it appears that it is well known that there will be hundreds of men discharged from

a particular unit within the next few days. One man established a perfectly good case to the effect that he is the superintendent of a large business and that he is very much needed in order that that business may go on. He is only a private soldier, and yet the officer has returned the papers disapproved on the ground that the soldier can not be spared. Discharging hundreds every day, and yet certify that one private soldier can not be spared. Meanwhile the evidence of the private soldier himself, with a number of others corroborating it, is to the effect that they are doing absolutely nothing. Yet the officer says he can not spare one man.

Mr. ROSE. Will all these complaints that we are making, without some resolution or bill upon the part of Congress, get us anywhere?

Mr. TILSON. What I am saying to-day is in order to call the attention of the country, and certainly the attention of the War Department, to the fact that even the instructions that have been sent out by that department, apparently in good faith, and which would cover most of the hard cases of dependents and business reasons, are not being acted upon in good faith. It is bringing reproach upon the War Department itself. It is discreditable to the Army.

Many of these cases of refusal are for discreditable reasons. In some cases it is because the applicants are good men and it might prove to be a slight inconvenience for the officer in command if he permitted his good men to go. He may be willing to discharge others, but if he has a particularly good man he does not wish to let him go. The reason is clerical work in some instances. A $10,000 a year enlisted man is held indefinitely to be a clerk for a $2,000 a year lieutenant. In other instances it is because the men are good chauffeurs. There are many of these cases. Two men came up the other day from a camp near Washington, one from my own State and the other from the State of Minnesota. They belong to the Motor Transport Corps. They said there were 70 men in their organization. They said that there never was a day in which more than 10 of the 70 men were engaged in doing anything. The only work of some of them was to drive officers to the bank or elsewhere about the city or country in automobiles. Still their applications for discharge had been refused.

In the Navy similar orders have been issued, but have been acted upon in a much more intelligent and satisfactory manner. The Navy is in a different position, too, because the Navy is not so largely demobilizing. It is trying to keep a large number of good men and would be justified in much more rigid requirements than can be justified in the Army. The Marine Corps is still better. The Marine Corps is very desirous of holding its men, especially its good men, and yet I have had hardly a case of complaint from the Marine Corps, because Marine officers are considering each individual case on its merits, and because they do not desire to keep even good men in cases where they ought to be permitted to return to their families or their business.

Mr. McKEOWN. Will the gentleman yield?

Mr. TILSON. I will.

Mr. McKEOWN. I want to know whether the gentleman has any information to the effect that where Members of Congress write commanding officers they immediately turn down and refuse the request because it comes from a Member of Congress?

Mr. TILSON. I do not know that I can blame an Army officer so very much for that, because that is not good business. It ought not to be so that an Army officer will discharge a man simply because a Member of Congress writes him to do so. We should not ask for anything of that kind. Where a good case has been made, where a man, on his own application, accompanied by the proper statement, has shown that family or business reasons bring him within the rule laid down by the War Department itself, then the rule should be acted upon in good faith and the man discharged from the service.

Mr. McKEOWN. The gentleman does not mean to say that a Member of Congress has not the right to ask a commanding officer to consider the facts?

Mr. TILSON. Such a request is perfectly proper, but it ought not to be necessary for a Member of Congress to ask an Army officer to consider the facts. He ought to do it as a matter of right upon the application of the soldier without the necessity for any request on the part of a Member of Congress.

Mr. RUCKER. What are we going to do if he will not do it?

Mr. TILSON. I think something ought to be done. The War Department itself should do something. After the attention of the War Department has been called to these facts, if nothing happens there, then something ought to be done here.

Mr. RUCKER. If the gentleman will pardon me, I do not think I ever saw a better place in the world where the gentleman's remarks would fit in than in a case where I gave one commanding officer the devil and got results by so doing.

Mr. TILSON. The gentleman did well, but such extreme measures ought not to be necessary. Such conduct on the part of Members of Congress generally might not be considered a proper course, and surely it ought not to be necessary to follow it. [Laughter.]

Mr. Chairman, if this sort of thing goes on, the Army is going to be made the most unpopular institution in the whole country and Army service is going to be made the least desirable of our services. It ought not to be so. We are demobilizing millions of men, and they are being discharged every day. It is not necessary for us to keep all of these men in the service, and it is so stated by the War Department. Then, it seems to me, we ought to discharge those men who present good cases under the rules laid down by the War Department itself—good cases of family dependence or of business needs.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. TILSON. Yes.

Mr. MANN. Does the gentleman think these orders of the War Department are in good faith?

Mr. TILSON. I do not say that they are not in good faith. They are apparently in good faith. Under them some Army officers are acting intelligently and wisely and discharging the men who ought to be discharged.

Mr. MANN. Well, if these orders are issued in good faith and are not being carried out by subordinate officers, do not a lot of these officers need to be court-martialed for refusing to accept papers that they are bound to accept, but who are paying no attention whatever to the regulations and terms of discharge?

Mr. TILSON. Yes. I think a lot of officers ought to be reprimanded or court-martialed for not acting properly under these orders.

Mr. MANN. I think it emanates from the head of the War Department here and the Chief of Staff.

Mr. TILSON. Wherever it originates, it ought to be done away with, and if the head of the department is responsible for it he ought to be severely criticized until he stops it.

Mr. MANN. The delightful head of the department, not knowing what is going on in the department, takes the word of some officer, and everything is "lovely" with him.

Mr. PAIGE. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. PAIGE. I want to cite a case in my own town, where a man had three sons in the Army. One has died in France, another has died here, and he himself has died, and the man's wife is totally dependent on the other young man left in France. Ought he not to be discharged?

Mr. TILSON. On a proper statement of those facts to the commanding officer he should be discharged, without doubt.

Can I have a couple of minutes more?

Mr. STAFFORD. How much time did I yield to the gentleman?

Mr. TILSON. Ten minutes; and I have two minutes left.

Mr. STAFFORD. I will yield the gentleman two minutes more.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. HAUGEN. Can the gentleman state why the veterinarians are retained in the service? My understanding is that the Army is disposing of the horses, and these veterinarians are not needed. I understand there is not a horse within 600 miles of where the veterinarians are stationed, and still they are kept in the service.

Mr. TILSON. That is probably true. The great cry that I hear, coming up from the men in all of these camps is, "We are doing nothing; we are eating Uncle Sam's chow and receiving his pay, and we are doing nothing."

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. RUCKER. In connection with the colloquy between the gentleman from Connecticut and the gentleman from Illinois [Mr. MANN] I want to say that if the gentleman from Connecticut brings his great intellect and usefulness to bear upon the problem, I hope he will not fail to put into his legislation something that will demobilize some of these titled officers. I think there is where the trouble lies.

Mr. TILSON. The gentleman is right, as usual. I believe the trouble lies with some of these titled officers. I believe that the reason why many enlisted men are kept in the service is

that some of these Army officers, who are holding better jobs now than they ever held before in their lives, wish to keep a large number of enlisted men in the service in order to make their jobs more important and more permanent. That is the nub of the whole matter, in my judgment. [Applause.]

Mr. CRISP. I think the gentleman hit the bull's-eye that time.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. CALDWELL. Does the gentleman know who is at the head of the demobilization service in the Army?

Mr. TILSON. There are several heads. Beginning up at the very top, there is the President, who is Commander in Chief of the Army and Navy, then the Secretary of War, the department commanders, and so on down to the little fellows.

Mr. CALDWELL. The gentleman knows, if he knows anything about it at all, that Col. E. D. Anderson is in charge of it.

Mr. TILSON. That fact is of no importance in this connection. Mr. Chairman, I hesitate to take advantage of my position in the House to say anything about men who can not appear on this floor and answer me, and for that reason I am not using any names this morning. If it shall become necessary, I have a considerable list of names here where, in my judgment, Army officers have not acted in good faith, and I shall make it my business to present these names here and have them printed in the CONGRESSIONAL RECORD, along with the facts in the several cases, and show that they have not acted in good faith. I do not wish to do this if the proper result can be brought about in any other way. As I have suggested, I do not think it right, on general principles, to attack men here where they can not talk back. For that reason I shall not be specific as to names in my remarks to-day. However, I have the facts and names here before me, to be used if necessary, and I have no doubt that other gentlemen in this House can duplicate these facts. Something ought to be done, and if the War Department itself does not voluntarily do it, then our assistance should be given here in the form of legislation or the withholding of appropriations. [Applause.]

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. STAFFORD. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. ROSE] three minutes.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for three minutes.

Mr. ROSE. Mr. Chairman and gentlemen of the House, I take it that every Member of this House is able to reproduce all of the cases that were submitted by the distinguished gentleman from Illinois [Mr. MANN]. I have tried under the rules issued by the department to give instructions concerning discharges, and I received a letter yesterday from a lady well known in the city of Johnstown, Pa., and now located at Newport News, Va., with her husband, commenting upon the application of the latter. The application for his discharge was made in accordance with the orders promulgated by the War Department, and accompanied by affidavit from the employer of the soldier and by letter from the State employment bureau giving the reasons upon which the application for discharge was based. I understand that the order was approved by the captain, by the company commander of the soldier, and the major, and subsequently recalled by the major. From the letter mentioned, bearing date January 12, 1919, I quote the following:

> I called the major yesterday to ask him about the papers, and, Mr. ROSE, he acted anything but a gentleman to me, saying that he thinks I should be satisfied that my husband was allowed to stay with me at night; also that I have been able to work.

The reply of that official is brutal, if not suggestive. This is only one of many cases that have come to my notice, but I desire to call your attention to another case which strongly appeals to me. It is that of a well-known physician residing in Johnstown, Pa., who has been assigned for duty in one of the hospitals in the State of New York, and in his letter, among other things, says:

> We have no patients in this hospital at all, and it certainly is distressing to sit around all day long with nothing to do. Some of the doctors have been here for three months and have not done a tap in all this time.

And yet he is unable to obtain his discharge from the service. For reasons well understood, I do not give his name, and I have declined to make a personal request for his discharge for the reason that any attempt upon the part of Members of Congress to assist in that direction have been frowned upon. Something must be done. There should be an investigation. Without definite action I think that all the complaints that we are making can get us nowhere at all, and, of course, the Army will get into disrepute unless we can do something to satisfy the people that the discipline in the Army of the United States is what it ought to be.

I am reminded this morning by a communication from a very distinguished gentleman in the congressional district I have the honor to represent that the Members of this Congress are not doing right by the people; that they are sitting idly by while our young men are compelled to remain in the Army, where they are not needed, and prevented from taking up employment in places where their services would be of inestimable value at this time.

When we do make efforts to strictly follow the orders given by the department, but which contain a reservation holding the balance of power, we get nowhere. I am tired of having these complaints coming by the score, but with all the agitation and all the just criticism which has been made against the War Department, we are no nearer the solution of the problem than when we started. Of course, I am not in position to say who is to blame, but I agree with the statement of the gentleman from Massachusetts [Mr. GALLIVAN] that something must be done and done quickly in the interest of our soldier boys. There must be some authority somewhere, and I trust that an investigation will soon follow, resulting in discharges and demobilization in accordance with the orders that have been issued and which we have tried so diligently to follow.

Mr. BYRNS of Tennessee. I yield to the gentleman from Ohio [Mr. KEY].

Mr. KEY of Ohio. Mr. Chairman, I have been directed by the Committee on Pensions to inform the House that the committee to-day, by unanimous vote, approved the bill (H. R. 13879) granting to Mrs. Edith Carow Roosevelt, as widow of the late Col. Roosevelt, a pension of $5,000 a year, and instructed the chairman of the committee to prepare a report and file it at the earliest possible date. Just as soon as this report is in, which will be in a day or two, it is my intention to ask the House to take favorable action on the bill.

Mr. DYER. I ask for half a minute.

Mr. STAFFORD. I yield to the gentleman from Missouri half a minute.

Mr. DYER. The gentleman from Ohio probably knows that the Senate passed this same bill yesterday. Why not call it up and pass it here?

Mr. KEY of Ohio. The House bill was introduced first.

Mr. DYER. Well, I know; but the Senate passed a similar bill yesterday.

Mr. KEY of Ohio. The House bill was introduced some days prior to that in the Senate and has been duly considered by a House committee, as it should be, and reported. I think the House bill, of course, should be considered by the House after the House has referred it to one of its own committees and that committee has faithfully and promptly considered and reported the bill.

Mr. STAFFORD. I yield to the gentleman from Indiana [Mr. FAIRFIELD] 10 minutes. [Applause.]

Mr. FAIRFIELD. Mr. Chairman and gentlemen of the committee, lest we forget how many people are involved in the difficulties that attend the demobilization of the Army, it is well to remember that approximately 2,000,000 men are yet in France and that approximately 1,500,000 men are in the cantonments in this country.

Mr. GORDON. Will the gentleman yield there?

Mr. FAIRFIELD. Yes.

Mr. GORDON. How many have been discharged?

Mr. FAIRFIELD. I can not say. I understand that we have had approximately 2,200,000 men overseas and that approximately 300,000 have been returned from overseas.

Mr. GORDON. There have been over 1,100,000 discharged. Our Army must have been a good deal bigger than I supposed it was if the gentleman's figures are approximately correct.

Mr. FAIRFIELD. So far as the number overseas is concerned, I have my information from a member of the Committee on Military Affairs. I am absolutely at a loss to know how many have been discharged in this country. Does the gentleman know?

Mr. GORDON. The last statement I saw was that something over 1,100,000 had been discharged.

Mr. FAIRFIELD. In this country?

Mr. GORDON. No; altogether.

Mr. MADDEN. The statement was that 1,150,000 had been ordered discharged, of whom 693,000 had been discharged.

Mr. FAIRFIELD. At least, there is such a large body of men involved that it certainly is worth our while to make note of the magnitude of this question. In addition to that, there are also 100,000,000 people in this country who are so interested that when these agencies of the Government are indicted the indictment is not by the gentleman from Illinois or

the gentleman from Massachusetts. The indictment is from the cantonments; the indictment is from the hospitals; the indictment is from the homes of these boys. It is said that the War Risk Insurance Bureau is working inadequately. It is said that the mail to the boys in the hospitals is not delivered. It has been said without contradiction on the floor of the House that 8 or 10 carloads of mail sent to France have been returned. It has been charged that the condition of camps and hospitals in France is not only unsatisfactory, but that there has been almost criminal negligence in the care of them. That indictment comes up out of the hearts of the great people of this country, who were solidified behind this Government and gave freely of their substance, and gladly, though with heartstrings breaking, gave of their flesh and blood. Yet all we can do here is to voice their protest. It is a grave charge against the conduct of these various agencies. On the question of demobilization you, as well as myself, have had much experience. I find that men who have positions waiting for them, men who are anxious to get out, and who have made application, find that some petty captain declares that the services of the man are indispensable. Then they come to the Congressman and the Congressman writes the captain, and then they telegraph to him again that the application has been denied. Then the Congressman goes up to see the adjutant general, and goes around and around in a circle until finally, now and then, a man is discharged.

Mr. BAER. Will the gentleman yield?

Mr. FAIRFIELD. I yield.

Mr. BAER. Does the gentleman know—I have heard it stated by several Members—that the department has removed the provision allowing the boys to make application in order that they may go back into educational institutions, and that it will not allow the boys to get out of the Army for that purpose any more. Does the gentleman understand anything about that?

Mr. FAIRFIELD. All I know is that I had a young man in my office this morning who has had two years of college work and who is a private. I said to him, "Do you want to stay in or get out?" He said, "I would like to finish my college course." I said, "What opportunity have you for getting out?" And he said, "It looks as if there were no opportunity at all."

Mr. CALDWELL. What was the line of work the young man was doing?

Mr. FAIRFIELD. He is connected with a medical unit. I asked if he was very busy, and he said, "Oh, I am punching a typewriter most of the time, though I am from the farm and never had any experience with a typewriter until now. A competent typist could do eight times as much as I can do in half the time."

Mr. CALDWELL. Who is going to do the punching of the typewriter if you turn him loose?

Mr. FAIRFIELD. The gentleman has asked a legitimate question. There are men who do not want to get out; there are men who are willing and anxious to remain in the Army. Why not say to the boys, "You who desire to remain and continue as soldiers indicate it, and then let us discriminate in respect to these discharges."

Mr. LAGUARDIA. May I suggest to the gentleman in answer to the gentleman from New York [Mr. CALDWELL], who is a member of the Committee on Military Affairs, that I introduced a resolution authorizing this department to employ civilians to do this clerical work and all work not of a military nature. That resolution is before his committee at this time. We can release thousands of boys all over the United States if the Committee on Military Affairs would only report that resolution.

Mr. FAIRFIELD. I understand that one of the executive departments of the Government to-day has many men detailed to it for doing clerical work, and they are being retained in the Army, yet detailed to another department in work not in immediate connection with the Army. I am inclined to think that, so far as demobilization upon the other side is concerned, it would be wise to authorize the organization of an army of 500,000 men who would volunteer out of the men who are over there to do the work that yet remains essential on the other side. No man is so foolish as to think for a moment that we should immediately, with the armistice still pending, withdraw all of our troops from Europe. It would be an act of bad faith on the part of the Government, and yet is it not true that a reorganization permitting the men to enlist who desire to extend their time in Europe would be a wise thing for this Government to enact? [Applause.]

By unanimous consent, Mr. FAIRFIELD was granted leave to extend his remarks in the RECORD.

Mr. STAFFORD. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ROBBINS. Mr. Chairman and gentlemen of the committee, I agree with everything that has been said on this floor about the difficulties we are laboring under in getting our soldiers discharged from military service. I wish to direct the attention of the committee in the time allotted to me to another matter that has been brought very forcibly to my notice by occurrences in my home city, Greensburg, Pa. The great Lincoln Highway extends through that city and extends across the State of Pennsylvania. It has been rebuilt by the State at a very great cost, and over that road the United States Government, since the fall of 1917, has been transporting the automobile trucks for the use of the Army from the factories in the West to point of shipment at Baltimore. I was home on Sunday, December 29. That was a very cold day in that locality. The basement of the First Presbyterian Church of that town has been turned over to the ladies of the city, who have organized a society for the voluntary and charitable subsistence of these troops who are operating these truck trains. They did this all last winter during the severest weather we have ever experienced in that climate. They sent out from this church kitchen, at all hours, day or night, very frequently several miles to where these boys were stuck in the snow, sandwiches and coffee, and at times men to shovel snow to help to bring them in. They have also refitted the State armory there, at considerable expense, by private subscription, in which these men are and have been at night comfortably housed. I thought that this had ceased with the signing of the armistice, but my attention has been called to the fact that this situation continues, and I want to have read from one of the leading daily newspapers of my district, the Greensburg Daily Tribune, an excellent and forceful editorial, printed on the 10th of this month, giving a description of the conditions that exist among the men driving these trucks, to which I wish to direct the careful attention of this committee, and I ask that in my time the Clerk read that editorial, and then I shall make some further comments about it.

The CHAIRMAN. Without objection, the Clerk will read.

There was no objection, and the Clerk read as follows:

[From the Greensburg Daily Tribune, Jan. 10, 1919.]

SUSPEND BRUTALITIES.

The truck-train soldiers passing through Greensburg these rough days must agree that Sherman was eminently correct in his estimate of war. These truck-train boys have been exposed to cruel suffering. They deserve better, and they should get better than they are getting.

It is a privilege and a pleasure for the good women of Greensburg to entertain, feed, and generally make comfortable the young soldiers now being compelled to face the winter blasts just to pilot truck trains to the seaboard when they are not needed. To them it is no longer a question of loyalty or devotion to their Government. Last winter the boys who came to this town half frozen and underfed were inspired with the confidence that sometime, sooner or later, they would go abroad and get a taste of the war for which they longed. Now there is no promise or hope of that sort. The men are simply moving trains of the trucks to the East, where they are not needed, and they are forced to the painful exposure without sufficient clothing to keep them comfortable, and without arrangements for their substantial food other than that provided by the generous communities through which they pass. They have no money and many of them go unshaven on that account.

Many of the young soldiers who spent Wednesday night in Greensburg had not been paid for months. Many of them complained that they needed warmer clothing. They confessed the need of clean underclothes, and most of them admitted that their suffering would have been intense had it not been for the Red Cross and the kindly communities through which they pass.

That condition is offensive. It should not be allowed. The Government with billions to waste should be forced to provide better for its soldiers who are probably serving favorite contractors better than they are serving their Government.

The soldiers are always welcome in Greensburg. They are always generously treated when here, but the soldiers should be paid what the Government owes them, and they should be privileged to rest during violent weather. The war is over and its brutalities should be suspended.

Mr. ROBBINS. Mr. Chairman, two statements in that editorial I wish to bring to the attention of the Members of this House. The first is that these soldiers are not paid. Why is it? Here are soldiers who are never outside of the limits of counties or cities in which there are located banks, and who have not been outside of the country. If they had checks, they could get money at any time while passing through the country. Yet they have not been paid for months. When I came out of the church on this Sunday in December when I was home I saw 40 Army trucks lined up on either side of the street in front of the church. I went down to the basement to see the boys in the dining room, where dinner was being served to them, and I found many of them without overcoats, complaining of the cold and of the hardships to which they were subjected. I know from personal experience that these men when they are taken to the drug stores for medicine must ask to have the bills paid by the man or the woman who accompanies them, because they have no money. This is not right. There is no rea-

son why these men should not be promptly paid and not made mendicants and beggars.

I desire to bring to your attention another matter alluded to in this editorial, and that is the continued purchase of automobile trucks for the use of our Army. I am told there are now over 100,000 automobile trucks in France, and if anyone makes the trip by rail from Washington to the city of Baltimore he will see acres of Army autotrucks standing over near that city in mass, not being used, the canvas tops rent by the winter winds and the machines rusting and going into decay. Yet the War Department is still going on buying automobile trucks 60 days after the cessation of hostilities. What is the use of this? I appeal to the Members of this House that something ought to be done to stop this waste of the public money. I understand that under the Constitution Congress controls the purse and the sword—at least the Supreme Court has so decided. We have sheathed the sword, and now why do we not take control of the purse? Under the Constitution, as I understand its terms, the unimpaired power of investigation rests in this branch of Congress. Why will Congress not investigate and find out where the money is coming from that is being wasted in buying these useless automobile trucks?

I have introduced a resolution calling on the Secretary of War to report to Congress the number of automobile trucks that our Army has, the purpose for which they are being used, the number being purchased, and what it is proposed to do with them, and where the department is going to get the money to pay for them, because I do not believe in getting up on the floor of Congress and pointing to a wrongful act which amounts to almost a crime, as in this instance, and not suggesting some remedy. We have made no appropriation specifically for this purpose.

Last week when we passed the bill to legalize contracts and permit settlement under contracts, it was reiterated over and over again during the debate that the only reason that bill was being passed was to permit settlements under contracts that had not been formally reduced to writing and properly executed. Are not these automobile contracts in writing? If they are, every one of them contains a clause permitting the Secretary of War to cancel the contract whenever he wishes to do so; and the act we passed last week was to permit an adjustment and settlement promptly out of court of any damages arising from such canceled or unfilled contracts. Yet, notwithstanding full legal authority is vested in the Secretary of War to cancel any and all contracts for the purchase of automobile trucks, still the procession of trucks continues to flow from Detroit, Cleveland, Buffalo, and the West over the Lincoln Highway, not destined for Europe but to Baltimore, where these Army trucks, standing side by side, cover acres of ground, standing out in the open winter weather and going into rapid deterioration and decay. This item, in the aggregate, amounts to millions and millions of dollars. It is the duty of this Congress to stop it, and I hope the majority party will allow my resolution to come out of the committee and be adopted, so that Congress can put a stop to this reckless waste.

Why does not the Secretary of War cancel these contracts and stop this waste? These automobile trucks that I saw there, 40 of them in the first train and 10 later on that Sunday afternoon, cost the Treasury of the United States not less than four or five thousand dollars each. Where is the money coming from? Is the Government going to sell them to recoup the Treasury? Down in Georgia the other day, you gentlemen will remember, the Quartermaster Department had a sale of horses and mules that the Government had bought at a cost of from $200 to $250 apiece and sold them at from $40 to $75 each, the report further says, and the department has 8 or 10 sales advertised of a like character. What will the Government make out of the sale of automobiles if it is losing on the sale of horses and mules the great sums of money such as indicated by the report of these sales? Oh, gentlemen, I think it is high time—high time, indeed—that this Congress should assert its right and demand to know how the money in the Treasury of the United States is being expended now that the war is over. We have come to a time in this war that no man ought to be accused of the crime of disloyalty or unfairness to the administration if he questions such expenditures. I voted for every dollar that was asked by the administration during the continuance of the war, but now I, for one at least, asserting my privilege as a Member of this House, want to know why this money is being uselessly expended in buying automobile trucks 60 days after the war is over. I speak of this because it is an item to which my attention was directed while these trains of Army trucks were passing through my home city and about which I know something from personal observation.

Mr. WINGO. Will the gentleman yield?

Mr. ROBBINS. Briefly.

Mr. WINGO. Can the gentleman give the names of concerns with whom the Government has made contracts to buy automobile trucks since the signing of the armistice?

Mr. ROBBINS. I do not know the name of any contractor with whom contracts have been made since the date of the armistice. These trucks, I was told by one of the men running them, were made in Detroit. I did not look at the name on the trucks to see whose make they were and I do not know these facts, and I have introduced a resolution to go into an investigation of this whole matter, and hope the gentleman from Arkansas will stand with me and support it.

Mr. WINGO. I should be glad to have such information.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBBINS. Mr. Chairman, I ask permission to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Chairman and gentlemen of the committee, I am going to ask permission to refer to a matter in the bill perhaps not up for discussion just at this time. Some time ago Congress passed a law creating the Bureau of War Risk Insurance. [Laughter on the Republican side.] When that law was passed it was my understanding—and I should have known more about it, but I did not give the matter sufficient study—that that bureau was to only have control over the insurance taken out in the interest of the soldiers during this war. I did not understand that it was to have control of the pensions of soldiers in this war.

Mr. MADDEN. Oh, yes.

Mr. FORDNEY. And when this bill was reported my attention was then called to this feature of the bill. The time must come when this Congress must change existing conditions and existing law in this respect. We are throwing away a very large sum of the people's money.

I notice and you will notice on page 98 of this bill that there is an appropriation for the Pension Bureau, where there are more than 635,000 pension claims to be cared for, of $1,246,540. In addition to that sum there is $100,000 for field service and $6,000 for other matters, making a total of about $1,352,000. In the very near future these allowances to dependents of soldiers in the war will pass out, and allotments to these people will be in the past, and the insurance carried by the Government on the soldier will be transferred to some insurance company undoubtedly, or discontinued, but if you will go to page 42 of this bill you will find a sum of $10,989,000 appropriated in a lump sum for the Bureau of War Risk Insurance. No limit as to number of employees; no limit as to salaries, and so forth. Why, that department is scattered over this town in 15 different buildings, and, so help me, it will take a week to get five minutes of information in any of them. [Laughter.] I wrote on the 9th of December to the Bureau of War Risk Insurance, asking whether or not a certain soldier who had lost his life had taken out an insurance policy or made application for insurance. That afternoon I received two more just such inquiries, and I took the three letters, and after going to the third building I found that those boys had made application; the one I had written about had made application in August, 1917, for a $10,000 policy. I examined the papers myself; they were furnished to me by a clerk. Three weeks later I received an answer to my letter written that morning of the 9th saying there was no application made by the soldier on file anywhere to be found. He had named as beneficiaries his father and mother, one-half to each. Now, there is $10,989,000 appropriated here for the maintenance of the Bureau of War Risk Insurance, and it is three, four, or five times as much money as would be necessary to do that same work if that bureau is merged into the Pension Bureau. [Applause.]

Mr. RAYBURN. Will the gentleman yield?

Mr. FORDNEY. Yes; I will be glad to do so.

Mr. RAYBURN. Does the gentleman think there is room in that old Pension Office to house those 14,000——

Mr. CAMPBELL of Kansas. They ought not to have any 14,000.

Mr. FORDNEY. I did not understand the gentleman.

Mr. RAYBURN. Does the gentleman think the proposition of their being scattered in 15 buildings will be cured by putting them in the old Pension Office——

Mr. FORDNEY. Let me give you some information, my good friend, and this information comes from the Pension Bureau, that if we were to give the Commissioner of Pensions 500 extra clerks he will do the business for which you are asking now an appropriation for the Bureau of War Risk Insurance of

$11,000,000. [Applause on the Republican side.] That is what the Pension Bureau will do.

Mr. RAYBURN. Will the gentleman yield further? Surely the gentleman does not think that the compensation end of the Bureau of War Risk Insurance is comparable with the Allotment and Allowance Division——

Mr. FORDNEY. What I do say, my friend—I have only five minutes, and I will have to conclude in that time—is this: This insurance that the Government is now carrying for the soldiers is going to be discontinued in a short time, or transferred to some of the old-line insurance companies.

Mr. RAYBURN. Well, now——

Mr. FORDNEY. Wait a minute.

Mr. GARRETT of Tennessee. The gentleman does not want to make that statement.

Mr. FORDNEY. The chances are it is going to be discontinued. So far as to the soldier that returns from the war uninjured and in good health, a man that requires no Government aid, there is no reason for the Government insuring the soldier after the war is over, the soldier that comes out sound, and he may not continue his insurance with his Government—it is optional with the soldier. He quite likely will transfer his policy to some old-line insurance company. The allotment to his family, his wife, or his mother, or his father will be discontinued the minute he is discharged from the service, and all that will be left for the Government to do will be to pay this compensation, which is a pension in every sense of the word, although we may have given it another name.

Mr. MADDEN. And more than that, you have all these clerks to pay.

Mr. STAFFORD. Does the gentleman believe that the 95 per cent of our enlisted force who have taken out insurance will surrender that insurance and take insurance in private insurance companies when the Government is giving them rates which do not charge up the cost of administration and which are less than those charged by private insurance companies?

Mr. FORDNEY. I saw a tabulated statement given to a discharged soldier the other day which showed the amount of premium he must pay monthly upon his policy for a term of years. The rates went on up and up and up, and if the soldier lives to be an old man the rates will go so high that he can not afford to pay it. I think he could get old-line insurance cheaper, and he will not pay it. Whether the Government is now willing to carry this insurance during the war and after the war for a time or not, Congress will repeal this law sooner or later. I am speaking of the well soldier, not those that have been disabled or who have lost their lives.

Mr. GRAHAM of Illinois. Does the gentleman remember when the bill was being debated on the floor the proposition was made that the Pension Bureau be used for this particular work, and that it was resisted by gentlemen who were advocates of this bill?

Mr. FORDNEY. I am frank to tell you that I was not fully informed at that time; if I had, I would have opposed the bill.

I had the impression that any pensionable feature of the bill would be under the jurisdiction of the Pension Bureau.

If no pension or compensation legislation had been enacted covering military and naval service in the present war, all claims for death and disability incurred in such war would have been adjudicated in the Bureau of Pensions, in accordance with the existing general pension law; and that is what I supposed would be done. No action on the part of Congress was necessary to have all claims based on disability contracted in service and line of duty. Such claims were provided for under the general pension law.

Mr. GRAHAM of Illinois. The proposition was made to use the Pension Bureau, and it was vigorously resisted by those who were proponents of the bill on the theory that it could not be used for that purpose.

Mr. FORDNEY. Gentlemen, there is no justification to-day in continuing in existence this Bureau of War Risk Insurance, so far as the compensation of the soldier for disabilities received in the Army is concerned; none whatever. That is a pension pure and simple and is going to continue to be one, and I want this Government to be generous to the poor fellow who has lost an arm or a leg or an eye or his reason. I want to see that compensation sufficient to care for him the balance of his life in a respectable manner. But there is no justification for this appropriation. I call your attention to the fact that here are more than 635,000 pensions being cared for, for a little over $1,350,000. The entire enlistment in this war is about 4,000,000, and to-day it is costing us $17,000,000 for the Bureau of War Risk Insurance, and less than 500,000 casualties reported.

Mr. MADDEN. How would they be able to keep these clerks if we did not make this appropriation? Of course, we have got to keep them, whether there is work for them or not.

Mr. FORDNEY. The clerks ought to be kept at home in the pursuit of business, where labor now can not be found to do the work that is to be done. And yet I am told there is a bill before this House to exclude from the United States all immigration for the next four or five years. Some gentlemen come in here shouting about the high cost of living. The high cost of living is going to continue so long as the high cost of production continues, gentlemen. What is the use of playing the part of a demagogue? Why not tell the truth? We know that the man who advocates low cost of living and high cost of production is one of two things, he is either dishonest or a blamed fool.

Therefore, gentlemen, I say the time is coming and is close at hand when, for reasons of economy and efficiency, this war-risk insurance must be discontinued as a Government activity, and the compensation, pension, feature of the Bureau of War Risk Insurance act must be merged with the Pension Bureau.

That fact is patent to me, and I feel confident that an examination of the history of the two bureaus will convince any reasonable mind of the correctness of my conclusions.

The act providing compensation, pension, for death or disability contracted in line of duty in the military or naval service of the United States in the war with Germany was passed October 6, 1917. It placed the jurisdiction over such claims in the Bureau of War Risk Insurance. That bureau has 13,000 or more employees, so I am told.

Out of the number of employees engaged on the compensation claims, possibly 1 or 2 per cent have had some experience in similar work. The great bulk of them had no previous experience. While the character of the work was old, it was new to the people to whom it was given by law to do. The office was a newly created and newly organized one, made up of inexperienced personnel and without the aid of necessary physical machinery.

It is not surprising or astonishing that under such conditions the organization has failed to function satisfactorily and that its failure has become notorious. You are all familiar with the conditions or with the complaints growing out of them and know as well that there must be a remedy provided.

As was so well said by my friend FULLER the other day:

> Since the foundation of the Republic all of the pensions paid to soldiers, seamen, and marines have been paid through the Pension Bureau. All of the archives relating to such claims are on file in the Pension Bureau. This comprehends the War of the Revolution, the War of 1812, the Mexican War, the Civil War, the Spanish-American War, and the various Indian wars.

So the Pension Bureau has had jurisdiction over all claims for pension based on death or disability contracted in line of duty in the United States military or naval service in all wars and during time of peace up to October 6, 1917. After that date jurisdiction is vested in the Bureau of War Risk Insurance in all cases in which the soldier or sailor was then or thereafter in service, unless the right to pension accrued before that date.

The Bureau of Pensions is quartered in the Pension Office Building, a building constructed expressly for its work, and is perhaps superior to any other office building in Washington for its purpose. You are all familiar with its dimensions, its large, well-lighted, and ventilated court and rooms, the rooms receiving light from the outside as well as from the court. It is supplied with all necessary modern machinery required for preparation and payment of pensions or compensation.

The Bureau of Pensions has an experienced force of employees, trained in the work of adjudication of claims. The employees number less than 1,000, and, in my judgment, an increase of that force of not to exceed 500 would be wholly adequate to perform all of the functions of the Pension Office, together with that part of the Bureau of War Risk Insurance devoted to the settlement of claims for compensation, and to perform the work with reasonable promptness.

The Bureau of Pensions has not only a trained, experienced, and well-disciplined office force, medical and legal, but it has local boards of examining surgeons, single surgeons, and specialists located conveniently throughout the United States in probably 1,500 places. These surgeons have been selected by reason of their skill in medicine and surgery and have had long experience.

The Bureau of Pensions also has a skilled and experienced force of special examiners for field work, which is necessary for the protection of the Government incident to the aid it gives to proper settlement of just claims.

Now, the cost of the administration of the Bureau of Pensions for the year ending June 30, 1919, will not exceed the sum of $1,322,620, as that is the total amount appropriated for that

purpose. The amount carried in the current appropriation bill is $1,246,540.

If the compensation feature of the Bureau of War Risk Insurance be transferred to the Bureau of Pensions, the additional cost for the administration of the latter bureau will be substantially only the amount required for salaries of 500 or less clerks. The aggregate salaries of 500 clerks, at an average of $1,400 a year, would be $700,000, which, added to the amount carried in the pending appropriation bill, would be $1,946,540.

Now, if you can ascertain the present cost of the administration of the compensation division of the Bureau of War Risk Insurance, you can easily determine accurately which bureau will the more economically administer the law. There can be no doubt that by reason of their thorough knowledge of such work and long experience the clerical force of the Pension Bureau can accomplish the work more efficiently and expeditiously at this time. The employees of the Bureau of War Risk Insurance no doubt will, if kept at the work long enough, become experienced and efficient in the adjudication of compensation or pension claims, but why take the time to educate so many of them at great expense when the work can be done by a capable force already receiving pay for similar work and who, with slight increase in number, can take on the combined pension and compensation work of both bureaus?

I thank you, gentlemen. [Applause.]

Mr. RAYBURN. Mr. Chairman, I ask unanimous consent that I may be allowed to proceed for five minutes.

Mr. FORDNEY. Mr. Chairman, I ask unanimous consent that I may be permitted to revise and extend my remarks.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, I had reserved eight minutes for the gentleman from Kansas [Mr. LITTLE]. He was very anxious when we were agreeing upon time to-day to have some time and for the last half hour I have been endeavoring to locate him. But I do not find him in the Chamber. Of course, I now yield those eight minutes to the gentleman from Kansas [Mr. LITTLE]. But he is not present, as it happens, and I yield five minutes to the gentleman from Texas [Mr. RAYBURN] first.

Mr. RAYBURN. Mr. Chairman, this Bureau of War Risk Insurance has been chewed on here by everybody that wanted a football to kick around, and I have been silent most of the time for the simple reason that I know that the business down there has not been carried on like I thought it should have been carried on, and the letters have not been answered, and matters have not been looked after in a great many instances like I think they should have been. I have also been quite a good deal disgusted because I have found few men who have been responsible for the conduct of the bureau who were willing to take suggestions, but who have been overambitious to have the credit of putting the thing over; but I realize that it has been one of the greatest tasks in the Government, and I have not publicly criticized them, as I have tried to hold myself in a helpful attitude at all times. I think that now we have a director who, if given support, will bring the whole bureau up to an efficient standard soon. But I find that about 75 per cent of the criticism of this bureau is a senseless criticism. It is a criticism by men who do not know the provisions of this law, just like the gentleman from Michigan [Mr. FORDNEY], who has just taken his seat.

He said in the beginning that he did not understand that certain things were contained in this bill when the law was passed. That is not the only thing that he does not understand about this law, as he evidenced in his statement here. He says that the Bureau of War Risk Insurance, except the compensation end, would cease soon after the war closed, and that the Bureau of Insurance will lapse or be taken into some old-line insurance company.

That is exactly in the teeth of everything that the movers of this legislation expected of it. Everybody knows who has ever read the law with understanding that the Government insurance is not only for the dead soldiers and their beneficiaries, not only for the cripples and maimed soldiers and those whose health has been impaired in the Army to such an extent that they can not get other insurance in a private company, but it will be carried on for all who have been in the Army. It would be merciless indeed to turn them out upon the world by discontinuing the insurance where they can not get insurance after their insurability has been destroyed by their service in the Army. Not only that, but in order to keep this insurance section a going concern, we have provided that the insurance shall go on as to every man in the Army who at this time has taken out insurance and wants to carry it on.

Of course the gentleman from Michigan did not understand, either, when he said that this insurance would mount higher and higher each year until it would become prohibitive. He does not seem to understand that a provision is in the law to the effect that this renewable yearly term insurance is not to carried on after the war is over, but that every policy that any soldier carries in this insurance section is to be converted within five years into some other kind of insurance. Everybody that knows anything about insurance knows that yearly term renewable insurance is the cheapest insurance in the world that a young man can get, and he knows that in the long run it becomes prohibitive, because it is the highest and most costly insurance in the world.

Now, the proposition indeed was up here to transfer the compensation end of this law to the Pension Office. Reasons were given here why it should not be done. More generous provisions have been made for the crippled and maimed soldiers in this law than has ever been made before in the history of this or any other Government, and the Pension Department of this Government—as every fair man knows who will speak the truth and will listen to it—has become the football of politics in many districts of this country and has become a stench in the nostrils of a lot of people.

That is one reason why we did not put this compensation under the administration of the Pension Office. We tried to make it generous enough then. We believed that we did make it generous enough to take in every man who went into this Army and came out crippled and maimed until he would, more generously than ever before, be taken care of by the Government of the United States, and we tried to fix it so that afterwards we would not have a scandal in Congress, such as we have had in connection with the pensions, of men, making it the football of politics, introducing special bills and by special favors getting them passed, to add to their political prestige at home.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. I will yield to the gentleman.

Mr. RUCKER. I would like to ask the gentleman to tell us, if he will, in what respect the Pension Office has become a stench in the nostrils of good people anywhere?

Mr. RAYBURN. I have heard it almost ever since I was able to read that the Pension Office was made the football of politics in this country.

Mr. RUCKER. That must have been away down South, and surely not where soldiers live. [Applause.]

Mr. RAYBURN. That is the reason why Congress did not put it in the Pension Office.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RUCKER. I would like to have five minutes for myself. I did not intend to speak before.

Mr. RAYBURN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I will yield three minutes to the gentleman from Missouri [Mr. RUCKER] out of my own time that I have been reserving for myself.

Mr. RUCKER. I do not want to take it from the gentleman, but I appreciate it.

Mr. STAFFORD. I have been yielding time that I had reserved for my own use.

Mr. RUCKER. Mr. Chairman, I had no intention of injecting myself into this debate until I heard the remarks just made by the gentleman from Texas [Mr. RAYBURN], a gentleman for whom I entertain the very highest regard, both as a distinguished Member of this House and a gentleman of high standing. But I will not sit here and allow a man on either side of the House to make such accusations against the administration of the Pension Bureau as were made by the gentleman from Texas [Mr. RAYBURN] without a reply. I know that comparisons are odious, and they ought to be, but I say to you, if the gentleman from Texas [Mr. RAYBURN] has somewhere, in some remote section of this great Republic of ours, heard murmurs of criticisms of the Pension Office, he has heard here in Washington a tumult of protests against the bureau he helped to create—the War Risk Insurance Bureau. [Applause.]

Mr. RAYBURN. Most of the criticisms I have heard since I have come here have been put in the CONGRESSIONAL RECORD.

Mr. RUCKER. In what respect is the Bureau of Pensions a stench in the nostrils of men? It ministers to the wants of the afflicted, it cares for the soldier's widow and her children, and it gives efficient and prompt attention to all matters coming under its jurisdiction.

Oh, the gentleman said something about special bills, and I have heard that on my side of the House before. [Laughter.] Every now and then it is repeated by some gentleman. But why are special pension bills necessary? It is because the existing pension law does not make proper provision for many of the men who suffered bodily injury and impaired health for their country. Our pension laws do not make the same generous provision for soldiers of the Civil War as this Congress, by almost unanimous vote, made for the relief of the National Army, and for that reason those of us who have seen brave, strong, patriotic, and loyal men, seen them in their helplessness, visited them in their humble homes, and witnessed the evidences of misery and want, have come to Congress, in special cases, and asked Congress to be more liberal and generous than it had been, and by special law grant relief that should be granted, and Congress has usually responded favorably. Is that the cause of the stench? Is it possible that in this great land of ours, where in two wars the North and South have locked arms and marched side by side, bearing that flag to victory—is it possible that anywhere in this land to-day there lives a man who still permits the passions of the Civil War to rankle in his bosom?

Mr. RAYBURN. No; but it does seem that if the pension law is not generous enough the gentleman, with gentlemen on his side, will make it so. They will make it so.

Mr. RUCKER. I want to say to this committee that at the time the War Risk Bureau bill was introduced I was one of those who thought the administration of that part of the act relating to compensation, so called, ought to be vested in the Pension Office, and if it had been put there it would have been infinitely more efficiently administered than it is to-day, and I think everybody will admit that.

Mr. STAFFORD. I yield two minutes to the gentleman from New York [Mr. LAGUARDIA.]

Mr. LAGUARDIA. Mr. Chairman, it has been, and I suppose it will be so often, my unpleasant and painful duty to criticize various departments and bureaus of our Government for their conduct of the war, that it is a pleasure on this occasion to testify to the excellent work and the perfect organization of the Surgeon General's office overseas. The gentleman from New York [Mr. HASKELL] had read the other day a complaint about a case in the Walter Reed Hospital, in Washington. I have no actual information as to this particular hospital or what the Surgeon General's office has been doing in this country during the war, so I asked for a report covering that particular case. I will have the Clerk read the report, which is a full and complete answer to the complaint read into the RECORD the other day. It is but fair to have it before the Members and the country, inasmuch as the other side of the question was presented to the House.

I want to say that our base hospitals overseas were perfect. The work performed by the medical department right near the firing lines was wonderful. The work of our medical corps overseas was a revelation and a lesson to the armies of our allies. It is the one branch that could teach and did not require to learn from others. The sanitary work in our camps kept the disease down to an unprecedented low percentage. The best medical men of the country responded to the call, and fortunately each man was put, as far as practicable, to work for which he has specialized. The medical department of our service overseas came out of this war with a 100 per cent perfect record.

I ask unanimous consent to extend in the RECORD the letters which I have received.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

SEVERAL MEMBERS. Read them.

Mr. LAGUARDIA. I will ask the Clerk to read the letters.

The letters are as follows:

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, January 13, 1919.

HON. F. H. LAGUARDIA,
House of Representatives, Washington, D. C.

MY DEAR MR. LAGUARDIA: With reference to your letter of January 7, in which you inclose a letter from Mr. Jos. J. Lynch and copy of letter addressed to Mr. William A. Graham, all in relation to conditions at the Walter Reed General Hospital, the Surgeon General directs me to inform you that the matter was given prompt and full investigation by one of the distinguished medical authorities on duty in this office, and I am inclosing for your information the complete report, together with the return of all papers forwarded by you.

The return of these papers for file is requested, if convenient, when they have served their purpose.

Very truly, yours,

D. C. HOWARD,
Colonel, Medical Corps.

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, January 13, 1919.

From: Lieut. Col. Joseph L. Miller, Medical Corps, United States Army.
To: The Surgeon General, United States Army.
Subject: Investigation of the treatment of pneumonia at Walter Reed Hospital, Takoma Park, D. C.

1. Pursuant to verbal instructions from the Surgeon General's office, I have read the attached letter of Mr. Joseph J. Lynch and have visited Walter Reed Hospital and conferred with the following-named medical officers and nurses:

Col. E. R. Shriner, commanding officer; Maj. B. H. Randolph, chief of the Medical Service; Maj. D. M. Roberts, assistant chief of Medical Service; Maj. Henry F. Stoll, medical inspector; Capt. D. M. Bloom, assistant adjutant; Capt. C. H. Hayes, receiving officer; Capt. Edward C. Durgin, officer of the day (Dec. 18, 1918); Miss R. Stewart, chief nurse; Miss F. M. Poole, night supervisor of nurses; Miss O. R. Fahl, night nurse on duty, ward 21 (Dec. 18, 1918); Miss Jennie Moore, night nurse on duty, ward 21 (Dec. 18, 1918).

I have furthermore consulted the hospital record of Maj. Thomas M. Lynch and inspected the hospital building where he was placed during his last illness.

2. The hospital record of Maj. Thomas M. Lynch shows that he was admitted to Walter Reed Hospital slightly before midnight of December 17, 1918; that he died at 11.30 p. m., December 18, 1918. The following medical history appears on the record: "Began six days, chills, fever, headache pain. Next day went to work, returned at noon, and since then has been in bed. Symptoms have increased. Cough began and has persisted since. Vomited once in past three days. Much dizziness and very weak from the first." "Patient looks very ill; color bad, with considerable cyanosis, dusky in appearance." "Definite consolidation, dullness, bronchial breathing upper right lobe back and front. Whole back and axilla filled with crackling moist râles." "Examination December 18, 12 noon, patient admitted in a critical condition, color bad, cyanosis and lungs pretty generally filled up." "2.30 p. m., December 18, given intravenously left arm about 150 c. c. citrated blood from influenza-pneumonia patient type I. Patient's blood type I." "4 p. m., patient moved to porch, second floor." "Patient died 11.30 p. m., condition becoming worse and more critical as time passed. Lungs filling more and more."

The hospital record furthermore shows that the patient's temperature on admission was 104°, pulse 100, respiration 32. His drug medication was digitalis, camphorated oil, and strychnine.

3. Col. E. R. Shriner, the commanding officer, stated that there were two medical officers on night duty, and that there was no rule that a medical officer should not be called in case the nurse considered that a patient was worse.

4. Maj. Randolph, chief of the medical service, states that Capt. Keys, the ward surgeon in ward No. 21, reported to him on the morning of December 18, 1918, that a Maj. Lynch, who had been admitted to the hospital on the night previous, was very ill with pneumonia. He requested Capt. Keys to have Maj. Stoll, a specialist in disease of the lungs, see Maj. Lynch.

5. Maj. Henry F. Stoll states that on the morning of December 18, 1918, Capt. Keys informed him that he had a very sick officer, Maj. Lynch, in ward No. 21. Maj. Stoll found Maj. Lynch in a very critical condition, and the physical examination previously cited in this report was written at that time by Capt. Keys. He furthermore reports that the patient was stuporous and could only be aroused with difficulty. Capt. Keys was the ward surgeon in charge of Maj. Lynch, but he is now temporarily absent from the hospital on sick report.

6. Maj. D. M. Roberts, assistant chief of the medical service, was called to the phone by the adjutant and talked to Mr. John Lynch over the long-distance phone on the morning of December 18, 1918. Mr. Lynch asked about his brother's condition, and requested him in case additional nurses were required or an outside medical consultant to make such arrangements and he, Mr. Lynch, would see that the bills were paid. Maj. Roberts does not recall that Mr. Lynch stated that in case it was necessary he would bring nurses with him from New York. Maj. Roberts informed Mr. Lynch that he would communicate at once with the ward surgeon regarding Maj. Lynch. This he did, and Capt. Keys reported that the patient's condition was very critical.

7. Capt. E. C. Durgin, officer of the day on December 18, 1918, states that he first saw Maj. Lynch about 10.30 p. m. December 18. His brother, Mr. John Lynch, was present. Mr. Lynch asked Capt. Durgin whether he thought oxygen would do any good; he replied that Maj. Lynch was then dying, and oxygen would not benefit him. Mr. Lynch also asked if he thought it might be advisable to secure a medical consultant from New York. Capt. Durgin replied that his brother had at most only a few hours to live, and hence it would not be advisable to send to New York for a consultant. Capt. Durgin stayed with the patient about 40 minutes, and during all this time a nurse was present.

8. Capt. C. H. Hayes, the receiving officer, stated that Mr. John Lynch came to him late in the evening of December 18 and asked him if oxygen could be secured for his brother. Capt. Hayes informed him that this was a matter for the ward surgeon, as it was not his duty. During his conversation with Mr. John Lynch a nurse called up asking Capt. Hayes to inform Mr. Lynch that he had better return to ward No. 21, as his brother was very low. Later that night, after Maj. Lynch had died, Capt. Hayes talked with Mr. Lynch, and he did not criticize the treatment his brother had received, but seemed satisfied that he had received the proper attention.

9. Capt. D. M. Bloom, the assistant adjutant, was questioned regarding the difficulty Mr. Lynch is reported to have had in determining over the long-distance phone whether his brother was in the hospital. The assistant adjutant stated that a period of several hours elapses after a patient is admitted to the hospitals before lists can be made out from which the adjutant can promptly acquire this data.

10. Miss R. Stewart, chief nurse, reported that nurses were instructed in case a patient developed unfavorable symptoms to communicate at once with the night supervisor, who in turn would give the information to one of the two medical officers always on duty during the night. She also stated that the night supervisor now on duty was extremely careful to communicate with medical officer in case she was informed that a patient had developed any unfavorable symptoms. There had been during December a shortage of nurses, due to inability to secure additional Army or civilian trained nurses.

11. Miss F. M. Poole, the night supervisor, stated that she does not recall any request from the nurse in ward No. 21 regarding Maj. Lynch.

12. Miss F. R. Fahl, the nurse on night duty on the first floor of ward No. 21, recalls having seen Maj. Lynch during the short period when she was called to the second floor to relieve the nurse there at meal time.

13. Miss Jennie Moore was on night duty on the second floor of ward No. 21 when Maj. Lynch was a patient there. She does not recall when he entered the hospital, but recalls distinctly the evening he died. She states that Maj. Lynch's brother reached the hospital about 9 or 10 p. m., December 18, 1918. He asked if a special nurse might be secured for his brother. She replied that she could see if this were possible, and a Miss Kane was sent and remained as special nurse with Maj. Lynch until his death. At no time did Mr. John Lynch suggest or offer her a fee in order to facilitate this request. She does not recall that Mr. Lynch mentioned that his brother had insufficient bedding. In case such a request had been made there were adequate extra blankets in the ward. She does not recall that Mr. Lynch complained that his brother was not receiving proper attention. She also stated that the nurses did not have orders not to disturb the medical officer in case a patient became worse.

14. Miss Kane, the special nurse, is not now at Walter Reed Hospital.

15. Ward No. 21 was visited. It is a three-story brick building, built for a contagious ward. Each floor has a normal capacity for about 12 patients. The first floor is used for sick nurses. The other two floors for sick soldiers. Each floor has single rooms and small wards, the largest with a normal capacity of four beds. An inclosed veranda extends along the south side of the building. This veranda is divided in the middle by a partition. Each section has three double French windows reaching from the floor to the ceiling. The floor is cement. The wards were clean and orderly.

16. The above-mentioned veranda is a most satisfactory place for treating pneumonia patients. It is essential that a very ill pneumonia patient, with rapid respiration, be placed in a current of air in order to assure the carrying away of the expired air before the next inspiration. This is recognized as one of the essentials in the fresh-air treatment of pneumonia.

17. Oxygen at the present time is little used in the treatment of pneumonia. The best authorities consider that it has little if any value. Patients die as the result of the severe toxemia rather than from insufficient oxygen.

18. Few pneumonia patients in private life have a physician call as often as every three hours. With a medical officer always available, and the nurse instructed to call him in case untoward symptoms develop, it would seem that rounds by the physician every three hours would be quite adequate.

19. As shown by the record, Maj. Lynch was carefully examined and treatment along accepted lines promptly instituted. He even had the benefit of the most recent discovery in the treatment of influenza-pneumonia, viz, the use of convalescent serum.

20. This investigation shows that Maj. John Lynch entered the Walter Reed Hospital six days after the onset, critically ill with influenza-pneumonia. He died 24 hours later. The medical attention he received there, both from a diagnostic and therapeutic standpoint, was of the highest character. There is no evidence that the hospital was guilty of neglect.

JOS. L. MILLER.

Mr. BYRNS of Tennessee. Mr. Chairman and gentlemen of the committee, so much time has been consumed in the general debate on this bill, and it is so exceedingly important that this House should proceed to pass the pending appropriation bills at an early date, that I trust when we come to the consideration of this bill under the five-minute rule gentlemen of the committee will confine themselves as closely as possible to the provisions of the bill. There will, of course, be no disposition on the part of anyone to prevent a full and thorough discussion of any of the provisions in the bill, but I trust that the debate will be confined to the bill itself.

Mr. Chairman, the subcommittee which was charged with the duty of preparing this bill was probably faced with the most difficult task that has ever been faced by any subcommittee that has had charge of a similar bill. This bill makes an appropriation for services of certain employees of the Government for the fiscal year immediately following the war, and it was manifestly impossible for the heads of the departments and the heads of the different bureaus in the city of Washington to state with any particular definiteness how much they would need in their governmental activities while we are passing from a war to a peace basis. Your committee, therefore, I say, have had considerable difficulty in arriving at just what sums will be needed during the next fiscal year. There may be cases in this bill where too much has been appropriated, although I doubt that very much. There are probably in the bill items where possibly too little has been appropriated for the next fiscal year; but your committee was not unmindful of the fact that in such cases, as the year progresses and the work necessary in the departments develops, Congress will be in a better position to judge accurately at the next session in December, and if additional money is needed can provide it by way of a deficiency bill.

Mr. GALLAGHER. Does the gentleman think that statement refers to the salaries of Congressmen?

Mr. BYRNS of Tennessee. I was referring more particularly to the salaries of some of the more poorly paid Government employees.

I want to refer specially to the services rendered by my colleagues upon the subcommittee, the gentleman from Montana [Mr. EVANS], the gentleman from Texas [Mr. BUCHANAN], the gentleman from Wisconsin [Mr. STAFFORD], and the gentleman from Iowa [Mr. GOOD]. They have rendered very long, faithful, and arduous services in the preparation of this bill.

The committee went into session in hearings upon the estimates submitted on this bill on November 20, and for weeks was engaged constantly during the day and in many night sessions in holding hearings, endeavoring to ascertain the facts necessary for the proper preparation of this bill. We had presented to us requests for general increases of salaries, ranging from positions of assistant secretaries in departments, from $5,000 to $7,500, down to $2,000 and less, increases which amounted to more than $900,000 for this bill alone. These increases were not submitted to Congress under the law which requires that original estimates shall be submitted through the Secretary of the Treasury to the Speaker, and thence transmitted to the proper committees, but they were submitted by way of supplemental estimates, no reason being assigned as to why they were not submitted in the original estimates. In addition to that, every department requested that increases be given to what may be called the mechanical force of the particular department.

I am not able to tell you just how much those increases would have amounted to, because no estimates were submitted and no data given the committee as to the number to which it would apply and as to how much the aggregate sum would be. Your committee felt that it was impossible on an appropriation bill, and particularly at the short session of Congress, to undertake such an investigation as would justify it in reporting a general salary increase bill to this Congress. In addition to that, in so far as the mechanical help of the departments is concerned, you will recall that this House has passed what is known as the Nolan minimum-wage bill, and that bill is now pending in the Senate. If it is the desire of Congress to raise the mechanical help and the lower-paid help of the departments to a rate of not less than $3 a day, it is very easy, of course, for the Senate to take that bill up and pass it, and if signed by the President it would become a law, the House having already acted. The result is that your committee has not recommended any general increases of salary in this bill. There are a very few that have been increased, and we will come to them as we proceed with the reading of the bill. In order to meet the demand—and there is a general demand—for increases of salary among a great many of the employees of the Government, and do what I think is common justice to the employees of this Government, the committee has recommended the creation of a joint commission to make investigation, conduct such hearings as are necessary, and report to Congress with reference to a reclassification and readjustment of the salaries paid to employees.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. LAZARO. When you reported this bill you took it for granted that the Senate would pass the Nolan bill; otherwise you would have recommended an increase?

Mr. BYRNS of Tennessee. No; I do not want to leave the gentlemen under that impression, because I have no information as to what the Senate will do with reference to the Nolan bill. As I stated, it was manifestly impossible for this committee at the short session to undertake to go fully into what is being paid to the employees of this Government, as compared with what is being paid for similar services in private employment, not only here in the District of Columbia but throughout the country. And in addition to that, even if that investigation had been made and the committee had determined there were salaries which ought to be increased, it was impossible to include them on an appropriation bill under the rules of the House, because they would have been subject to a point of order. The point I make with reference to the Nolan bill is this: The House has passed the Nolan bill, and it is now pending in the Senate. If it is the desire of Congress to give to all employees of the Government not less than $3 a day as a minimum wage, it will be very easy for the Senate to take that bill up and pass it.

Mr. LAZARO. Mr. Chairman, I want to say that I fully agree with the gentleman in this proposition to create a commission. I think this thing ought to be looked into thoroughly, so that we can arrive at some understanding to do those people justice.

Mr. BYRNS of Tennessee. I am very glad the gentleman has made that statement. As a matter of fact, there has been no general reclassification and readjustment of salaries since about 1850.

Mr. LAZARO. And it ought to be done.

Mr. BYRNS of Tennessee. And the gentleman well says, it ought to be done.

Mr. DENISON. What is the provision for the commission?

Mr. BYRNS of Tennessee. It provides for the appointment of a joint commission of 10, 5 Senators to be appointed by the Vice President, who shall be Members of the Sixty-sixth Congress, and 5 Representatives to be appointed by the Speaker of the House, who shall also be Members of the Sixty-sixth Congress, and appropriates $50,000, or so much thereof as may be necessary, to provide this commission with proper clerical assistance. While I am on the subject of salaries I might say that the committee has recommended to the House a continuance of the provision of $120 a year which is carried in the current law and with which all of you are familiar.

The estimates submitted to the committee for this bill amounted to $120,017,637.63. The total appropriations made for the current fiscal year amount to $89,182,145.98, and this bill which is recommended to the House carries a total of $96,306,891.75, or about $7,000,000 more than the appropriation for the current year. That increase is made up of two items which were not considered in the current bill, or at least an increase of one item, and a new item. This bill carries $15,000,000 for the taking of the next census, which will begin January 1, 1920, and it carries an appropriation of several million dollars more than is carried in the current law for the collection of internal revenue. If these items are taken from the bill, this bill would really be a considerable reduction over the expenses for the current year.

It is not my purpose to undertake a discussion of this bill in detail. That can best be done as we proceed with the reading of the bill. I wanted to call attention to a few of the main outstanding features of the bill. We have provided, as I stated, $15,000,000 for the taking of the next census. That is not all that the Director of the Census says will be necessary. He submitted an estimate to the committee for $20,500,000, which would be sufficient to entirely take the census, according to his figures, and would also provide for the permanent force of the census for a period of three years.

But he stated in the hearings that it would be impossible to expend more than $15,000,000, if that much, during the next fiscal year, and your committee was unwilling to recommend an appropriation for an amount that was admittedly more than he could possibly expend during the period of this bill. This bill carries an appropriation of $4,000,000 by way of lump sum for the War Department, which is a considerable reduction over the current law and also a considerable reduction of the estimates which were submitted.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. TILSON. Were not the estimates submitted by the War Department made up before the signing of the armistice, and were they not figured upon a war-time basis for that department?

Mr. BYRNS of Tennessee. That is true.

Mr. TILSON. Which would necessarily be very much higher than a peace-time basis in the fiscal year 1920?

Mr. BYRNS of Tennessee. That is true, but after the signing of the armistice the War Department submitted amended estimates of what they would need during the fiscal year 1920 on a peace basis, and it was to that estimate I referred when I said this was less.

Mr. TILSON. The gentleman has reduced the revised estimate of the War Department?

Mr. BYRNS of Tennessee. Yes. In other words, the original estimate which was submitted prior to the signing of the armistice, my recollection is, called for $32,000,000. Now, after the signing of the armistice, the War Department revised this estimate and submitted estimates which called for $5,940,570, stating that it was expected that that sum would provide for 4,977 additional employees. The amount recommended by the committee, at an average salary of approximately $1,200, would approximately care for 3,300 persons, or 1,600 less than had been requested. Now, I do not know, I am frank to say, whether that will be sufficient or not. My judgment is that the War Department will find that that sum is entirely sufficient as the fiscal year progresses, although it is certain that The Adjutant General's Office will require a greatly increased force. In this estimate it was stated that The Adjutant General would probably require $2,900,000 alone. As I say, I do not think as the year progresses any such sum as that will be required, yet the committee felt that if it was mistaken, and if by any chance it did allow too little, Congress would be in session and be better able to pass on what was needed at the next winter session than now, six months prior to the beginning of the fiscal year.

Mr. MANN. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. MANN. Did not the Secretary of War recently make an estimate asking for $6,000,000 mainly for additional clerk hire?

Mr. BYRNS of Tennessee. Yes; it amounted to $5,940,000 to be exact.

Mr. MANN. That was after this bill had been——

Mr. BYRNS of Tennessee. No; that estimate was presented to the committee while it was having its hearings, and we had that estimate before us when the hearings on the War Department were conducted.

Mr. MANN. Well, I think there was an estimate submitted in the last few days of $6,000,000.

Mr. BYRNS of Tennessee. Oh, well, the gentleman means for a deficiency; the gentleman refers to a deficiency?

Mr. MANN. That is what I wanted to ask, whether that was for a deficiency for the balance of this fiscal year—$6,000,000 for additional clerk hire?

Mr. BYRNS of Tennessee. That is my understanding; but I am frank to say I have not seen the estimate. The estimate referred to by the gentleman is for a deficiency for the remainder of the fiscal year. Now, gentlemen, for the Navy Department this bill carries for additional employees $1,046,000, which is a reduction from $1,210,686.73 provided for the current year and a reduction from the estimate submitted to the committee, which was $1,607,740. The Navy Department at the time our hearings were conducted had in the District of Columbia a total of 6,275 persons, with pay aggregating an annual rate of $7,729,293.28, which was made up as follows: Statutory employees on the regular roll, 723; total salary, $818,260; temporary additional employees, 1,263; total salary, $1,516,260.16; and reserves to the number of 4,289, with a total salary of $5,354,773.12.

Mr. McKENZIE. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield to the gentleman.

Mr. McKENZIE. I would like to ask the gentleman a question in regard to the practice of these different departments. You are making appropriations of so much money to pay for the additional help in the War Department, for example, and also in the Navy Department. What I want to know is, What is the practice of those departments? In the event you do not make sufficient appropriations, do the heads of the different departments go right on employing this help they feel they need and then come in with a deficiency appropriation and ask Congress to pay the bill?

Mr. BYRNS of Tennessee. The law provides where a lump sum is provided that it shall be apportioned throughout the year, in 12 equal installments, month by month, but it also gives to the head of the department the authority to waive that law of apportionment where he deems it necessary for the conduct of the Government's business. Of course, therefore, Congress has no authority, unless it repeals that law, to regulate the amount of money that shall be used during the month unless it proceeds in the bill to say how much shall be used month by month.

Mr. McKENZIE. In peace time you provide in this legislative, executive, and judicial appropriation bill for a certain specific number of clerks, as I understand it, and, of course, the heads of the departments can not add to that number without the authority of Congress, but now during this war time or period is it possible that Congress has not the power to demobilize this great force of clerks down there, but they can go on and keep them on the roll and then come in with a deficiency bill?

Mr. BYRNS of Tennessee. Congress has undoubtedly power to reduce the appropriations, of course, and decline to give permission to employ the clerks. They can not employ them unless they have an appropriation, and this bill, while it carries $4,000,000 for the War Department, provides for a reduction from the amount of about $18,000,000 which, I understand, is needed for the current year. So you see that in itself is quite a demobilization.

Mr. McKENZIE. I understand that; but, for instance, the deficiency the gentleman just spoke of a few moments ago, which the Secretary of War is asking for, is to pay for help. Now, the appropriation is a certain amount of money?

Mr. BYRNS of Tennessee. Yes.

Mr. McKENZIE. When that was exhausted they do not keep taking on clerks, I understand, but come in with a deficiency?

Mr. BYRNS of Tennessee. Yes; the original appropriation was something over $10,000,000, but, as I stated, under the law the Secretary of War had the right to waive the necessity of apportioning that money month by month where an emergency arose which, in his opinion, warranted such action, and I assume that was so in this case.

Mr. McKENZIE. He can do the same thing under this bill?

Mr. BYRNS of Tennessee. He can.

Now, it appears that the Navy Department expects to continue the employment of a force of 2,572 reserves, even though they were allowed the 1,785 additional employees which were asked of Congress in this bill. For my part, gentlemen, I think it is a bad practice to employ reserves in peace times here in Washington to perform clerical service. I think that work ought to be done by civilians. But since it was stated that 2,572 reserves were to be employed anyway, and since your committee had no jurisdiction of legislation with reference to the employment of reserves here in the Navy Department, your committee felt thoroughly warranted in reducing this sum to a little over a million dollars for about 800 employees.

Mr. MADDEN. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. MADDEN. I was wondering whether in the face of the fact that the Navy Department has decided under the Naval Establishment to retain 2,500 reserves as clerks if it would not be a good thing to cut out all the civilian clerks and let them run the department with reserves, inasmuch as this committee has no jurisdiction to do anything else?

Mr. BYRNS of Tennessee. I think that would be advisable if it was proper to employ reserves in peace times.

Mr. MADDEN. I know; but inasmuch as this committee has no jurisdiction to direct the removal of reserves, and the department insists on retaining them, and at the same time insists on the employment of civilian clerks, if there is no other way around to reach the matter of the economical administration of the affairs of the department this committee could refuse to appropriate for the civilian clerks until they found out when the department was going to let go of the reserves.

Mr. BYRNS of Tennessee. I think what Congress ought really to do is to refuse to provide for the reserves.

Mr. MADDEN. The gentleman said they had no jurisdiction over them.

Mr. BYRNS of Tennessee. And they should require the Navy Department to submit estimates here as to the extent of the clerical force they would need during the fiscal year.

Mr. MADDEN. Would the gentleman raise a point of order against an amendment that would do that in this bill?

Mr. BYRNS of Tennessee. To cut out the reserves?

Mr. MADDEN. Yes.

Mr. BYRNS of Tennessee. The reserves are not carried in this bill.

Mr. MADDEN. I understand; but we might put a provision in this bill that would prevent their being carried any other place.

Mr. BYRNS of Tennessee. I would feel compelled at the present time to say I would for this reason: They evidently have not estimated here for anything like the force that will be needed by the Navy Department, and I think if we were first to cut out the reserves, without giving the Navy Department an opportunity to come before some committee to show the civilian force they need, it might do the department an injustice.

Mr. MADDEN. I thought, maybe, that if we could eliminate the reserves that are acting as clerks in the department, and we did not leave enough civilian clerks to do the work, we could supply them in the bill before it got through the Senate.

Mr. DYER. Will the gentleman state of what these reserves consist? Are they men or women, or both?

Mr. BYRNS of Tennessee. They consist of both sexes, but the majority are women.

Mr. DYER. Does the gentleman know as a matter of fact that they get more pay than civil-service employees?

Mr. BYRNS of Tennessee. I understand that many of them do.

Mr. DYER. The employees who have been there for years are getting less pay than these reserves.

Mr. BYRNS of Tennessee. I think that is true in some instances. That is another reason why I think the employment of reserves in peace times in the Navy Department should be abandoned.

Mr. EMERSON. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. EMERSON. I find in this bill in several places provisions for the employment of people by name. Why is that in the bill? Now, for instance, in the Senate I find Henry M. Rose, at $5,000.

Mr. BYRNS of Tennessee. Where is that?

Mr. EMERSON. That is on page 2; Henry M. Rose, $5,000, and on page 17, for the employment of Joel Grayson in the document room.

Mr. BYRNS of Tennessee. That is due to the fact that Congress many years ago—I do not know just when—passed a joint resolution placing those particular men on the rolls at the salaries named in the bill, and hence the appropriations in the bill are framed to take care of them by name because they were named in the joint resolution.

Mr. EMERSON. They are permanently employed?

Mr. BYRNS of Tennessee. They are permanently employed until Congress sees fit to repeal the resolution.

I want to hurriedly refer to two or three matters. We have included in this bill a provision in reference to war materials so as to provide that the excess materials and supplies in the various departments which have accumulated on account of the war may be used by other departments.

The President issued an Executive order covering these excess general supplies into the custody and care of the General Supply Committee, and the provision that we have recommended makes provision for their sale by this General Supply Committee to the departments and bureaus of the Government that may need them.

This bill undertakes to eliminate all the provisions for rent that are being made here in the District of Columbia, with the exception of certain buildings which are under lease by the Government. There are a number of buildings like the building occupied by the Department of Labor, the Civil Service Commission, and other establishments, which are under lease for a period of years. Some of these leases run to 1921, 1922, and 1923. Of course, in these cases it is necessary for the Congress to make an appropriation to carry out the terms of the leases.

Then there is another building the lease of which expires June 30. That is the building occupied by the Department of Commerce. Your committee felt that it was hardly in accordance with the dignity of that great department to undertake to put it in one of these temporary wooden buildings down here in the park, and hence we have recommended to Congress that the Secretary of Commerce be given authority to enter into another lease for five years at the end of the present term of the lease. But with the exception of a few other buildings which appear in the bill, this committee has eliminated all the rent, amounting to more than $600,000, that is being paid private owners here in Washington.

It was stated by Mr. Dorr, who has charge of this matter, that the total net space available in temporary buildings is 3,994,000 square feet. He has received requests from certain activities of the Government for 761,000 square feet, which will be taken care of by June 30 of this year, and he estimates that after all these requests are taken care of he will then have an additional 500,000 square feet which will be available for assignment to other branches of the Government.

Your committee felt, inasmuch as these buildings are suitable for office purposes, and inasmuch as they will be vacant, it would be a waste and an extravagance to undertake to rent private buildings here in the city of Washington when the Government has sufficient available space to take care of all its business, and hence, as I say, we eliminated more than $600,000 in rent from this bill.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. MANN. What buildings does the gentleman refer to? He said "these buildings." What buildings does he refer to?

Mr. BYRNS of Tennessee. Government buildings?

Mr. MANN. Yes.

Mr. BYRNS of Tennessee. I have reference to these temporary buildings down here in Henry and Seaton Parks and in the Mall, and then also to a number of buildings, the Food Administration Building and the Fuel Administration Building, whch are down near Potomac Park, and the War Trade Building, which is on Government land on Fourteenth Street.

Mr. MANN. I take it that the position of the gentleman and of the committee is that these temporary buildings which were put up in parks are to remain there?

Mr. BYRNS of Tennessee. No. The committee recognized full well that it will be impossible for these buildings to be occupied more than a few years, because they are temporary in character.

Mr. MANN. They are temporary in character, of course, and they may fall down, and can not be used very long; but in the meantime they can repair them and keep them up. I had hoped that the committee or Congress would attempt at the very earliest possible moment to restore the parks and tear down these temporary buildings just as fast as they could get the people out.

Mr. BYRNS of Tennessee. I feel sure that many of these buildings will be torn down, even if this provision goes in, eventually, because they will not all be needed.

Mr. MANN. Just those that are needed will remain. But the Government activities are such, the demand for space is such,

that as soon as any portion of the Government, the Congress or the House of Representatives, and any one of the various departments finds that there is additional space that can be obtained they always want to occupy more room. There never will be space enough created for the Government to satisfy the desire of people for more room. We have had experience of that in connection with our own offices.

Mr. BYRNS of Tennessee. I thought that possibly if this provision were adopted it might serve to aid some gentlemen who are endeavoring to have the Government put up more buildings. For my part I have always thought it was a shame that the Government of the United States, rich and powerful as it is, did not own its own buildings and house its employees under its own roof, and I hope the time will come soon when we will have buildings of that character. And when I say that, I do not mean buildings that are put up under the artistic ideas of the Fine Arts Commission, with many expensive columns and little office space, but I mean substantial, good-looking, respectable office buildings.

Mr. EMERSON. And have them grouped together where we can get to them.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. GRAHAM of Illinois. I remember hearing Mr. Fitzgerald, of the Committee on Appropriations, discussing this matter on the floor here, and the point was raised at that time about building these buildings in the Mall or in the parks; and he stated that it was the purpose of the committee and its members, so far as he could tell, that they should be only temporary, and should be torn down just as soon as the emergency was over. Is that still the idea of the committee, so far as you know it?

Mr. BYRNS of Tennessee. That is a matter, of course, with which the committee of which I am a member has nothing to do. But I think that is the idea of every Member of Congress, because these buildings are in their very character temporary, although it is stated that some of them might last 5 or 10 years. I see no reason why some of them should be torn down during the next fiscal year, and certainly economy demands that the Government should use them as long as they stand.

Mr. GRAHAM of Illinois. They are in a place where they ought not to be. Is not that true?

Mr. BYRNS of Tennessee. That is true, possibly of one or two buildings, but buildings like the Food Administration Building and the Fuel Administration Building and other buildings near Potomac Park do not interfere with any of the parks of the Government. As a matter of fact, they are constructed on leased land, for which the Government is paying 10 cents a square foot per annum.

Mr. GRAHAM of Illinois. I imagine it is the intention to move some of the other departments of the Government into these temporary buildings. Is it also intended to move the records of these various activities into these buildings?

Mr. BYRNS of Tennessee. There will be no particular permanent records of great value. There will be no records of such value as those of the War Risk Bureau or the Internal-Revenue Service. Departments which have a great volume of records will not be moved there, I take it. The question of what branches of the Government will be moved into these buildings is left with the President.

Mr. GRAHAM of Illinois. In other words, there will not be anything taken into these buildings, so far as the gentleman knows, that would be exposed to the hazards of destruction by fire?

Mr. BYRNS of Tennessee. Oh, no; quite the contrary, I am sure. The Committee has recommended to Congress that the Arlington Building, so called, which is now nearing completion and, I understand, will be ready about February 1, shall be used by the Bureau of War Risk Insurance, and if there is any excess space, that the Secretary of the Treasury may designate it for other bureaus of the department. Now, representatives of the bureau appeared before the committee and asked for an appropriation of $40,000 to rent the Southern Railway Building, down here near the depot, stating that it was the only building within their knowledge which they could rent which was of fireproof construction. We did not allow that; but inasmuch as it was stated to the House when the Arlington Building was purchased out of the emergency fund of the President, and in the hearing before the Senate committee that it was purchased for the War Risk Bureau, we felt that the War Risk Bureau should be put into that building, especially since, as has been stated on the floor this morning, it is now spread out in 15 buildings over the city, and that is one of its chief excuses, and I think justified to a certain extent, for its failure to render the prompt service that we all hoped it would render in the case of allotments and allowances.

Mr. SLOAN. Will the gentleman yield at that point?

Mr. BYRNS of Tennessee. I yield.

Mr. SLOAN. Did Congress ever authorize the investment of its funds in this Arlington Hotel property, so called?

Mr. BYRNS of Tennessee. The $4,200,000 which was used in purchasing that building was set apart by the President out of the emergency fund which Congress had theretofore placed in the hands of the President.

Mr. SLOAN. That emergency fund was distinctively a war-chest fund and not a real estate or construction fund.

Mr. BYRNS of Tennessee. It was an emergency fund for war purposes undoubtedly. There are many purposes to which it might have been legally and properly devoted by the President, and I assume this is one of them.

Mr. HUMPHREYS. Did not Congress subsequently take some action touching this matter?

Mr. BYRNS of Tennessee. I think not, although it was discussed in the House.

Mr. GARNER. They reimbursed the $4,200,000, did they not?

Mr. STAFFORD. When did they ever do that?

Mr. GARNER. I am asking the gentleman.

Mr. STAFFORD. I do not think they ever took such action. In fact, the gentleman from North Carolina [Mr. POU] was ready to introduce a rule to consider the resolution providing for the purchase of that building when Mr. McAdoo went ahead and purchased it out of this fund.

Mr. GARNER. I think they reimbursed that.

Mr. HUMPHREYS. What is the gentleman's recollection about that? My own recollection is that Congress subsequently authorized the reimbursement of this fund out of which the President had made the payment, and thereby ratified and indorsed what Mr. McAdoo did.

Mr. BYRNS of Tennessee. I am frank to say to the gentleman that I am not certain that any such action was taken. I do know that the matter was very thoroughly discussed upon the floor of the House, but I do not recall that Congress passed a bill appropriating $4,200,000 for the purpose of reimbursing the President's fund.

Mr. EMERSON. The Government paid for it, just the same, whether out of the President's fund or some other fund.

Mr. BYRNS of Tennessee. It is paid for, and, to my mind, it is one of the finest buildings that the Government owns here in the city, with one or two exceptions. It is a splendid building, and I have no doubt is fully worth the money paid for it. It contains something over 600,000 square feet of space, and will be more than sufficient to house this great War Risk Bureau.

Now, gentlemen, while I am discussing the War Risk Bureau and the space that has been provided for it, I wish to refer to the fact that the gentleman from Illinois the other day read into the RECORD a number of letters, some of them attacking certain officials in the Bureau of War Risk Insurance, one of them in particular undertaking to name three of the employees of the Bureau of War Risk Insurance, to wit, Mr. King, whose initials I do not recall; Mr. Effner, whom I do not know; and Mr. D. A. Jones, who is superintendent of special agents. Mr. King is now a deputy commissioner. Criticism was made in this letter—the gentleman from Illinois expressly stated he did not vouch for the accuracy of the statement—of these gentlemen for having selected what was known as the Hooper-Holmes Bureau to make the investigations required by law as to the allotments and allowances.

This letter intimated, if it did not expressly say so, that the three gentlemen to whom I have referred stood to make a good deal of money as a result of the methods that they had followed in selecting this bureau to make these investigations. I understand full well, as I say, that the gentleman from Illinois did not vouch for that statement. I regret that he did not give the author of the letter, because if he had it might be possible to show—I do not know whether it is the fact or not—that the author of the letter was one of two or three employees who have been discharged from the bureau. But whether that be true or not, I wish to say, in justice to these gentlemen, that I do not think any criticism can be made of them for the manner in which they have selected these special agents to make these investigations. I have known Mr. D. A. Jones for many years; I have known his family, and I can cheerfully testify to his high character and integrity. He is a reputable, splendid gentleman, who came here in a clerical capacity, and who by virtue of his own industry and efficiency has been promoted to be superintendent of investigations in the bureau. As to Mr. King, I never knew him until he appeared before the committee in the hearings. He impressed me then as a man of fine

business capacity, and all who know him speak well of him. He is connected in some way—just how I do not know—with the Hooper-Holmes Bureau. I do not know Mr. Effner. The facts are that they were under the necessity of making this investigation under the law. Here were hundreds of thousands of cases all over the country.

They had sent checks for allotments and allowances, because, of course, they realized they could not delay sending out checks to families of soldiers who needed the money while they undertook these many investigations. The question was as to how they should select those to make investigations in every town and in every civil district of the country. More than 110,000 investigators were selected. They appealed to insurance inspection agencies, they appealed to the Red Cross, they appealed to every conceivable source for a list of men capable of making these investigations. They took a list of the American Bar Association and sent a letter, I am informed, to every member of the American Bar Association telling him that while they knew he would not be particularly interested in the $1 which was all that was paid for any particular case, yet it was hoped, from the standpoint of patriotism and desire to serve the country, that he would assist in such investigations. Many of them did it as a pure matter of patriotism, because the sum of $1 was not sufficient compensation for the work required in many of these cases. Out of the 110,000 investigators on the rolls, they tell me, 60,000 are active, and I am informed that representatives of the Hooper-Holmes Bureau are serving in only about five States. I submit that in cases where only $1 is paid for an investigation, where the fee is not paid by either one of these three gentlemen, but is paid through the disbursing officer of the bureau, there is not the slightest opportunity for either one of them, if so inclined, to profit at the expense of the Government in the investigation.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. MANN. The statements which I read in the House were read some time ago. They could easily be denied if they were not true. The gentleman has not denied any of them yet. I have been appealed to by various gentlemen not to press anything of this kind, because some of these gentlemen were members of the Republican Club of New York, in good standing in the club. It seemed to me, instead of endeavoring to bring political influence to bear upon me, which usually does not have very much effect, they would better deny the statements. Is Mr. King a high official in the Bureau of War Risk Insurance?

Mr. BYRNS of Tennessee. Yes; he has been acting as deputy commissioner.

Mr. MANN. Is he a high official in connection with the Hooper-Holmes Bureau?

Mr. BYRNS of Tennessee. That is my information.

Mr. MANN. And the gentleman knows the transaction is improper if he had anything to do with it?

Mr. BYRNS of Tennessee. I know this, without undertaking to argue the propriety of Mr. King having been employed as a deputy commissioner and then employing the investigators of his bureau to make these investigations; I feel sure that there has not been any graft to those in charge here in Washington in these investigations throughout the country, for this reason: In the first place, it has been difficult, I am informed, to even get men to make these investigations for $1, because they insist that it is worth four or five times that much. In addition to that, I am told that when these reports come in they are first submitted to those in charge of the investigation section, and if they are found to be proper and the person making the report has complied with the instructions of the bureau, then his name is certified to the disbursing office and a check for the amount due is sent directly to him. I submit that in order for anyone here in Washington to profit it would be necessary to have some arrangement with the whole 60,000 investigators over the country for a refund of a part of the dollar that might be sent him in this or that case.

Mr. MANN. If the Hooper-Holmes Bureau is making a large amount of money out of this and Mr. King as deputy commissioner of this bureau was instrumental in having that company get the work in which he is interested, I can very readily see an opportunity of making considerable money whether it is called graft or otherwise. As to whether the investigations which have been made are worth $1, that is another thing. I doubt whether any investigation is made in most of these cases that is worth 5 cents. I happen to know of some cases where I know the investigations took no time and it is not worth a nickel.

Mr. BYRNS of Tennessee. I am informed that as a result of these investigations about $900,000 per month remains in the Treasury.

Mr. MANN. The gentleman, I suppose, means that a lot of those allowances have been revoked, namely, upon reports made directly to the Bureau of War Risk Insurance, and in most cases it has been an outrageous revocation.

Mr. GARNER. Not in most cases.

Mr. MANN. In many cases, without investigation, without knowledge.

Mr. BYRNS of Tennessee. The gentleman referred to an investigation by Congress. I think that if there is the least scintilla of evidence of facts to support the charge that any employee of the Bureau of War Risk Insurance has been profiting at the expense of the Government and in violation of law and the obligation that he owes to the Government, there ought to be such an investigation and such person punished.

Mr. MANN. If the Deputy Commissioner of the Bureau of War Risk Insurance has given a contract to a concern of which he is substantial owner, and which receives a large amount of money from the Government, it certainly means that somebody is getting some money out of the Government.

Mr. BYRNS of Tennessee. I am informed by Mr. King—I give the gentleman as my authority—that the Hooper-Holmes Co. does not receive one cent of the $1 that has been paid to those making these investigations. The Government pays the money direct to the investigator, who is expected to make a close and personal investigation of the cases placed in his hands, and which often requires a good deal of work and the interviewing of a number of persons. Gentlemen must bear in mind that this investigation is required by law, and these officials have been trying to do their duty.

And I hold in my hand a memorandum which was handed me by Mr. King, and also one handed me by Mr. D. A. Jones, which they asked me to do them the justice to present to the House. These gentlemen specifically deny these charges, and I wish them to go into the RECORD so that their side of the matter may be made clear.

Mr. MANN. Do I understand the gentleman says that no money is paid by the Government to the Hooper-Holmes Co.?

Mr. BYRNS of Tennessee. No; if I said that I was very unfortunate in my statement.

Mr. MANN. I understood it.

Mr. BYRNS of Tennessee. What I meant to say was, I am informed by Mr. King that the Hooper-Holmes Bureau receives no part of the money that is paid to any of its agents for making this investigation.

Mr. MANN. Oh, no; but is the gentleman also informed that the Hooper-Holmes Co. does not pay the dollar to the agent?

Mr. BYRNS of Tennessee. For making this investigation?

Mr. MANN. But only pays a portion of it?

Mr. BYRNS of Tennessee. The dollar is paid by the Government.

Mr. MANN. To the Hooper-Holmes Co.?

Mr. BYRNS of Tennessee. No; my information is it is paid directly to the man making the investigation, and the voucher is sent him and not to the Hooper-Holmes Bureau.

Mr. MANN. Well, the gentleman has stated both ways about it.

Mr. BYRNS of Tennessee. Then I have been unfortunate. I stated a few moments ago——

Mr. MANN. There is quite a difference in whether the Government is given an opportunity to use the list of people which the Hooper-Holmes Co. has as its own list and pays the men itself or whether the Government has made an arrangement with the Hooper-Holmes Co. and pays the Hooper-Holmes Co. a dollar for each case and the Hooper-Holmes Co. pays a portion of that amount to the men making the investigation.

Mr. BYRNS of Tennessee. My information is that the Government is only using the list of the Hooper-Holmes Bureau in certain States where they were unable to secure lists through the usual method and that the money which is paid for making the investigation is not paid to the Hooper-Holmes Bureau but paid to each individual who makes this investigation and the report.

Mr. MANN. It is a very easy matter to determine. Why has it not been determined? The letter which I read to the House, which might be supplemented by a statement made to me by a Member of the House who said he had investigated this matter, was that the Hooper-Holmes Co. received a dollar, and whereas it usually had a great many employees working in other insurance cases it did not pay the dollar to the investigator, and that in other insurance cases it took a contract for making the investigation for less than a dollar and still retained a profit after paying the investigator. Now, it is easy to know what the facts are.

Mr. BYRNS of Tennessee. I repeat I have here, Mr. Chairman, a statement of Mr. King in the form of a memorandum

which he requested me to present to the House, and I ask unanimous consent to insert this, and also a memorandum from Mr. D. A. Jones, in the RECORD as a part of my remarks, which will give the gentleman the full information.

The CHAIRMAN. Is there objection?

Mr. GRAHAM of Illinois. Mr. Chairman, reserving the right to object, does Mr. King say anything about the point suggested by my colleague in his memorandum?

Mr. BYRNS of Tennessee. Yes; and explains the whole matter.

Mr. GRAHAM of Illinois. Why can not it be read now?

Mr. BYRNS of Tennessee. If you will give me the time I will be glad to read it, but I have not the time, and I was trying to get through so as to yield to the gentleman from Texas the balance of my time. I think it will serve every purpose if it is printed in the RECORD.

Mr. SLOAN. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. SLOAN. Will the gentleman also place in the RECORD the questionnaire submitted to the various investigators or inspectors, whatever they may be, relative to the right of these beneficiaries to these allotments? I understand that the questions submitted were, at least some of them, subject to criticism. For instance, in a number of them, and I appeal to the gentleman from Ohio for a definite statement, if a mother was claiming allotment from a son the investigator would ask whether or not she was a moral woman, or words to that effect?

Mr. BYRNS of Tennessee. I have never had an opportunity to see one of the questionnaires, and I do not know just what statements are contained in them.

Mr. KEARNS. Will the gentleman yield?

Mr. BYRNS of Tennessee. I take it they were made sufficiently broad in order to give all the information that was necessary for the bureau to act properly on the case. I yield to the gentleman.

Mr. KEARNS. I had sent to my home town, addressed to me as attorney at law, 8 or 10 questionnaires, wanting information relative to a number of allottees in that particular neighborhood. I happened to know personally two of them myself—two mothers. The letter inclosed asked me to state in the place for remarks on each questionnaire whether or not these mothers were moral women. Now, I would like to ask the gentleman from Tennessee what would be the difference whether a mother was moral or not if she had sent two or three sons into the Army and those sons had made an allotment to her. The money belonged to the boys and not to the Government. The Government had agreed with those boys when they left their homes to pay this allotment to the mother, and I could not quite understand what business it was of the department whether the mother happened to be a good woman or a bad woman. The sons wanted her to have the money or they would not have allotted it to her. It was their money.

Mr. BYRNS of Tennessee. Is the gentleman certain that that was only an allotment, and that it did not carry with it an allowance?

Mr. KEARNS. It carried with it an allowance, yes, in this particular instance. The two sons had gone in November, 1917. It was only a few weeks ago that I received this letter and these questionnaires. This mother had not received even one nickel up to that time. It seems to me if the Government was not satisfied to pay the allowance it ought at least to have paid the $30 that belonged to the sons of this mother, regardless of whether she was a moral woman or not.

Now, in this particular instance to which I refer, because this mother could not get this money from her sons, who had been supporting her for the last six or seven years, to my knowledge, she was compelled to take in washing and do the family laundry for a number of families in this town. She was thus compelled to be away from home through the day, when she was at work, and one of her younger boys caught cold playing in the streets, with no one to look after him, and died. Certainly some one in the department is responsible for that young son's death. I happened to know of this case, and when I got the questionnaires I wrote to the department answering their questions as best I could, but when it came to the place where it asked whether she was moral or not, I wrote in that place "It is none of your d—— business"; and the mother informed me in a week after that she had received the allotment and allowance.

Mr. BYRNS of Tennessee. I have had many cases called to my attention which I thought were inexcusable, but, on the whole, I think we should take everything into consideration. Here are 4,000,000 applications for allotment and allowance to the War Risk Bureau, a bureau that did not grow gradually, but where all the allowances and allotments were thrust on it at one time. Possibly there may be a little justification for the delay. Gentlemen can appreciate what a stupendous job it was and how very difficult it was not to make some mistakes.

Mr. Chairman, in the preparation of this bill your committee has borne constantly in mind the importance and necessity of retrenching the expenditures of the Government. The expenses incident to the preparation for and the winning of the war were without precedent in the history of this or any other country. Congress, with an eye single and alone upon an early and lasting victory spared no expense necessary to enable those charged with the prosecution of the war to thoroughly equip our soldiers who were so bravely risking their lives in the cause of freedom not only for our own beloved country but for the world at large. During the war money was spent with a lavish hand, and not a single loyal taxpayer complained or would have had it otherwise. A heavy bonded indebtedness which will require years to liquidate was willingly incurred in order that militarism and autocracy might forever perish from the earth. But now the scene has changed. The war has been won. It has cost the lives of many of the noblest and best of our citizenship, and billions in money. But, Mr. Chairman, independence is never purchased at too great a sacrifice. Every true American, not excepting the noble mother who made the supreme sacrifice of her splendid son on the altars of her country, has been willing to make the sacrifice in order to maintain our commercial independence and complete sovereignty and to rid the world of the nightmare of military domination and economic servitude.

This war has taught us many valuable lessons. Chief among them, I trust, is the lesson of frugality, the importance of conserving our food supplies and resources, and the sin of wastefulness and wanton extravagance. On account of our great abundance, the American people had become an extravagant people, wasting vastly more of the actual necessities of life each year than was necessary for their comfort and pleasure. The necessities of war have brought this fact home to the man and woman both on the farm and in the city. And, Mr. Chairman, what is true of the individual should be true of our Government. Our appropriations for years to come will be many times greater than ever before on account of the war, and this increased burden will rest upon the people whom we represent. The time has come when the representatives of the people must give closer attention to the expenditures made by the Government. This does not means that our Government must be parsimonious. It certainly does not mean that those who are employed by the Government shall not receive a wage which will fairly compensate them for the services rendered and enable them not only to live comfortably and decently but to also have some of the real and genuine pleasures of life. It does not mean that the Government shall be unprogressive and fail to make those expenditures which are necessary for the health, happiness, and education of its people. It does not mean that it shall in any way neglect those internal improvements which are so necessary for its complete development or that it shall fail to fully foster and lend proper encouragement to agriculture, industry, and commerce. Quite the contrary. For these are duties which must be assumed by a Government which exists for the people and not for a few favored individuals. But it does mean, Mr. Chairman, that the expenditures of the Government must be closely scrutinized and that all wasteful and unnecessary expenditures must be eliminated. This your committee has very earnestly endeavored to do in the preparation of this bill.

Some increases made necessary by the developments of the war have been recommended. Among them is an increase for the promotion of our commerce, both foreign and domestic. I am frank to say that personally I would have been willing to see an even greater amount appropriated than is recommended in this bill, for I regard this as a matter of the most vital importance to the prosperity of all the people and particularly at this time. Every dollar that is properly expended for the extension of our foreign commerce at this time will be wisely spent. We are not spending near so much for this purpose as Germany was spending before the war, and we all know that the products of her factories and industries had invaded every country in the world, and that if she had only been content, and had not sought to dominate the world by the force of her arms, she would very soon have become supreme, commercially, over all other nations. This substantial and worth-while peaceful victory would have been secured through the aid which her government was giving to her industries in foreign fields. Neither are we spending as much as Great Britain, which will be our chief, though friendly, trade rival of the future. Nor, I dare say, will we be spending more than Canada, whose statesmen are already planning a world-wide campaign for the exploitation of her products. The nation that does not prepare

now for the fierce trade rivalry that is bound to ensue, and that does not take proper and necessary steps to secure a large part of the world's trade, is making a most serious economic mistake.

It is a matter of the most vital importance to every citizen of our country. The greater our trade, the more factories we will have and the greater the number of laborers who will be employed and the better the wages which will be paid them. Likewise, the greater will be the demand for our agricultural products and the price which will be paid for them. If we, as a Nation, expect to keep our place in the sun, then we must see to it that American-made goods and American products of all kinds find their way into all the markets of the world. In the future a nation's greatness very happily will not be measured by the size of its army or the strength of its naval armament, but by its commercial strength. The true test will not consist in the number of its naval vessels and its big guns, but rather in the number of its factories.

The opportunities have never been greater or more inviting than they are at this time. The eyes of the whole world are upon America. Her vast resources have become known to every nation on the globe. Her ability to produce, "to deliver the goods," has been demonstrated to a wondering world, and no one will be heard to question her ability to successfully cross swords with every rival in the forceful struggle for a large share of the world's trade. If this is to be secured, then proper steps must be taken now. We must not wait until other nations have satisfied the waiting markets made hungry by the war and thus established a trade which may prove permanent. The devastated regions of Europe offer an inviting field for our products. The same may be said of the neutral countries of Europe whose stock of supplies has run low. Germany, by reason of the activity of commercial agents and her manufacturers, had a great trade with South America and the Orient. The fortunes of war have lost this to her. Shall we permit this trade to be taken by other countries, or shall we reach out and take it as we can do by reason of our vast and varied resources, which are superior to those of any other nation on the globe? To do this we must adopt the plan that Germany followed with such great commercial and financial success, and which other nations are planning to follow, and send experienced and competent commercial agents into promising foreign fields, not to act as sales agents, but to study foreign market conditions and requirements, and to give advice and information to our manufacturers as to how they can best meet such conditions and compete with other countries. We are spending millions of dollars in building the largest merchant marine in the world. These bottoms, filled with American commodities, agricultural and industrial, should enter every market of the world, bringing back in return those elements of wealth which will contribute to the prosperity of our entire citizenship. I regard it as a sad commentary that we are to-day spending for this purpose less than one-twentieth of what it costs to build one first-class battle cruiser.

And let me say just here, Mr. Chairman, that every section of our country is equally interested in this vital problem. It is America's opportunity, and not that of any particular section of America. The enrichment of one section adds to the wealth and commercial strength of our common country. The fires of sectional hatred which years ago unfortunately, but somewhat naturally, mounted high, I am happy to believe have been completely extinguished. There is no North, no South, no East, no West in this country except in a geographic sense. And I greatly deplore the fact that there were some in the recent election who for purely political purposes sought to fan the old fires of sectional hatred into flame by the cry that the "South is in the saddle." Such a sentiment was unworthy of the great political party in whose interest it was uttered, and an insult to those to whom it was addressed, in the hope of influencing them. Let me tell you that there is no such feeling in the South. We rejoice that we are an important part of this great Nation and that our brave boys fought by the side of the brave boys of other sections for the glory and honor of our flag. I repeat that an effort to provoke sectional feeling for political purposes is unworthy of the one who attempts it, and I feel sure will be rebuked by the sober, sensible people of all sections of our country.

And let me say, in no spirit of resentment or criticism, that the South has done much to add to the wealth of the North and East. For reasons with which we are familiar she has had comparatively few manufactories. Her cotton has in large part been shipped hundreds of miles to New England, and there woven into cloth and then distributed over the world. That this has been a serious economic mistake on the part of capital no one will deny, for the South is nearer to South America and the markets of Australia and the Orient. The loss on account of unnecessary transportation is therefore considerable, especially when it is considered that many southern harbors offer ample facilities to steamship lines for the shipment of her valuable products direct to foreign markets. We have the coal, the iron, the water power, the transportation, and other facilities, and with these advantages you may rest assured that factories will soon spring up in the South in greater abundance than ever, and that the increasing whir of her spindles and factory wheels will make her an ever-growing commercial as well as agricultural factor in the life and wealth of the Nation.

Mr. Chairman, I append herewith the memoranda to which I have referred.

TREASURY DEPARTMENT,
BUREAU OF WAR RISK INSURANCE,
Washington, January 6, 1919.

MEMORANDUM.

Re Connection of John J. King with the investigation section of the Bureau of War Risk Insurance.

In June, 1918, the Hooper-Holmes Bureau, a corporation operating under the laws of New York and engaged in furnishing information and inspection service to insurance companies for the past 25 years, received a telegram from C. F. Nesbit, Commissioner Bureau of War Risk Insurance, asking that one of the principals come to Washington for a conference. In pursuance to the request contained in this telegram I came to Washington and had a conference with Mr. Nesbit, Assistant Secretary Love, and others. I remained here four days. I feel that I was practically drafted into the service of the Government, for the reason that upon my first interview with the commissioner he stated that he wanted me to come here for six months to assist in the organization of a central investigation section to replace the work that had already been planned for numerous branch offices and which had already proven unsatisfactory and very expensive. As a result of my conferences during my first visit to Washington, and after a consultation with my business associates in New York, it was agreed that I would come to Washington in an advisory capacity for three days or thereabouts each week, I having stated it was impossible at that time to give the Government my entire time for six months. Early in July I received an appointment as expert adviser to the Bureau of War Risk Insurance. About this time Mr. H. A. Behrens, of Chicago, was also called in as an adviser, and was jointly submitted a plan of operation of the investigation section, centralized in Washington, which plan was adopted and approved by the Assistant Secretary of the Treasury, the Director of the Bureau of War Risk Insurance, and the commissioner. This plan has been carried out under my advice and is now functioning. It has been inspected by most of the officials and advisers of the War Risk Bureau and has had their approval. I am attaching hereto a copy of the report outlining the plan.

Mr. Eugene T. Lies, who had been deputy commissioner at the time I first came to Washington, resigned as of July 31, 1918, leaving the position of deputy commissioner, in charge of the investigating section, vacant. During the summer and fall of 1918 this position was frequently offered to me, and I was urged to accept it. I declined to do so, on the ground that I did not feel able to give any more time to the service of the Government, and felt that I was doing all I could do in this advisory capacity. In the fall—to be specific, on November 6, 1918—I agreed to accept the position of deputy commissioner, in charge of the investigation section, on the distinct understanding that it would be for a short time only. My moving motive in accepting the appointment as deputy commissioner was the thought that I should at least for a time accept the responsibility for the organization, and the further feeling of pride in the organization which had been created. It had always been my intention to separate myself from the organization with the end of the year 1918, and the signing of the armistice accentuated this feeling. As the end of the year approached the new director was appointed, and I felt it my duty to remain in the organization until such time as he had had an opportunity to select my successor. Director Lindsley was informed soon after his being inducted into the office that I was one of the war workers who would remain but a short time, and I personally gave him this information at a later date.

The act of Congress creating the Bureau of War Risk Insurance provides that certain investigations and reinvestigations shall be made by the commissioner. The plan under which these investigations have been made is precisely the plan which has been used for more than 30 years by the life and casualty insurance companies, great and small. It is not an experiment nor is it original with me. It provides for reports in the main to be made by local field examiners, whose work is supervised by salaried field examiners, the latter, in addition to this work of supervising, to handle the more difficult class of investigations. The economy of this plan can not be questioned nor can its results. The section has handled a very large number of investigations at a fraction of the cost which would have been incurred had we attempted to have all our investigations made by salaried field examiners, even were it possible to organize such a staff.

The charge has been made that the investigation business of the War Risk Insurance Bureau has been turned over to the Hooper-Holmes Bureau. This is a ridiculous statement, and no person with any knowledge of the facts would make it. The immediate problem confronting the investigation section was to obtain a list of local field examiners who had had some experience in making investigations and who would be willing to make such investigations and reports to the section. Insurance companies, inspection agencies, bar associations, State boards of education, and other similar organizations were appealed to to furnish lists in various States. The difficulty was to obtain the names of people who would be willing to make such investigations and names of such persons were sought from every available source. The fee of $1 for making these investigations which was offered by the Bureau of War Risk Insurance was not attractive in view of the amount of work entailed to making the investigations. Many people with previous experience in such work refused to make these reports for this fee, although, on the other hand, a considerable number offered to make reports without fee for patriotic motives. The Hooper-Holmes Bureau furnished its list of correspondents for five States at the urgent request of the gentlemen who were then taxed with the duty of perfecting a list of local field examiners. These same gentlemen urged that the Hooper-Holmes Bureau go further and furnish a complete list of its correspondents, but because of the amount of work entailed this was never done. At least one large inspection agency refused to furnish a list of its correspondents, because it did not wish to divulge its trade secret.

As the work of organization progressed and the section's needs at any given point became acute, it was my custom to suggest names of people at various points throughout the country who were asked to make these reports. Many of them accepted the assignment. Many others refused it. The section now has a list of approximately 110,000 persons through the country who have agreed to make these reports. Of these, approximately 60,000 are active. Possibly 1 per cent of these active local field examiners are persons whose names have been taken from the Hooper-Holmes lists. The other 99 per cent were taken from other lists and obtained in various other ways. The Hooper-Holmes, of course, has no interest whatsoever in the work done by these people. It simply furnished from its files names of people who made reports for it, and they were requested to make reports for the War Risk Bureau. I find, however, that at six points throughout the United States local field examiners have been used who are part of the Hooper-Holmes organization. The names of these men were suggested by me while acting in an advisory capacity and when some one was needed in their respective localities to handle the work. These men have, I am informed, handled the Bureau of War Risk inspections just as they would inspections which come to them from any insurance company, and should there be any profit in the handling of the business, that profit would accrue to the Hooper-Holmes Bureau. Likewise, should there be a loss in handling it, they would sustain the loss. Anyone familiar with the subject knows that there is no profit in handling these reports at $1, and no inspection organization would undertake the work as a purely business proposition.

I have carefully refrained from having any business dealings with the Hooper-Holmes Bureau on behalf of the War Risk Bureau, Investigation Division, since I have been deputy commissioner, and there is much evidence in my files to substantiate this statement.

Mr. W. B. Efner, whose name was mentioned in the article read on the floor of the House by Congressman MANN, is taxed with method and personnel in this organization. Mr. D. A. Jones is superintendent of the Investigation Division. Neither of them has ever had any connection with the Hooper-Holmes Bureau. Our method of handling the payment of fees is such as to provide every possible safeguard for the Government, and I particularly desire that our entire plan be looked into carefully.

JOHN J. KING.

TREASURY DEPARTMENT,
BUREAU OF WAR RISK INSURANCE,
Washington, January 8, 1919.

MEMORANDUM.

Re Connection of D. A. Jones with the Investigation Division of the Bureau of War Risk Insurance.

In the month of January, 1918, I was offered a position with the Bureau of War Risk Insurance as insurance expert. I accepted this offer and reported for duty on February 11, 1918. I was at that time assigned to the Allotment and Allowance Division of the bureau and my connection with the bureau from February 11 to March 25 was in connection with the Allotment and Allowance Division. On many occasions during this time I conferred with the commissioner and the general counsel of the bureau with reference to making investigations. On the 25th of March I was assigned to make investigations by the commissioner, Mr. C. F. Nesbit. On April 1 the Investigation Division of the Bureau of War Risk Insurance was created. On April 5 I was assigned to this division as secretary or clerk to the head of the division. At that time no deputy commissioner was in charge, but on or about May 1 Mr. Eugene T. Lies was appointed deputy commissioner in charge of investigations and I remained during his connection with the bureau as administrative secretary of the Investigation Division.

The plan promulgated by the deputy commissioner, Mr. Lies, proved to be very expensive to the Government and other plans were discussed. Early in July the plan for investigation under which we are now operating was submitted and approved by the officials. The plan under which the investigations are being made, I understand, is the same plan used by many of the life and casualty companies and inspection companies; that is, the larger number of examinations are made by the local examiners, whose work is supervised or looked after by salaried field examiners, who, in addition, handle the more difficult classes of investigations.

On September 11 I was appointed superintendent of the Investigation Division by the commissioner, Mr. Nesbit, and at this time I am holding the same place. At that time the problem which confronted the Investigation Division was to obtain lists of local examiners who had had some experience in making investigations and who would be willing to make such reports at $1 per report. Many organizations, such as the Bar Association, inspection agencies, insurance companies, and other organizations were appealed to to furnish lists in various States, which was done; but the difficulty we had was to obtain the names of people who would be willing to make such investigations at this nominal fee.

The names of such persons were sought from every available source. The fee of $1 which was offered by the Bureau of War Risk Insurance, as anyone knows, was not and is not attractive in view of the amount of work to be done in making such investigations. Many people with previous experience refused to make such inspections. I will state that a considerable number offered to make reports without the fee for patriotic motives, and we have had many reports from them not accepting the fee of $1. I recall that we requested one large inspection agency to furnish a list of its correspondents and it refused, because it did not wish to divulge its lists of correspondents.

There are, approximately, about 110,000 persons throughout the country who have agreed to make reports for the bureau; of these about 60,000 are active, and not more than 1 per cent are persons whose names have been furnished from the Hooper-Holmes list; the others were taken from other lists and obtained in various ways. Our method of handling the payment of these fees is such that it provides every possible safeguard for the Government.

On January 2, 1919, there appeared in the CONGRESSIONAL RECORD a letter read by Mr. MANN, a Member of Congress, on the floor of the House of Representatives, in which I was branded as a member of the "clique who expected to get rich from the investigation section of the Bureau of War Risk Insurance," which statement also implied that I, as an employee of the Government and superintendent of the Investigation Division of the Bureau of War Risk Insurance, was acting in collusion with Mr. King and Mr. Efner in such capacity, Mr. King being also an employee of the Government and vice president of the Hooper-Holmes bureau mentioned, to forward the interests of that company at the expense of the Government and in utter disregard of my duty as a Government employee. I will state that I never knew the Hooper-Holmes bureau or Mr. King, nor have I had any communication or connection with him or the Hooper-Holmes bureau prior to the time Mr. King became connected with the Bureau of War Risk Insurance in the Investigation Division. The statement is not true that the investigations of Bureau of War Risk Insurance matters have been turned over to the Hooper-Holmes bureau. The work is being carried on through our own organization. We have handled 253,145 investigations, and of this number we have placed 7,358 with local examiners in six cities—whom I am now informed are the managers in their respective cities of the Hooper-Holmes bureau—and their reports are among the best received by us. It was and still is difficult to obtain men to handle this work properly in large cities.

As an employee of the Government and as superintendent of the Investigation Division of the Bureau of War Risk Insurance as above stated, I positively state that the charges contained in the letter referred to, in so far as they relate to me, are absolutely and unqualifiedly false.

D. A. JONES.

Mr. KEARNS. Mr. Chairman, I would like to have a minute right here.

Mr. STAFFORD. I will yield to the gentleman one minute, but I am yielding it out of my own time.

Mr. KEARNS. Mr. Chairman and gentlemen, I would like to know what business it could possibly be of anyone in this bureau, even if the Government was going to pay the allowance to these mothers throughout the country, if a mother has a boy in the Army and he is making his mother an allotment of one-half of his pay, whether that mother is a moral woman or a good woman. She has furnished a boy to the Army, and this boy has given $15 of his pay. If she has given this boy to the service of his country, why is not she entitled to receive $10 allowance per month from the Government? Anyhow, why should they leave it to my judgment or the opinion of anyone as to whether the mother is moral or immoral? When they refer this case to me, am I to pass upon the morality of this woman? Should any person be clothed with the power to pass judgment upon the character of mothers with sons who are in France? Is it to be left to the judgment of anyone whether these women have at all times lived the proper kind of life or not? I think it is an outrage, I think it is a disgrace, that when our boys are fighting in France for the Government to send emissaries over this country attempting to connect the name of the mother with some scandal. I charge that in every such instance this bureau has been engaged in an attempt to prove the mothers of these boys in France immoral women [applause], with the hope of escaping payment of a paltry allowance. [Applause.]

This is the crowning infamy of a department of this Government that has proven itself infamous in the extreme. This wholly inefficient branch of the War Department has by its inefficiency and reckless disregard of the law caused countless thousands of dependents of our brave boys to suffer because of a lack of the necessaries of life.

Mr. STAFFORD. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Nineteen minutes.

Mr. STAFFORD. I yield two minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, there is a feature of this legislation to which I wish to invite the attention of the House in the two minutes I have. I wish to refer to the way the committees are assigned their duties. It is clear to me that much of the work of these committees can be assigned, even under the rules, to other committees in such a way that they will all be working committees, and people could not come in here complaining that they are getting a clerk without any reason. I know that the Committee on Interstate and Foreign Commerce is getting lots of legislation that could, to say the least, go somewhere else. That is true of the Judiciary Committee and others. I am inclined to think that that is true of the Appropriations Committee. It is not the purpose of Congress to make two or three big committees work day and night and never really getting done. It is better if we could have it so that every man in this House might be on a working committee and each committee have something to do all the time. And there should be, in my judgment, such a reassignment and redistribution of these bills as to make that possible. Just specifically, I notice now that this bill provides no clerk for the Woman Suffrage Committee. To my personal knowledge there are 11 committees that have clerks here that do not do as much work as the Woman Suffrage Committee. I am on two committees myself neither one of which does as much work as the Woman Suffrage Committee, though both have done a good deal—one much work. Now, I believe you could do much good in this House by having a committee to reexamine the rules and their application to these committees so as to assign the bills in such a way as to make every committee a working committee. If it is not going to be a working committee it might just as well be disposed of; and if it is going to be a working committee it ought to have a

clerk, and it ought to be allowed to do something and compelled to do something.

The larger the number of Members who take an active part in shaping legislation the better the Congress. I know of many bills sent to what are known as the big committees which, under the rules reasonably interpreted, could be sent to committees which are not doing one-third the work they could just as well do. Yet we see these big committees actually clamoring for possession of bills over which they have, under the rules, absolutely no jurisdiction whatever. As far as the rules allow, this legislation should be distributed so that all committees would have something to do. This would give the big committees better opportunity to do thorough work. All proffered legislation would then come on the floor in better shape. Every man would then have a chance to do active personal work. As it is, some men crowd others off the floor all the time. This Congress is intended to be a representative body, representative of all the people. What is the use of having 435 Members if 30 or 40 of them on a few committees have charge of the preparation of all important legislation and there is no sense for such a theory? In my judgment, there ought to be a committee in this House to plan a better distribution of the bills introduced. The Committee on Rules perhaps ought to frame a different rule governing that proposition. Possibly the Speaker could get time, with the assistance of a small committee, to consider every bill introduced and determine where it should go. Certainly something should be done to put the burdens on more shoulders to relieve the overworked committees and to establish an equality of work and a balance of power among the committees of this House.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Mr. Chairman, I ask leave to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, I yield two minutes to the gentleman from New York [Mr. PLATT].

The CHAIRMAN. The gentleman from New York is recognized for two minutes.

Mr. PLATT. Mr. Chairman, I have listened with a good deal of interest to the discussion in regard to the shortcomings of the War Risk Insurance Bureau. After the act of November, 1917, got into operation I started out perhaps with as many war-risk cases as anybody in the House. West Point is in my district, and the war-risk insurance act particularly benefits the old sergeants and old enlisted men in the Regular Army, who had been and generally have continued living with their families at the old Army posts. With them it came as an increase of pay, practically. They were living on the old Army pay, which the war nearly doubled, and they started in and assigned half of their pay to their wives, and the War Risk Bureau added the family allowance, in many cases after a most exasperating delay.

As a matter of fact 150 cases came down here from West Point alone, and the War Risk Insurance Bureau proceeded to lose the papers of 50 of those cases. [Laughter.] Fortunately they had all been made out in duplicate and made out in the proper form at the quartermaster's office at the academy. The duplicates were sent down, and the War Risk Insurance Bureau promptly proceeded to lose 25 of those. [Laughter.] It took my secretary and myself several months to get them all straightened out, although they were perfectly simple cases, and there was really no question about them. In one of these cases my secretary finally followed the papers from one section of the bureau to another until he saw the check made out at the disbursing office and put it in the mail.

The real trouble about the administration of the war-risk-insurance business, however, chiefly is the law itself. This Congress had no business to pass such an act as that. The bill was concocted in secret sessions by Judge Mack and a coterie of highbrows, whose attitude was that they knew everything and that Members of Congress are a bunch of boobs, who know nothing. They pulled Mr. Gompers in and railroaded the bill through under the guise of a labor measure. Judge Mack sat up there in the gallery and sent down notes to Mr. RAYBURN and members of the committee which had the bill in charge, practically commanding them that they should not allow such and such amendments to go through.

That act was designed with Mack-iavellian ingenunity to produce confusion and distress. Allotments of soldiers' and sailors' pay are nothing new and neither is there anything new about compensation, except the name.

Allotments have been handled for years by the Quartermaster's Department of the Army and the Bureau of Supplies and Accounts in the Navy, and they could have kept on handling them without any serious trouble; and if family allowances were to be added these two bureaus of the War and Navy Departments could easily have been expanded to take care of them. In fact they did keep on handling some of the allotments without family allowances, and finally had to take them all over to help out the War Risk Bureau, though the taking over was the cause of much additional and unnecessary confusion and some distress.

The compensation or pensions should certainly have been given to the Pension Bureau, and nothing but unwarranted Democratic prejudice against the old soldiers and the Pension Bureau itself prevented that from being done. The insurance feature probably should have been given to the Pension Bureau also, but if given to the War Risk Bureau it was the only thing that should have been put on that little bit of a 2 per cent bureau that was organized originally simply to insure ships. Why you should have put the enormous business of allotments and compensation and insurance on a little bureau in the Treasury Department created simply to insure ships was a mystery to me. The bureau was bound to break down under the load. No power on earth and no amount of "efficiency" in management could have saved it. Congress ought to have had sense enough to throw that bill out and pass a bill that was properly drawn. I believe at the time I was the only Member on this side of the House who voted against the passage of that bill. [Applause.] Now there seem to be a lot of Members who wish they had also so voted.

Mr. STAFFORD rose.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 15 minutes.

Mr. STAFFORD. Mr. Chairman, I do not wish in any way to supplement the exhaustive presentation of this measure made by the chairman of the subcommittee [Mr. BYRNS of Tennessee], but I wish to make a few general observations.

It has been suggested that four years after the conclusion of the present war the cost for maintaining our Government would be in the neighborhood of from $4,000,000,000 to $5,000,000,000 annually. At the beginning of the war the cost was in the neighborhood, as you all know, of $1,000,000,000. We have in the bill presented to you—the first appropriation bill after the signing of the armistice—which reflects, in a way, the war activities of the Government and the expectation of larger increases of appropriation occasioned by our entrance into the war.

This bill carries a total appropriation of $96,000,000. The last legislative appropriation bill carried $37,000,000. The $96,000,000 must be credited with $13,000,000 provided for the taking of the census. Fifteen million dollars is the amount carried, but we usually appropriate $2,000,000 for that bureau. But outside of that instance I do not recall any increase that is not directly traceable to the war. For instance, the appropriation for the State Department: In 1917 we appropriated on the statutory roll $321,000 and $126,000 additional for temporary employees, or a total of $447,000. This bill, for statutory employees in the State Department, carries a total of $529,000 and $125,000 additional for temporary employees, or a total of $654,000.

However, you may take other items in this bill—for instance, the appropriation for the Comptroller of the Treasury: For the fiscal year 1917 we appropriated $73,000, and this bill carries $157,000. Take the Treasurer's office: In 1917, $325,000; in this bill, $778,000. Take Internal Revenue: For the clerical force in that bureau, $381,000 for the fiscal year 1919, and for the coming fiscal year, $687,000. That is not the amount that we appropriate for services in the field for collecting the revenue, which aggregates the large amount of $21,000,000.

Mr. MADDEN. This is only for this city?

Mr. STAFFORD. Yes. That is only for the clerks in the bureau here in Washington. So that we have here incontrovertible testimony that by reason of our entrance into the war the expenses of the Government are going to be at least twofold, and maybe threefold, as the immediate necessities follow.

The subcommittee has had great difficulty in readjusting the clerical force of the War Department and the Navy Department to the conditions that will obtain during the next fiscal year. As was stated by the chairman of the subcommittee, the Navy Department has resorted to naval reservists in large numbers to perform clerical services, and it was represented by the Assistant Secretary of the Navy, Mr. Roosevelt, when called before our committee, that it was the policy and intention of the Navy Department to go before the Committee on Naval Affairs and ask for authorization to provide for 2,500 reservists during the next fiscal year.

I agree with the chairman of the subcommittee that that practice is open to criticism. Though the War Department used

limited-service men in a clerical capacity, it is not the intention of the War Department during the next fiscal year to use limited-service men at all, but to dismiss as rapidly as possible during the remaining months of the present fiscal year these limited-service men who have been performing clerical services.

Mr. TILSON. May I interrupt the gentleman?

Mr. STAFFORD. I will be glad to submit to a brief interruption.

Mr. TILSON. Did it appear before the gentleman's committee what is the relative cost of a reservist and a civilian employee to do the same work?

Mr. STAFFORD. I am able to give the gentleman that information. There are three classes of reservists. A chief yeoman or yeowoman receives $1,600, a first-class yeoman $1,344, a second-class yeoman $1,296, a third-class yeoman $1,244, and a landsman $1,123, all salaries higher than are usually paid for clerical services of this character.

I recognize that there was need for the Navy Department to call to the service all who could perform clerical work; but now that the war is over I can not agree with the department, particularly as we are providing for conditions beginning July 1 next, that there is any need for retaining in the Navy Department persons garbed as yeomen or yeowomen, right beside others dressed in civilian clothes, when we can get adequate numbers of clerks right here in the District of Columbia who are only too desirous of being transferred from other departments of the Government. Instance after instance has been called to our attention of young ladies who came to Washington to do their patriotic duty in aid of the Government by performing clerical duties who are now receiving $1,200 or $1,400, who are only too willing to accept service at $1,000 a year, for whom positions are not available, and yet the Navy Department is going to continue, or is asking authorization to continue, this large number, 2,572 reservists, during the coming fiscal year. Naturally we had to proceed with that as a basis in our report of appropriations; but we did provide for temporary employees distributed over various bureaus, segregating the amounts, a total of $1,040,000.

Mr. TILSON. Then the gentleman's very full answer, if stated in condensed form, would be that it costs more for the reservists than it would for civilian employees—that we are paying reservists very much more, on an average, than we pay the civilian clerks alongside of them?

Mr. STAFFORD. We are not paying so very much more, but we are paying them more; but it is a censurable practice to retain in a civilian capacity, when the war is over, persons under naval classification to perform clerical work, and there is no reason whatsoever why the Navy Department should ask it when there are adequate clerks in the District who are only too willing to perform that work, and, furthermore, when the committee were willing to grant them the money if they would only make the request.

Mr. TILSON. Does the gentleman know whether they are privileged to make allotments and the Government makes allowances to their families in addition to their pay?

Mr. STAFFORD. Although there is no direct testimony on that score, in my opinion this amount does not include their allowances. If they occupy a military position, either with the Navy or War Department, though they may be performing only clerical service, just like the limited-service men, they would be entitled to allowances to their families just like men in the ranks.

Mr. SMITH of Idaho. I think the gentleman is in error. I think the amount includes allotments for subsistence and also for quarters.

Mr. STAFFORD. That is not the question the gentleman from Connecticut asked me.

Mr. TILSON. I referred to the allowances to their families.

Mr. STAFFORD. I did not make the statement that the gentleman from Idaho seeks to put in my mouth. The gentleman from Connecticut asked me whether this included allowances to families under the war-risk insurance law. I say that they are entitled to the allowances. As far as clothing and subsistence and quarters are concerned, the testimony before the committee confirms the statement made by the gentleman from Idaho.

Mr. SMITH of Idaho. They would be entitled to the allowances allowed them by law.

Mr. COOPER of Ohio. I have been informed that a great many of the young women were encouraged by the War Department to enlist in this service for three years at these fixed salaries. Now, does the gentleman know whether any of these young women are in this class? If they are, I would not think the department ought to dismiss them when it encouraged them to enlist for three years.

Mr. STAFFORD. That phase of the subject was not gone into whatsoever. As every Member knows, this bill of 150 pages is the most detailed appropriation bill that is presented to the House for consideration. It carries special provision for 19,431 statutory clerks. It has been a laborious work to sit and go over these respective items seriatim, which the committee has been engaged on since two weeks before the regular convening of this session, until a week ago. But there are some features of this bill that take us out of the realm of tedium into the realm of practical affairs, and one of these is the growing importance, by reason of the termination of the war, of the Bureau of Foreign and Domestic Commerce in the Department of Commerce. We all recognize the great necessity at the present time of developing, so far as opportunity is offered, the European, Asiatic, and other foreign fields for our foreign commerce. We have in times past made provision for commercial attachés and commercial agents for that character of work throughout the world, carrying a total in the bill for the present year of $400,000. The committee, recognizing the need of additional force to develop this work, which is so necessary at the present time, increased one appropriation for this field investigation from $125,000 to $325,000 and increased the total appropriation to $690,000.

There is no denying that if we are going to increase our commerce, if we are going to provide commerce for our merchant marine that is fast being launched, it is absolutely necessary for us to aid as far as we can the manufacturers of this country to gain foreign markets.

The State Department has performed some activities along this line through the Consular Service, but the service performed by the commercial agents and the commercial attachés is separate and distinct and independent of the work performed by the consular representatives connected with the State Department. These men travel throughout the foreign countries to determine what business is available for the manufacturing and industrial interests of this country, and the department is equipped to convey that information directly to the various commercial and industrial activities of the country. I believe that the House will be almost unanimous, if not entirely, in approving this large increase of appropriation.

Mr. SNOOK. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. SNOOK. How many agents is it supposed to have?

Mr. STAFFORD. We increased one appropriation from $125,000 to $325,000, an increase of $200,000. The salaries of these agents vary from $4,000 to $6,000, plus their per diem expenses when away from headquarters.

Mr. SNOOK. Are they civil-service employees?

Mr. STAFFORD. They are not, as I recall, but my recollection is not distinct in respect to that. I remember that that question was considered some six or eight years ago. They are not civil-service employees, but they have to stand a test which is given them by the Bureau of Foreign and Domestic Commerce in order to have them qualify for the service.

This appropriation should have the cordial support of the manufacturing and commercial interests of the country. Through these agencies the prospects for trade expansion in foreign countries are brought home to our own tradespeople. Other foreign countries have similar trade agents. Should we now neglect this work, when the trade of foreign countries has been paralyzed largely by the war, we will pass by an opportunity that may never be so promisingly ours for years to come.

It is our duty to the industries of the country, it is our duty to our expanding merchant marine, it is of present moment to every section of the country that this commercial governmental aid should be extended.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. All time has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KEARNS. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

Mr. SUMNERS. Mr. Chairman, I make the point of order that there is no quorum present.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee that the committee do now rise.

The question was taken.

Mr. BYRNS of Tennessee. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed Mr. STAFFORD and Mr. BYRNS of Tennessee to act as tellers.

The committee again divided; and there were—ayes 3, noes 99.

So the motion was rejected.

The CHAIRMAN. A quorum is present, and the Clerk will read.

The Clerk read as follows:

For assistance to Senators who are not chairmen of committees, as follows: Thirty clerks, at $2,000 each; 30 assistant clerks, at $1,200 each; 30 messengers, at $1,200 each; in all, $132,000.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. I do so at this time to call the attention of the House to the fact that over on the other side of the Capitol every Member who is not a chairman of a committee, and who otherwise has plenty of help by reason of that fact, has $4,400 a year to pay for his clerical help, and their work is not any more than ours. Since this war has come and the demobilization has brought down upon us an enormous correspondence, it is physically impossible for the clerks who can be hired for $2,000 a year to attend to the business of the average Member of this House. While I do not propose to urge any point against the allowance for clerk hire for the Members of the Senate, I think it is only fair that we should at this time appropriate enough money under the proper item to pay the necessary clerical help for the Members of this House. I withdraw the pro forma amendment.

The Clerk read as follows:

For driving, maintenance, and operation of an automobile for the Vice President, $2,000.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word, and I do this for the purpose of correcting the statement which I just made. I made the statement that each Senator not a chairman of a committee was allowed $4,400 a year to pay for clerical help. The chairman of the subcommittee informs me that more than that amount is allowed. How much are they actually allowed?

Mr. BYRNS of Tennessee. I stated to the gentleman that each Senator now has a clerk who is paid out of the contingent fund, who receives $1,200 a year. That would make $5,600 a year.

Mr. CALDWELL. Well, $5,600 instead of $4,400.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. STAFFORD. As I understand the provision made by the Senate for these Senators who are not chairmen of committees, they are allowed one clerk at $2,000, one assistant clerk at $1,200, and in addition to that they have a messenger at $1,200, so that the total clerical assistance is $3,200.

Mr. CALDWELL. Then the chairman says that there is one other clerk to be paid out of the contingent fund of the Senate.

Mr. BYRNS of Tennessee. My reference was simply to the passage of a Senate resolution which provided for an additional clerk for each Senator, and that clerk was being paid out of the contingent fund. Just whether that is being done now I do not know.

Mr. STAFFORD. The chairman of the committee does not mean to convey the impression to the Members of the House that every Senator who is not a chairman of a committee is entitled to more than one clerk and one assistant clerk and one messenger, as provided in the last item on page 9?

Mr. BYRNS of Tennessee. That is all they are entitled to under the law as passed by both Houses of Congress, but the Senate passed a resolution which provided for an additional clerk for each Senator, to be paid at the rate of $1,200 per annum, the money to come out of the contingent fund of the Senate.

Now, whether they still have that clerk I do not know, but such a resolution was passed.

Mr. STAFFORD. Was the gentleman referring to the resolution passed by the Senate providing for those cases where the Senator had not been reelected and it was desired to continue the clerical force of the defeated Senator until the next regular or special session of the Congress?

Mr. BYRNS of Tennessee. No. The Senate has $50,000 in their contingent fund, and that has been all they have had for their miscellaneous items, exclusive of labor, certainly for the past four or five years. Now, under the current law the Senate raised their contingent fund from $50,000 to $140,000, the $90,000, or most of it, to be for the payment of the additional fourth clerk for the Senators at the rate of $1,200 a year. That is what I mean.

Mr. STAFFORD. Reading this provision it merely provides those Senators who are not chairmen of committees with two clerks and one messenger.

Mr. BYRNS of Tennessee. That is true.

Mr. STAFFORD. Where is the fourth clerk, when there are only two clerks?

Mr. BYRNS of Tennessee. That is true, and the gentleman is clearly correct as far as the law is concerned; but I have just stated to the gentleman that at the last session of Congress the Senate passed a Senate resolution—not a joint or a concurrent resolution, but a Senate resolution—providing for an additional clerk for each Senator, to be paid at the rate of $1,200 a year, and increased the contingent fund from $50,000 to $140,000 in order to take care of that extra clerk.

Mr. STAFFORD. Assuming that is the case, that would merely provide for three clerks instead of four.

Mr. BYRNS of Tennessee. No; it provides for four—three clerks and a messenger—making, in all, $5,600.

Mr. STAFFORD. Is the gentleman including the messenger as a clerk?

Mr. BYRNS of Tennessee. Oh, he is used as a clerk. They do not have any messengers over there who is exclusively so used. I do not know of any Senator who is employing a man simply as a messenger at $1,200. They are used to perform some kind of clerical service.

Mr. STAFFORD. I am not acquainted with senatorial ways and I was seeking information.

Mr. DALLINGER. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. DALLINGER. I would like to ask the gentleman where is the provision for the Senate contingent fund to be large enough to take care of another clerk—where in this bill?

Mr. BYRNS of Tennessee. It is on page 10, line 25. The gentleman will notice the House has put it back to $50,000. I was speaking of the appropriation for the current year, which is $140,000. Now, what the Senate will do when this bill goes over there I do not know—whether they will increase it to $140,000 or leave it at $50,000.

Mr. HUMPHREYS. If they shall increase it to $140,000 for the contingent fund of the Senate, the House conferees will yield and agree to it.

Mr. BYRNS of Tennessee. They did so before; that has been the uniform practice in regard to appropriations relating exclusively to the organization of either House.

Mr. MAPES. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. MAPES. Was not the resolution to which the gentleman refers passed before this appropriation was made? If the gentleman will recall, some time in the last session Senator JONES of Washington, I think it was, made a campaign for an extra clerk for those Members of the Senate who were not chairmen of committees, and a resolution was then passed awaiting legislation of this kind which gave each Senator two clerks and a messenger. Is that resolution in force or will it be after this provision is enacted into law?

Mr. BYRNS of Tennessee. Well, I do not know, and I can not tell the gentleman whether it expired by limitation or not, but I do know a resolution providing for a fourth employee was passed and that $40,000 of the $140,000 was made immediately available covering the expenses of this additional employee.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last two words. I wish to ask the gentleman in charge of this bill if the proposed commission to equalize, readjust, and reclassify salaries in the executive departments also embraces authority to equalize and readjust salaries of employees of the Senate and the House?

Mr. BYRNS of Tennessee. No; it does not.

Mr. AUSTIN. Does not the gentleman think that question ought to be also considered in connection with the reclassification or investigation along the line of the readjustment of salaries in the executive departments?

Mr. BYRNS of Tennessee. I hardly think so, because each House can take that up for itself, and with very little trouble adjust those salaries at any time it chooses. We have a Committee on Accounts, for instance, that considers resolutions in reference to salaries of employees of the House, and the Senate has a similar committee. There is no reason for a joint commission to pass on such questions.

Mr. AUSTIN. Mr. Chairman, 35 or 40 years ago the two Houses of Congress got into a controversy in reference to the readjustment of the salaries of their employees. The House attempted to reduce the salaries of the Senate employees along with the reduction of the salaries of the House employees. The Senate opposed the proposition, and when the bill finally passed both Houses of Congress there was discrimination, the old salaries of the Senate remaining and the new or reduced salaries of the House remaining in the bill as it passed the House originally. Those inequalities have stood now for almost half a

century. Men at this end of the Capitol—faithful and efficient employees of the House—doing precisely the same character of work that corresponding officers of the Senate are doing, are receiving from $250 a year to $1,000 a year less. This bill carries appropriations for messengers in the Senate who are paid $220 a year more than we are paying for assistant clerks to committees of the House.

The rate of pay or compensation in the Senate is not excessive or high. It is the same as it was 40 years ago, and yet during that period there has been an advance in the cost of living, especially in the city of Washington. And if we are going in this bill to do justice by the employees of every executive department of this Government, why can we not go a step further and right this inequality which has stood for many, many years? If we continue to leave that responsibility upon the Committee on Accounts another 40 years will pass without anything being done. I trust that when we reach the paragraph providing for a commission that we will do what is right and just by those who have been associated with us here in rendering faithful and efficient service and no longer permit this injustice to remain, which is a reflection upon our sense of fairness in dealing with these faithful and deserving employees of the House.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

I want to ask the chairman a question. I notice the gentleman in charge of the bill made a remark that the Senate insisted upon some contingent feature here. I have not been here long enough to be entirely familiar with the procedure in a good many matters. I would like to ask the gentleman from Tennessee [Mr. BYRNS], Does the Committee on Appropriations when the Senate insists do just what they insist upon, or does this report represent an examination of these arrangements for Senate contingent funds and clerks, and the like, by the committee, so that the committee reports that these are necessary?

Mr. BYRNS of Tennessee. I was referring, I will state to the gentleman, to the amendment which the Senate adopted, increasing their contingent fund in the last bill. Of course, in conference the conferees of the respective Houses always endeavor to carry out the wishes of the House they represent.

Mr. LITTLE. There has been no conference yet.

Mr. BYRNS of Tennessee. We were referring altogether to the appropriation for the current year and not in this bill. When it comes to a question of the appropriation for the clerical help of either House it has never been the custom for the other House to offer any objection. In other words, each House, it is understood, will be the judge of just what it needs in the way of clerical assistance and supplies.

Mr. LITTLE. In other words, in discussing clerks and contingent funds you are simply satisfied that the Senate feels that those things are necessary for itself. For example——

Mr. BYRNS of Tennessee. We have only allowed here for the Senate the appropriations that have been made from year to year. For instance, we have not recommended $140,000 for their contingent fund. We simply recommended the amount that has always been carried. Now, whether the Senate will see fit to increase it or not, I do not know.

Mr. LITTLE. Does that mean that your committee recommends to this House for its approval the passage of these amounts for clerks?

Mr. BYRNS of Tennessee. The amounts carried in the bill.

Mr. LITTLE. Your committee feels it knows enough about it to direct this House to pass them?

Mr. BYRNS of Tennessee. Precisely.

Mr. LITTLE. It does not depend entirely, then, upon the say-so of the Senate about it?

Mr. BYRNS of Tennessee. I am frank to say to the gentleman I do not know just how many clerks the Senate needs. I would not want to say that they did need the clerks or did not need them. We must necessarily depend on the Senate to determine that, and they have indicated——

Mr. LITTLE. Have your researches ever determined whether they need any more than we do or not?

Mr. BYRNS of Tennessee. I take it that a Senator, who represents an entire State, whereas we represent only portions of a State, needs a greater amount of clerical assistance than a Member of the House.

Mr. LITTLE. It was not my intention particularly to take issue on that. I was looking for the information from your experience. You think probably they do need a little more, then?

Mr. BYRNS of Tennessee. Yes.

Mr. LITTLE. Would it appear to you they need twice as much?

Mr. BYRNS of Tennessee. That would depend, of course, upon the correspondence of each individual Member and also of the Senators. There might be cases where they do not need twice as much and there might be cases where they needed more.

Mr. LITTLE. I was just seeking the information.

Mr. CALDWELL. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. CALDWELL. There are some cases where there are two Senators in a State and one Member of Congress. In that case the Member of Congress would have as much work as both Senators. And there are some States where Senators live in rural sections and Congressmen in thickly settled sections, where the Congressman would have three times as much correspondence. I mean to say that neither of the Senators in my State has the correspondence that I have.

Mr. LITTLE. Do you not think that in a State where they have two Senators and one Representative the Representative should receive the same amount the two Senators receive? Would that suggestion receive the Senate's approval?

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, $5,000.

The CHAIRMAN. The Chair desires to call attention to the misspelling of the word "pamphlet," on line 13, page 10. Without objection, it will be corrected.

There was no objection.

The Clerk read as follows:

JOINT COMMITTEE ON PRINTING.

For clerk, $3,000; inspector, under section 20 of the act approved January 12, 1895, $2,000; stenographer, $1,000; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; in all, $7,600, one half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House.

Mr. GOOD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GOOD. Mr. Chairman, with regard to this item here, I have wondered whether the Joint Committee on Printing could not, by the adoption of some rule or method, make some change in the printing of the roll calls. If the names on roll calls could be printed in distinctive type, that would be valuable not only to the present Congress, but valuable to students and persons who are investigating matters involved in roll calls after this Congress and other Congresses shall have passed away.

For instance, if one wants to know the political line up of parties and how the votes are recorded on a measure, it takes hours, and even days, to go back and look up the history of that vote to learn how the parties were divided. You must take not only the roll call at the beginning of the session, but oftentimes Members die and others are elected in their stead, and you must also take the biographical dictionary and find out to what party Members belong.

It seemed to me that if the names of Members could at all times be printed in distinctive type and that type carried not only through one Congress, but through all Congresses; that is, if the names of the Democratic Members could be differentiated, as now, in roman type, and adopt it as a permanent thing and print the roll calls in the same way, and use italics for the Republican Members, then if persons who come after us or persons unacquainted with the Members wanted to look up the personal history on roll calls they could tell at a glance just how political parties and members of political parties voted on the roll calls.

It seems to me it would not cost a cent more to do it, but it would be of great advantage to anyone taking up the study of legislation in the Congress of the United States. I do not know whether any members of the Joint Committee on Printing are here. I do not know whether it is possible or not to do this; but it seems to me that something of that kind ought to be done.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. JUUL. I wish to state, for the benefit of the gentleman from Iowa and the Members here, that in Illinois the secretary of state carries on a publication in the form of a bluebook, containing a list of members of the House and of the Senate of Illinois, from the beginning of the State legislature, and each year you can get your copy of the bluebook when it is handed to you and there see the political complexion of each member.

Mr. GOOD. What I am talking about is the roll calls as printed in the CONGRESSIONAL RECORD. They are not printed in distinctive type. It seems to me they might be printed in distinctive type, and that it would be a great convenience for people not familiar with the membership of Congress to know just exactly what their political affiliations were.

The CHAIRMAN. The gentleman withdraws his pro forma amendment.

Mr. MANN. Mr. Chairman, I desire to oppose the amendment.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. MANN. The suggestion made by the gentleman from Iowa [Mr. GOOD] strikes me at first blush as a very good suggestion. The tally sheet, from which the roll call in the RECORD is made, is already printed in distinctive type. It has been the case, I think, for years, for the majority Members to be printed in roman and for the minority Members to be printed in italics and for independents to be printed in capital letters or by some other means of distinction, so that if the Government Printing Office would follow copy the distinction would be made in the roll call; that is, follow copy as to the kind of print. We frequently waste a great deal of time—many of us, I think—in going over old roll calls, and sometimes present roll calls, in figuring how Members vote. It is not very difficult as to the present roll calls, because most of us know the political complexion of the Members; but if you want to go back awhile, frequently in looking over an old roll call it is quite a job.

Mr. HUMPHREYS. The gentleman means it is not difficult for a Member of the House to do it at present?

Mr. MANN. Yes; it is not difficult for a Member of the House to do it at present.

Mr. HUMPHREYS. But for an outsider it would be exceedingly difficult?

Mr. MANN. Yes. Of course probably the main reason why there is distinctive type used for the different political parties in the tally sheet is that it is for the benefit of the newspaper boys, so that they will not have to figure out what a man's politics is. It is right before them when they make up the list, and they frequently report how the House votes politically.

The CHAIRMAN. The Clerk will read.

Mr. SMITH of Idaho. Mr. Chairman, may I ask the gentleman from Illinois a question?

Mr. MANN. Certainly.

Mr. SMITH of Idaho. I am not a printer, but it seems to me it would be very difficult for the printers to print the RECORD in the manner suggested. Probably the same end would be accomplished by having a capital letter, indicating the party to which the Member belongs, placed beside the Member's name.

Mr. MANN. I do not understand why it will be difficult for the Government Printing Office to print one name in Roman and the next in italics.

Mr. SMITH of Idaho. I presume the RECORD is set up by machinery, by the linotype, and it would not be as easy to insert italics and capital letters as it would be to insert the letter "R" or the letter "D," as the case may be, after the names of Members.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. GARRETT of Tennessee. The physical difficulties of printing, of course, might be easily overcome, but I believe that if the gentleman from Illinois will consider the question more thoroughly he will realize that there ought not to be in the official declaration of a vote recognition of political parties, to be put in by name. The physical difficulties could probably be overcome, but the objection is one more fundamental than that. The mere physical difficulty is not in the way. It ought not to be.

Mr. MANN. I could readily see that there might be an objection to having inserted at the end of the vote so many Democrats voted "aye" and so many voted "no" and so many Republicans voted "aye" and so many voted "no." I would not do that; but it is just as convenient for Members of the House and other people to have the roll call printed in such a way as to show the politics as it is at the Clerk's desk, where it is convenient for the clerks to have the tally sheet printed that way, so that they can tell whether a man is a Republican or a Democrat.

In other words, the reading clerk, in calling the roll, when he calls a name printed in roman will look over at that side of the House for a response, and when he calls a name printed in italics he will look over on this side of the House.

Mr. HUMPHREYS. Mr. Chairman, I move to strike out the last word. A year or two ago did we not provide for a much more elaborate index of the CONGRESSIONAL RECORD than the one we have now—more of a topical index?

Mr. MANN. I do not think so. The CONGRESSIONAL RECORD index is very much amplified now.

Mr. HUMPHREYS. We talked a good deal about it. I thought there was provision made, and that ex-Senator Peffer, of Kansas, was engaged on it under some provision that was made.

Mr. MANN. I think that did not apply to the current RECORD.

Mr. CAMPBELL of Kansas. That applied to the old RECORD, indexing it by topics. When a man talked about free silver in 1896, or greenbacks in 1876, Senator Peffer would find that and index it.

Mr. MANN. I suppose it was mainly to give employment to somebody.

Mr. STAFFORD. It was called to the attention of some committee, I believe, a year ago that there was some person employed by the Senate to do that work, and that he was receiving a large fee for indexing the RECORD. I believe that person has since gone into the service of the Army, and that the RECORD is not being indexed accordingly at the present time.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES.

For compensation of Members of the House of Representatives, Delegates from Territories, the Resident Commissioner from Porto Rico, and the Resident Commissioners from the Philippine Islands, $3,304,500.

Mr. CAMPBELL of Pennsylvania. Mr. Chairman, I wish to offer an amendment to increase the compensation of Representatives and Senators from $7,500 to $10,000 per annum.

The CHAIRMAN. The gentleman does not indicate where the amendment is to come in.

Mr. CALDWELL. Is the gentlemen's motion to strike out "$3,304,500" and insert in lieu thereof "$4,400,000"?

Mr. CAMPBELL of Pennsylvania. I offer that as an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. CAMPBELL of Pennsylvania offers an amendment on page 12, line 5, to strike out the figures "$3,304,500" and insert in lieu thereof "$4,400,000."

Mr. BYRNS of Tennessee. I reserve a point of order on that amendment. I will say to the gentleman that his amendment will not accomplish what he desires, because the law fixes the salaries of Members of Congress at $7,500, and merely to increase the total of the appropriation would not increase the salaries. I make the point of order against the amendment.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Chaplain: For Chaplain, $1,200, and $600 additional so long as the position is held by the present incumbent.

Mr. DYER. Mr. Chairman, in line 15, I move to strike out the figures "$600" and insert in lieu thereof the figures "$800," so as to increase the salary of the present Chaplain $200.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. DYER moves to amend, on page 12, line 15, by striking out the figures "$600" and inserting in lieu thereof the figures "$800."

Mr. BYRNS of Tennessee. I reserve a point of order, if the gentleman wishes to discuss his amendment.

Mr. DYER. I do not think it is subject to a point of order.

Mr. BYRNS of Tennessee. Suppose I make the point of order and let the gentleman discuss that.

Mr. DYER. I am quite sure it is not subject to a point of order. If the gentleman wants to make it, he may do so.

Mr. BYRNS of Tennessee. I make the point of order that it is not authorized by law.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Clerks, messengers, and janitors to the following committees: Accounts—clerk $2,500, assistant clerk $1,800, janitor $1,000; Agriculture—clerk $2,500, assistant clerk $1,800, janitor $1,000; Appropriations—clerk $4,000 and $1,000 additional so long as the position is held by the present incumbent, assistant clerk and stenographer $2,500, assistant clerks—1 $1,900, 1 $1,800, janitor $1,000; Banking and Currency—clerk $2,000, assistant clerk $1,200, janitor $720; Census—clerk $2,000, janitor $720; Claims—clerk $2,500, assistant clerk $1,200, janitor $720; Coinage, Weights, and Measures—clerk $2,000, janitor $720; District of Columbia—clerk $2,500, assistant clerk $1,800, janitor $720; Election of President, Vice President, and Representatives in Congress—clerk $2,000; Elections No. 1—clerk $2,000, janitor $1,000; Elections No. 2—clerk $2,000, janitor $720; Elections No. 3—clerk $2,000, janitor $720; Enrolled Bills—clerk $2,000, janitor $720; Flood Control—clerk $2,000, janitor $720; Foreign Affairs—clerk $2,500, assistant clerk $1,800, janitor $720; Immigration and Naturalization—clerk $2,000, janitor $720; Indian Affairs—clerk $2,500, assistant clerk $1,800, janitor $720; Industrial Arts and Expositions—clerk $2,000, janitor $720; Insular Affairs—clerk $2,000, janitor $720; Interstate and Foreign Commerce—clerk $2,500, additional clerk $2,000, assistant clerk $1,500, janitor $1,000; Irrigation of Arid Lands—clerk $2,000, janitor $720; Invalid Pensions—clerk $2,500, stenographer $2,190, assistant clerk $2,000, janitor $1,000; Judiciary—clerk $2,500, assistant clerk $1,600, janitor $720; Labor—clerk $2,000, janitor $720; Library—clerk $2,000, janitor $720; Merchant Marine and Fisheries—clerk $2,000, janitor $720; Military Affairs—clerk $2,500, assistant clerk $1,500, janitor $1,000; Mines and Mining—clerk $2,000, janitor $720; Naval Affairs—clerk $2,500, assistant clerk $1,500, janitor $1,000; Patents—clerk $2,000, janitor $720; Pensions—clerk $2,500, assistant clerk $1,600, janitor $720; Post Offices and Post Roads—clerk $2,500, assistant clerk $1,400, janitor $1,000; Printing—clerk

$2,000, janitor $1,000; Public Buildings and Grounds—clerk $2,500, assistant clerk $1,200, janitor $720; Public Lands—clerk $2,000, assistant clerk $1,200, janitor $720; Revision of the Laws—clerk $2,000, janitor $720; Rivers and Harbors—clerk $2,500, assistant clerk $1,800; janitor $1,000; Roads—clerk $2,000, janitor $720; Rules—clerk $2,000, janitor $720; Territories—clerk $2,000, janitor $720; War Claims—clerk $2,500, assistant clerk, $1,200, janitor $720; Ways and Means—clerk $3,000, assistant clerk and stenographer $2,000, assistant clerk $1,900, janitors—1 $1,000, 1 $720; in all, $171,790.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I wish to ask the chairman of the committee how it comes that the Foreign Affairs Committee, a very small committee, and the Indian Affairs Committee, another small committee, have assistant clerks at $1,800, while the Naval Affairs Committee and the Post Office Committee and a lot of large committees here have clerks at $1,500 or $1,400? How does that happen?

Mr. BYRNS of Tennessee. I do not know, unless the chairmen of those committees were a little more persuasive with the House. I will say to the gentleman that practically all of these clerks to committees have been allowed in the first instance by resolution.

Mr. MADDEN. I just wondered how it came, because there is not any comparison in the amount of work that has to be done by the clerks of these committees. Take the Post Office Committee, for example, with appropriations of about $400,000,000 a year, compared with the Indian Affairs Committee with appropriations of $17,000,000 a year, or the Foreign Affairs Committee with appropriations of $3,000,000 or $4,000,000 a year, and the Naval Committee with several billion dollars a year lately.

Mr. CAMPBELL of Kansas. Will the gentleman permit me?

Mr. BYRNS of Tennessee. Yes.

Mr. CAMPBELL of Kansas. Probably the number of bills introduced and the number of meetings of the committee and hearings on bills before the committee would have more to do with the work of the clerk than the total sum carried in the annual appropriation bill.

Mr. MADDEN. I do not think that helps the case any, because some of these big committees are constantly in session.

Mr. CAMPBELL of Kansas. I doubt if there is a more active committee mentioned by the gentleman, outside of the Committee on Naval Affairs, than the Committee on Indian Affairs.

Mr. MADDEN. I do not disparage the importance of the work of the Indian Affairs Committee, but the volume of its work can not be compared with the volume of the work done by some other committees.

Mr. CAMPBELL of Kansas. Not in dollars and cents, but it does have important work to do.

Mr. MADDEN. I do not say it is not important; but the volume of its work can not amount to so much as that of some of these other committees.

Mr. BYRNS of Tennessee. Since I have been a member of the Committee on Appropriations, and I understand that has been the case heretofore, the Appropriations Committee has never recommended an additional clerk to a committee unless a resolution providing for it was first introduced and passed by the House. So I can not give the gentleman any information as to why these salaries are different. That is a matter that rests with the House.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Will some gentleman in the Committee on Military Affairs tell us how many clerks that committee has?

Mr. CALDWELL. Mr. Chairman, they have a clerk, an assistant clerk, and a messenger, called the janitor.

Mr. MANN. Of course, we carry a clerk and an assistant clerk in this bill, but I am under the impression that Congress has provided an additional clerk for the Committee on Military Affairs in a resolution, whose compensation is payable out of the contingent fund of the House.

Mr. CALDWELL. There are several people working up there. One of them is the chairman's secretary, who is allowed under another provision of the bill, and it may be that there is still another one, because the work is very, very heavy.

Mr. MANN. I am not sure, but I have it in my mind that an additional clerk was provided. Whether that still obtains I do not know. This bill carries one clerk at $2,500 and an assistant clerk at $1,500 and a janitor at $1,000. The Committee on Military Affairs has been probably the most active committee of the House from the beginning of the session to the end, and is likely to be in the next Congress. I do not think we are making proper provision for that committee in this bill.

Mr. CALDWELL. I have not heard any particular complaint up there. Since I come to think, there are three men and two women working there all of the time. One of them is the clerk, one is the janitor, as he is called, and one is the assistant clerk. Then one is Mr. DENT's secretary, allowed under the provision of the bill on page 19, as every one of us has a secretary allowed, and then there is another one, and I do not know just what her status is.

Mr. MANN. Of course, as suggested by my colleague, Mr. MADDEN, it would be ridiculous for Congress to say that the Committee on Military Affairs should have one assistant clerk at $1,500 and the Committee on Foreign Affairs should have one assistant clerk at $1,800, and I say that with the intention of making no reflection whatever upon the Committee on Foreign Affairs.

Mr. MADDEN. Or the Committee on Indian Affairs.

Mr. MANN. The Committee on Indian Affairs has a great deal of legislation outside of its appropriation bill. The Committee on Foreign Affairs is one of the important committees of the House, and I am making no reflection upon it at all. I think that committee ought to have an $1,800 assistant clerk.

Mr. CALDWELL. I would not be at all surprised that a large amount of the work that is being done up in the Committee on Military Affairs is being done as it is in a great many of the other Members' rooms, paid for out of the pocket of the Member, instead of out of the Treasury of the United States, as it should be. I have no doubt in the world that the help up there ought to be increased, because the work is very heavy.

Mr. LITTLE. Mr. Chairman, if I may be permitted, it occurred to me that perhaps they need some one as clerk of the Committee on Foreign Affairs who is acquainted with some other language. I do not know.

Mr. MANN. Oh, no; I think the Committee on Foreign Affairs needs no interpreter. The members of that committee speak all languages.

Mr. LITTLE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 15, line 25, after the figures "$720" insert "Woman Suffrage, clerk, $2,000; assistant, $720."

Mr. BYRNS of Tennessee. Mr. Chairman, on that I reserve the point of order.

Mr. LITTLE. What is the point of order?

Mr. BYRNS of Tennessee. It is not authorized by law. It is legislation upon an appropriation bill.

Mr. LITTLE. The gentleman informed us a few moments ago that they made up this list of clerks after resolutions had been introduced and passed on the floor. The resolution was introduced here this morning and passed with regard to a clerk, and if you follow the rule you laid down a few moments ago, now that that resolution has been adopted, then this bill is subject to the same amendments that you would make to it under your argument. I do not see anything in the point of order. If it is out of order I do not care to waste time discussing it.

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. LITTLE. Then, Mr. Chairman, I make the point of order that every one of these assistants who have been added here is subject to the same point of order, having been added because of resolutions introduced, and they ought to be stricken out.

Mr. CALDWELL. Mr. Chairman, I would like to be heard upon that point of order.

The CHAIRMAN. The Chair can not rule on such an omnibus point of order as that.

Mr. LITTLE. Then I shall make the point of order a little more definite, though I am not familiar enough with them to indicate which ones; but let us take, for example, the assistant clerk to the Committee on Foreign Affairs. I do not know whether that is added by virtue of some resolution such as the gentleman from Tennessee mentioned, but I am going to assume that it is and make the point of order that it is out of order, because it was added, and if the gentleman says it was not, that would cover that point. Each of these assistants here was added because of some resolution like that.

Mr. BYRNS of Tennessee. Mr. Chairman, I can not speak positively as to every position here, but my impression is that practically all, if not all, of these positions have been provided by resolution.

Mr. LITTLE. Mr. Chairman, I renew my point of order.

Mr. BYRNS of Tennessee. And even if that were not true, the gentleman's point of order comes too late, because there has been discussion of the paragraph and amendments offered.

Mr. LITTLE. Mr. Chairman, I renew my point of order. The chairman says that they are all that way in effect. If mine is out of order they all are.

The CHAIRMAN. The Chair thinks the gentleman's point of order comes too late. The point of order is overruled, and the Clerk will read.

The Clerk read as follows:

Office of Doorkeeper: Doorkeeper, $5,000; maintenance and repair of folding-room motor truck, $500, or so much thereof as may be necessary; special employee, $1,500; superintendent of reporters' gallery, $1,600; janitor, $1,500; messengers—16 at $1,180 each, 14 on soldiers' roll at $1,200 each; laborers—17 at $720 each, 2 known as cloakroom men at $840 each, 8 known as cloakroom men, 1 $600 and $120 additional so long as the position is held by the present incumbent, and 7 at $600 each; 2 female attendants in ladies' retiring rooms at $800 each; superintendent of folding room, $2,500; foreman, $1,800; 3 clerks, at $1,600 each; messenger, $1,200; janitor, $720; laborer, $720; 32 folders, at $900 each; 2 drivers, at $840 each; 2 chief pages, at $1,500 each; 2 messengers in charge of telephones (one for the minority), at $1,800 each; 2 assistant chief pages, at $1,500 each; 44 pages, during the session, including 2 riding pages, 2 telephone pages, press-gallery page, and 10 pages for duty at the entrances to the Hall of the House, at $2.50 per day each, $23,430; superintendent of document room, $2,900; assistant superintendent, $2,100; clerk, $1,700; assistant clerk $1,600; assistants—seven at $1,280 each, one $1,100; janitor, $920; messenger to press room, $1,000; in all, $161,750.

Mr. BYRNS of Tennessee. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

On page 17, in line 9, strike out the words "assistant chief pages" and insert in lieu thereof "assistants to messengers in charge of telephones, one for the minority."

Mr. BYRNS of Tennessee. Mr. Chairman, this is simply to make the appropriation conform with the resolution which was passed creating those two places.

Mr. LITTLE. May I inquire when this was passed?

Mr. BYRNS of Tennessee. I can tell the gentleman in a few moments.

Mr. HUMPHREYS. It was about October.

Mr. BYRNS of Tennessee. The resolution was agreed to September 24, 1918, and provided for those places in the language as appears in the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For the employment of Joel Grayson in document room, $2,150.

Mr. JUUL. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question. I am desirous to know why this great big mass of gentlemen who are going to draw all this money on all these preceding cases are to be lost in obscurity while our distinguished and mutual friend, Joel Grayson, has to be mentioned by name in lines 18 and 19, where I find, "For the employment of Joel Grayson in document room, $2,150." I have not the slightest doubt that Joel is a good fellow, but I want to know what Joel has done that he is distinctly specified ahead of all mankind.

Mr. MANN. I think I can give the gentleman the information.

Mr. JUUL. I do not do it sarcastically, but simply in order to find out.

Mr. MANN. Mr. Chairman, Joel Grayson knows more about public documents than any other man on earth. [Applause.]

Mr. JUUL. Mr. Chairman, that was exactly what I wanted to find out.

Mr. MANN. Well, that is true, and I think the gentleman himself must have known that. Here is the reason why his name is in here; I am perfectly willing to state it. It got to the point where the Republicans thought the Democrats would shortly win Congress, or, perhaps, after they knew they had won or were going to win, and it was the opinion on both sides of the House that Joel Grayson ought to be retained in the document room as a bureau of information and ought not to be left at the tender mercies of the superintendent of the document room or the doorkeeper, or even any committee that might be appointed to divide out the patronage, and both sides of the House unanimously agreed to put that provision in the bill, specifying him by name, and it was done. It is not subject to the point of order, and I hope he will be kept in the document room as long as he lives. [Applause.]

Mr. FOSTER. His case came up on attempt to discharge him at one time, and it was carried finally to the Comptroller of the Currency some years ago.

Mr. MANN. I do not know what his politics are.

Mr. FOSTER. I think he is a Republican, but he is one of the best men in the Capitol.

A MEMBER. He came from Virginia.

Mr. EAGLE. In reference to the gentleman's comment, I am glad to observe one public official somewhere in America who has at the same time the commendation of even a considerable portion of the committee.

Mr. HUMPHREYS. Let me add that this order or this procedure was adopted a great many years ago, not just a few years ago.

Mr. MANN. I remember when it was adopted, though I could not specify the date.

Mr. HUMPHREYS. It must have been 20 years ago.

Mr. MANN. No; I do not think it was.

Mr. HUMPHREYS. His name was carried when I first came to Congress, and that has been 16 years ago. His name was carried in this bill.

Mr. MANN. I can not say just how long ago it was.

Mr. HUMPHREYS. My belief is that it has been carried in there for 20 years just because of his superior qualifications and fitness for that place.

Mr. SLOAN. Will the gentleman yield? He has been in long enough, so that he holds his place by right of prescription now?

Mr. HUMPHREYS. He holds it, although he is a Republican, under a Democratic House, has for the past eight years, and will hold it under the next House, not because he is a Republican, but he will hold it when the Republicans organize the House because of his efficiency.

Mr. EAGLE. Is my friend quite sure that if he were a good Democrat he would hold it?

Mr. HUMPHREYS. Oh, undoubtedly, because we have good Democrats in the organization who are particularly efficient and who have been held by the Republicans. I know one who held for 16 years when the Republicans were in control.

Mr. JUUL. I just wished to conclude my question. I wish to ask the chairman of the committee if this sum of $2,150 would be available for another man performing the same service in case anything should happen to Joel Grayson?

Mr. BYRNS of Tennessee. No; it would not; it would lapse. The appropriation would lapse and remain in the Treasury, of course, if this man should resign or die.

Mr. JUUL. What would become of the office in the meantime?

Mr. BYRNS of Tennessee. It would be necessary for the House to make some provision, but this appropriation would not be available for anyone else.

The Clerk read as follows:

For minority employees authorized and named in the resolution of December 6, 1915: Special employee, $1,800; special messenger and assistant pair clerk, $1,800; two special messengers, at $1,800 each; special chief page and pair clerk, $1,800; in all, $9,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to get the attention of the gentleman from Tennessee [Mr. BYRNS] if I can. This paragraph provides for minority employees of the House and specifies those named in the resolution of December 6, 1915. Those were Republican minority employees. I am under the impression that in the next House the minority employees are likely to be selected by the Democratic side of the House, but there is no provision in this bill for their selection by the House or by the Democratic side of the House. We have usually carried in the bill an item providing that successors of these employees might be named by the House of Representatives at any time, and if that provision be carried in this bill, then it would authorize the Democratic caucus to have some one move a resolution that certain men be named to these places; but without that provision the places will become vacant unless the Republican minority employees fill them besides filling the majority employees' places.

Now, I do not want to be too magnanimous, but, on the other hand, I never did believe in taking candy from children. [Laughter.] It is that paragraph and the five following it. Heretofore we have carried, where it would come in after line 11, page 18, this language:

Successors to any of the employees provided in the preceding paragraph may be named by the House of Representatives at any time.

Now, why was that left out of the bill?

Mr. BYRNS of Tennessee. I was going to say to the gentleman that that provision has always been carried, and it was left out of this bill by the formal vote of the committee. I can not offer any reason for it, and I appreciate the force of what the gentleman says. I shall offer an amendment, when we reach the item, restoring it. I am very much obliged to the gentleman for calling the attention of the committee to it.

The Clerk read as follows:

To continue employment of the laborer authorized and named in the resolution of December 19, 1901, $840.

Mr. MANN. Mr. Chairman, I move to strike out the last word. This is the place where the gentleman proposes to offer the amendment.

Mr. BYRNS of Tennessee. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BYRNS of Tennessee: Page 18, line 11, insert: "Successors to any of the employees provided for in the six preceding paragraphs may be named by the House of Representatives at any time."

Mr. BYRNS of Tennessee. That is the form of the language in the current law.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Official reporters: Six official reporters of the proceedings and debates of the House, at $5,000 each; assistant, $2,500; six expert transcribers, at $1,200 each; janitor, $720; in all, $40,420.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word, if I may.

It seems that the Official Reporters of debates of the House are entitled to better consideration than they receive. If there ever was a corps of efficient men, trained in the art of their employment, it is this corps. It seems to me that while everybody who has devoted a lifetime to the study of an important calling, requiring expert knowledge and experience should be given the compensation which that knowledge and experience and their work justify, these men are not being paid what they should be paid. And I am rather at a loss to understand why the Committee on Appropriations has never thought proper to report an increased appropriation for their compensation.

I think the salaries of the official reporters of the House were fixed 30 or 40 years ago, when you could buy potatoes for 25 cents a bushel, sugar for 3 cents a pound, flour for $4 a barrel, beefsteak for about 10 cents a pound, ham for 7 or 8 cents, and bacon for about 5 or 6 cents, while to-day the cost of these commodities has soared so sigh that it is only occasionally that a person can get an opportunity to indulge in the luxury of eating them.

I do not know whether it is in order or not, but I am going to test it out by trying. I move to amend the item for the compensation of the official reporters of the House by increasing that compensation to $6,000 each where it now is reported at $5,000.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. MADDEN moves to amend, page 19, line 4, by striking out "$5,000" and inserting in lieu thereof "$6,000."

Mr. MADDEN. And I move to strike out "$2,500" where it appears and make it "$3,500."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 5, strike out "$2,500" and insert "3,500."

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order on the amendment.

Mr. MADDEN. I am very sorry.

Mr. BYRNS of Tennessee. I want to say that I appreciate the force of what the gentleman says; but the Committee on Appropriations has never assumed authority and jurisdiction to bring in an increase of salary for employees of the House without the House having first taken action. I have understood there has been a resolution introduced, or is about to be introduced, in regard to the salaries of the reporters of debates in the House. That resolution will go to the Committee on Accounts, the proper committee for jurisdiction of it, and in that way the House can take such action as it sees fit. Since it is not authorized by law, I feel constrained to make the point of order.

Mr. MADDEN. I appreciate the modesty of the gentleman from Tennessee and his committee in not having recommended action until the House has first acted; but since the House has had no opportunity to act, why should the committee object to giving it that opportunity now?

Mr. MANN. Mr. Chairman, I move to strike out the last word. My genial friend from Tennessee [Mr. BYRNS] says the Committee on Appropriations never does any of these things without the consent of the House, but this very paragraph carries an item that the House has never authorized, namely:

Six expert transcribers, at $1,200 each.

When did the House give authorization for that?

Mr. STAFFORD. In the gentleman's absence from Congress a resolution passed the House which provided that instead of the Official Reporters of debates paying the transcribers out of their own salaries and then being reimbursed later, the transcribers should be made annual clerks at $1,200 a year.

Mr. MANN. All right. I was not aware of that fact.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

Mr. MADDEN. Mr. Chairman, did I understand the Chair to sustain the point of order made by the gentleman from Tennessee? I did not understand the ruling. I thought the Chair overruled it.

The CHAIRMAN. The Chair sustained it. The Clerk will read.

The Clerk read as follows:

Clerk hire, Members and Delegates: To pay each Member, Delegate, and Resident Commissioner, for clerk hire, necessarily employed by him in the discharge of his official and representative duties, $2,000 per annum, in monthly installments, $880,000, or so much thereof as may be necessary; and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, shall be entitled to payment under this appropriation: *Provided*, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointments.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. CALDWELL. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. CALDWELL. If the gentleman please, if the gentleman is going to reserve a point of order on the paragraph, I would have him make it.

Mr. STAFFORD. I make the point of order. It is legislation not authorized by law.

Mr. CALDWELL. Of course, the gentleman realizes that that knocks out all the clerk hire of all the Members?

Mr. STAFFORD. I intend to do as I did last year—offer an amendment providing for the same amount for clerk hire as is now provided by the present bill.

Mr. HUMPHREYS. What is the gentleman's point of order?

Mr. STAFFORD. That it is legislation not authorized by existing law.

Mr. HUMPHREYS. What is legislation?

Mr. STAFFORD. Two thousand dollars.

Mr. HUMPHREYS. Does the gentleman contend that it ought to be $1,200, the law?

Mr. CALDWELL. The law is $1,200. I understand that any Member who is not a chairman of a committee authorized by resolution to have a clerk is entitled to a session clerk at the rate of $100 a month. That is the law, so that if the gentleman from Wisconsin insists on his point of order, nobody in this House will have a secretary or a clerk to take care of his business. I would like to have the Chair rule on the question.

The CHAIRMAN. Has any Member made a point of order on the paragraph?

Mr. CALDWELL. I will appeal from the decision of the Chair.

The CHAIRMAN. Does the gentleman from Wisconsin insist on his point of order?

Mr. STAFFORD. I do.

The CHAIRMAN. The point of order is sustained.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment:

On page 19, line 12, insert "Clerk hire, Members and Delegates: To pay each Member, Delegate, and Resident Commissioner for clerk hire necessarily employed by him in the discharge of his official and representative duties, $2,000 per annum, in monthly installments, $880,000, or so much thereof as may be necessary."

Mr. CALDWELL. Mr. Chairman, I offer a substitute for the amendment.

Mr. MANN. Mr. Chairman, I wanted to ask the gentleman from Wisconsin whether this provision in his judgment is subject to a point of order?

Mr. STAFFORD. It is, so far as the amount is concerned. The existing law allows the payment of only $1,200. This authorizes the payment of $2,000.

Mr. MANN. This is the same provision that was stricken out, but the point of order made against the bill is made to the provision in reference to the filing of the names of the clerks with the Clerk of the House, I take it?

Mr. STAFFORD. That is so.

Mr. MANN. This is subject to amendment, then, of course?

Mr. STAFFORD. It may be amended by any germane amendment. It increases the amount.

Mr. MANN. It increases the amount, but it possibly could not provide for a stenographer by name?

Mr. STAFFORD. That is perfectly correct.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman from Wisconsin yield to me for a question?

Mr. STAFFORD. I have not the floor, but I will yield.

Mr. HUMPHREYS. I understand the gentleman has an amendment pending and so has the floor. Would the gentleman permit an amendment fixing the amount at $3,200, so that in addition to our secretary we would have a stenographer at $1,200?

Mr. STAFFORD. I may say to the gentleman from Mississippi that the subcommittee did not consider any increase of salary whatsoever for clerk hire. We had this matter thrashed out last year when an attempt was made to raise the allowance for clerk hire from $2,000 to $2,400. The motion of the gentleman from New York [Mr. CALDWELL], was voted down at that time when the House decided that the clerk hire should be $2,000.

Mr. HUMPHREYS. But the gentleman from Wisconsin realizes, with everybody else, that this work has been very largely increased, perhaps doubled, since then.

Mr. STAFFORD. No; I can not agree to that so far as my own office work is concerned.

Mr. HUMPHREYS. It has been very materially increased. My own has been doubled. I imagine that everybody's work has been radically increased; so much so that if you have only one clerk I dare say—I have not had the experience, because, being the chairman of a committee, I have more than that—but I do not believe any one clerk could well attend to the stenographic work in the committee and also perform the duties of secretary.

Now, it occurs to me that if we are able to have a secretary at $2,000 he would do the work of the secretary, and then if we had enough to employ a stenographer to do the stenographic work it would certainly enable the Members of the House to perform their duties to their constituents much more efficiently and effectively. I hope the gentleman will not object to increasing the amount, making it $3,200 instead of $2,000. That would answer all practical purposes and it would not be extravagant.

Mr. STAFFORD. This matter should be presented to the Committee on Accounts in the proper way. The committee has not given any consideration to it.

Mr. HUMPHREYS. The committee has not given consideration to the $2,000 which the gentleman proposes. The gentleman himself proposes to make the amount $2,000.

Mr. STAFFORD. That is the existing law.

Mr. HUMPHREYS. In the last analysis it has to go back to the committee for final action.

I suppose the Committee on Accounts in the last analysis has got to come back to this committee for final action.

Mr. BYRNS of Tennessee. I offer the following amendment, on page 13.

Mr. MANN. There is no page 13 to this.

Mr. BYRNS of Tennessee. To strike out the words "pay each," in the first line of the amendment, and insert in lieu thereof the words "for clerk hire for each"; and strike out the words "for clerk hire," in the last part of the second line and the first part of the third line, and add the following at the end of the amendment.

The CHAIRMAN. The Clerk will report the amendment to the amendment offered by the gentleman from Tennessee to the amendment of the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. BYRNS of Tennessee to the amendment offered by Mr. Stafford: Page 19, line 13, after the word "delegate," strike out the words "pay each" and insert in lieu thereof "for clerk hire for each," and in lines 14 and 15 strike out the words "for clerk hire," and after the word "necessary," at the end of the amendment, insert:

"*Provided*, That all clerks to Members, Delegates, and Resident Commissioners from and after July 1, 1919, shall be employees of the House of Representatives and shall be paid in the same manner as other employees of the House are paid: *Provided further*, That each Member, Delegate, and Resident Commissioner may appoint a clerk or clerks, who shall be subject to be removed at the will of the person by whom they are appointed: *Provided further*, That the amount unexpended at the end of any month shall be carried forward and be available for expenditure in the succeeding month, but shall not be available beyond the end of the fiscal year: *Provided further*, That Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, shall be entitled, from the date of commencement of their respective terms, to make appointments and removals of clerks under this appropriation: *Provided further*, That the employment of any clerk or clerks hereunder shall cease upon the death, resignation, removal, or termination of service of the Member, Delegate, or Resident Commissioner by whom they were appointed."

Mr. MANN. I reserve a point of order upon the amendment, as there seems to be a conspiracy between the two gentlemen.

Mr. STAFFORD. To show that there is no "conspiracy between the two gentlemen," I make the point of order.

Mr. BYRNS of Tennessee. I want to say to the gentleman that I was very much surprised when the gentleman from Wisconsin made the point of order against this paragraph.

Mr. MANN. And the gentleman had a typewritten proposition ready to take its place.

Mr. BYRNS of Tennessee. I had this amendment in my pocket, which I proposed to offer, because I had understood that this question of clerk hire would come up.

Mr. MANN. I am not criticizing the gentleman. I knew he had the amendment in his pocket.

Mr. BYRNS of Tennessee. I am firmly of the opinion that the House can not afford to increase its clerk hire unless it puts its clerks on the roll, as I have been contending for many years.

Mr. MANN. I am not opposed to the gentleman's proposition.

Mr. BYRNS of Tennessee. The point of order of the gentleman from Wisconsin would simply have this result: Several years ago, I think the gentleman from Georgia [Mr. BARTLETT] made a very earnest effort to put the clerks to Members on the roll. I remember in my first term in Congress he raised that issue, and I heard it fought out here upon the floor of the House and voted with him, and ever since that time I have been doing what I could in my feeble way to have the clerks to Members put upon the roll. Now, failing in his effort, as a matter of compromise there was inserted in the law a provision, not that Members' clerks should be put on the roll and paid directly out of the Treasury but that Members of Congress should file with the Clerk of the House of Representatives the names of their clerks, which amounted to nothing, except that clerks to Members had their names filed in the office of the Clerk of the House of Representatives. Now, for what reason I do not know—but certainly I do not criticize him for it—the gentleman from Wisconsin has made a point of order which absolutely destroys that provision, and the result is that there will be no filing anywhere.

Mr. CAMPBELL of Kansas. Will the gentleman yield for a question?

Mr. BYRNS of Tennessee. I yield.

Mr. CAMPBELL of Kansas. I am employing an extra clerk who is employed in one of the departments of the Government. Would this provision interfere with my employing that clerk and his being carried on two rolls?

Mr. BYRNS of Tennessee. It would if he received over $2,000. I will say that to the gentleman frankly.

Mr. CAMPBELL of Kansas. He would be getting over $2,000 in the aggregate.

Mr. BYRNS of Tennessee. Then I think this would interfere with his employment.

Mr. CAMPBELL of Kansas. He is a very competent clerk, and I want him. He can do my work. He reaches my office after the departments close, and he works probably until midnight.

Mr. BYRNS of Tennessee. I want to say this, Mr. Chairman, and I say it in all sincerity and frankness and earnestness, I do not think this House can afford to stand in the position here of absolutely destroying the provision that requires the names of our clerks to be filed in the office of the Clerk of the House and then refuse to place our clerks upon the roll. [Applause.] And I for one am not going to stand before the country as being willing to agree to any such action. Of course, the House can take such action as it pleases.

Mr. MADDEN. I think every clerk ought to go on the roll and be paid by the Clerk of the House.

Mr. CAMPBELL of Kansas. I think our clerks ought to be placed on the roll and be paid by the Clerk of the House.

Mr. BYRNS of Tennessee. That is what would be done if my amendment should be adopted.

Mr. MADDEN. I hope it will be adopted.

Mr. BYRNS of Tennessee. I think it ought to be adopted, in fairness to the Members of the House and in fairness to every Member of the next Congress.

Mr. HUMPHREYS. Mr. Chairman, may I ask the gentleman a question?

Mr. BYRNS of Tennessee. Yes.

Mr. HUMPHREYS. If the gentleman's amendment be adopted, would the gentleman object to increasing it to $3,200? Certainly we need it.

Mr. BYRNS of Tennessee. I will say to the gentleman that I am one of those who need more clerk hire than we have got, because I have had occasion to employ and have now employed two clerks, paying one of them out of my own pocket, though I hesitate to refer to myself. I have been doing that ever since I have been in Congress. I am not prepared to say to the gentleman, however, that I would support a proposition to increase the amount of clerk hire, even if my amendment should be adopted.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS. The gentleman, if he thinks we need it, will not be very aggressive in his opposition, I take it.

Mr. BYRNS of Tennessee. I certainly do not believe the gentleman from Mississippi would support a proposition to increase the $2,000 amount without putting them on the roll.

Mr. HUMPHREYS. No.

Mr. BYRNS of Tennessee. And I, therefore, ask the gentleman if he favors my amendment?

Mr. HUMPHREYS. I am in favor of putting them on the rolls absolutely. What I would prefer to do would be to have two clerks, one at $2,000 a year and one at $1,200, both of them on the rolls, but what I ask the gentleman now is, if we accept his amendment, if his amendment is agreed to, would he not be willing to increase the amount to $3,200? They would go on the roll then.

Mr. GOOD. Mr. Chairman, I think clearly the amendment offered by the gentleman from Tennessee is subject to the point of order. I hope, however, that the House will meet the problem that is before it in a broad-minded way. For years complaint has been made in the House because of the large appropriations made for clerk hire in the other body and the small allowance in the House, and when this matter comes before the House with regard to our own clerk hire we sidestep it. That is not the way to decide this question.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. The gentleman has stated that he thinks the amendment I offer is subject to the point of order. Just why?

Mr. GOOD. I think it is clearly legislation.

Mr. BYRNS of Tennessee. Why, it is germane to the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD], and that is subject to the point of order.

Mr. GOOD. I do not think it is germane at all, but I would like to see if we can not arrive at some definite agreement in respect to this matter, for the amendment has real merit.

Mr. BYRNS of Tennessee. It is not only germane, but, as some one suggests, it is a limitation providing how that money shall be expended and how it shall be paid out of the Treasury.

Mr. GOOD. It does more than that; and I will say to the gentleman that I do not object to it in the least. I think that the employees of Members, where the salaries are paid out of the Treasury of the United States, should have their names on the rolls and they should be paid directly, providing that provision is made for enough help. I call the gentleman's attention to a fact of which he has full knowledge, that Members by the hundred have said that if you put these employees on the rolls then Members will not be permitted, as they have been permitted in the past, to take three or four hundred dollars or five hundred dollars of the amount allowed for clerk hire and pay it to a dozen clerks at times to relieve congestion.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. I know that is the reason that has been assigned on the floor of the House in opposition to this amendment, but if the gentleman will read my amendment he will see that that is entirely taken care of.

Mr. GOOD. I have listened to the gentleman's amendment, and it is the same as last year, but it is impracticable of operation, unless he couples with it more help, which means more pay.

Mr. BYRNS of Tennessee. It is not the same as last year.

Mr. GOOD. I want to say to the gentleman, let us meet this proposition. Let us give to the Member a secretary, and let us give to the Member, at least during the session, a stenographer, and put them both on the rolls, just as they are in the Senate. Let us give ourselves at least enough clerical help so that we can do the business that our constituents expect of us. Many Members tell me that they are not able now to attend to the correspondence that is coming from mothers and fathers of boys over there unless they pay it out of their own pocket. Certainly this should not be, and I hope that we can come to some agreement now, as we ought to, to have our regular secretaries and then have at least a session clerk at, say $100 a month——

Mr. HUMPHREYS. Oh, make it annual.

Mr. BYRNS of Tennessee. I will say this to the gentleman, that if this amendment is adopted and the clerks of Members are placed on the rolls, so far as I am concerned I shall not make any point of order to any amendment that may be submitted to increase the number, but I do not say that I will vote for it.

I certainly will make the point of order, however, on any proposition which undertakes to increase the number unless they are placed on the rolls. I think the House ought to have an opportunity to pass on this matter fairly. It is a matter that appeals to one Member of the House as much as it does to another, and I am unwilling to stand here as one Member of the House and by resorting to a point of order prevent the House from carrying out its will in a matter that pertains to the House and its organization.

Mr. GOOD. I understand the gentleman, and I think he is entirely fair in the matter. I think he wants to do the things that a majority of the Members of the House want, and I would suggest that if along with his amendment he could tie up the other amendment to give the Members a stenographer as well, at least for the session, I do not believe there would be any opposition from any quarter in making a satisfactory disposal of the matter.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. CALDWELL. I will say this, that I am only waiting on this proposition to have it passed on, and then I am going to offer a further amendment to increase the amount.

Mr. GOOD. The difficulty about that is that it is subject to a point of order, and the point of order would likely be made and sustained.

Mr. CALDWELL. It can not be, because it will only be the amount.

Mr. GOOD. I should think the gentleman could get unanimous consent, and have them both pending at the same time, and then the point of order could be withdrawn.

Mr. CALDWELL. Mr. Chairman, there has been some suggestion here that now would be the time to offer the amendment for an additional clerk.

The CHAIRMAN. An amendment was offered by the gentleman from Wisconsin [Mr. STAFFORD], and the gentleman from Tennessee [Mr. BYRNS] offered an amendment to that amendment. The gentleman from Illinois [Mr. MANN] reserved the point of order on the amendment, if the Chair understands the situation. Does the gentleman insist on the point of order?

Mr. MANN. The gentleman from Wisconsin [Mr. STAFFORD] made the point of order.

Mr. BYRNS of Tennessee. Then I want to be heard. I do not know whether the Chair cares to hear me upon the point of order. I understand the gentleman from Wisconsin makes the point of order?

Mr. STAFFORD. I made the point of order.

Mr. BYRNS of Tennessee. The amendment offered by the gentleman from Wisconsin is clearly subject to a point of order—in other words, it is legislation upon an appropriation bill. No point of order has been made to it. Now, I think under the uniform ruling another amendment which is germane or which seeks to provide a limitation to that amendment is in order. Now, the amendment which I have offered I think is clearly germane, Mr. Chairman, to the amendment offered by the gentleman from Wisconsin, because it provides how this money which is sought to be appropriated by the amendment of the gentleman from Wisconsin shall be paid. The amendment of the gentleman from Wisconsin provides for $2,000 to each Member. My amendment provides for the manner of payment of this $2,000, and it seems to me it is clearly in order. In my judgment it is clearly germane, for it relates to the subject matter of the amendment pending.

The CHAIRMAN. Does the gentleman from Wisconsin desire to be heard?

Mr. STAFFORD. Mr. Chairman, this same proposition in almost the identic form was presented to the House when the last legislative bill was under consideration. The gentleman from Tennessee [Mr. BYRNS] then offered virtually this amendment to a similar amendment that I now offer and the Chair then held—and you will find the proceedings on pages 3057 to 3068 of the RECORD—that it was out of order. The provision that is now under consideration, to which no point of order has been made, provides for the payment to the Members of a certain amount of money for a certain specific purpose. The amendment offered by the chairman of the committee provides for the payment to some person, and specifies the way that payment shall be made. The amendment under consideration provides for an allowance of $2,000 for clerk hire to be expended by the Member during the year in such portions as he determines. The amendment offered by the gentleman from Tennessee does not provide for any allowance to the Member for clerk hire. It absolutely negatives that idea, and provides for the payment to an outside person who shall be placed on the roll. This is no new proposition for the decision of the Chair. It was more exhaustively argued last year, and the sentiment of

the House then was, if I gauged the sentiment correctly, that the Members were not in favor of being deprived of the privilege of allotting $2,000 for clerk hire during the year to such persons as the Members saw fit to pay.

Mr. CALDWELL. Will the gentleman yield?

Mr. STAFFORD. And the gentleman from New York, who has been so active in this matter, also offered an amendment to increase the allowance to $2,400, and his amendment was then defeated.

Mr. CALDWELL. Will the gentleman yield for just a minute?

Mr. STAFFORD. Not just at this moment. The amendment offered by the gentleman from Tennessee [Mr. BYRNS] two years ago, after his other larger amendment was eliminated, was as follows:

Provided, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House of Representatives, and shall be paid in the same manner as other employees of the House are paid.

What does the chairman say in passing upon the point of order and holding that it was not germane and not in order?

The Chair is advised by the Clerk that that is the portion of the amendment to which the point of order is directed. It seems to the Chair that this language makes a very definite change in existing law. The basic law does not impose any requirement of this character in regard to the clerks of the Members, or require that they shall be paid as other employees of the House are paid. It is true that this change in existing law is for the duration only of this act, but the principle involved is the same. The Chair does not think that so large an increase of illegality as this amendment proposes can be fairly said to be a perfecting amendment to the increase in the amount allowed by the basic law for clerk hire. If it could be fairly so construed then this amendment would be in order.

The Chair is of opinion that this, like the other amendment, is controlled by the principle heretofore announced and is not in order. The point of order is sustained.

I have before me the basic law authorizing the payment of an allowance to Members of the House, and while my provision is subject to the point of order because it increases that amount from $1,200 to $2,000 it can not be held it is open to amendments that are not relevant or germane. His amendment especially does not provide for an allowance to Members of the House, but it provides for the employment of some person who is to be placed on the roll. If this were in order, it would be in order to authorize a Member to appoint a messenger to aid him in the performance of his clerical duties. It would enable the gentleman, if this is in order, to say that each Member shall be allowed to appoint two clerks or three clerks and fix their salaries. I am unwilling, Mr. Chairman, that a provision should go through without any consideration by a committee. I am going out of Congress. This does not affect me. I am in sympathy with the suggestion offered by the gentleman from Iowa [Mr. GOOD], and if it is the wish of this House that the clerks of the Members of this House should be put on the permanent roll and be given an assistant clerk——

Mr. BYRNS of Tennessee. Now, will the gentleman permit? Will the gentleman do this? The gentleman says he is going out of Congress and he will not be a Member of Congress. Will he not permit Members who are going to be Members of the next Congress to make the point of order if they desire?

Mr. STAFFORD. Because this matter was thrashed out over a year ago and the gentleman was as insistent as he is to-day on imposing on the Members these provisions that were not sympathetically received by the Members of the House, I intend to exercise my rights as a Member.

There is a way, and the gentleman knows there is a way. He has had nearly 12 months to bring this provision in regular channels. He has not made any steps to do it. Why has not the gentleman, who should be safeguarding the interests of the Treasury in regard to this bill, gone before the Committee on Accounts and presented the matter? He will get a respectful hearing. But, no; he has not done that, and wishes now to present it on the spur of the moment.

Mr. BYRNS of Tennessee. The gentleman knows that at every session, at every opportunity I have had, I have presented this matter and have always met the opposition of the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Why has not the gentleman gone to the Committee on Accounts? Why has the gentleman been sleeping all this time?

Mr. BYRNS of Tennessee. The gentleman is making remarks not justified by the record.

Mr. STAFFORD. Has the gentleman gone to the Committee on Accounts with the proposition? Answer that question.

Mr. MANN. I make the point of order, Mr. Chairman, that the gentleman from Wisconsin is not discussing the point of order.

Mr. CALDWELL. Mr. Chairman——

Mr. BYRNS of Tennessee. Mr. Chairman, I want to say in reply to the statement made by the gentleman from Wisconsin [Mr. STAFFORD], which implies that I have not made every effort to put the clerk upon the roll, that there has not been, and I leave it to my colleagues upon this floor——

Mr. STAFFORD. I will withdraw any charge that implied insincerity. But the gentleman has not taken steps to place it in regular channels.

Mr. BYRNS of Tennessee. There has not been a Member of this House who has been more earnest in his efforts to see the clerks of Members placed on the roll.

The CHAIRMAN. The Chair is ready to rule.

Mr. LITTLE. Mr. Chairman, I would like to be heard on the point of order.

Mr. BYRNS of Tennessee. The gentleman from Wisconsin has said that this is taking advantage of Members. I submit to the Chair that if the point of order is overruled then the Members of this House will have an opportunity to express themselves on it, and if a majority is opposed to placing clerks on the roll the amendment will not be adopted. But I am only anxious that this House shall have an opportunity to express itself.

Mr. MANN. There are a good many Members here who will not be in the next House, you know.

Mr. BYRNS of Tennessee. But they are not making points of order.

Mr. MANN. What is the difference?

Mr. BYRNS of Tennessee. The difference is this: That the majority settles it, but one man, even if the entire membership is for it, may defeat a proposition by making a point of order——

Mr. MANN. Any man on the floor, as long as he is here, has rights.

Mr. STAFFORD. Why do you not go to the Committee on Rules and ask for a rule, if you are so deeply interested?

Mr. CALDWELL. Mr. Chairman——

The CHAIRMAN. Does the gentleman wish to make a point of order?

Mr. CALDWELL. I wish to submit a unanimous-consent request, if I may, and it is in order. I want to ask unanimous consent that there be considered in place of the amendments that have been suggested an amendment reading as follows:

To each Member, Delegate, and Resident Commissioner for hire of one clerk at $1,200 per annum, and for hire of such other assistants as may be necessarily employed by him in the discharge of his official and representative duties, at not exceeding $2,000 per annum additional in monthly installments, so much as may be necessary.

And then to continue as the matter was contained in the bill as submitted to the House.

I ask that in all sincerity in the hope that that will pour oil on the troubled waters and everybody can be satisfied.

The CHAIRMAN. Is there objection to the gentleman's request?

Mr. MADDEN. Mr. Chairman, I object.

Mr. LITTLE. Mr. Chairman, I wish to be heard on the point of order.

The CHAIRMAN. Well, be brief.

Mr. LITTLE. When I am done I will stop.

The point of order here is, Mr. Chairman, that the amendment offered by the gentleman from Tennessee is new legislation and therefore out of order. The gentleman from Tennessee comes to us, and this is his answer: He says it is germane and therefore it is in order. It may be germane, Mr. Chairman, but if it is new legislation it is not in order. The gentleman says it is a limitation upon the grant. It might be a limitation on the grant and still be new legislation, and it would be out of order. He might just as well say to us that it was made at the right time. We often hear the objection made that an amendment is not offered at the right time. He might just as well say that it was made at the right time and that therefore it is in order.

The trouble with his amendment is, Mr. Chairman, that it is new legislation. If I can have the attention of the Chair and can have order, I wish to assist the gentleman from Tennessee with the same information about parliamentary law he called my attention to. As I was saying when the attention of the Chair was called away, it is clear that this is new legislation. Therefore it is out of order. It is immaterial whether it is germane or not. That is the argument he makes for it. It is immaterial if it is a limitation, which is the argument he makes for it. Those are the only arguments that the gentleman makes for it. If this is new legislation, it is out of order. That was the point of order, and that is the point I insist on and ask the Chair to rule on.

Mr. GOOD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GOOD. I am not quite clear in regard to the wording of the amendment of the gentleman from Tennessee [Mr. BYRNS], but if the point of order should be withdrawn would it then be in order for the gentleman from Mississippi [Mr. HUMPHREYS], or any other Member, to move to strike out "$2,000" and insert "$3,200," and is the amendment then in such shape that that would give each Member two clerks?

Mr. HUMPHREYS. Yes. I will answer that question.

The CHAIRMAN. The amendment offered by the gentleman from Wisconsin, increasing the amount allowed to Members for clerk hire from $1,200 to $2,000, is clearly subject to a point of order. Under existing law they are authorized to receive $1,200 per annum. But no objection and no point of order was made against that amendment, and in the opinion of the Chair an amendment to the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD] would be in order, to increase the amount carried in his amendment so far as that is concerned.

The precise question raised here and involved in the amendment offered by the gentleman from Tennessee [Mr. BYRNS] was up when the legislative, executive, and judicial bill was under consideration in Committee of the Whole last Congress. Then the gentleman from Virginia [Mr. SAUNDERS] was in the chair and ruled on an out-of-order amendment, the purport of which was the same as the pending amendment offered by the gentleman from Tennessee [Mr. BYRNS]. The Chair understands the rule to be that a paragraph or amendment which proposes legislation being permitted to remain in the bill may be perfected by a germane amendment (IV, 3260–3263, 3839–3844); but this does not permit an amendment which adds additional legislation (IV, 3836, 3837, 3862). The Chair sustains the point of order to the amendment offered by the gentleman from Tennessee [Mr. BYRNS].

Mr. HUMPHREYS. Mr. Chairman, I offer an amendment to the amendment of the gentleman, making it "$3,200" instead of "$2,000."

Mr. MADDEN. It increases the amount from $2,000 to $3,200?

Mr. HUMPHREYS. Yes. It strikes out "$2,000" and inserts "$3,200."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HUMPHREYS: Page 19, line 16, strike out "$2,000" and insert "$3,200."

Mr. BYRNS of Tennessee. Mr. Chairman, I am opposed to that amendment, and I want to say why briefly.

The CHAIRMAN. The gentleman from Tennessee is recognized.

Mr. BYRNS of Tennessee. As I said awhile ago, the House is in this position: You have had for a number of years a provision of law whereby each Member was required to file with the Clerk of the House the names of those employed by him, and I presume that every Member has complied with the law, and the names are now in the Clerk's office.

Now, by the action taken to-day you have stricken that from the law, so that there is no obligation of that kind resting upon a Member; and here you are met by a point of order to the amendment which I offered, which seeks to place Members' clerks upon the roll and have them paid directly out of the Treasury and not through the Members.

Now, I want to submit to you, gentlemen, under those circumstances, whether you can vote that $3,200 shall be paid to you for clerical assistance. We talk about high expenses, about high taxes. Members are about to add more than $500,000 to this bill. That money will be paid directly to the Members of the House for them to pay to their clerical assistants.

I submit, gentlemen of the House, in all sincerity and all earnestness, that you can not afford to adopt that amendment. For my part, I am not willing to vote this great increase at this time. And to you who feel so disposed I wish to emphasize the fact that you should not do so now, since the amendment which I offered, placing clerks on the roll to be paid directly out of the Treasury, rather than in the indirect way of having the money so provided first paid to the Member and by him to his clerks, was not accepted.

Mr. CALDWELL. Mr. Chairman, I offer a substitute.

The CHAIRMAN. The Clerk will report the substitute offered by the gentleman from New York.

The Clerk read as follows:

Substitute offered by Mr. CALDWELL for the Stafford amendment: Page 19, after line 12, insert:

"To each Member, Delegate, and Resident Commissioner, for hire of one clerk at $1,200 per annum, and for hire of such other assistants as may necessarily be employed by him in the discharge of his official and representative duties, at not exceeding $2,000 per annum additional, in monthly installments, so much as may be necessary."

Mr. BYRNS of Tennessee. Mr. Chairman, I reserve a point of order on that.

Mr. HUMPHREYS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HUMPHREYS. This is offered as a substitute. That being true, the amendment which I offered has the preference, and will be voted on first, will it not?

The CHAIRMAN. It will be voted on first.

Mr. MADDEN. Mr. Chairman, I would like to be heard on the amendment.

The CHAIRMAN. The gentleman from Tennessee reserves a point of order on the amendment. The gentleman from New York wishes to speak to his amendment?

Mr. CALDWELL. Yes.

Mr. MADDEN. I understood I was recognized.

Mr. CALDWELL. That is all right. I give way. The gentleman will be speaking for me.

Mr. MADDEN. Who is recognized, Mr. Chairman?

The CHAIRMAN. The gentleman from Illinois, the gentleman from New York having given way.

Mr. MADDEN. Mr. Chairman, of course it is not popular to differ with the men who are anxious to get more compensation for clerk hire. I realize that; but there is an orderly way to provide for the payment of additional clerk hire if it is necessary, and that orderly way has not in this case been pursued. We have in the House a Committee on Accounts. The reports from that committee are privileged. They report all legislation affecting expenditures from the contingent fund of the House. And in order to provide for additional clerk hire, the case should be submitted to that committee before it is acted upon. I am not at all clear that we should even appropriate if the Committee on Accounts reported in favor of it. There are thousands of people employed throughout the United States in every calling who are unable to earn anything like the compensation that is being paid to the Members of this House for clerk hire, and before this bill is finished there will be demands for increased compensation by many Government employees. It must be evident to every man here that if the Congress votes to increase the compensation for clerk hire to its own Members, you will be barred from any argument against increased compensation from whatever source it may be demanded. You can not justify it without submitting to the demands of anybody who is on the Government pay roll anywhere for increased compensation. And if this increased compensation is voted, you have laid the foundation not only for the expenditure of $500,000 which it involves, but you have laid the foundation for the expenditure of millions more to meet the demands from other sources.

Now the question is, Are we in the mood to conserve the Treasury of the United States, or are we willing to pillage the Treasury upon every demand made from any source in order that we may be able to accord ourselves additional compensation for clerk hire? I maintain that I have as much work in my office as any man on the floor of this House, and I am able to do that work for the compensation paid out of the Treasury of the United States. If I choose to employ from my private funds additional service in my office, that is my business.

SEVERAL MEMBERS. Do you?

Mr. MADDEN. Whether I do or not, I maintain it is not the business of any Member here. The $2,000 a year is all that should be paid for the clerical force of any Member of this House, and I say that at the risk of incurring the enmity of the Members who are desirous of receiving more. I think the time has come when we should stop and consider the voice of the people. We are already spending billions of dollars for other purposes. The Treasury is empty—worse than empty. It is $13,000,000,000 worse than empty. We have men coming back from the battle front, out of employment. They will be glad to find employment at any price. Now, in God's name, if there is any money in the Treasury, save that money to meet the needs of the men who have fought to sustain the honor of the country and not give the membership of this House additional compensation for clerical hire.

Mr. CALDWELL. Mr. Chairman, the gentleman from Illinois is rather inconsistent. It was only a few moments ago that he was pleading very strongly to raise salaries of $5,000. The gentleman says that he can take care of his work with the present $2,000, and if he cares to spend more, that is his business. Of course, it is his business, and he has business enough so that he does not feel it.

In addition to that, I want to call attention to the fact that the substitute I propose does not increase a salary. It provides that the Members and Delegates in the next session of Congress may employ an additional clerk each, in order that they may do the work that will come to them from their respective districts, and that is all it does provide.

Mr. McKENZIE. Will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. McKENZIE. I want to ask the gentleman from New York if under his amendment a Member of Congress could not get $3,200 whether he employed anybody or not?

Mr. CALDWELL. Yes, if he wanted to steal it; but I do not believe there is any Member of this House who is so low that he would steal a single penny of the money appropriated for clerk hire, and every Member of this House, when he becomes a Member here and spends money for clerk hire, has to make a certificate to the effect that he has actually disbursed the money; and any man who makes such a certificate, if it is false, not only steals the money but he also violates another section of the criminal law in that he has made a false certificate.

Every Member of this House can go into the Clerk's office and find the certificates that he has made and that every other Member of this House has made during this whole Congress, showing that he has actually expended the $2,000 appropriated up to date. If any one of them has stolen it, I for one will vote to expel him from the House and to call on the Attorney General of the United States to prosecute him and send him to the penitentiary. But I do not believe we have any such men. I am satisfied that the men who are honorable enough to receive the support of their constituencies throughout this country, whose rectitude of conduct has been such as to mark each one of them as one man out of 225,000 fit to be sent here to legislate for the people, are all of high enough integrity to be trusted that they will not steal a paltry $2,000 a year in driblets of a few dollars a month. [Applause.]

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from New York has the floor.

Mr. CALDWELL. Since I have been a Member of Congress every month I have been compelled to pay for clerk hire more money than has been assigned to me for that purpose; and if it is necessary that I pay part of it, I should much prefer to pay all than to pay half, because, if I pay all, the people in my district will know that I am paying all, and they will not unnecessarily burden me; but if I pay half, the people in my district think I am being paid for all and they will burden me just as heavily as their wishes require. It is not fair or conscionable. The Members of this House work just as hard as the Members of the other House. The Members of the other House each get more than $5,000 a year to pay for this kind of work. The smaller States have two men to represent them in the other House, while there is only one here from the same small State.

The combined sum paid for clerical assistance to the two Senators is over $10,000 a year, and they can hardly get along with it. Here the Member gets a paltry $2,000 a year, and you compel men to go down in their pockets and pay this expense. It is not fair or honorable. Why do you do it? Because, forsooth, there happens to be some carping individual down in your district of whom you are afraid. You have not got nerve enough to go back to your people and say, "You sent me to Washington to do this work. I need assistance to do the clerical labor that comes to me because of your desires, and therefore I voted to pay for that additional labor."

Mr. AYRES. Mr. Chairman, will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. AYRES. What objection has the gentleman to putting two clerks on the pay roll?

Mr. CALDWELL. None in the world.

Mr. AYRES. Why does not the gentleman's amendment call for that?

Mr. CALDWELL. Because it was ruled out of order. I shall vote for it if the gentleman can get it in here, but the proposition here and now is, Are we going to stultify ourselves and say to the people back home that we can not be trusted to perform the duty here, because, forsooth, some individual in our community will say that we tried to raise our salaries?

Mr. CRISP. Mr. Chairman and gentlemen of the House, I dislike to inject myself into this debate, but it seems to me that the House of Representatives every year belittles itself by bringing up this question of clerk hire and discussing it. It seems to me that the House should determine that question one way or the other and stop discussion of it. I am very much opposed to increasing the allowance for clerk hire and not putting the clerks on the rolls, but giving the money to the Members to disburse as they see fit. I can not see how anyone can object to placing their clerks on the roll and letting the Clerk of the House pay them. We all know that the membership of this House has been subjected to a great deal of criticism, whether justly or unjustly, in connection with the House insisting that this money should be paid to the Members, to be disbursed as they see fit. Why should anyone object to the disbursing officer of the House paying this money? We are not entitled to it unless we pay it out, and under the law you can place as many clerks as you see fit on the roll, to be paid by the Clerk, to be removed at your pleasure. If you pass this amendment increasing this allowance of clerk hire to $3,200, as the amendment now stands, you will not have to make any appointments to the Clerk of the House and you will subject yourselves to very adverse criticism. I do not believe the people of the United States will object to Members of Congress having whatever clerical assistance is necessary for them to attend to the people's business. They will not object to that, but it seems to me, if it is the opinion of this House that one clerk is not sufficient to attend to the work of the office, the intelligent and sensible thing to do is to bring in a bill; and, if it is necessary, you can get a rule from the Committee on Rules for its consideration, making it in order that each Member shall be entitled to appoint a secretary at whatever sum the House thinks fit, and that in addition thereto each Member shall be entitled to a stenographer at an annual salary, those clerks to be placed upon the rolls of the House, to be paid by the Clerk of the House, just as any other employee of the House is, subject to removal at the pleasure of the Member. [Applause.]

Mr. HUMPHREYS. Will the gentleman prepare in some concrete form his suggestion, so that we will have an opportunity to vote on that as a substitute for what is now pending?

Mr. CRISP. I can not prepare an amendment carrying that into effect which would be in order under the rules without a special rule from the Committee on Rules. Further answering the distinguished gentleman from Mississippi, the gentleman from Georgia is not advocating any increase of clerk hire at all, but is satisfied and can get along, so far as he is concerned, under the present allowance, and the gentleman will add that he always indorses his check and hands it over to his secretary and would be delighted to have him on the roll and have the Clerk of the House pay him.

Mr. HUMPHREYS. I would be delighted to have mine on the roll, too, if I could get him there.

Mr. GRAHAM of Illinois. Mr. Chairman, is all debate on this amendment exhausted?

The CHAIRMAN The amendment offered by the gentleman from New York [Mr. CALDWELL]?

Mr. GRAHAM of Illinois. Yes.

The CHAIRMAN. A point of order was reserved upon the amendment.

Mr. GRAHAM of Illinois. Then I ask for the regular order.

The CHAIRMAN. Does the gentleman from Tennessee insist upon the point of order?

Mr. BYRNS of Tennessee. Mr. Chairman, there seems to be some confusion about this proposition, and I ask unanimous consent that this particular paragraph may be passed over until the first thing in the morning and that we proceed with the reading of the bill for at least half an hour.

Mr. MADDEN. I shall not consent to that unless we rise at this time.

Mr. BYRNS of Tennessee. Then I shall withdraw my request to pass over this paragraph. I have an agreement to stay here until 6.30.

The CHAIRMAN. What is the request of the gentleman from Tennessee?

Mr. BYRNS of Tennessee. My request is that we pass over this paragraph until to-morrow morning, and that we then proceed with the reading of the bill.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the consideration of this paragraph and pending amendments and points of order shall be passed over until to-morrow morning. Is there objection?

Mr. MADDEN. I object.

Mr. BYRNS of Tennessee. Then I make the point of order against the amendment offered by the gentleman from New York. It is legislation on an appropriation bill.

The CHAIRMAN. The point of order is sustained.

Mr. CANNON. Mr. Chairman, I want to talk about this amendment. As I understand it, as the matter now stands the vote will come on the $1,200 proposition, and if agreed to that will practically make the compensation $3,200 a year for each Member of the House, an increase of $1,200?

The CHAIRMAN. That is as the Chair understands it.

Mr. CANNON. Mr. Chairman, I crave the attention of the committee for five minutes. Oh, someone has talked about cowardice. So far as I am concerned, there is no cowardice about it, and in my vote touching this $1,200 proposition, over the $2,000, I shall take into consideration, without any cow-

ardice, whether or not we ought to do it at this time. Oh, yes; the Senate gets more pay for their clerks than we do. That is a smaller body—96—and we are 435.

My objection at this time to this proposition, and probably at any other time during my congressional life here until I cross over, is to the increase. The country is in an abnormal condition. The value of the dollar, it is true, has been cut in two since the commencement of the war; or, to put it another way, prices have doubled. There is a great cry for increase of pay. Now, when this war closes the value of money is to increase so far as its purchasing power is concerned and the cost of living is to decrease. Now, there is a great movement—I guess you are getting some letters from people, people who are forming combinations throughout the country for a further increase of salary. Why, some are striking for an increase of salary and pay all over the country, and in many cases where the salary and pay are much larger than the increase in the cost of living. Now, we have got to consider not our own convenience but we have to legislate for normal conditions, and I do not believe we ought to make the $1,200 increase for ourselves [applause], because we will be estopped from refusing undue increase to others. Now, for that reason, if for no other, I am going to vote against this proposition.

Mr. KEARNS. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. KEARNS. How much money does it cost the gentleman from Illinois to run his office a year?

Mr. CANNON. Two thousand dollars, no more and no less, and that is paid by the Government and certified. I get along fairly well. I have a pretty heavy mail, and I have got a good secretary. Oh, they say a lawyer makes $50,000 a year, that a merchant and a broker makes $100,000 a year, and we have got the excess-profits tax, we have got a large income tax, and when you get beyond a certain amount the Government takes 80 per cent of it. Well, we pay an income tax on our salaries if we do not have anything else. All that is true; but, mind you, since I have been in Congress the salary of Members of Congress has been increased from $5,000 to $7,500. The Forty-second Congress—March 5, 1871, to March 5, 1873—increased the annual pay of Members and Senators from $5,000 to $7,500 per annum.

The panic of 1873 came upon the country. The cost of living decreased. The severe criticism against the Members of Congress voting for the increase caused many Members to take the amount of the increase and donate the same—some to charity, some to orphan asylums, some to hospitals, some to the church, and some covered the amount into the Treasury of the United States, from which it came.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. I would like about 2 minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. Those were pretty serious times. Now, this is true substantially, the prices that the farmer receive, the prices that the laborer receive, however much they may petition us and send "round robins dispatches," when the time comes that the price of products and of living ceases to be so high the wage will be decreased, and we have got to settle that, so far as the Federal Government is concerned. No cowardice has entered into my position about this matter. God knows I have told my district I am ready to quit any time. I am here substantially by unanimous consent and will be in the next Congress. That is all I desire to say, perhaps I have not said it very well, but I wanted to say that much. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. BYRNS of Tennessee. Mr. Chairman, let us have that amendment again reported.

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection.

The amendment was again reported.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. HUMPHREYS) there were—ayes 60, noes 45.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers [Mr. HUMPHREYS and Mr. BYRNS of Tennessee] reported that there were—ayes 61, noes 45.

So the amendment was agreed to.

Mr. RUBEY. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The question is on the amendment as amended.

Mr. RUBEY. But I desire to offer an amendment to the amendment.

Mr. HUMPHREYS. If the gentleman will permit me just a minute, I want to ask unanimous consent that the total be corrected to correspond with the amendment. I have not the total here, but I ask that the Clerk be authorized to correct the total.

The CHAIRMAN. Without objection, that will be done.

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Missouri.

The Clerk read as follows:

Amendment offered by Mr. RUBEY: Add to the amendment the following: "and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, shall be entitled to payment under this appropriation: *Provided*, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointments."

Mr. MADDEN. Mr. Chairman, I make the point of order on the amendment. I want to make it as odious as I can, so when we get a roll call——

The CHAIRMAN. Does the gentleman make the point of order?

Mr. MADDEN. I do.

The CHAIRMAN. The point of order is sustained.

Mr. GOOD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Line 13, strike out the words "to pay" and insert the words "for clerk hire of," and then add at the end of the provision the following: "*Provided*, That no part thereof shall be paid to any Member, Delegate, or Resident Commissioner."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GOOD: In the first line of the Stafford amendment strike out the words "to pay" and insert the words "for clerk hire of," and at the end of the Stafford amendment insert the words "*Provided*, That no part thereof shall be paid to any Member, Delegate, or Resident Commissioner."

Mr. MADDEN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. It seems to be a limitation on the appropriation, and under the rules would be in order.

Mr. MADDEN. I do not consider that as a limitation at all, Mr. Chairman.

Mr. CALDWELL. But the Chair does.

The CHAIRMAN. The Chair overrules the point of order.

Mr. GOOD. Mr. Chairman, I want only a word on this amendment.

Mr. KINCHELOE. Will the gentleman yield for a question?

Mr. GOOD. After I have spoken a word or two.

Mr. Chairman, if we are to vote additional clerk hire to Members, it is very clear to me that everyone of those clerks should be put on the rolls and not a Member of this House should be allowed to disburse a single penny of the amount that is voted for clerk hire. It is for clerk hire. It is not for the Members of this House—and it should go to the country as such—that it is to do the work that Members are called upon by our constituents to do. Some Members are differently situated from others. Some Members can pay secretaries fat salaries out of their own pocket and not feel it, but others have not enough to reach down in their pockets every month to pay out $50 or $100 for additional clerk hire. They can not do that, but their constituents are entitled to the same character of service as the constituents of the man who can afford to pay for additional clerk hire. The amendment which I have offered simply provides that no part of this shall be paid to the Member or Delegate or Resident Commissioner. What will be the effect? It will be paid to the secretary or the clerk. I can not support any proposition for additional clerk hire if it is to be paid directly to the Member.

Mr. MADDEN. There is no right to do that under this.

Mr. KINCHELOE. Will the gentleman yield?

Mr. GOOD. I will.

Mr KINCHELOE. Is the gentleman sure it is going to be paid to the clerk? I am just asking for the information.

Mr. GOOD. It will be paid to him directly. That is the object of the amendment.

Mr. MADDEN. Mr. Chairman, I desire to be heard in opposition to the amendment. Now, to begin with, Mr. Chairman, we

have already voted to increase the compensation from $2,000 to $3,200 for clerk hire to each Member and Delegate. Now, the gentleman from Iowa [Mr. GOOD], seeking to take the odium off the action, proposes that no part of the appropriation made shall be paid to Members of the House, but makes no provision whatever to pay it to the clerks. There is no provision here as to who shall have the authority to appoint the clerks; there is no provision here as to who shall have authority to appoint a secretary.

The time has come when we must call a halt upon this indiscriminate extravagance, for this is nothing more nor less than a species of extravagance and waste of public money. We passed the amendment in the Committee of the Whole, but we are going to have a roll call on it when we get into the House, and I doubt very much whether we will pass it when it gets there. [Cries of "Vote!" "Vote!"] The gentlemen are insisting on a vote. But I have the floor and I am entitled to respectful consideration, and I do not care how much these gentlemen who demand to take further money from the Treasury of the United States call out "Vote," I propose to be heard. I have as much right to be heard as they, and I have been recognized according to the orderly procedure of the committee. The mere fact that I object to the passage of an amendment proposed is no reason why I should be yelled off the floor.

Mr. KEARNS. Will the gentleman yield?

Mr. MADDEN. No; I do not yield. I propose to be heard on this question. And I want to say to you men here to-day that you will not dare to go on record on a roll call when this question is called up before the House and when a roll call can be had. These men who voted for this, where their names are not recorded, will vote against it when their names are called and their action can be recorded. The people of the United States will not submit to this unjustifiable and extravagant waste of public funds under the present condition of the Treasury.

Mr. BYRNS of Tennessee and Mr. KEARNS rose.

The CHAIRMAN. Debate on this amendment is exhausted.

Mr. BYRNS of Tennessee. I wish to make a statement. I opposed the increase, but since that was adopted I am in favor of this amendment, and I hope it will be agreed to.

Mr. MANN. Mr. Chairman, I make the point of order that all debate is exhausted.

The CHAIRMAN. The point of order is sustained.

Mr. KEARNS. Mr. Chairman, I move to strike out the last two words.

Mr. MANN. The gentleman can ask unanimous consent to proceed, but a motion to strike out the last two words is not in order at this particular stage.

Mr. KEARNS. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. KEARNS. Mr. Chairman, when on that amendment the roll is called to-morrow, or whenever it shall be called, I propose to vote for this increase, with the full belief and understanding that I represent a district that wants the work done here. The gentleman would seek to frighten us by this threat of public punishment if we vote for this amendment.

I am firmly of the belief that I represent a district in which no "short skate" lives. I am firmly of the belief that I represent a district that wants me to have sufficient clerical help to enable me to attend to its business here. The men and women of my district want me to have such help that when the mothers and fathers of the boys, some of them still in France, seek information and correct information about their boys I shall have the means at hand of getting this information for them. If I need two assistants they do not object. They want the facts about their boys. In these war times they know that our work is increased and they want us to have the necessary help.

I have heard Members speak against this increase of clerk hire who have said privately that they are now paying from $4,000 to $5,000 a year for running their own offices. If some man who may live in Chicago or New York or Philadelphia believes that it requires $4,500 or $5,000 to attend to the needs and the wants of his district I am thoroughly of the opinion that men who represent rural districts are just as much in need of that much money to run their offices, and the people of this country do not expect the Members of Congress to pay this extra money out of their pockets. It is Government or public work, and should be paid for as such. [Applause.]

There are a great many Members, I take it, on the floor of this House, representing districts of importance, who are not able to furnish $2,500 additional money for clerk hire. What the public wants is efficiency. We are attending to the business of our constituents, and there is not a constituency in the United States but deserves that its inquiries shall be answered, and promptly answered; that information which they seek shall be supplied to them; and I am firmly of the opinion that there is not a district in the United States that will not approve of such expenditure of public money as is necessary to provide that information. [Applause.]

This is not an increase of salary for our clerks. The amendment does not provide for an increase of anybody's compensation. It simply makes provision for more clerical help for Members of Congress. There is not a department of Government but has increased its office force many times since this war began. This war has more than doubled the office work of the membership of this House, and it is absolutely necessary that our office force be increased if we do the work that our constituents demand we do for them.

Mr. SNYDER. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. Would not that be an amendment in the third degree, and not in order in the present parliamentary situation?

Mr. SNYDER. Then, I ask unanimous consent to address the House for three minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. SNYDER. Mr. Chairman, I favor the amendment increasing the amount to $3,200 a year, and if there is any way possible to put the employees that are hired by each of the Members or Delegates at $3,200 on the roll I am in favor of that.

I believe that my office has the average amount of business that each office has at the present time, and I think I have a secretary who is capable of doing as much work as any secretary that any of you may have. He has had a wonderfully long experience here. That man has not asked for my assistance, and I have not paid anything to anybody except him; but he is working 18 hours a day, including Sundays, and that is too much to ask of any man living.

I believe that the people of my district will be glad to have this measure enacted, so that we can have a sufficient amount of help to do the work that comes to our offices, and do it promptly and in time. Therefore I am not afraid to go before my people, and I am not afraid that I shall be looked upon as a coward when I stand here and say that I believe this amount should be increased so that, as I said a moment ago, we can give our constituents the attention to which they are entitled. [Applause and cries of "Vote!"]

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Iowa to the amendment proposed by the gentleman from Wisconsin [Mr. STAFFORD].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Contingent expenses: For wrapping paper, pasteboard, paste, twine, newspaper wrappers, and other necessary materials for folding, for use of Members, the Clerk's office, and folding room, not including envelopes, writing paper, and other paper and materials to be printed and furnished by the Public Printer, upon requisitions from the Clerk of the House, under provisions of the act approved January 12, 1895, $10,000.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. EVANS, indefinitely, on acount of illness.

To Mr. FARR, for one week, on account of illness in his family.

EXTENSION OF REMARKS.

Mr. DENISON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend and revise his remarks—on the pending bill?

Mr. DENISON. No; on the subject I spoke on to-day.

The SPEAKER. On the subject upon which he spoke to-day. Is there objection?

There was no objection.

HOUR OF MEETING.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 a. m. to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

Mr. MADDEN. I object.

The SPEAKER. The gentleman from Illinois objects.

EULOGIES ON THE LATE REPRESENTATIVE MARTIN, OF ILLINOIS.

Mr. JOHN W. RAINEY. Mr. Speaker, I ask unanimous consent that Sunday, March 2, be set aside for memorial services in honor of CHARLES MARTIN, deceased, who was a Member of the Sixty-fifth Congress from the State of Illinois.

Mr. MANN. Mr. Speaker, may I suggest to the gentleman that the probabilities are that the House will be in session for the transaction of business on that day? The gentleman can take some other day and have it set aside.

The SPEAKER. The gentleman can pick out a date to-night and report later.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. FLOOD, from the Committee on Foreign Affairs, reported the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, which was referred to the Committee of the Whole House on the state of the Union and, with the accompanying report (No. 935), ordered to be printed.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Wisconsin reserves all points of order on the bill.

ADJOURNMENT.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 31 minutes p. m.) the House adjourned until to-morrow, Thursday, January 16, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of Commerce, transmitting complete set of General Rules and Regulations of the Steamboat-Inspection Service (H. Doc. No. 1690); to the Committee on the Merchant Marine and Fisheries and ordered to be printed.

2. A letter from the president of the Chesapeake & Potomac Telephone Co., transmitting report of the Chesapeake & Potomac Telephone Co. for the fiscal year 1918 (H. Doc. No. 1691); to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. TILLMAN, from the Committee on the Public Lands, to which was referred the bill (S. 4957) to establish the Lafayette National Park in the State of Maine, reported the same without amendment, accompanied by a report (No. 932), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LA FOLLETTE, from the Committee on the Public Lands, to which was referred the bill (H. R. 11219) providing for the appraisal and sale of the Gig Harbor abandoned military reservation in the State of Washington, and for other purposes, reported the same without amendment, accompanied by a report (No. 933), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CLARK of Pennsylvania, from the Committee on Claims, to which was referred the bill (H. R. 8861) for the relief of Ivy L. Merrill, reported the same with amendment, accompanied by a report (No. 934), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TINKHAM: A bill (H. R. 14457) authorizing the Secretary of War to donate to the city of Boston, Mass., three German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. SCULLY: A bill (H. R. 14458) to donate a captured cannon or gun to the township of Freehold, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14459) to donate a captured cannon or gun to the borough of Point Pleasant, Ocean County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14460) to donate a captured cannon or gun to the borough of Island Heights, Ocean County, N. J.; to the Committee on Military Affairs.

By Mr. TILLMAN: A bill (H. R. 14461) authorizing and directing the Secretary of War to donate to the county of Madison, Ark., five German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14462) authorizing and directing the Secretary of War to donate to the county of Baxter, Ark., five German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14463) authorizing and directing the Secretary of War to donate to the county of Washington, Ark., five German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14464) authorizing and directing the Secretary of War to donate to the county of Van Buren, Ark., five German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14465) authorizing and directing the Secretary of War to donate to the county of Marion, Ark., five German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14466) authorizing and directing the Secretary of War to donate to the county of Searcy, Ark., five German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14467) authorizing and directing the Secretary of War to donate to the county of Boone, Ark., five German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14468) authorizing and directing the Secretary of War to donate to the county of Carroll, Ark., five German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14469) authorizing and directing the Secretary of War to donate to the county of Benton, Ark., five German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14470) authorizing and directing the Secretary of War to donate to the county of Newton, Ark., five German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. FARR: A bill (H. R. 14471) to amend the public building act approved March 4, 1913, authorizing the acquisition of a suitable site for a public building at Olyphant, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. GALLIVAN: A bill (H. R. 14472) regulating the honorable discharges or resignations of those who served their country in the Army and Navy during the war; to the Committee on Military Affairs.

By Mr. TINKHAM: A bill (H. R. 14473) for the construction of a new power plant at the Boston Navy Yard; to the Committee on Naval Affairs.

Also, a bill (H. R. 14474) for the construction of a plate storage yard at the Boston Navy Yard; to the Committee on Naval Affairs.

By Mr. GRIFFIN: A bill (H. R. 14475) providing for the reimbursement of the diplomatic and consular officers and agents of the United States in the countries recently at war, or in the war area, for the loss of personal belongings or other losses incurred consequent to war conditions; to the Committee on Foreign Affairs.

By Mr. ROBBINS: A bill (H. R. 14476) authorizing the Secretary of War to deliver to the borough of Ligonier, in the State of Pennsylvania, one cannon or fieldpiece, with a carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14477) authorizing the Secretary of War to deliver to the borough of Greensburg, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. ALEXANDER: A bill (H. R. 14478) authorizing the Secretary of War to donate to the city of Stanberry, Mo., two

German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14479) authorizing the Secretary of War to donate to the city of Excelsior Springs, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14480) authorizing the Secretary of War to donate to the city of Cameron, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 14481) authorizing the Secretary of War to donate to the city of Weldon, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 14482) authorizing the Secretary of War to donate to the town of Stroudsburg, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HOLLINGSWORTH: A bill (H. R. 14483) authorizing the Secretary of War to donate to the town of Flushing, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14484) authorizing the Secretary of War to donate to the town of Mingo Junction, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 14485) authorizing the Secretary of War to donate to the town of Rumford, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 14486) authorizing the Secretary of War to donate to the city of Frankfort, county of Clinton, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14487) authorizing the Secretary of War to donate to the city of Noblesville, county of Hamilton, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14488) authorizing the Secretary of War to donate to the city of Covington, county of Fountain, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14489) authorizing the Secretary of War to donate to the city of Delphi, county of Carroll, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14490) authorizing the Secretary of War to donate to the city of Crawfordsville, county of Montgomery, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14491) authorizing the Secretary of War to donate to the city of Attica, county of Fountain, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14492) authorizing the Secretary of War to donate to the city of Lebanon, county of Boone, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14493) authorizing the Secretary of War to donate to the city of Tipton, county of Tipton, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14494) authorizing the Secretary of War to donate to the city of Kokomo, county of Howard, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14495) authorizing the Secretary of War to donate to the city of Veedersburg, county of Fountain, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 14496) extending to members of local and district boards, Government appeal agents, and members of medical and legal advisory boards and State and county councils of defense the thanks of Congress for their services rendered in the administration of the selective-service law; also authorizing the President to appoint by brevet commissions the members of such State, county, and district boards; also authorizing and directing the Secretary of War to cause to be struck and presented to each of such officials, in the name of Congress, an appropriate medal; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 14497) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, by increasing the maximum of Federal aid in the construction of roads to $15,000 per mile; to the Committee on Roads.

By Mr. McCULLOCH: A bill (H. R. 14498) relieving honorably discharged officers and enlisted men from payment of premium on policies of war-risk insurance for a period of two years from date of such discharge; to the Committee on Interstate and Foreign Commerce.

By Mr. CRISP: A bill (H. R. 14499) authorizing the Secretary of War to donate to the city of Dawson, Ga., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 14500) authorizing the Secretary of War to deliver to the village of Massena, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. CLARK of Pennsylvania: A bill (H. R. 14501) authorizing the Secretary of War to donate to the city of Erie, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TREADWAY: A bill (H. R. 14502) authorizing the Secretary of War to donate to the city of Pittsfield, Mass., one German cannon or field gun with limber; to the Committee on Military Affairs.

Also, a bill (H. R. 14503) authorizing the Secretary of War to donate to the city of Holyoke, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14504) authorizing the Secretary of War to donate to the city of North Adams, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14505) authorizing the Secretary of War to donate to the town of Greenfield, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14506) authorizing the Secretary of War to donate to the town of Adams, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14507) authorizing the Secretary of War to donate to the town of Westfield, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HUTCHINSON: A bill (H. R. 14508) extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved August 24, 1912; to the Committee on Interstate and Foreign Commerce.

By Mr. JACOWAY: A bill (H. R. 14509) authorizing the Secretary of War to donate to Hendrix College, Conway, Ark., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. RANDALL: A bill (H. R. 14510) authorizing the Secretary of War to donate to Throop College of Technology, Pasadena, Cal., one captured German aeroplane for scientific purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14511) authorizing the Secretary of War to donate to cities in California captured German cannon, fieldpieces, and war trophies; to the Committee on Military Affairs.

By Mr BLACKMON: A bill (H. R. 14512) authorizing the Secretary of War to donate to the city of Selma, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14513) authorizing the Secretary of War to donate to the city of Anniston, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14514) authorizing the Secretary of War to donate to the city of Oxford, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14515) authorizing the Secretary of War to donate to the city of Heflin, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FLOOD: A bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920; to the Committee of the Whole House on the state of the Union.

By Mr. EMERSON: Joint resolution (H. J. Res. 386) providing for the construction of a post-office building at Bedford, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. ROBBINS: Joint resolution (H. J. Res. 387) to investigate the purchase of auto trucks since the armistice was signed and the failure to pay and subsist the men operating said trucks from Detroit to Baltimore; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLARK of Pennsylvania: A bill (H. R. 14517) granting a pension to Ira Fetterman; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 14518) granting an increase of pension to James Taylor; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 14519) granting an increase of pension to John Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14520) granting an increase of pension to Mattie Shepherd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14521) granting an increase of pension to Belle Morrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14522) granting an increase of pension to Elisha Hurley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14523) granting an increase of pension to George W. Fleenor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14524) granting an increase of pension to John M. Dixon; to the Committee on Invalid Pensions.

By Mr. FAIRFIELD: A bill (H. R. 14525) to correct the military record of Barneval Schwartz; to the Committee on Military Affairs.

By Mr. GRAHAM of Illinois: A bill (H. R. 14526) granting a pension to Mary Anne Harper; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 14527) for the relief of Andrew J. Esser; to the Committee on Military Affairs.

By Mr. MANN: A bill (H. R. 14528) granting an increase of pension to Edward Nathan Marx; to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 14529) granting a pension to Rita Shafges; to the Committee on Invalid Pensions.

By Mr. STRONG: A bill (H. R. 14530) granting a pension to Charles Francis Schaeffer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14531) granting an increase of pension to Julia Ann Fyock; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CAREW: Resolutions by National Automobile Chamber of Commerce, asking Congress to increase appropriations to aid extension of export trade; to the Committee on Interstate and Foreign Commerce.

By Mr. FARR: Resolutions of Enterprise Lodge No. 21, Joseph Oliver, secretary, Loyal Knights of America, favoring deportation of interned enemy aliens, and urging that naturalized citizens whose conduct invoked the law because of alien sympathies and action be deprived of their citizenship and deported; to the Committee on Immigration and Naturalization.

By Mr. PAIGE: Memorial of Lithuanians of Gardner, Mass., relative to recognition of that people as an independent nation; to the Committee on Foreign Affairs.

By Mr. RAKER: Resolutions by the American Federation of Labor, protesting against the zone system and increased rate on second-class matter; to the Committee on Ways and Means.

Also, resolutions by Farmers' National Conference on economic reconstruction in America and international reconstruction with reference to the natural resources of the country; to the Committee on the Public Lands.

By Mr. SMITH of Idaho: Memorial of Western Fremont County Council of Defense, urging legislation granting patent to next of kin of deceased soldiers, sailors, and marines who had entered upon the public lands; to the Committee on the Public Lands.

By Mr. SNOOK: Petition of members of Federated Shop Crafts, of Van Wert, Ohio, favoring retention of the railroads under Government control for a period of five years; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, *January 16, 1919.*

(Legislative day of Tuesday, January 14, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

SENATOR FROM MISSISSIPPI.

The VICE PRESIDENT. The Chair lays before the Senate the certificate of election of BYRON PATTON HARRISON as a Senator from the State of Mississippi for the term beginning March 4, 1919, which will be read and placed on the file.

The credentials were read and ordered to be filed, as follows:

STATE OF MISSISSIPPI.

To all to whom these presents shall come, greeting:

This is to certify that on the 5th day of November, 1918, BYRON PATTON HARRISON was duly chosen by the qualified electors of the State of Mississippi a Senator from the said State to represent said State in the Senate of the United States for the term of six years beginning on the 4th day of March 1919.

Witness: His excellency, our governor, Theodore G. Bilbo, and our seal hereto affixed at Jackson, Miss., this the 2d day of January, in the year of our Lord 1919.

THEODORE G. BILBO,
Governor.

By the governor:
[SEAL.]
JOSEPH W. POWER,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES.

DISPOSITION OF USELESS PAPERS (H. DOC. NO. 1693).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Acting Secretary of Commerce, transmitting, pursuant to law, schedules and lists of useless papers, of no historical value in the Department of Commerce, and requesting action looking to their disposition. The communication and accompanying papers will be referred to the Committee on the Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Massachusetts [Mr. WEEKS] and the Senator from New Hampshire [Mr. HOLLIS] the committee on the part of the Senate. The Secretary will notify the House thereof.

EMPLOYEES IN DEPARTMENT OF JUSTICE (S. DOC. NO. 339).

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, in response to a resolution of December 23, 1918, a list showing the number of employees in the Department of Justice January 15, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

EMPLOYEES OF NAVY DEPARTMENT (S. DOC. NO. 341).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of December 23, 1918, a list showing the number of employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

TRAVEL OF EMPLOYEES IN AGRICULTURAL DEPARTMENT (H. DOC. NO. 1689).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing in detail travel from Washington to points outside of the District of Columbia performed by officers and employees of the Department of Agriculture, which was referred to the Committee on Appropriations and ordered to be printed.

ALASKAN ENGINEERING COMMISSION (H. DOC. NO. 1688).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, report of expenditures by the Alaskan Engineering Commission, which was referred to the Committee on Territories and ordered to be printed.

BOARD OF SUPERVISING INSPECTORS (H. DOC. NO. 1690).

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of Commerce, transmitting, pursuant to law, copy of regulations by the Board of Supervising Inspectors, approved by the Secretary of Commerce, and authorized by the so-called seamen's act, which with the accompanying papers was referred to the Committee on Commerce.

EMPLOYEES IN UNITED STATES SHIPPING BOARD (S. DOC. NO. 340).

The VICE PRESIDENT laid before the Senate a communication from the United States Shipping Board, transmitting, in response to a resolution of December 23, 1918, a list showing the number of employees in the board January 14, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

FEDERAL BOARD OF VOCATIONAL EDUCATION (S. DOC. NO. 343).

The VICE PRESIDENT laid before the Senate a communication from the Director of the Federal Board of Vocational Education, transmitting, pursuant to law, an itemized account of expenditures of the board from October 1, 1918, to December 31, 1918, inclusive, which, with the accompanying paper, was referred to the Committee on Education and Labor and ordered to be printed.

COST OF THE WAR (S. DOC. NO. 342).

The VICE PRESIDENT laid before the Senate a communication from the Acting Food Administrator, transmitting, in response to a resolution of December 15, 1918, certain information relative to the cost of the war so far as the Food Administration is concerned up to January 1, 1919, which was referred to the Committee on Military Affairs and ordered to be printed.

CHESAPEAKE & POTOMAC TELEPHONE CO. (H. DOC. NO. 1091).

The VICE PRESIDENT laid before the Senate the annual report of the Chesapeake & Potomac Telephone Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. LODGE. I present certain resolutions adopted by the New Syria National League which are brief, and I ask that they may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Resolutions adopted by the New Syria National League.

Whereas the Turks, after four centuries of tyranny and murder of their own subjects, have proved to be incorrigible; and

Whereas the allied nations have accepted, among their aims of war, the principle laid down by President Wilson—in favor of liberating the small and oppressed nationalities and providing them with an opportunity for development along the lines of self-determination; and

Whereas the Syrians, conscious of the unselfish purposes of the United States in this war, its freedom from entangling alliances, and its noble efforts in protecting the weaker races and nations; and

Whereas the United States of America has hitherto assisted Syria and its people and has within its borders a quarter of a million Syrians (with 14,000 of them serving under its flag) who will form a bond of union between their land of birth and their land of adoption; and

Whereas the United States of America has been able throughout its entire history to assimilate on perfect equality men and women of all races, granting and guaranteeing to all equal rights and equal opportunity, whether economic, racial, or religious, and is the country trusted by all the belligerents to protect their interests as well as her own: Now, therefore, be it

Resolved,

I. That Turkish authority, actual or nominal, should not be reestablished.

II. That the New Syria shall be a federated union of Provinces, each Province autonomous within its own borders, yet bonded through one central government into one great nation from the Taurus Mountains to the Sinai Peninsula, free from the difficulties and dangers which beset the severance of one nation into varied spheres of influence, which are bound to hinder the full and freest development of one common people.

III. That the United States assume guardianship and administration of Syria until such a time as the Syrians are able to perform the functions of full self-government.

Mr. LODGE presented resolutions adopted at a mass meeting of Lithuanians of Gardner, Northampton, and Easthampton, all in the State of Massachusetts, favoring the independence of Lithuania, which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the Friends of Irish Freedom, of Fall River, Mass., and resolutions adopted by the Robert Emmett Literary Association, of Fall River, Mass., favoring freedom of Ireland, which were referred to the Committee on Foreign Relations.

Mr. JOHNSON of South Dakota. I present a concurrent resolution adopted by the Legislature of South Dakota requesting the Senate of the United States immediately to pass the national suffrage amendment, which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
January 13, 1919.

Hon. ED. S. JOHNSON,
Washington, D. C.

MY DEAR SIR: I have the honor to hand you herewith a copy of senate concurrent resolution, adopted by our legislature now in session, requesting the Senate of the United States to immediately adopt the national suffrage amendment.

The people of this State passed, by a majority vote at the last general election, an amendment to our State constitution extending to the noble women of this State the right of suffrage. The official vote on said amendment was as follows:

For its adoption	49,318
Against its adoption	28,934

Therefore, in behalf of the people of this State, I respectfully urge that you give the matter your careful attention and hearty support.

With kindest regards and best wishes for 1919, I am,

Very truly,

C. A. BURKHART, *Secretary of State.*

Certificate.

UNITED STATES OF AMERICA,
STATE OF SOUTH DAKOTA,
SECRETARY'S OFFICE.

I, C. A. Burkhart, secretary of state, do hereby certify that the annexed senate concurrent resolution was duly passed by the sixteenth session of the Legislature of the State of South Dakota.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota at the city of Pierre, January 13, 1919.

[SEAL.] C. A. BURKHART, *Secretary of State.*

Senate concurrent resolution.

Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring), Believing that the stanch patriotism and indispensible services of our mothers, wives, and daughters during the prosecution of the war entitles these noble women to all the rights and privileges a grateful country can bestow, we urgently request the Senate of the United States to immediately adopt the national suffrage amendment.

Be it further resolved, That copies of this resolution be sent to the Hon. THOMAS STERLING and to the Hon. E. S. JOHNSON, with the request that it be read into the CONGRESSIONAL RECORD.

Mr. HALE presented a petition of Derby Lodge, No. 608, International Brotherhood of Boiler Makers, of Milo, Me., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (S. 5279) to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes, reported it without amendment and submitted a report (No. 645) thereon.

He also, from the same committee, to which was referred the joint resolution (H. J. Res. 289) for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers, reported it with amendments and submitted a report (No. 644) thereon.

Mr. ASHURST, from the Committee on Indian Affairs, to which was referred the bill (S. 5277) reappropriating and making immediately available the $42,500 appropriated for the construction of two bridges over the Little Colorado and Canyon Diablo Rivers, near the Leupp Agency, Ariz., by the act approved March 2, 1917, reported it with an amendment and submitted a report (No. 646) thereon.

THE ROOSEVELT NATIONAL PARK.

Mr. PHELAN. I ask unanimous consent to submit a report from the Committee on Public Lands, recommending the passage, with amendments, of Senate bill 2021, providing for the addition of certain lands to the Sequoia National Park, Cal., and designating it the Roosevelt National Park, in honor of the late President Roosevelt, and I submit a report (No. 647) thereon. I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. Is there objection to the request of the Senator from California?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, on page 1, line 3, to strike out the word "Sequoi" and insert "Sequoia"; in line 4, after the word "follows," to strike out the colon and insert a comma and the words "and that the park be hereafter designated the Roosevelt National Park, in honor of Theodore Roosevelt, late President of the United States"; and on page 9, strike out all of section 3 and insert:

SEC. 3. That nothing in this act shall in any way modify or affect the mineral-land or coal-land laws now applicable to the lands hereby added to said park.

So as to make the bill read:

Be it enacted, etc., That the boundaries of the Sequoia National Park, Cal., are hereby changed as follows, and that the park be hereafter designated the Roosevelt National Park in honor of Theodore Roosevelt, late President of the United States:

EAST AND NORTH BOUNDARY LINES.

Beginning at a point on the present east boundary line, which is on the range line between ranges 31 and 32 east of the Mount Diablo meridian, in township 18 south of the Mount Diablo base, California, where said range line intersects the hydrographic divide between Little Kern River and Soda Creek; then southeasterly along the hydrographic divide between Little Kern River and Soda Creek to the junction of Little Kern River and Quail Creek; thence easterly along the hydrographic divide between Quail Creek and Lion Creek to the summit of the Great Western Divide; thence southeasterly along the Great Western Divide to Coyote Peak (United States Geological Survey bench mark 10,919 feet); thence easterly along the hydrographic divide through sections 31 and 32, township 18 south, range 33 east, and section 4, township 19 south, range 33 east, to the junction of Kern River and Little Creek, about one-quarter mile south of Kern Lake and between that lake and Little Lake; thence easterly along the main divide south of Little Creek and between Golden Trout Creek and Cold Creek (tributaries of Kern River) to the summit of Kern Peak (United States Geological Survey bench mark 11,493 feet, triangulation station); thence northerly and easterly along the hydrographic divide between the South Fork of Kern River and Golden Trout Creek to the summit of the Sierra Nevada Mountains; thence northerly and westerly along the main crest of the Sierra Nevada Mountains to Pine Creek Pass, at the head of a tributary of Piute Creek, which flows southwesterly through French Canyon; thence following southwesterly down west bank of said creek through French Canyon and continuing along west bank of Piute Creek to the junction of the South Fork of San Joaquin River and Piute Creek; thence southerly along the main hydrographic divide to the summit of Mount Henry (12,197 feet); thence southeasterly along the hydrographic divide between the drainage of the South Fork of San Joaquin River and the drainage of the North Fork of Kings River to the junction with Goddard Divide; thence southerly and westerly along the hydrographic divide between Goddard Creek and the drainage of the North Fork of Kings River, and along the divide between Crown Creek and Blue Canyon Creek, along Kettle Ridge to Kettle Dome; thence southwesterly along the hydrographic divide to the junction of Crown and Fawn Creeks; thence westerly along the hydrographic divide between Fawn Creek and Rodgers Creek to Obelisk Peak; thence westerly along the main hydrographic divide south of Rodgers Creek to Spanish Mountain (triangulation station, United

States Geological Survey, bench mark 10,044 feet); thence southerly along the hydrographic divide (Deer Ridge) to the junction of the South and Middle Forks of Kings River; thence southerly along the hydrographic divide between Tenmile Creek and Lockwood Creek and along the Sequoia and Big Baldy Ridges to Big Baldy (triangulation station. United States Geological Survey, bench mark 8,211 feet); thence continuing southerly along the said hydrographic divide (Big Baldy Ridge) to the northwest corner of the present Sequoia National Park, which is approximately on or near said hydrographic divide, between townships 14 and 15 south, ranges 28 and 29 east; and all of those lands lying between the boundary line last above described and the present east and north boundary lines of said national park are hereby included in and made a part of the Sequoia National Park.

WEST BOUNDARY LINE.

Beginning at the present northwest corner of the Sequoia National Park, which is approximately on or near the hydrographic divide (Big Baldy Ridge), between townships 14 and 15 south, ranges 28 and 29 east; thence southerly along the said hydrographic divide now between Redwood Creek and North Fork Kaweah River to where it intersects the present west boundary of said national park in township 15 south, range 28 east; and all those lands lying between the boundary line last above described and the present west boundary line of said national park are hereby excluded from the Sequoia National Park.

Beginning at a point on the present west boundary line of the Sequoia National Park where it is intersected by the hydrographic divide between Redwood Creek and North Fork Kaweah River in township 15 south, range 28 east; thence southerly along the said hydrographic divide to the junction of Redwood Creek and the North Fork Kaweah River; thence following down the west bank of the North Fork Kaweah River to the junction with Cactus Creek; thence southeasterly along the first main hydrographic divide south of Cactus Creek to where it intersects the present west boundary line of the said national park, township 16 south, range 28 east; and all those lands lying between the boundary line last above described and the present west boundary line of said national park are hereby included in and made a part of the Sequoia National Park.

Beginning at that point on the present west boundary line of the Sequoia National Park where it is intersected by the first main hydrographic divide south of Cactus Creek, between that creek and North Fork Kaweah River, township 16 south, range 28 east; thence southeasterly along said hydrographic divide now between Maple Creek and North Fork Kaweah River to Ash Peaks; thence southeasterly along the hydrographic divide west of Alder Creek to where it intersects the present west boundary line of said national park, between townships 16 and 17 south, range 29 east; and all those lands lying between the boundary line last above described and the present west boundary line of said national park are hereby excluded from the Sequoia National Park.

Beginning at that point on the present west boundary line of the Sequoia National Park where it is intersected by the hydrographic divide west of Alder Creek, between townships 16 and 17 south, range 29 east; thence southeasterly along said hydrographic divide to the junction of the Middle and East Forks Kaweah River; thence south and easterly along the hydrographic divide between the East Fork Kaweah River and Salt Creek, over Red Hill, to Case Mountain; thence southerly and easterly along the hydrographic divide (Salt Creek Ridge) between the South and East Forks Kaweah River to where it intersects the present west boundary line of said national park, township 18 south, ranges 29 and 30 east. And all those lands lying between the boundary line last above-described and the present west boundary line of said national park are hereby included in and made a part of the Sequoia National Park.

Beginning at that point on the present west boundary line of the Sequoia National Park where it is intersected by the hydrographic divide (Salt Creek Ridge) between the South and East Forks Kaweah River, township 18 south, ranges 29 and 30 east; thence easterly along said hydrographic divide to Homers Nose (triangulation station, 9,005 feet); thence southwesterly along the hydrographic divide east of Bennett and Burnt Camp Creek to where it intersects the present west boundary line of said national park, township 18 south, ranges 29 and 30 east. And all those lands lying between the last above-described boundary line and the present west boundary line of said national park are hereby excluded from the Sequoia National Park.

Beginning at that point on the present west boundary line of the Sequoia National Park, where it is intersected by the hydrographic divide east of Burnt Camp Creek, township 18 south, ranges 29 and 30 east; thence westerly along said hydrographic divide to the junction of Burnt Camp Creek and the South Fork Kaweah River; thence southeasterly along the hydrographic divide toward Dennison Mountain, to where it intersects the present west boundary of said national park, township 18 south, ranges 29 and 30 east. And all those lands lying between the last above-described boundary line and the present west boundary line of said national park are hereby included in and made a part of the Sequoia National Park.

WEST, SOUTH, AND EAST BOUNDARY LINES.

Beginning at that point on the present west boundary of the Sequoia National Park where it is intersected by the hydrographic divide running from the junction of Burnt Camp Creek and South Fork Kaweah River to Dennison Mountain, township 18 south, ranges 29 and 30 east; thence southeasterly along the said hydrographic divide to Dennison Mountain; thence easterly along the hydrographic divide (Dennison Ridge) between the South Fork Kaweah River, the North Fork of Tule River, and the North Fork of the Middle Fork of Tule River and continuing along said hydrographic divide now between the South Fork Kaweah River and Pecks Canyon, Soda Creek, and Little Kern River to its intersection with the present east boundary line of said national park, which is on the range line between ranges 31 and 32 east, in township 18 south, Mount Diablo base, California. And all those lands lying between the last above-described boundary line and the present west, south, and east boundary lines of said national park are hereby excluded from the Sequoia National Park.

All lands hereby excluded from Sequoia National Park are included in and made a part of the national forests adjacent thereto.

SEC. 2. That the provisions of the act of September 25, 1890, entitled "An act to set apart a certain tract of land as a public park"; the act of October 1, 1890, entitled "An act to set apart certain tracts of land in the State of California as forest reservations"; and the act of August 25, 1916, entitled "An act to establish the National Park Service, and for other purposes"; and all acts supplementary to and amendatory of said acts are made applicable to and extended over the lands hereby added to the park.

SEC. 3. That nothing in this act shall in any way modify or affect the mineral-land or coal-land laws now applicable to the lands hereby added to said park.

SEC. 4. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to add certain lands to the Sequoia National Park, Cal., and to change the name of said park to Roosevelt National Park."

MINING CLAIMS IN ALASKA.

Mr. JONES of Washington. The joint resolution (S. J. Res. 198) to suspend the doing of assessment work on mining claims in Alaska, and so forth, was introduced by me some time ago and was referred to the Committee on Territories. Several Senators think it would be more proper to send the joint resolution to the Committee on Mines and Mining, as it relates to mining conditions in Alaska. So I move that the Committee on Territories be discharged from the further consideration of the joint resolution, and that it be referred to the Committee on Mines and Mining.

The motion was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 5352) authorizing the Secretary of War to donate to the city of Chelsea, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 5353) to authorize the acquisition of land for a national military cemetery in France and to provide for the establishment, care, and maintenance thereof, and for other purposes; to the Committee on Military Affairs.

By Mr. FRELINGHUYSEN:

A bill (S. 5354) extending the time for the completion of a bridge across the Delaware River, authorized by an act approved the 24th day of August, 1912; to the Committee on Commerce.

By Mr. HALE:

A bill (S. 5355) authorizing the Secretary of War to donate to the city of Westbrook, Me., one German cannon or fieldpiece;

A bill (S. 5356) authorizing the Secretary of War to donate to the town of Winthrop, Me., one German cannon or fieldpiece;

A bill (S. 5357) authorizing the Secretary of War to donate to the city of Auburn, Me., one German cannon or fieldpiece; and

A bill (S. 5358) authorizing the Secretary of War to donate to the city of Eastport, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FLETCHER:

A bill (S. 5359) to establish load lines for certain vessels; and

A bill (S. 5360) to authorize the Department of Commerce, by the National Bureau of Standards, to examine and test manufactured articles or products for the owner or manufacturer thereof, to issue a certificate as to the nature and quality of such manufactured articles or products, and to prevent the illegal use of such certificates; to the Committee on Commerce.

By Mr. SAULSBURY:

A joint resolution (S. J. Res. 211) authorizing the appointment and sending of a commission to Porto Rico to study its industrial and economic conditions, and for other purposes; to the Committee on the Pacific Islands and Porto Rico.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

CONSTRUCTION OF ROADS.

Mr. WALSH submitted an amendment proposing to appropriate $3,000,000 for the fiscal year ending June 30, 1919, $6,000,000 for the fiscal year ending June 30, 1920, and $6,000,000 for the fiscal year ending June 30, 1921, for the survey, construction, and maintenance of roads and trails within or partly within the national forests, etc., intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

PAYMENT OF WAR CONTRACTS.

Mr. SMITH of Michigan. Mr. President——

Mr. FRANCE. Mr. President, I have the floor, but I yield to the Senator from Michigan.

Mr. SMITH of Michigan. I thank the Senator from Maryland.

Mr. President, the matter of overdue war bills, especially those affecting the manufacturing and business men of the State of Michigan, is a matter of a very serious moment to them and to our State as well. The Detroit Journal, one of the great journals of our State, on Monday last contained an article entitled "Overdue war bills," which said:

The injustice which the wage earners and employers of Detroit and Michigan are suffering in the Government's delay of payment for war materials is not only scandalous, but dangerous.

The $300,000,000 due Michigan manufacturers and subcontractors for honest war work honestly performed is a sum too large to yank from under the business structure of the State without serious results for workers and employers. And the twiddlers and twaddlers in Congress and the War Department who are responsible for the delay will be held so responsible if the shutting down of manufactories and the unemployment of thousands of workers follow.

Congress and the War Department need not fear the loss of reputation for painstaking and care in the expenditure of public funds, for neither Congress nor the War Department has any such reputation to lose.

But they can lose and are fast losing the respect and faith of this splendidly loyal city and State, for no municipality or Commonwealth can face the dangers which official delays are entailing and retain any considerable degree of belief in public men who are making partisan byplay of a matter which means bread and butter to workers and employers alike.

The Michigan war material contracts in question were accepted in good faith and rushed toward completion under the high pressure of the war-time spirit. Some of them lacked the yards of red tape which are the official mark of Government contracts, but all of them were given by the Government and must eventually be paid. And if eventually, why not now?

The money has been expended by the manufacturers. The materials have been bought and the wages paid. If in speeding up the payment some individual firm should be given more than its just dues, the Government would have no difficulty in recovering later. Uncle Sam stands no chance of being bilked. The taxpayer is in no possible danger of being cheated. But both Uncle Sam and the taxpayer are going to suffer if the industries and the wage earners of the State are crimped by the delayed payment of the Government's just bills.

Three hundred millions of deferred war material debts is three hundred millions withheld from the industries and wages of Michigan citizens—withheld that a lot of imitation statesmen may play party politics and fence for partisan advantage in Washington.

It is high time that Michigan's Senators and Congressmen give some indications of their abilities to look after the interests of the people they represent.

Mr. President, I think there is just cause for the grievance of the Detroit Journal and of the manufacturers and business men of my State. No State in the Union responded more liberally, without restraint or hesitation, when the Government sought to place its bonds, when the Red Cross was raising its money, and when all the arrangements for carrying on the war were at their height. Detroit is particularly deserving of praise in this regard. It responded to every request that was made for munitions and war supplies. It changed the character of its business, without notice scarcely, and turned over those tremendous plants to Government work in order that the Government might be given the relief which it sought. The Detroit Journal says it is little less than scandalous that these bills have not been paid, and I agree that there is no just excuse for the delay.

I am glad to see my honored friend from Massachusetts [Mr. LODGE] nod his head approvingly at that criticism. It gives me confidence that the position I am taking is correct.

Why are these bills not paid? The money is to the credit of the department. I understand that many hundreds of millions of dollars unexpended is still to the credit of the department, that no new appropriation is necessary to pay these bills, and that there will be money returned unexpended after the end of the fiscal year. Am I right? I appeal to the Senator from Utah.

Mr. SMOOT. Mr. President, I wish to say that the article wherein it criticizes Congress for not acting or appropriating money for the payment of the bills referred to is unjustified in every particular. Congress has appropriated at least $10,000,000,000 more than will be expended or can be expended in the fiscal year ending June 30, 1919. If there is any delay of the payment of the bills, it can not be charged to Congress.

Mr. SMITH of Michigan. I thank the Senator from Utah. His acknowledged accuracy in public statements will be accepted by his colleagues, and I have no doubt by the public generally, as correct.

To deprive the manufacturers of Detroit and Michigan of the use of $300,000,000 long past due is a very important matter. To suddenly cancel the orders that are unfilled and ask these concerns to return to their ordinary avocations is burden enough, but not to pay the bills due is criminal. I do not know who is responsible for the delay, but if congressional action is not necessary, the responsibility must rest with the executive officers of the Government.

Mr. SHEPPARD. Will the Senator permit me to make a brief announcement, in which I am sure he will be very much interested?

Mr. SMITH of Michigan. Yes.

Mr. SHEPPARD. I have the honor to announce that this morning Nebraska ratified the nation-wide prohibition amendment, being the thirty-sixth State to ratify it. Within less than 13 months the amendment becomes a part of the Federal Constitution, the shortest time within which any amendment has been ratified with the sole exception of the amendment abolishing slavery.

Mr. SMITH of Michigan. I thank the Senator.

Mr. SHEPPARD. For the first time in history one of the leading nations of the world embodies in its national organic law a provision prohibiting the traffic in intoxicating liquors, a traffic which ultimately would have undermined the foundations of its being. The adoption of this amendment marks the advent of a new day. It is the first step in the new processes of legislation for human welfare which must follow the great war for democracy and civilization in Europe if the lessons of that conflict are to be grasped and utilized.

Mr. SMITH of Michigan. The statement of the Senator from Texas is, of course, interesting, although I am afraid it will not pay these bills. But just to show the Senator from Texas that as Michigan was in the advance in coming to the Government's rescue at the time the war broke out, I only wish to say that we were the first State in the Union to ratify the amendment to which he has referred.

Mr. WILLIAMS. Mr. President——

Mr. SMITH of Michigan. Pardon me, I think Mississippi was the first.

Mr. WILLIAMS. Mississippi was the first.

Mr. SMITH of Michigan. I guess Mississippi was a lap ahead of us.

Mr. WILLIAMS. That credit or discredit is due to my State and not to yours.

Mr. SMITH of Michigan. The "credit or discredit," the Senator says. The credit of passing the constitutional amendment very early, among the very earliest of the States, I think I may properly assume for my own State. But that is neither here nor there. What I want to do is to ascertain why these bills are not paid.

Mr. SWANSON. If the Senator will permit me, a great many of these bills are due under contracts that were not executed strictly in accordance with the law. There was a disposition to get rid of red tape in the departments and Congress was urging all the time that the war was being delayed by red tape. A great many of the contracts were simply orders made over the telephone and prices fixed. The Comptroller of the Treasury refused to pay any of these bills under the existing law which were not made strictly according to the written contract, and so forth. A bill passed the House and is waiting in the Senate to be passed creating a commission which will be established to pass on contracts which are bona fide and honest and which are a moral obligation on the Government.

In addition to that, there was a cancellation clause in a number of the contracts with unliquidated damages for canceling the contract. The contracts are canceled and the department is not disposed to take what all the contractors say were the damages sustained. There has to be some provision made for that. No doubt a great many of those contracts will have to be determined by legislation of Congress.

Mr. SMITH of Michigan. The Senator from Virginia is making an observation which I do not think will apply to the situation which I am describing, for the contracts about which I am complaining in my State were formal contracts. For instance, 100,000 shells were ordered from one firm, and then over the telephone the War Department said, "We must have 200,000; make them now," and it was done. It was done under the initial contract, and there is no reason in the world why that contract should not be paid.

Mr. SWANSON. I understand, under a condition like that, where there was no written contract, as required by law, the Government can not pay for it unless some relief is given.

Mr. SMITH of Michigan. There was a contract valid under the law.

Mr. SWANSON. In peace times we have a system of written contracts, which I think is very wise, to prevent the Government from being imposed upon. In time of war a great deal of this material was ordered to get rid of red tape for the reason that it was necessary, and I understand those contracts are held up until Congress can legalize them.

Mr. SMITH of Michigan. If there are illegal contracts, of course they ought not to be paid; but I am speaking of contracts that are legal, that have been formally executed and the goods delivered, and $300,000,000 are now owing to our people. It is an outrage and a shame to suspend payment and tie up these industries.

Mr. WILLIAMS. Is not the Senator in his zeal overstating the case? If there were illegal contracts they ought not to be paid. There are legal contracts by the hundred that ought to be paid.

Mr. SMITH of Michigan. I do not mean contracts that are not strictly formal. I mean contracts that are sufficient in themselves.

Mr. WILLIAMS. The Senator used the phrase "illegal contracts." He need not be suspicious at all. The Senator just instanced a case where 100,000 shells were ordered from a firm and it is discovered later that the Government wants more shells, that it wants 500,000.

Mr. SMITH of Michigan. The contract provided for it.

Mr. WILLIAMS. The original contract was for only 100,000 shells.

Mr. SMITH of Michigan. This was only a figure of speech. When the contract was let both parties knew more shells would be needed.

Mr. WILLIAMS. It was not.

Mr. SMITH of Michigan. They did not need a new contract.

Mr. WILLIAMS. It was for 100,000; it was not for such amount as was necessary.

Mr. SMITH of Michigan. Such a contract would have been foolish; all parties wanted latitude, and the contract provided for it——

Mr. WILLIAMS. I beg the Senator's pardon. If you will go back and investigate the contracts you will find in every case they were for a certain quantity. Now, then, that contract comes up for consideration before the Auditor of the Treasury, and it is discovered that the United States Government added 400,000 shells to that order over the phone. There is no law of the United States which permits any officer to add 400,000 shells to be charged to the United States Government by phone.

Mr. SMITH of Michigan. Why not pay for deliveries made and accepted?

Mr. WILLIAMS. I will come to that in a moment. Now, then, the manufacturer presents his bill for 500,000 shells, and the ordinary red-tape officer, circumscribed by law, as he must be, and as he is, responds, "I can not approve this bill, because it is for 500,000 shells, and it ought to be for 100,000."

We have in course of legislation a bill. The Senator from Utah [Mr. SMOOT] just said that it was no fault of Congress that none of this had been done. It is no fault of intendment upon the part of Congress or of will or volition, but there is this particular case. There are 400,000 more shells waiting there upon the action of Congress to confirm the telephone message. No man had any legal right in the world to order the 400,000 by telephone.

Mr. SMITH of Michigan. As the Senator knows, it is done over and over again, owing to the necessity for war materials.

Mr. WILLIAMS. I know it was, and I agree with the Senator absolutely that it had to be done, and that red tape had to be overridden and that the law had to be overridden; but when it comes to the officer who has to approve these things, he can not approve it unless he has some act of Congress behind him. He is faced with a bill for 500,000 shells and has a legal valid governmental contract for only 100,000, and he simply says, "I can not approve it; I must wait until Congress gives me the power. I am now awaiting that power."

Let me tell the Senator a few other things in this connection, if he will pardon me just a moment. Here are a lot of mineral men engaged in turning out a whole lot of minerals that were absolutely necessary to carry on the war. We did not make them here. We had been in the habit of importing them. We could no longer import them. The governmental agency acted without any authority at all, because they did not have time to wait for it, and you are waiting every minute to criticize them about it.

Mr. SMITH of Michigan. No; I deny that.

Mr. WILLIAMS. Well, all right; I hope you are not.

They just simply said, "You go ahead; you make this thing; it will cost you so much, but you make it; we need it; we have got to have it; you must make it." They said, "All right; we will do it. Will you make us whole if we do?" "Well, we will try to." So they went ahead.

Here are the cotton-oil mills in the South, let us say; here is a linter that turned out 75 pounds, and the Government said, "We want 145 pounds. You have got to change your old machinery in order to produce it, and, after you change your machinery the product that you make is worthless except for munitions; it is worthless for any other purpose; you can not sell it for trash; you can hardly sell it to make paper; but will you come to the rescue of the Government?" They said, "Yes." They put in the machinery. Well, within less than six months afterwards the armistice of peace was signed, and, of course, the machinery had not paid for itself and had not paid 10 per cent upon itself.

Now, what is the lesson to be derived from it all, I ask the Senator from Michigan, and I ask him with absolute confidence in the honesty of his reply, for I have know him a long time? I think first the answer is, Congress must pass a law validating these invalid and illegal contracts, unless there shall be fraud accompanying them, of course. I think the next step that we ought to take is that we ought to say to all these people, from those who are producing manganese down to those who put in the new machinery for cotton linters, and the friends of the Senator from Michigan in Detroit—we ought, as a Government, to say to every one of them, "We are going to charge this to profit and loss; it is a part of the war expenses. We are going to keep you whole; we are going to abide by the illegal contracts of the executive branch of the Government, because, although they were illegal, they were necessary. And unless there is fraud somewhere, overreaching, unconscionable bargaining, excessive profits, or something else unpatriotic we are going to take the charge upon the American people, and not leave it to you to pay; we are going to pay it, because we won this war for the civilization, the enlightenment, and freedom of the world."

The Senator from Michigan will find that there are more people outside of Detroit than there are in Detroit who have suffered——

Mr. SMITH of Michigan. I grant that. I am speaking for my own State. The Senator can speak for his.

Mr. WILLIAMS. And that they have got to be taken care of. He will go with me. We will leave this aisle aside, it will not be counted; and we will just simply say to these people, wherever there is a bona fide case, "You shall not suffer because of your patriotism; all of us will suffer, each for all, and all for each."

Mr. SMITH of Michigan. Mr. President, I am obliged to the Senator from Mississippi. Of course, he speaks of our industries and the industries of the South, and hopes that they will waive some of these damages. My hearing is very good, but I have not heard anyone down South waiving anything yet, and I do not know that the Senator has heard anybody up our way waiving anything; be that as it may, I am talking about bona fide contracts.

Mr. WILLIAMS. I am not talking about their waiving any damages, if the Senator will pardon me for a moment. It is not a question of waiver; it is a question of justice. We shall not bother with them as to what they shall waive or what they shall not; we shall make them whole and shall keep them whole, and charge it to public account, to profit and loss; but we shall not allow them to profiteer.

Mr. SMITH of Michigan. Well, Mr. President, notwithstanding what the distinguished Senator from Mississippi has said, I think that the contracts that are bona fide, that have been recognized, that have been carried out in detail, should be paid, and that the money should be forthcoming now.

Mr. SWANSON. Will the Senator from Michigan yield to me?

Mr. WILLIAMS. The Senator from Michigan is precisely right upon that, but the Senator forgets a little matter of legal detail there. When I present a claim against the United States Government for any amount whatsoever I have to sign a receipt, and in that respect I waive further claims against the United States Government.

Mr. SMITH of Michigan. You take payment on account.

Mr. WILLIAMS. Here is a man who has made a hundred thousand shells under a valid contract, who added 400,000 shells to the contract upon a telephone message. He can not afford to settle with the Government for the hundred thousand shells because he is cut off from the 400,000, and you have got to wait until Congress gives authority to some commission or somebody to settle for the 400,000.

Mr. SMITH of Michigan. This was said only to illustrate how a contract might be expanded. I was not speaking of a specific case.

Mr. WILLIAMS. Neither was I.

Mr. SMITH of Michigan. And neither was the Senator from Mississippi.

Mr. SWANSON. Mr. President——

Mr. SMITH of Michigan. Just a second. I am talking about contracts acknowledged and the goods delivered under them, the money due, and the money here with which to pay.

Mr. WILLIAMS. And with no element of uncertainty, doubt, or dispute.

Mr. SMITH of Michigan. With no element of fraud or uncertainty or dispute about them.

Mr. WILLIAMS. Now, if my contract, which is valid and has been validly executed, without any element of dispute regarding an invalid, outside, disturbing contract connected with it, is presented to the Government of the United States, and

the Government does not pay it, the Government ought to be execrated.

Mr. SMITH of Michigan. Well, the Detroit Journal is a very reputable and prominent journal in our State, and it makes the statement that there are over $300,000,000 due to Detroit and other Michigan manufacturers for goods delivered under their contracts. That money ought to be paid. That is what I am complaining about.

Mr. SWANSON. Mr. President, will the Senator from Michigan yield to me?

Mr. SMITH of Michigan. I yield to the Senator from Virginia.

Mr. SWANSON. Under the law, as I understand it, when the War Department gives an order and sends a check in payment of it to the contractor, the law requires that the contract be filed with that voucher, the contract be of a certain character, written, and signed by some officer in authority, absolutely showing the transaction before the Comptroller of the Treasury can approve it. That is the law. During this war that occasioned delay, and in order to get rid of red tape in connection with such contracts, all those requirements were not complied with. Consequently, when the voucher is given and the written contract is not filed, there is no authority for it to be approved by the Comptroller of the Treasury, and, therefore, the contractors do not get the money.

The House has passed a bill, and the bill has been reported to the Senate, that would cover cases of that kind, embracing between six and seven thousand contracts, which, when made, were lacking in formality in order to get rid of the red tape and to speed up action. Those contracts are not legal under the law existing at that time.

This legislation is intended to obviate that difficulty in connection with contracts about which there is no certainty. When there is certainty about a contract the department has advanced the money, or a large part of it. I think if the Senator will examine the claims for $300,000,000, get the cases itemized, and get the contracts, he will find difficulties of the kind to which I have alluded. In most of these cases, however, advances have been made. That has been my experience. Where advances were being made without the written contract being filed, the advances had to stop. Now, if it is desired to get relief—and relief ought to be given—we should pass this measure and thereby afford relief in these cases.

Mr. SMITH of Michigan. Mr. President, I have the acquiesence of my friends, the Senator from Massachusetts [Mr. LODGE] and the Senator from Utah [Mr. SMOOT], a member of the Appropriations Committee, in the statement that no congressional action is necessary, and that $10,000,000,000 in excess of these claims is now resting in the Treasury subject to use.

Mr. SWANSON. Mr. President, that is a mistake. The Military Affairs Committee of the Senate has unanimously reported a bill to give relief in those cases; and, if there is no occasion for any relief, why did the committee unanimously report the bill?

Mr. SMITH of Michigan. In any event, I think my friends from Virginia and Mississippi will both acquit me of any desire captiously to criticize. I have never done so; I have gone along and done my part to sustain the administration in this trying time; but I think it is unfair to ask the people of the State of Michigan to carry these claims for $300,000,000, which are bona fide, which are legal, which have been passed upon, and which could be paid by the Government, if it would pay them.

Mr. WILLIAMS. Mr. President, will the Senator from Michigan pardon another interruption, and then I will let him alone, unless I am further invoked to further useless controversy? In the first place, I think he will agree with me that neither the Senator from Massachusetts nor the Senator from Utah is pope, and that their opinions are not infallible.

Mr. SMITH of Michigan. Neither of those Senators make such a claim.

Mr. WILLIAMS. Their merely saying that further legislation by Congress is unnecessary does not close that question. Evidently it is necessary that there should be further legislation by Congress if we are going to make telephone messages governmental contracts.

Mr. SMITH of Michigan. I will say to the Senator——

Mr. WILLIAMS. The Senator agrees with me about that, does he?

Mr. SMITH of Michigan. I will say to the Senator, without any hesitation whatever, that a purely informal contract made by one officer and signed by another officer, and lacking the formalities which are necessary to give it a legal status, must be remedied.

Mr. WILLIAMS. It must be perfected by Congress.

Mr. SMITH of Michigan. It must be perfected; but I am talking about contracts which are bona fide.

Mr. WILLIAMS. That far the Senator from Michigan and I agree, as we always have agreed during our entire lives of coexistent public service where we understood one another. I wish to follow that up with this reflection: I think the Senator in his desire to represent his constituents, which has been peculiarly a characteristic of his ever since I first knew him—his loyalty to them, his devotion to them, his desire to see them through—is momentarily forgetful of the fact the entire United States is in more or less of the same fix——

Mr. SMITH of Michigan. Very likely; but it is none the less discreditable.

Mr. WILLIAMS. With regard to some industry or other; in other words, it is not a Michigan question; it is a war question, and we have got to remedy it. If it be true, as the Senator asserts—and I know that he believes it to be true or else he would not assert it——

Mr. SMITH of Michigan. I think I am right about it.

Mr. WILLIAMS. I say if it be true, as the Senator asserts—and I know that he believes it to be true or else he would not assert it—that there are men in Michigan who have valid contracts according to present existing law which have not been paid and which have been approved by the legal authorities of the Government and still remain unpaid, then I am with him, not because the men are from Michigan—they might be from anywhere. If that is the case, of course he is right; but in so far as that is not the case he is wrong.

Mr. SMITH of Michigan. Well, there is no ground for argument there. I would not by the action of any department of the Government validate a dishonest or a doubtful claim.

Mr. WILLIAMS. Or even an illegal one.

Mr. SMITH of Michigan. The Senator made a very fine distinction a few moments ago regarding legal and illegal claims. I can conceive that a claim might be well founded and yet lack some of the elements of the strictest legality. There is such a thing, however, as an equitable judgment, where some of the essential elements of a legal contract are lacking.

Mr. WILLIAMS. And yet if the Senator from Michigan happened to be the official to whom that claim had to be sent for his approval as a matter of law, I take it the Senator from Michigan would not approve it if it was lacking in legality, because he would subject himself possibly to impeachment, which is a very difficult procedure, but certainly to prosecuttion.

Mr. SMITH of Michigan. I will say to the Senator that when the Government was scanning this country with a field glass, begging its citizens to come to its aid, and those citizens came to its aid, it is not quite the fair thing to view those claims now through a microscope.

Mr. WILLIAMS. The Senator is exactly right; but when it comes to trying them out by the microscope the question arises, Who is going to try them? If the Senator and I were sworn officers of the Government to pass upon claims we would have to pass upon them by the law as the law is written, and we could not consider them for one moment, as Comptroller of the Treasury or as Auditor for the Treasury Department, a war necessity. But Congess can do so and Congress should do so, and the quicker Congress does so the better.

Mr. FRELINGHUYSEN. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from New Jersey?

Mr. SMITH of Michigan. Certainly.

Mr. FRELINGHUYSEN. I should like to ask the Senator from Michigan whether the $300,000,000 mentioned by him includes any invalid contracts?

Mr. SMITH of Michigan. I understand not. As I am informed, it is for contracts performed, goods delivered, and for which the money should be paid, and the money is to the credit of the department with which to make payment.

Mr. FRELINGHUYSEN. Mr. President, I am on the subcommittee of the Military Affairs Committee to consider the question of legislation in regard to the contracts with the Ordnance and Quartermaster Departments, and the situation is this: There are some 25,000 contracts at the present time which are unsettled. Six thousand of those contracts are informal or invalid contracts, verbal contracts; many of them orders given in an emergency over the telephone or by telegraph, or in other ways. There are also a number of contracts which have been made which have not been signed by the proper officer. The comptroller has stated that those contracts are illegal, and therefore some legislation is necessary to validate them. Those 6,000 contracts amount, according to the statement of the Assistant Secretary of War, to $1,600,000,000.

In order to remedy that situation, so that the War Department can promptly settle those contracts, legislation is necessary. Assistant Secretary Crowell has stated that on the other contracts they are settling them as fast as they can, and they have committees throughout the country, officers of the Ordnance Department, most of them civilian business men although commissioned, who are settling those contracts as fast as they can. I suggest to the Senator from Michigan that if he will take up this question with Assistant Secretary Crowell undoubtedly he can ascertain what is the matter and exactly what the situation is and probably arrive at some agreement which will enable them to accomplish a more speedy settlement.

Mr. SMITH of Michigan. Mr. President, I made this public appeal because I have been impressed with its seriousness; and I desired, if possible, to facilitate the prompt adjustment and payment of these valid claims. It is too much for us to carry, and we ought not to be called upon to do it.

What has been said by the Senator from Mississippi and the Senator from Virginia and the Senator from New Jersey of course should be considered, and undoubtedly is being considered by the departments; but I can see no reason in the world for delaying the payment of these claims that are admitted. The Government of the United States is probably the best Government in the world, and represents the most advanced thought and the highest purposes, but it is the worst paymaster that I know anything about. I have seen men perform service and drag their weary legs through life begging payment over and over again.

We authorized here the other day a payment 10 or 20 years belated. I think under the inspiration of the Senator from Mississippi the Committee on Foreign Relations approved the payment of money long overdue; and it is not a good reputation to get. It is all right if they have not got the money; but the Senator from Utah says that $10,000,000,000 that have been appropriated will be unexpended at the end of the fiscal year.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Ohio?

Mr. SMITH of Michigan. Certainly.

Mr. POMERENE. This discussion seems to be general in its character as applying to the subject; and the observation made by the Senator from New Jersey [Mr. FRELINGHUYSEN] leads me to make this suggestion:

I recognize the fact that it is necessary to have some legislation to validate these contracts, and I know that several committees are now considering this subject; but I think they should bear in mind this fact, also, in bringing in this remedial legislation.

There are a great many of the principal contractors who have made subcontracts. I have in mind one concern that has six principal contracts with the Government, and on one of these contracts it has made several subcontracts. It seems to me that the money that is paid to the principal contractor ought to be distributed among the subcontractors who have contributed toward the fulfillment of the principal contract. In other words, the general creditors of a principal contractor ought not to be permitted to benefit by this legislation at the expense of the subcontractors who have given value to the Government.

Mr. SMITH of Michigan. Mr. President, the subcontractors have their remedy against a principal contractor; but the contractors that I am speaking about have no remedy at all. They can not sue the Government. They must wait; and if the money is in the Treasury, and these claims are legitimate, they ought not to be obliged to wait. That is my only contention, and I do not think there can be serious disagreement about the matter.

Mr. POMERENE. I am finding no fault with the Senator's position in that behalf.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Mississippi?

Mr. SMITH of Michigan. Certainly.

Mr. WILLIAMS. There can be no serious disagreement with the last utterance of the Senator from Michigan. There is none. Whenever a Government contract is valid and legal according to existing law and the proof has been made and the proper governmental authorities have passed upon it there can be no excuse for not paying it; but I rose just at this minute, Mr. President, chiefly to reinforce one thing that the Senator has said.

The United States Government is the poorest paymaster in the world upon equitable claims. It is one of the quickest and surest and best paymasters upon purely legal claims. If the Senator will pardon me for a bit of reminiscence——

Mr. SMITH of Michigan. Certainly.

Mr. WILLIAMS. I will state that one day, as a member of the Foreign Affairs Committee of the House of Representatives, a claim was presented to me as the chairman of a subcommittee growing out of the Spanish spoliation away back in 1819.

Mr. SMITH of Michigan. I was a member of the House committee at the time. I remember it.

Mr. WILLIAMS. I looked through the papers, and after I had looked through them I put into the papers a written recommendation of my own, as the chairman of the subcommittee, telling the clerk please to see the other members of the subcommittee and show them my report. Then, looking still further through the papers, I found that Daniel Webster had once recommended the payment of that claim and that Marcy, of New York, had also recommended it. So I merely added a postcript, saying that although not a very modest man I felt further reinforced in my convictions by the fact that Daniel Webster and Secretary of State Marcy, as he subsequently was—he was not then—had agreed with me with regard to that claim.

Mr. SMITH of Michigan. Was it ever paid?

Mr. WILLIAMS. Some time after that my hiatus occurred—the time during which I was neither a Member of the House nor a Member of the Senate. I had been elected to the Senate, but had not taken my seat, and I got a letter from some attorney somewhere, saying, "Do you know where the papers are in the case of So-and-so against the United States Government?"

I responded, "No. I had those papers at one time. I filed a written opinion, and I handed them back to the clerk." He said, "The clerk says those papers are still charged to you"; and, as far as I know, that claim, recommended by three such distinguished citizens as Daniel Webster and Marcy, and me, has never been paid, and the papers are lost.

Now, that is a sample of how Congress attends to business. That is not a reflection upon the Government; that is a reflection upon Congress—not that I want to reflect upon Congress. I have been too long a Member of the body, august and distinguished as it is, and I have gathered too much reflected light from its distinction to want to reflect upon it; but it is true, Mr. President, that if there ever was a Government in the world which took very little account of equities, while it took very distinct and good account of legalities, it is this Government.

I once had the honor of defining a legalist. In a late presidential campaign I said that a certain man was a legalist, and somebody in the audience—out in Wisconsin, I think; it may have been in Michigan—said: "What do you mean by 'a legalist'?" I said, "A man that can not get any hope for the future nor any confidence in the present, excepting from a precedent of the past," and the United States Congress acts that way very frequently.

Mr. SMITH of Michigan. Mr. President, I have taken more time than I intended, owing to the interruptions that have occurred; but I have nothing further to say, except this: Out of this overflowing Treasury I hope that the manufacturers and business men of Detroit particularly, and my State generally, may get these bills, that are very belated, paid. Three hundred millions of dollars is a large sum, and I think the complaint made by the Journal is justified.

I am greatly obliged to the Senator from Maryland for his courtesy in allowing me to proceed, and I yield the floor back to him.

NATIONAL PROHIBITION.

Mr. KENYON. Mr. President, in view of the announcement of the Senator from Texas [Mr. SHEPPARD] a few minutes ago as to the ratification of the prohibitory amendment by 36 States, I want to say just a word.

This marks the successful ending of the greatest moral battle waged in this country since the abolition of slavery. It has been a battle without compromise, as there can be no compromise between right and wrong. It is remarkable that this result could have been brought about so speedily. The power of the saloon is ended in the United States. As it passes to its grave it can go with the knowledge that it has been responsible for more misery and crime; more destruction of homes and debasement of character; more poverty, sorrow, and tears than any other agency the world has ever known. No one will weep over its demise. The United States will be a better and more prosperous Nation; its citizenship will be happier and more contented than ever.

I rise for the purpose, however, of felicitating the distinguished Senator from Texas, whose name will ever be associated with this movement. It must be a satisfaction to him to feel that, while the defenders of the liquor traffic may sneer at his efforts, the mothers of the Nation and the Christian citizenship of the land are thanking God that there came to Congress

a man with the courage, persistency, vision, and love of humanity that he has manifested in standing amidst all the storms of abuse, not only in the Nation, but around the Capitol, and fighting through the good fight to the end.

With due regard to the many services performed by other Senators in this body in days gone by, it is my humble judgment—and I know it is the judgment of millions of people in the United States—that no greater service has ever been performed to humanity or righteousness and to the real best interest of this Nation than has been by the Senator from Texas. I extend to him my heartfelt felicitations upon this day, truly one of triumph for him, and I extend to the State of Texas congratulations that they have in this body the man who has been the leader in this great movement.

THE CENSUS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. FRANCE resumed the speech begun by him on yesterday. After having spoken for some time,

Mr. DILLINGHAM. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Maryland yield to the Senator from Vermont?

Mr. FRANCE. Mr. President, I shall later resume a discussion of this general subject, taking up particularly a discussion of the purpose of my amendment; but it gives me great pleasure to yield to the Senator from Vermont. I yield to him with the understanding that I do not lose the floor.

Mr. DILLINGHAM. Yes. I dislike to break in upon the very interesting and very able argument of the Senator from Maryland, but there is a matter on the Calendar which is of extreme importance, one which comes pretty nearly being of the highest privilege, which I had the honor to report from the Committee on Privileges and Elections. As I am called from the city this afternoon, I am very anxious to have it disposed of before going away. I ask the courtesy of the chairman of the committee that the pending bill may be laid aside temporarily by unanimous consent that this matter of privilege may be taken up.

Mr. SHEPPARD. I ask that the unfinished business may temporarily be laid aside for the consideration of the matter presented by the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Texas asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? There being none, it is laid aside.

SENATOR FROM WISCONSIN.

Mr. DILLINGHAM. I ask unanimous consent that the Senate proceed to the consideration of Senate resolution 360, reported by me from the Committee on Privileges and Elections, declaring that the resolutions of the Minnesota Commission of Public Safety petitioning the Senate of the United States to institute proceedings looking to the expulsion of Senator ROBERT M. LA FOLLETTE be and the same are hereby dismissed.

There being no objection the Senate proceeded to consider the resolution.

Mr. DILLINGHAM. I ask to have the resolution read.

Mr. POMERENE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Ohio suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Martin, Ky.	Smith, Md.
Bankhead	Johnson, S. Dak.	Martin, Va.	Spencer
Beckham	Jones, N. Mex.	New	Sutherland
Chamberlain	Jones, Wash.	Norris	Swanson
Culberson	Kellogg	Nugent	Thomas
Cummins	Kendrick	Overman	Townsend
Curtis	Kenyon	Page	Trammell
Dillingham	King	Penrose	Underwood
Fernald	Knox	Phelan	Vardaman
Fletcher	La Follette	Poindexter	Walsh
France	Lenroot	Pollock	Warren
Frelinghuysen	Lewis	Pomerene	Watson
Gay	Lodge	Ransdell	Weeks
Gronna	McCumber	Reed	Wolcott
Hale	McKellar	Shafroth	
Henderson	McLean	Sheppard	
Hollis	McNary	Smith, Ariz.	

Mr. LEWIS. I desire to announce that the Senator from Nevada [Mr. PITTMAN] and the Senator from Rhode Island [Mr. GERRY] are detained on official business.

Mr. McKELLAR. I wish to announce that the senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness. I will let this announcement stand for the day.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF] is absent owing to illness.

The PRESIDING OFFICER. Sixty-five Senators have answered to their names. A quorum of the Senate is present. The Senator from Vermont asks that the pending resolution may be read.

The Secretary read Senate resolution 360, reported by Mr. DILLINGHAM, from the Committee on Privileges and Elections, as follows:

Resolved, That the resolutions of the Minnesota Commission of Public Safety petitioning the Senate of the United States to institute proceedings looking to the expulsion of ROBERT M. LA FOLLETTE from the Senate because of a speech delivered by him at St. Paul, Minn., on September 20, 1917, be, and the same hereby are, dismissed for the reason that the speech in question does not justify any action by the Senate.

Mr. DILLINGHAM. I ask that the report of the committee may be read.

The Secretary read the report of the committee, No. 614, submitted by Mr. DILLINGHAM, from the Committee on Privileges and Elections, as follows:

The Committee on Privileges and Elections, to whom were referred the resolutions of the Minnesota Commission of Public Safety petitioning the Senate of the United States to institute proceedings looking to the expulsion of ROBERT M. LA FOLLETTE from the Senate, as a teacher of disloyalty and sedition, giving aid and comfort to our enemies and hindering the conduct of the war, respectfully report that they have fully considered said resolutions and the charges contained therein, as well as the speech made by Senator LA FOLLETTE at St. Paul, Minn., on the 20th of September, 1917, to which speech said resolutions referred and upon which speech is based the petition contained therein.

Your committee have considered the entire case as presented and recommend that the petition preferred by the said Minnesota Commission of Public Safety be dismissed for the reason that the speech in question does not justify any action by the Senate.

Your committee also recommends the adoption of the following resolution:

Resolved, That the resolution of the Minnesota Commission of Public Safety petitioning the Senate of the United States to institute proceedings looking to the expulsion of ROBERT M. LA FOLLETTE from the Senate because of a speech delivered by him at St. Paul, Minn., on September 20, 1917, be, and the same hereby are, dismissed for the reason that the speech in question does not justify any action by the Senate.

LETTER FROM THE SECRETARY OF THE MINNESOTA COMMISSION OF PUBLIC SAFETY TO SENATOR FRANK B. KELLOGG, TRANSMITTING A COPY OF A RESOLUTION PASSED AT A MEETING OF THE COMMISSION HELD ON SEPTEMBER 25, 1917, TOGETHER WITH A STENOGRAPHIC REPORT OF THE SPEECH OF SENATOR ROBERT M. LA FOLLETTE.

[J. A. A. Burnquist, governor, ex officio, chairman; C. H. March, vice president; Lyndon A. Smith, attorney general, ex officio; C. W. Ames, St. Paul; John Lind, Minneapolis; John F. McGee, Minneapolis; A. C. Weiss, Duluth; John S. Pardee, secretary.]

MINNESOTA COMMISSION OF PUBLIC SAFETY,
St. Paul, Minn., September 26, 1917.

Hon. FRANK B. KELLOGG,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have the honor, on behalf of the Minnesota Commission of Public Safety, to call your attention to the attached copy of the resolution passed at the stated meeting of the commission yesterday, September 25, together with a stenographic report of Senator LA FOLLETTE'S speech,

Yours, very truly, H. W. LIBBY, *Secretary.*

Resolutions.

Whereas Senator ROBERT M. LA FOLLETTE made an address of a disloyal and seditious nature at a public meeting before a large audience at the Nonpartisan League convention in St. Paul on the 20th of September.

Whereas the utterances of Senator LA FOLLETTE, with all the prestige of his high office as a Senator of the United States, made under protection of a guaranty by the president of the Nonpartisan League that no disloyal expressions would be permitted during the alleged conference between producers and consumers on the high cost of living, have already served to create treasonable sentiments in the State of Minnesota, and being spread through the public press can have no other effect than to weaken the support of the Government in carrying on the war: Be it hereby

Resolved, That the Minnesota Commission of Public Safety respectfully petitions the Senate of the United States to institute proceedings looking to the expulsion of the said ROBERT M. LA FOLLETTE from the Senate as a teacher of disloyalty and sedition, giving aid and comfort to our enemies and hindering the Government in the conduct of the war; and be it further

Resolved, That copies of this resolution, together with stenographic copies of said La Follette speech, be forwarded to the President of the Senate and Senators NELSON and KELLOGG.

SPEECH OF SENATOR ROBERT M. LA FOLLETTE.

Introduced by chairman. [Continued applause.]

Mr. President, ladies, and gentlemen, it is needless for me to say anything about the importance of this conference conducted under the auspices of the Nonpartisan League. It speaks for itself. It is a nonpartisan league. Why a nonpartisan league? Why has such an organization been formed in this and other States of the Union? Because, Mr. President, ladies, and gentlemen, political parties have failed to give the people of this country real representative government. [Applause.] What is representation? Every man in this audience who stood up here when you sang that glorious anthem, "My country, 'tis of thee," answers that question. [Applause.] What was it for which men died in '76? It was that the Government established by their valor, their devotion, and their sacrifice, sealed with their blood, should be a real representative government. What is a representative government? A government that represents all the people. [Applause.] And when some of you who stood up in this audience while that glorious sentiment, set to heart-inspiring music, was being given forth—because some of us who stood up at that time have forgotten the sacrifices made

in 1776, made in the sixties, in order that that kind of government should be preserved, because some of you are testifying a devotion to liberty which you do not feel. [Applause.]

Who is it abroad over this country now waving the flags and crying out for democracy in the loudest possible tones? It is the business that is making money out of existing conditions; that is what it is. [Applause.] You new converts to democracy are masquerading in the livery of heaven while you serve the devil. [Applause.] Think for a moment for what Washington's Army starved and froze at Valley Forge, warming their stiffening fingers by little campfires. It was that we should have builded up here in this country of ours the only Government on this earth that should be truly representative of the people. [Applause.] What does that mean? It meant the election of two United States Senators from every State in the Union, a Member of Congress from every unit of representation agreed upon, who are to assemble at the seat of Government under the Constitution on the first Monday of December in each year, and there, representing never themselves, never the United States Co., never the ammunition makers, but always representing the people, they should vote for laws that were for the good of the Republic. That is what is meant. [Applause.]

Fellow citizens, when it becomes necessary for an organization, or when any considerable number of people come together in State after State of the Union and seek to form a nonpartisan league in order that they may get true representative government, it means that some power has come between the people and their representatives, and that they are not getting representative government under partisan domination. [Applause.] I am reminded, as I face this magnificent audience here to-night, I am carried back in memory to the early seventies. Do you realize, fellow citizens, that here at the head of the Mississippi Valley, here in what was called the Old Northwest, in the early seventies was formed the great granger movement to grapple with corporate power and restore representative government to the people of that day? [Applause.]

Have you forgotten, or is it possible that the younger generation have never been informed, that here at the head of the valley formed by the great Father of All the Waters was cradled the first independent institution which went out to fight corporate power in the United States? Minnesota, Wisconsin, Michigan, and Iowa were the four Commonwealths that for the first time in the history of the government of men declared the right of the people to have administered to them a control of the highways that lead to market? Are you aware of the fact that you are inheritors of a precious legacy here in Minnesota—a legacy that has not always been protected—here in Minnesota and in the State of my nativity lying to the south, in Iowa, and in Michigan was born the first great independent farmer movement for the control of railroad transportation, for the subjection of great corporations to public interests instead of permitting those corporations to control ruthlessly in their own interests all of the highways leading to the markets of the country? [Applause.]

Fellow citizens, you are the descendants of the men who made that wonderful historic contest; for, let me say to you that out of that movement that started in these four States that problem for the first time in the history of the world, the right of the public to fix charges upon the iron highways of commerce, that out of that wonderful movement started in the homes of the farmers of Minnesota, Iowa, Wisconsin, and Illinois—I said Michigan a moment ago; I should have said Illinois—of those four States in the homes of those farmers started that movement for the first time in the history of the world, asserting the right of the public to control railway transportation and railway rates over the railroads leading to the markets of the country. From that propitious hour there spread to the East and to the West that movement the germ of which was the right of the public to control transportation companies until it became the settled law of the land. When it was first asserted by the people of Minnesota, Iowa, Wisconsin, and Illinois, the owners of the railroads denounced it as an interference with private property and private rights; but the old granger movement, pursuing that great ideal, insisted that when these corporations are permitted to take private property on which to build their depots and their rights of way, that they at once become the servants of the people and their property is subject to public control. [Applause.]

It can not be too strongly emphasized—and I speak of it in connection with this nonpartisan farmers' movement—it can not be too strongly emphasized that that wonderful assertion of a public right was the result of the logical thinking of the farmer as he followed his plow. He reasoned that if the corporation had a right to take his property without his consent, and at a price fixed by the public, on which to build its depot grounds and its right of way, it must be in the same position that the county or the State or the township is in when it takes his property to build a highway, to locate a school building, or to build a public institution; that it was taking his property without his consent, and at a price fixed by statute; that it was taking that property under a public right, and that the highway, the iron highway, the depot, and yards so taken should not be considered as private property. That was a wonderful piece of reasoning upon the part of the men who followed the plow. But let me say that the advanced political thought, that the advanced political philosophy, that the advanced social philosophy of this country of ours finds the germ and the development and the fruitage upon the farms of the country; and it is for that reason that agriculture is the basis of statehood; it is the basis of stable business, of a government of the people, by the people, and for the people. [Applause.]

So I have a faith that this new movement up here, known as the nonpartisan organization, born on the farms of this old Northwest Territory, contains within it the seeds of a great social and political advancement. [Applause.] And, Mr. President and fellow citizens, ladies and gentlemen, I know you will pardon me for harking back to the old Granger movement. I am constrained to believe that this new movement is another crop of the seed of that time. [Applause.] Now, fellow citizens, there would not be the slightest occasion in the world for the organization of a nonpartisan league, and you would not be able to enlist the farmers of a dozen or 15 or 20 States in this union unless there was something fundamentally wrong with our Government. There is something fundamentally wrong with it. [Applause.] Of course, I know the fellows who are waving the flags of to-day most frantically, the bloated representatives of wealth who are shouting loudest for democracy to-day, are trying to invest this particular time with a new form of democracy; a democracy that has attached to it as a cardinal principle, not liberty, not equality, but profit. [Applause.]

But, my friends, you can not enlist the thinking, intellectual, conservative population found upon the farms in this section of the country, which was known when I was a boy as the old Northwest Territory; you can not stir populations very deeply and very profoundly unless there is a profound reason for it; and that profound reason, if you will be a bit analytical, you will find is due to the fact that the very men who are shouting at the top of their voices about democracy to-day are the men who have been pillaging the hard-working sons of toil not only upon the farms but in the factories of the country. [Applause.] But, fellow citizens, I like the advent of this organization, for I know full well that it has already acquired a momentum that will carry it forward. No order from some secret-service employee or from some department of justice will be able to throttle this great movement that stands for real representative government. [Continued applause.]

Mr. President, ladies, and gentlemen, when I speak in this tone of voice do you get me back there against the wall? Are you able to hear me when I talk in this tone of voice back there in the alcoves? [Voices: "Yes."] [Laughter.] I will use a little less voice, because I want to be heard and at the same time I want to save my voice. I have got use for it [laughter and applause], and I purpose to use it for constitutional liberty, for free speech. [Continued applause.]

Now, I do not take the political dope of any papers that serve interests hostile to representative government. [Applause.] Fellow citizens, I come before you here to-night to talk to you particularly about this great movement you have adopted up here, and to give you a word of encouragement, to bid you to be brave, not to be intimidated because there may chance to be sneaking about here and there men who will pull back their coats and show a secret-service badge. [Applause.] Until Bunker Hill is destroyed, unless Little Round Top and the Hornet's Nest at Gettysburg shall have been obliterated and relegated to oblivion, there shall still be free speech in this country. [Applause.] Mr. President, I have stood all my life for law and order. [Applause.] Twenty years ago this very season at a little farmers' gathering in Ferndale, Wis., I opened the fight against corporate power in that State. I was denounced then as an iconoclast and a destroyer of conditions that ought to be preserved, just as some of the advanced thinkers of to-day are denounced for proclaiming, not a new doctrine but the doctrine of Franklin and Madison and Adams and Thomas Jefferson. [Applause.] What was the central thought of the little speech I delivered on that day? It was only this, that the corporations in Wisconsin were not paying their fair share of the taxes, and that they ought to be made to pay them, just as the farmers and owners of lands did. That was all; but that was considered treason. [Laughter.] Just as the same things are denounced as disloyal to-day; but, fellow citizens, I did not stop then and I won't stop now. [Applause.]

And then, 20 years ago, I was just asking for justice and equality in government, in taxation, and, fellow citizens, I came from Washington directly here, and on the floor of the House of Representatives, and in the Committee on Finance, the greatest committee in the Senate, I have been struggling for this same thing that I struggled for down at the Ferndale picnic in Wisconsin 20 years ago. There is not a shade of difference in principle. The only difference lies in the fact that where we in Wisconsin were considering thousands and hundreds of thousands, in this great Government of ours and in the times in which we find ourselves now, we are considering billions upon billions beyond the power of the human mind to grasp; that is the only difference. [Applause.] A little handful of men in Washington have been demanding—only a little handful of men—have been demanding that the taxation should be laid according to the principles that prevail wherever justice prevails, that taxation shall be laid according to the ability of the property to meet the taxes. [Applause.] We have been contending for that principle in Washington, just the same as in a smaller way I was contending for that principle in the first speech made on the 27th of August, 1897, to a farmers' picnic in Ferndale, Wis., which opened the campaign that lasted through a decade or a decade and a half of time.

Fellow citizens, the organization of the Nonpartisan League—and I come back to that as I shall from time to time during the limited space that I can speak to you—the Nonpartisan League finds its birth and its reason for existence in the fact that the burdens of government are not equally laid upon the people of this country. [Applause.] You could not organize a township in North Dakota, you could not enlist the sober, thinking mind on the farms in a county in this great and wonderful expanse of territory if you didn't have justice and right, if you didn't have a real grievance, for there are no men who think deeper, who reflect more soberly and conservatively, and I emphasize that word "more soberly and conservatively," than the farmers of this great country of ours. [Applause.] And I tell you, fellow citizens of our great and glorious country, when any considerable number of farmers, the leaders of the conservative population of this country, rise up en masse to demand a redress of grievances—look out. [Applause.] There is something radically wrong or you couldn't enlist them.

Now, fellow citizens, we are in the midst of a war. For my own part, I was not in favor of beginning the war. [Continued applause.] I didn't mean to say we had not suffered grievances. We had, at the hands of Germany, serious grievances; we had cause for complaining; they had interfered with the right of American citizens to travel upon the high seas on ships loaded with munitions for Great Britain. [Applause and yells.] And, gentlemen, I would not be understood as saying we didn't have grievances; we did, and upon those grievances, which I have regarded as insufficient, considering the amount involved and the rights involved, which was the right to ship munitions to Great Britain with American passengers on board to secure a safe transit. [Laughter and applause.] We had a right, a technical right, to ship munitions, and the American citizen had a technical right to ride on those vessels. I was not in favor of riding on them [laughter], because it seemed to me when the consequences resulting from any destruction of life that might occur would be so awful, I say [a voice: "Yellow"]—any man who says that in an audience where he can conceal himself is yellow himself. [Cries: "Put him out."] I say this, that the comparatively small privilege of the right of an American citizen to ride on a munition-loaded ship flying a foreign flag is too small to involve this country in a loss of millions and hundreds of millions of lives. [Applause.]

Now, fellow citizens, I didn't believe we should have gone into this war for that poor privilege, the right of an American citizen to travel upon a foreign vessel loaded with munitions of war, because a foreign vessel loaded with munitions of war is technically foreign territory [applause], and an American citizen takes his own life in his own hands just as much as he would if he were on the territory of France and camped in the neighborhood of an arsenal. Mr. President, it has sometimes occurred to me that the shippers of munitions of war, who are making enormous profits out of the business, should not have encouraged American citizens to ride on those ships in order to give a sort of semblance of safety to the passage of their profiteering cargo abroad. [Applause.] But, Mr. President, we went into the war by the adoption by Congress of a declaration of war in constitutional form; therefore we are in the war legally. I was not in favor of going into the war illegally. I resisted

the right to arm merchantmen when I knew that that would result in producing a condition that would bring about war without a declaration by Congress; and the Constitution says that Congress, and not the acts of the President, shall bring on a war with a foreign Government. [Applause.] But war was declared, and lawfully declared; it was not brought about by unlawfully and tyranically arming of merchant ships. I had a little bit to do with stopping that on the 4th of March, and I put it to my everlasting credit that I was able to do it. [Applause.]

We are in the war, and we are at least lawfully in the war. Now, then, the war entails expenses. You can not run a war these days without paying for it; it is a costly enterprise. Every one of the nations, of the belligerent nations of Europe, is reeling under the financial burdens of the war, this of all wars in the history of the world, has laid upon them. Every one of the belligerent nations, up to last April, when we entered the war, had passed the line of safety so far as ever being able to redeem their financial obligations were concerned; every one except Great Britain. Whenever any Government is paying out for its obligations—for its current obligations—more than 25 per cent of its income, that nation has passed the line where it is safe to loan to it, and every belligerent nation in Europe last April, excepting Great Britain, had passed that line. Never—and this is a triteism to say—never before in the history of the human race was a war in progress that so, day after day, hour after hour, and moment after moment, sapped the very lifeblood, the financial lifeblood, of the existence of the nation as a stable entity—and, fellow citizens, it behooves a nation to consider well before it enters upon a war of that sort how much it has got at stake. If all it has got at stake is the loans the house of Morgan makes to foreign Governments, and the profits that the munition makers will earn in shipping their products to foreign countries, then I think it ought to be weighed, not in a common hay scale, but in an apothecary's scale. [Applause.]

Ah! But somebody will tell you American rights are involved. What American rights? The right of some venturesome person to ride upon a munition-laden vessel in violation of an American statute that no vessel which carries explosives shall carry passengers. Four days before the *Lusitania* sailed President Wilson was warned in person by Secretary of State Bryan that the *Lusitania* had 6,000,000 rounds of ammunition on board, besides explosives, and that the passengers who proposed to sail on that vessel were sailing in violation of a statute of this country, that no passengers shall travel upon a railroad train or sail upon a vessel which carries dangerous explosives. [Applause.] And Mr. Bryan appealed to President Wilson to stop passengers from sailing upon the *Lusitania*. I am giving you some history that maybe has not come to you heretofore—the grievances that carried this country into the war, into a war the results of which, as to the loss of life and burdens, financial burdens, that shall be laid upon us can not be calculated by any mind. I say that the conditions that carried us into that war needed to be weighed carefully, for I annunciate no new doctrine, but the doctrine of Daniel Webster, who said when the Mexican War was on that it was the right of the people of this country to determine for themselves whether there has been a sufficient grievance of the people to incur all the burdens and risks that go with a war of this kind.

I have only got a few minutes more if I make my train. It involves another engagement.

Fellow citizens, I am going to use it in the way I believe the extremest man on the other side will say is loyal to the interests of this Government. We are in this war. We have got to finance it. How shall we do it? Now, let me say to you that there are three ways of financing the war. First, by raising all the money that the war costs by taxation and paying the expenses of the war day after day as the war goes on. That policy of financing a war is called the plan of paying as you go. The founder of the science of political economy was Adam Smith. No one has ever discovered a new principle involved in that science from the days of that wonderful man down to this hour to-night. And from Adam Smith down through the line of great political economists—Ricardo, John Stuart Mills, on down to the political economists of the present day—one and all, with such rare exceptions as to be unworthy of notice, one and all have said there is but one sound way of financing a war, and that is to impose taxes sufficient, while the war is on, to pay the expenses of the war. That you have no business and no right to hand it on to other generations; the generation that makes the war should pay for the war. [Applause.] But that is not all. Those great economists have said another thing. It was an enunciation of a great economic truth, and that is if you finance the war in any other way you impose a double burden not only on the people of to-day but upon your children of the next generation. I said there was one way of financing the war. There are three ways—that laid down by the great political economists of all times, that you should pay as you go; that you should levy enough taxes at the time to carry the expenses of the war. Of course, if you are going to do that you have to put the taxes chiefly upon the wealth of the time. [Applause.] Some people don't like that way. Then there is another way, and that is that you shall borrow, borrow, borrow; issue bonds, mortgage the Government and the generations to come in order to pay the expenses of the war. That is the opposite of paying as you go.

Every time you issue bonds you inflate the currency and prices, and you make it harder for the people of that particular time, because you put a mortgage on at a rate of interest not of the Government's choosing, for when the Government is in war and starts in upon the loan policy it can not fix the interest; it can not fix any of the conditions of the bonds; it goes to the money lender with its hand out, its hat in its hand, and says, "What will you furnish the money for?" and the money lender, the wealth of the country, looks out for itself. [Laughter and applause.] Show me any war or any time when wealth has been patriotic, when wealth has said, "We don't care for interest; we don't care for profit; we are going to take care of the country." Do you know that J. Pierpont Morgan laid the foundation of his fortune, the first $25,000 that he ever made he made in buying rifles of the Government, condemned rifles, at $2.50 apiece, and selling them back to the Government, disguised a little bit, at about $22.50 apiece? [Applause.] Do you know that a part of the great fortune of Vanderbilt, the commodore of war time, do you know how that was made? That was made by picking up condemned ships for almost nothing and selling them to the Government for a good round price. [Applause.]

But, fellow citizens, I wish I could stay with you all night. Do you know that congressional committees in the time of the sixties were busy for months and years investigating the frauds perpetrated upon the Government by the wealth of that country seizing upon the dire necessities of this Republic to make fortunes out of it, out of those conditions? And if you think the animal has changed its spots or shed its skin come down to Washington and see for yourselves. [Applause.]

So, fellow citizens, you have to consider this thing, and that is the carrying of the burdens of the present war. How shall they be carried? Political economy says they shall be carried by the principle of pay as you go, and the big interests want to meet them out of long-time mortgages in the shape of bonds, and thus pay the expense of the war by borrowing. There is not much of a question but that the correct plan is to pay as you go. Do you know, about as soon as the war clouds began to show over the horizon, that 350 of the great economists of the United States, representing the best universities and colleges of the country, petitioned Congress in a petition, the logic and power of which to me was irresistible, that this war should be financed by imposing taxes upon surplus incomes, war profits, and other source of revenue, so that we should pay as we go? [Applause.] But that petition fell into the hands of the Philistines. [Applause.] And if it ever saw the light of day, if it was the subject of comment upon the floor of either House, I venture to say it was at the time when I made the argument against the plan proposed, and in the tax bill which has just passed, I quoted largely from that petition in the making of that argument. Fellow citizens, no war has ever been financed as Adam Smith and all of his successors have said it ought to be financed. Why? Why, because wealth is always potential in government, and wealth never saw war financed wholly by taxation for the reason that wealth would have to pay the bulk of the taxes. As the underlying principle of taxation is that the burden of taxation must be borne according to the ability of the owners of property to bear the taxes, no Rockefeller would have to pay more, considerably, than the farmer in North Dakota. [Laughter.]

So wars have never been financed upon the sound economic principles; wars have always been financed with a struggle between the people on one side and wealth upon the other; wealth contending that the war should be financed by loans, and the people contending that the war should be financed by taxation of wealth, and wealth always being more potential than the people, but I trust that after the Nonpartisan League gets well under way that that won't be the condition in this country. [Applause.] But it has been the condition, and so most of the wars have been financed by both taxation and bond issues, and too frequently the bond issues have been the largest part of the cost of the war. Great Britain, more than any other country in the world, has financed her wars by taxation, and in proportion, in fair proportion, by the bond issues. The greatest wars that ever Great Britain participated in were the Napoleonic wars, and the Napoleonic wars were financed by Great Britain upon a fifty-fifty basis; indeed, 52 per cent of the expenses of the Napoleonic wars was paid by present taxation and 48 per cent of the expense was paid by loans, was carried by loans. In the Crimean War Great Britain paid practically an equal amount by taxation and by loans. But, fellow citizens, every Government that has paid the majority of its expenses by loans instead of taxation has paid a dear price for yielding to wealth as to the way in which the war should be carried on and financed. For always and always in proportion as your loans exceed the amount of money raised by taxes, just in the proportion you swell the prices that the people have to pay during the war, because the issuance of your bonds inflates the currency, and is followed always by accessory legislation, additional legislation, which accentuates that condition.

Now, fellow citizens, what happened after we declared war? In view of this history, in view of the warnings of the great economists of the country that we ought, if we were going to proceed upon a sound economic basis, that we ought to finance this war as largely as possible by taxation instead of bond issues, what happened? We passed the declaration of war; the die was cast; we were in the thing. We had to shoulder the financial burdens, awful as they are. The first thing that high statesmanship required of this country was the making of a plan for financing the war as nearly sound in economic principle as possible. John Sherman, the greatest financier this Government ever produced, speaking after the Civil War upon a bill to refund some of the war debt at a lower rate of interest, said that the financing of the Civil War ought to have been at least upon a fifty-fifty basis; that is, that at least one-half of it ought to have been raised by taxes instead of by dealing with the bondholders. But, fellow citizens, then, as in every other great crisis, the money power was too potential, and the Civil War was financed not upon a fifty-fifty basis; it was financed upon a basis that was about 30 per cent pay as you go and about 70 per cent—when you take the whole thing covering the four-year period—about 70 per cent by bond issues. But, fellow citizens, do you know that we struggled with the experiments, the financial experiments, that grew out of the financing of the War of the Revolution for a period of more than 30 years? Wrong financing of that war was in a large measure responsible for the worst panic that ever shook this Government to its commercial and financial foundations. And you can never do an economic or financial wrong that you do not have to settle for it. And so, fellow citizens, those who were responsible for the bringing on of this war, it should have been their first care to see that it was as largely financed by taxation as possible. There never was a time before in the history of the world when a war could be so largely and advantageously financed by taxation as this war. Why? Because never before in the history of the human race were great corporations making the enormous war profits that the corporations of this country have been making for the three years that the European war has been on and we have been at peace, and those enormous profits warranted the assessment of the very highest percentages of taxation against the war profiteers in order that this war should be properly financed.

Fellow citizens, it is only 20 minutes to train time. Let me say I have got to go. I do not like to go, but I want to say a few words in conclusion to you. I am going to say this: We passed a bill that levies only 31 per cent, on the average, upon war profits, and that, too, when the owners of these great profit-making concerns have had three years of the richest picking that was ever known in the history of mankind. [A voice: "Shame on Congress!"] Yes; shame on Congress. Yes; and shame on the administration, for the administration approved the bill. I am willing that Congress should bear all that it ought to bear, but I tell you that it has got an awful load of responsibility on it. It has not met those responsibilities; it shirks almost everything; it takes what the administration sends down, looks at it popeyed, and swallows it. And yet our forefathers, when they established this great Government of ours, said that the safety of the Republic depended upon the independence of each of the departments as to the other departments—the judiciary independent of the executive and the legislative; the executive department independent, under sanction of the Constitution, of the legislative and the judiciary; and the legislative department absolutely independent of the executive and judiciary. The legislative department was looked upon by the men who made this Government for us as the repository of the liberties of the people, and they fixed the term of the election of the Members of Congress at two years so they could bring them back home and look over their work, so that if it was not satisfactory they could elect other men in their places.

Now, then, fellow citizens, I say that Congress has not met its responsibilities. Let me give you one instance of it—one I want you to put away in your hearts and minds and take home with you and reflect on it. Under the Constitution Congress has the right, the absolute

right, to determine the objects and purposes of every war in which we engage. [Applause.] I am giving you the Constitution for it. Why, do you know that Abraham Lincoln, Daniel Webster, Charles Sumner, Henry Clay, and I might call the roll of all the great statesmen of that period, when the Mexican War was on, after war had been declared, and they believed that the war was a wrongful war, they stood in their places in Congress and denounced that war, and Abraham Lincoln voted for a resolution to recall the American troops from Mexico? [Applause.] And yet in these days, 1917, with the flags all about us commemorating liberty, constitutional liberty, we are inhibited from even discussing this war, from even suggesting that there might be some way with honor and credit to our Government to terminate it and stop the awful slaughter and the awful expense. [Applause and yells.] Let me say, in a word, if Abraham Lincoln was a patriot, if Daniel Webster was a patriot, if Clay and Webster and Lincoln and all the men of that time understood the Constitution and the rights of the people, you, the humblest one of you, have the right to discuss freely the question of whether this war might not be terminated with honor to the Government and the awful slaughter discontinued.

I thank you for your patience. [Applause.]

LETTER OF CHAIRMAN TO SENATOR LA FOLLETTE.

OCTOBER 5, 1917.

MY DEAR SENATOR: By direction of the Committee on Privileges and Elections, I hand you herewith a copy of a speech purporting to have been made by you in St. Paul, under the auspices of the Nonpartisan League, on the 20th day of September, 1917.

I am also requested to ask you whether or not this is a correct copy of the speech made by you; and if it is not a correct copy, will you kindly state wherein it is not correct and give us a correct statement thereof.

If you feel free to comply with this request at your earliest convenience, it will be appreciated greatly by the committee.

Very sincerely,

ATLEE POMERENE,
Chairman Committee on Privileges and Elections.

Hon. ROBERT M. LA FOLLETTE.
United States Senate, Washington, D. C.

[Original and copy of speech delivered to Senator LA FOLLETTE'S son at the Senator's room in the Capitol at 2.30 p. m. Friday, Oct. 5, 1917. J. F. O'ROURKE.]

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REPLIES OF SENATOR LA FOLLETTE.

UNITED STATES SENATE,
Washington, D. C., October 5, 1917.

DEAR SENATOR: I have the honor to acknowledge receipt of your communication as chairman of the Committee on Privileges and Elections, transmitting a purported copy of a speech delivered by me at St. Paul on the 20th day of September, 1917, upon the invitation of the Nonpartisan League.

The matter which you inclose is not a correct copy of the speech, but I will not at this time undertake to state wherein it is not correct. I will however, do so just as soon as I can secure a transcript of the speech which is accurate.

At least two copies addressed to me have been transmitted from St. Paul within the last week, neither of which has been received. I am wiring for copies again to-day.

Assuring you, and through you the committee, that I will comply with your request at the earliest possible date, I am,

Sincerely, yours,

ROBERT M. LA FOLLETTE.

Hon. ATLEE POMERENE,
Chairman Committee on Privileges and Elections,
United States Senate.

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UNITED STATES SENATE,
Washington, D. C., October 11, 1917.

Hon. ATLEE POMERENE,
Chairman Committee on Privileges and Elections,
United States Senate.

MY DEAR SENATOR: Since my letter to you of the 5th instant I have received a transcript of the speech referred to by you in your letter to me of that date. The transcript I have received is from the notes of the official reporter of the Nonpartisan League, who was present to report the proceedings.

I have compared the transcript received by me with the committee print which you furnished to me. The fact is, as both transcripts show, I spoke extemporaneously. I had with me a few notes on the revenue bill, upon which I expected to speak more fully than I did. But the digressions caused by questions and suggestions from the audience led me to put my notes aside. I desire to aid the members of the committee in their investigation to the end that they may have as nearly as possible the same understanding of all that transpired in the St. Paul meeting as they would have if the members of the committee had been personally present. I am therefore furnishing the committee with the transcript of what I said according to the notes of the official reporter of the Nonpartisan League, omitting therefrom merely extraneous matter involving the comments and explanations of the reporter.

There were two interruptions from the audience not shown in the transcript of the official report of the Nonpartisan League, but which I recall and which are also shown by other reports of the proceedings. Thinking that these might have significance in your consideration of the subject matter of the speech, I here refer to them. One is the question from the audience: "How about the *Lusitania?*" Of course, all that I said upon that subject was said because of this interruption. I had no intention of referring to it. The New York Times's report of the meeting and other press reports show this to be as here stated, and it accords with my recollection.

The transcript of the official reporter of the Nonpartisan League is, of course, at your service if you desire the same.

The second interruption which I note as not appearing in the text of the transcript furnished me shows that the expression "Shame on Congress" came from the audience, and that I replied as shown in the context of the speech. This so appears in the print of the speech furnished by you, at page 11, line 3. With these interruptions, the transcript of the speech I am herewith submitting is substantially correct, so far as I can now recall.

You did not indicate what particular portions of the speech you had under consideration, and I have gone over it generally to make certain that it is substantially correct. As you will observe by comparing the two texts of the speech, there are many differences between them. If any of these differences have any significance for the purpose of your investigation and you desire to direct my attention to any particular language in either text, I will be glad to give it further consideration.

I assume that the wholly false reports sent out by the press generally, to the effect that I stated in various forms "We had no grievance," is receiving no credence from you, since that is contrary to the text of the speech you furnished me. I shall be very glad, however, if your investigation is sufficiently broad to take in an inquiry into the causes which led to the publication generally of these grossly false statements by the press.

Permit me to say that if it is the purpose of the committee to make an investigation as to my statement of fact in the speech, then I request that the committee advise me what statement of fact is so called into question and in what respect its correctness is questioned.

Furthermore, if any issues of fact are to be raised by testimony concerning any statements in the speech, then I ask to be accorded the right to question anyone so testifying, and that I be permitted to call witnesses to meet the testimony which may be so offered.

If the speech is to be otherwise questioned or my right to make it considered by the committee, then I respectfully request that I be so advised by the committee, and that I be given an opportunity to be heard thereon in person and by counsel.

Very respectfully, yours,

ROBERT M. LA FOLLETTE.

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SPEECH OF ROBERT M. LA FOLLETTE, DELIVERED AT THE MUNICIPAL AUDITORIUM, ST. PAUL, MINN., SEPTEMBER 20, 1917.

[NOTE.—The transcript of the speech which follows should be read in connection with the corrections indicated in the foregoing letter.]

Mr. President, ladies, and gentlemen, it is needless for me to say anything about the importance of this conference conducted under the auspices of the Nonpartisan League.

It speaks for itself.

It is a nonpartisan league.

Why a nonpartisan league? Why has such an organization been formed in this and other States of the Union?

Because, Mr. President, ladies, and gentlemen, political parties have failed to give the people of this country real representative government! [Cheers and applause.]

What is representative government?

Every man or woman in this audience who stood up here to-night when you sang that glorious anthem, "My Country 'Tis of Thee," answers that question. What was it for which men died in '76?

It was that the Government established by their valor and their devotion and their sacrifice, sealed with their blood, should be a real representative government.

What is a representative government?

A government that represents all of the people! [Cheers and applause.]

And when some of you who stood up in this audience while that glorious sentiment, set to heart-inspiring music, was being given forth, because some of you who stood up at that time have forgotten the sacrifices made in '76, made again in the sixties, in order that that kind of a government should be preserved. Because some of you are testifying a devotion to liberty which you do not feel! [Applause.]

Who is it, abroad over this country now, waving the flags and crying out for democracy in the loudest possible tones? [Cries from the audience: ["The profiteers!" "Big business!"]

It is business that is making money out of existing conditions. That is what it is. [Cheers and applause.]

You new converts to democracy are masquerading in the livery of heaven while you serve the devil! [Cheers and applause.]

Think for a moment for what Washington's army starved and froze at Valley Forge, warming their stiffening fingers at the meager camp fires! It was that we should have builded up here in this country of ours the one government on this earth that should be truly representative of the people. [Cheers and applause.]

What did that mean? It meant the election of two United States Senators from every State of the Union, and a Member of Congress from every unit of representation agreed upon, who are to assemble at the seat of government, under the Constitution, on the first Monday of December in each year, and there represent, never themselves, never the United States Steel Co., never the munition makers, but always representing the people.

They should vote for laws that were for the good of the Republic. That is what is meant. [Cheers and applause.]

Fellow citizens, when it becomes necessary for an organization, or when any considerable number of people come together in State after State of the Union and seek to form a Nonpartisan League in order that they may get true representative government, it means that some power has come between the people and their representatives, and that they are not getting representative government under partisan domination! [Cheers and applause.]

I am reminded as I face this magnificent audience here to-night, I am carried back in memory to the early seventies. Do you realize, fellow citizens, that here at the head of the Mississippi Valley, here in what was called the old Northwest, in the early seventies, was formed the great granger movement to grapple with corporate power and restore representative government to the people of that day? [Applause.]

Have you forgotten, or is it possible that the younger generation have never been informed, that here at the head of that valley, formed by the great father of all the waters, was cradled the first independent institution which went out to fight corporate power in the United States?

Minnesota, Wisconsin, Michigan, and Iowa were the four Commonwealths that for the first time in the history of the government of men declared the right of the people to have administered by them the control of the highways that lead to market.

Are you aware of the fact that you are inheritors of a precious legacy here in Minnesota? A legacy that has not always been protected; but here in Minnesota, and in the State of my nativity lying to the south, and Iowa and in Michigan, was born the first great independent farmer movement for the control of railroad transportation—for the subjugation of great corporations to public interests, instead of permitting these corporations to control ruthlessly in their own interest all of the highways leading to the markets of the country.

Gentlemen, you are the descendants of the men who made that wonderful historic contest. For let me say to you that out of that movement that started in these four States, that proclaimed for the first time in the history of the world the right of the public to fix the charges upon the iron highways of commerce, that out of that wonderful movement started in the homes of the farmers of Minnesota, Iowa, Wisconsin, and Illinois—I said Michigan a moment ago; I should have said Illi-

nois—in those four States, in the homes of those farmers, started that movement for the first time in the history of the world asserting the right of the public to control railway transportation and railway rates over the railroads leading to the markets of the country.

From that propitious hour there spread to the East and to the West that movement the germ of which was the right of the public to control these transportation companies until it became the settled law of the land.

When it was first asserted by the people of Minnesota, Iowa, Wisconsin, and Illinois the owners of the railroads denounced it as an interference with private property and private rights. But the old granger movement, pursuing that great ideal that when these corporations are permitted to take private property on which to build their depots and their rights of way, that they at once became the servants of the people, and their property is subject to public control. [Applause.]

It can not be too strongly emphasized—and I speak of it in connection with this nonpartisan farmers' movement—it can not be too strongly emphasized that that wonderful assertion of a public right was the result of the logical thinking of the farmer as he followed his plow. He reasoned that if the corporation has a right to take his property without his consent, and at a price fixed by the public, on which to build its depot grounds and its right of way, it must be in the same position that the county or the State or the township is in when it takes his property to build a highway, to locate a school building, or to build a public institution. That it was taking his property without his consent and at a price fixed by the public—by statute. That it was taking that property under a public right, and that the highway, the iron highway, the depot, the right of way so taken could not be considered as private property.

That was a wonderful piece of reasoning upon the part of the men who followed the plow. And let me say to you that the advanced political thought, and the political philosophy, social philosophy, of this country of ours finds the germ and the development and the fruitage upon the farms of the country. [Cheers and applause.]

And it is for that reason that agriculture is the basis of statehood. It is the basis, the stable basis, of a government of the people, by the people, and for the people. So, I have faith that this new movement up here, known as the nonpartisan organization, born on the farms of this great old Northwest Territory, contains within it the seeds of a great social and political advancement. [Cheers and applause.]

And, Mr. President and fellow citizens, ladies and gentlemen, I know you will pardon me in harking back to the old granger movement. I am constrained to believe that this new movement is but another crop of the seeding of that time. Now, fellow citizens, there would not be the slightest occasion in the world for the Nonpartisan League, and you would not be able to enlist the farmers of a dozen, 15, or 20 different States in this Union unless there was something fundamentally wrong with our Government.

There is something fundamentally wrong with it. [Cheers and applause.]

Of course—of course, I know that the fellows who are waving the flags of to-day most frantically [laughter], the bloated representatives of wealth, who are shouting loudest for democracy to-day, are trying to invest this particular time with a new form of democracy. [Laughter, cheers, and applause.]

A democracy that has attached to it as a cardinal principle not liberty, not equality, but profits! [Laughter, applause, and cheers.]

And, my friends, you can not enlist the thinking, intellectual, conservative population found upon the farms of this section of the country, which was known when I was a boy as the old northwest territory; you can not stir that population very deeply and very profoundly unless there is a profound reason for it. [Applause.]

And that profound reason, if you will be a bit critical and a bit analytical, you will find is due to the fact that the very men who are shouting at the top of their voices about democracy to-day are the men who have been pillaging the hard-working sons of toil, not only upon the farms but in the factories of the country. [Cheers and applause.]

Oh, fellow citizens, I welcome the advent of this organization, for I know full well that it has already secured a momentum that will carry it forward. [Cheers and applause.]

No orders from some secret-service employees, or from some Department of Justice, will be able to throttle this great movement that stands for real representative government. [Cheers and applause.]

Mr. President, ladies, and gentlemen, when I speak in this tone of voice do you hear me back there? [Laughter.]

Are you able to hear me when I talk in this tone of voice, back there in that alcove? [A voice from the audience: "Yes!"]

Well, all right. [Laughter.] I'll use just a little less voice, then. Because I want to be heard, and at the same time I want to save my voice. [Laughter.] I have got use for it. [Laughter and applause.] And I propose to use it. [A voice: "Good!"]

Our Constitution will never fail us for free speech! [A voice from the audience: "We don't take the Tribune, Bob!"] [Another voice: "Nor the Journal, either!"] [A voice: "We don't subscribe "——]

No—I don't take the political dope of any paper that serves interests hostile to representative government! [Applause and cheers.]

Now, fellow citizens, I came before you here to-night to talk to you particularly about this great movement that you have started up here, and to give you a word of encouragement. To bid you to be brave! Not to be intimidated because there may chance to be sneaking about here and there men who will pull back their coats and show a secret-service badge. [Laughter and applause.]

Until Bunker Hill is destroyed, until Little Round Top, and the Hornet's Nest at Gettysburg shall have been obliterated and relegated to oblivion, there shall still be free speech in this country! [Great cheering.]

Mr. President, I have stood all my life for law and order. [Cheers and applause.]

Twenty years ago this very season, at a little farmers' gathering in Ferndale, Wis., I opened the fight against corporate power in that State. [Cheers and applause.]

I was denounced then as the Nonpartisan League has been denounced now. I was denounced then as an iconoclast and a destroyer of conditions that ought to be preserved, just as some of the advanced thinkers of to-day are denounced for proclaiming, not a new doctrine, but the doctrine of Franklin and Adams and Thomas Jefferson. [A voice: "And Thomas Paine!"]

What was the kernel, what was the center of thought of the little speech that I delivered on that day? It was only this. That the corporations in Wisconsin were not paying their fair share of the taxes; and that they ought to be made to pay up just as the farmers and owners of homes! [Laughter.]

That was all. But that was considered "treason"! [Laughter.] Just as some things are denounced as disloyal to-day. [Laughter.]

But, fellow citizens, I didn't stop then, and I won't stop now! [Cheers and applause.]

I then, 20 years ago, was just working for justice and equality in government, in taxation; and, fellow citizens, I come from Washington directly here; and on the floor of the House of Representatives and in the Committee on Finance, the greatest committee of the Senate, I have been struggling for the same thing that I struggled for down at the Ferndale picnic in Wisconsin 20 years ago. [A voice: "We know it, Bob!"] [Cheers.]

There is not a shred of difference in principle. The only difference lies in the fact that where we in Wisconsin were considering thousands and hundreds of thousands in this great Government of ours, and in the times which we find ourselves now we are considering billions upon billions—beyond the power of the human mind to grasp. That is the difference. [Applause.]

A little handful of men in Washington have been demanding—only a little handful, mind you—have been demanding that taxation should be laid according to the principles that prevail wherever justice prevails, that taxation shall be laid according to the ability or the property to meet the taxes. [Applause and cheers.]

We have been contending for that principle in Washington, just as in a smaller way I was contending for that principle in the first speech made on the 27th of August, 1897, at a farmers' picnic in Ferndale, Wis., which opened the campaign that lasted through a decade and a half of time.

And, fellow citizens, the organization of the Nonpartisan League—and I come back to that, as I shall from time to time during the limited space that I can speak to you—the Nonpartisan League finds its birth and its reason for existence in the fact that the burdens of government are not equally laid upon the people of this country. [Cheers.]

I am going to put away all those notes that I had made to talk to you from. [Laughter.] [A voice: "Go ahead!"]

You organized a league in North Dakota. You could not enlist the sober, thinking men on the farms in this wonderful expansive country if you didn't have justice and right; if you didn't have a real grievance. For there are no men who think deeper, who reflect more soberly and conservatively, and I emphasize that word, more soberly and conservatively, than the farmers of this great country of ours.

I tell you, fellow citizens of our great and glorious country, when any considerable number of the farmers, the older, conservative population of this country, rise up in mass to demand a redress of grievances—look out! [Cheers and applause.]

There is something wrong. There is something radically wrong or you could not enlist them. Now, fellow citizens, we are in the midst of a war. For my own part I was not in favor of beginning the war. [Cheers and applause.]

I don't mean to say that we hadn't suffered grievances; we had—[a voice, "Yes!"]—at the hands of Germany. Serious grievances! [A voice: "You bet!"]

We had cause for complaint. They had interfered with the right of American citizens to travel upon the high seas—on ships loaded with munitions for Great Britain. [Laughter, cheers, and applause.]

Let me have the time; I have got to catch a train—unless I am stopped by somebody [laughter]; and I have never been stopped yet! [Laughter and applause.]

Cut it out. Let me have the time. I would not be understood as saying that we didn't have grievances. We did. And upon those grievances, which I regarded as insufficient, considering the amount involved and the rights involved, which was the right to ship munitions to Great Britain with American passengers on board to secure a safe transit. [Laughter and applause.]

We had a right, a technical right, to ship the munitions; and American citizens have a technical right to ride on those vessels. I was not in favor of the riding on them [laughter], because it seemed to me that the consequences resulting from any destruction of life that might occur would be so awful. [A voice: "Yellow!"]

What did you say? [A voice: "Yellow!"]

Any man who says that in an audience where he can conceal his identity is yellow himself. [Many cries: "Put him out!" "Put him out!"]

Sit down, everybody. I don't want any of that in an audience where I am speaking. [Cries of "Order!" "Order!"]

All I want is order. I will take care of everybody that interrupts if you will just give me the chance. [Cheers and applause.]

I say this, that the comparatively small privilege of the right of an American citizen to ride on a munition-loaded ship flying a foreign flag, is too small to involve this Government in the loss of millions and millions of lives. [Cheers and applause.]

Now——[A voice interrupting: "Where is the yellow guy now?" Another voice: "Give it to him, LA FOLLETTE!"] [Order!]

Now, fellow citizens, I didn't believe that we should have gone into this war for that poor privilege. [A voice: "Nobody else!"]

The right of an American citizen to travel upon a foreign vessel loaded with munitions of war. Because—— [Another interruption.]

Wait just a minute. Let me state my position. Because a foreign vessel loaded with munitions of war is technically foreign territory [cheers and applause] and an American citizen takes his life in his own hands, just as much as he would if he were on the territory of France and camped in the neighborhood of an arsenal! [Cheers and applause.]

Mr. President, it has sometimes occurred to me that the shippers of munitions of war, who were making enormous profits out of the business, invited and encouraged American citizens to ride on those ships in order to give a sort of semblance of safety to the passage of their profiteering cargo abroad. [Cheers and applause.]

But, Mr. President, we went into the war by the adoption by Congress of a declaration of war in constitutional form. [Applause.] I was not in favor of going into the war illegally.

I resisted the right to arm merchantmen when I knew that that would result in producing a condition that would bring about war without a declaration by Congress; and the Constitution says that Congress, not the acts of the President, shall bring on a war with a foreign government. [Cheers and applause.]

But war was declared, and lawfully declared.

It was not brought about by an unlawful and piratical arming of merchant ships. I had a little bit to do with stopping that on the 4th of March, and I put it to my everlasting credit that I was able to do it. [Cheers and applause.] We are in the war; and, at least, we are lawfully in the war.

Now, then, the war entails expenses. [Laughter.]

You can not run a war in these days without paying for it. [Laughter.]

It is a costly enterprise. Every one of the nations, the belligerent nations of Europe, are reeling under the financial burdens that war, this war of all wars in the history of the world, has laid upon them. Every one of the foreign nations up to last April, when we entered the war, had passed the line of safety, so far as ever being able to redeem their financial obligations were concerned. Every one except Great Britain. Whenever any government is paying out for its obligations more than—for its current obligations—more than 25 per cent of its income, that nation has passed the line where it is safe to loan to it. [Applause.]

Every belligerent nation in Europe last April except Great Britain had passed that line. Never—this is a triteism to say—never before in the history of the human race was a war in progress that so, day by day, hour by hour, moment by moment, sapped the very life blood, the financial life blood, of the existence of the nation as a stable entity.

And, fellow citizens, it behooves a nation to consider well before it enters upon a war of that sort how much it has got at stake. If all it has got at stake is the loans of the house of Morgan made to foreign governments and the profits that the munition makers will earn in shipping their products to foreign countries, then I think it ought to be weighed not in a common hay scale but in an apothecary's scale. [Laughter and applause.]

Ah, but somebody will tell you American rights are involved.

What American rights? The right of some person to ride upon a munition-laden vessel in violation of an American statute that no vessel that carries explosives shall carry passengers. [Cheers and applause.]

Four days before the *Lusitania* sailed President Wilson was warned in person by Secretary of State Bryan that the *Lusitania* had 6,000,000 rounds of ammunition on board, besides explosives; and that the passengers who proposed to sail on that vessel were sailing in violation of a statute of this country, that no passenger shall sail or travel upon a railroad train or upon a vessel which carries dangerous explosives. [Cheers and applause.]

And Secretary Bryan appealed to President Wilson to stop passengers from sailing on the *Lusitania*.

I am giving you some history that probably has not been given you here before. [Cheers.]

So, I say that the grievances that carried this country into war, into a war the limits of which, as to the loss of life, and the burdens, financial burdens, that shall be laid upon us, can not be calculated by any man—I say that the conditions that carried us into that war needed to be weighed carefully. I enunciate no new doctrine. I say what Daniel Webster said when the Mexican War was on at full tilt—that it is the right of the people of this country to determine for themselves whether there has been a sufficient grievance for the people to incur all of the burdens and risks that go with the entrance into war.

I have only got a few minutes more if I make my train. [A voice: "Cut out that train."]

No: I can't cut out the train. It involves another engagement. Just let me have all the time if you will be so good. I am going to use it in a way that I believe even the extremest man on the other side will say is loyal to the interests of the Government.

Fellow citizens, we are in this war.

We have got to finance it.

How shall we do it?

Now, let me say to you, that there are three ways of financing the war.

First, by raising all the money that the war costs by taxation, and paying the expenses of the war day by day as the war goes on. That policy of financing a war is called the plan of paying as you go.

The founder of the science of political economy was Adam Smith. No one has ever discovered a new principle involved in that science from the days of that wonderful man down to this hour to-night. And from Adam Smith down through the lines of great economists—Ricardo, John Stuart Mill, on down to the political economists of the present day, one and all, with such rare exceptions as to be unworthy of notice, one and all have said there is but one sound way of financing of war, and that is to impose taxes sufficient while the war is on to pay the expenses of the war. That you have no business, no right, to hand it on to other generations. The generation that makes the war should pay for the war. [A voice: "That's right!"] [Cheers and applause.]

But that is not all. That is not all. These great economists have said another thing, and it was the enunciation of a great economic principle, that is if you finance a war in any other way you impose a double burden not only upon the people of to-day, but upon the children of the next generation.

Let me explain that. I said there was one way of financing a war. There are three ways. That laid down by the great political economists at all times is that you should pay as you go; that you should levy enough taxes at the time to carry the expenses of the war. Of course, if you are going to do that you have got to put the taxes chiefly upon the wealth of the time. [Applause.]

Some people don't like that way. [Laughter.]

Then there is another way, and that is that you shall borrow, borrow, borrow, issue bonds. Mortgage the Government and the generations to come in order to pay the expense of the war. That is the opposite of paying as you go

Every time you issue bonds you inflate the currency and prices and you make it harder for the people of that particular time. And because you put a mortgage on it, a rate of interest not of the Government's choosing—for when the Government is in war and starts in upon the loan policy it can't fix the interest; it can not fix any of the conditions of the bonds. It goes to the money lender with its hat in its hand and says, What will you furnish the money for?

And the money lender—the wealth of the country—looks out for itself.

Show me in war or any time when wealth has been patriotic. When wealth has said, We don't care for interest or profits; we are going to take care of the country. Why, do you know that John Pierpont Morgan laid the foundation of his fortune—$25,000—by buying condemned rifles at $2.50 apiece and selling them back to the Government disguised a little bit at about $22.50? [Cheers.]

Do you know that the foundation of Vanderbilt's great fortunes, at least a great part of it—the fortune of the Vanderbilts; the commodore of the war time—do you know how that was made?

By picking up condemned ships for almost nothing and selling them to the Government for a good round price. [Laughter.]

Oh, fellow citizens, I wish I could stay with you all night. [Cheers and applause.]

Do you know that congressional committees in the days of the sixties were busy, busy, busy for months and years investigating the frauds perpetrated upon the Government by the wealth of the country seizing upon the dire necessities of this Republic to make fortunes out of it—out of those conditions?

And if you think the animal has changed its spots or shed its skin, go down to Washington and see! [Cheers and applause.]

So, fellow citizens, you have got to consider this thing, and that is the carrying of the burdens of the present war. How shall they be carried? Political economy says they shall be carried by paying as you go. The wealth of the country, that wants to make big interest out of long-time mortgages, especially on bonds, says pay the expenses of the war by borrowing. Now, there is not a bit of question but that the correct plan is to pay as you go.

Why, do you know that just about as soon as the war cloud began to show on the horizon, do you know that 350 of the greatest economists of the United States, representing the best universities and colleges of the country—your own among the number—petitioned Congress in a petition, the logic and power of which to me was irresistible, that this war should be financed by imposing taxes upon surplus incomes, war profits, and other sources of revenue, so that we should pay as we go? [Applause and cheers.]

That petition fell into the hands of the Philistines. And if it ever saw the light of day or ever was made the subject of comment upon the floor of either House, I venture to say that it was at the time I made the argument against the plan proposed in the tax bill just passed, and quoted largely from that petition in the making of that argument.

Fellow citizens, no war has ever been financed as Adam Smith and all of his successors have said it ought to be financed. Why? Why? Because wealth, wealth, is always potential in government, and wealth never wants war financed wholly by taxation, for the reason that wealth would have to pay the bulk of the taxes. Because the underlying principle of taxation is—and I repeat it—that the burdens of taxation must be borne according to the ability of the owners of property to bear the taxes. And so Rockefeller would have to pay more considerably than a farmer in North Dakota would. [Laughter and applause.]

So wars have never been financed upon sound economic principle. Wars have always been financed with a struggle with the people on one side and wealth on the other, wealth contending that the war should be financed by loans, the people contending that the war should be financed by taxation of wealth; and wealth always being more potential than the people.

I pray God, after the Nonpartisan League gets well under way, that that won't be the condition in this country. [A voice: "You bet it won't." Cheers and applause.]

But it has been the condition, and so most of the wars have been financed by both taxation and bond issues, and frequently the bond issues have been the largest part of the cost of the war.

But Great Britain more than any other great country in the world has financed her wars by taxation in proportion, in fair proportion, to bond issues. The greatest wars Great Britain ever participated in were the Napoleonic wars and the Crimean War. The Napoleonic wars were financed by Great Britain upon a 50-50 basis. Indeed, 52 per cent of the expense of the Napoleonic wars was paid by taxation and 48 per cent of the expense was carried by loans. In the Crimean War Great Britain paid practically an equal amount by taxation and by loans. But, fellow citizens, every government that has paid the majority of its expenses by loans instead of by taxation has paid a dear price for yielding to wealth as to the way the war should be carried out and financed.

For always and always in proportion as your loans exceed the amount of money raised by taxation, just in that proportion you swell the prices that the people have to pay during the war. Because the issuance of your bonds inflates the currency, and is followed always by accessory legislation, additional legislation, that accentuates that condition.

Now, what happened after we declared war? In view of this history, in view of the warnings of the great economists of the country that we ought, if we are going to proceed on a sound economic basis, that we ought to finance this war as largely as possible by taxation instead of bond issues, what happened? We passed the declaration of war. The die was cast. We are in the thing. We had to shoulder the financial burdens, awful as they are, that went with it. The first thing that high statesmanship required of this war was the making of a plan for the financing of the war as nearly sound in economic principle as possible.

John Sherman, of Ohio, the greatest financier that this Government ever produced, speaking after the Civil War upon a bill to refund some of the war debt at a lower rate of interest, said that the financing of the Civil War ought to have been at least on a 50–50 basis. That is, that at least one-half of it ought to have been raised by taxation instead of by dealing with the bondholders. But, fellow citizens, in this as in every other great crisis, the money power was too potential, and the Civil War was financed not upon a 50–50 basis; it was financed upon a basis that was about 30 per cent pay as you go and about 70 per cent—when you take the whole thing, covering the four and one-half year period—about 70 per cent of bond issues. But, fellow citizens, do you know that we struggled with the financial embarrassment that grew out of that wrong financing of the War of the Rebellion for a period of more than 30 years? The wrong financing of that war was in large measure responsible for the worst panic that ever shook this Government to its financial foundations. And you can never do an economic or financial wrong that you don't have to settle for it. And so, fellow citizens, those who were responsible for the bringing on of this war, it should have been their first care to see that it was as largely financed by taxation as possible. And there never was a time before in the history of the world when a war could be so justly and largely financed by taxation as this war. Why? Because never before in the history of the human race were great corporations making the enormous war profits that the corporations in this country have been making for the three years that the European war has been on and we have been at peace. And those enormous profits warranted the assessment of the very highest rates, the very highest percentages of taxation against the war profiteers in order that this war should be properly financed.

Fellow citizens, I am admonished that it is only 20 minutes to train time. I have got to go. I don't like to, but I have got to go. But I want to say a few words in conclusion to you.

We passed a bill that levies only 31 per cent, on the average, upon the war profiteers. And that, too, when the owners of these great profit-making concerns have had three years of the richest pickings that was ever known in the history of mankind. [Laughter.]

Eh? Yes: "Shame on Congress." And shame on the administration! for the administration approved of the bill. [Loud cheers.]

Congress has a heavy burden that it ought to bear, and I tell you it has got an awful lot of responsibility on it. It has not met its responsibility. It shirks almost everything. It takes what the administration sends down, looks at it cockeyed, and swallows it! [Cheers.]

Our forefathers, when they established this great Government of ours, said the safety of the Republic depended upon the independence of each of the departments as to the other departments—the judicial independ-

ent of the executive and the legislative; the executive department independent, under the sanctions of the Constitution, of the legislative and judiciary; and the legislative department absolutely independent of the executive and of the judiciary.

The legislative department was looked upon by the men who made this Government for us as the repository of the liberties of the people. It made the term of Members of Congress two years, so that they could bring them back home, look over their work, and if it was not satisfactory, elect other men in their places.

[A voice: We will remember that a year from now.]

Please, please, let me have the time.

Now, fellow citizens, I say that Congress has not met its responsibility. Let me give you one overshadowing instance of it, one that I want you to put on your hearts and minds and take home with you and reflect upon it.

Under the Constitution Congress has the right, the absolute right, to determine the objects and purposes of every war in which we engaged. [Applause.]

I am giving you the Constitution for it. Why, do you know that Abraham Lincoln, Daniel Webster, Charles Sumner, Henry Clay, and I *might* call the roll of all the great statesmen of that period, when the Mexican War was on, after war had been declared said they believed that the war was a wrongful war; they stood in the places in Congress and denounced the war. And Abraham Lincoln voted for a resolution to recall the American troops from Mexico. [Cheers.]

And yet in these days of 1917, with the flags all about us commemorating liberty—constitutional liberty—we are inhibited from even discussing this war, from even suggesting that there might be some way with honor and credit to our Government to terminate it and stop the awful slaughter and the awful expense. [Cheers.]

Let me say, in a word, if Abraham Lincoln was a patriot, if Daniel Webster was a patriot, if Clay and Webster and Lincoln and all the men of that time understood the Constitution and the rights of the people, you, the humblest one of you, have the right to discuss freely the question of whether this war might not be terminated with honor to the Government and the awful slaughter be discontinued.

I thank you for your patience. [Cheers.]

[The Senate of the United States, Committee on Privileges and Elections. In the matter of the investigation by the Senate of the United States of the charge made by the Minnesota Commission of Public Safety that on the 20th day of September, 1917, Senator ROBERT M. LA FOLLETTE made an address of "a disloyal and seditious nature" at a public meeting before a large audience at St. Paul, Minn.]

BRIEF IN BEHALF OF SENATOR ROBERT M. LA FOLLETTE.

(Filed by Hon. Gilbert E. Roe.)

STATEMENT OF FACTS.

On the 29th day of September, 1917, the Senator from Minnesota [Mr. KELLOGG] presented to the Senate a resolution adopted by the Minnesota Commission of Public Safety, which said resolution was as follows:

"Whereas Senator ROBERT M. LA FOLLETTE has made an address of a disloyal and seditious nature at a public meeting before a large audience at the Nonpartisan League convention in St. Paul on the 20th day of September;

"Whereas the utterances of Senator LA FOLLETTE, with all the prestige of his high office as Senator of the United States, made under protection of a guaranty by the president of the Nonpartisan League that no disloyal expressions would be permitted during the alleged conference between producers and consumers on the high cost of living, have already served to create treasonable sentiments in the State of Minnesota, and being spread through the public press can have no other effect than to weaken the support of the Government in carrying on the war: Be it hereby

"*Resolved*, That the Minnesota Commission of Public Safety respectfully petitions the Senate of the United States to institute proceedings looking to the expulsion of said ROBERT M. LA FOLLETTE from the Senate as a teacher of disloyalty and sedition, giving aid and comfort to our enemies, and hindering the Government in the conduct of the war; and be it further

"*Resolved*, That copies of this resolution, together with stenographic copies of said LA FOLLETTE'S speech, be forwarded to the President of the Senate and Senators NELSON and KELLOGG."

This resolution was thereupon immediately referred to the Committee on Privileges and Elections, of which the Senator presenting the resolution was a member. Senator LA FOLLETTE was temporarily absent from the Senate at the time of this proceeding, in attendance upon a meeting of the Committee on Finance, and had no information concerning the presentation of the resolution or of its reference to the Committee on Privileges and Elections until some time thereafter. He had no opportunity, therefore, himself to then move for an investigation of said charges either by special committee or otherwise. Thereafter the Committee on Privileges and Elections adopted a resolution authorizing a subcommittee thereof "to investigate the accuracy of the report of the speech delivered by the Hon. ROBERT M. LA FOLLETTE, United States Senator from the State of Wisconsin, September 20, 1917, before the Nonpartisan League at St. Paul; to investigate the accuracy of the statements made by the Hon. ROBERT M. LA FOLLETTE in said speech; and to report its findings to the full committee the first day of the next regular session of Congress, in December, 1917." The authority of the subcommittee of the Committee on Privileges and Elections to conduct the investigation was brought to the attention of Senator LA FOLLETTE for the first time in the course of the correspondence to which I shall now refer.

THE CORRESPONDENCE.

On October 5, 1917, the chairman of the Committee on Privileges and Elections wrote Senator LA FOLLETTE, inclosing what purported to be a copy of the speech made by the latter under the auspices of the Nonpartisan League at St. Paul, Minn. on the 20th day of September, 1917, and in said letter inquired whether the copy inclosed was "a correct copy of the speech made by you, and if it is not a correct copy will you kindly state wherein it is not correct and give us a correct statement thereof." On the same date Senator LA FOLLETTE replied to this letter advising the chairman of the committee that the purported copy of the speech inclosed with the chairman's letter was not a correct copy and assuring the chairman that he would comply with his request to furnish the committee with a correct copy at as early a day as possible. On October 11 following Senator LA FOLLETTE wrote the chairman of the committee advising him that a copy of the speech had been procured from the official stenographer who reported the meeting and inclosed the same, together with the explanation that certain interruptions from the audience, to which reply was made, did not appear in the speech, and offering to the committee the original transcript of the official report of the meeting in question. This letter explains that, as the transcript in fact shows, the speech was made extemporaneously, and that while Senator LA FOLLETTE had with him a few notes on the revenue bill recently under consideration by the Senate, upon which he expected to speak, there were various digressions in the speech caused by questions and suggestions from the audience. In this letter Senator LA FOLLETTE also requested to be advised whether the accuracy of any statements of fact in the speech was called into question; and if so, in what respect; and also inquired whether the Senator's right to make the speech was questioned. In this letter Senator LA FOLLETTE also stated that if an investigation was to be conducted he desired to be heard in person and by counsel and be allowed to cross-examine witnesses, and thereafter produce evidence in his own behalf if he desired. To this letter the chairman of the subcommittee replied, under date of October 12, 1917, that its powers did not extend to an inquiry into the right of Senator LA FOLLETTE to make the speech, such question being reserved for the consideration of the full committee, and that it had no authority to inquire into the causes which led to the publication of the grossly false reports of the speech, to which Senator LA FOLLETTE had called attention in his previous letter. The chairman of the subcommittee, however, in this letter invited Senator LA FOLLETTE to appear before it "to be heard and to inform the committee with reference to the accuracy of various statements contained in the speech." To this letter Senator LA FOLLETTE replied, under date of October 13, respectfully pointing out to the chairman of the subcommittee the fact that the procedure proposed required Senator LA FOLLETTE to support the accuracy of all statements in the speech in advance of any information that any of these statements were challenged or questioned by anyone, or, if any statements therein were challenged, without any specifications as to which ones were challenged, or in what respect, or by whom, or in what manner their accuracy was questioned.

On October 15, 1917, the subcommittee replied to Senator LA FOLLETTE'S letter of the 13th instant, stating the substance of the resolution of the Minnesota Commission of Public Safety and reciting the resolution of the Committee on Privileges and Elections appointing the subcommittee, which resolution has been previously quoted, and stating that with the assistance given to the subcommittee by Senator LA FOLLETTE in furnishing a copy of the speech in question the only other question which the subcommittee was authorized to investigate was "the accuracy of the statements contained in the speech." In this letter Senator LA FOLLETTE was informed that the next meeting of the committee would be held on the 16th instant at the committee room of the Committee on Privileges and Elections at 10.30 a. m., at which time Senator LA FOLLETTE was invited to be present to be interrogated by "each member" of the committee concerning "such portion of the address in question as to him may seem open to question." On the 16th day of October, 1917, Senator LA FOLLETTE appeared before the subcommittee and filed with it the letter of that date addressed to the chairman which appears in the correspondence. In this letter or statement Senator LA FOLLETTE asserts that as a matter of course he believed that all statements made by him in the speech were correct and accurate at the time he made them, and that he still believed them to be so. That if the correctness of anything he said in the speech was challenged by anyone he desired to know what statements were so challenged, and requested that he be allowed simply the plain rights accorded to all men in all proceedings which have for their object the ascertainment of the truth, to wit, the right to cross-examine witnesses produced against him, and thereafter the right, if he desired, to introduce evidence to meet that offered against him. He pointed out that every Senator and every man was entitled to have the statements made by him accepted as accurate, at least until some one appeared to question their accuracy, and that to deny that right to any individual or Senator would be an insult. Senator LA FOLLETTE in this letter again insisted upon his right to meet face to face and question any witnesses that might challenge the correctness of any statement made by him in the speech and to produce in his own behalf such witnesses and evidence, if any, as he deemed necessary or proper to controvert the adverse evidence offered, and he concluded by requesting the committee to make the investigation "thorough and complete to the end that it shall do justice to all participants and shall constitute an honorable precedent whenever so grave a matter as the proposed expulsion of one of its Members shall come before the United States Senate."

Thereafter the chairman of the committee advised Senator LA FOLLETTE that an adjournment of the proceedings had been taken to November 26, 1917, and on October 26, 1917, Senator LA FOLLETTE wrote the chairman of the subcommittee as follows:

"In order to be informed of the proceedings contemplated by your subcommittee at its next meeting, will you advise me:

"(1) Whether at the meeting of the subcommittee on November 26 any witnesses will be produced to testify to any inaccuracies of statement in the St. Paul speech; and if so, whether I will be accorded the opportunity to cross-examine such witnesses at that time or later if I think further time necessary to prepare for cross-examination after hearing the testimony in chief.

"(2) Whether any documentary evidence will be offered at that time to show any inaccuracies in the speech; and if so, whether reasonable time and opportunity will be given me to rebut the same.

"(3) Whether the subcommittee or its members have collected and will consider any evidence not offered and received at regular sessions of the subcommittee; and if so, whether such evidence will be submitted to me or my counsel if I desire it for inspection and thereafter reasonable time afforded me to reply to the same.

"(4) Has the subcommittee authority to compel the attendance of witnesses and the production of documents in my behalf, either at the next meeting thereof or at any adjourned meeting, if I desire to subpœna such witnesses and desire the production of records and documents after having learned what evidence, if any, the subcommittee has received to show inaccuracies or errors in said speech?

"The time fixed by you for the next meeting of the subcommittee is so close to the opening of the next session of Congress, when you advise me you are required to report to the full committee, that I respectfully suggest that the investigation would be greatly facilitated if you would furnish me a statement of the witnesses, if any, it is expected to call and the matters to which their testimony will be directed and a list of the papers or documents, so far as you may be advised, which the subcommittee expects to consider and which you may believe raise any question concerning the accuracy of any matters of fact stated in the speech. I wish that such statement or information might be in my hands at least a week before the next meeting of your subcommittee."

On November 5 the chairman of the committee replied to Senator LA FOLLETTE as follows:

"CANTON, OHIO, *November 5, 1917.*

"MY DEAR SENATOR: Your favor of the 26th ultimo received relative to the hearings to be held before the Subcommittee on Privileges and Elections on November 26, 1917.

"In reply I beg to say that our former correspondence relative to this subject indicates very clearly that you will be given full opportunity to examine and cross-examine witnesses and inspect documents. It seems to me that until the contrary appears it might be assumed that the subcommittee wants all the facts which are material and relevant to the issues before it and which may not be incompatible with the public interest to disclose. It can be assumed also that both the subcommittee and the full committee will base whatever conclusions they come to upon evidence which you will have an opportunity to examine and upon no other evidence.

"I do not have the correspondence which has passed between us here in Canton, but you have been advised that the inquiry of the subcommittee would be limited to two questions: First, Was the copy of the speech which was referred to the subcommittee an accurate transcript of the speech delivered, and, secondly, are the statements contained therein accurate?

"If after the witnesses are examined who may be called by the committee, it shall appear that further reasonable time is required by yourself or your counsel to produce other witnesses, or to further examine the testimony, I have no doubt it will be granted. In any event, I will make such request.

"In the absence of the other members of the subcommittee I do not deem myself authorized to make any further statement.

"Very sincerely.

"ATLEE POMERENE,
"*Chairman Subcommittee on Privileges and Elections.*

"Hon. ROBERT M. LA FOLLETTE,
"*United States Senate, Washington, D. C.*"

The balance of the correspondence merely shows that while Senator LA FOLLETTE was ready with counsel to proceed with the hearing on the 26th of November, 1917, and all subsequent dates to which the hearings were adjourned, the subcommittee, on its own motion, adjourned the hearing from November 26 to a subsequent date, and that the committee has, from time to time thereafter, adjourned said hearing without taking further action of any sort.

I have not attempted to set forth the full correspondence between the subcommittee and Senator LA FOLLETTE, which is, however, a matter of record and in the possession of the committee, but I believe that the foregoing faithfully summarizes the more important points thereof and sufficiently shows the history and present status of the proceeding.

POINT I.

The speech of September 20, 1917, affords no reason for expelling Senator LA FOLLETTE, and the charge of the Minnesota Commission of Public Safety based thereon is both frivolous and scandalous.

It is now nearly eight months since the charge of disloyalty based upon this speech was presented to the Senate. While Senator LA FOLLETTE had no opportunity at the time it was lodged with the Senate to move for an investigation of the charge for the reasons previously stated, he has, as the record shows, done what he could to expediate the hearings and bring the matter to a conclusion. Had the Senate or the members of the committee to which the resolution was referred even entertained a suspicion that the charge of disloyalty made against Senator LA FOLLETTE had the slightest basis in fact, the charge would long ago have been thoroughly investigated and appropriate action taken thereon. To suppose otherwise is to assume that the Senate is indifferent to the loyalty of its own membership in this great crisis of our Nation's life. I have no hesitation in affirming that if there were any Member of either House of Congress to-day whose unswerving loyalty and devotion to his country's cause was doubted, not one day would pass before a sweeping and thorough investigation would be made of such Member's loyalty.

But to pass over these baseless and wanton charges without appropriate action by the Senate would not only be a great wrong to Senator LA FOLLETTE but to the public as well, and would furnish a vicious precedent, from the evil consequences of which no Senator in the country would be safe. I have therefore collected and herewith submit the precedents which plainly declare the power and duty of the Senate in this case, and in connection therewith present a brief analysis of the speech alleged to be "disloyal" and "seditious" and to have created "treasonable sentiments" in the State of Minnesota. Before examining the speech, I invite attention to all the precedents established by the Senator so far as they have any bearing on this case, and also to the right of the citizens, and particularly Members of Congress, to criticize and, under some circumstances, to condemn the acts of the Government in time of war.

I shall take up no time in discussing the constitutional power of the Senate to expel a Member. It is provided in article 1, section 5:

"Each House may determine the rules of its own proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member."

The power of the Senate to expel a Member is limited only by the provision that it shall take a two-thirds vote to do it; otherwise all is left to the conscience and wisdom of the Senate. A two-thirds majority of the Senate may expel a Member for any reason or for no reason. No tribunal has been created to review its judgment in such matters. The sole remedy for abuse of this power rests with the people. The framers of the Constitution believed, and their belief has been justified by the uniform action of the Senate, that this power would never be exercised arbitrarily or captiously as the result of personal or political animosity. During the 130 years of the life of the Senate the principles have become well settled which control its action in cases where it is sought to expel a Member, and those principles are embodied in the precedents to which I now call attention.

1. The precedents.

a. The case of Humphrey Marshall.

The first case in which the Senate had occasion to consider its power to expel a Member was that of Humphrey Marshall, of Kentucky. This case is reported briefly in the compilation of Senate Election Cases from 1789–1913, Senate Documents, volume 9, page 168. See also history of this case in the transcript of the Senate proceedings, Annals of Congress, first session, Fourth Congress, 1795–96, pages 47–50; also Hinds' Precedents, volume 2, page 858.

It appears from the report of the above case that in February, 1796, the Vice President laid down before the Senate a letter from the governor of Kentucky and a memorial from the Representatives of said State, in which it was made to appear that Senator Marshall had been guilty of perjury in a proceeding in court. It appears that the court proceeding in question occurred several months before Mr. Marshall was elected to the Senate. The memorial or petition was referred to a special committee on motion of Mr. Marshall himself. The committee thereafter made a report exonerating Senator Marshall, which was adopted by a vote of 16 to 8. The principal propositions contained in the report were voted on separately and the whole document was carefully considered. The report is as follows:

"The committee to whom was referred the letter of the governor and the memorial of the Representatives of Kentucky, with the papers accompanying them, report:

"That the representatives of the freemen of Kentucky state in their memorial that in February, 1795, a pamphlet was published by George Muter and Benjamin Sebastian (who were two judges of the court of appeals), in which they say that Humphrey Marshall had a suit in chancery in the said court of appeals, in which it appearing manifest from the oath of the complainant, from disinterested testimony, from records, from documents furnished by himself, and from the contradictions contained in his own answer that he had committed a gross fraud, the court gave a decree against him, and that in the course of the investigation he was publicly charged with perjury. That Mr. Marshall, in a publication in the Kentucky Gazette, called for a specification of the charge, to which the said George Muter and Benjamin Sebastian, in like publication, replied that he was guilty of perjury in his answer to the bill in chancery exhibited against him by James Wilkinson, and that they would plead justification to any suit brought against them therefor. That no such suit, as the said representatives could learn, had been brought. The said representatives further say that they do not mean to give an opinion on the justice of the said charge, but request that an investigation may immediately take place relative thereto.

"Your committee observe that the said suit was tried 18 months before Mr. Marshall was chosen a member of the Senate, and that previous to his election mutual accusations had taken place between him and the judges of the said court relating to the same suit.

"The representatives of Kentucky have not furnished any copy of Mr. Marshall's answer on oath, nor have they stated any part of the testimony or produced any of the said records or documents or the copy of any paper in the cause, nor have they intimated a design to bring forward those or any other proofs.

"Your committee are informed by the other Senator and the two Representatives in Congress from Kentucky that they have not been requested by the legislature of that State to prosecute this inquiry, and that they are not possessed of any evidence in the case, and that they believe no person is authorized to appear on behalf of the legislature.

"Mr. Marshall is solicitous that a full investigation of the subject shall take place in the Senate and urges the principle that consent takes away error, as applying on this occasion, to give the Senate jurisdiction; but as no person appears to prosecute and there is no evidence adduced to the Senate, nor even a specific charge, the committee think any further inquiry by the Senate would be improper. If there were no objection of this sort the committee would still be of opinion that the memorial could not be sustained. They think that in a case of this kind no person can be held to answer for an infamous crime unless on a presentment or indictment of a grand jury, and that in all such prosecutions the accused ought to be tried by an impartial jury of the State and district wherein the crime shall have been committed. If, in the present case, the party has been guilty in the manner suggested, no reason has been alleged by the memorialists why he has not long since been tried in the State and district where he committed the offense. Until he is legally convicted the principles of the Constitution and of the common law concur in presuming that he is innocent, and the committee are compelled, by a sense of justice, to declare that in their opinion the presumption in favor of Mr. Marshall is not diminished by the recriminating publications which manifest strong resentment against him.

"And they are also of opinion that as the Constitution does not give jurisdiction to the Senate the consent of the party can not give it; and that therefore the said memorial ought to be dismissed.

"*Resolved*, That the Vice President of the United States is requested to transmit a copy of the foregoing report to the governor of Kentucky."

b. The case of William Blount.

The next case of expulsion dealt with by the Senate is that of William Blount, which occurred in 1797. This case is reported in compilation of Senate Election Cases, supra, page 1165; see also Hinds' Precedents, volume 2, page 813; also first session, Fifth Congress, Senate Journal, page 383; see particularly for the facts Blount's impeachment proceedings, Annals first and second sessions, Fifth Congress, volume 1, pages 39–45; Annals second and third sessions, Fifth Congress, volume 2, pages 2245–2416.

The proceedings against Blount originated in a letter written by him to one Carey, an employee of the United States Government, in the Indian Service, in the Indian Territory. The letter is published in the compilation of Senate Election Cases, supra, page 1167. The facts of this case can be found in the Annals of Congress referred to above, and show that William Blount, a United States Senator from the State of Tennessee, was engaged in a conspiracy with divers persons in this country and in England to rob the Indians of their lands, to debauch them by the sale of liquor, encourage and incite them to engage in hostile operation against the interests of the United States and the Government of Spain, to make false reports concerning the character and conduct of the United States officials charged with the duty of protecting the Indians, and to do all this in alliance with British agents, subjects of the country with which the United States had recently been at war. Blount neither admitted nor denied the charges, nor attempted in any way to defend himself against them, although he was accorded the privilege of being represented by counsel, and was furnished copies of all papers which were made the subject of investigation, and obtained various adjournments from the select committee appointed to consider the case. Under the circumstances there was nothing to do but expel him from the Senate, and this was accordingly done by resolution, which provided:

"That William Blount, Esq., one of the Senators of the United States, having been guilty of high misdemeanors entirely inconsistent with his public trust and duty as a Senator, be, and he hereby is, expelled from the Senate of the United States."

This resolution was adopted with only one dissenting vote.

c. The case of John Smith.

The next case in point of time was that of the Hon. John Smith, Senator from the State of Ohio, charged with complicity in the conspiracy of Aaron Burr. The case is reported in the compilation of Senate Election Cases referred to, supra, at page 1170. The history of the case is given in the Senate Journal, Tenth Congress, first session, with the report of the committee from the Annals of Congress (10th Cong., 1st sess., vol. 1, pp. 56–62, and the debate is found on pp. 39–42; also pp. 265–324). This case is also found in Hinds' Precedents, volume 2, page 815 and subsequent pages.

In this case the Senate, on November 27, 1807, adopted the following resolution:

"*Resolved*, That a committee be appointed to inquire whether it be compatible with the honor and privileges of this House that John Smith, a Senator from the State of Ohio, against whom bills of indictment have been found at the Circuit Court of Virginia, held in Richmond in August last, for treason and misdemeanor, shall be permitted any longer to have a seat therein; and that the committee do inquire into all the facts regarding the conduct of Mr. Smith as an alleged associate of Aaron Burr and report the same to the Senate."

See first session, Tenth Congress, Senate Journal, page 197, Annals 39. On December 31 following Mr. Adams, chairman of the committee, announced that the committee was ready to report, and made a motion, which was read and agreed to, "That John Smith, a Senator from the State of Ohio, be notified by the Vice President, to attend in his place." The Vice President accordingly notified Mr. Smith in the following words: "Sir, you are hereby required to attend the Senate in your place without delay. By order of the Senate. Signed, George Clinton, President of the Senate." Mr. Adams thereupon made his report.

In that report it is stated:

"Your committee are of opinion that the conspiracy of Aaron Burr and his associates against the peace, union, and liberties of these States is of such a character and that its existence is established by such a mass of concurring and mutually corroborative testimony that it is incompatible not only with the honor and privileges of this House, but with the deepest interest of this Nation, that any person engaged in it shall be permitted to hold a seat in the Senate of the United States. Whether the facts of which the committee submit here, with such evidence as under the order of the Senate they have been able to collect, are sufficient to substantiate the participation of Mr. Smith in that conspiracy or not will remain for the Senate to decide. The committee submit also to the consideration of the Senate the correspondence between Mr. Smith and them, through their chairman, in the course of their meetings.

"The committee have never conceived themselves invested with authority to try Mr. Smith. Their charge was to report an opinion relating to the honor and privileges of the Senate and the facts relating to the conduct of Mr. Smith. Their opinion, indeed, can not be expressed in relation to the privileges of the Senate without relating at the same time to Mr. Smith's right of holding a seat in this body, but in that respect the authority of the committee extends only to proposal and not to decision. But as he manifested a great solicitude to be heard before them, they obtained permission from the Senate to permit his attendance, communicated to him the evidence in their possession by which he was inculpated, furnished him in writing with the questions arising from the information, and explanations herewith submitted as a part of the facts reported."

The committee investigating the charges against Senator Smith, of which Senator John Quincy Adams, of Massachusetts, was chairman, was composed of the most distinguished Senators of that day, and its report deals extensively with the facts of the case and concluded with the following resolution:

"*Resolved*, That John Smith, a Senator from the State of Ohio, by his participation in the conspiracy of Aaron Burr against the peace, union, and liberties of the people of the United States, has been guilty of conduct incompatible with his duty and station as a Senator of the United States, and that he be therefore, and hereby is, expelled from the Senate of the United States."

The trial, argument, and debate on the case in the Senate occupied many days. The evidence, too voluminous to be here summarized, seems to leave no doubt that Senator Smith was an accomplice of Aaron Burr, and shows that the accused Senator was at least guilty of conspiring with Burr and others against the peace and union of the United States. Nevertheless, the resolution for expulsion failed to receive the necessary two-thirds vote and was not adopted.

Various cases of expulsion grew out of the Civil War. In a number of cases Members of the Congress simply went with their States when they seceded, and their expulsion was a mere matter of form. In other cases it was evident that the Senator's sympathy was entirely with the rebellious States, but in no case was a Senator expelled for expression of opinion, however strong, in favor of the justice of the Southern cause or the injustice of the cause of the North. It was only where some overt act of positive disloyalty, such as communicating with the enemy to his advantage or furnishing money or material aid to some one engaged in the rebellion, could be brought home to the Senator that he was expelled. The Senate was very careful to distinguish between overt acts and opinions, no matter how strongly the opinions may have been expressed. I will now call attention to two leading cases dealing with this distinction.

d. The case of Benjamin Stark.

Benjamin Stark was appointed Senator by the governor of the State of Oregon in 1861 and presented his credentials to the Senate in January, 1862. Some question concerning his loyalty was raised before Senator Stark was sworn in, but he was allowed to take the oath, and a committee of the Senate was afterwards appointed to investigate the charges of disloyalty against him. Much of the testimony relied on to unseat him was that taken in the State of Oregon to prevent his appointment, the taking of which was completed about November 21, 1861. The case is reported in Senate Election Cases, supra, page 284, and subsequent pages. The debates on this question will be found in the Congressional Globe, part 1, Thirty-seventh Congress, pages 696–697; also part 2, second session, same Congress, pages 988–994; also Congressional Globe, part 3, same Congress, page 2596.

The committee made a report on April 22, 1862, in which is found:

"First. That for many months prior to the 21st November, 1861, and up to that time the said Stark was an ardent advocate of the cause of the rebellious States.

"Second. That after the formation of the constitution of the Confederate States he openly declared his admiration for it and advocated the absorption of the loyal States of the Union into the Southern Confederacy under that constitution as the only means of peace, warmly avowing his sympathies with the South.

"Third. That the Senator from Oregon is disloyal to the Government of the United States."

A portion of the testimony upon which the committee based its findings is summarized in the report, as follows:

"In coming to the foregoing conclusion the committee cheerfully agree to the statement of the Senator in his answer, that 'as a Senator of the United States for the State of Oregon, I am entitled to and I claim every presumption of honor, integrity, loyalty, and patriotism that can be claimed by any other Senator until such presumption is overborne by competent testimony'; and they cheerfully accord to him all the force and benefit of such a presumption; at the same time they are forced, with pain and reluctance, to find such presumption overborne by the array of witnesses which testify in regard to his conduct and declarations. Thirteen witnesses, who are not only unimpeachable but are among the most respectable people of the city of Portland, where Mr. Stark resides, testify to the truth of the first of the foregoing propositions."

The report then sets out the names of the witnesses and, after some discussion of the testimony, proceeds:

"Although in his (Senator Stark's) communication to the Committee on the Judiciary, dated the 17th January, 1862, the Senator from Oregon declared 'that in a forum competent to try and determine the issue he should be able to prove the allegations against his loyalty to be utterly unfounded, and that in many important particulars the declarations of his assailants were false'; yet when an opportunity has been given to the Senator, upon his own motion, to send for persons and papers to disprove these allegations before a committee legally, if not otherwise competent, the Senator does not desire these witnesses to be put under oath nor to be reexamined nor cross-examined; nor does he offer any rebutting testimony or express a wish that any should be taken; nor does he, in his statement filed before the committee, so far as the committee remember, attempt to deny or impeach it—for while he says that the statements of Hull and Law are especially false, he makes no such allegation against these 13 witnesses or any one of them. He objects to no one of these witnesses because his statement was not made under oath.

"These witnesses, however, do not stand alone, nor does the finding of the committee on this proposition rest solely upon testimony given without the sanctity of an oath.

"Wesley C. Hull, upon oath, on the 18th November, 1861, says that, in the month of February previous, he heard Mr. Stark make use of the following language: 'If there is to be any war between the North and the South, all my property is for sale at 50 cents on the dollar, and I will go and help the South fight. The Palmetto flag is my flag; the Southern Confederacy is the only legal government in existence; that the United States Government is broken up; that Jeff. Davis is fighting in a good cause, and it will be impossible to defeat him'; that afterwards, upon another occasion, he heard the said Stark use the following language: 'The United States forces may fight the South from one end of their Government to the other, but it will amount to nothing; they will close up behind them, and they can not be conquered. The South is fighting in a good cause, for government and order, and they can not be conquered.'

"Henry Law, also on oath, says that he is acquainted with Mr. Stark; that as early as December, 1860, he heard Mr. Stark say he did not go one cent on the Star and Stripes; that the Palmetto flag was his flag, and if there was any issue between the North and South he would sell all his property and go South.

"A. M. Starr, also under oath, on the 20th November, 1861, declared that within the then last two weeks past he had heard Mr. Stark say that there was no United States Government; and also he heard Mr. Stark say, when the President first called for volunteers, 'that the United States Government could not support an army of 30,000 in the field for six months; that the people of the loyal States would not back up the administration in trying to put down this rebellion.'

"Thirty other witnesses, likewise under oath, say, on the 15th November, 1861, 'that Mr. Stark is well known and generally reputed to be an open and avowed friend to the Southern Confederacy as against the Union.'"

Other testimony was taken to the same effect and all substantially undisputed. A letter written by Senator Clark, in June, 1861, was also introduced, avowing substantially the same sentiments ascribed to him by the witnesses. In this letter he said:

"'Civil war can not avert disunion'; 'Subjugation can not prolong the Union'; 'To subjugate the South, were that possible, would be the establishment of a military despotism.'"

Upon the report of the committee, Senator Sumner introduced the following resolution:

"*Resolved*, That Benjamin Stark, a Senator from Oregon, who has been found by a committee of this body to be disloyal to the Government of the United States be, and the same is hereby, expelled from the Senate."

The Senate, however, by a vote of 16 for expulsion to 21 against, declined to agree to Senator Sumner's motion. (Cong. Globe, 37th Cong., pt. 3, p. 2596.)

e. The case of Jesse D. Bright.

Jesse D. Bright, Senator from Indiana, was expelled from the Senate in March, 1862, by a vote of 32 to 14. The case is reported in compilation of Senate election cases, supra, page 1200; Hinds' Precedents, volume 2, page 824, See for the debates, Congressional Globe, part 1, volume 3, second session Thirty-seventh Congress, page 89, and particularly pages 287, 391, 396, 413, 651, and subsequent pages.

The charge against Senator Bright was that of disloyalty and rendering aid to the rebel cause. It was based on the following letter, the authorship of which he admitted:

"WASHINGTON, *March 1, 1861.*

"MY DEAR SIR: Allow me to introduce to your acquaintance my friend, Thomas B. Lincoln, of Texas. He visits your capital mainly to dispose of what he regards a great improvement in firearms. I commend him to your favorable consideration as a gentleman of the first respectability, and reliable in every respect.

"Yours, very truly, JESSE D. BRIGHT.

"His Excellency JEFFERSON DAVIS,
"President of the Confederation of States."

When the foregoing letter became public, as it did through the arrest for treason of its bearer, Thomas B. Lincoln, Senator Bright, on September 7, 1861, wrote a second letter to J. Fitch, a friend at Madison, Ind., in which he sought to excuse or explain away the letter of March 1, 1861. In this second letter he said:

"No man regrets more than I the present condition of public affairs, or is more anxious to see peace, unity, and fraternity restored. I do not think the policy of that party is calculated to produce such results; so far from it, the inevitable tendency of its measures, in my opinion, is

to render the disruption permanent and incurable. And hence I have opposed, and so long as my personal convictions last shall continue to oppose, the entire coercive policy of the Government."

The movement to expel Senator Bright was led by Senator Trumbull, of Illinois, and Senator Sumner, of Massachusetts. Senator Bayard, of Delaware, and others opposed the expulsion. It is noticeable, however, that there was no dispute and practically little difference between the Senators concerning the principle which should be applied. The constitution of the Confederate States was adopted and Jefferson Davis elected President early in February, 1861 The question at issue was whether the letter of March 1 constituted an overt act and amounted to the giving of aid to the rebel government.

On this subject Senator Trumbull said (p. 395, Cong. Globe, vol. 1, 2d sess., 37th Cong.):

"On the 1st day of March, when the letter in question was written by the honorable Senator, this country was involved in a state of civil war Mr Davis, on the 21st of January, left his seat in this Senate to inaugurate civil war, with the open and avowed purpose of dissevering his connection with this Government and inaugurating a state of facts in the Southern Confederacy which should dismember this Union, and on the 1st of March he was known to the world, and must, of course, have been known to the honorable Senator from Indiana, to be engaged in the purpose of overthrowing the authority of this Government in one-half of its jurisdiction. Then, sir, according to the law of nations, he was a traitor to his Government, and upon any fair exposition of law might have been convicted of treason and have been executed for treason.

"What was the condition of the honorable Senator from Indiana? He was a member of this Government, sworn to maintain this Government against all attempts to overthrow it either by foreign or domestic enemies. That was his duty. To aid, to countenance Jefferson Davis in his purpose to overthrow this Government was what? Treason, of course. Any citizen of the United States who should lend to him encouragement in carrying on the war which he had begun would be guilty of treason as a matter of course; * * *.

"In the light of this principle—let us look at this letter and see what it proves. * * * You will perceive, first, that it is addressed to 'his excellency Jefferson Davis, president of the Confederation of States,' etc., and that of course, is an official recognition of his character. He recognizes him in the effort he is making to maintain an independent government within the jurisdiction and limits of the United States as legitimate, addresses him as if he acknowledges the success of his efforts and his attempts to establish such government. * * * And more, Mr. President, it is not only the language of friendships but it is the language of a courtier—'he visits your capital.' Not only does he recognize this usurper as a legitimate sovereign and head of a legitimate government, but he addresses him in the language of friendship and in court phrase—'your capital'—and he commends his friend to his favor. * * * Now, look at this letter. It is a letter of introduction to Mr. Davis in favor of the Senator's friend, Mr. Lincoln; and what was Mr. Lincoln to do? He was about to leave this capital of the United States to repair to the capital of Mr. Davis, who was in arms against his Government, to engage with him. His mission, therefore, was a mission of treason. The first step he made in advance was an overt act of treason. The honorable Senator knew that Mr. Davis was a traitor engaged in levying war. He knew that it was the purpose of this man Lincoln to join him and to aid him in his nefarious work in overthrowing this Government. He knew that, and he encouraged him to go and join Mr. Davis, giving him an introduction, a passport to Mr. Davis, and by using his great personal influence with his old friend to give him employment. I repeat, the mission of Lincoln was a mission of treason. The honorable Senator knew it He was bound there for the purpose of giving Davis aid and comfort and to enlist in his services; nay, more, sir, not only to enlist in his service but to furnish him above all things what he needed—arms. He commends him, if you will recur to the language, as a man who desires to 'dispose of what he regards as a great improvement in firearms.'"

Referring to the Bright case in subsequently discussing the Powell case (see Cong. Globe, pt. 2, 2d sess., 37th Cong., p. 1254), Senator Trumbull said:

"I do not propose to argue the case of the Senator from Indiana. The Senator from Indiana was guilty of an overt act. He corresponded with traitors. He addressed them as a government. He recommended to them a man with arms."

This was the view that finally prevailed with the Senate. But it is to be noted that Senator Trumbull, as well as Senator Sumner and the other Senators, were careful to say that so far as the second letter was concerned, while it manifested intense hostility to the Government in its efforts to suppress the rebellion, it afforded no basis for any action by the Senate.

Senator Trumbull said (see Cong. Globe, pt. 1, 2d sess., 37th Cong., p. 397):

"I tolerate the freest expression of opinion. I agree that any Senator may disapprove the acts of the administration, may disapprove the policy that is pursued to put down this rebellion; but when any Senator, or anybody else, does an act in favor of the men in arms against this Government, then I say he is giving aid and comfort to the enemy, and he becomes criminally culpable."

Referring to the second letter, Senator Sumner said (see Cong. Globe, supra, p. 415):

"I do not dwell on other topics of this second letter, because, though exhibiting bad temper and bad principles, they do not necessarily conduce to treason. The writer is welcome to express his 'utter contempt for abolitionism' and also to declare his early and constant opposition to what he calls 'the entire coercive policy of the Government.' Such declarations may render him an unsafe counselor, but they do not stamp him as a traitor. And it belongs to us, while urging this body of disloyalty in all its forms, to maintain at all hazards that freedom of speech which is the herald and safeguard of all other freedom."

When it is remembered that the second letter was written long after hostilities between the North and the South had actually begun, and "the coercive policy of the Government included all measures taken by the Government to put down the rebellion," it is apparent that even in the days of the fiercest passions of the Civil War the Senate never thought itself empowered to inquire into the utterances and acts of any Senator, except those involving some overt act of hostility to the Government.

The principles upon which the Senate proceeded, and concerning which there was substantial agreement, were stated by Senator Bayard, as follows (see Cong. Globe, vol. 1, supra, pp. 647, 648):

"The action of the Senate in all cases of expulsion must of necessity be judicial. I freely admit that by the terms of the Constitution the power of expulsion is absolute in two-thirds of the Members present constituting a quorum and that there is no restriction on the power expressed and no specification of the grounds on which expulsion must be based. It is none the less judicial action. It is the punishment of an individual by deprivation of an office which he is entitled to hold unless criminal misconduct is proved against him. You may expel by the mere two-thirds vote of the Senate without any cause whatever, but that would not be the rightful exercise but a gross and tyrannical abuse of power. The punishment of an individual for misconduct in any mode, whether by deprivation of office or otherwise, in all free countries must necessarily be a judicial question, whatever may be the forum or the body in which the decision is to be made. The forms of proceeding in courts of justice may be dispensed with; the mere model rules of evidence may not be essential, but the great leading principles of evidence in all judicial trials can not be abandoned without palpable injustice where punishment is to follow the sentence of any tribunal. I care not whether you call the offense charged criminal misconduct or a misdemeanor; there must be an alleged charge proved according to rational inference from the facts adduced in the case or else injustice must be done. Difference of opinion, however wide, no matter how exciting or grave a subject on which that difference exists, will not justify an expulsion, unless, indeed, the doctrine is to obtain that a political party, having a two-thirds majority in this Chamber, can rightfully crush all opposition to its general policy or its particular measure by this power of expulsion. In my judgment, such can never be a rational construction of the constitution of a free representative government, be that government a monarchy or a republic.

"Sir, the precedents are in accordance with this. In Blount's case the judgment of the Senate was nearly unanimous. It was on criminal misconduct charged and proved in this case.

"In Smith's case the charge also was for participation in a conspiracy to destroy the United States or to subvert its Government as to a portion of its territory. Not sympathy with Mr. Burr, nor intimacy with Mr. Burr but participation in his conspiracy was the charge in the resolution for the expulsion of Smith, on which the vote of the Senate was taken, but which failed on the yeas and nays by one vote.

"In both those cases the Senate allowed counsel to the accused, but he was charged with a distinct and specific act of criminal misconduct. It matters not whether the conduct of Blount amounted to a misdemeanor which could be reached by the statute law of the land, it was criminal misconduct proved in the case; and the action of the Senate was judicial. In the case of Smith it was not only criminal misconduct, but if true and proved, it was a crime under the statute law, and could also have been punished by the sentence of a court. Of the jurisdiction of the Senate in both these cases or in this I have no doubt. But, unless the action was intended to be judicial, it is impossible to suppose that the Senate on those resolutions for expulsion would have allowed counsel to be heard in defense of the accused. The whole course of the proceedings was also of a judicial character."

f. The case of Lazarus W. Powell.

The above case, the last I shall consider, and the last of the great Senate expulsion cases growing out of the Civil War, is instructive. It is reported in Hinds' Precedents, vol. 2, p. 827; Compilation of Senate Election Cases, supra, p. 1205; Congressional Globe, second session, Thirty-seventh Congress, pt. 2, pp. 1208–1234.

On February 20, 1862, a resolution was introduced in the Senate to expel Senator Powell, of Kentucky, based on the grounds among others that after the Confederacy had been formed and made war upon the United States he had presided at a convention in Kentucky and supported resolutions providing:

"2. That the war being now waged by the Federal Administration against the Southern States is in violation of the Constitution and laws, and has already been attended with such stupendous usurpations as to amaze the world and endanger every safeguard of constitutional liberty * * *

"That the recall of the invading armies and the recognition of the separate independence of the Confederate States is the true policy to restore peace and preserve the relations of fraternal love and amity between the States. * * *

"6. That we heartily approve the refusal of Gov. Magoffin to furnish Kentucky troops to subjugate the South; and we cordially indorse his recent proclamation defining the position of Kentucky, in accordance with the sentiment of her people, and forbidding the invasion of Kentucky by Federal or Confederate troops.

"7. That although Kentucky has determined that her proper position at present is that of strict neutrality between the belligerent sections, yet, if either of them invade her soil against her will, she ought to resent and repel it by necessary force."

Senator Powell's course in the Senate had also been one of consistent opposition to the war and all the war measures. Speaking on the revenue bill when it was up for passage on the 2d of August, 1861, he said (see Cong. Globe, pt. 2, 2d sess., 37th Cong., p. 1212):

"I have steadily voted against all appropriations to carry on this war I voted against the loan bill, and I have steadily voted against all war supplies. I cast those votes because I was opposed to the war; because I believe the war was calculated to eternally sever the States of this Union, and that it would result in no good, but manifest evil to every interest of the entire country. Having cast the votes I have, I can not conscientiously vote for this bill. I knew that the heavy amount of war supplies that were being voted by Congress would necessarily result in the most onerous taxation of the people. Those gentlemen who voted for those war measures, I suppose, can conscientiously vote for this bill; for the votes which they have given lead directly to it. Those who vote for war measures and war loans can properly vote for the taxes to raise the money to pay the debt. I have opposed the war having voted against the loan, having voted against the Army supplies, deem it my duty to vote against the bill, which I shall do."

Yet only 11 votes could be mustered in support of the resolution for his expulsion, while 28 votes were cast against the resolution.

2. The law of free speech.

From the time that the people demanded and secured the first amendment to the Constitution as a condition of ratification of that document there has been little controversy until the present time respecting freedom of speech and of the press. When the people wrote into the Constitution the first amendment providing that "Congress shall make no law * * * abridging the freedom of speech or of the press, or of the right of the people peaceably to assemble and petition the Government for a redress of grievances," they naturally felt from the language used that, so far as the Federal Government was concerned, the last word had been said on the subject. Until very recently it has been generally assumed that the Constitution meant what it said. So true is this that the Supreme Court of the United States has never had occasion directly to construe the free-speech clause of the Constitution.

In the case of Reynolds v. United States (98 U. S., 163) the Supreme Court approved the doctrine of the Virginia resolution of 1786, which provided:

"To suffer the civil magistrate to intrude his powers into the field of opinion and to restrain the profession or propagation of principles on supposition of their ill tendency is a dangerous fallacy which at once destroys all liberty, because he, being, of course, judge of that tendency, will make his opinions the rule of judgment and approve or condemn the sentiments of others only as they shall square with or differ from his own. It is time enough for the rightful purposes of civil government for its officers to interfere when principles break out into overt acts against peace and good order."

There appear to have been more decisions by the Federal courts of this country upon the free-speech clause of the Constitution during the past year than in all the 130 years preceding since the Constitution was adopted. The reason, of course, is that during the past year the right of the people to peaceably assemble and discuss public questions has been challenged as never before. That the Federal courts have, in the main, when the question has been presented, adhered to the ancient principles of a free press and free speech is both encouraging and reassuring. I shall take the space only to refer to a few of these cases.

These examples of the exercise of the right to criticize and denounce the Government cited under this and the next following subdivision of this brief are placed before you simply in order to show how very far anything Senator LA FOLLETTE is charged with saying comes from being objectionable under the decisions of the courts or the practice of the statesmen of this country. With the propriety or impropriety, wisdom or unwisdom, of such speeches and publications I have nothing to do.

The first case decided, I believe, on this subject since the war began was that of the United States v. Baker and Wilhide, in the United States District Court for the District of Maryland, decided on July 11, 1917, by Judge Rose, admittedly, I think, among the ablest district judges in the country. The charge against the defendants in that case was that of distributing literature and making speeches calculated to obstruct the operation of the draft law and discourage enlistments. The defendants were Socialists. The literature distributed was extremely violent in its denunciation of the war and the conscription law. One of the pamphlets, distributed at a public meeting called to promote enlistments, and entitled "The Price We Pay," contained, among other things, the following:

"Conscription is upon us; the draft law is a fact!

"Into your homes the recruiting officers are coming. They will take your sons of military age and impress them into the Army.

"Stand them up in long rows, break them into squads and platoons, teach them to deploy and wheel.

"Guns will be put into their hands; they will be taught not to think, only to obey without questioning.

"Then they will be shipped through the submarine zone by the hundreds of thousands to the bloody quagmire of Europe.

"Into that seething, heaving swamp of torn flesh and floating entrails they will be plunged, in regiments, divisions, and armies, screaming as they go. * * *

"Yesterday I saw moving pictures of the battle of the Somme. * * * *

"The hospital camps were shown, with hundreds and thousands of wounded men in all stages of pain and suffering, herded like animals, milling round like cattle in the slaughter pens.

"All the horror and agony of war were exhibited, and at the end a flag was thrown on the screen and a proclamation said:

"'Enlist for your country!' The applause was very thin and scattering, and as we went out most of the men shook their heads and said:

"'That's a hell of a poor recruiting scheme!' * * *

"It is the price you pay—you have rejected socialism. * * *

"This war, you say, is all caused by the Kaiser, and we are fighting for democracy against autocracy. Once dethrone the Kaiser and there will be permanent peace.

"That is what they said about Napoleon. And in the century since Napoleon was overthrown there have been more and greater wars than the world ever saw before.

"There were wars before Germany existed; before Rome ruled; before Egypt dominated the ages.

"War has been universal, and the cause of war is always the same. Somebody wanted something somebody else possessed, and they fought over the ownership of it.

"This war began over commercial routes and ports and rights, and underneath all the talk about democracy versus autocracy you hear a continual note, an undercurrent, a subdued refrain: 'Get ready for the commercial war that will follow this war.'

"Commercial war preceded this war; it gave rise to this war; it now gives point and meaning to this war.

"And as soon as the guns are stilled and the dead are buried commercial forces will prepare for the next bloody struggle over routes and ports and rights, coal mines, and railroads.

"For these are the essence of this as of all other wars!

"This, you say, is a war for the rights of small nations, and the first land sighted when you sail across the Atlantic is the nation of Ireland, which has suffered from England for three centuries more than what Germany has inflicted upon Belgium for three years.

"But go to it! Believe everything you are told—you always have, and doubtless always will, believe them.

"Only do retain this much reason: When you have paid the price, the last and uttermost price, and have not received what you were told you were fighting for, namely, democracy—

"Then remember that the price you paid was not the purchase price for justice, but the penalty price for your stupidity!"

Judge Ross, addressing the counsel and the jury before taking any testimony, said that he desired at the outset to make it clear what the issue was to be tried. Among other things, he said:

"Any man has a perfect right to any opinion he may see fit to form about any law that is proposed or about any law that is on the statute books. Any man may do anything, in itself legal, to secure the repeal of any law that is on the statute books. To that end he may make any argument that commends itself to his reason and judgment against the policy of any particular law, whether it be the law for selective draft or any other. And he is not answerable for the wisdom of his argument. He could not very well be so answerable and put on trial even for the good faith of some of them. I am afraid, if he could be, that most of the political orators in every campaign would be put on trial for the good faith of what they said about the other party."

And as the judge pointed out, there was one limit, and only one limit, and that was that one might not argue that a law should be violated, even though it was done under the pretense of arguing for the law's repeal. The sole question, as pointed out in various forms, was whether the defendants in anything that they did or said intended to persuade men to violate the law. And after the testimony was in, the court, in directing the jury to find a verdict of not guilty, said:

"You may have your own opinions about that circular; I have very strong individual opinions about it and as to the wisdom and fairness of what is said there, but so far as I can see it is principally a circular intended to get people to subscribe to some newspaper and to get recruits for the Socialist Party. I do not think that we ought to attempt to prosecute people for that kind of thing. It may be unwise in its effect, and it may be unpatriotic at that particular time and place, but it would be going very far, indeed, farther, I think, than any law I know of would justify, to hold that there has been made out any case here that there was an attempt to persuade men not to obey the law."

I have the certified copy of the opinion and indictment and one of the circulars, and shall be glad to submit same for examination if desired.

Judge Clarence W. Sessions, of the United States District Court for the Eastern District of Michigan, in the recent case of the United States v. Freeman, tried at Grand Rapids, Mich, October 19, 1917, set forth the same rule as that declared by Judge Rose. In that case it was charged that not only was the same pamphlet, "The Price We Pay," used to discourage enlistments, but also another one entitled "Proclamation and War Program," and the Socialist platform as well, which demands "continuous active and public opposition to the war." The evidence in the case was deemed sufficient to present some question of fact as to the intent. But in his charge to the jury Judge Sessions said:

"The distribution of literature here involved in itself and considered by itself is not unlawful. * * *

"Every citizen of the United States has a legal right to have and to express an opinion against the approval of any proposed or pending legislation, and to have and express an opinion favoring the repeal or modification of any law after it has been approved and adopted.

"Every citizen has the right to have and express any opinion opposed to the principle of conscription, either before or after the enactment of the selective draft or conscription act approved on the 18th day of last May.

"During April, May, and June of this year, and hence during the period covered by this indictment, every citizen had the right to criticize the Government and its policies, including the Government's declaration of war against Germany. He had a right to oppose conscription as a governmental policy. He had a right to use all lawful means and efforts, either in connection with a political party or as an individual, to secure the repeal of the conscription law or to assist in protesting against the continued existence of such law."

The latest pronouncement of the courts upon the subject, and probably the clearest and most complete, is that contained in the charge of Judge Augustus N. Hand to the jury in the case of United States v. Eastman et al., in the southern district of New York, delivered on April 25, 1918. I have procured the entire charge from the official reporter, which I will be glad to submit to the committee. I call particular attention to the following portions of the charge, which are unmodified by anything else in it, and which ably and correctly state the rule of law applicable alike to the humblest citizen and highest official in the land:

"I do not have to remind you that every man has the right to have such economic, philosophic, or religious opinions as seem to him best, whether they be socialistic, anarchistic, or atheistic, and that you should divorce yourselves from any prejudice you may have against any defendant by reason of proof of any such opinions on his part.

"Each defendant has the constitutional right of freedom of speech also, unless he violates the express law which he is accused of violating, no matter how ill timed, unsuited to your sense of propriety, or morally wrong his opinion, utterances, or writings may be. * * *

"Every citizen has a right, without intent to obstruct the recruiting or enlistment service, to think, feel, and express disapproval or abhorrence of any law or policy, or proposed law or policy, including the declaration of war, the conscription act, and the so-called sedition clauses of the espionage act; belief that the war is not, or was not, a war for democracy; belief that our participation in it was forced or induced by powers with selfish interests to be served thereby; belief that our participation was against the will of the majority of the citizens or voters of the country; belief that the self-sacrifice of persons who elect to suffer for freedom of conscience is admirable; belief that war is horrible; belief that the allies' war aims were or are selfish and undemocratic; belief that the Hon. Elihu Root is hostile to socialism and that his selection to represent America in a socialistic republic was ill advised.

"It is the constitutional right of every citizen to express his opinion about the war or the participation of the United States in it, about the desirability of peace, about the merits or demerits of the system of conscription, and about the moral rights or claims of conscientious objectors to be exempt from conscription.

"It is the constitutional right of the citizen to express such opinions, even though they are opposed to the opinions or policies of the administration and even though the expression of such opinions may unintentionally or indirectly discourage recruiting and enlistment."

These are the rights jealously defended and freely exercised by the great statesmen and devoted patriots of this country from the beginning of the Government down to the present hour.

At the risk of repeating what is already familiar to all members of the committee, I have ventured to bring together at this point some quotations from the great speeches of the leading men of our country made during times of great national stress and peril, to show how freely those rights have been asserted at such times.

3. Free speech as practiced in war times.

a. Of the Civil War.

As I have previously shown in discussing the precedents, it was freely conceded during the Civil War, as stated even by Senator Trumbull and Senator Sumner, that freedom of discussion must be maintained even in the midst of war, and that the right could not be challenged to disapprove the acts of the administration in power and even the policies pursued to put down the rebellion. It will be recalled that the national Democratic Party adopted a plank in 1864 strongly condemning the war. In its platform adopted in Chicago August 29, 1864, upon which George B. McClellan was nominated for President, it declared that—

"Justice, humanity, liberty, and the public welfare demand that immediate efforts be made for a cessation of hostilities, with a view to the ultimate convention of the States, or other peaceable means, to the end that at the earliest practicable moment peace may be restored on the basis of the Federal Union of the States."

Also—

"That the direct interference of the military authorities of the United States in the recent elections held in Kentucky, Maryland, Missouri, and Delaware was a shameful violation of the Constitution, and a repetition of such acts in the approaching election will be held as revolutionary and resisted with all the means and power under our control."

b. The Mexican War.

During the Mexican War the acts of the Government in prosecuting the war and the policy of the Government in declaring it were mercilessly condemned by men whose patriotism and devotion to their country's interest no one would think of questioning. It was a favorite device in that war, as it has been in all wars, for the war party to assert that anyone who opposed the declaration of war or any policy of the Government concerning the war was prolonging it, and for that reason was guilty of reprehensible conduct. It has remained, however, for the members of the various so-called defense committees and public-safety commissions of the present time to brand as treason and disloyalty all expressions of opinion in opposition to the war purpose or program of the administration. The most charitable thing that can be said of such men is that their zeal has far outrun their intelligence. Mr. Lincoln evidently did not feel that condemnation of the wisdom as well as the integrity of the administration during the Mexican War involved disloyalty or impropriety on his part. In the midst of the war and on January 12, 1848, in the House of Representatives, Mr. Lincoln bitterly assailed the whole war program of the President. Among other things, he said:

"Some, if not all, the gentlemen on the other side of the House, who have addressed the committee within the last two days, have spoken rather complainingly, if I have rightly understood them, of the vote given a week or 10 days ago, declaring that the war with Mexico was unnecessarily and unconstitutionally commenced by the President. I admit that such a vote should not be given in mere party wantonness, and that the one given is justly censurable, if it have no other or better foundation. I am one of those who joined in that vote; but I did so under my best impression of the truth of the case. How I got this impression, and how it may possibly be removed, I will now try to show. * * *

"Then he (the President) suggests the propriety of wheedling the Mexican people to desert the counsels of their own leaders and trust in our protection to set up a government from which we can secure a satisfactory peace, telling us that 'this may become the only mode of obtaining such a peace.' But soon he falls into doubt of this, too, and then drops back onto the already half-abandoned ground of 'more vigorous prosecution.' All this shows that the President is in nowise satisfied with his own positions. First he takes up one position, and in attempting to argue us into it he argues himself out of it; then seizes another and goes through the same process; and then, confused at being able to think of nothing new, he snatches up the old one again which he has some time before cast off. His mind, tasked beyond its power, is running hither and thither like some tortured creature on a burning surface, finding no position on which it can settle down and be at ease.

"Again, it is a singular omission in this message that it nowhere intimates when the President expects the war to terminate. At its beginning Gen. Scott was by this same President driven into disfavor, if not disgrace, for intimating that peace could not be conquered in less than three or four months. But now, at the end of about 20 months, during which our arms have given us the most splendid successes, every department and every part, land and water, officers and privates, Regulars and Volunteers, doing all that men could do and hundreds of things which it had ever before been thought men could not do; after all this this same President gives us a long message without showing us that, as to the end, he has himself even an imaginary conception. As I have before said, he knows not where he is. He is a bewildered, confounded, and miserably perplexed man. God grant he may be able to show there is not something about his conscience more plainful than al' his mental perplexity." (See Cong. Globe Appendix, 30th Cong., 1st sess., pp. 93–95.)

On January 2, 1848, Mr. Ashmum, of Massachusetts, in the House of Representatives, offered his amendment to the Houston resolution of thanks to Gen. Taylor. This amendment inserted in the resolution of thanks the words that the Mexican War was "unnecessarily and unconstitutionally begun by the President of the United States." The Ashmum amendment was adopted by a vote of 85 to 81, Mr. Lincoln voting with the majority. (See Cong. Globe, 30th Cong., 1st sess., p. 95.) A subsequent motion to expunge the amendment was lost by even a larger vote. It is to be recalled that Mr. Ashmum was made chairman of the Republican convention which met in Chicago and nominated Mr. Lincoln for the presidency on May 18, 1860.

Alexander H. Stevens, of Georgia, in a speech on February 15, 1847, while the Mexican War was at its height, said:

"The President has more than once told us that the war is not waged for conquest. Is there a friend of his on this floor who supposes that anybody familiar with the unparalleled duplicity of his administration will do the President the injustice to believe him. Every act of his toward Mexico before the war began and since the war began displays his policy too clearly to be mistaken." (See McMaster's History of the United States, p. 477; also Cong. Globe, 29th Cong., 2d sess., p. 401.)

It will be remembered that Congress was far more united in its declaration of the war against Mexico than it was in declaring the present war. There were but two votes in the Senate against the declaration of war, Clayton of Delaware and Davis of Kentucky. Senators Berrien, Calhoun, and Evans, being in their seats, did not vote. (See Cong. Globe, p. 804, 1st sess., 29th Cong.) There were 12 votes against the declaration of war in the House of Representatives. (See Cong. Globe, 29th Cong., 1st sess., vol. 3, p. 797, also p. 824.)

The President, in his annual message to Congress, December, 1846, took occasion to justify the declaration of war against Mexico which he had obtained from Congress on May 13, 1846, at its previous session, and pointed out the number of lawless acts perpetrated upon the property and persons of our citizens by Mexico and of wanton insults to our national flag. Of those who opposed the war the President said:

"The war has been represented as unjust and unnecessary, and as one of aggression on our part upon a weak and injured enemy. Such erroneous views, though entertained by but few, have been widely and extensively circulated, not only at home but have been spread throughout Mexico and the whole world. A more effectual means could not have been devised to encourage the enemy to adhere to their cause and thus give them aid and comfort." (See Cong. Globe, 29th Cong., 2d sess., p. 4.)

Charles H. Hudson, of Massachusetts, speaking in the House of Representatives, referring to the above-mentioned portion of the President's speech, said:

"I look with equal indifference upon the denunciations of the President and of his flatterers on this floor. I will speak my sentiments here or elsewhere, and I will speak them fully. If I believe the Executive is wrong in any of his measures, I will make the declaration. If I believe he has usurped power and trampled upon the Constitution of the United States, none of the denunciations or sarcasms of gentlemen on this floor will deter me from giving a full expression of these my views and feelings. Nothing, I say, that the President can say or do will deter me in any degree from a full and fair expression of my own opinions. Has it come to this, Mr. Chairman, that a President can arrogate to himself the war-making power, can trample the Constitution under foot, and wantonly involve the Nation in war, and the people must submit to this atrocity and justify him in his course or be branded as traitors to their country? Why, sir, if this doctrine prevails, the more corrupt the administration is, if it has the power or the daring to involve this Nation in a war without cause, the greater is its impunity, for the moment it has succeeded in committing that outrage every mouth must be closed and everyone must bow in submission. A doctrine more corrupt was never advanced; a sentiment more dastardly was never advocated in a deliberative assembly. Gentlemen who profess to be peculiar friends of popular rights may advance doctrines of this character, and they may be in perfect accordance with their views and feelings and in conformity with their democracy; but I have too much of the spirit which characterized our fathers to submit to dictation from any source whatsoever, whether it be foreign monarch or an American President.

"I believe, Mr. Chairman, that the first principal declaration contained in the message of the President—that the war exists by the act of Mexico and that we have taken all honorable means to prevent it—to be an untruth. * * *

"The message, Mr. Chairman, declares that the existing war with Mexico was neither desired nor provoked by the United States; on the contrary, all honorable means were resorted to to avert it! This declaration I believe to be absolutely untrue." (See CONGRESSIONAL GLOBE, Appendix, 29th Cong., 2d sess., pp. 49–59.)

The above quotations from Mr. Hudson are but typical of what was said freely in Congress and out of Congress and published freely in newspapers throughout the country. Indeed it appears that books and pamphlets of quotations from leading newspapers of the United States condemning the war policy of our Government were made up in Mexico and circulated among the people of Mexico to arouse them to oppose the invasion of American troops. (See CONGRESSIONAL GLOBE, Appendix, 1st sess., 30th Cong., p. 436.)

Joshua A. Giddings, of Ohio, in a memorable speech on the Mexican War, December 14, 1846, said:

"When the Members of the House met in this place two years ago the country was at peace, at profound peace, with all the world. Industry received its legitimate reward, agriculture and maintenance were flourishing and general prosperity was spread over the land. Then a great and sudden change came over our public policy; the party in power was seized with an inordinate desire to extend our territorial possessions, and thus, in the cant language of the day, 'to enlarge the area of freedom.' The party in opposition opposed it to the extent of their ability. Thus the two parties stood, on this great question, directly opposed to each other. But the extension policy prevailed, and in two short years a great and important change took place in our whole policy and condition. A foreign war of conquest now existed; the Nation was involved by it in a vast expenditure and in the guilt of deepest crimes. The people were called on to pour out their treasure and their blood upon a foreign soil. The result was just such as had been foreseen and distinctly foretold. * * *

"Mr. G. said he was aware that an idea was extensively indulged that whenever our country was engaged in war, be it just or unjust, every true-hearted American was bound to support it with all his power. He denied it utterly. For the present he would content himself with referring to the fact that the whole country were putting to each other the question, For what is our Army sent into the territory of a sister Republic and we taxed to carry devastation and bloodshed into the heart of a foreign country? What benefit is to result to us; what good to the world of mankind? These questions demanded an answer. The President had presented his plea of self-defense, but had left the question unanswered." (Cong. Globe, 29th Cong., 2d sess., p. 34.)

Mr. Calhoun made a memorable speech in the Senate of the United States on the Mexican War on February 24, 1847. At that time the war had been in progress for many months, and the military operations were proceeding rapidly. Mr. Calhoun had shown himself to be patriotic rather than partisan in opposing the war. Moved by a high sense of duty, he had determined to oppose the war, even though it cut him off from his former political associations and thwarted whatever political ambition he might possess. In the speech above referred to, among other things, he said:

"Every Senator knows that I was opposed to the war, but none knows but myself the depth of that opposition. With my conceptions of its character and consequences, it was impossible for me to vote for it. When, accordingly, I was deserted by every friend on this side of the House, including my then honorable colleague among the rest [Mr. McDuffie], I was not shaken in the least degree in reference to my course. On the passage of the act recognizing the war I said to many of my friends that a deed had been done from which the country would not be able to recover for a long time, if ever; and added, it has dropped a curtain between the present and the future, which to me is impenetrable; and for the first time since I have been in public life I am unable to see the future. I also added that it has closed the first volume of our political history under the Constitution, and opened the second, and that no mortal could tell what would be written in it. These deep impressions were made upon my mind because I saw, from the circumstances under which the war was made, a total departure from that course of policy which had governed the country from the commencement of our Government until that time; and that, too, under circumstances calculated to lead to most disastrous consequences. Since then less than a year has elapsed, but in that short period enough has already been developed to make what was then said look like prophecy." (See Cong. Globe, Appendix, 29th Cong., 2d sess., p. 500.)

History has fully vindicated the prophetic judgment of Mr. Calhoun. Whatever possibility of peaceable settlement of the slavery question previously existed were destroyed by the annexation of Texas and by the conquests of the Mexican War. It has been said that the Civil War was the awful price we paid for the unjust war provoked with Mexico. Be that as it may, it is certain that the events of the Mexican War and the conditions growing out of it led on naturally to the Civil War. If so minor an event, comparatively speaking, as the declaration of war against Mexico might properly raise forebodings in the mind of Mr. Calhoun and others, what must have been the possibilities of danger to

our country which presented themselves to the minds of the statesmen of the present day when the result of our entry into this war were considered. Is a Senator disloyal because he was unwilling to take the responsibility of voting for the declaration of war, with all its awful consequences, or because, since war has been declared, he is anxious to find some honorable and just means of escaping from it before this country is reduced, possibly, to the condition of the warring nations of Europe? Whatever may be the thought of the wisdom or unwisdom of those who believe the war could have been avoided or still believe that some peace is possible short of the annihilation of one or the other set of warring nations, it is certain that they are entitled to their opinions and are entitled to express them.

It can not be successfully claimed that the foregoing speeches were made under the protection of the privilege of the Senate or House of Representatives, for the speeches were widely published, and, moreover, equally strong condemnation of the administration was made in speeches outside the Congress and appeared in many newspapers throughout the country.

Charles Sumner, in a speech at Tremont Temple, Boston, November 5, 1846, said:

"The Mexican War is an enormity born of slavery. * * * Base in object, atrocious in beginning, immoral in all its influences, vainly prodigal of treasure and life, it is a war of infamy which must blot the pages of our history."

Mr. Webster, at Faneuil Hall, on November 6, 1846, speaking of the Mexican War, said:

"Mr. Chairman, I wish to speak with all soberness in this respect, and I would say nothing here to-night which I would not say in my place in Congress or before the whole world. The question now is, For what purposes and to what ends is this present war to be prosecuted? * * * It is time for us to know what are the objects and designs of our Government. * * * We are, in my opinion, in a most unnecessary and therefore a most unjustiable war."

Henry Clay, in a memorable address at Lexington, Ky., on the 30th day of November, 1847, answered completely and in his masterly manner the arguments sometimes heard to-day that being in war all power must be given to the President. Among other things, he said:

"Either Congress or the President must have the right of determining upon the objects for which a war shall be prosecuted. There is no other alternative. If the President possess it and may prosecute it for objects against the will of Congress, where is the difference between our free Government and that of any other nation which may be governed by an absolute czar, emperor, or king?"

McMaster's History of the People of United States, in Volume VII, page 497 and subsequent pages, gives various quotations from newspapers which condemn in the most violent language the conduct of the administration in the Mexican War. These publications appeared during the war.

In Great Britain there has been the same freedom on the part of the press and the public in condemning war policies, as we find has always existed in this country. It would be hard to parallel any denunciations of war in this country with the language used by Lloyd George, in 1901, in considering the Boer War. (See Du Parcq's Life of David Lloyd George, vol. 2, pp. 216, 217, and subsequent pages.)

The philippics delivered by Fox, Burke, and Chatham against the British Government for the prosecution of the war against the American Colonies are among the classics of English literature and familiar to every schoolboy, while the terrific indictment of his Government by John Bright for its part in the Crimean War was a work for which his name is now most honored by his fellow countrymen.

But it is idle to pursue this subject further. Even at the present day there is a strong minority in each of the parliaments of the warring countries of Europe frankly and openly opposed to the policies of their respective governments in this war. Hereto attached and marked Appendix I is a record of the votes against war credits in the German Reichstag and French Chamber of Deputies during the present war and in the House of Commons during the Boer War. I have not been able to find a record of opposition votes in the British Parliament during the present war. The votes given in the appendix are correct according to the legislative reference division of the Library of Congress.

As Appendix 2 to this brief I also attach quotations from German newspapers showing the frank and outspoken opposition to the war on the part of a portion of the German press.

c. The War of 1812.

The war was declared on the 18th day of June, 1812, and concluded by the treaty at Ghent on the 24th day of December, 1814. I shall not here review the distressing events which led up to the declaration of war against Great Britain in 1812. What was endured before taking up arms against Great Britain is well stated in the Garner and Lodge History of the United States, Volume III. In spite of this provocation, however, the Legislature of Massachusetts declared that the war was a "wanton sacrifice of our best interest." The House of Delegates of the State of Maryland, in a memorial addressed to Congress presented in the House of Representatives February 2, 1814, said, among other things, that they were—

"Convinced * * * that the war might have been avoided."

Also,

"That peace might be restored without dishonor to the country the present conjuncture seems to us highly favorable for a reconciliation with England, and it is fairly and honestly desired." (Annals, 13th Cong., 1st and 2d sess., vol. 1, pp. 1205, 1209.)

Hon. Morris S. Miller, a Representative in Congress from the Utica, N. Y., district, in the course of the discussion in the House of Representatives on the bill for the encouragement of enlistments, said:

"We have been told by honorable gentlemen on the other side of the House that, however much we may have been originally opposed to the war, it now becomes our duty to withhold our opposition and afford all the means in our power to carry it on with the utmost vigor. To this opinion I can not subscribe; it goes to the destruction of civil liberty and will not find advocates on this side of the House. This doctrine strikes at the vitals of your republican institutions. It amounts to neither more nor less than this: That a weak and wicked administration (I speak not particularly of the present men in power), finding the confidence of the people withdrawn and their power about to pass into other hands, have nothing to do but to declare war, and instantly all opposition must cease; the men who happen to be in place at the time of the declaration of war, however weak, however incompetent, and however profligate, must be supported at every hazard. To this doctrine I object, as it goes directly to the destruction of civil liberty. The people of this country, I am proud to say it, have an undoubted right to pass upon the conduct of public men and examine the tendency of public measures in war as well as in peace." (Annals, 13th Cong., 1st and 2d sess., vol. 1, p. 956.)

Hon. Abijah Bigelow, a Member of the House of Representatives from Massachusetts, speaking against the loan bill, February 9, 1814, said:

"I shall vote against it on the principle that it is to obtain money to prosecute a war of invasion and conquest—a war which has been as unwisely managed as it was improvidently declared. I shall vote against it on the principle that the measures which preceded and produced it were radically wrong." (Annals, 13th Cong., 1st and 2d sess., vol. 1, p. 1274.)

Hon. Timothy Pitkin, of Connecticut, speaking in the House of Representatives on the bill, said:

"Believing, as I do, that in this war of conquest we are sacrificing our men and expending our money without a prospect of any adequate advantage, I feel justified in voting against a loan of so many millions for this object." (Annals, 13th Cong., 1st and 2d sess., vol. 1, p. 1286.)

Hon. Cyrus King, a Member from Massachusetts, speaking in the House of Representatives upon an amendment to the bill to encourage enlistments in January, 1814, is reported as follows:

"Mr. King said it was not his wish to impede the recruiting service or throw any obstable in the way of it. Far from it. A responsibility, a deep responsibility, certainly rested with those who commenced the war, and every fair and honorable means they could take ought to be allowed them to carry on their war. Gentlemen are accused, said he, of departing from those principles which actuated our forefathers, because they oppose the measures now proposed. I ask the gentleman from Maryland who have, in fact, departed from them? Who are acting over again the former tyranny of the British Government against this people? Who are cutting off our commerce and depriving us of our accustomed modes of industry and support of our families? Against that tyranny we did defend ourselves in time of old, and we shall have no difficulty, when attempted, of again doing the same." (Annals, 13th Cong., 1st and 2d sess., vol. 1, p. 932.)

Hon. Daniel Sheffey, a Representative from Virginia, speaking in the House of Representatives for the bill to provide an additional military force, in January, 1813, said:

"It is said that war having been declared all considerations as to its policy or justice are out of the question, and it is required of us as an imperious duty to unite on the measures which may be proposed by them for its prosecution, and we are promised a speedy, honorable, and successful issue. Do gentlemen require of us to act against our convictions? Do they ask that we should follow with a reluctant step in the career which we believe will end in ruin? Or do they suppose that while on the simplest subject an honest diversity of sentiment exists on this complicated and all-important one our minds are cast into the same mold? Uniformity of action is only desirable where there is uniformity of sentiment, and that on most subjects will only exist where the mind is enchained by the fear which despotic power inspires.

"But it has been said that the obedience to the will of the majority is the first principle of representative government and enjoins what gentlemen require. Yes, sir, obedience to all constitutional acts is a high and commending duty on the part of the minority and the people, and all factious opposition is highly criminal. But this does not prevent anyone in the House or in the Nation to use every effort to arrest the progress of evil or to effect a repeal of measures injurious to the public interest. And how can this be done unless there is full liberty to think and to speak and act as our convictions shall dictate? If this be denied, then there is an end to free government. A majority never can be corrected. They are irresponsible and despotic; they may prepare the yoke when they please; we must submit to it in silence." (Annals, 12th Cong., 2d sess., vol. 3, p. 681.)

Daniel Webster, in a speech in the House of Representatives January 14, 1814, strongly opposing the policy of the administration in prosecuting the war of 1812, and particularly addressing himself to the attempt then made to discourage discussion of the war by those opposed to it, said:

"Important as I deem it to discuss on all proper occasions the policy of the measures at present pursued, it is still more important to maintain the right of such discussion in its full and just extent. Sentiments lately sprung up, and now growing fashionable, make it necessary to be explicit on this point. The more I perceive a disposition to check the freedom of inquiry by extravagant and unconstitutional pretenses the firmer shall be the tone in which I shall exercise it. It is the ancient and undoubted prerogative of this people to canvass public measures and the merits of public men. It is a 'home-bred right', a fireside privilege. It has ever been enjoyed in every house, cottage, and cabin in the Nation. It is not to be drawn into controversy. It is as undoubted as the right of breathing the air or walking on the earth. Belonging to private life as a right, it belongs to public life as a duty; and it is the last duty which those whose representative I am shall find me to abandon. Aiming at all times to be courteous and temperate in its use, except when the right itself shall be questioned, I shall then carry it to its extent. I shall then place myself on the extreme boundary of my right and bid defiance to any arm that would move me from my ground. This high constitutional privilege I shall defend and exercise within this House, and without this House, and in all places; in time of war, in time of peace, and at all times. Living I shall assert it, dying I shall assert it, and should I leave no other inheritance to my children, by the blessing of God I will still leave them the inheritance of free principles and the example of a manly, independent, and constitutional defense of them." (*See* Annals, 13th Cong., supra.)

4. Analysis of the speech of September 20, 1917.

It will be observed that the only question the subcommittee has ever had before it for consideration outside of procuring a correct copy of the speech, which Senator LA FOLLETTE furnished it, is "the accuracy of the statements contained in the speech." Up to the present time, at least, no evidence has been produced before the committee, of which we have any information, to show that any of the statements made in the speech are inaccurate, nor has the committee complied with Senator LA FOLLETTE'S request, repeatedly made, to specify any portions of the speech the accuracy of which was ever questioned by anyone. The resolution of the Public Safety Commission, which is the basis of this investigation, does not contain any charge or suggestion that any statement in the speech is inaccurate in point of fact. The charge is that the speech "is of a disloyal and seditious nature" and has "served to create treasonable sentiments in the State of Minnesota." Senator LA FOLLETTE has affirmed on this record that he believed all statements in the speech to be true at the time he made them and that he still believes them to be true. Nearly eight months have elapsed since the speech was made and no proof has been forthcoming that any statement in it was inaccurate, and certainly no suggestion has been made that Senator LA FOLLETTE did not believe, and have good reason to believe, in the accu-

racy of every statement made. In any discussion, therefore, based upon the present state of the record, we must assume the accuracy of the statements made in the speech or at least that Senator LA FOLLETTE believed and had good reason to believe in their accuracy when he made them.

Turning now to the speech in question characterized by the Public Safety Commission as "disloyal and seditious" and declared to have created "treasonable sentiments in the State of Minnesota," it will be found that there is not a word in it suggesting disloyalty or sedition, but, on the contrary, that the speech is highly patriotic and strongly and dramatically urges upon all citizens the duty of defending our Government and of perpetuating our institutions. It is not only the enemy from abroad whose attacks we must meet, according to Senator LA FOLLETTE, but the enemies in our own household. This address, it is to be remembered, was made before "a large audience" composed of the sturdy, intelligent, and independent farmers of the Northwest. The persons present were largely members of a nonpartisan organization formed to advance and protect the interests of the farmers. This was hardly the place one would naturally select to plot treason or to give expression to treasonable or seditious sentiments. Until these days of "public safety commissions," "loyalty leagues," and "vigilance committees," I had supposed that treason was a crime of darkness plotted in secret and its plans matured by stealth, but it seems, according to the charge of the Minnesota "Public Safety" Commission, that Senator LA FOLLETTE launched his disloyal and treasonable utterances before a large audience of that element of our people most earnest and most loyal and most intelligent in their support of our Government and our institutions. I observe from the first page of this speech that Senator LA FOLLETTE'S address was immediately preceded by the singing of our national anthem, to which he paid tribute with words of eloquence and fervor. I suppose that to the members of the Public Safety Commission this is only another evidence of a dark and devilish conspiracy on the part of the farmers of the great Northwest, aided and abetted by Senator LA FOLLETTE, to disrupt and destroy their Government in order that they might turn their farms and homes and their families over to an invading host of German enemies. I wish to treat quite seriously this charge against Senator LA FOLLETTE, for it has been dignified by being made the subject of an investigation by one of the great committees of the Senate of the United States, but, except for the standing which that charge has received by being noticed by a committee of the United States Senate, it would not, I believe, be treated seriously by anyone who has read the speech upon which it is based.

This address starts with the declaration that political parties have failed to give the people real representative government, and that is the reason why the Nonpartisan League has been called into existence. Emphasizing the importance and necessity for patriotism, Senator LA FOLLETTE said:

"Think for a moment for what Washington's army starved and froze at Valley Forge, warming their stiffening fingers at the meager camp fires! It was that we should have builded up here in this country of ours the one Government on this earth that should be truly representative of the people."

Senator LA FOLLETTE then passed rapidly in review the Granger movement and the fight made by himself in Wisconsin and by others in the Middle West to make our Government more representative of the people and to preserve liberty and justice in our laws. The fight over the revenue bill recently passed by the United States Senate was then taken up and the statement made that the little group of Senators who demanded higher taxes for war profits and excessive incomes were simply making the same fight that had been made in Wisconsin and other States of the Middle West to make wealth bear its fair share of the burdens of government. This naturally led up to the fact that we were in war and that the necessity of raising immense sums of money was occasioned by the war, and it is apparent that Senator LA FOLLETTE'S purpose merely was to deal with the war as a fact and consider the question of how the war should be financed. He frankly stated what is well known to everyone, namely, that he was not in favor of going into war, but he added, "I don't mean to say that we had not suffered grievances; we had [a voice, "Yes!"] at the hands of Germany. Serious grievances! [A voice: "You bet!"]

It is evident from the text of the speech that the person interrupting from the audience, knowing that Senator LA FOLLETTE had voted against going into the war, sought to embarrass him in his address by emphasizing the serious nature of the grievances which led a majority of the Congress to vote for the declaration of the war. Senator LA FOLLETTE then did what any ready speaker would do under the circumstances who wished to keep control of his meeting. He made a quick turn upon the interrupter from the audience, mentioning as one of our grievances the interference with our right to travel upon the high seas on ships loaded with munitions for Great Britain. Senator LA FOLLETTE did not say that this was our only grievance or that solely on account of this we went to war. He described this as a technical right and one which was too small to involve us in the awful consequences of this war. This discussion led to a further interruption from the audience, appearing near the top of page 15 of the speech, merely shown by the reporter's notes as "Another interruption." (Committee print.) As a matter of fact, as explained in the note of Senator LA FOLLETTE to the chairman of the committee accompanying the speech, and as is undisputed, this interruption consisted of some one shouting from the audience, "How about the *Lusitania?*" Senator LA FOLLETTE did not reply to this interruption for a moment, but he said, "Wait just a minute," and then completed his thought and a few sentences later, as shown by the text at the bottom of page 16 and top of page 17, stated that before the *Lusitania* sailed President Wilson had been warned by Secretary Bryan that she carried explosives and a large amount of ammunition, asserted by the Senator to be 6,000,000 rounds, and that it was in violation of a statute of this country to allow passengers to travel upon vessels carrying dangerous explosives, and that Secretary Bryan appealed to President Wilson to stop passengers from sailing on the *Lusitania*. Here again it is obvious that all this was said on the spur of the moment in reply to an apparently hostile critic from the audience. Now, this merely stated in detail what, in substance, was common knowledge at the time of the sinking of the *Lusitania*. The manifest of the *Lusitania* published at that time in the newspapers of the country showed that she carried a large quantity of ammunition, and a calculation will show that she carried the number of rounds of ammunition stated by Senator LA FOLLETTE. Carrying ammunition was as much a part of the business of the *Lusitania* at that time and of the other great English vessels as was the carrying of passengers. The people of this country, the Congress, and the administration in power, not only knew the practice but were divided upon the policy of permitting it. Secretary Bryan, as is well known, resigned from the Cabinet and gave publicly as one of the reasons for resigning the fact that the President would not warn passengers not to travel upon munition-laden ships.

One has but to recall the history of the sinking of the *Lusitania* and interviews given by the United States Senators and others at the time, published generally in the press, and the controversy which raged throughout the country over the wisdom or unwisdom of the President's policy in refusing to warn passengers not to travel on munition-carrying ships to be aware that the substance of everything that Senator LA FOLLETTE said on the subject was at that time common knowledge. If anyone disputes the accuracy of the specific statements made by Senator LA FOLLETTE in this matter and the committee thinks it important to take up the investigation of the question in such a way that the attendance of witnesses may be compelled and the production of documents required, Senator LA FOLLETTE will be pleased to submit the detailed proof of the facts stated, which proof will, I feel sure, satisfy the committee that every statement made by him was correct.

From this point the speech discusses the relative merits of taxation and bond issues as a means of financing the war, and it is so obviously a fair and candid discussion of the subject that I am unable to conceive that even the Public Safety Commission of Minnesota can find any portion of it open to criticism. From the first word to the last in his speech it breathes the spirit of loyalty and devotion to the institutions of this country and to the rights of the common people.

I am aware that when this speech was delivered a large portion of the press of the country misrepresented it and misquoted it. For example, the statement made in the speech that we had suffered serious grievances at the hands of Germany was utterly misquoted, and the statement went broadcast through the press of the country that Senator LA FOLLETTE had said, "We had suffered no grievances at the hands of Germany." In many other respects, also, the speech was glaringly misrepresented. The attack which Senator LA FOLLETTE frankly made in the speech upon those who were profiting largely from the war and escaping just taxation at the same time aroused great bitterness, and, I have no doubt, led to the filing of the charges in question. I suppose that at the time these charges were referred to the subcommittee, and certainly at the time the Senate referred them to the Committee on Privileges and Elections, few, if any, of the Senators had read a true copy of the speech, and this, I assume, accounts for the fact that the speech was even referred to a committee of the Senate for investigation. It is no doubt true that the sentiments expressed in the speech are displeasing to many persons and many interests, but the charge that it contains anything disloyal or seditious or anything that a Senator of the United States, or, for that matter, any citizen, might not properly say is grotesquely absurd. Significant of Senator LA FOLLETTE'S attitude of mind at the time he made the speech, what he did not say is as important as what he did say. Had he desired to embarrass the administration or to raise a doubt concerning the wisdom of the declaration of war he would have referred to the part played by Great Britain as well as by Germany in drawing us into the war.

The protests of our Secretary of State against the unlawful acts of Great Britain are a matter of record as much as are the protests against the unlawful acts of Germany. On the 4th day of April, 1917, Senator LA FOLLETTE made a speech in the Senate in opposition to the declaration of war. That speech shows on his part a complete mastery of the arguments against the declaration of war and a firm conviction that our Government should not declare war. I have heard that speech referred to by gentlemen not in agreement with Senator LA FOLLETTE as one of the ablest ever delivered in the Senate. It certainly marshals in a masterly manner the arguments against the wisdom of the declaration of war. Had it been the thought of Senator LA FOLLETTE in the St. Paul speech to express opinions opposed to the prosecution of this war, or even to the policies of the administration concerning it, he would certainly have stated those reasons against our going into the war which appealed to him as sufficient for opposing the declaration of war. Of course, he would have been entirely within his constitutional rights in so doing. This, however, was no part of the purpose of the speech, as any fair reading of it must show. In this speech to a sympathetic audience Senator LA FOLLETTE stated, as he has stated in the Senate, that the war must be accepted as a fact and dealt with as the best interests of our country and our people require. He did not pretend that he approved our going into the war, but asserted that we were in it in a lawful and constitutional manner and that it brought obligations to every citizen which must be faithfully discharged. The manner of discharging the obligation to raise the money to conduct the war was the theme of Senator LA FOLLETTE'S speech, and he turned aside from the thread of his argument merely to silence interruptions from the audience concerning the grievances which led us into the war, and the *Lusitania's* sinking, and spoke with self-restraint in so doing. The whole speech shows that Senator LA FOLLETTE did not even attempt to exercise the constitutional rights which he and every other citizen must have to express opinions about the wisdom or unwisdom of our participating in the war.

Was it unlawful for the *Lusitania* to transport at the same time passengers and dangerous explosives?

It may be urged that Senator LA FOLLETTE was in error in declaring that it was in violation of our statute to carry passengers and dangerous explosives at the same time on the *Lusitania*. Quite aside from the proposition that an erroneous view of the law is hardly a ground for expelling a Senator from the United States Senate, the fact is that in this, as in other respects, the statement made by Senator LA FOLLETTE was supported by undoubted authority.

In August, 1882, the Congress passed as chapter 374, law of 1882, an act entitled "An act to regulate the carriage of passengers by sea." That law has been continuously in force from that day to this. It was carried into the last compilation of the Federal statutes (see United States Compiled Statutes, 1916) and is found in sections 7997–8015 of such revision. Section 8 thereof, the section here material, is found in section 8005 of the revision. The statute is also carried in the pamphlet laws issued by the Department of Commerce in 1916, entitled "The laws governing the Steamboat-Inspection Service."

Section 8 of the passenger act of 1882, so far as is here material, is as follows:

"That it shall not be lawful to take, carry, or have on board of any such steamship or other vessel any nitroglycerine, dynamite, or any other explosive article or compound, nor any vitriol or like acids, nor gunpowder, except for the ship's use, nor any article or number of articles, whether as cargo or ballast, which, by reason of the nature or quantity or mode of storage thereof, shall, either singly or collectively, be likely to endanger the health or lives of the passengers or the safety of the vessel."

If we go no further than the manifest of the *Lusitania* as published in the press of this country on May 8 and 9, 1915, we find that the *Lusitania* was carrying 4,200 cases of "cartridges and ammunition"; 1,271 cases of "ammunition," besides a large quantity of "military goods." Knowing the minimum amount of gunpowder a cartridge carries and the number of cartridges in a case, it is easily ascertained that the cartridges alone on board the *Lusitania* contained many tons of gunpowder, not to mention the other "ammunition" referred to.

That gunpowder, although inclosed in the metallic case of a cartridge, especially when carried in such quantities, comes within the prohibition of the above statute is neither open to question under the language of the statute nor according to the decisions of the court.

In United States v. Giordani (163 Fed., 772) the precise question was before Judge Chatfield, Circuit Court of the Southern District, New York. The case was decided June 1, 1908. At that time section 4476 of the Revised Statutes was in force. That section provided:

"Every person who packs or puts up, or causes to be packed or put up for shipment, any gunpowder, nitroglycerin, camphene, naphtha, benzine, benzole, coal oil, crude or refined petroleum, oil of vitriol, nitric acid or other chemical acids, oil or spirits of turpentine, friction matches, or other articles of a like character, otherwise than as directed by the preceding section, or who knowingly ships or attempts to ship the same, or delivers the same to any such vessels as stores, unless duly packed and marked, shall be deemed guilty of a misdemeanor, and punished by a fine not exceeding $2,000 or imprisonment not exceeding 18 months, or both; one-half of the fine to go to the informer and the articles to be liable to seizure and forfeiture."

The defendant was indicted for violating the above statute. In the opinion it said: "The defendant has been indicted for (1) knowingly unlawfully attempting to ship as merchandise upon the steamer called the *Gracia* certain casks containing rifle cartridges, each cartridge containing 70 grains, in some cases, and in others 40 grains of gunpowder. * * * (2) For knowingly and unlawfully attempting to ship gunpowder and other articles of like character not duly packed and marked—that is to say, certain cartridges—both indictments being made under the provisions of section 4476 of the Revised Statutes of the United States (U. S. Compiled Stats., 1901, p. 3052). * * * As will be shown later, the defendant contends that cartridges are not included in the statutory term 'gunpowder.'"

The *Gracia* was a foreign vessel, and the defendant claimed that the provisions of section 4476 did not apply to the transaction. After disposing of this question, and upon a careful review of the statutes, holding that the statute applied even though the *Gracia* was a foreign vessel—apparently a freight boat—the court said:

"The further objection that cartridges are not 'gunpowder' but a manufacture of brass and gunpowder does not seem to be well founded. Not only does the United States Government so classify cartridges in its regulations for the carrying of explosives under authority of section 4422 of the Revised Statutes, but the fact that no chemical or physical change of substance has occurred and that the brass envelope, while it protects, does not affect the substance in any way shows that this classification is correct."

The St. Paul speech, for convenience of reference, is hereto attached, marked "Appendix 3," and I have inserted in it the corrections noted by Senator LA FOLLETTE in the letter of October 11 last to the committee, transmitting a copy of the speech.

POINT II.

Since the speech of September 20, 1917, affords no reason for expelling Senator LA FOLLETTE, the charges of the Minnesota Commission of Public Safety must be dismissed.

I believe that I have demonstrated from the precedents of the Senate, from the decisions of the courts, and the uniform practice of our people that nothing was said by Senator LA FOLLETTE in his speech of September 20 last at St. Paul which can be construed into opposition to the acts of war policies of the present administration and that he would have been entirely within his rights had he expressed opposition to both. He did not say that the war was unconstitutionally begun by the President, as Mr. Lincoln and a majority of the House of Representatives declared the Mexican War was begun, and declared it, too, in the midst of that war. On the contrary, Senator LA FOLLETTE said that the present war was constitutionally begun and emphasized that fact. He did not say, as Mr. Lincoln and the others said of the Mexican War, that the present war was even unnecessarily begun by the President. On the contrary, he said that we had grievances and serious grievances against Germany which led us into the war. Senator LA FOLLETTE said that with all our grievances, and serious though they were, he regarded them as insufficient justification for our entry into the war, considering the awful consequences which this act was certain to involve. Senator LA FOLLETTE in no way sought to place the responsibility for this war upon the President, as Mr. Lincoln and the other eminent statesmen from whom I have quoted, placed responsibility for the Mexican War upon the then President, Mr. Polk. Senator LA FOLLETTE made no attack upon the integrity or honesty of purpose of the President or his administration, as Mr. Lincoln attacked the honesty of purpose of Mr. Polk and his administration in the Mexican War. There is not a word in the St. Paul speech which questions the motive of any public official who had any responsibility for the war program or war policy of the administration. Yet, I assert, after a careful reading of the history of all the wars in which this country has been engaged, that no man had ever been attacked and assailed by a war party and a war-mad press as Senator LA FOLLETTE had been attacked even prior to the St. Paul speech. In the St. Paul speech, as always, Senator LA FOLLETTE'S condemnation was of measures not men, of policies that he believed to be wrong, not the individuals immediately responsible for those policies for he knows how unjust it is to hold an individual responsible for a bad policy who is often himself merely a victim rather than the authority of such a policy.

Senator LA FOLLETTE came to St. Paul and made the speech of September 20 directly from his work in the Senate, where for weeks, and I believe months, he had been laboring night and day to increase the amount which excess profits and surplus incomes would contribute to the expenses of this war. He spoke to the people with directness and great earnestness concerning what he believed to be the wrong policy of the majority of Congress upon this subject, but he said only what he had a right to say, only what, believing as he did, it would have been cowardly and unpatriotic not to say. I ask that the members of this committee will put beside anything that Senator LA FOLLETTE said in the St. Paul speech the statements during the time of war made by Mr. Lincoln, Mr. Webster, Mr. Clay, and others in condemnation of the war policies they were discussing, and then determine whether anything Senator LA FOLLETTE said is fairly open to adverse criticism.

Whether Senator LA FOLLETTE was right or wrong in opposing the declaration of war, whether he was right or wrong in opposing the passage of the draft law, whether he was right or wrong in the causes which he believes led us into the war, whether he is right or wrong in his views concerning the financing of this war, is immaterial. He had a right to his views, and he had a right to express them, precisely as any Senator of any citizen has a right to express his views upon the same questions.

I assume, therefore, that however fundamentally any other Senator may differ from Senator LA FOLLETTE, there is and will be no thought in the minds of any of criticizing, of censuring, Senator LA FOLLETTE for any expressions in the St. Paul speech. It would be strange indeed if the policy should be adopted in the Senate of the United States that the majority might condemn expressions of opinion by the minority made outside of the Senate and not in the discharge of legislative duty.

No question of censure can arise in this case, however, for under the Constitution no such power exists in the Senate. Under section 5 of Article I, previously quoted, the Senate may do two things:

1. It may by a two-thirds vote expel a Member for any reason or for no reason.

2. It may punish a Member for disorderly behavior.

The "disorderly behavior" for which each House may punish its Members, as provided in the foregoing quoted portion of section 5 of Article I of the Constitution, is some sort of misbehavior committed by the Member in the presence of the House, or, in any case, it must be conduct which directly obstructs the action of the House in the performance of its legislative duties.

In Rawle on the Constitution, second edition, page 47, it is said:

"It has not yet been precisely settled what must be the disorderly behavior to incur punishment, nor what kind of punishment is to be inflicted; but it can not be doubted that misbehavior out of the walls of the House, or within them, when it is not in session, would not fall within the meaning of the Constitution. Expulsion may, however, be founded on criminal conduct committed in any place, and either before or after conviction in a court of law."

In Kilbourne v. Thompson (103 U. S., 168, p. 189) it is said:

"As we have already said, the Constitution expressly empowers each House to punish its Members for disorderly behavior. We see no reason to doubt that this punishment may in a proper case be imprisonment and that it may be for refusal to obey some rule on that subject made by the House for the preservation of order. So also the penalty which each House is authorized to inflict in order to compel the attendance of absent Members may be imprisonment, and this may be for a violation of some order or some standing rule on that subject."

As said in the same case, page 182, referring to the same provisions of the Constitution:

"These provisions are equally instructive in what they authorize and in what they do not authorize. There is no express power in that instrument conferred on either House of Congress to punish for contempts."

As held in the Kilbourne case, supra, the analogy to the power of the English Parliament in this respect which is sometimes drawn is erroneous, because the latter was formerly a judicial body and has the inherent power of a court to punish for contempt. Indeed, the Kilbourne case leaves it doubtful whether either the Senate or the House takes any power to punish by implication as necessary to a successful exercise of the legislative function.

This whole subject has been recently considered by the Supreme Court of the United States in Marshall v. Gordon (243 U. S., 521). In that case Marshall, United States district attorney for the Southern District of New York, was arrested on a warrant from the House of Representatives, having been declared by the House guilty of contempt of that body on account of a letter written and statements made by said Marshall concerning the conduct of a committee appointed by the House of Representatives to inquire into certain official conduct of the said district attorney. Marshall applied for discharge on habeas corpus, and the correctness of the judgment of the district court refusing such discharge was the question presented on the appeal to the Supreme Court of the United States. The Supreme Court held that the House of Representatives had no power under the Constitution to declare the conduct of the district attorney in writing the letter in question contempt of its authority and to inflict punishment upon the writer for such contempt. The point of the decision is that the only power the House has to punish for contempt is that necessary to self-preservation to enable it to perform its functions as a legislative body. In so far as the power to punish for contempt is necessary to enable the House to carry on the work of legislation it has such power, but it has absolutely nothing beyond that. As stated in the opinion, page 542, such power "rests only upon the right of self-preservation; that is, the right to prevent acts which in and of themselves inherently obstruct or prevent the discharge of legislative duty."

All of this is said concerning the power of the House to punish one not a Member of that body, but it applies with even greater force to a Member for reason that in the latter case the Constitution plainly specifies the misconduct for which a Member may be punished, and, as said in the Kilbourn case, this provision of the Constitution is not more instructive in what it authorizes than in what it does not authorize.

In the Marshall case, supra, the court says (p. 536):

"No power was expressly conferred by the Constitution of the United States on the subject (punishment for contempt) except that given to the House to deal with contempt committed by its own Members. (Art. I, sec. 5.) As the rule concerning the Constitution of the United States is that powers not delegated were reserved to the people or to the States, it follows that no other express authority to deal with contempt can be conceived of."

The Constitution having specified "disorderly behavior" as the sole ground upon which each House may punish its Members, besides of course its power to punish for violation of its rules, it follows that every other ground or cause of punishment is excluded. Expressio unius est exclusivo alterius. But even if it were admitted that in the case of Members the House took by implication some power to punish, it is obvious that such power can not go beyond preventing the obstruction of the performance of the legislative duty of that body. However irritated, indignant, or offended any Senator may be by the speech in question, the Constitution has wisely withheld from the Senate any power to punish a Member merely because in a public address outside the Senate he may make remarks which Senators believe will have an ill effect upon the public mind, or which for any cause arouses their indignation or resentment.

In concluding this argument, already much too long, I only desire to say that I have discussed this case as though the charges considered were made against the humblest private citizen in the land. I

have claimed nothing for Senator LA FOLLETTE by reason of his long record of devoted service to the public interest, as attested by his official acts not only as a Member of the United States Senate for many years but as a Member of the House of Representatives for six years and as three times governor of his State. I have not questioned the purpose or motive of those making the charges here under consideration. I confess that it has not been altogether easy to pursue this course. When one recalls the work of Senator LA FOLLETTE in private as well as public life in behalf of democratic government and just laws, unmarred by any selfish purpose or desire for personal gain, it is hard to consider dispassionately the charge of disloyalty—the most serious that can be made against any man—lodged against him by the Minnesota Commission of Public Safety. It is true that all the newspapers of the country served by the Associated Press the day after the speech entirely misquoted Senator LA FOLLETTE, as proved by the record, and made him say the very opposite of what he really said concerning our grievances against Germany which led to the war. It is true this falsehood has been repeated and multiplied during all the months that have since elapsed and has been cunningly used to procure votes of condemnation from various individuals and bodies throughout the country. Through all this Senator LA FOLLETTE has remained silent. He has felt that this proceeding before this honorable committee was at least quasi judicial in character and that a decision should be arrived at uninfluenced by anything except the facts and the law as presented to this committee. Even if Senator LA FOLLETTE had said the things he is charged with saying, he would have been entirely within his rights, as I believe has hereinbefore demonstrated; but when what he actually said is considered it is seen how wholly unsupported is the charge of "disloyalty." It is only by distorting the impromptu retorts of Senator LA FOLLETTE to the interruptions from the audience into a complete discussion of the intricate causes of the war that anything can be found in the speech to which the most zealous partisans of the administration can object. But under any construction possible to put upon it, it does not even approach to an improper discussion of the war.

There never was a more baseless attack made upon the character and reputation of a public man than that made upon Senator LA FOLLETTE by the filing of the charges in question.

I respectfully submit that this honorable committee should promptly report said charges to be wholly unfounded.

GILBERT E. ROE.
Attorney for Senator Robert M. La Follette.

"Even if the British sea power, which to-day dictates the conditions under which the seas are to be used, could be broken, hardly anything would be gained thereby. For, if the British fleet would have to cede its position to some other power, the latter would undoubtedly pursue, not a policy of sentiment, but one of materialism—to do what best serves its own interests."

The above appeared in the New York Globe of Friday, April 12, 1918.

The Arbeiter Zeitung, of Vienna, is quoted in the Washington Times of April 29, 1918, in criticism of Germany's policy of annexations in Russia. It said: "We are not going to allow Austrian blood to be shed, either now or later on, to retain German conquests."

SPEECH OF ROBERT M. LA FOLLETTE, DELIVERED AT THE MUNICIPAL AUDITORIUM, ST PAUL, MINN., SEPTEMBER 20, 1917, AS SUBMITTED BY SENATOR LA FOLLETTE TO THE SUBCOMMITTEE.

Mr. President, ladies, and gentlemen, it is needless for me to say anything about the importance of this conference conducted under the auspices of the Nonpartisan League.

It speaks for itself.

It is a nonpartisan league.

Why a nonpartisan league? Why has such an organization been formed in this and other States of the Union?

Because, Mr. President, ladies, and gentlemen, political parties have failed to give the people of this country real representative government. [Cheers and applause.]

What is representative government?

Every man or woman in this audience who stood up here to-night when you sang that glorious anthem, "My Country, 'Tis of Thee," answers that question. What was it for which men died in 1776?

It was that the Government established by their valor and their devotion and their sacrifice, sealed with their blood, should be a real representative government.

What is a representative government?

A government that represents all of the people. [Cheers and applause.]

And when some of you who stood up in this audience while that glorious sentiment, set to heart-inspiring music, was being given forth, because some of you who stood up at that time have forgotten the sacrifices made in 1776, made again in the sixties, in order that that kind of a government should be preserved. Because some of you are testifying a devotion to liberty which you do not feel. [Applause.]

Who is it, abroad over this country now, waiving the flags and crying out for democracy in the loudest possible tones? [Cries from the audience: "The profiteers!" "Big business!"]

It is business that is making money out of existing conditions. That is what it is. [Cheers and applause.]

You new converts to democracy are masquerading in the livery of heaven while you serve the devil! [Cheers and applause.]

Think for a moment for what Washington's army starved and froze at Valley Forge, warming their stiffening fingers at the meager camp fires. It was that we should have builded up here in this country of ours the one government on this earth that should be truly representative of the people. [Cheers and applause.]

What did that mean? It meant the election of two United States Senators from every State of the Union, and a Member of Congress from every unit of representation agreed upon, who are to assemble at the seat of government, under the Constitution, on the first Monday of December of each year, and there represent, never themselves, never the United States Steel Co., never the munition makers, but always representing the people.

They should vote for laws that were for the good of the Republic. That is what it meant. [Cheers and applause.]

Fellow citizens, when it becomes necessary for an organization, or when any considerable number of people come together in State after State of the Union, and seek to form a nonpartisan league, in order that they may get true representative government, it means that some power has come between the people and their Representatives, and that they are not getting representative government under partisan domination. [Cheers and applause.]

I am reminded as I face this magnificent audience here to-night; I am carried back in memory to the early seventies. Do you realize, fellow citizens, that here at the head of the Mississippi Valley, here in what was called the old Northwest, in the early seventies, was formed the great granger movement to grapple with corporate power and restore representative government to the people of that day? [Applause.]

Have you forgotten, or is it possible that the younger generation have never been informed, that here at the head of that valley, formed by the great father of all the waters, was cradled the first independent institution which went out to fight corporate power in the United States?

Minnesota, Wisconsin, Michigan, and Iowa were the four Commonwealths that for the first time in the history of the government of men declared the right of the people to have administered by them the control of the highways that lead to market.

Are you aware of the fact that you are the inheritors of a precious legacy here in Minnesota? A legacy that has not always been protected; but here in Minnesota, and in the State of my nativity lying to the south, and Iowa and in Michigan, was born the first great independent farmer movement for the control of railroad transportation—for the subjugation of great corporations to public interests, instead of permitting those corporations to control ruthlessly in their own interest all of the highways leading to the markets of the country.

Gentlemen, you are the descendants of the men who made that wonderful historic contest. For let me say to you that out of that movement that started in these four States, that proclaimed for the first time in the history of the world the right of the public to fix the charges upon the iron highways of commerce, that out of that wonderful movement started in the homes of the farmers of Minnesota, Iowa, Wisconsin, and Illinois—I said Michigan a moment ago; I should have said Illinois—in those four States, in the homes of those farmers, started that movement for the first time in the history of the world asserting the right of the public to control railway transportation and railway rates over the railroads leading to the markets of the country.

From that propitious hour there spread to the East and to the West that movement the germ of which was the right of the public to control these transportation companies until it became the settled law of the land.

When it was first asserted by the people of Minnesota, Iowa, Wisconsin, and Illinois the owners of the railroads denounced it as an interference with private property and private rights. But the old Granger movement, pursuing that great idea that when these corporations are permitted to take private property on which to build their depots and their rights of way that they at once become the servants of the people and their property is subject to public control. [Applause.]

It can not be too strongly emphasized—and I speak of it in connection with this nonpartisan farmers' movement—it can not be too strongly emphasized that that wonderful assertion of a public right was the result of the logical thinking of the farmer as he followed his plow. He reasoned that if the corporation has a right to take his property without his consent, and at a price fixed by the public, on which to build its depot grounds and its right of way it must be in the same position that the county or the State or the township is in when it takes his property to build a highway, to locate a school building, or to build a public institution. That it was taking his property without his consent and at a price fixed by the public—by statute. That it was taking that property under a public right, and that the highway, the iron highway, the depot, the right of way so taken could not be considered as private property.

That was a wonderful piece of reasoning upon the part of the men who followed the plow. And let me say to you that the advanced political thought and the political philosophy, social philosophy, of this country of ours finds the germ and the development and the fruitage upon the farms of the country. [Cheers and applause.]

And it is for that reason that agriculture is the basis of statehood. It is the basis, the stable basis, of a government of the people, by the people, and for the people. So I have faith that this new movement up here, known as the nonpartisan organization, born on the farms of this great old Northwest Territory, contains within it the seeds of a great social and political advancement. [Cheers and applause.]

And, Mr. President and fellow citizens, ladies and gentlemen, I know you will pardon me for harking back to the old Granger movement. I am constrained to believe that this new movement is but another crop of the seeding of that time. Now, fellow citizens, there would not be the slightest occasion in the world for the Nonpartisan League and you would not be able to enlist the farmers of a dozen, 15, or 20 different States in this Union unless there was something fundamentally wrong with our Government.

There is something fundamentally wrong with it. [Cheers and applause.]

Of course—of course, I know that the fellows who are waving the flags of to-day most frantically [laughter], the bloated representatives of wealth, who are shouting loudest for democracy to-day, are trying to invest this particular time with a new form of democracy. [Laughter, cheers, and applause.]

A democracy that has attached to it as a cardinal principle, not liberty, not equality, but profits. [Laughter, applause, and cheers.]

And, my friends, you can not enlist the thinking, intellectual, conservative population found upon the farms of this section of the country, which was known when I was a boy as the old Northwest Territory, you can not stir that population very deeply and very profoundly unless there is a profound reason for it. [Applause.]

And that profound reason, if you will be a bit critical and a bit analytical, you will find is due to the fact that the very men who are shouting at the top of their voices about democracy to-day are the men who have been pillaging the hard-working sons of toil, not only upon the farms but in the factories of the country. [Cheers and applause.]

Oh, fellow citizens, I welcome the advent of this organization, for I know full well that it has already secured a momentum that will carry it forward. [Cheers and applause.]

No orders from some secret-service employees, or from some Department of Justice, will be able to throttle this great movement that stands for real representative government. [Cheers and applause.]

Mr. President, ladies, and gentlemen, when I speak in this tone of voice do you hear me back there? [Laughter.]

Are you able to hear me when I talk in this tone of voice, back there in that alcove? [A voice from the audience: "Yes!"]

Well, all right. [Laughter.] I'll use just a little less voice, then. Because I want to be heard, and at the same time I want to save my voice. [Laughter.] I have got use for it! [Laughter and applause.] And I propose to use it. [A voice: "Good!"]

Our Constitution will never fail us for free speech. [A voice from the audience: We don't take the Tribune, Bob!"] [Another voice: "Nor the Journal, either!"] [A voice: "We don't subscribe "——]

No; I don't take the political dope of any paper that serves interests hostile to representative government. [Applause and cheers.]

Now, fellow citizens, I came before you here to-night to talk to you particularly about this great movement that you have started up here, and to give you a word of encouragement. To bid you to be brave! Not to be intimidated because there may chance to be sneaking about here and there men who will pull back their coats and show a secret-service badge. [Laughter and applause.]

Until Bunker Hill is destroyed; until Little Round Top, and the Hornet's Nest at Gettysburg shall have been obliterated and relegated to oblivion there shall still be free speech in this country. [Great cheering.]

Mr. President, I have stood all my life for law and order. [Cheers and applause.]

Twenty years ago this very season, at a little farmers' gathering in Ferndale, Wis., I opened the fight against corporate power in that State. [Cheers and applause.]

Mr. POMERENE. I send to the desk the minority report and ask that it may be read for the information of the Senate.

The PRESIDING OFFICER. It will be read.

The Secretary read the views of the minority submitted by Mr. POMERENE, from the Committee on Privileges and Elections, as follows:

I regret not being able to concur in the report of the majority of the Committee on Privileges and Elections recommending the dismissal of the proceedings pending against the Senator from Wisconsin.

The form which this report shall assume is prompted in part by the course of the arguments leading the majority of the committee to its conclusions.

Under the Constitution the Senate is the judge of the qualifications of its members. The only constitutional qualifications of a Senator are that he shall "have attained to the age of thirty years, and been nine years a citizen of the United States, and, when elected, an inhabitant of the State for which he shall have been chosen." Within these limitations the Senate is the sole judge of the qualifications of its members.

The Senate is authorized to "determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member."

By reason of the authority thus conferred upon the Senate, under the constitutional provisions quoted, I am clearly of the opinion:

First. That, except as stated, there are no limitations upon the power of the Senate to determine the qualifications of its members except those imposed by a sound judicial discretion.

Second. That the Senate may adopt such rules of proceeding as to it may seem proper.

Third. That it may punish its members for "disorderly behavior," and that this power to so punish is only limited by the sound discretion of the Senate, no matter whether disorderly behavior be a statutable offense or not, committed during the session of the Senate, or in recess, in its presence, or beyond it.

It extends, in my judgment, to every kind of disorderly behavior, wherever and whenever committed during his incumbency in office. No Senator can throw aside the habiliments of his office during his term, neither when the Senate is in session, nor when he leaves the Chamber, nor when he is outside of the Capitol. During his term, wherever he is, or whatever he may be doing, he is still a Senator of the United States, under the restraints of his senatorial obligations, which he can not and ought not to be permitted to escape, no matter what his purpose or what the effect may be upon him personally.

Fourth. That, within its discretion, the Senate may try a member and exonerate him, or expel him (with the concurrence of two-thirds), or administer between these two extremes any other punishment which to it may seem fit and proper under all the evidence.

These conclusions are based upon the following considerations:

DISORDERLY BEHAVIOR.

What is meant by "disorderly behavior"? The history of this provision of the Constitution will give some light. When the committee on detail in the Constitutional Convention reported this section, Mr. Madison observed that "the right of expulsion was too important to be exercised by a bare majority of a quorum, and in emergency or factions might be dangerous." He moved to insert the words "with the concurrence of two-thirds." "With this phrase eliminated it must be seen that the words 'for disorderly behavior' qualify both verbs—the word 'punish' and the word 'expel.' With these words inserted, it means that the House may punish its Members and expel them for 'disorderly behavior.'" (Watson on the Constitution, vol. I, p. 290.)

It can not be that the phrase "disorderly behavior" can be limited in its usual acceptation to mean "disorderly conduct," as was contended in the committee. If this were true, then it must follow that the framers of the Constitution specifically provided for the punishment and expulsion of Members for "disorderly behavior," using the phrase in a sense so restricted as to include only the higher class of crimes, and leaving without penalty entirely that class of offenses commonly denominated as misdemeanors; or it was made so broad in its scope as to permit of expulsion no matter how frivolous or insignificant the dereliction may have been, and this is not probable. If it had been thus intended to apply this phrase to the higher class of crimes only, some more appropriate term would have been chosen.

It can not be that "disorderly behavior" is synonymous with "disorderly conduct," as these words are commonly understood, because it would be a misnomer to speak of treason, or any of the higher class of crimes, as merely "disorderly conduct."

It can not be that the phrase "disorderly behavior" was intended to include only statutable offenses, because such a restricted construction would leave the Senate powerless to purge itself of the presence of Members who might be guilty of the grossest kind of immorality or impropriety, and which might be even more offensive in the minds of Senators than the purely statutory offenses. In discussing the power to expel in the case of Mr. REED SMOOT, the able Senator from Pennsylvania, Mr. KNOX, said:

"The Constitution enables the Senate to protect itself against improper characters by expelling them by a two-thirds vote if they are guilty of crimes, offensive immorality, disloyalty, or gross impropriety during their terms of service." (CONGRESSIONAL RECORD, vol. 41, p. 2935.)

And I assert that this is true, whether the offenses named are statutory or not.

It can not be that the Senate's power to punish shall be limited to acts or words uttered in the Chamber during a session of the Senate, because, if thus restricted, then a Senator could be guilty of any impropriety, or any immorality, no matter how greatly it might shock the moral sense of the public or how embarrassing it might become to the Senate, and it would be powerless to protect itself. In other words, it is my belief that this language was intended to be all comprehensive and to include disorderly behavior and to give to the Senate the right to punish its Members for any disorderly behavior or for any crime, high or low, wherever committed, during their incumbency in office, and that power is only limited by the sound discretion of the Senate.

Mr. Justice Story, in his work on the Constitution, fifth edition, section 837, says:

"No person can doubt the propriety of the provision authorizing each House to determine the rules of its own proceedings. If the power did not exist, it would be utterly impracticable to transact the business of the Nation, either at all or at least with decency, deliberation, and order. The humblest assembly of men is understood to possess this power, and it would be absurd to deprive the councils of the Nation of a like authority. But the power to make rules would be nugatory, unless it be coupled with a power to punish for disorderly behavior or disobedience to those rules. And as a Member might be so lost to all sense of dignity and duty as to disgrace the House by the grossness of his conduct, or interrupt its deliberations by perpetual violence or clamor, the power to expel for very aggravated misconduct was also indispensable, not as a common but as an ultimate redress for the grievance. But such a power, so summary, and at the same time so subversive of the rights of the people, it was foreseen, might be exerted for mere purposes of faction or party, to remove a patriot, or to aid a corrupt measure; and it has therefore been wisely guarded by the restriction that there shall be a concurrence of two-thirds of the Members to justify an expulsion. This clause requiring a concurrence of two-thirds was not in the original draft of the Constitution, but it was inserted by a vote of 10 States, one being divided. A like general authority to expel exists in the British House of Commons and in the legislative bodies of many of the States composing the Union."

"Disorderly behavior" is the antithesis of good behavior. A Federal judge holds his office during good behavior. The meaning of these words will aid in the construction of the former.

Tucker, in his Constitutional Law, page 418, says:

"These words (good behavior) do not mean that a judge shall decide rightly, but that he shall decide conscientiously. He is not amenable to impeachment for a wrong decision, else when an inferior judge is reversed he would be impeachable; or, in the Supreme Court, a dissenting judge might be held impeachable because a large majority of the court affirmed the law to be otherwise. But if he decides unconscientiously—if he decides contrary to his honest conviction from corrupt partiality—this can not be good behavior, and he is impeachable. Again, if the judge is drunken on the bench, this is ill behavior, for which he is impeachable. And all of these are generally criminal or misdemeanor, for misdemeanor is a synonym for misbehavior. So, if he omits a judicial duty, as well as when he commits a violation of duty, he is guilty of crime or misdemeanor, for, says Blackstone, 'Crime or misdemeanor is an act committed or omitted in violation of a public law either forbidding or commanding it.'"

"To confine the impeachable offenses to those which are made crimes or misdemeanors by statute, or other specific law, would too much constrict the jurisdiction to meet the obvious purpose of the Constitution, which was, by impeachment, to deprive of office those who, by any act of omission or commission, showed clear and flagrant disqualification to hold it. On the other hand, to hold that all departures from, or failures in, duty, which were not willful but due to mistake, inadvertence, or misjudgment, and to let in all offenses at common law, which, by the decisions of the Supreme Court, are not within Federal authority at all, would be to extend the jurisdiction by impeachment far beyond what was obviously the purpose and design of its creation. It must be criminal misbehavior—a purposed defiance of official duty—to disqualify a man from holding office, or disable him from ever after holding office, which constitutes the penalty upon conviction under the impeachment process. The punishment, upon conviction, indicates the character of the crime or misdemeanor for which impeachment is constitutional. If the crime or misdemeanor for which the impeachment is made be not such as to justify the punishment inflicted, we may well conclude it was within the purpose of the Constitution in using the impeachment procedure.

"The same reasoning will apply to other offices of the United States as has thus been applied to the judicial office.

"The power of removal in other offices than the judicial is with the Executive and if exercised by removal the evil of his incumbency is at an end. But if the Executive should refuse to remove an officer who commits a violation of duty, or wholly omits to discharge it; if the appointing power screens from removal one flagrantly delinquent in duty, the impeachment power is the reserve instrumentality by which the Constitution will remove the official delinquent in spite of the action of the Executive in retaining him in the office which he disgraces. His flagrant misbehavior may work, through impeachment, his exclusion from office whom a wicked Executive would perpetuate in the official station he is disqualified to fill."

We are not, however, without guidance on this question in the election cases tried in the Senate.

In July, 1797, William Blount was expelled from the Senate for "a high misdemeanor entirely inconsistent with his public trust and duty as a Senator."

Mr. Blount had written a letter to an American agent among the Indians, attempting to seduce him as a faithful interpreter, and to employ him as an engine to alienate the affections and confidence of the Indians from the public officers of the United States residing among them. "It was not a statutable offense, nor was it committed in his official character, nor was it committed during the session of Congress, nor at the seat of government." By a vote of yeas 25, nays 1, he was expelled from the Senate. Mr. Justice Story says (sec. 838):

"It seems, therefore, to be settled by the Senate, upon full deliberation, that expulsion may be for any misdemeanor which, though not punishable by any statute, is inconsistent with the trust and duty of a Senator."

Mr. Tucker, in his work on the Constitution, concurs in this view.

John Smith, a Senator, was tried by the Senate in April, 1808. He was charged with participation in a conspiracy with Aaron Burr. The motion to expel him lacked one vote of the constitutional majority of two-thirds. The vote was: Yeas, 19; nays, 10.

Mr. Justice Story, in discussing this case, says:

"The precise ground of the failure of the motion does not appear; but it may be gathered from the arguments of his counsel that it did not turn upon any doubt that the power of the Senate extended to cases of misdemeanor not done in the presence or view of the body."

ESPIONAGE ACT OF JUNE 15, 1917.

Now, in light of what I conceive to be the unlimited power of the Senate to determine the rules of its proceedings, to punish its Members for disorderly behavior, and, with the concurrence of two-thirds, to expel a Member, let us examine the situation as it must present itself to the mind while considering the charges which have been filed with the Senate against Senator LA FOLLETTE.

On April 6, 1917, the Congress of the United States declared a state of war against the German Imperial Government, the greatest military power of modern times.

On May 18, 1917, Congress passed a draft law providing for the creation of an army to carry on the war, and by its terms required all male persons between the ages of 21 and 31, inclusive, to enroll or register for military service, excluding, of course, aliens who had not declared their intention to become citizens, and made them subject to call by the President from time to time into the military and naval forces of the United States; and by the law of the land these men constituted a part of the military and naval forces of the country.

On June 5, 1917, the registration of all men within the military age began throughout the entire country.

On June 15, 1917, the Congress passed the so-called espionage act making it a penal offense, punishable by fine or imprisonment, or both, for anyone when the United States is at war—

First. "To willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States, or to promote the success of its enemies;" or

Second. "To willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty in the military or naval forces of the United States;" or

Third. "To willfully obstruct the recruiting or enlistment service of the United States to the injury of the service of the United States.

MILITARY CONDITIONS IN THE COUNTRY.

On September 5, 1917, the first call was issued for 687,000 men, and other calls were made thereafter at short intervals. The young men thus called, and to be called, to the colors, came from all sections of the country. With rare exceptions they responded with alacrity for the defense of their country and for the protection of humanity.

On September 20, 1917, Senator LA FOLLETTE made the speech which is the subject of controversy before the Nonpartisan League in St. Paul, Minn.

At this time it was within common knowledge of the people generally that the I. W. W.'s, the extreme Socialists, the well-intentioned but misguided pacifists, and certain German propaganists were sowing the seeds of dissension and insubordination, and spreading their poison throughout the country for the purpose of discrediting the Government in its prosecution of the war. Some of them were taking this course because they were opposed to all war; others because they were opposed to this war; and still others because they were using their utmost endeavors to aid the enemy and to render impotent, so far as they could, our own forces. State and local authorities and the loyal citizens of the land, with the approval of the Government, were organizing associations for the purpose of checking acts of disloyalty and sedition in their respective communities, and among these organizations was the Minnesota Public Safety Commission, which filed the complaint now under consideration.

On May 7, 1915, the *Lusitania* was sunk by a German submarine with a loss of more than 1,100 lives, 114 of whom were American citizens, without warning, and without providing for the safety of the passengers and crew—an act of piracy, so recognized by everyone save Germany and those who sympathized with her.

But this was not all. Before Congress passed the joint resolution declaring a state of war, the German submarines had sunk in the same way and by the same means 20 American vessels with a total loss of human life aggregating nearly 300 American lives. After repeated negotiations covering almost a year, on the 4th day of May, 1916, the German Imperial Government sent its note to the United States advising this Government that Germany had given instructions to her submarine commanders not to sink vessels without giving warning and without caring for the safety of passengers and crew in conformity with the rules of international law, unless they sought to escape; but intimated that upon certain contingencies this mode of warfare might be resumed. With this announcement the country believed the crisis had passed and all minor controversies could be adjusted, and except for Germany's subsequent aggressions there would have been no war.

But on January 31, 1917, the United States was advised that after February 1, 1917, Germany would resume without restrictions her submarine warfare on belligerent and neutral ships alike that would pass through a war zone estimated to be 1,400 miles long and 400 miles wide, through which nine-tenths of its commerce, aggregating at that time more than $6,000,000,000 annually, would have to pass; that only one ship could go each week, on Thursday, into Great Britain from the United States, and one ship return on Sunday, each week, from Great Britain. Only one day's notice was given to us, notwithstanding the fact that the German Imperial Government had determined as early as January 19 to resume this warfare, as is evidenced by the message which was sent to Bernstorff to be transmitted to the German ambassador in Mexico urging him to incite Mexico and Japan to begin war against us.

These were among the causes that led to the war, and these facts must have been known to the Senator from Wisconsin, and yet in his speech at St. Paul he said:

"Now, fellow citizens, we are in the midst of a war. For my own part I was not in favor of beginning the war. [Cheers and applause.]

"I do not mean to say that we had not suffered grievances; we had—[A voice: "Yes!"] at the hands of Germany. Serious grievances! [A voice: "You bet!"]

"We had cause for complaint. They had interfered with the right of American citizens to travel upon the high seas—on ships loaded with munitions for Great Britain. [Laughter, cheers, and applause.]

"Let me have the time; I have got to catch a train—unless I am stopped by somebody [laughter], and I have never been stopped yet! [Laughter and applause.]

"Cut it out. Let me have the time. I would not be understood as saying that we did not have grievances. We did. And upon those grievances, which I regarded as insufficient, considering the amount involved and the rights involved, which was the right to ship munitions to Great Britain with American passengers on board to secure a safe transit. [Laughter and applause.]

"We had a right, a technical right, to ship the munitions, and the American citizens have a technical right to ride on those vessels. I was not in favor of the riding on them [laughter], because it seemed to me that the consequences resulting from any destruction of life that might occur, would be so awful—[A voice: "Yellow!"]

"What did you say? [A voice: "Yellow!"]

"Any man who says that in an audience where he can conceal his identity is yellow himself. [Many cries: "Put him out!" "Put him out!"]

"Sit down everybody. I do not want any of that in an audience where I am speaking. [Cries of "Order!" "Order!"]

"All I want is order. I will take care of everybody that interrupts if you will just give me the chance. [Cheers and applause.]

"I say this, that the comparatively small privilege of the right of an American citizen to ride on a munition-loaded ship flying a foreign flag is too small to involve this Government in the loss of millions and millions of lives! [Cheers and applause.]

"Now—[A voice interrupting: "Where is the yellow guy now?"] [Another voice: "Give it to him, LA FOLLETTE!"] [Order!]

"Now, fellow citizens, I didn't believe that we should have gone into this war for that poor privilege. [A voice: 'Nobody else!']

"The right of an American citizen to travel upon a foreign vessel loaded with munitions of war. Because——[Another interruption.]

"Wait just a minute. Let me state my position. Because a foreign vessel loaded with munitions of war is technically foreign territory [cheers and applause], and an American citizen takes his life in his own hands, just as much as he would if he were on the territory of France and camped in the neighborhood of an arsenal! [Cheers and applause.]

"Mr. President, it has sometimes occurred to me that the shippers of munitions of war, who were making enormous profits out of the business, invited and encouraged American citizens to ride on those ships, in order to give a sort of semblance of safety to the passage of their profiteering cargo abroad. [Cheers and applause.]

"But, Mr. President, we went into the war by the adoption by Congress of a declaration of war in constitutional form. [Applause.] I was not in favor of going into the war illegally.

"I resisted the right to arm merchantmen, when I knew that that would result in producing a condition that would bring about war without a declaration by Congress; and the Constitution says that Congress, not the acts of the President, shall bring on a war with a foreign government. [Cheers and applause.]

"But war was declared, and lawfully declared.

"It was not brought about by an unlawful and piratical arming of merchant ships. I had a little bit to do with stopping that on the 4th of March, and I put it to my everlasting credit that I was able to do it. [Cheers and applause.] We are in the war. And, at least, we are lawfully in the war.

"Now, then, the war entails expenses. [Laughter.]

"You can not run a war in these days without paying for it. [Laughter.]

"It is a costly enterprise. Every one of the nations, the belligerent nations of Europe, are reeling under the financial burdens that war—this war of all wars in the history of the world—has laid upon them. Every one of the foreign nations up to last April, when we entered the war, had passed the line of safety, so far as ever being able to redeem their financial obligations were concerned. Every one except Great Britain. Whenever any government is paying out for its obligations more than—for its current obligations—more than 25 per cent of its income, that nation has passed the line where it is safe to loan to it. [Applause.]

"Every belligerent nation in Europe last April, except Great Britain, had passed that line. Never—this is a tritism to say—never before in the history of the human race was a war in progress that so, day by day, hour by hour, moment by moment, sapped the very lifeblood, the financial lifeblood, of the existence of the nation as a stable entity.

"And, fellow citizens, it behooves a nation to consider well before it enters upon a war of that sort, how much it has got at stake. If all it has got at stake is the loans of the house of Morgan made to foreign governments, and the profits that the munition makers will earn in shipping their products to foreign countries, then I think it ought to be weighed not in a common hay scale but in an apothecary's scale. [Laughter and applause.]

"Ah, but somebody will tell you American rights are involved.

"What American rights? The right of some person to ride upon a munition-laden vessel in violation of an American statute, that no vessel that carries explosives shall carry passengers. [Cheers and applause.]

"Four days before the *Lusitania* sailed President Wilson was warned in person by Secretary of State Bryan, that the *Lusitania* had 6,000,000 rounds of ammunition on board, besides explosives; and that the passengers who proposed to sail on that vessel were sailing in violation of a statute of this country; that no passenger shall sail or travel upon a railroad train or upon a vessel which carries dangerous explosives. [Cheers and applause.]

"And Secretary Bryan appealed to President Wilson to stop passengers from sailing on the *Lusitania*.

"I am giving you some history that probably has not been given you here before. [Cheers.]

"So, I say that the grievances that carried this country into war, into a war the limits of which, as to the loss of life, and the burdens—financial burdens—that shall be laid upon us, can not be calculated by any man—I say that the conditions that carried us into that war needed to be weighed carefully. For I enunciate no new doctrine. I say what Daniel Webster said when the Mexican war was on at full tilt—that it is the right of the people of this country to determine for themselves whether there has been a sufficient grievance for the people to incur all of the burdens and risks that go with the entrance into war."

DISCUSSION OF SPEECH.

For the purposes of this report I shall pass over that part of Senator LA FOLLETTE'S address which describes his personal services in the West, or give his views concerning the financing of the war, and deal only with that portion which speaks of the causes leading up to the war and of our motives for entering it.

Seven different times in less than two pages of printed matter, with little variation, he tells his audience in substance either that we went to war to establish the right of an American citizen to travel upon the high seas on a foreign-owned munition-laden ship or that he did not believe that we should have gone into the war for that "poor privilege." And each time he uses this language the stenographic reports of the speech show that his sentiments were met by the audience with "laughter, cheers, and applause" or "with cheers and applause," clearly indicating the influence of his statements upon his audience. Either they believed his statement that the United States had gone to war for this "poor privilege" and applauded it because they did not think it sufficient cause for war, or they knew it was not true and approved this slander upon the Government. Whatever may have been the reason for these demonstrations, the effect of the speech was wholly vicious.

Again he says:

"Mr. President, it has sometimes occurred to me that the shippers of munitions of war, who are making enormous profits out of the business, should not have encouraged American citizens to ride on those ships in order to give a sort of semblance of safety to the passage of their profiteering cargoes abroad."

And again the sentiment is met with "applause." What inference can be drawn except that it was the intention of the speaker to make it appear to his audience that the manufacturers of munitions were in fact encouraging American citizens to ride on those ships in order to give a semblance of safety to their business? What proof can be adduced for such an assertion? Everyone knows that Senator LA FOLLETTE was opposed to entering the war, but that was no reason why he should misrepresent the attitude of the President or of 82 Senators and of 373 Congressmen who voted in favor of a declaration of a state of war. Why should he seek thus to discredit the cause of America? Is not the Senate interested in finding out?

Again he says:

"If all it (the Nation) has got at stake is the loans the house of Morgan makes to foreign Governments and the profits that munition makers will earn in shipping their products to foreign countries, then I think it ought to be weighed not in a common hay scales but in an apothecary's scales."

And this sentiment again is met with applause. What was the purpose in making this statement? Of course, the Senator does not say that all we had at stake was the loans of the house of Morgan to foreign Governments and the profits munition makers were earning in shipping their products to foreign countries, but that is the impression he leaves with his audience; and who will pretend to say that any proof exists anywhere that these were the only issues at stake when we entered the war?

Again he says:

"Four days before the *Lusitania* sailed President Wilson was warned in person by Secretary of State Bryan that the *Lusitania* had 6,000,000 rounds of ammunition on board, besides explosives, and that the passengers who proposed to sail on that vessel were sailing in violation of a statute of this country, that no passengers should travel upon a railroad train or sail upon a vessel which carried dangerous explosives."

And the sentiment is applauded.

The facts so far as the committee is now advised concerning them are: Mr. Bryan says that he had no knowledge that there were any munitions aboard this vessel until some days after it had been sunk, and he, therefore, could not have made the statement credited to him. I am informed that if put to the proof Senator LA FOLLETTE would claim that he had been so told by a newspaper reporter in whose statements he had full faith.

The statute alleged to have been violated is section 8005, and it provides that:

"It shall not be lawful to take, carry, or have on board of any such steamship or other vessel any nitroglycerine, dynamite, or any other explosive or compound, nor any vitriol or like acids, nor gunpowder, except for the ship's use, nor any article or number of articles, whether as a cargo or ballast, which, by reason of the nature or quantity or mode of storage thereof, shall, either singly or collectively, be likely to endanger the health or lives of the passengers or the safety of the vessel," etc.

There was a large amount of small-arm munitions aboard, but the Commerce Department has held that this statute did not prevent the shipment of small-arm munitions, because they are not held to be dangerous explosives within the meaning of this section. There were empty shells aboard, but they did not contain either charges or fuses.

The committee was not advised that the passengers had any knowledge of the presence of small-arm munitions, and even if they had there was no statute preventing their sailing because of these munitions; and if they had sailed with this knowledge, surely that can not be a reason why Germany, by her submarines, without notice and without warning, should sink the vessel, thereby causing the death of innocent men, women, and children aboard her.

The Senator from Wisconsin has been in public life for many years. He has been a Member of the Senate since 1905.

Presumably he heard the various messages to the Congress delivered by the President discussing Germany's aggressions during the prewar period.

Presumably he was familiar with the notes exchanged between our Government and the German Imperial Government.

Presumably he knew that with the German note of May 4, 1916, promising that merchant vessels would not be sunk without warning and without saving human lives, the *Lusitania* disaster was practically a closed incident.

Presumably he was familiar with the causes which led up to the war, and yet, with all the prestige of a long service in the Senate at the Capital of the Nation, he tells his audience that we went to war "for the poor privilege of establishing the right of an American citizen to travel upon a foreign-owned vessel loaded with munitions of war." He wholly ignores the real causes which led to the war, and which I have in part detailed in the earlier part of this report. He ignores the fact that a compliance with the German Imperial Government's order of January 31, giving notice that after February 1, 1917, all vessels which appeared in the war zone would be sunk, would, if put in effect, deny to 110,000,000 of people a foreign commerce aggregating $6,000,000,000 annually.

What excuse has the Senator from Wisconsin made for these statements? I have heard none. What must have been the effect upon his audience? The transcript of his speech shows that these particular parts of it were punctured with applause. Were those who applauded disloyal at heart, or were they ignorant of the real causes of our having gone to war and agreed with him that we did not have cause for entering the war?

Presumably there were in this audience men and women of all classes and shades of opinion, men who constituted a part of the military and naval forces of the United States, as well as those who were older or younger—parents, perhaps, of boys who had gone to the front to serve their country. What effect would such language have upon these people gathered together for the purpose of hearing a message from the Capital of the Nation?

If it were true that we only went to war for the purpose of establishing the right of an American citizen to sail on a munition-laden, foreign-owned vessel, without warning and without caring for the safety of passengers and crew, it would have been justified, but does anyone feel that the war would have received the same united and enthusiastic support given to it by the American people? If young men of military age were in the audience, who were about to be called to arms, would not their ardor have cooled if they believed his speech? If the fathers and mothers of these young men were present, might they not have been persuaded that they ought not to be asked to make so great a sacrifice as the war would entail for "that poor privilege"? Would not it have helped to arouse their indignation? Would not its natural effect have been to cause "insubordination" or acts of "disloyalty" or "failure of duty" if an attempt were made to compel young men to go into the service for such a cause? Would it not have tended to obstruct the recruiting or enlistment service of the United States, to the injury of that service? Men usually intend what they say. In peace-loving America my belief is that the less the cause for war the less will be the enthusiasm for it.

If these statements had been made by one who was not accustomed to public speaking, or by a private individual who did not appear upon the platform in the habiliments of his office, less serious consequences might be expected to follow. But when one of the Senators of a great Commonwealth, exercising the functions of his office, appears upon the platform to discuss in the presence of his fellow citizens such commanding questions as the cause of the war, while we are in the midst of preparations for it, we must not overestimate or underestimate the weight of his words.

These statements could not have been made by accident or slip of the tongue, because the same thought, if not the very same language, is repeated several times within the space of a few minutes.

Counsel for Senator LA FOLLETTE, in his argument before the committee, had much to say on the subject of freedom of speech. I yield to no one in my desire to preserve this right in its entirety; but he has cited the committee to no authority, and Senators will look in vain for any authority which makes freedom of speech a shield by which the speaker may protect himself from the consequences of misstatement. Freedom of speech can not be pleaded in defense to justify the slander of the chastity of a woman or the honor of a man, or the cause of a country when in the throes of the most terrific war ever waged.

That this speech shocked the loyal and patriotic people of Minnesota is evidenced by the fact that the Minnesota Commission of Public Safety, composed of the governor of that great State and eminent citizens associated with him, presented to the Senate a memorial in which it was recited that the Senator from Wisconsin had made an "address of a disloyal and seditious nature at a public meeting before a large audience." * * * And that "the utterances of Senator LA FOLLETTE, with all the prestige of his high office as a Senator of the United States * * * have already served to create treasonable sentiments in the State of Minnesota, and being spread through the public press, can have no other effect than to weaken the support of the Government in carrying on the war."

The evidence is not all before the committee of the Senate. I do not say in the present state of the record that Senator LA FOLLETTE should be expelled from the Senate, or that he should be convicted of a criminal offense under section 3 of the espionage act; but I do say that applying the principles of criminal law which are known to every lawyer, a grand jury inquiring into the case, with no other evidence before it than the speech itself, and the facts as in this report cited, would have been justified in returning an indictment against him for violation of the espionage law. And I further say that with this evidence, and none other, before a petit jury, it would have been justified in returning a verdict of guilty under this section of the statute, and no court would have disturbed it.

If there is any reasonable explanation which can be made of these utterances which would tend to prove an innocent purpose, such explanation ought to be given to the end that no injustice may be done, and that it may not be charged that the United States Senate passes lightly over wrongful speech by Senators while others are criminally prosecuted for offenses, in my judgment, no less severe.

Assume, for the sake of the argument, that United States Senators should have appeared in every important community within our borders and made like speeches. What would have been the effect upon the morale of the country? Could anything have been more gratifying to the heart of the German Kaiser? Would not such speeches have given some "aid and comfort" to the enemy?

Thus far I have discussed the facts, as I understand them, as if the speech were made in violation of the provisions of a criminal statute. Whether this is true or not is of little consequence so far as the duty of the Senate is concerned. The effect of the language upon the Senator's audience was the same, whether the language was within the inhibitions of a Federal statute or not. The effect upon their morale was the same. Men in peace-loving America do not willingly go to war unless there is found to be an urgent necessity for it. The rights and privileges of a private citizen should be and are guarded by the limitations of the written law, but the propriety or the impropriety of a Senator's utterances ought not alone to be determined by its limitations. I submit that a United States Senator ought to be more circumspect in his public speech before his fellow citizens who are in private life; and he ought not to give utterance to statements of fact which mislead people in time of war, whether his utterances infringe the criminal law or not.

I submit that men in high places should not either by word or deed so demean themselves as to lead from the path of duty those less well informed. Who can doubt the statement of the Minnesota Commission of Public Safety that the effect of the speech was to create treasonable sentiment in the State? Men usually intend the natural consequences of their utterances and of their acts.

It is true that the Committee on Privileges and Elections does not have all the testimony before it. It has no word from the Senator from Wisconsin which even tends to modify or explain away the natural effect of his utterances, save that he can substantiate every statement made in the speech, that he believed in their accuracy at the time they were made, and still believes them to be correct.

It is not the purpose of this report to prejudge the case, because the evidence has not as yet been completed. The views herein expressed are, of course, subject to such modification as a fuller hearing might require. All I mean to say is that in the present state of the record I am perfectly clear that there should be a full and complete hearing to the end—

First. That the Senator from Wisconsin can be completely exonerated if the testimony justifies it.

Second. That he may be expelled if the testimony justifies it.

Third. That the Senate may pass a vote of censure or administer such other punishment as the testimony may justify.

This, in my judgment, is a duty which we owe to the Senator from Wisconsin, to the United States Senate itself, and to the public. More we ought not to do, and less we can not be expected to do.

ATLEE POMERENE.

Mr. DILLINGHAM. Mr. President, the report of the committee presenting the resolution which has been read to the Senate contains a copy of the entire speech that was made by Senator LA FOLLETTE; it has been laid before the Senate, and I presume has been read by everybody. In view of the situation in the Senate, the fact that this matter has been brought up at this time by the courtesy of the chairman of the committee in charge of the pending legislation, I am perfectly willing that the vote of the Senate shall be taken upon the resolution without any further explanation on the part of the committee.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. POMERENE. On agreeing to the resolution, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS. Mr. President, I do not quite understand what the proposition is that is now being presented to the Senate.

The PRESIDING OFFICER. The question is on the adoption of the resolution submitted by the Senator from Vermont, which the Secretary will read.

The Secretary read the resolution (S. Res. 360), as follows:

Resolved, That the resolutions of the Minnesota Commission of Public Safety petitioning the Senate of the United States to institute proceedings looking to the expulsion of ROBERT M. LA FOLLETTE from the Senate, because of a speech delivered by him at St. Paul, Minn., on September 20, 1917, be, and the same hereby are, dismissed for the reason that the speech in question does not justify any action by the Senate.

Mr. WILLIAMS. Mr. President, I have a few words to say about that. If I understand that resolution, it means that the fault committed by the Senator from Wisconsin in his St. Paul speech is to be passed over by the Senate without animadversion or criticism. Am I correct?

Mr. President, as I read the speech made by the Senator from Wisconsin in St. Paul, it was a series of false statements, and not only a series of false statements but a series of false statements which must have been consciously made. I find in that speech a charge that the United States went to war to protect "Morgan interests" of some sort or other. I find in that speech a charge that we went to war and sacrificed our children in order that rich Americans might ride on British munition-armed ships. I do not think I have misunderstood the speech as quoted in the report. I do not think I misread it the day after it was published. It is an everlasting lie that these United States went to war in order to protect any Morgan interests or any capitalistic interests of any sort. It is also an everlasting lie that the people of these United States ever sent their boys to be fed as cannon fodder in Europe in order that American citizens might ride upon munition ships. It is an everlasting lie that the *Lusitania* was armed or had dangerous explosives aboard, and that any law of the United States was ever violated by any American citizen who took passage upon the *Lusitania*. It is an everlasting lie that the 114 American citizens—men, women, and children—who went to their graves unknelled and unsung upon that memorable day of German barbarity went there to uphold the doctrine of capitalism, or of money-making, or of the right to protect a foreign ship under a foreign flag by American citizenship while it was carrying dangerous explosives.

I for one do not want the history of the United States to be written so that my children or grandchildren shall read that I sat quietly still while the United States Senate said that all that made no difference. I have seen ignorant boys arrested and tried and condemned, some few of them to death and some more of them to prison, for doing things and saying things that amounted to much less than this St. Paul speech.

I have no personal animosity to the Senator from Wisconsin, and he knows it. I have been good to him in days that have gone by, and he knows it; but I have no glad hand of welcome to extend to any enemy of my country when my country is in war, and I have no glad hand of welcome to extend to any man that slanders my country, that tells falsehoods about it, and I do not care whether he is a Senator or whether he is a plowboy, except that I can forgive the plowboy because of his ignorance.

Here we were engaged in a great war for the defense of the civilization and the liberty of the world. Every boy that could go went, or nearly every one—a whole lot of them, at any rate—except the few who were poisoned by this sort of literature. Is it to be said, for all time to come, that a Senator of the United States is to be held absolutely blameless while he announces to the world that my boys and your boys, some of them died, some of them were crippled, and some of them came back happily home, while they fought for the civilization of the world—is it to be held that he is blameless because he is not a plowboy when he says that we went to war "in the Morgan interest," when he says that we went to war in order that men might secure safe passage upon munition ships, in order that we might protect explosives by putting passengers aboard? Is it to be considered for one minute that he is blameless and that we have nothing to do with his utterances when he not only asserts that, but asserts more than that?

He asserts, in effect, that the American Republic has been guilty of hypocrisy and cowardice, and especially of hypocrisy; that it has gone to the Old World with the word in its mouth that it was fighting for the liberty of the world and for the democracy of the world and to make democracy safe in the world, when, as a matter of fact, it was fighting for "the Morgan interest," or it was fighting for a safe place for a ship on the ocean carrying high explosives protected by the presence of American women and children! Then he goes a little bit further in that speech at St. Paul, and he has the audacity to say that Mr. Bernstorff, as ambassador from Germany, gave us notice to keep off the ship. Gave us notice!—gave us! Who in the devil are we? We are the American people, under the providence of God. This little miserable Kaiser, who has since been dethroned to the gratification of the entire world, gave us notice, through his ambassador, that we might be hurt if we went on this ship, and then we were guilty of audacity and folly and insanity because we went on the ship, and 114 American citizens—most of them women and children—did not have cowardice enough to take the German warning and keep off the ship and went down unknelled and unsung and unshriven, and went down as Americans do go down, thank God, not a man of them deserting his post; every man giving place to a woman or child; every member of the crew, although they were British—but they speak English all the same—giving place to a woman or a child; all of them went down.

My children are to believe, and their children's children are to believe, that this Senate is going to pass over this thing in silence; that it was perfectly allowable for a man, provided he was a United States Senator, to say that these men, women, and children had no business there; they had no place there; they ought to have taken the warning of the German ambassador; they ought to have been scared by the German Kaiser; they ought to have been cowards, and not Americans!

Oh, Mr. President, I do not understand that. Maybe it is because I am more or less of a barbarian, something of a southerner in my ways; but I do not understand that. I do not understand why giving me a warning that I will be murdered if I go where I have a right to be ought to keep me from going there. I will go, so help me God! I will go every morning before breakfast and every night before I go to bed, and I believe I would go quicker after you told me that I should not than I would if you had not told me so.

Oh, this speech in St. Paul! I do not know what the Senator thought. I have begun to believe that he does not think; that if he thought anything at all, he thought that the self-seekers, the sloth lovers, the peace worshipers, the men and women who are willing to give up everything in the world in order that they may have a nice, easy time, would finally control America, and that somehow or other he or somebody else advocating that sort of doctrine would come out in front.

There is a peculiar thing about humanity, Mr. President, and that is this: In its ordinary days it loves pleasure. I understand why it loves it. I love it more than anybody. But when the days of crises come, the great days that invoke the human soul, the ordinary man rises above the measure which the Senator from Wisconsin meted out to him. He becomes inspired as by the voice of God running through all the history of the world. He sacrifices himself, his property, his children—and above all, his children—that is the hardest part of it. He is willing to see it all go into the melting pot rather than that anything false should exist. God calls to him from the depths—de profundis—and he answers with his whole soul; and, answering with his whole soul, he has no patience—not only not a little patience but no patience at all—for any man who makes this appeal to his ordinary, everyday life. He rises above it all. He becomes the son of God. Nine years out of ten, or ninety-nine out of one hundred, he does not know that he is the son of God; but in those peculiar days he does know it, and he knows that he would not fight for "the Morgan in-

terests," nor for "capitalistic enterprise," and that he would not fight and that he would not die and that he would not sacrifice his children for any of the base purposes mentioned in that speech of the Senator from Wisconsin at St. Paul.

It is given to all of us, Mr. President, just about once in our lifetime, to rise to the heights. That time was given to all of us during this war; and those of us who did not rise to the heights were just common clay, miserably common clay, devil-impulsed common clay; and those who could rise to the heights rose, and the American people as a whole rose. There were traitors, of course. There were profiteers, of course.

Men generally may be likened to animals of some sort or other. One is like a lion, another is like a fox, another is like a wolf, another is like a vulture; and when you come to measure them up at a great time like the breaking out of the Civil War—especially in the South, even more than in the North, but in both sections—and when you come to measuring men at this time, you find out where the man is. There is the watchdog, the English-mastiff man; the Newfoundland, who rushes to the rescue of home, the watchdog of the household. Nine-tenths of the American people resemble him. Then there comes a vulture, who swoops down and tries to get some little bit of carrion out of what is left, somehow, and who tries to feed himself and his little vulture family with it all. Then there is another type for which the animal kingdom does not present any analogy, because no wolf was ever unfaithful to wolves; no fox was ever unfaithful to foxes; no vulture, even, was ever unfaithful to vultures. We come to the disloyal among human beings, for whom there is no analogy in animal life at all.

You, the Senator from Vermont, the author of this resolution—a gentleman from the soles of his feet to the top of his head, every inch of him—you, by this resolution, are attributing to yourself the idea that that sort of thing is to go on unscathed, unblemished, uncriticized, and unpunished.

Mr. DILLINGHAM. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Vermont?

Mr. WILLIAMS. Certainly.

Mr. DILLINGHAM. I want to say that the Committee on Privileges and Elections had the resolutions of the Minnesota society under consideration for 14 months. They had before them the whole speech as reported by that committee, and the whole speech that was furnished to them by the Senator from Wisconsin, as reported by another reporter. They considered the whole speech, rather than the fragment which has been discussed by the Senator from Mississippi here to-day. They examined it in the light of every circumstance that was advanced. They had a compilation of authorities that was prepared, as I understand, in the Department of Justice, which covered the entire question, and the opening passage of which was that the whole speech should be read, because undoubtedly the tenor of the speech tends to throw light upon the intent with which certain statements which are challenged were uttered. Among other things the Senator, after stating that there was something wrong with our Government, said—and then follows what has been quoted from so freely here to-day.

Now, what I want to say to the Senator, in answer to his personal appeal to me, is that after having considered that at repeated meetings for 14 months, examining the whole question from the standpoint of lawyers and from the standpoint of precedent, the vote of that committee in recommending that the resolution of the Minnesota society be dismissed was entirely nonpartisan. It was 9 to 2. There were 11 members of the committee present; and the vote was nonpartisan, too, because the majority of voters consisted of Messrs. REED, VARDAMAN, WOLCOTT, ASHURST, DILLINGHAM, KENYON, SHERMAN, KNOX, and KELLOGG.

Mr. WILLIAMS. Mr. President, every whole must be made up out of its several parts. I imagine that the Senator from Vermont will not accuse me of any inaccuracy in any quotation that I have made from the speech made at St. Paul by the Senator from Wisconsin. I do not care about how a blacksnake smothers a bird over with its slime before it swallows it. I want to know about the slime; I want to know about the poison; I want to know about the swallowing which is coming first. The Senator does not deny, the Senator will not deny, that in the speech made by the Senator from Wisconsin at St. Paul were these assertions to which I have referred, and which are a calumny and a slander upon the American people, and upon my boys who fought in France, and upon Theodore Roosevelt's boys who fought in France, and upon everybody else's boys who fought there. It is an everlasting falsehood to state that we entered this war for the reason stated by the Senator from Wisconsin in his St. Paul speech.

Now, I do not care about the Senator's telling me that it took 14 months to measure up this speech as a whole. It has not taken me more than about 56 minutes to measure up the parts of it as parts, and they are sufficiently objectionable; and they were meant; they were not accidental. They were the deliberate judgment of the man who made the speech, and he has not yet apologized for them, and he will not. He has not the moral courage to do it. There it is. There is the statement—apology for the sinking of the *Lusitania* on the ground that they were forewarned, and that Bryan had made a statement to the effect that the *Lusitania* had explosives on it, and it turns out that that is false. Bryan never said anything of the sort. That is a lie, too. The Senator from Wisconsin either knew Bryan never said anything of the sort or he was speaking without sufficient information, and I take it that he was speaking without sufficient information. There is this difference between a falsehood and a lie: A falsehood is a false statement of fact when you do not know it is false; a lie is a false statement of fact when you do know that it is false. It does not make any difference to me which one of these two theories shall prevail about these particular utterances in that particular speech.

I do not care whether the next balance of power in the Senate between Democrats and Republicans is held by the slender vote of one or not. That is not disturbing me. I say that speech at St. Paul was disloyal in spirit, disloyal in words, disloyal in intendment, disloyal in effect, and disloyal with a set purpose. I say here standing on my two feet—there is not much to me, not much physically, intellectually, or morally, the poor weak creature that God made me, and perhaps that God ought to regret having made—I can not understand it in any other way, and I am not going to let my children and grandchildren misunderstand my attitude toward this resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution reported from the Committee on Privileges and Elections, on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK]. I understand that if he were present he would vote the same way I would, and therefore I will vote. I vote "yea."

Mr. DILLINGHAM (when his name was called.) I have a general pair with the senior Senator from Maryland [Mr. SMITH], but I am excused from that pair on this occasion and vote "yea."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL]. He is absent from the Senate, and therefore I withhold my vote.

Mr. SAULSBURY (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT], which I transfer to the senior Senator from Nebraska [Mr. HITCHCOCK], and vote "nay."

Mr. SMITH of South Carolina (when his name was called). I am paired with the Senator from South Dakota [Mr. STERLING], who is absent, and I withhold my vote.

Mr. CURTIS. I was requested to announce the absence of the Senator from South Dakota on account of a death in his family.

Mr. THOMAS (when his name was called). Has the senior Senator from North Dakota [Mr. MCCUMBER] voted?

The PRESIDING OFFICER. The Chair is informed that that Senator has not voted.

Mr. THOMAS. I have a general pair with the senior Senator from North Dakota. As he is absent, I withhold my vote. If I were at liberty to vote, I would vote "yea."

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON], which I transfer to the junior Senator from Georgia [Mr. HARDWICK] and vote "yea."

Mr. UNDERWOOD (when his name was called). I desire to ascertain whether the junior Senator from Ohio [Mr. HARDING] has voted.

The PRESIDING OFFICER. The Chair is informed that that Senator has not voted.

Mr. UNDERWOOD. I have a general pair with the junior Senator from Ohio, and in his absence I withhold my vote.

Mr. WARREN (when his name was called). I inquire if the junior Senator from North Carolina [Mr. OVERMAN] has voted?

The PRESIDING OFFICER. The Chair is informed that that Senator has not voted.

Mr. WARREN. I have a general pair with the junior Senator from North Carolina. I transfer that pair to the junior Senator from New Jersey [Mr. BAIRD], so that the junior Senator from

North Carolina will stand paired with the junior Senator from New Jersey, and I vote "yea."

The roll call was concluded.

Mr. CALDER (after having voted in the affirmative). Has the junior Senator from Rhode Island [Mr. GERRY] voted?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. CALDER. I have a general pair with the junior Senator from Rhode Island. In view of his absence, I withdraw my vote.

Mr. LODGE. The Senator from Georgia [Mr. SMITH], with whom I have a general pair, I do not see in the Chamber. I will ask if he has voted.

The PRESIDING OFFICER. The Chair is informed that that Senator has not voted.

Mr. LODGE. Then I am unable to vote. If I were able to vote I would vote "yea."

Mr. SHERMAN. Has the senior Senator from Kansas [Mr. THOMPSON] voted?

The PRESIDING OFFICER. The Chair is informed that that Senator has not voted.

Mr. SHERMAN. I have a pair with the senior Senator from Kansas, and therefore will be compelled to withhold my vote. If I were at liberty to vote, I would vote "yea."

Mr. KIRBY. I announce the unavoidable absence of my colleague [Mr. ROBINSON], who is detained on account of sickness.

Mr. LODGE. I am informed that the Senator from Georgia [Mr. SMITH], if present, would vote as I intend to vote. So I vote "yea."

Mr. THOMAS. I transfer my pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the Senator from Oklahoma [Mr. GORE], and vote "yea."

Mr. SMITH of Georgia. I vote "yea."

Mr. LEWIS. I desire to announce that the Senator from Rhode Island [Mr. GERRY] is detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS].

The result was announced—yeas 50, nays 21, as follows:

YEAS—50.

Ashurst	Johnson, Cal.	Moses	Spencer
Bankhead	Jones, Wash.	Nelson	Sutherland
Beckham	Kellogg	New	Swanson
Borah	Kenyon	Norris	Thomas
Chamberlain	King	Nugent	Townsend
Cummins	Kirby	Page	Vardaman
Curtis	Knox	Penrose	Wadsworth
Dillingham	Lenroot	Phelan	Warren
Fernald	Lewis	Poindexter	Watson
France	Lodge	Reed	Weeks
Frelinghuysen	McLean	Shafroth	Wolcott
Gronna	McNary	Smith, Ga.	
Hale	Martin, Va.	Smoot	

NAYS—21.

Culberson	McKellar	Ransdell	Trammell
Fletcher	Martin, Ky.	Saulsbury	Walsh
Gay	Myers	Sheppard	Williams
Henderson	Pittman	Simmons	
Hollis	Pollock	Smith, Ariz.	
Jones, N. Mex.	Pomerene	Smith, Mich.	

NOT VOTING—25.

Baird	Gore	McCumber	Smith, S. C.
Brandegee	Harding	Overman	Sterling
Calder	Hardwick	Owen	Thompson
Colt	Hitchcock	Robinson	Underwood
Fall	Johnson, S. Dak.	Sherman	
Gerry	Kendrick	Shields	
Goff	La Follette	Smith, Md.	

So the resolution was agreed to.

THE CENSUS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. FRANCE resumed the speech begun by him yesterday. Before the conclusion of the speech,

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Maryland yield to the Senator from Texas?

Mr. FRANCE. I yield.

Mr. SHEPPARD. I have been very much impressed with the arguments of the Senator from Maryland, and with his presentation of his very comprehensive amendments. I think that there are many meritorious features about them, and I am entirely willing to have them adopted by the Senate and go to conference, in order that they may be thoroughly studied. Therefore I shall say that the amendments are accepted, and I hope the Senator will now offer them.

The PRESIDING OFFICER. If there is no objection, the amendments will be accepted.

Mr. FRANCE. I desire to offer several amendments to the bill, and as the amendments, while they are quite numerous, really constitute one amendment, I desire that they shall be read at the desk together without reference to the parts of the bill to which they apply.

The PRESIDING OFFICER. The Secretary will read the amendments.

The Secretary read as follows:

In the title and wherever it occurs in the bill strike out the word "decennial" and insert in lieu thereof the word "quinquennial."

On page 1, strike out all of line 1 to line 2 on page 2, inclusive, and insert in lieu thereof the following:

"*Be it enacted, etc.*, That a census and survey of the population of the United States and of its colonies and of the education, health, insurance, agriculture, manufacture, forestry and forest products, mines and quarries of the people of the United States and of its colonies shall be taken by the Director of the Census, beginning in the year 1920, and every five years thereafter: *Provided, however*, That the taking of the census, registration, and schedule of inquiries relating to population shall be continuous, as hereinafter provided.

"The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, Porto Rico, Guam, and Samoa, said census to be made in accordance with such plans and regulations as the Director of the Census may prescribe in pursuance of the provisions of this act."

On page 2 strike out all of section 2 and substitute therefor the following:

"SEC. 2. That the period of three years, beginning the 1st day of July next preceding the census provided for in section 1 of this act, shall be known as the quinquennial census period, and the reports upon the inquiries provided for in said section shall be completed and published within such period: *Provided, however*, That the registration of the population and the schedule of inquiries relating thereto shall be commenced on or before the 1st day of July, 1919, and shall thereafter be continuous, and the results of the same shall be continually recorded and shall be from time to time compiled and analyzed, and useful statistics based thereupon published, as the public interest may require, but at intervals not longer than five years: *Provided, however*, That information identifying any particular individual or firm shall not be published but shall be held in confidence: *Provided, however*, That lists of all citizens over 21 years of age, arranged and divided into sections according to election precincts, districts, counties, congressional districts, and States, which lists shall contain information as to the race, sex, occupation, and residence of each such inhabitant over 21 years of age, shall be published on or before the 1st day of July in each year, such lists to be known as the "official Federal registration lists," and to be printed for distribution in sections as described at such reasonable prices as may be determined upon by the Director of the Census."

On pages 8, 9, 10, and 11 strike out all of section 8 and substitute therefor the following:

"SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to the education, health, insurance, agriculture, manufacture, forestry and forest products, mines and quarries of the people of the United States and the colonies, and to the population of the United States and its colonies.

"The survey and schedules of inquiries and the records relating to population shall be so made as to furnish continuing records of each inhabitant, which records shall be kept by complete card system, in duplicate, one set of records to be filed in the census office of the local subdivision and one set to be filed in the office of the Bureau of Census in Washington when it shall be called for. Such continuous survey and records of the inhabitants of the United States shall be so made as to furnish an accurate schedule of vital, educational, and industrial statistics as a basis for the formulation of legislation to promote the general welfare, defense, and safety by improving the vital, educational, and industrial condition of the inhabitants, and such survey and records shall include specifically and in detail for each and every inhabitant, the place and date of birth; acute and chronic contagious diseases; occupational diseases and accidents; school attendance and progress; business or vocational training; military training or service and wounds or disabilities contracted in service; high-school, college, or technical training; health and physical condition; the health and physical condition of all school children under 14 years of age, and of all males under 45 years of age, as ascertained by an annual medical examination; place, character, sanitation, and tenure of abode; relationship to head of the family; color; sex; age; conjugal condition; occupation; condition of employment or unemployment; registration in Federal employment agency; whether employer or employee; trade; business; public offices, honors or special achievements; payment of taxation or insurance premiums; whether qualified and habitually exercising suffrage rights in State and Federal elections; place of birth of parents, nationality, and mother tongue, and knowledge of English if born in a foreign country; nationality, mother tongue, and knowledge of English of parents of foreign birth, and number of years in the United States; literacy; and the date, place, and cause of death; and such schedules shall also include a survey of the almshouses, charitable agencies, and complete and partial pauperism in the United States.

"The survey of and schedule of inquiry relating to education shall be so made as to secure such definite and classified information as might be useful as a basis for the formulation of legislation for the establishment of a Federal department of public education and for the standardization and extension, with the aid of the Federal Government, of all of the agencies of public instruction and for the establishment of a federalized system of free public education and training extending from the elementary schools to and including technical schools, colleges, universities, and professional schools with vocational and rehabilitation schools as well as night schools for adults and immigrants, compulsory in its elementary but optional for and equally available to all in its higher departments; and such schedule of inquiry shall include a survey of the number, character, cost, and value of city and rural public-school buildings for the white and racial groups; of private, technical, and rehabilitation schools; of colleges, universities, and professional schools; salaries of teachers and the total annual cost of maintenance; the total number of children of school age; the number enrolled, the number in regular attendance, and the length of the school year; sani-

tary conditions; character of curricula and physical and mental training; tuition and living costs in private schools and colleges; and the possible availability of private institutions, schools, and colleges for acquisition for future or continued use as parts of a public system of education.

"The survey and schedule of inquiry relating to the public health and of insurance shall be so made as to secure such definite and classified information as might be useful as a basis for the formulation of legislation for the establishment of an efficient Federal department of public health, vital statistics, and insurance and for the standardization and extension of all of the various existing public-health agencies and for the promotion of rational insurance systems, particularly with the purpose of limiting the ravages of tuberculosis and other communicable diseases and of preventable industrial accidents and diseases and the destitution due to preventable injury, death, and inadequate insurance, and such schedules of inquiry shall include a survey and tabulation of vital statistics and of the health of the population as reported by the population registration records heretofore provided for; also a survey of public and private health bureaus or agencies; of public and private hospitals and sanitoria for general or special diseases; of contagious and industrial diseases; of industrial accidents; safety devices, sanitary precautions, morbidity and mortality in the dangerous and dusty trades; of tenements and insanitary housing conditions; of employers' liability laws, and of systems in force of health, old-age, accident, or other forms of insurance, with cost of same and the distribution and number of those insured: *And provided*, That the President is hereby authorized to appoint, with the advice and consent of the Senate, a commission on education of three members and a commission on public health, vital statistics, and insurance of three members to advise with the Director of the Census as to the most efficient methods of collecting and classifying data relating to these subjects, and each member of said commissions may be granted a salary at the rate of $5,000 per annum for the term of his service, which shall not exceed three years.

"The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, sanitary condition, value of farm implements, number and breeding of live stock on farms, ranges, and elsewhere, and the acreage of crops and the number working, including family, in crop production, and the net and gross income, the quantities and cost, including value of the labor of farmer and family or crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of tilled and tillable land and of land reclaimed and reclaimable by irrigation and drainage and the crops produced; also as to the location and character of irrigation and drainage enterprises, and the capital invested in such enterprises.

"The schedules of inquiries relating to manufacturers and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and hours of labor, and the amount of their wages; sanitary conditions and health preservation methods, and pension or profit-sharing systems; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time and operation during the year; character and quantity of power used; and character and number of machines employed.

"The census of manufactures and of mines and quarries shall relate to the year ending December 31, next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as a factory system, exclusive of the so-called neighborhood, household, and hand industries.

"The form and subdivision of inquiries necessary to obtain the information under the foregoing topics shall be determined by the Director of the Census.

"Whenever he shall deem it expedient the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees to be employed without respect to locality."

On pages 11 and 12, strike out all of section 9 and substitute therefor the following:

"SEC. 9. That the Director of the Census, at least six months prior to the date fixed for commencing the schedules of inquiries and the enumeration as herein provided, shall designate the number, whether one or more, of supervisors of census for each State, the District of Columbia, Alaska, Hawaii, Porto Rico, Guam, and Samoa, or special agents as hereinafter provided, and shall define the various census districts, census subdivisions of the census districts, and the census precincts in which they are to act: *Provided*, That the supervisors of the census shall be appointed by the President with the advice and consent of the Senate: *Provided further*, That so far as possible the boundaries of the census districts shall conform to the boundaries of congressional districts, and the boundaries of the various census subdivisions shall conform to the political subdivisions of the States or colonies, such as counties, cities, or legislative districts, and that the census precincts shall conform to the election precincts of such political subdivisions: *And provided further*, That, if in any supervisor's census district the supervisor has not been appointed and qualified 90 days preceding the date fixed for the survey and enumeration, or if any vacancy shall occur, either through death, removal, resignation, or from any other cause, the President may appoint a temporary supervisor or director of the census district or the Director of the Census may detail any employee of the Census Office to act as a supervisor of the district: *And provided further*, That each supervisor of the census shall select, with the approval and consent of the Director of the Census, a suitable office in each of the census precincts of each of the various census subdivisions of each of said census districts, to be created as heretofore provided, to which office on census enumeration days, which shall be duly specified and publicly proclaimed by the President, all of the inhabitants of said census precinct shall come either in person or through the head of the family, parent, teacher, or head of the firm by which he may be employed, to be enrolled and to receive a numbered registration card: *And provided further*, That the supervisor of the district shall, with the approval and consent of the Director of the Census, also select suitable central offices for each census subdivision corresponding to either city, country, or legislative district, if possible at the county seat or at some other central point where there shall be provided, until a suitable Federal building shall be erected, as may hereafter be provided by law, rooms and facilities for the study, tabulation, classification, and safe-keeping of all record cards containing vital statistics and other information provided by the schedules of inquiry: *And provided further*, That such central offices shall also be utilized for the accommodation of the subdivision branch of the Federal Department of Public Health, Vital Statistics, and Insurance; of the subdivision branch of the Federal Department of Education, and of the subdivision branch of the Federal Employment Bureau when and if these shall be authorized and created by Federal statutes. The Director of the Census shall also make regulations concerning the carrying by individuals, after they shall have been registered, of identification numbered registration cards: *And provided further*, That the supervisor in each census district shall select clerks, preferably residents of the census precinct, and preferably the State election or registration officials of the corresponding election district or precinct to act as clerks or enumerators in that corresponding census precinct for the making of the records in said precinct, and the supervisor of the census shall also name an assistant supervisor, and clerks to such assistant supervisor for each census subdivision who shall have supervision of the clerks and enumerators of the census precincts, and who shall receive, classify, and care for the records in the central offices of the census subdivisions and forward them as directed to the office of the Census Bureau in Washington: *And provided further*, That one properly qualified, regularly licensed physician shall be appointed as medical supervisor for each census precinct, and one such physician shall be appointed as medical director for each census subdivision, which medical supervisor and medical director shall assist in the collection and classification of all health and vital statistics for the census precinct and census subdivision, respectively, under regulations which shall be prescribed by the Director of the Census: *And provided further*, That the Secretary of War and the Secretary of the Navy and the heads of the various executive departments of the Government shall be charged with the making, through the offices of the Provost Marshal General, of the Surgeon General of the Army, of the Surgeon General of the Navy, or through other suitable agencies, of the schedules of inquiries relating to the men in the Army, the men in the Navy, and the employees in all of the various executive departments of the Government: *And provided further*, That the President be, and he is hereby, authorized to assist the Director of the Census by calling upon the governors of the various States and colonies and upon State, county, and city officials to promote the speed and accuracy of the census taking by permitting and, so far as may be, requesting or directing the heads of the State and city departments, educational authorities, heads of private schools and colleges, teachers, and school physicians to make the schedule of inquiries relating to all employees of the said departments and to children or students enrolled in the various educational institutions: *And provided further*, That the President be, and he is hereby, also authorized to seek the cooperation of the heads of railroads, public utility, commercial, and industrial enterprises in the making of schedules of inquiries relating to their employees: *Provided, however*, That the public-school teachers who make the schedule of inquiries relating to their pupils shall be, and others, as the Director of the Census may name, may be duly authorized as enumerators of the census and shall be paid for their work, receiving such compensation from the Census Bureau as the Director of the Census may determine."

On pages 12 and 13 strike out all of section 10 and substitute in lieu thereof the following:

"SEC. 10. That the Director of the Census shall also direct that inquiries shall be made through the supervisors of the various census districts and through the assistant supervisors of various census subdivisions as to the best available site in each census subdivision, in the town or city where the central offices of the census subdivision shall be located, for the erection of a Federal building for the permanent accommodation of the census subdivision offices, for the safe-keeping of records, and for the permanent housing of the subdivision branches of the Federal Departments of Education, of Health, Vital Statistics, and Insurance, of the Federal Employment Bureau, Agricultural Extension Services, and of the Post Office; and whether the local authorities or agencies will provide the site or what would be the price of the same, such site to be suitable for the erection of a building either by the Federal Government alone or in conjunction with the local authorities, which building shall be suitable for the aforesaid uses, with fireproof files for the population records, rooms and laboratories for physical examinations, rooms for corrective physical treatments, assembly hall, a library of United States bulletins and publications, the vocational or rehabilitation school, facilities for a Federal community center or such other activities as will best promote the Federal and local needs: *Provided*, That the results of these inquiries shall be tabulated and submitted to the chairman of the Committee on Public Buildings and Grounds of the Senate for consideration by that committee: *Provided further*, That each supervisor of census shall be charged with the performance within his own district of the following duties: To consult with the Director of Census in regard to the division of his district into subdivisions most convenient for the purpose of enumeration, which subdivisions or enumeration districts shall be defined and the boundaries thereof fixed by the Director of the Census as heretofore provided; to designate to the director suitable persons, and with his consent to employ such persons as enumerators, one or more for each precinct and subdivision; to communicate to enumerators the necessary instructions and directions relating to their duties; to examine and scrutinize the returns of the enumerators, and in the event of discrepancies or deficiencies appearing in any of the said returns to use all diligence in causing the same to be corrected or supplied; to forward the completed returns of the enumerators to the director at such time and in such manner as shall be prescribed; and to make up and forward to the director the accounts of each enumerator in his district for service rendered, which accounts shall be duly certified to by the enumerator, and the same shall be certified as true and correct if so found by the supervisor, and said accounts so certified shall be accepted and paid by the director.

"The duties imposed upon the supervisor by this act shall be performed in any and all particulars in accordance with the orders and instructions of the Director of the Census."

Mr. FRANCE. Mr. President, I confess that it is with a sense of diffidence, and I may say of responsibility, that I rise to discuss the amendments which I have proposed to the pending census bill. I realize perfectly well that this whole subject of the census is generally deemed to be a most technical one, and being technical, it is deemed to be a most uninteresting subject; but I think that, if I could secure the attention of the Senate to a real consideration of the amendments which I propose, the Senate would soon come to a realization that not only do these amendments to go to the very heart of the question as to the

methods by which the census should be taken, but that they also go to the very heart of the theories upon which the modern census, at least, is based; and that these amendments go to the very heart of this great subject which confronts us in this reconstruction period, as to what are the legitimate functions of government and as to what are not.

I have very positive views upon this subject. Throughout my political experience I have always sought to be a liberal in politics, but I have sometimes been distressed to observe that many of the so-called progressives were not progressives, but that they were destructives; and, Mr. President, in my political thinking, while I have leaned toward liberalism, I have always sought to avoid destructivism.

I believe in the principles of this Republic, and therefore I am a Republican and not a democrat. I believe that the fathers clearly understood what were the proper functions that belong to government when they wrote the Constitution of the United States, and I think that they clearly understood also what functions did not and should not belong to government.

Mr. President, it seems to me that an important problem of the reconstruction period is to decide this question: What are the legitimate functions of government as it has been constituted in the United States?

Mr. President, I hope the Senate will pardon another personal reference. I have sought to be a liberal in politics, and it is for that reason that I am opposed to the assumption by the Government of functions which are nongovernmental. If I could take every liberal in the United States by the hand to-day, I would say to him: "You, who believe in progress and liberalism in government, should be warned by the experience, the painful experience of the last few months, as to the danger of transferring to the Government those functions which do not properly belong to government at all." I would ask such liberal to read this language, taken from an advertisement, evidently contributed by patriotic citizens, in the Buffalo Commercial. I am not sure as to the politics of that paper, but whether it is Democratic or Republican it must believe in the Republic and those great principles of republican government which lie underneath the very foundations of the Republic:

STATE SOCIALISM.

Human experience proves that every government, whether autocratic or democratic, seeks to extend its powers and increase its authority at the expense of the liberties of the governed.

We are witnessing to-day an attempt by the administrative branch of the United States Government to consolidate and perpetuate the powers conferred upon it in a time of war, although peace has returned.

Secretary Daniels wants to take over the radio systems of the country.

Secretary Burleson, placed in control of the telephone and telegraph lines as a war measure, has grabbed the cables since the armistice was signed and now coolly proposes Government ownership and operation for all of them.

Director General McAdoo pleads for five years of Government control of the railroads, well knowing that by the end of that time it would be well-nigh impossible to turn them back to their rightful owners.

We are headed straight for State socialism, a system that negatives all individual initiative, discourages private enterprise, and creates an oligarchy of officeholders and State employees to vote in or out of power that party that does or does not meet their demands in fullest measure for more pay or more favorable working conditions and hours.

This is the great issue of the day, and it is absolutely necessary that an intelligent body of public opinion be lined up behind our lawmakers if a national calamity is to be averted.

Every business man, everyone with money invested in an enterprise of any kind, every farmer or home owner, every young man with a future to look forward to, and older men who desire that their sons should be given an equal opportunity with the young men of the past are hereby invited to write to their Senators and Congressmen, respectively, protesting against any legislation which has for its purpose the socialization of any of this country's great business organizations.

State socialism means surrender to the Socialistic Party. That surrender, unless prevented, will eventually give control of the Government to the Bolsheviki.

Democratic leaders have gone on record as advocating Government ownership. We do not believe the Democratic masses will stand for this proposed sale of their party to the Socialists.

Mr. President, it has been interesting to me as being, I think, somewhat in touch with the liberal thought of this country to see the certainly changing attitude of the masses of the people in the United States toward the question of the assumption by the Government of functions which can not from any standpoint be considered to be functions which should properly inhere in the Government. They have seen the Postmaster General stretch out a hand and grasp the wires and cables of communication; they have seen that hand suppress the movement over those wires of news and of thought and of opinion. They have seen the menace involved in such governmental action. All of the thinking people of this country who are not satisfied with conditions are very much interested in securing news as to what is transpiring in Europe concerning the peace conference and as to what is transpiring in Russia, because, Mr. President, most definite and certain news seeping through various channels from Russia informs us that deliberate untruths have been told to the American people with reference to the situation there; and these people, desiring to understand the situation, have seen the danger of having an interested Government controlling the information which the people have a right to have in order that they may pass intelligent judgment as to what foreign policy is being considered and as to what policy may be presented to them later for their adoption.

In this connection I wish to quote from a paper which I rarely quote; a paper which, while representing the great press of the South, is unfortunately so partisan in its views that its judgments are very often biased. This newspaper was in favor of the espionage act. I do not know whether it was in favor of the seizure of the cables, but already it has come to the position where it realizes that all is not well with the Democratic administration so far as its seizure of the cables is concerned. This editorial is headed "An unfortunate incident." I will ask, Mr. President, to have it inserted in the RECORD. I will give the substance of it, so that there may be no lack of continuity in my discussion. It refers to the question of suppression of news with reference to the English proposition to deal constructively with the Russian question, and it asks this question:

Why should we have to learn from a Paris Socialist paper, L'Humanite, that the British Government proposed on the 3d of this month that representatives of the various Russian factions should be allowed to come to Paris and discuss with the great powers terms of a permanent settlement?

And so forth.

I ask that the entire editorial may be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Without objection, it is so ordered.

The editorial referred to is as follows:

AN UNFORTUNATE INCIDENT.

The first of President Wilson's 14 principles was a demand for open international covenants openly arrived at. Is that principle being discarded at the outset? The Paris correspondent of the New York Herald cables that American newspaper men are told every day there is nothing for publication and are kept in the dark, and he intimates that if any covenants are being made they are not being made in the open. Possibly this is an exaggeration or a misconception.

But why should we have to learn from a Paris socialistic paper, L'Humanite, that the British Government proposed on the 3d of this month that representatives of the various Russian factions should be allowed to come to Paris and discuss with the great powers terms of a permanent settlement? The statement of the exact character of the proposition differs. From the reply of the French minister of war, as given in L'Humanite, it was interpreted by the French Government as an invitation to the Bolsheviki to take part in the peace conference. As explained by our Mr. Polk, it was a call on all the Russian factions to suspend hostilities and send delegates to Paris with a view of adjusting their differences and restoring law and order in Russia. But no matter which statement more accurately describes the proposal, there can be no doubt that it was one of the first importance. Why was it not made public at once?

The American delegates at Paris say they knew nothing about it until M. Pichon's scathing rejection of the British suggestion was published in L'Humanite. And Mr. Polk, our Acting Secretary of State, did not give it out, supposing that the memorandum which had been handed him on the 3d of this month had also been submitted to President Wilson and our delegates in Paris. It was clearly so big a thing that Mr. Polk did not feel at liberty to divulge it without authority from Paris. And yet he was so absent-minded that when a correspondent interviewed him with regard to M. Pichon's statement he "did not connect the question with the proposal referred to in the memorandum received from the British charge," and denied that any such proposal had reached him.

The closer the adherence to President Wilson's principle of open diplomacy the better it will be for everybody. The British proposal may be entirely defensible—may be based on motives of justice and wisdom. But it has gotten a black eye to start with because it was kept secret. That makes it at once an object of suspicion, invests it with the aspect of intrigue and double-dealing. Everybody begins to read into it weakness or selfishness. The French politely explain it as a reversion to the old Lloyd-Georgian radicalism and to a fear of Bolshevism at home. Others, more cynical, think it looks to a bargain for the payment of the British debt, or for such a reconstruction of Russia into small States as will eliminate her as a future menace to British interests in Asia.

None of these suspicions might have been aroused had this preliminary "covenant" been posted on the peace conference bulletin board. As it is, we seem to start off with a failure to insist on our own first and fundamental principle.

Mr. FRANCE. Mr. President, I shall not discuss further at this time the other functions which I believe the Government, unnecessarily, improperly, and to the damage of the country and to the proper progress of the conduct of the war, has assumed. I wish rather to get back to my theme, which is that progressive government can not exist, that free government is menaced, when the Government begins to assume nongovernmental functions.

That does not mean, Mr. President, that I am what should be called a "stand-patter." I am dissatisfied with conditions in this Republic; I realize that there are legitimate reasons why there should be here profound unrest; but I believe that we can meet the problem by first deciding definitely what are government functions and what are not, and then by beginning reconstruction work, not with a trowel, but with an ax, in order that we may cut the Republic free from many of these bureaus

which have been built up and release it from the performance of nongovernmental functions, while at the same time insisting that every proper governmental function shall be performed with the very utmost of efficiency.

The trouble in this country is not due to our governmental form. It is rather due to the fact that the Government has not been efficiently performing its legitimate governmental functions, and that there have not been enacted the laws which, under our growing social and economic complexity, are necessary in order that the great fundamental principles enunciated by the fathers might be applied to a condition totally unlike that which existed in their day, but, I believe, a condition which they foresaw; because there is not lacking in the Constitution, as I believe and as I hope later to show, authority for the performance of one of these great fundamental functions which are really the proper and legitimate functions of government, and because of the inadequate and inefficient and bureaucratic performance of which great evils have arisen in this country.

You may say, perhaps, that I am neither flesh nor fish. I believe in the Republic, but I believe in change under the Constitution. I believe in reform, legitimate reform. I believe in a rearrangement and a reorganization of the whole Republic along certain lines, without the assumption by the Republic of a single function which it is not performing to-day, and which it has not the legitimate and constitutional right to perform.

Mr. President, if the Senators will agree with me that the survey of the condition of the Republic, that the enumeration and enrollment of its inhabitants, that the examination of the condition of each inhabitant, of the condition of his health, of the condition of his literacy or of his illiteracy, of the condition of his employment or unemployment, and so forth, are a legitimate function of government, we can go together; and I fail to see how you can disagree, for the census clause is one of the first written into the fundamental, organic law of the Nation.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. With pleasure.

Mr. KING. Referring to the last suggestion made by the Senator, does he think that the Government should act merely for the purpose of obtaining the desired, needful, and useful information, or for the purpose of aiding persons to secure employment, and also furnishing them employment, and embarking upon what might be termed a paternalistic industrial system? I ask because if it is the former, no one probably would disagree with him; if the latter, there might be a wide diversity of opinion.

Mr. FRANCE. Mr. President, I will suggest to the Senator that there are several questions involved in his question.

What is paternalism? What does the father do? Does he bring his son into the world and keep him as an infant all his life? Does he weaken him and soften him by an undue amount of paternal protection? Sometimes he does, and the product is an unmoral product; it is an un-American product. But I would ask the Senator if it is a legitimate function of paternal care to see that the child is born under as good conditions as possible, and that the child, being so born, shall be given every possible security against destruction by contagious or infectious disease, and that he be given as good an opportunity as the next man to secure a thorough education to fit him for the race of life?

I think, without discussing all of the proper functions of paternal care, that we can agree that there are legitimate paternal functions and illegitimate ones. The Senator will admit, for example, referring to the whole subject of popular education, that there were men who contended at one time that the establishment of popular education was paternalism. From what I know of the Senator from Utah and his views, I do not feel that we shall be very far apart upon that subject, although it is quite possible that from that undefined region which lies between legitimate and illegitimate paternalism I might select certain functions for the Government to perform which he would not select. But I think, so far as our fundamental conceptions are concerned, that he and I are in entire agreement; and I am making an effort to differentiate, if possible, between what I consider to be legitimate governmental functions, or, if you please, paternalistic functions—because all of the duties of governments are paternalistic in one sense—and what may be considered illegitimate governmental functions.

Certainly the census taking is a proper function. Do you believe that public education is a legitimate function of government? If you do, we go along together. I do not propose to give much time during the hours in which I shall discuss this subject to proving that popular education is a legitimate function of government, but I believe it is. If it is, give us education. Give us education for everybody. Give the poor boy as much education as the rich man can buy, and give it to him at the expense of the State. The failure to do this is one cause for unrest. Why should my boy, because I have a few thousand dollars a year, go to a great university, when he may be a blockhead, and get an education which the boy of my neighbor, who has not the money, can not get?

There, I will say to the Senator, is a border-line case. I believe that public education is a function of government; and, believing so, I do not believe that the Government can afford to try to highly educate a fool, nor do I believe it can afford to withhold from the brilliant young man the utmost education which he is capable of taking, regardless of his financial condition. Probably the Senator would say that that was one of the border-line questions.

Mr. KING. Mr. President, if the Senator will permit an interruption——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. I do.

Mr. KING. I concur with probably all that the Senator has said respecting the question of education, except that if he means that the Federal Government should assume the education of the children in the States I could not concur with him. I think that the sovereign States have resting upon them the responsibility of educating the children within their borders; and this duty they are performing with zeal and enthusiasm. I do not know of a single State that does not have a university in which the higher branches of education are taught, and taught freely, to all within the State.

I think if the Senator will go into the great universities of our country—and I do not want to indulge in any invidious comparison, but universities such as Yale and Harvard and Columbia——

Mr. SMITH of Michigan. And Michigan.

Mr. KING. And Michigan, certainly, as my distinguished friend from Michigan suggests; and I can speak with pleasure of that, because I attended that university—I think he will find more students who are the children of parents who possess but little or none of this world's goods than he will those whose parents possess wealth. It is a very common thing in these great educational institutions to find young men who work their way through college, because of their lack of means and the poverty of their parents. It is my observation that any young man in the United States who wants an education can obtain it, and it has not been denied him on account of poverty.

Mr. FRANCE. The Senator has again mixed several questions in his reply. If he will go to Wisconsin University, for example, he will find a university which I believe—and the Senator from Wisconsin can correct me if I am misinformed on that subject—is really a part of the system of public education; but if he will go to certain other institutions which I could name—and I will not name them—he would find that very few poor boys are there.

Mr. KING. If the Senator means that in some States provision has not been made to give the children of the poor the highest education that may be given to the children of the rich within the State, that State has failed in the discharge of its duty.

Mr. FRANCE. I feel so.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Michigan?

Mr. FRANCE. With pleasure.

Mr. SMITH of Michigan. It may not be inappropriate to say that there are men within the sound of the voice of the Senator from Maryland and the Senator from Utah who worked their way through a great educational institution. I do not happen to be one of them. I did not have the privilege of attending the University of Michigan. In fact, I had very little early education, because of the necessities of my situation; but my colleague [Mr. TOWNSEND], who was equally poor and equally determined and much abler, worked his way through in the most humble employments, and there was no bar to him.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Wisconsin?

Mr. FRANCE. I yield, with pleasure.

Mr. LENROOT. I should like to call attention to the fact that although a university may provide free tuition, nevertheless it is not possible for every young man to work his way through the university. In many cases—a very large percentage of cases—he has dependents whom he must support, and it is not alone a question of making his own living while he is securing an education. Wisconsin University has recognized this, and has recognized it very substantially through its extension

courses, whereby it seeks to provide for the boy at home who must be supporting dependents at that stage of his life a fair amount of higher education.

Mr. FRANCE. Mr. President, the Senator from Utah and the Senator from Michigan have opened up a very important subject, and the remarks of the Senator from Wisconsin are quite applicable. I am not undertaking this afternoon to discuss the large question as to whether the States or the Federal Government should provide public education. I am merely laying down the proposition that if public education is a legitimate function of the Government, it must perform that function universally and fully; and it is not doing it——

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Maryland yield to the Senator from Tennessee?

Mr. FRANCE. Will the Senator permit me to proceed a moment? It is not doing it when we come to a great war and find that out of the 2,000,000 men called to defend the Republic against a violent and a most dangerous enemy 200,000, or 10 per cent, are illiterate. Our enemy had no illiteracy in his armies, because Frederick the Great had learned the value as a fighting man of the educated man, and, because he was both a capable and a ferocious military leader, he decided to educate his people. Does the Senator desire to defend a system of education which would force this great Republic, supposed to be the leader in enlightenment throughout the world, when exposed to such a deadly danger, to call 2,000,000 men to its defense and find 200,000 of them unable to read or write their names or to understand the orders which they must read in order to perform their duties in defending the Republic?

I now yield to the Senator from Tennessee with pleasure.

Mr. McKELLAR. Mr. President, I can not let this opportunity pass to say that I agree most heartily and cordially with the propositions as to national aid to education that the Senator from Maryland is so well laying down. It is one of the remarkable things that this great, rich Government of ours, contributing millions and sometimes almost billions to other worthy purposes, practically furnishes nothing to the cause of education of the youth of our land.

I agree with the Senator entirely on this subject. I think our Government should see to it that there are no illiterates in this country. We should do away with illiteracy; and while it is primarily the duty of the States, if the States do not perform that duty it is our duty as a National Government, it is our duty as legislators, to furnish the necessary money and the necessary means to educate the youth of America.

I am for education. I am for any kind of an educational bill. I am about education somewhat like the old-fashioned Kentuckian used to be about his whisky. It was all good, better, and best, and there was no bad whisky. [Laughter.] And so I think about education. It is all good. Private education is good. State education is good. And national education is good. It is all good. It is all helpful.

I am for any kind of an educational measure. I am for the best, of course, if possible. If we can not get that, then I will take the good or the better kind of an educational measure. I indorse what the Senator has said on national aid to education. I was much interested in and strongly for the vocational education we provided for some time ago. I was even more in favor, if that could be possible, of the educational rehabilitation of our wounded and maimed soldiers as provided for by us recently. And it would give me the greatest pleasure to support some general scheme of national aid to the cause of the general education of our youth. I hope some general plan can be agreed to so that the greatest, richest, and most powerful Nation on earth can also be the best educated.

Mr. FRANCE. I thank the Senator; and I would say that I am not raising a sectional question, because there are strict constitutionalists on that side of the Chamber who feel exactly as I do. Indeed, the Senator from Georgia [Mr. SMITH] has introduced a measure which, while it does not entirely meet with my views as to the best method, expresses purposes which are entirely in accord with the purposes which I have in mind, although the Senator from Georgia comes from a State which ordinarily would hold that the function of education belongs to the State rather than to the Federal Government.

But, Mr. President, I should be moving on.

Is the protection of the public health a legitimate function of Government? Well, I will only say the same thing—that if it is to the interest of State government and if it is to the interest of the Republic to protect in every legitimate and proper way the health of its citizens, then let us have a public-health system which will function, and function universally, and function scientifically.

I do not feel that any Senator can be in disagreement with the fundamental principles which I am laying down, so far as the social survey, public education, and the public health are concerned. Is the relief of unemployment, not in any paternalistic way, but in the way of bringing an unemployed man in New York, for example, in contact with an opening in Maryland, through the establishment of public-employment bureaus, a legitimate function of government? If it is, let us have public-employment bureaus which will function effectively.

Mr. President, if there are any men in this Chamber, let me say, who desire seriously to contend that any of these functions are not legitimate public functions, and that they are not legitimate functions of this Republic, then I will suggest to them that they had better resign from the Congress of the United States, or withhold in the future some of the votes which they have cast in the Congress of the United States; for every one of those functions is now being performed not only by the States but by the Federal Government as well; and I propose, later on in my discussion, to show that every one of those functions has not only been performed but that they can be legitimately performed; and I propose also to show that these very functions which the Federal Government has been performing during this war it can also legally perform during times of peace.

Mr. President, I desire to say, in passing, that these amendments which I have offered to the census bill are so fundamental, they open up such a large subject, not only the particular subject with which the amendments seem to deal, but the whole subject of reconstruction, as I have intimated before, and, indeed, the whole subject as to the legitimate and proper functions which government should perform, that, in view of the vastness of the subject, it would really take weeks of discussion to touch upon the most salient points. I am also very frank to say that if I felt that such a discussion by me of this subject, for weeks, would secure the serious and careful attention of the Senate to it, and favorable action upon these census amendments—which, of course, are only a part of a program of legislation which I have in mind—I would not hesitate one moment to stand here and talk until the 5th of March, until there should be an extra session to deal with these fundamental problems of reconstruction, with which, if we do not deal, we will invite a most dangerous situation in the country; and let me say that with all the emphasis which I can put upon it.

The people of this country are not satisfied, and I hope they never will be, with conditions as they are; for it is not proper that the citizens of this great Republic, which is to be the pioneer in government, which is to be the leader in the great procession down the ages toward a better and a more peaceful civilization of the world, should ever be satisfied. I hope they will always be filled with a divine discontent. I rejoice to-day that conditions in this country are such that we can not go back to where we were before; and if there be any in this Chamber or in this Congress or in any of the legislative halls of the United States who believe that reconstruction means restoration of the old conditions, then, indeed, such a man is blind, not only to conditions as they prevail in this country but blind also to the whole deep meaning of this mighty struggle in which the world is now engaged.

Mr. President, I have been attempting to make it clear that these amendments are designed as a step toward removing those conditions which are a legitimate cause for unrest and for discontent. They are designed to lay a foundation for reconstruction as broad as the teeming millions of our population in this country and in our colonies in the islands of the sea, and as deep as every individual need which can be properly met by any legitimate function of the Government.

Mr. President, I love my country better than my party, and I will follow the leadership of any man who has a practical plan for leading this country and the world out of the present wilderness.

As I have pondered upon the situation in which we find ourselves, not only in this country but in the world, I have thought sometimes that in this crisis in human affairs we have a leaderless country, a leaderless world. Ideals are not enough. They must be applied and conditions must be considered as they are and not as we would wish them.

The problems of this country can not solve themselves. While I find myself in agreement with many of the ideals expressed by the President, I have been forced to reach the conclusion that he has not appreciated conditions as they really exist, not only in this country but throughout the world.

I shall not now discuss the world conditions, although of course they properly belong to the great question of reconstruction, because I believe that our reconstruction should consider the problems of the world as well as the problems of this country. But so far as the problems of this country are con-

cerned, certainly the President has not perceived them, because on December 2, in his farewell address, he said:

So far as our domestic affairs are concerned the problem of our return to peace is a problem of economic and industrial readjustment. That problem is less serious for us than it may turn out to be for the nations which have suffered the disarrangements and the losses of war longer than we. Our people, moreover, do not wait to be coached and led. They know their own business, are quick and resourceful at every readjustment, definite in purpose, and self-reliant in action. Any leading strings we might seek to put them in would speedily become hopelessly tangled because they would pay no attention to them and go their own way. All that we can do as their legislative and executive servants is to mediate the process of change here, there, and elsewhere as we may. I have heard much counsel as to the plans that should be formed and personally conducted to a happy consummation, but from no quarter have I seen any general scheme of "reconstruction" emerge which I thought it likely we could force our spirited business men and self-reliant laborers to accept with due pliancy and obedience.

Mr. President, there is no denying that for a short time the great liberal spirit of this country looked to Woodrow Wilson for its leadership; but there is also no denying the fact that for a long time this has not been the case, and that this statement alone, which reveals that the President does not understand conditions in this Republic, should be enough to turn the liberals of the country from him. I say this in no unkindness. We must have a solution for these problems which are real and pressing.

I recognize the fact, in extenuation of the statement quoted, that the President had been so preoccupied with a consideration of foreign questions that he had really not had the opportunity to sense and to appreciate the conditions which then existed in this country and which do now exist.

Mr. President, I desire to read portions of the amendments which I have proposed, with an explanation briefly of their meaning and of their purpose.

So far as the first amendment is concerned, it reads practically as the language of the bill down to the point where it says:

Provided, however, That the making of the census, registration, and schedule of inquiries relating to population shall be continuous, as hereinafter provided.

That is one of the chief points in my amendment or in my series of amendments. They provide for an enrollment or survey which shall be continuous and that, together with the fact that my amendments provide for a larger number of subjects for the schedule of inquiry, covers the substance of them. In a word, my amendments provide for a card catalogue, continuously revised, giving full information concerning the population of the United States.

Then in the second amendment, the amendment to section 2, there is a provision that so far as the census applies to the more fixed problems it shall be quinquennial instead of decennial. Referring to the continuous-enrollment feature, it says:

Provided, however, That the registration of the population and the schedule of inquiries relating thereto shall be commenced on or before the 1st day of July, 1919, and shall thereafter be continuous, and the results of the same shall be continually recorded and shall be from time to time compiled and analyzed, and useful statistics based thereupon published, as the public interest may require, but at intervals of not longer than five years: *Provided, however*, That information identifying any particular individual or firm shall not be published, but shall be held in confidence: *Provided, however*, That lists of all citizens over 21 years of age, arranged and divided into sections according to election precincts, districts, counties, congressional districts, and States, which lists shall contain information as to the race, sex, occupation, and residence of each such inhabitant over 21 years of age, shall be published on or before the 1st day of July in each year, such lists to be known as the "Official Federal registration lists," and to be printed for distribution in sections as described at such reasonable prices as may be determined upon by the Director of the Census.

Now, the object of the published list is that there should be, at the periods of election, official registration lists, containing addresses, in order that a candidate who desires to present to the voters of the country items of interest and of importance may have the addresses readily at hand. Of course, one of the objects of this publication is to also save the unnecessary expense of local registration for election purposes.

The next amendment to section 8 contains the schedule of inquiries which would be made, so far as the individuals are concerned.

SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to the education, health, insurance, agriculture, manufacture, forestry and forestry products, mines and quarries of the people of the United States and the colonies, and to the population of the United States and its colonies.

Into that schedule of inquiries the chief items introduced which are not in the bill are the items of education, health, and insurance, and, as will be seen later on, the employment or unemployment of the people of the United States. This does not, however, cover the whole subject, as will be seen by those who are sufficiently interested to follow the enumeration of the schedule.

The survey and schedules of inquiries and the records relating to population shall be so made—

And here is a very important part for those who should be interested:

as to furnish continuing records of each inhabitant, which records shall be kept by complete card systems, in duplicate, one set of records to be filed in the census office of the local subdivision and one set to be filed in the office of the Bureau of Census in Washington when it shall be called for. Such continuous survey and records of the inhabitants of the United States shall be so made as to furnish an accurate schedule of vital, educational, and industrial statistics as a basis for the formulation of legislation to promote the general welfare, defense, and safety by improving the vital, educational, and industrial condition of the inhabitants, and such survey and records shall include specifically and in detail for each and every inhabitant the place and date of birth; acute and chronic contagious diseases; occupational diseases and accidents; school attendance and progress; business or vocational training; military training or service and wounds or disabilities contracted in service; high-school, college, or technical training; health and physical condition; the health and physical condition of all school children under 14 years of age, and of all males under 45 years of age, as ascertained by an annual medical examination; place, character, sanitation, and tenure of abode; relationship to head of the family; color; sex; age; conjugal condition; occupation; condition of employment or unemployment; registration in Federal employment agency; whether employer or employee; trade; business; public offices, honors or special achievements; payment of taxation or insurance premiums; whether qualified and habitually exercising suffrage rights in State and Federal elections; place of birth of parents, nationality, and mother tongue, and knowledge of English if born in a foreign country; nationality, mother tongue, and knowledge of English of parents of foreign birth, and number of years in the United States; literacy; and the date, place, and cause of death; and such schedules shall also include a survey of the almshouses, charitable agencies, and complete and partial pauperism in the United States.

Mr. President, with reference to this schedule of inquiry, I would say that it seems to be a rather voluminous schedule; but, as a matter of fact, practically all of these various inquiries are being made to-day. I wish that I might impress upon those who do me the honor to be interested in this subject that while this change in the method of taking the census seems to be a radical one and while it at first sight might seem to be a change which would involve a very great expense, this is not true, for, taking the country as a whole, without regard to the activities of the Federal and of the State governments—that is to say, taking the activities both of the Federal Government and of the State governments together—we find that this schedule is being investigated now, and that, also, in a practically continuous manner. For example, take the registration of births; we have a system of birth registrations. Take the registration of deaths; we are making that now.

I might say, briefly summing up the schedules which are now being followed, that the governments, taking the Federal and the local governments together, are now collecting these statistics in various ways, all of these ways, however, unsatisfactory and unscientific, one method conflicting with another and one agency with another. We are collecting, under our present schedules in operation, statistics with reference to births. When a child takes an infectious disease it is reported. When he enters school he is registered. Whenever he is promoted in school it is noted. When he graduates from the public-school system it is noted. When he takes tuberculosis or any other contagious or infectious disease as an adult it is noted. When he becomes 21 years of age he is registered. When he marries it is recorded. When he gets out of employment it is sometimes recorded. When an accident happens to him a record is often made of that. When an immigrant comes to the country a record is made of that fact. We are to-day practically making a continuous registration or enrollment of our people, but it is being done in such a way that statistics, as a result of the inquiries which are being made, are very largely without value, because they are unsystematically gathered and are so improperly classified and finally recorded that they are not available.

For example, take the question of the mortality statistics. They were first incorporated in the schedule of inquiries by the Federal Government under the Federal census in 1850. It was deemed most important for the accuracy of the census returns that we have a knowledge of the mortality statistics, but in the juggling about with the various census schedules mortality figures were finally dropped from the schedule of inquiries, and to-day while we have publications of the Government dealing with the question of mortality statistics, such as this great volume which I have in my hand, the statistics are very largely unreliable, because they are no longer collected by the Federal Government, but by various State agents and by certain medical societies. As a matter of fact, to-day the mortality registration area only covers about 41 per cent of the population of the United States, while so far as the birth statistics are concerned—and I am referring to these schedules to show how defective our census is and yet how we are attempting to gather these statistics—the registration areas from which reports of the births are required only include 32,000,000 white and 840,000 colored.

There may be reasons why we should know how many colored births there are in a year in the United States, but if there are such reasons we have no schedule of return upon that subject. I believe there are reasons, to which I shall refer later when I come to a discussion of the subject of public education.

Mr. President, I hesitate very much to trespass upon the time of the Senate in this manner, and I believe that most of the Senators here will acquit me of ever wishing to presume upon the patience of the Senate so far as the making of long addresses is concerned, but I must ask the indulgence of the Senate upon this occasion and upon the occasions of my future discussion of this matter, because the whole subject is to my mind so vital that I can not let it pass; I can not let it disappear from view in the vast multiplicity of legislation with which we have to deal here. I can not let it escape the minds of the Senators whose work is so arduous that it is really impossible for many of them to be continuously in this Chamber. I was, before my election to this body, one of the men who visited the Senate and who labored under the impression that because the Senate Chamber was not filled with Senators all the time the Senate of the United States was not performing fully its functions. I think there should be some sort of announcement clearly made to the people of the United States to the effect that the reason why Senators are not in this Chamber when they are not here is because they are so frequently pressed with public business that it is impossible for them to be in the Chamber.

In connection with the inaccuracy of statistics, we should consider the great subject of unemployment. Could there be a more important subject than unemployment, particularly during this reconstruction period? I think not. Unemployment is one of the great problems which governments must solve.

The Senator from Utah [Mr. KING] interrupted me sometime ago and asked me what I considered to be the proper functions of government. I believe that students of government, from the wisdom which they have gained from a careful examination of governmental problems, must inevitably be led to the view that the problem of unemployment is a governmental problem which must be dealt with and solved. But how can we solve it unless we know what it is?

Mr. President, we knew in 1914 and 1915 that something was wrong in this country. We knew that there was unrest. We knew that there was such unrest that in some places the very foundations of the Republic seemed to be trembling. There were disturbances. There were thousands of hungry men walking the streets of our cities.

If you will pardon a personal reference, I will say to you now with all the earnestness I possess that, as a medical man who has taken particular interest in the subject of madness, the most terrible madman or the most dangerous animal that walks the earth is the hungry man.

Mr. President, in our discussion of problems of reconstruction, in our discussion as to how to restore peace in Europe, in our discussion as to how revolutions shall be quelled, and in our discussion as to how the spread of anarchy can be checked, let us not forget that there is no form of government in all the world that can hold hungry human beings in control.

The Senator from Utah [Mr. KING] is here. I do not believe that the Senator from Utah will disagree with me when I say that the question of employment or unemployment is a question which must be dealt with by the Government, certainly so far as the gathering of statistics is concerned, and by the Federal Government, because we already have what purports to be a Federal Employment Bureau. I do not care to criticize it at this time, nor its methods, but if it were in the hands of the most efficient scientific students and experts in the subject of unemployment in all the world it could not meet the situation, because we do not know how many men are employed, and we never have known in this country how many of our people were unemployed.

Speaking of the desirability of Government ownership, Mr. President, I would say that after the railroads have been in the hands of the Government for five years, if they are not more efficient than are the systems of public education, public health, and public employment in this country it will not take five hours only to go to New York, but it will require a Sabbath day's journey.

I was about to say that in 1914 and 1915 when we knew that something was wrong—and I desire to say I am not bringing this up in any partisan spirit—when we knew that there were a large number of unemployed, we were guessing whether there were 1,000,000, 2,000,000, or 5,000,000 men unemployed in the United States, and what did we have to do? It was imperative that the various employment bureaus should know how many men were unemployed in order to deal with the problem. What did we do? We had to go to one of the great industrial insurance companies of this country, that company being in closer touch with the hearts and the needs and the conditions of the people than their own Government, to find out how many men were unemployed, in order that the legislative bodies of this country might intelligently consider the great subject of unemployment.

Mr. SMITH of Michigan. Mr. President, if it will not interrupt the Senator, I ask if he will yield to me.

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Michigan?

Mr. FRANCE. I yield with pleasure to the Senator from Michigan.

Mr. SMITH of Michigan. That was about the time that the administration created an employment bureau in every hamlet and village and city in the land and turned the post offices into employment bureaus; but that did not give work. Work is an economic proposition, and it is not too much to say that when the party is in power that protects the American market place from unfair and unnecessary incursions there is always employment for labor, and when the party is in power that wastes its substance in following the will-o'-the-wisp then they turn the post offices into employment agencies, and, of course, they keep more agents receiving applications than they have jobs to give out.

Mr. FRANCE. Well, I must say that I agree with the Senator from Michigan in the main. I think from what the Senator has gathered from my remarks he will realize that I am not one of those who believe that every citizen of the Republic should be nurtured all of his life on the Government pap. I believe as to the great Senator from Michigan, without reflecting upon his successor, that the Senator's going from this body will take from here a man who understands the fundamental economic problems of this country and the fundamental economic laws which, although we may call ourselves lawmakers, we have never yet learned how to supersede. The going of that Senator will be a loss to this body, for the very reason that he understands, for instance, that employment bureaus can not always give work. I am not prepared to discuss that subject just at this moment; but I want to say that the fact is that we must have the unemployment figures, if it be only to know what the situation is, if it be only to let the country know, in order that there may be a change from an unsound economic condition to a sound and stable one. I think the Senator will agree with me that it would be advisable at least to know the figures which record the unemployment at any particular time.

Mr. KING. Mr. President, will the Senator from Maryland yield to me?

Mr. FRANCE. I yield to the Senator from Utah with pleasure

Mr. KING. I desire, in the time of the Senator, merely to say one word in reply to the distinguished Senator from Michigan [Mr. SMITH], whom the Senator from Maryland is now eulogizing, and in which eulogy I most heartily concur. However, in an humble and friendly spirit, I beg to state that the Senator from Michigan, like Ephraim, is still wedded to his idols, but he is so naive and delightful in his idolatry, in his refreshing devotion to protection, and high protection, that really his criticism of the Democratic principles and theories of economics falls upon my ears in so gentle and inoffensive a way as to soothe me into serenity. But really it is fair to say—and if the Senator from Michigan had occupied the floor a moment more he would have said—that you can not attribute the present economic and industrial condition of the United States to the tariff or to a lack of protection. The war has pushed aside the normal laws of trade and the law of supply and demand. The nations of the earth have been in a great war for four years, and we have been engaged in that war for 18 months or more. During this period the United States has been called upon to furnish billions of dollars' worth each year of our products for consumption in Europe. That has stimulated the market; it has drawn into manufacturing centers large numbers of the population of the United States. Wages have been increased. The abnormal situation by reason of the war has created an abnormal situation in our industrial and economic system. Four millions of men have been drawn from the channels of trade and commerce; that is to say, from the ordinary channels in which they were employed. More than 4,000,000 of men—a large number—have gone into industrial service. Four millions have been called into the military and naval service of the Government. It would be a physical impossibility to-day to take those men out of the military service and have them go back to their place in the industrial and social system of the country without more or less of disturbance. This transition unquestionably will result in more or less of paralysis in business.

We have a tariff now—a tariff in the shape of an embargo—so high that it has prevented exports, and in a large measure has prevented imports. You can not export and you can not import

without securing a license, and the embargo is still in part in force. So the tariff question cuts no figure at all. Germany, a great competitor, and Great Britain, another great competitor, are unable now—Germany, at any rate, is—to compete with us or to ship anything into our markets. England furnishes us but little of her manufactured products. So the question of a tariff now cuts no figure in the present economic and industrial situation. If there is social unrest, if there is a falling of wages, and if there are men out of employment now, it seems to me that it is a rather strange mental concept to attribute that situation to the fact that we do not have a prohibitive tariff or a tariff so high that it might suit the views of the distinguished Senator from Michigan.

I think that the Labor Department has done a great deal of good in seeking to ascertain the needs of the people and trying to find where employment is required. The Labor Department heretofore—I mean since the war began—has not been so much concerned in furnishing places as it has been in getting men to fill places, because there were so many places in the industrial centers made necessary by the progress of the war that it was almost impossible to find men to fill those jobs. We did not have any tariff then, when there were two or three jobs for one man and when wages went from two, three, or four dollars a day to from ten to twenty dollars per day. So I think that if my friend intended to indulge in a fling at the Democratic economic and industrial views or policy he chose a very inopportune occasion for the purpose of indulging in his favorite pastime.

Mr. SMITH of Michigan. Mr. President, of course I do not want to interrupt the Senator from Maryland——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Michigan?

Mr. FRANCE. I yield to the Senator.

Mr. SMITH of Michigan. I intend to interrupt the Senator from Maryland but for a moment.

The Senator from Utah [Mr. KING] has not closely followed the speech of the Senator from Maryland. The Senator from Maryland was dealing with the riots and the famine and the hunger and the distress antedating our entrance into the European war and antedating that war itself. He was talking about the situation in 1913 and 1914. It was to that situation that I addressed my remarks.

I am well aware that war conditions have surrounded this country with a protection greater than even I would be willing to extend, but that will go down in a night. When it has gone down the American business man wants to know what the policies of his Government will be. It is that uncertainty that we face to-day.

Mr. KING. Mr. President, will the Senator from Michigan yield right there?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Utah?

Mr. SMITH of Michigan. I am intruding upon the Senator from Maryland, and I do not want to do that.

Mr. FRANCE. I yield to the Senator from Utah.

Mr. KING. If the Senator from Michigan means by his last statement and the preceding ones to indicate that whenever Republicans are in power there is no uncertainty and that business men are entirely satisfied, he ought to be entirely gratified now, for the Republicans won the last election. They will have the House and the Senate, and therefore the business men can be assured of the character of legislation which they desire.

Mr. SMITH of Michigan. Unfortunately, however, we have got to wait a couple of years for the Presidency, but so far as we have been able to go we have made very great progress. In fact, it is rather remarkable progress, and I am only too happy to be assured in this place formally by the distinguished Senator from Utah, for whom I have very high respect, and with whom I have served at both ends of this Capitol, that we are to have a Republican Senate after the 4th of March and a Republican House; but neither House nor Senate can make the laws alone. If on the 6th of November last a President in harmony with the new Congress had been chosen, the uncertainty would have disappeared; and I repeat that the periods alluded to by the Senator from Maryland where there were hunger and idleness and want were periods of Democratic ascendency, when we were laboring under their laws, and they brought ruin, as they have always brought ruin, and they lowered the credit of the Republic, and they discouraged initiative in business.

That is the plain, blunt truth about it, and I hope it does not offend my very sensitive, very able, and very patriotic friend from Utah to hear me say it.

Mr. FRANCE. Of course, I was not attempting to pronounce any eulogy upon the work of the distinguished Senator from Michigan. If I had wished to do so, it would have taken me a much longer period than I feel I can avail myself of at this moment to express my very high regard for him as a legislator who understands and who regards in his work fundamental economic laws.

Mr. President, I do not desire at this time to enter into any discussion of the general question whether employment bureaus do or do not always meet a serious situation; but I shall before I finish my remarks upon this general subject discuss the present employment bureaus and whether they are meeting the situation, and I shall express some views, of course, as to how the amendments I propose, if enacted into law, would give us definite and accurate scientific data with reference to unemployment. I am merely saying at this time that we are informed by the wisdom, not only of theoretical students of government but by the wisdom of this very legislative body and of other legislative bodies throughout the country—referring, of course, to State legislative bodies—that it is very important for us as legislators to deal with unemployment, and hence to know how many unemployed men there are in the United States, particularly under such conditions as those which the Senator from Utah has described, I think, fairly and accurately—conditions which are entirely different from the conditions which prevailed in 1913 and 1914, which, in my judgment, were as serious as the conditions now, although due to wholly different causes, and I believe to the causes which have been referred to by the Senator from Michigan. However, the fact remains that we should know the number of unemployed at any given time, but that we have not at hand any adequate means by which we can ascertain the number of unemployed.

In 1913 and 1914 conditions were very serious in the city of New York. In order to ascertain how serious they were use was made of an agency called the Association for Improving the Condition of the Poor. I am referring to a monograph on the subject of unemployment published by the American Labor Legislation Review. That association estimated on February 2, 1914, that on any given day during the winter of 1913–14 there were 325,000 unemployed men in New York. Quoting from this article, it says:

> But while relief agencies struggle with their problems of emergency relief, we do not forget that serious irregularity of employment is not temporary in America. It is continually one of our most wasteful industrial evils.
>
> The United States census for 1900 showed that 6,468,964 working people, or nearly 25 per cent of all engaged in gainful occupations, had been unemployed some time during the year.
>
> Of these, 3,177,753 lost from one to three months each, representing, on the basis of $10 a week, a loss in wages approximating $200,000,000; 2,554,925 lost from four to six months' work each, representing a wage loss of approximately $500,000,000; and 736,286 lost from 7 to 12 months' work each, representing a wage loss of approximately $300,000,000.
>
> Thus approximately $1,000,000,000 was lost in wages in the year.
>
> On this subject the census statistics are very unsatisfactory, but they are the figures gathered and published at great expense by the United States Government.

Mr. President, I could multiply quotations and pile up figures almost indefinitely which would prove to any man of open mind that the unemployment problem in this country is a most serious problem, but one the magnitude of which we do not know, because we have no agency by which the figures concerning unemployment are made available for the men who must legislate upon this great subject.

I care not now to discuss the character of the legislation necessary to correct an evil such as the unemployment evil; but surely when unemployment becomes widespread there is a cause, a removable cause, and there is a remedy necessary. At times it may be a high tariff and at other times there may be some other remedy which is needed; but when the situation exists it demands a remedy. The remedy, however, can not be applied until we know exactly the extent, the gravity, and the nature of the disease or difficulty which is to be met by the remedy.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. Certainly.

Mr. KING. I have not had the pleasure of hearing all of the remarks of the Senator, but those that I have heard have been exceedingly interesting and instructive. As I understand, the Senator is not now addressing himself to the causes of social and industrial unrest and is not pointing out remedies therefor; but, as I gather from his remarks, he is seeking to amend the bill under discussion so that the Government can ascertain the number of persons at a given time, and at all times, for that matter, who are out of employment and the character of work they are most fitted to perform.

Mr. FRANCE. The Senator from Utah is perfectly correct in his conclusion. My amendment, in a word, provides for a

continuous survey of the population at all times, with a continual gathering of vital and social statistics, with card catalogue records, in order that there may be available the data concerning our population upon which we may base scientifically drawn legislation, data without which I believe precision of legislative action is absolutely impossible.

Mr. KING. I think we must all agree with the Senator. The Senator will remember that the science of statistics was developed by the French perhaps a century ago, and has been amplified materially since then; and there is much reason for the contention so earnestly made by publicists and learned legislators that there can be no comprehensive and scientific legislation without a knowledge of statistics, without full and complete data relating to the subject, including cognate matters. My present view is that it would be a proper thing for this Government to have a permanent bureau or department that would collect the statistics to which the Senator refers. With the changes which the future will produce in our industrial and economic conditions it will become more and more necessary that we shall have scientific data and full and complete statistics upon all questions affecting or relating to our social structure. The social organism will necessarily become more complex. It is the law of evolution. Progress exhibits itself in a change from the simple to the complex, from the homogeneous to the heterogeneous. So while fundamental principles do not change, the variations in the social structure will call for a proper adaptation of the principles to the changed conditions.

Mr. FRANCE. Mr. President, I thought the Senator and myself would be found to be in agreement upon that general subject. I am very sorry that the Senator was necessarily out of the Chamber at the moment when I was also saying—and I wish I might impress this upon the mind of every Senator—that to-day we are collecting all of the statistics and we are making inquiries covering all these subjects, but we are doing it in an inefficient way, and the results are such that they are of practically no value. When I say that we are doing this work I refer to the agencies, Federal and State, without reference to the distribution of their activities; and that is the important thing to be remembered, that this does not provide for anything new. It provides for doing the old thing in a new way. I must admit that the cost to the Federal Government will be greater, but the local governments will be by so much relieved, and the aggregate cost of collecting all of these various statistics will be much less after we have substituted a uniformity throughout the process and after we have done away with the multiplicity of agencies which are now collecting these figures in such a way that they are of practically no social value.

I desire to read into the RECORD just at this time one more quotation from the American Labor Legislation Review unemployment survey of 1914 and 1915. In this connection I would call your attention to the fact that this survey was made after the census of 1910 by a private or a local agency, showing that the statistics which were collected under the census of 1910 were either wholly inadequate or they were so old as to be of no value; and I would say that the fathers, even going back to the early days of the Republic, discovered that the whole difficulty with the census was—and I will refer to that when I begin my discussion of the history of the census, which I will make as brief as consistent with clarity—that by the time its results were published the statistics were too old to be of any value; that is to say, so far as statistics of this character are concerned. They were of value so far as the primary object, the enumeration of the people, was concerned:

> In New York the mayor's committee on unemployment, using employers' pay rolls—

Another weak stick upon which we have had to lean—

> calculated that in the whole city there were about 200,000 fewer persons employed in December, 1914, than in December, 1913. To many this figure seemed excessive, and the subsequent discussion led to a more systematic inquiry by the Metropolitan Life Insurance Co. Through its agents this company, in the latter part of January, canvassed its industrial policyholders in Greater New York, and, finding that 18 per cent of all wage earners in the families visited were out of work, figured that 18 per cent, or 442,000, of all New York's wage earners were unemployed.

Mr. President, I could go on, as I say, and multiply statements and pile up figures to show that we have no adequate method at present for the ascertainment of the number of unemployed. I could take up the same line of discussion with reference to many other subjects in these schedules. I might, for example, take up the subject of health, and we would find a similar condition. We are trying to solve these problems of health without knowing what they are. I hold in my hand a very interesting monograph, for example, upon the mortality from respiratory diseases in the dusty trades—quite an important subject—and if I desired at this time to go into it, I think I could prove to you without any question that we know practically nothing definite about the number of men employed in the dangerous and dusty trades. It is quite alarming to realize that there are something like 3,200,000 of them in the United States. Probably that is a fairly good guess. It was founded upon the figures given by one of the great insurance companies, and it is a very startling estimate. I think it is an approximate one, but I do not think the number has been underestimated.

Mr. KING. Mr. President, will the Senator permit me?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. With pleasure.

Mr. KING. I should like to say to the Senator that some of the matters to which he has just referred have received attention at the hands of some of the departments and bureaus. The Bureau of Mines, for instance, has given some attention to mining operations, and particularly to those mines in which dust is generated, and some of the States have compiled statistics relating to various occupations and occupational diseases and other matters embraced within the amendment offered by the Senator.

Mr. FRANCE. I thank the Senator for calling the attention of the Senate to that fact, of which I am aware—a fact which further emphasizes the very contention which I am making, that these figures are being gathered to-day by a multiplicity of agencies, but these agencies are so scattered and their data after being collected are so unsystematically arranged that the results are not practically available.

Mr. President, I can scarcely hope to make a perfectly orderly and logical presentation of this subject, because it is really so vast that one becomes almost lost in it, and therefore I am not attempting to make any finished address upon this subject. I am simply, in a very informal way, trying to start a discussion upon this most important subject; and, in view of the informality of my remarks, I desire to recur for a moment to this subject of unemployment, as we have to deal with it, particularly in this reconstruction period. Referring to that subject, I desire to say this, and I shall refer to it again, as I have also referred to it before.

For the reconstruction period I think it would be fair to consider that there are two functions of government which must be as fully as possible exercised. One of those is protection by maintained order and the other is production. Referring to the interchange between the Senator from Utah and the Senator from Michigan, I will say that our two political parties have always differed upon this subject as to the importance of national production so far as the national wealth is concerned. The Republican Party has always sought to encourage production. I feel that for the purposes of reconstruction we may consider the Government as a great business, so to speak, every adult citizen of which may be considered to be a worker capable of producing something to be added to the national wealth. The thing that has not been sufficiently recognized is that the disturbances which we see to-day all over the world, the revolutions which are occurring, have an explanation. There is a definite explanation for the fact that to-day in Europe and in Asia, taking certain territories together, there are more than 300,000,000 of people without responsible governments, speaking, of course, in a general way; more than 300,000,000 of people in a state of revolution.

Now, there is a reason, and, in a general way, I think we may say that this is the cause of the unrest and of the revolution. I have not changed my views on this subject. I said many months ago in this Chamber that I would not be surprised to see the war end in revolutions. It was only a question of time. You can not continue to draw indefinitely men and women from productive lines of activity and put them into destructive lines of work without ultimately having revolution, because the time is certain to come when an underproduction of the necessities and commodities of life will reach the point where men will no longer be satisfied, and then the wild, elemental passions which know no law break forth and men overthrow their government. So that, in a general way, the causes for the disturbance in Europe to-day are these: The underproduction of the various commodities and necessities of life, particularly food, and, of course, the faulty distribution of those articles which have been produced; but, in a general way, it is safe to say that the peoples of the world to-day are discontented and stirred with a profound unrest because there has been such an underproduction of the commodities and the necessities of life.

Mr. President, I wish I could make every man feel as I do about this, because if all felt as I do about it they would real-

ize, as I do, the necessity for consummating a peace as soon as possible. I want to see a peace established which shall be as permanent as may be. I am in agreement with the ideals expressed by the President when he looks forward to the time when peace shall dwell in all parts of the earth and when men may devote themselves wholly to productive rather than at times giving themselves over to destructive activity.

If we look at the fundamental causes of unrest and revolution and agree that they are due to the underproduction of the commodities and necessities of life, it must appear that it is most urgent that the millions of men in the armies and not now productively employed be returned at once to productive lines of work in order that this great fundamental cause of world unrest, the underproduction of the necessities and commodities of life, may be promptly removed. That is what disturbs me with reference to the undue prolongation of the peace conference—this scarcity in the world of those commodities which must be had in an increased amount if men are to be kept orderly, and if they are to be kept satisfied with their governments.

I can not express to you how important I feel it is that these millions of men be sent home and helped as soon as possible, and without the loss of time to which the Senator from Utah has referred, into the various productive lines of work. There never was a time when every unit of man power was so needed for the production of useful commodities and necessities; and that is one reason why I am pleading for scientifically organized agencies which will pick up the man as soon as he returns home, and in some way assist him to find some productive line of work. The resolution which I introduced here yesterday, urging speed in the making of peace in order that production may be resumed as speedily as possible, expresses my views upon that general subject.

Mr. KING. Mr. President, will the Senator yield for just a moment?

Mr. FRANCE. I yield, with pleasure.

Mr. KING. When the Senator attributes the social unrest now existing, and which has existed for some time, exclusively to the fact of underproduction, as he has denominated it, in foodstuffs and in the necessities of life, I think he states the question in rather an extreme way. There are individuals in this country belonging to the I. W. W. organization whose struggle is against production. They denounce the wage system and seek the destruction of all government and orderly processes that would make for production, peace, and prosperity. They are satisfied with no wage, no matter how high. If they demand and receive $10 to-day, they decree a strike to-morrow. If their further demands are granted, they strike again. If agreements are entered into between them and their employer, they regard them as of no binding force, and they keep on striking, hoping in time to destroy the entire wage system. Indeed, their purpose is to destroy the form of government under which we are living.

Those who belong to the I. W. W. organization would continue their destructive work no matter what wages were paid them or how abundant were the products of field and factory and farm or how great was the prosperity in the land. Indeed, the greater the prosperity the more vindictive would be their assaults upon the Government and the social and economic system.

The same is true of the followers of Lenine and Trotsky. It is a class war that they are waging. They want to destroy the bourgeoisie; they want to destroy everybody who does not belong to what they denominate the proletarian class. They will destroy by murder and by assassination and by starvation in order to consummate their devilish and hellish purposes. Already in Petrograd, and in the area of territory controlled by Lenine and Trotsky, they have announced the rule, and they are enforcing it with severity, that the soldiers shall get all the food they want. If there is any not required by the soldiers, who are hired mercenaries, employed to kill and destroy, then those supposed to be supporters of Bolshevism are cared for; but the middle class, the commercial class, the intellectual class, are being deliberately exterminated, either through starvation or by assassination. They are going to enforce class rule, even if in order to effectuate that they are compelled to destroy all other classes.

Mr. FRANCE. Mr. President, so far as the I. W. W.'s in this country may be concerned, I feel that they are in a small minority, although I do feel that there has been much false economic doctrine taught, and I am sorry to say that some of it has been taught by certain of the labor-union leaders.

Mr. WILLIAMS. Mr. President, will the Senator pardon me for an interruption?

Mr. FRANCE. I yield to the Senator from Mississippi.

Mr. WILLIAMS. I just heard the Senator say that much of the doctrine had been taught by labor-union leaders. I do not remember that any labor-union leader ever taught any bolshevism or ever taught any I. W. W. doctrine; and if the Senator remembers the name of any labor-union leader who ever did teach any of it, I should like to have him mention it.

Mr. FRANCE. The Senator from Mississippi has misconstrued by remarks.

Mr. WILLIAMS. Because I remember distinctly that Mr. Gompers, and I remember that the balance of the people who are at the head of the labor unions in America, have taught the opposite doctrine, and have not joined in the anarchism and nihilism and the Bolshevism to which the Senator from Utah a moment ago referred.

Mr. FRANCE. I agree with the Senator on that. He misunderstood me. What I meant to say was this, and I think the Senator will admit that it is true: The labor-union leaders have taught the doctrine that high nominal wages are always desirable, and that high wages can be secured by a limitation of output, generally speaking; whereas the fact of the matter is that what ameliorates the condition of the laboring people is the production of a large amount of national wealth, and therefore a laboring man is often better off, more comfortable, more contented, more prosperous when he is getting $4 a day than when he is getting $10 a day, for it is not the nominal wage which must be considered; it is the real wage; for what will determine whether a man shall live in comfort or in discomfort is the purchasing power at the time of his dollar. One of the labor-union men recently said that the unions would not consent to any reduction of wages. I wish that such would realize that if we could properly organize the country for production and increase our production up to a certain point, labor's share in the production pile, as I call it, or in what is produced, would be larger, regardless of what the particular money wage is at that time.

The I. W. W. man of course is animated by several motives. Personally I am inclined to be charitable and believe that many of the I. W. W.'s are the unfortunate victims of a system which perhaps has not given them any full opportunity to prepare for the battle of life. Many of them have come from oppressed countries, such as Russia, where a man was practically a slave and where to him government for centuries has represented a cruel and relentless master. We must take all those things into consideration, even in passing judgment upon the I. W. W.'s. So far as the Bolsheviki of Russia are concerned, I think it is unfair to them for us to forget what government has meant to them in the past.

[At this point Mr. FRANCE yielded the floor for the day.]

Thursday, January 16, 1919.

Mr. FRANCE. Mr. President, I desire to continue the preliminary remarks which I was making upon yesterday, when the Senate took a recess, upon the amendments which I have offered to the census bill, which amendments I consider to be a part of what should be a national reconstruction program; and of course the national reconstruction program is a part of that great program of world reconstruction upon which we are about to enter, and upon which the sooner we do enter the better it will be not only for our own Nation, but for the world.

I said on yesterday, if I may be permitted to give a brief summary of my remarks, that in considering the reconstruction program it would be necessary for us at the outset to distinguish between those functions which should popularly be performed by Government and those functions the performance of which does not inhere at all in Government, many of which latter functions, Mr. President, I believe the Government has, through a mistaken policy, assumed during the present, now passing, emergency.

I called attention to the fact that I, personally, was not satisfied with conditions as they exist in the country to-day, but I attempted to give expression to my conviction that the unsatisfactory conditions which exist to-day in this country do not exist because of any defect in our governmental form. They do not exist because the Government has not assumed enough functions. It has, in my judgment, assumed too many. These evil conditions exist because the Government has not been properly performing those functions which do properly inhere in it.

I took the liberty, Mr. President, for purposes of my discussion, to refer to certain functions which I believe do inhere properly in government, functions which we have, by past legislation and by past national doctrine, incorporated into law and into practice, and called upon the Government to perform. I think there was very little dissension from my view on yesterday.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Maryland yield to the Senator from Iowa?

Mr. FRANCE. I yield.

Mr. KENYON. I do not like to interrupt the Senator, as I know he is very anxious to conclude his remarks.

Mr. FRANCE. I am very glad to be interrupted by the Senator.

Mr. KENYON. I would like to ask the Senator if he discussed on yesterday in connection with this reconstruction work any plan of legislation for labor during this reconstruction period?

Mr. FRANCE. Yes. I will say to the Senator that I referred to that subject. In fact, I will say that in a general way the whole object of my remarks and the purpose of the amendments which I have offered are directed to a serious economic situation which does now exist in this country, and which will exist in a more aggravated degree very shortly as a result of readjustment necessary in passing from war to peace conditions.

Mr. President, I took the position yesterday that the first step in reconstruction was to take the Government out of business and out of business deals and to strip it from the obligations of performing a mass of nongovernmental functions in order that it might be free to go powerfully, resistlessly, and efficiently ahead in the performance of those legitimate functions of government which it has not been efficiently performing and as a result of the failure to perform which intolerable conditions have grown up in this country, conditions which are not satisfactory to me nor to the masses of our people.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Will the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. I yield.

Mr. KING. I suppose the Senator, in the comprehensive statement just made, is referring to the control by the Government of the railroads, telephones, telegraphs, and cables?

Mr. FRANCE. Particularly.

Mr. KING. And shipping interests?

Mr. FRANCE. Particularly.

Mr. KING. The control of which during the war the Senator, as I understand, would justify, but in peace times deems intolerable?

Mr. FRANCE. I must say that while the Senator has interpreted my remarks in the main correctly, I have not shared the opinion that it was necessary for the Government to assume those nongovernmental functions even during war. That, however, happens to be a very large question, as to the wisdom or the necessity of such an assumption during the war of those functions.

Mr. KING. But at any rate in peace the Senator plants himself upon the proposition that it is not a governmental function to take over railroads and to own and operate them, to take over telegraphs and telephones and cables and own and operate them; that governmental control and operation makes progressively for inefficiency, for extravagance, and for waste. Is that the position the Senator takes?

Mr. FRANCE. The Senator has stated my position very clearly and I appreciate his statement. That is my view. In fact, Mr. President, I even question the right of Government to assume to do the thinking for its people. That is one of the nongovernmental functions which this great Republic has attempted to assume in this great emergency. I would strip from this Republic those deterring and intolerable barnacles which we have allowed to accumulate upon her hull—such, for example, as the duplicity bureau, so-called the Publicity Bureau. The citizens of this Republic are not accustomed to a governess; they are not mental nurslings needing censored and predigested news. I said the other day in my discussion upon the espionage question that I could go out into the country—and the Senator from Missouri [Mr. REED] is looking at me very reproachfully because he realizes that when I say this I am borrowing a statement from him; I did not recall, however, until I saw that reproachful look upon his countenance, that I was doing it—that I could go out in the country, in Maryland, or in Virginia, and pick up in a short time dozens of men as competent to pass upon the Russian question as some of the men who are suppressing news which we should be receiving from Russia.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Will the Senator from Maryland yield to the Senator from Missouri?

Mr. FRANCE. The Senator from Missouri did not perhaps use these very words but this was his thought expressed in the remarks to which I refer. I yield, Mr. President.

Mr. REED. Of course the Senator spoke in jest when he said I was looking at him reproachfully. The Senator might not know it, but I was looking at the Senator with approval because he was talking some good plain common sense that he did not get from me, but which he got from his own head. I agree with him fully.

Mr. FRANCE. I know the great Senator from Missouri, who differs with me in politics, is one of the men who has not lost faith in this Republic and in the patriotism and loyalty of our people under all circumstances.

Mr. REED. I go further than the Senator, perhaps being more specific. I do not think there is a newspaper reporter in Washington who would not have made a better censor than Mr. Creel. I will go further than that and say I do not think there is any man in the United States who is permitted to be at large who would not have made a better censor than Mr. Creel.

Mr. KING. Will the Senator yield?

Mr. FRANCE. I yield with pleasure.

Mr. KING. I want to submit to him, and to the Senator from Missouri, if the Senator from Maryland and the Senator from Missouri are not rather cruel to Mr. Creel. He has frequently been criticized in this Chamber, and there has not been a single Senator who has defended him; apparently all of the criticisms were approved by the Senate. It would seem to me that perhaps the time has come when we might lay a wreath upon the official (?) grave of Mr. Creel.

Mr. FRANCE. I hope the time has arrived, not because he is Mr. Creel. I know nothing about Mr. Creel or of his efficiency or inefficiency. But there is no such thing as a good censor, and there is no such thing as good censorship. I have always made it a practice to speak not against persons but against policies. Words fail me to describe my contempt for that policy of censorship which has been adopted during this emergency, my views upon that subject having been expressed in my remarks the other day upon the subject of the repeal of the espionage law.

Yes, I would cut away with an ax, as I said yesterday, all of these bureaus which have grown up here and which are impeding the proper progress by the Government in its legitimate work.

Mr. President, I took occasion yesterday to warn the liberal thinking men of this country to take notice of this intolerable situation which has grown up because of the assumption by the Government of many nongovernmental functions, by the doing of which the Central Government has also built up a tremendous machine which, should it ever fall into the hands of not only reactionaries but destructionists, could be used to prevent all progress in this Republic and place her back among those nations which have represented the most reactionary and despotic governments of the world. I wish that all of the liberals would stand warned by what has happened since the seizure by the Government illegally—and I have not forgotten the decision by a United States judge to the contrary, either—of the telegraphs, telephones, and cables.

I have respect for courts, but I want to say when courts can hold such an action as that legal and when they can hold that an espionage law such as was enacted is constitutional, that I part, in judgment, company with the courts.

Mr. KING. Will the Senator yield?

The PRESIDING OFFICER. Will the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. Yes.

Mr. KING. Mr. President, I think the Senator is administering an undeserved rebuke to the courts. I think that if anyone is to be criticized or anybody or functionaries are to be criticized it should be the Congress of the United States. The Congress of the United States enacted a law which under certain circumstances authorized the taking over of the telegraph, telephone, and cable lines. The court to which the Senator refers merely decided that it was a legislative question rather than a judicial question, that the court could not put itself into the position of the legislature and determine whether or not a question of policy was wise or unwise; that that was a function for the legislative branch of the Government. This position finds support in the political system which we inherited from England. The principle is as old as the English law. It is a part of the Anglo-Saxon institutions.

Now, the Senator may properly criticize the National Legislature for giving that power to the Executive; he may think—as many others do—that the policy was wrong; but he ought not to criticize the courts when they properly uphold the hands of the legislative branch of the Government. The Supreme Court has been criticized for some of its decisions, notably the one holding that the child-labor law was unconstitutional.

Critics have said that the Supreme Court of the United States ought to have taken the judgment of the legislative branch of the Government; that there are three coordinative branches of the Government; that the legislature determines the policy and the Supreme Court merely construes the law. I think the decision of the Supreme Court upon that question was right. I am inclined to think that the decision of Judge Hand upon the cable question was right. I am inclined to think the Senator's criticism, if it were leveled against Congress, would be entirely justified.

Mr. FRANCE. In reply to the Senator, I will say that I realize the force of his statement, and I know that he will be the first to acquit me of belonging to that class the members of which believe that the enactment of the legislation should always be the final act. I believe in reviews by the court. I have ever entertained the highest admiration for the decisions of the Supreme Court. I am not condemning the Federal judge who made that ruling, mistaken though I think he was. But I do want to say this: The Senator from Utah is a candid man, an honest man and a fearless man. He knows as well as I do that during the period of this war the legislative department of this Government abdicated in favor of the executive, and our orders were received from the executive department and obeyed.

If the Senator wants to question that I will refer him to what I referred to the other day, the vote taken by the Senate on an amendment to the espionage law. The amendment provided that even after the enactment of that law the people of the United States should have the right to speak "what is true, from good motives and for justifiable ends." The Senator from Montana [Mr. WALSH], one of the ablest constitutional lawyers and one of the best legal minds in this body, rose and called my attention to the fact, of which I was well aware, that the language of that amendment was similar to that of the constitutions of many States, and he said that there was no possible objection to the amendment, and the amendment was adopted by the Senate. But what happened? The bill went to conference, and by order from the executive department the amendment was stricken out, and by an order of the executive department and a subordinate in that department the Senate of the United States also reversed itself and refused to keep in the law this clause assuring the American people the right to discuss not affairs belonging to Washington, not affairs belonging to the administration, but their own governmental affairs, denying them the very right to speak the truth from good motives and for justifiable ends.

I want to say that my feeling toward this decision of the court has arisen from a haunting fear which disturbs me, that as the legislative department of this Government has abdicated and subserviently followed the directions of the executive, so also might the court become subservient and—after thoughtlessly applauding and approving addresses delivered at the joint sessions of the Congress outlining great policies, the determination of the wisdom and the constitutionality of which might involve the most careful and prolonged consideration by the court—also yield its judgment. A haunting fear, I say, has come to me that perhaps, as the legislative body abdicated, so might the judicial. The able lawyer, the distinguished Senator from Utah [Mr. KING], knows as well as I do that when the legislative body shall have abdicated and when the judicial body shall have abdicated the end has come, that the Republic has been utterly destroyed, and that, in place of a free Government here upon the Western Hemisphere a despotism has been built up as absolute as was that of Nicholas Romanoff, because the fathers all understood that the consolidation of these three powers, legislative, executive, and judicial, in any way in one would result in tyranny and despotism.

Mr. KING. Will the Senator from Maryland yield to me?

Mr. FRANCE. I yield to the Senator from Utah.

Mr. KING. Mr. President, the Senator from Maryland has made a very impassioned defense of personal liberty and of the rights of the individual against the aggressions of the Government. In his eloquent statement respecting those questions I am in hearty accord with him. I believe that a bureaucracy may become as oppressive and tyrannous as an imperial form of government. There is no question but that there is a tendency in this Republic toward a bureaucracy.

Mr. SMITH of Michigan. We have got it here now.

Mr. KING. Indeed, I regret to say, it is encouraged by the people. The people of the States when they see an evil existing which is purely local and intrastate in character immediately rush to Washington and, upon bended knees and with uplifted hands, ask for Federal aid and for Federal interposition. I believe that there is a subsidence of that strong feeling on the part of the people which has developed and maintained local self-government, and which sought to preserve the rights and prerogatives of the States, the sovereignty of the States, and that we are yielding to the Federal Government powers which belong to the States.

The fault is largely with the people. There is not sufficient study of the science of government and of the struggles of peoples of the past to secure liberty. Our Constitution, to many, is as a sealed book, and appeals to its provisions for protection against an abuse of power and the assertion of policies destructive of a representative form of government too often fall upon deaf ears and provoke irritation upon the part of many of the people. There is an inclination to forget that there can be no true progress that is not founded upon the growth and development of the individual. Perhaps there are exceptions, and yet I make bold to assert that one of the infallible evidences of national decay among a people who have enjoyed liberty is the persistent and progressive disinclination to assert and maintain a vigorous individualism and a virile and vibrant local self-government and a willingness, indeed a purpose, to relinquish into the hands of bureaucrats, or a powerful centralized government, the control of all matters—individual, local, and domestic. Our Government is one of checks and balances. If these are disregarded, confusion is inevitable, and in the end a change in the form of government must result. The congestion of power in the hands of a few means that the people, who are the source of power, have voluntarily or involuntarily been deprived of the same. I am insisting upon the maintenance of our form of government, the preservation by the States of the powers reserved to them in the Constitution. I protest against this constant aggrandizement by the Federal Government. The States are becoming enervated, supine, and lifeless. Vigorous States, powerful and progressive local political units, produce good government and operate as powerful citadels against the assaults of power and the tides of absolutism that in all ages, among all peoples, surge against humanity's interests.

But, if the Senator from Maryland will excuse me for so stating, I am inclined to think he has been rather ungenerous toward Congress, toward the Senate, of which he is so distinguished and brilliant a Member, in his wholesale charges of a complete abdication by the Senate and by the House of Representatives of the functions which rest upon them.

Mr. FRANCE. If the Senator from Utah will permit me to interrupt him, I desire to ask does he recall that I used the word "complete"?

Mr. KING. I understood the Senator to say "complete abdication."

Mr. FRANCE. I said "abdication." "Abdication" may be either partial or complete. I do not recall that I used the word "complete."

Mr. SMITH of Michigan. I am sorry the Senator from Maryland did not use it.

Mr. KING. Well, the Senator from Michigan supplements the statement of the distinguished Senator from Maryland, and the Senator from Michigan assumes the responsibility now of saying that there has been a complete abdication by the Senate of the legislative functions and powers which devolve upon it.

Mr. SMITH of Michigan. That is a large question, and I do not know that I would allow the Senator from Utah to state my judgment about it.

Mr. KING. I understood the Senator from Michigan to use the word "complete" and to express regret that the Senator from Maryland did not use the word "complete."

Mr. SMITH of Michigan. There is within the sound of my voice a Senator who for weeks, upon the other side of the Chamber, begged us to withhold these powers, and all around this Chamber he was criticized for doing so. We at least went a good way, I will say to the Senator from Utah, in abdicating the appropriate constitutional functions of Congress.

Mr. KING. Mr. President——

Mr. FRANCE. Will the Senator from Utah yield to me?

Mr. KING. Of course, I must yield whenever the Senator from Maryland desires me to do so, because I am trespassing upon his time.

Mr. FRANCE. I do not wish to interrupt the trend of thought of the Senator from Utah, but in that connection I think it is only fair for him to consider this proposition: That, after all, the essential question is not whether the abdication was complete, but whether there was any abdication, for abdications or assumptions of power are never complete at the beginning. The essential question is, Has there been any abdication?

Mr. SMITH of Michigan. We were told on the other side of the Chamber that the Constitution was for the time being nullified.

Mr. FRANCE. That doctrine was taught.

Mr. KENYON. And also on this side.

Mr. SMITH of Michigan. Yes; and also on this side.

Mr. FRANCE. The Senator from Utah is making most interesting remarks, and I will say that I have no controversy with him; we may have a difference of opinion, but I know that his views and mine, in a large way, are quite similar upon this constitutional question, and I desire him to discuss the very question as to whether, after all, the completeness or incompleteness of abdication is the essential thing. Is not any abdication almost as bad as complete abdication—although I did not use the word "complete"?

Mr. KING. Mr. President, perhaps I put into the mouth of the distinguished Senator from Maryland a word which he did not use. I interpreted his remarks, however, as being a denunciation of the Senate because they had completely abdicated their function; but I understand him now not to make that contention.

Mr. FRANCE. I hope the Senator from Utah will not take such an unfair advantage of me as to say that I was denouncing the Senate. I was not doing anything of the kind.

Mr. KING. Mr. President, if the Senator will allow me——

Mr. FRANCE. I was criticizing the Senate. I know that men with the very best motives, and men for whom I feel the deepest affection, said that in such an emergency it was better to have but one mind.

Mr. KING. I did not use the word "denunciation" in an offensive way at all.

Mr. FRANCE. I hope not.

Mr. KING. I intended it as the equivalent of the word "criticism." I think if the Senate has abdicated any of its powers it certainly should be subjected not only to criticism but to denunciation, because I agree with the distinguished Senator that if the tripartite division of powers which characterize this Republic shall be broken down and one coordinate branch of the Government encroaches upon the functions and powers of the other, serious consequences must inevitably result, and if the destructive course is persisted in, ultimately the Government would be changed in form or it would be overthrown.

Mr. FRANCE. Now, will the Senator from Utah yield for one definite question?

Mr. KING. Certainly.

Mr. SMITH of Michigan. The Senator from Maryland has the floor.

Mr. FRANCE. I mean may I interrupt him, because I have the floor, as the Senator well understands.

Mr. KING. Certainly; and that was stated.

Mr. FRANCE. When the Senate, after several days of consideration—because when my so-called "speaking the truth" amendment was first rejected it was rejected without mature consideration, and when the Senate several days later, after what should have been a period of deliberation, although during all of the intervening time the subject was not under formal consideration—reached a mature conclusion, without a dissenting vote, that there should be, for the protection of the people of the United States, written into the espionage law a clause guaranteeing to the people the right to speak the truth from good motives and for justifiable ends—when the Senate reached the conclusion that this was a proper safeguarding of the people's rights, one guaranteed in the constitutions of a large number of the States, was it or was it not an abdication of its judgment and of its proper deliberative and legislative functions when a subordinate in the Department of Justice wrote a letter saying that this amendment would make prosecutions difficult, and when the Senate, upon hearing that letter, reversed itself in spite of the efforts which were made by the Republican Party—and I wish to tell the country and the liberals of the country that it was almost by a party vote—when the Senate reversed itself and followed the judgment of that subordinate of the Department of Justice, was or was not that an abdication of its deliberative and legislative functions and of its judgment in favor of the judgment of a member of one of the executive departments?

Mr. KING. Mr. President, I do not think that the distinguished Senator has stated the situation in a fair and candid manner. The Senator seems to labor under the impression that to receive any suggestion from the executive branch of the Government is an encroachment upon the rights of the legislative branch. That obviously is incorrect, because often we seek the opinion of the executive branches of the Government with respect to matters coming properly under their cognizance; indeed, very much of the legislation which is enacted here is initiated—if I may be permitted the expression—by the executive branch of the Government. In the administration of the law officials and departments find imperfections, loopholes, weaknesses, and it is their duty obviously to challenge the attention of the legislative branch of the Government to those imperfections with a view to having them corrected. Accordingly, we are constantly asking the departments for suggestions, for advice, for their views respecting contemplated legislation. The legal department of the Government frequently prepares bills which Congress desires and some of which the executive department in the proper administration of its duties find are necessary in order to meet the exigencies of the hour.

Mr. FRANCE. May I interrupt the Senator at that point?

Mr. KING. Of course I must yield.

Mr. FRANCE. I wish to ask the Senator if he wishes to be put in the position of making no distinction between our asking advice before our action and our reversal of an action reached unanimously after orders have been issued or advice given?

Mr KING. Of course there is a distinction; but I am somewhat familiar with the incident to which the Senator refers and I do not think, as I said a moment ago, that the Senator fully portrays the facts in the case. The facts in brief are these, if the Senator will pardon me—and I say again I am trespassing upon his time——

Mr. FRANCE. I have recited the facts. I am not responsible for the Senator's conclusions, but I substantially recited the facts.

Mr. KING. There is some little inexactitude in the recitation which has just been given by the Senator.

Mr. FRANCE. Well, the Senator will certainly acquit me of any deliberate intention to misstate the facts. It is difficult to remember all the details.

Mr. KING. Absolutely, because I know the Senator is incapable of making a willful misstatement of facts, or of conclusions, for that matter; but the facts in brief are these: We found when we were plunged into war that laws were necessary to deal with a number of important questions. It became necessary to place embargoes upon certain products, to provide punishment for spies and those engaging in treasonable undertakings and in transmitting information to the enemy. Another important question which needed attention was the question of publishing in this country matter that was prejudicial to the progress of the war, the publishing of seditious and revolutionary matter that would have prevented the execution of the draft law and the proper administration of laws enacted to prepare this country for the great struggle upon which it was entering. As a result of that situation the Department of Justice, at the request of Senators and Representatives, and doubtless at the request of the President of the United States as commander in chief of the Army, who was familiar with the situation and knew what the exigencies of the hour required, prepared a bill covering these subjects. It came in here as a criminal code dealing with most important questions. The bill passed and became a law. Later it was found necessary to amend certain provisions of the statute. In considering the measure to amend the original espionage act the Senator from Maryland offered the amendment to which he has referred. It was agreed to. Later the conference committee struck out the amendment and the Senate accepted their report.

While the bill was in conference the Attorney General, through his assistant, transmitted a letter to the Senator from North Carolina [Mr. OVERMAN], who had charge of the bill upon the floor, in which he indicated that if that amendment were to prevail in his opinion it would nullify important provisions of the law. The Senator from Maryland states that because of that letter, which was read and influenced Senators, they changed their opinions with respect to the amendment, and that that constituted an abdication upon the part of the Senate of its functions, resulting from the demands of the executive department. I deny that.

Mr. SMITH of Michigan. Well, let me give the Senator a concrete case.

Mr. KING. If the Senator from Michigan will pardon me, let me complete what I was about to say, and then, if the Senator from Maryland will permit, I shall be very glad to have the Senator from Michigan interrupt me.

Mr. SMITH of Michigan. I should like to give a concrete case showing where we were led off.

Mr. KING. In this particular case many Senators, lawyers among them, took the same view as the Assistant Attorney General; others took the view—and I was among that number—that the amendment as offered by the Senator from Maryland did not affect at all the interpretation which the courts would place upon the bill, and that his amendment was therefore unimportant. The Senator from Montana [Mr. WALSH], who voted for the amendment, submitted an argument showing that the amendment added nothing to the proposed law. Other Senators did believe that the amendment would embarrass the Government in prosecutions under the law and permit guilty persons, persons whose motives were sinister and criminal, to

escape punishment. In voting for the conference report I deny that Senators abdicated their judgment. Some of them, upon giving the matter further consideration, reached the conclusion that the amendment of the Senator would perhaps nullify the bill.

But coming now, specifically, to the charge of the Senator that there has been an abdication, in part at least, upon the part of the legislative branch of the Government in favor of the executive during the progress of the war, I want to invite the attention of the Senator to the fact that substantially all of the legislation relating to the war has been enacted by the unanimous vote of the Senate. There has been no controversy. Republican Senators and Democratic Senators believed that most of these great war measures—the draft law, the great measures that made for the building up of a fighting machine, the caring for our soldiers, and so on—were proper, whether they originated in the departments or whether they first found expression in the committees of either branch of Congress. I do not think it quite fair or just to say that Congress has abdicated its functions. I acquit Republican Senators who voted for these great war measures of an abdication of their legislative functions because they supported them. I think that the Senate and the House in this war, as the Senate and the House in other wars, have felt that we were compelled in time of war to enact legislation which we would not enact in time of peace; and we have relied more upon the suggestions of the Executive than in time of peace, because the Executive knew better than we, in many respects, the questions that needed legislative attention.

Mr. SMITH of Michigan. Mr. President——

Mr. FRANCE. I yield to the Senator from Michigan.

Mr. SMITH of Michigan. The Senator from Utah [Mr. KING] has, of course, made a rather glowing defense of the rectitude of Congress; but much of the complimentary reference to this side of the Chamber is lost when I know that our supine acquiescence was not always the result of our judgment, and I think Senators on this side have held their noses when they voted for about nine-tenths of the legislation that the Executive has forced upon us.

Mr. KING. I think, if the Senator will pardon me, that I will defend the Republicans against his indictment of his own party. [Laughter.]

Mr. SMITH of Michigan. I think I would be a little suspicious if the Senator from Utah defended this side of the Chamber.

Mr. KING. I think I could do it, perhaps, with better grace now than the Senator from Michigan.

Mr. SMITH of Michigan. With better grace, but not more fact or knowledge. The Senator's grace I admit, and his ability to do it interestingly, of course, would be acknowledged; but I will take my part of the responsibility for having voted against my judgment scores of times, and I know that I do not stand alone in that.

Mr. KING. Mr. President, will the Senator pardon me a moment?

Mr. SMITH of Michigan. But when the Senator from Utah takes up a concrete case, I have one in my mind. The Constitution vests in Congress alone the right to declare war; and yet our entire fleet and our Army were headed for a neighboring state in this hemisphere absolutely upon the ipse dixit of the President of the United States, and we came along supinely, and perhaps patriotically, and ratified what he did. It only shows the growing tendency of the executive department to thrive upon what it feeds on; and, while I do not want to enter into any controversy about it now, I have a record that I am proud of in connection with the war. I am perhaps as radical a partisan as there is in this Chamber, and I have no apologies to make for it. I believe that about everything the Democratic Party has tried to do was wrong and that the country has paid the penalty for it, and that sooner or later the common sense of the American people will return to power the party that has made progress, given encouragement to our countrymen, protected our market places, and so forth.

Mr. FRANCE. Mr. President, the Senator from Michigan has not forgotten that this party has been voted into power, so far as the legislative branch is concerned?

Mr. SMITH of Michigan. Yes. But the dulcet tones that came from the lips of my friend from Utah yesterday were the only real encouragement that I have had recently that the Senate would be Republican after March 4. The Senator admitted yesterday that it would be, and I was glad, because I respect his judgment, and I think it is quite vital; but we are far from being in power. We can not make a law until we have some one at the other end of the Avenue in sympathy with the congressional viewpoint, and for that we will have to wait two years—no longer, I hope.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. I yield for a moment, although——

Mr. SMITH of Michigan. Wait just a moment. I thought the Senator yielded to me.

Mr. FRANCE. Yes; I have yielded to the Senator.

Mr. KING. I thought the Senator interrupted me.

Mr. SMITH of Michigan. Perhaps I did; and I want to be very courteous to my friend. I have served with him in both Houses of Congress, and there is no one for whom I have higher respect. I sympathize somewhat with his contention that we have maintained a fair degree of legislative independence; but if he is satisfied that we have lived up to the time-honored and historic principles of our predecessors, he is a long way from a sound base.

Now I yield to the Senator from Utah if I have anything to yield. I am afraid I have not.

Mr. KING. I ask the indulgence of the Senator from Maryland for a moment.

Mr. FRANCE. I yield.

Mr. KING. Of course, it is impossible, Mr. President, when I am interrupting the Senator from Maryland, to adequately reply to the Senator from Michigan, who has now drawn an indictment against the Democratic Party, not only during this Congress but in the past. I have not time to review the Mexican situation, which the Senator has dragged into the discussion. Regardless of what some may think upon that question, it is sufficient to say that the American people approved of the policy of Mr. Wilson in dealing with the Mexican question, and two years ago he and the Democratic Party were continued in power.

Mr. SMITH of Michigan. He did not accomplish anything down there. He spent $200,000,000 in chasing a bandit, and the bandit is still doing business.

Mr. KING. Mr. President, there are many angles to that, and it would take a longer time than I have at my disposal now to reply to what the Senator has said; but I do concur in part with the Senator from Michigan and the Senator from Maryland. There has been a great tendency upon the part of the executive departments of the Government to override the legislative branch of the Government. A great President, a man whose untimely death we all deplore, and for whose memory we feel a profound respect, did not hesitate to use "the big stick" over Republican Senators and Congressmen, and to drive through, over the protests of Republican Senators and Republican Congressmen, measures which he conceived to be for the public good. No Executive has exercised greater power over the legislative branch of the Government than the great President to whom I have just alluded. I am not here now to make any criticism of his conduct in that respect, but I do concur in the view of the distinguished Senator that there is a disposition growing in the country to subordinate Congress to the executive departments of the Government; to the bureaus and clerks and satellites in departments, who too often attempt to foist upon Congress their visionary and selfish policies and to compel the enactment of legislation which more strongly entrenches bureaucracy in the Government. Speaking for myself, I feel that the Congress has not always asserted its powers and its functions and prerogatives, and has been oftentimes too subservient to the executive arm of the Government.

Mr. SMITH of Michigan. Mr. President——

Mr. KING. But let me say, in conclusion, that with respect to war legislation I believe that both of the distinguished Senators who speak so ably for the Republican Party, when they take up one by one these bills that have been enacted during the progress of the war, will say that they constitute a monument of fine and splendid legislation, a tribute to the patriotism of Congress and the American people; legislation which conduced to the winning of the war and brought it to a termination much sooner than if partisan controversies and obstructive tactics had characterized the workings of Congress.

In the days of Mr. Lincoln much of the great war legislation was originated by him and by his Cabinet; and the Republicans, then in control of the House and the Senate, registered, often without any protest, the wishes—the edicts, if I may be permitted the expression—of the executive branch of the Government. They felt, as Congress has felt now, that in periods of war the Executive power is stronger, and the legislative branch of the Government is called upon to make some sacrifices and some concessions in order to carry out the stupendous tasks which the war devolves upon the country.

Mr. SMITH of Michigan. Mr. President, I do not want to interrupt the Senator from Maryland, but——

Mr. FRANCE. I yield with pleasure.

Mr. SMITH of Michigan. The Senator from Utah [Mr. KING] has just said that the late President Roosevelt used the "big stick," which recalls to my mind the fact that while this body passed a resolution asking that the late Col. Roosevelt might go to France to take part in the war the President of the United States paid no attention at all to that recommendation. Frenchmen wanted him to come. The great Clemenceau wrote a letter to the President asking that Roosevelt might be sent over to inspire his countrymen. No attention was paid to it at all. The executive department has been the controlling department of this Government ever since the war broke out. You can not compare it with Lincoln's situation. Lincoln had a committee of Congress always at his elbow with whom he consulted about every question of policy.

Mr. KING. If the Senator will pardon me, a committee which some persons afterwards denominated "a smelling committee", which was offensive to President Lincoln and to some of the leaders of his party.

Mr. SMITH of Michigan. It was not offensive to President Lincoln. I know personally one of the men on that committee who enjoyed the confidence of Mr. Lincoln. I know another who lived in honor all his life and closed his days amid the lamentations of his fellow citizens and neighbors. Oh, no; no committee that Mr. Lincoln would call about him would smell bad, even to a Democrat, and I deny that that committee smelt bad, although I do not know anything about it; I was too young to know anything about it, but there are men within the sound of my voice who know something about it personally.

I noticed that my friend from Illinois [Mr. LEWIS] entered the Chamber a moment ago, and it reminded me of the fact that he was one of the men who said that the Constitution went up the chimney when war was declared.

Mr. LEWIS. Mr. President——

Mr. SMITH of Michigan. I do not argue the question with him.

Mr. LEWIS. I must say I am not aware of that observation by me, but I did say, and do repeat, that certain policies are applicable to a time of peace that are suspended as to similar operations in time of war. That I repeat.

Mr. SMITH of Michigan. I did not mention the Senator from Illinois to engage in any controversy with him. He and I came into Congress together and we are going out together, and I am glad of it, because there will be less smoke after we are gone. [Laughter.]

Mr. DILLINGHAM. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Vermont?

Mr. FRANCE. I would appreciate it very much if the Senator would allow me just for a moment to conclude what I was saying, and to merely add one thing in reply to the Senator from Utah [Mr. KING]. I am sure he will acquit me of being one of those who utilize this platform to speak for the Republican Party. I hope that in what I say here I shall be speaking for the Republic and not for the Republican Party, and I know the Senator in all that he says is trying to speak for the Republic and not for the Democratic Party. I feel that should be made clear.

I was diverted in what I was saying by this colloquy which introduced the subject of free speech. In connection with the subject of free speech I have been asked a number of times by men, thoughtful men, as to whether I believed, in an emergency such as we have passed through, men of the socialistic party and of the pacifist party should be permitted to abuse the right of freedom of speech. In reply to that I have given this answer, and I always try to speak the words of a great man in answer to a difficult question which I do not feel competent to answer fully myself. I have answered this question in the language of Benjamin Franklin. I ask leave to introduce it into the RECORD. I have quoted it before. I want to refer just to the last part of it, which I give in answer to the question as to whether the abuses of free speech should be suppressed:

> Those abuses of the freedom of speech are the excesses of liberty. They ought to be repressed; but to whom dare we commit the care of doing it? An evil magistrate intrusted with power to punish for words would be armed with a weapon the most destructive and terrible. Under pretense of pruning off the exuberant branches he would be apt to destroy the tree.

That is my answer. The fathers who founded this Republic knew something. I ask permission to insert the whole of this in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maryland? There being none, it will be inserted in the RECORD.

The matter referred to is as follows:

> Freedom of speech is a principal pillar of a free government; when this support is taken away the constitution of a free society is dissolved and tyranny is erected on its ruins. Republics and limited monarchies derive their strength and vigor from a popular examination into the action of the magistrates; this privilege in all ages has been and always will be abused. The best of men could not escape the censure and envy of the times they lived in. Yet this evil is not so great as it might appear at first sight. A magistrate who sincerely aims at the good of society will always have the inclinations of a great majority on his side, and an impartial posterity will not fail to render him justice. Those abuses of the freedom of speech are the excesses of liberty. They ought to be repressed; but to whom dare we commit the care of doing it? An evil magistrate, intrusted with power to punish for words, would be armed with a weapon the most destructive and terrible. Under pretense of pruning off the exuberant branches he would be apt to destroy the tree. (Franklin: Works, by Sparks, Vol. II, p. 285.)

Mr. DILLINGHAM. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland now yield to the Senator from Vermont?

Mr. FRANCE. If the Senator will allow me just a moment, I will say that I was discussing the assumption by the Government, making, of course, for inefficiency, of powers which do not properly inhere in government. In order that my position may be made perfectly clear to everyone, I wish to say that there is no power legitimately inhering in this Republic to build up a great bureau of Democratic spies to protect an autocratic administration again criticism, a system of espionage by which man spies upon man and neighbor upon neighbor, and under which men have been thrown into prison because of opinions and words; not for acts, but for opinions and for words. I can not be brought to believe that there is that power vested in the Republic, or that the fathers ever intended that that power should be conferred by the Constitution of the United States.

I was saying, for the purposes of my discussion, that there were legitimate functions of government—the census or survey, public education, the preservation of the public health, the creation of employment agencies. I was saying that the remedy for many of the evils from which we suffer would be the making of those legitimate functions complete, so far as their performance is concerned, by making the performance of them efficient and universal. That is the subject the discussion of which I desire to continue to-day, and perhaps for some days and weeks to come, because it is a large subject, and I am one of those who believe that the reconstruction program and policies and solutions will not "emerge," but that they must be constructed out of the brain and sweat of men who are willing to devote themselves to a solution of these problems and who are also willing to see things as they are and not as they would have them be.

Mr. President, continuing the preliminary remarks which I began yesterday afternoon on the subject of certain amendments which I have offered to the census bill and which are now pending, I desire very briefly to outline the purpose and the nature of the amendments.

As I intimated yesterday, these amendments not only very radically change the method of the census but they go to the very heart of the theory of the census, and I believe to the very heart of the great problem of national reconstruction.

Before proceeding with the discussion as to the general nature of the amendments I will say that so far as the schedules of inquiry are concerned they are not materially modified, although I have added to the schedules of inquiry two very important items, the item of education and educational agencies and the item of public health and public health agencies, and a third somewhat minor subject for inquiry, the subject of insurance and insurance agencies. So much for the present upon the question as to the schedules of inquiry for which my amendments provide.

There is one other important change to which I will call attention at this point, and that is a change in the census period so far as the inquiries are concerned into educational agencies, insurance agencies, agriculture, manufactures, forestry and forest products, mines and quarries, the interval at which a survey is to be made of those particular subjects of inquiry being 5 instead of 10 years. That is not a radical departure from the committee bill, as the committee bill already provides for an examination every five years, so far as certain of these items are concerned.

But, Mr. President, the essential and vital change which will be effected by the adoption of these amendments is this: The schedule of inquiries concerning population would be made not every 10 years but continually, and continually recorded by a card catalogue system. These amendments provide for a continuous survey of the population of the United States and of all those great vital and social questions which concern the population. Under my amendment there would be such a continuous gathering of social, industrial, and vital statistics as

would give us the data scientifically gathered, systematically classified, and accurately recorded by a card index system, upon which we might base legislative action, and having which before us we could legislate with intelligence and precision.

I shall attempt to show that it is of supreme importance that the census methods should be so changed that the census would give us this continuous enrollment and survey of our population in order that we might have before us the vital, industrial, and social statistics which are absolutely necessary if we are to act intelligently as a legislative body.

My amendment provides for such a continuous enrollment, and therefore it would seem to be a very radical change in the method of taking the census, a change which would perhaps involve in the aggregate a very great expense to the Government; but, as I showed yesterday, I think quite clearly, although I discussed the subject only briefly, we are not doing anything essentially new when we inaugurate such a system of continuous survey and enrollment. We are simply doing an old thing a new way, for I indicated on yesterday that we are at present, through the various agencies, Federal and State, collecting such vital statistics. I endeavored, however, to make it clear that these statistics were being collected by such a multiplicity of agents and in such an unsystematic manner that they give us no clear comprehension as to the condition of the country at any particular time so far as the population might be concerned and the health and the education and the condition of employment of the population.

Under this new plan the country would be divided, as under the plan provided for in the bill, into various census divisions, subdivisions, and also into precincts. The census divisions, of course, would correspond so far as possible—and this is also the provision in the committee bill—to the congressional districts. Under my plan the census subdivisions would correspond to the political subdivisions of the various States, such as counties and legislative districts, and each of those subdivisions, such as counties and legislative districts, would then be subdivided into census precincts, each one of which would correspond so far as possible to the election precincts of that particular political unit.

My plan calls for a card catalogue, continually revised and kept up to date, of all the inhabitants of the United States. It also calls for a permanent census office in each census subdivision, which office shall be maintained at all times, and which office will ultimately be located in a Federal building in that particular census subdivision, in which Federal building, after additional legislation which I have in contemplation is enacted, there would also be accommodated the local branch of the Federal Employment Bureau, of the Federal Health Bureau, and also the offices of the local agricultural agency, such as the United States Government now maintains in cooperation with the States in almost every county of the Union, with certain important exceptions which I do not care to discuss now.

It becomes obvious that what I am seeking to do is to substitute a uniform Federal agency or system for the collection of these statistics in the place of a multiplicity of agencies which are now collecting them in a most inefficient manner.

The births, for example, which are now recorded by the county and other authorities would, of course, under this system be recorded in the local subdivision of the Federal Census Bureau. To put the subject somewhat more concretely before you, and to make it clear as to how this system would operate, as clear as I may in a reasonable length of time, I will say that in a general way the plan calls for the enrollment of the name of a child, as soon as it may be born, upon the record books of the Republic as a citizen of the Nation, on the theory that every child born becomes at once both an asset and a liability to the Republic, an asset inasmuch as he will grow up to become a part of the great Government of the Republic, and a liability because with his birth upon the soil of this Republic the Nation becomes obligated to him in certain ways. It becomes obligated in some way, either directly under the Federal system or indirectly under a State system—and that question I do not care to discuss at this time—for the preservation of his life, first; and, while I am not going into any discussion at the moment of the constitutional question as to how far the State and as to how far the Federal Government should deal with the individual so far as these particular cares and responsibilities are concerned, I want to say that one of the objects of the Federal Government as enunciated by the fathers was the preservation of life. You say that, of course, meant the preservation of the life of the citizen against an attack by a foreign or by a domestic enemy. Well, that is true; probably the fathers were thinking of that; but the language of the Constitution is very clear that one of the objects of the founding of the Republic was to guarantee the opportunity for life. When a child is born into this Republic, this Republic, either directly or through some of its agencies, becomes responsible for the preservation of the life of that child, not only against visible enemies but against the far more dangerous, insidious, invisible enemies which exist in multitudinous form. I am referring, of course, to bacterial and infectious diseases.

Of course, I know that there are many constitutional lawyers who hold, and upon good authority—because I think in a large way the fathers so held—that the subject of public health was one which should be left to State agencies; but while in theory that may possibly be true, yet, as a matter of fact, the theory is scarcely applicable to modern conditions, and we have persistently repudiated that theory in the actual practice of the Government.

With the growth of our knowledge of communicable disease and the causes of communicable disease—which, of course, are biological entities, the germs being living organisms—we found, as we became acquainted with these germs, that while many of them had undoubtedly taken courses in constitutional law, while many of them had attended college, university, and law school, and had sat within the persons of distinguished legislators, in the dignified legislative bodies of the land, yet unfortunately they had not accumulated any knowledge of constitutional law and had not learned the fine distinctions between State and national sovereignty. It seems impossible to convince these germs, in spite of this remarkable training which many of them have received, that they can not be permitted to travel along the arteries of interstate commerce.

Mr. President, we have practically admitted in our accumulated body of legislation that, so far as the public health is concerned, it has become a national problem, and that it must be dealt with by one agency, that agency operating universally and precisely over all the territory of the Republic. I shall go into that matter somewhat more fully later on.

I need not recall to you the many ways in which we have recognized that the subject of communicable disease must be dealt with nationally. I need not point out to you the accumulating evidence of the growing conviction that the great disease of tuberculosis, which annually kills more people than have ever been killed by any war, except possibly this one, can not be stamped out by State agencies. The bacillus of tuberculosis is interstate in its pernicious action, and it can not be caught and prohibited from doing its virulent work by any divided sovereignty. I think there is also a growing conviction that however commendable—and no man would go further in commending them than I—may be the efforts of private agencies to stamp out this disease, it can not be stamped out by such agencies or by the selling of Red Cross stamps. Tuberculosis is as preventable as any disease can be. The Department of Agriculture, operating all over the country, is eradicating it from the herds of the country; and as that department is operating widely over the country to stamp it out so far as the bovine animals are concerned, so we also have the authority to constitute Federal agencies to act regardless of State lines to prevent it so far as human beings are concerned—a much more important matter.

But I have been diverted somewhat. I say that we must act upon the theory that every child born becomes an asset and a liability to this Republic, and that we must first protect his life not only against enemies, foreign and domestic, but against the invisible enemies which, however domesticated, still remain alien and destructive. When the child takes a communicable disease now it is reported to some agency—to a county agency, to a State agency, to a private agency, or somewhere else—and that report is soon lost or forgotten.

When the child goes to school his name is recorded on the public rolls of the school. When he is promoted it is recorded; his course of study is recorded; his graduation from the school is recorded; his reaching of age is recorded; his becoming a voter, of course, is recorded. When he is married it is recorded; when he has an industrial accident or disease it is recorded somewhere, generally either for the purposes of local State compensation acts or for some other purpose.

The Federal agencies are collecting statistics all the time so far as industrial diseases and accidents are concerned. In other words, we have going on now a continuous survey or enrollment, which is being carried on, however, by such a multiplicity of agencies that the results are not standardized and the data are not practically available.

Under this plan, when a child is born a card will be made out showing the names of his parents. Of course, if his parents had already been recorded, as they would be under this plan, we should have upon the cards, with the names of his parents, their records, showing the heredity of the child—a most important item. There are those, for example, who are interested in certain of the industrial diseases who are pleading for their elimination, because they not only destroy the life of the

individual himself but because they weaken the children who are born of those who have contracted such industrial diseases. This birth-record card would show the child's heredity. It would be, of course, sent to the subdivision office in the county in which he was born. Then, of course, when the child took a communicable disease, a card would be dropped in the post office by the physician, without stamp, saying, "John Doe, number so-and-so, scarlet fever." This fact would be recorded at once on the appropriate card in the subdivision office. When the child entered the school, that would be recorded; his progress in school would be reported by the educational agency having charge of his education and recorded; so that on his card, under this system, there would be a continuous record of his progress. At any particular time by telegraph we could find out exactly how many boys and girls were in the high schools or how many were in the primary schools, and we would know almost instantly where our educational system was inadequate and where it was breaking down.

Of course, this opens up a very large question. I am not planning to discuss the psychological aspects of this question of continuous enrollment and record. A great stimulus would finally result to the ambitions and the energies of the people if each one realized that what he achieved for the Republic was to be recorded on the card of the Republic as a permanent testimonial as to the share taken by him for the welfare of the Government. The soldier, fighting the battles of the Republic, would know that when he came home, if he had received a cross of honor, that would be noted upon his card, and so on. I could illustrate it, of course, in many ways, and many things will suggest themselves to Senators.

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Maryland yield to the Senator from Texas?

Mr. FRANCE. I shall be very glad to yield to the Senator for a question, but I should like first briefly to outline somewhat further my plan, and then I will be very glad to yield.

Mr. SHEPPARD. I shall wait until the Senator has concluded upon that point.

Mr. FRANCE. Then, I desire to make clear the practical operation of this plan, particularly so far as employment and unemployment are concerned.

I attempted to show yesterday that the chief problem of reconstruction was production. Reconstruction means production. There has been for a long time an underproduction in the world of the commodities and necessities of life. Men are hungry; men are unshod; men all over the world are lacking in those things which are necessary for a comfortable human existence. There is a shortage of food; there is a shortage of shoes; there is a shortage of clothing. Men are miserable in many parts of the world because their fundamental human needs are unsatisfied, and men are in revolution also for that very reason, for, after all, while you may discuss the political causes of revolution as much as you please, generally the causes go deeper than mere political questions. I am not meaning to say that if the French peasants had not been hungry and deprived of the materials necessary for a comfortable human existence in time there would not have been a French Revolution; but, as a matter of fact, the French Revolution did not begin until human misery had reached a certain point.

For years the worst government in all the world oppressed and degraded the Russian people; for years effort after effort was made to overthrow that despicable government—the most despicable, we should remember, which has ever been known in the history of the world—for years efforts were made to overcome it, and yet by one device or another the Russian people were called in this war to the colors and went and fought for their country obediently. They were not altogether satisfied with their government; but they were reasonably well fed and well clothed, and no man can read the history of the Russian revolution and not realize that what finally precipitated it were hunger and want. Owing to a colossal war effort, made in an unorganized and unsystematic way, there had grown up, because of the underproduction and the faulty distribution of food and also the underproduction and faulty distribution of other commodities, a condition in Russia which was intolerable. People were starving upon the streets of the cities. I shall not take the time of the Senate to review the conditions; but the Russian revolution was really a revolution which was precipitated by the lack of satisfaction of the fundamental human needs of the people.

You can not hope for the reestablishment of national stability—and upon the establishment of national stability depends, of course, the reestablishment of international order—you can not hope for the establishment of national stability throughout the world until you have produced enough to satisfy those elemental human needs which must be satisfied before you can put the people into such a state of body and mind that they will be willing to listen to the voice of reason.

There were those filled with hatred who said that no exportation of food to some foreign enemy countries should be permitted; but Mr. President, such a policy as that could not be for long. It soon began to be realized that, unless revolution was to spread over the world, we had to supply the fundamental, elemental human needs of the peoples in Europe.

Mr. President, I think that while we have been discussing this war for a long time, many of us have failed to realize the fact that it is a widespread disturbance of the world. I referred to the fact on yesterday that there were at least three hundred and ten or three hundred and fifteen million people who were without responsible government and in a state of absolute revolution. I thought I had here the figures which I have compiled to show the number of people not only in the countries now in an actual state of revolution but the numbers of the inhabitants in all of those countries in which there is a profound unrest. Taking them all together, not counting the allies and the United States, more than 800,000,000 people, chiefly, I believe, because of the failure to satisfy the elemental human needs, are in countries in which there is at least a profound unrest if not actual revolution. I have taken the trouble to compile a statement showing the widespread nature of this disturbance.

But I have become diverted somewhat from what I wanted to say with reference to underproduction. The fundamental cause of this unrest is underproduction of the necessities and commodities of life; and the first thing to be done, so far as reconstruction is concerned, is to organize every nation for its utmost possible production of commodities and necessities. Of course, that means the prompt return of the troops now on the battle field; it means the redistribution of many of those at home who have taken the places of men who have gone to the front; it means the finding of employment for the men who come back from the front.

There is underproduction here, and this underproduction is causing misery and distress in many cases even in the families of men who are securing a very high nominal wage, for, after all, it is not the money wage which a man receives which determines the degree of comfort and pleasure which he shall enjoy, but it is the wage in commodities and necessities; so that a serious underproduction of commodities and necessities reduces the real wage regardless of what the nominal wage may be. The whole problem, I say, of the reconstruction period is as soon as possible to bring every nation by proper organization up to its full productive capacity. Of course, that is a question of employment.

How will this system which I propose operate so far as employment and unemployment are concerned? I said yesterday that there was no means by which the Employment Bureau of the Federal Department of Labor could function properly until it knew how many unemployed there were in the country and who they were; and I think I showed conclusively, although I did not go into the question exhaustively, that there were no means available by which the Employment Bureau of the Department of Labor could ascertain the number, names, and qualifications of those unemployed. Under the system which I propose the record card of every citizen would be placed upon a file in the Federal census office at the county seat of this county. In the same building there would also be a branch of the Federal Employment Bureau, and if any man in the county became unemployed, or if any woman who wanted employment should become unemployed because of the return of a soldier to take her position, all that would be necessary for that man or woman to do would be to take a card, which could be obtained from the postmaster, and upon the card write the name and number and drop it in the box; for instance, "Mary Smith, No. so-and-so, unemployed." That card would be received by the official in charge of the subdivision office at the county seat where the Federal Employment Bureau would be located, and the card would be transferred to the unemployment file; and in every county every citizen of the county who was unemployed would have his card upon the unemployment file. Of course, those cards would constitute the records of the local division of the Federal Employment Agency so far as the informational end might be concerned.

Mr. KENYON. Mr. President——

Mr. FRANCE. I yield to the Senator.

Mr. KENYON. While the Senator is on that question I wish to ask him does he know how many men are now out of employment in the United States? I will answer my own question, if the Senator will permit me.

Mr. FRANCE. I will be very glad to have some information on that point, because we have little information whatever on it which is accurate.

Mr. KENYON. Mr. Morrison, the secretary of the American Federation of Labor, testified to-day before the House Committee on Immigration, giving the figures as to the number of unemployed in the different cities, which I will say to the Senator is a constantly increasing number. I have the figures as to the different cities here. Altogether the number runs over 200,000 now unemployed in this country; yet no effort is being made anywhere, nothing is being done by Congress, to meet that situation. Has the Senator in his study of this matter and in his philosophy—because the Senator is a good deal of a philosopher—worked out any plan of taking care of that question in the immediate future?

Mr. FRANCE. I will say to the Senator, in reply to his inquiry, and by way of making an observation upon his most important contribution to this subject—and, of course, the Senator's contributions to this general subject are always most valuable, because he is one of the men in this body who is taking a particular interest in the great problem of reconstruction generally, in the problem of employment and unemployment, and in all problems which lie close to the heart of the people of this Republic—I will say to the Senator that I contemplate——

Mr. PAGE. Mr. President, one word before the Senator passes from that point. May I ask what plans, so far as the Senator from Maryland knows and so far as the Senator from Iowa knows, are being put forth to take care of nonemployment locally or by the States?

Mr. KENYON. I wish to get the view or knowledge of the Senator from Maryland on that subject. I have some knowledge about it myself, but I thought possibly the Senator from Maryland might have some additional knowledge.

Mr. FRANCE. I will tell the Senator what I have in mind; and if the Senator from Vermont will permit me to answer the question of the Senator from Iowa, I shall then be very glad to answer his question. I will say to the Senator from Iowa that immediately the census begins—and it could begin, in my judgment, in a very few weeks, because what I propose is to do on a national scale what Gen. Crowder did when he enrolled so quickly and so expeditiously millions of our men for the purpose of the draft law—as soon as the census work begins these cards will be written, and the moment a card is written for a man who is unemployed it will be put in the unemployment file of his census subdivision office; and at Washington we will then know exactly every morning, if we wish to know that quickly, by telegraphic communication just how many unemployed men there are in every county and legislative district in the United States, and also who they are and what qualifications they possess.

Mr. KENYON. Does the Senator's card system contemplate showing the particular work that these men are fitted to do?

Mr. FRANCE. Yes. I have passed over much that I would have said if time had permitted.

Mr. KENYON. There is plenty of time.

Mr. FRANCE. The card will be so filled out that it will give a complete record of the individual, his past occupation, his education, his trade. It will be, I may say, somewhat similar to the cards made out under the direction of the Provost Marshal General at the last registration of soldiers for the Army, which cards carried a very large amount of information as to the qualifications of the individual. Every card of an unemployed man which would be transferred to the unemployment file in the local subdivision office would tell exactly what the man's trade and qualifications were. If he were a farmer, it would be so noted; if he were a man who had two or three trades, that would be noted; and we would have accumulating, as soon as the system was put in operation in every subdivision census office of the country, the unemployment cards.

I want to say that that is very important, because it must be obvious to every Senator that at a time like this the rapid accumulation of unemployment cards upon the files of the Census Bureau—or the employment bureau, because that employment file would be the employment bureau, so far as the information concerning unemployment was concerned—would indicate a serious situation. I need hardly emphasize that it is most important that if those cards should be accumulating at any very great rate at a time like this it would be proof that something must be done to reduce the number of those unemployed; and there is the very essence of the whole matter. If we know what sort of people are unemployed, who they are, what their qualifications are, and where they are, then we can legislate intelligently as to finding them work to do.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER (Mr. MYERS in the chair). Does the Senator from Maryland yield to the Senator from Massachusetts?

Mr. FRANCE. If the Senator will permit me to answer the question of the Senator from Vermont, I will yield in a moment.

Mr. WEEKS. Yes; certainly.

Mr. FRANCE. So far as what is being done now is concerned, I would say that in my judgment nothing efficient is being done. In fact, as I said yesterday, referring to the President's farewell speech, I think there is a general disposition on the part of the administration to feel that these questions will work themselves out. Nothing, I think, is being done except an attempt to speed up the Federal employment bureaus which are now a part of the Department of Labor; and I would say that those employment bureaus are making an effort to solve this problem of unemployment, but they can not do it, because they have not the data so far as unemployment is concerned.

Mr. PAGE. But the point I want to bring to the attention of the Senator from Maryland is this: Is there not a work that may be linked up with the work on the part of the States, so that there may be not a duplication altogether? We know now that passing from the east to the west there is a zone, perhaps covering the Central States from east to west, where the number of unemployed is daily increasing.

Mr. FRANCE. Yes.

Mr. PAGE. On the other hand, so far as my own State is concerned I do not know that there is any unemployment there. If so, it has not come to the front, and we take care of it locally. Indeed, I would say that that matter would be taken care of locally in small States like Vermont; and the point is that there should be a coordination of work, so that there is not any more burden thrown upon the National Government than is necessary in order to produce good results from the local work of the States.

Mr. FRANCE. The Senator has raised some very interesting questions. Of course I feel that the problem of unemployment, for the very reason given by the Senator, is not a local problem. There are areas to-day in the United States where workers are needed. There are areas where workers are being dismissed. Now, if we had a Federal system which was rational and scientific, from the areas where there was a congestion those unemployed men could be taken to the areas where there was a dearth of workers, and a redistribution could take place which would be of benefit to all.

The theory of the Federal employment bureau is that this question of unemployment has ceased to be a local question and therefore that it must be dealt with by a national agency. I am not contending in this argument for the establishment of any new agencies, but for the application of scientific methods in the agencies which now exist—that is, the Federal employment bureaus.

Mr. PAGE. Do we not all agree that there should be a clearing house somewhere through which we may move to the different zones or the different localities where there is a surplus of work or a surplus of employees?

Mr. FRANCE. Yes; we do. I think the Senator and I are agreed that there should be such a clearing house, and that clearing house under my plan would by a scientifically and efficiently organized Federal employment bureau in the place of one which is inefficiently and unscientifically organized. I think the Senator and I are in agreement.

Mr. KENYON. Will the Senator right there, as he is right on this question, which is so interesting, permit the insertion and reading at this time of the figures given by Secretary Morrison to-day before the House committee as to unemployment right now in this country?

Mr. FRANCE. I should be very happy to have those introduced as bearing upon what I have to say.

Mr. KENYON. This is a list of the different cities and the unemployed in those cities.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

Los Angeles, Cal	8,000
Clifton, Ariz	650
New Britain, Conn	2,000
Wilmington, Del	None.
Chicago	75,000
Jacksonville, Fla	None.
Rockford, Ill	200
Fort Wayne, Ind	350
Louisville	2,900
New Orleans	20,000
Boston	20,000
Grand Rapids	5,000
St. Paul	8,000
St. Louis	15,000
Kansas City	2,000
Paterson, N. J	1,200

Trenton, N. J.	2,500
New York City	20,000
Cincinnati	5,000
Cleveland	40,000
Portland, Oreg.	9,000
Toledo	17,000
Youngstown, Ohio	5,000
McKeesport, Pa.	600
Scranton	200
Aberdeen, Wash.	3,000
Wheeling	750
Milwaukee	7,000
Superior, Wis.	750

Mr. KENYON. My question was directed to the Senator not in any controversial spirit, because I am thoroughly in favor of what he is trying to do, and I am glad he is challenging the attention of the country and the Senate to his proposal; but that, I fear, is going to be too late. The reports to the Labor Department are that this unemployment is increasing every week. We have got to meet that question in some way in the immediate future. It seems to me the only way we can meet it is, in cooperation with the States, to do the necessary public works in times when labor is not in demand in industry.

I hope the Senator will address himself in his forceful way to this question, and try to awaken Congress out of its lethargy and apparent lack of vision and see what we are going to face. We are so busy taking care of all the affairs of the world that we as yet do not seem to have time to take care of the affairs of our own country.

Mr. FRANCE. I agree with the Senator, and I now yield with pleasure to the Senator from Massachusetts.

Mr. WEEKS. Mr. President, I am sorry that I have been in important committee meetings, so that I have not been able to be here to hear the Senator; but it seems to me, from the drift of what I have heard since I came in, that what he is advocating now is exactly what European countries did a year to two years ago. Certainly before the armistice, as early as last spring, in Great Britain every man who was in the army, or every man who was engaged in war work, was listed, card indexed; his occupation was included in the index; a note was made as to whether he could return to his former employment when the war was over; and every condition surrounding that man was in the hands of proper governmental authority, and arrangements had been made to give the man employment at the end of the war.

The Senator may recall that as long ago as last September I introduced in the Senate a resolution——

Mr. FRANCE. Does the Senator recall the date of it?

Mr. WEEKS. I should think the 25th of September I introduced in the Senate a resolution which is sleeping the sleep which knows no waking, apparently, in the Judiciary Committee, which provided for this suggested action and a great many other things. We as a Government—and I can not believe that the responsibility is on this side of the Chamber—are deliberately neglecting to prepare for the things which are inevitable. In other words, we are in this fatal condition in the way of preparedness for peace just as we were in preparedness for war; and while we have lost valuable time, unless the Senator from Maryland and other Senators and all the Senators stir up this matter now and some action is taken, we are going to have great distress in the United States, and distress that will be directly chargeable to the neglect of Congress.

Mr. FRANCE. Mr. President, I desire to say, in reply to the Senator from Massachusetts, that I am in entire agreement with him; and, indeed, during all of the time that I have been considering these amendments to the census bill, which I consider to be a step in the direction of solving some of these reconstruction problems, my mind has been recurring to the great reconstruction program outlined by the Senator from Massachusetts last September, a program the timeliness of which and the breadth and comprehensiveness of which was only one more evidence of what we have all come to realize who know him, that in the Senator from Massachusetts we have a great statesman who has vision, who can look forward as well as to history. It is regrettable—indeed, to me it seems inexcusable—that the great reconstruction program outlined by the distinguished Senator from Massachusetts [Mr. WEEKS] was referred to a committee and allowed to sleep in that committee, because there seems to be in this administration an utter blindness to the seriousness of the situation which is rapidly developing in this reconstruction period which is not now all ahead of us, but which is about us, for we are in the very midst of it. Of course, if affirmative action had been taken with reference to the constructive suggestions contained in that great program of reconstruction presented by the Senator from Massachusetts, it would not be necessary for me to be thus contending here for this measure, which I consider to be but one step—perhaps an ineffective and a small step, but at least some step—in the direction of some reconstruction work and a more effective and rational organization of the Nation.

Mr. WEEKS. Mr. President, if the Senator will permit me to interrupt him once more, I might have added some additional reasons for the particular action which he now desires taken.

I saw in the War Department very nearly three weeks ago a chart prepared by the Department of Labor relative to idleness in the United States, and that chart at that time showed that in 31 per cent of the industrial centers there was a surplus of labor; that there was a scarcity of labor in about 20 per cent of the places, and about a normal amount in 49 per cent. Now, since that time we have discharged more than 500,000 men from the Army. We have discharged a great many people who were engaged in war work. For instance, one arms company has discharged, at different points where it manufactures, something like 18,000 people, so that any figure which states that there are 200,000 idle men in this country is very much below the probable fact.

I have a letter this morning from Springfield, Mass., an industrial center, which states that there are in that city now, a place of 75,000 people, very nearly 400 unemployed soldiers. They have not even been paid the 30 days' additional pay which Congress contemplates giving them; and those men, in some cases, are in the condition of real suffering. And yet these men, who have rushed to the colors, are returning to their homes and finding themselves out of employment and with no prospect or no concerted means of giving them employment. I venture to believe that that condition exists all over the United States, and I believe as thoroughly as I can that every bit of it could have been avoided if any reasonable attempt had been made to make preparations for what was inevitable, and that was an armistice and peace.

Mr. FRANCE. I thank the Senator for the observation, and I think that his judgment upon this question is most valuable. I find myself in entire agreement with him in the opinion which he has expressed, that the 200,000 unemployed men referred to constitute but a fraction of all of those unemployed. Offhand, I should say that probably to-day in the country there are nearer a million to a million and a half persons who have recently been employed who are to-day unemployed, and this in the face of the situation to which I have alluded, demanding the utmost production of all the necessities and commodities of life in order that a serious world situation may be met.

Mr. President, I have attempted briefly to outline how this system would work practically. Of course, it is very difficult in a short time to give an adequate conception of such an extensive plan as this. I have quite a number of other observations to submit. I do not know what the plans of the chairman of the committee are with reference to the hour of adjournment to-day.

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Maryland yield to the Senator from Texas?

Mr. FRANCE. I yield.

Mr. SHEPPARD. I have been very much impressed with the arguments of the Senator from Maryland and with his presentation of his very comprehensive amendments. I think that there are many meritorious features about them, and I am entirely willing to have them adopted by the Senate and go to conference, in order that they may be thoroughly studied. Therefore, I shall say that the amendments are accepted, and I hope the Senator will now offer them.

The PRESIDING OFFICER. If there is no objection, the amendments will be accepted.

Mr. FRANCE. I appreciate the acceptance by the chairman and the adoption by the Senate of these amendments; and, of course, I feel also that in view of this there will be no propriety in my detaining the Senate further in the discussion of the general problem of national and of world reconstruction. I have quite a mass of interesting data on the subject of the public health, on the subject of illiteracy in the United States, on the inefficiency of our systems of public education, on the subject of unemployment and of poverty, and some very interesting data also with reference to the conditions in the various countries of the world which I had thought of discussing, such as the conditions in Russia, in Africa, in Bulgaria, in Ireland, and in India, all of which should very properly be considered to be pertinent to this question of national and of world reconstruction. Inasmuch, however, as the Senator has accepted my amendments, I shall be very glad to yield the floor.

I hope, however, that the Senator will do all in his power in conference to secure a consideration of this question. It is,

I may say, a practical plan, a scientific plan, and one which I think all the members of the committee must realize has merit, and one which the experts in charge of the Census Bureau must look upon with some degree of interest. I want to say further that of course in offering these amendments I have not been casting any reflections upon the Census Committee, or upon the head of the Census Bureau, for whom I have the very highest regard. He is a man of ability and of great scientific attainments; but I realize that all changes in the census law are made slowly, and only after protracted effort and debate. The history of the census, to which I had intended referring at some length, shows this.

I hope that the Senator, when this matter goes to conference, will make a fight for these amendments. If, however, he can not persuade the conferees that all of these particular amendments should be added to the bill at this time—and I admit that there might be reasons why they should not be; personally I think they should be, but there might be valid arguments why it might seem to be somewhat revolutionary at this time to put all of these amendments upon this bill—I wish to suggest this to the chairman: I feel that if the conferees should refuse to adopt this whole plan, the Senator should at least make a most strenuous effort, as a member of the conference committee, to have some amendment added in the place of mine, if they should be rejected, which will provide that a commission of experts shall be appointed for the consideration of this whole matter which I have presented.

Mr. SHEPPARD. I wish to assure the Senator that his amendments will not only have thorough and earnest consideration at the hands of the conference committee, but that his last suggestions shall also have our most careful study. The conferees will be glad to have the Senator appear before them when we take up the question.

The PRESIDING OFFICER. Without objection, the amendments of the Senator from Maryland will be considered as agreed to. The Chair hears no objection.

The bill is in the Committee of the Whole, and still open to amendment. If there be no further amendment, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committe of the Whole.

RECESS.

Mr. SHEPPARD. I move that the Senate take a recess until noon to-morrow.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate took a recess until to-morrow, Friday, January 17, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 16, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We thank Thee, our Father in heaven, for the preservation of our lives; the opportunities spread out before us; for thought, reflection, accomplishments.

Help us to think clearly, act wisely, do justly, that with the tools Thou hast given us we may build for ourselves a character which will stand the test of time and eternity. In the Spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE LATE REPRESENTATIVE CHARLES MARTIN, OF ILLINOIS.

Mr. JOHN W. RAINEY. Mr. Speaker, I ask unanimous consent that Sunday, February 2, 1919, be set aside for memorial services on the life, character, and public services of Hon. CHARLES MARTIN, deceased, late a Member of this House from the State of Illinois.

The SPEAKER. The gentleman from Illinois [Mr. JOHN W. RAINEY] asks unanimous consent that Sunday, February 2, 1919, be set aside for memorializing his predecessor, the late Representative MARTIN, of Illinois. Is there objection?

There was no objection.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14078, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill, with Mr. ALEXANDER in the chair.

The Clerk read as follows:

Legislative reference: To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress and committees and Members thereof, $30,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $3,000 per annum.

Mr. RANDALL. Mr. Chairman, I move to strike out the last word for the purpose of announcing that, through the courtesy of the United Press, I am able to state that the thirty-sixth State has ratified the prohibition amendment. My native State of Nebraska ratified the amendment this morning. I withdraw the pro forma amendment.

The Clerk read as follows:

Distribution of card indexes: For service in connection with distribution of card indexes and other publications of the Library: Chief of division, $3,000; chief assistant, $1,800; assistants—2 at $1,600 each, 3 at $1,500 each, 3 at $1,400 each, 4 at $1,200 each, 4 at $1,100 each, 4 at $1,000 each; for services of assistants at salaries less than $1,000 per annum and for piecework and work by the hour, $19,500, including not exceeding $500 for freight charges, expressage, traveling expenses connected with such distribution, and expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, $49,400.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word, and ask the gentleman from Tennessee [Mr. BYRNS] to give me his attention for a moment. I had intended to ask him at the time we passed the appropriation for the Committee on Printing whether he had any information as to why such inferior paper is used in the printing of the CONGRESSIONAL RECORD. During the last few weeks the CONGRESSIONAL RECORD has been printed upon paper that would not be acceptable in any newspaper office in the country under ordinary circumstances, and yet I observe that publications of the Bureau of Information and of the various departments appear in the regular way on glazed paper, apparently in the usual form. The CONGRESSIONAL RECORD is a publication that ought to be preserved. Why is it printed upon such cheap paper at the present time?

Mr. BYRNS of Tennessee. Mr. Chairman, I have no information that I can give to the gentleman upon the subject. I refer the gentleman to the chairman of the Committee on Printing. As a matter of fact, the Committee on Printing controls the paper, as I understand it, that is used in the CONGRESSIONAL RECORD and for Congress, and has no control over the paper that is used in the departments. I can only give the gentleman my opinion in regard to the matter, and that would not be worth anything since I have no definite information.

Mr. MOORE of Pennsylvania. If the gentleman has no information I shall not pursue the subject further, but I would say that the CONGRESSIONAL RECORD is bound in permanent form and is preserved for future generations and for future Congresses. It ought to be preserved. It would be a great pity if the CONGRESSIONAL RECORD of to-day were to disintegrate because of the quality of the paper upon which it is printed. One of the big problems that will confront this Nation before long will be the preservation of its old records.

Mr. BYRNS of Tennessee. I assume that the permanent RECORD will be printed upon better paper. These daily RECORDS are not permanent, nor are they expected to be. I presume that the reason this kind of paper is used for the daily RECORD is because of the scarcity of paper and the endeavor to economize.

Mr. MOORE of Pennsylvania. The gentleman can not tell why it is that the Bureau of Public Information continues to put out its publications on glazed paper, while the CONGRESSIONAL RECORD is printed upon paper that would disgrace the average newspaper office?

Mr. BYRNS of Tennessee. I can not. As I stated, I understand the Committee on Printing has nothing to do with the character of paper used by any of the executive departments.

Mr. MOORE of Pennsylvania. I see that the chairman of the Committee on Printing has entered the Hall, and I ask whether he can explain why it is that the CONGRESSIONAL RECORD is printed on such abominable paper as is used at the present time.

Mr. BARNHART. Yes, Mr. Chairman, the chairman of the Committee on Printing can probably explain, but probably not to the satisfaction of the gentleman from Pennsylvania. The CONGRESSIONAL RECORD as daily produced is temporary; it is not permanent. Under the allowance of printing granted by the Committee on Appropriations for Congress some two years ago, the estimate then was based on the probability that the paper to be used in printing the CONGRESSIONAL RECORD would cost 4 cents a pound.

Between the time of the enactment of that appropriation bill in 1916 and the time of letting the contract in 1917 the cost of this paper had increased about 7 or 8 cents per pound. Another emergency arose, which was the inability of the mills to furnish book paper, for what reason the committee did not ascertain. It was given out that they were unable to furnish book and enameled papers, and therefore, in behalf of economy and in behalf of prompt service in the matter of getting the RECORD printed, we were compelled to take news print, and, so far as I am concerned, and my eyes are fairly good at my age, I have no difficulty in reading the temporary RECORD, but the permanent RECORD is made up of a lighter paper along the same lines that many of the publishers are resorting to, using paper of lighter weight for the reason that it does not incur so much bulk and saves money beside.

Mr. MOORE of Pennsylvania. It is strange to me that Henry Ford can obtain all the glazed paper that he wants for the publication of his paper, which has just appeared for the first time, or that Mr. George Creel can obtain all the glazed paper he wants for the publications which he is sending out by the millions, and this body can not. It is strange that all the great publishers can print their magazines on glazed paper when the Congress of the United States, which ought to preserve its permanent RECORDS, has to use paper which is not fit for an ordinary country newspaper office.

Mr. BARNHART. Well, that is a matter of opinion. The ordinary newspaper office does not use as good print paper as is used in the temporary RECORD, which is not intended for permanent use.

Mr. MOORE of Pennsylvania. Some of it is not as good as that, I admit, but I submit to the gentleman that the paper upon which the CONGRESSIONAL RECORD is printed now is not fit for official use and will dissolve in due course. Members of the House, to whom fifty-odd copies are allotted, are entitled to obtain RECORDS for permanent use if they desire to do so. The RECORD as it goes out to-day to our constituents is as cheap a publication as you will see in any newspaper office in the country. It is a disgrace to the Congress of the United States, and I respectfully submit to the gentleman that he should use his influence with the Committee on Printing or with the contractors or with Congress, if you please, to put the permanent RECORD of the United States Congress on paper that will not fall apart.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

BOTANIC GARDEN.

For superintendent, $2,250.

Mr. AUSTIN. Mr. Chairman, I offer an amendment to increase the salary of the superintendent of the Botanic Garden to $3,250.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. AUSTIN: Page 27, line 23, strike out "$2,250" and insert "$3,250."

Mr. BYRNS of Tennessee. Mr. Chairman, I reserve the point of order on the amendment.

Mr. AUSTIN. Mr. Chairman, here is a great national botanical garden of a country representing more than 100,000,000 people, and this appropriation is wholly inadequate; it is unfair; it is unjust. We are carrying in this appropriation bill a salary for a clerk of $3,000, an assistant clerk of $2,220, and we are actually paying messengers in this bill $1,440, which is only $810 less than we are paying the superintendent of the Botanic Garden. We are making an appropriation of $3,600 for salary of the superintendent of the Library buildings and grounds, which is $1,350 more than we are paying the superintendent of the Botanic Garden. The superintendent in the Treasury Department, in the redemption bureau, national currency, is paid $3,500, and the superintendent of the Botanic Garden $2,250, or a difference of $1,250. Now, I know that there is no existing law and that this proposed amendment is subject to a point of order, but it is an inequality, and this underpay has stood here for many years, and the responsibility of this position should carry with it an increased compensation, and I do hope that my colleague from Tennessee [Mr. BYRNS] will give the House an opportunity to vote upon my proposed amendment. Now, I know all of these amendments have so far met with a point of order and have gone out, or the House given no opportunity, but if there is a case, an exceptional case, from the beginning to the end of this bill, it is this case; and while perhaps the members of the Committee on Appropriations have an understanding that they are to resist all increases, I do trust, in the interest of fair play, that an exception will be made in this case.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. AUSTIN. Certainly.

Mr. BYRNS of Tennessee. The superintendent of the Botanic Garden is an exceedingly efficient and competent man; there is no question about that. He gives very close attention to his duties and is a man of splendid qualifications for the place. I want to call the attention of the gentleman from Tennessee [Mr. AUSTIN] to this fact: His salary has been increased twice within the last two years. Two or three years ago his salary was $1,800. It was increased by $200 and then another $250, making a total of $450 given in the last two years. In addition to that, I want to call the attention of the gentleman to the fact that the superintendent of the Botanic Garden is given a house in which to live free of charge. He is also supplied free of charge with heat, fuel, and light, which, of course, should be taken into consideration in connection with his salary. Now, there is another fact. The committee has recommended to the House a provision creating a joint commission, which shall reclassify and readjust the salaries paid here in the District of Columbia. If that provision is accepted by the House and becomes a law, then the commission will take this salary under consideration in connection with other salaries, and if it is inequitable or insufficient, as the gentleman suggests, the joint commission will report an increase, and I hardly think it proper now, in view of the fact that this commission is to be appointed, to undertake to increase his salary here in this bill and——

Mr. AUSTIN. Let me say to the gentleman——

Mr. BYRNS of Tennessee (continuing). I shall have to insist upon my point of order.

Mr. AUSTIN. Let me say to the gentleman, in reply to his statement, of course, that was an extraordinary increase in this——

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUSTIN. Mr. Chairman, I ask for an extension of two minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. AUSTIN. Of course, that was a remarkable increase in a salary, of $200 a year of an insufficiently paid Government official—from $1,800 to $2,000—and an additional advance of $400. The gentleman has referred to the fact that the superintendent is furnished a house. I wish to say that I think that is an additional reason why his pay should be increased, in view of the fact that you are compelling him to live in that undesirable house. I do not believe that the increases already made will meet the superintendent's doctor bill in occupying that house; and I doubt whether there has been a month, and I am certain six months have never passed, when there has not been illness in that family. It is a very old house. It is a low, damp place, and you really ought to increase the superintendent's compensation and pay him something in addition for living in a house of that character. And I hope the gentleman will let this amendment be voted upon. If no point of order is made against the creation of his commission on reclassification, I am perfectly willing to let it remain. But the provision creating a commission is also subject to a point of order, and if we pass this provision now without increasing the salary and a point of order is sustained against the commission no relief will be granted even at a later day. The superintendent of the Botanic Garden is an exceptional man for that position and should receive an adequate salary.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. HAMLIN. Mr. Chairman, I move to strike out the last word.

I do this for the purpose of calling attention to what I regard as an exceptional performance on the part of the House yesterday.

Yesterday morning certain standing committees of this House were refused clerks during this session of the Congress on the theory that it was necessary in the interest of economy. I stated at that time that I had no complaint to make. I am making none now. I am only desiring to call attention to this somewhat incongruous action on the part of this House. These committees were refused clerks, as I say, in the interest of economy, so it was said; and the report of the Committee on Accounts seemed to receive the support of a large majority of the Members present at that time. Before the legislative day had expired, in fact within a few hours from that time, there was an amendment adopted to this bill giving each Member an extra clerk at a salary of $1,200 a year.

Seven standing committees of the House were denied clerks for this session of three months which will effect a saving to the Government of the magnificent sum of $2,625. This was done, it

was said, in the interest of economy, and yet within a few hours from that time these same economists, or some of them, at least, voted to pay out of the Treasury over one-half million of dollars a year for an extra clerk for themselves.

O Consistency, thou art a jewel.

Perhaps it is not generally known by the membership of the House that the chairmen of these expenditures committees, all but three of which were left out yesterday, have not been permitted to participate in the patronage of this House. Some three or four years ago the Democratic caucus met and took from the chairmen of these different expenditures committees all patronage on the part of this House, on the theory that they had patronage in the person of the clerks of their committees—their session clerks. Now, that was taken away yesterday.

I am going out of this Congress on the 4th of March. It makes *absolutely* no difference to me, but it seems to me that this House ought to be fair; it ought to be just; it ought, at least, to be consistent. At 1 o'clock on yesterday you refused these clerks to these commitees because it was an unnecessary expense, you said, and, perchance, some chairmen of these committees might use these clerks to aid them in their personal work as Members of Congress, but at about 4.30 or 5 o'clock the same afternoon this same membership grew generous, forgot the interests of the Treasury, and added an additional burden of $522,000 a year on the Treasury to hire an extra clerk for each Member of the House. In doing that I realize that you have put in jeopardy the $2,000 you are allowed now for a clerk, because it certainly puts the whole matter back where it started, and it is all subject to a point of order if anybody cares to make it. Twelve hundred dollars a year is all that the permanent law allows for clerks to Members.

I only wanted to call your attention to these facts and to suggest that it seems to me, above everything else, the House ought to be fair, and it ought to be just, and it ought to be consistent. The situation in which you leave my friend from Oklahoma, who is chairman of one of these committees, and others similarly situated, is that with all the extra work piling on the Members of the House, as referred to yesterday, due to war conditions, leaves him and them without any assistance other than their one clerk. Perhaps it is right. I shall not worry about it.

Now, if the committee will permit me just a few minutes, as that is all I want to say on this subject, I want to discuss——

Mr. ROBBINS. Will the gentleman permit an interruption?

Mr. HAMLIN. Yes.

Mr. ROBBINS. The gentleman understands quite well that the increase of the salaries of clerks to Members is not permanently in this bill. It has got to be voted on by the House when it comes out of the Committee of the Whole, and in all probability will be rejected there, and I hope it will.

Mr. HAMLIN. That is true; and it is also subject to a point of order if anybody wants to make it.

Now, Mr. Chairman, I would like permission to say a few words, perhaps somewhat out of order——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAMLIN. I ask that I may have five minutes more, Mr. Chairman.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. HAMLIN. Mr. Chairman, I have heard a great deal of criticism of the War Department recently. I am in sympathy with many of those criticisms, but I want to suggest to the membership of the House that even in those matters we ought to be charitable, we ought to be reasonable; we must be just. We ought to be fair in that as in everything else. It seems to me that we can not get away from the proposition that the War Department has recently put through one of the most tremendous undertakings in the history of the world. I undertake to say that no Nation in the world has ever equipped an Army such as we have equipped, supplied it with all the necessities, transported more than 2,000,000 of its soldiers 3,000 miles across the sea, and done it within the time the War Department has performed that task. We ought not to overlook that fact in our criticisms. It will stand as a monument to the War Department as long as this Government stands.

Again, I want to suggest that there have been mistakes made, of course. It is not within the possibilities of human nature not to have made some mistakes under these fortuitous circumstances. And I am not here to apologize for any of the mistakes that may have been made carelessly, certainly not purposely, but I am only asking that we be fair and just with the department.

There have come to my knowledge some matters that have not been pleasing and which seem to me to be subject to criticism.

Only within the last few days I got notice of the fact that a father living in my district was notified by the War Department that his son was killed in action on July 18, 1918. The father writes me that he has heard from the son several times since July 18. Consequently, evidently the War Department made a distressing error. It also came to my knowledge that while the father has been hearing from the son, the son has never heard from his father or from any of his family since last May.

The War Department was called upon by me under the circumstances to cable this son. In his letter to his father he asked the question, "Why can I not hear from you? Are you all dead? I have not heard a word from you since last May." Under those circumstances I asked The Adjutant General to cable to this boy, conveying to him the message that his folks were alive, and to get direct information from this boy as to his present condition. At first he declined to do it, but subsequently agreed that under the circumstances he would do it.

Now, for any of those carelessnesses, if they are due to carelessness, I have no kind of an apology. They ought to be criticized. They ought to improve. But the criticisms which, I fear, are sometimes made upon this floor for partisan purposes only are to be deprecated and should never be indulged in. And if anybody here believes that he is going to be able to get away with criticisms of that kind he is very much mistaken. He is not going to fool the boys, especially those who have been in the war. They are suspecting your motives already. I have a letter in my pocket here from a gentleman whom I know well, a lawyer, but an enlisted man in this Army, who also fought through the Spanish-American War, a very high-class man, but a Republican "from who laid the chunk." He is a personal friend of mine, but I have reason to believe that he never voted for me in his life because I was not on his ticket. He is that kind of a Republican. I am not at liberty to give his name, but I will show his letter to any gentleman who wants to see it. He is writing me on a business matter, but in his letter he says this:

As you well know, I have been, and am yet, a Republican. I haven't scratched a ticket for many years; but doubtless my party will make some desperate efforts to discredit the present administration, and especially the War Department, but you can take it from me, who has soldiered as an enlisted man through two wars—the Spanish-American and this one—that there is no comparison between the two. In the Spanish War we received no medical attention unless sick, and then but very little, as the death rate of that war shows. In this war we were watched close, examined once a week, whether sick or well. Our battalion of 600 men has had only one death, and that the result of accident. The enlisted men were all provided with plenty of bedding and cots to sleep on—an unheard of thing in the Spanish War. It was sleep on the ground or nothing. Result: But little rheumatism or fever contracted; and our food has been of the very best, well cooked, and plentiful.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. ROBBINS. Mr. Chairman, will the gentleman permit a question?

Mr. HAMLIN. Yes.

Mr. ROBBINS. Where did that man serve?

Mr. HAMLIN. His letter does not state, but I know that he did not have a swivel-chair job.

Mr. GILLETT. Mr. Chairman, in opposing the amendment offered by the gentleman from Missouri [Mr. HAMLIN], I wish to say that his argument about the needs of these committees on expenditures and his own committee does not at all appeal to me. I rather respect the gentleman, because he did not go before the Committee on Accounts and claim that his committee was going to be active. Personally, I do not believe any committees on expenditures are going to be active in this Congress, and I am afraid that that is a disposition which they never will exercise unless they belong to a party antagonistic to the administration.

I remember the gentleman's committee when, as he says, it was very active. I have a vague recollection of its results; and while I think, as the gentleman from Illinois [Mr. MANN] remarked yesterday, that undoubtedly in the next Congress these committees will be active, I hope they will, none of them, be active in such a narrow and partisan and unfair way as my recollection is of the results of the gentleman's committee before. But as a matter of fact every expenditures committee will always be inclined to shield abuses of its own administration, and I have no doubt the same pressure would influence a Republican committee when there was a Republican administration, although, of course, I do not think there would be so much to conceal then as there is now.

Mr. HAMLIN. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. Certainly.

Mr. HAMLIN. I believe the gentleman has been a very honored and influential Member of this House for about 22 years, has he not?

Mr. GILLETT. I have been a Member longer than that.

Mr. HAMLIN. During the time that the Republican Party was in power in this House, which was practically all of that time except the last five years——

Mr. GILLETT. Ten years.

Mr. HAMLIN. We took possession in 1911.

Mr. GILLETT. Eight years, then.

Mr. HAMLIN. During all the time the Republican Party was in power, did not the gentleman's party give clerks to all these committees at every session of Congress?

Mr. GILLETT. I do not think so, but I do not remember.

Mr. HAMLIN. I think the RECORD will show that you did. And is it not true that the Committee on Expenditures in the State Department, at least—I do not speak for the others—did not having a single meeting, barring, perhaps, one session one day, during all the time the gentleman was a Member of this House, except at the time the committees grew active under the Democratic control?

Mr. GILLETT. I think, Mr. Chairman, very likely that is true, and I have always said that I do not believe that these committees will ever function except when they belong to the party opposite to the party in power.

I am not sure about these committee clerks. It may be that they did have them, but we all remember, when the Democratic Party came into power in this House eight years ago, they came out with a program of criticism of these committees, and said they were going to reform and not have these useless clerks. I remember that we all said on this side at the time that that sounded very well, but predicted it would not last very long, and we have all seen that platform of economy, which I believe was sincere at the time, gradually fade away.

Mr. HAMLIN. Mr. Chairman, will the gentleman yield again?

Mr. GILLETT. Yes.

Mr. HAMLIN. I think the gentleman is a little bit in error about the policy of the majority in control when we came into power. We did not say that we would not give clerks to standing committees, but that we would abolish useless committees, and my recollection is that we abolished either three or five.

Mr. GILLETT. You abolished a few, but you also cut down expenses and abolished salaries very creditably. I think it needed to be done; but, as I say, you have gradually lapsed right back into the bad habit of which, perhaps, you had an example before you.

Mr. HAMLIN. The bad example which the Republican Party had set.

Mr. GILLETT. Yes; I will agree that we had drifted into a condition of having committees which did not function and of having some unnecessary clerks, and I regret to see you on that side drifting back into that same condition. I am sorry that your high-flown professions have not been lived up to.

But, Mr. Chairman, what I was leading up to was that I think the best remedy for this is to have one permanent and active committee along the lines advocated by the gentleman from New York [Mr. MAGEE], a permanent committee which shall always consist of a majority opposed to the administration, so that there will be one committee on expenditures in this House which shall always have a partisan motive to criticize the administration and therefore will always be at least a constraining force on the administration, inasmuch as the administration will know that there is a body here which is always disposed to watch and criticize them; and I regret extremely that when in the last session we tried to have a committee on expenditures in the conduct of the war, of which a majority would be Democrats, and that side of the House as well as this side were, I think, disposed to favor it, a letter came from the President opposing it, and that side of the House, obedient to the request of the President, at once abandoned the project.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. HAMLIN. Mr. Chairman, I ask that the time of the gentleman be extended two minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the time of the gentleman from Massachusetts be extended two minutes. Is there objection?

There was no objection.

Mr. HAMLIN. I want to make a suggestion to the gentleman from Massachusetts.

Mr. GILLETT. I shall be very glad to hear the gentleman's suggestion.

Mr. HAMLIN. I think I am going to agree with the gentleman's latter remarks very largely, and I make this suggestion: I know from experience that one reason why some of these expenditure committees have not been any more active than they have been is that the Committee on Appropriations very largely perform the work that the rules of the House contemplated would be done by these committees on expenditures in the various departments.

Mr. GILLETT. The Committee on Appropriations can not do it all, it is too absorbingly busy, but we do as much as we can, because these committees on expenditures in the various departments do not do it.

Mr. HAMLIN. Will the gentleman yield further?

Mr. GILLETT. I yield to the gentleman.

Mr. HAMLIN. I do not agree with the gentleman in the statement he has just made. The Committee on Appropriations does this work, and then the Committees on Expenditures feel that they are simply duplicating the work. Now, I believe, and have believed for a good while, that the best thing to do is to abolish these expenditures committees, and either have one committee on expenditures to cover the whole subject or else let the Committee on Appropriations do that work and hold them responsible for it. I do not believe you ought to have these committees unless you are going to equip them so that they may work if they choose to do so.

Mr. GILLETT. I am rather inclined to agree to the gentleman's proposition that perhaps one committee could take the place of all these various committees on expenditures, though I anticipate that in the next Congress, in revealing the extravagances and failures of the present administration, we will need them all.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WINGO. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Arkansas is recognized for five minutes.

Mr. WINGO. Mr. Chairman, I have no desire to discuss this question at any length. I am a member of one of the expenditure committees. My only object in rising is to correct the incorrect statement of the gentleman from Massachusetts [Mr. GILLETT] so far as it applies to me, with reference to the committee of which I am a member having been called off. It is not my fault that the committee of which I am a member has not discharged its duty, and it is not the fault altogether of the Democratic side either.

Mr. GILLETT. May I ask the gentleman what the committee is of which he is chairman?

Mr. WINGO. The Committee on Expenditures in the War Department.

I realize that this is hardly the time to discuss this question. It is too late to do anything in the few weeks left to this Congress. At some later date I will have something to say about it, and will put into the RECORD some correspondence which will show my position on the matter, and the statements made to me by gentlemen in authority on both sides of the aisle when I consulted them with reference to my committee discharging its duty.

It is unfortunate that we did not do one of two things, either put these committees to work or else abolish them.

When it is suggested that we put our committee to work, we are told that the appropriating committees are investigating these subjects, and then when you ask one of the appropriating committees to take up any specific item of expenditure that ought to be investigated you are immediately told that they are overwhelmed with work and that they have a hard time getting the supply bills in here on time, which is true.

The truth of the matter is these appropriating committees have all they can do to make the necessary investigation to show the need for the items that are called for in the pending estimates for future expenditures with no time to investigate past expenditures.

Mr. GILLETT. Will the gentleman yield?

Mr. WINGO. In just a moment. You ought to have expenditures committees engaged in the work of watching to see whether or not the appropriations have been properly expended. Then when the appropriating committees came to consider estimates for the future it would be of great assistance to them to have the facts collected and presented to them by the committee on expenditures in the various departments, showing how the same estimating officials have expended the funds appropriated upon the former estimates, which the appropriating committees were compelled to accept.

Mr. GILLETT. Now will the gentleman yield?

Mr. WINGO. I yield to the gentleman from Massachusetts.

Mr. GILLETT. I should like to know what the gentleman means by the House putting these committees to work. The House can not set them to work. A committee can go to work or not, as it pleases.

Mr. WINGO. Every time it has been suggested during my membership in this House, either on the floor or in private consultation, that we go to work, gentlemen on both sides very promptly give their judgment that we should not do it. At least, that has been my experience. I have been told that we better not do it, and that has not been told me by Democratic leaders alone but by Republican leaders as well. The only way to put them to work is to give them some authority. They have no authority. The Committee on Expenditures in the War Department has not a bit of authority to discharge the duties for which it is supposed to be appointed. What you ought to do is to give these expenditures committees authority to send for persons, books, and papers and allow them to make proper expenditures, and give them proper clerical assistance, and make them discharge their duties. If you do that, and they go about it in a legitimate way, not in a muckraking way, in a legitimate businesslike way, to check up expenditures, they could save millions of dollars every year and could assist Members of the House in considering appropriation bills and give them facts that would be valuable. The trouble has been in the past that they have been purely little committees that somebody might be made chairman of, but when it is suggested that we give them help then somebody raises a cry that some one else wants an extra stenographer. I hope that the party that is coming in power will either abolish them or else bring in resolutions at the beginning of each session that will give these committees power to send for books, persons, and papers, and that it will direct them to go to work, and if they need any further assistance then let them go before the Committee on Accounts; and if you do that and pursue an honest investigation, instead of a muckraking, partisan investigation, you will be able to save millions of dollars to the Treasury of the United States.

Mr. HAMLIN. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. HAMLIN. My attention has just been called to the fact that prior to the Sixty-first Congress these committees were not only given clerks, whether they worked or not, but the clerks were paid $6 a day, or $180 a month. In the Sixty-first Congress the resolution was brought in cutting them down to $125 a month. So that while this House was under the control of the Republican Party these committees had clerks at $180 a month.

Mr. WINGO. I am not undertaking to go into the partisan phase of it. My object in rising was not to talk about investigating affairs in any department from a partisan standpoint, and it is one of the shames of this House that the only way we do treat these expenditure committees is either as patronage committees or as muck-raking committees. We ought to get away from that and put them to work in a nonpartisan, businesslike way. It is not my fault that the expenditures in the War Department were not checked up as the expenditures were made. If I had had my way, the Expenditure Committee, of which I am a member, would have discharged its duty. But my statements of facts, made not alone in letters urging action, not alone in consultation with those responsible, but in debate on this floor, were ignored. I have at all times urged action and have been ready, willing, and anxious for the committee to exercise its functions and to ask for authority to force production of persons, books, and papers and to sit anywhere.

Mr. MANN. Mr. Chairman, I think the gentleman from Arkansas [Mr. WINGO] is mistaken about these committees having power. The committees on expenditures have just as much power granted to them as the Committee on Appropriations to obtain testimony.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. WINGO. I will say that the gentleman himself is one of the authorities I gave when I took the question up. I consulted him and a couple of more gentleman upon that side, and I did not find a single parliamentarian on the floor of the House who did not think it was necessary for us to bring in a special resolution in order to enforce attendance of witnesses and production of books and papers. I may have misunderstood the gentleman, but I went to him for counsel on the matter.

Mr. MANN. I never have advised the gentleman, so far as I know, that it was necessary for him to bring in a special resolution. I have repeatedly stated to members of various committees on expenditures that they did have authority to send for anybody they pleased. They would not have authority to bring anybody in contempt without a resolution of the House. Neither has the Committee on Appropriations nor the Committee on Ways and Means. No committee of the House has any greater power over matters confided to it by the rules than have the committees on expenditures. Of course, if the Committee on Appropriations sends for some one and he refuses to come they have no way of enforcing the presence of such a person without obtaining authority from the House. If the Committee on Expenditures in the War Department sends for the Secretary of War and he declines to come, it could not force his attendance without obtaining authority from the House, but that authority would readily be granted to any committee which makes a proper request for the attendance of any officer of the Government or anyone else. Committees on expenditures have wide jurisdiction. I do not think it was desirable for the Committee on Expenditures in the War Department at the beginning of the war to commence to hamper the War Department in reference to expenditures. I am frank to say that now ,and I frankly said it at the time, to members of the Committee on Expenditures of the War Department. I do not think it was desirable to try to prevent the War Department from proceeding with the expenditure of money, sometimes regardless of rules, and I say sometimes regardless of law, but I think the committees can properly work without obtaining additional authority from Congress. When a committee wants to get special authority my observation has been that it has never had any trouble with the House.

Mr. CANNON. Mr. Chairman, I have listened to what the gentleman from Illinois [Mr. MANN] has said touching the power these respective committees have. They have just as much power as any other committee in the House. I call the attention of the gentleman to the fact that in the Forty-fourth Congress the Committee on Expenditures in the War Department had as its chairman the late Senator Blackburn, of Kentucky. It was a very lively committee. That is the committee that reported the resolution impeaching the Secretary of War.

The House impeached him and the Senate tried him. It is true that he was acquitted, but if the committees on expenditures see proper to do it they can do a great deal of work.

The Clerk read as follows:

For procuring manure, soil, tools, fuel, purchasing trees, shrubs, plants, and seeds; services, including skilled laborers and laborers at rates to be fixed by the superintendent; materials, and miscellaneous supplies; traveling expenses and per diem in lieu of subsistence of the superintendent and his assistants not to exceed $300; street car fares not exceeding $25; office equipment, and contingent expenses in connection with repairs and improvements to Botanic Gardens; exchange, care, and maintenance of motor-propelled delivery vehicles; purchase of periodicals not to exceed $50; all under the direction of the Joint Committee on the Library, $18,000.

Mr. SLOAN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 28, line 15, after the word "vehicles" insert the words "removal of wall."

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. I wish to say just a word or two. There is no question but that when the Grant Monument is completed and the bronze statue is placed on the marble pedestal that has been awaiting it these many years the present wall about the Botanic Garden will have to be removed. But the grounds of the Botanic Garden are in charge of the superintendent. The Mall, immediately to the west, is under the charge of the Superintendent of Public Buildings and Grounds. Provision is made in this bill for guards to supervise and police the Mall. If we should remove the wall we would have to make appropriation for it, and also would have to provide keepers or guards to police the grounds during the night. At the present time the gates are locked at sundown.

Quite frequently in the past has this subject of the removal of this fence been under consideration. It is rather ancient, I agree. It is similar in its design to that which surrounds the White House grounds. But until some definite plan has been determined as to its removal and as to whether the Botanic Garden should be removed to some more fitting place, I think we should not provide for the removal of the fence in this way. And therefore I make the point of order.

Mr. LINTHICUM. Will the gentleman yield?

Mr. STAFFORD. I will be glad to do so.

Mr. LINTHICUM. I would like to ask the gentleman whether he is informed why the monument is not completed, and how long it will be before it is completed?

Mr. STAFFORD. The marble pedestal has been completed, I believe, for five or six years, awaiting the erection of the equestrian bronze statue.

Mr. LINTHICUM. I wish to say that I have been here for eight years, and it has been just like that, except that one of those bronzes was put on there since I have been here.

Mr. STAFFORD. That is an instance of tempus fugit. I am surprised it has been so long. I remember, Mr. Chairman, when the authorization was made and the struggle was had on the floor of this House as to where we should locate the equestrian statue of Gen. Grant. Maybe the gentleman is correct that it was completed eight years ago. I can not give the gentleman any information as to that.

Mr. SLOAN. Mr. Chairman, inasmuch as the gentleman from Wisconsin is a student of legislation and of the history of legislation in this House, I desire to ask him if it is not a fact that the Congress of the United States some 9 or 10 years ago ordered that wall to be removed, and that that order or that legislation is still in force, and that the wall was not removed simply because we had an excellent though self-willed gentleman in charge of it, a man who was a lover of flowers but whose special choice was the thistle, which immediately indicates his nationality or, at least, his lineage? His name was William R. Smith, who came in charge of the garden in 1854, under the magnificent salary of $50 a month. One of his fads was that that wall under no circumstances should be removed, and although Congress by special act ordered him to remove it, when he died the wall, like the Star-Spangled Banner, "was still there." We have felt like respecting his memory for all these years, but not "over long."

I want to say something about this Smith. The one flower above all others that seems to bloom down there is the memory of Smith. One of the things he insisted on was that a man in order to obtain flowers should demonstrate that he knew of Robert Burns and could quote his poetry. There was an occasion when a high-stationed officeholder tried to obtain some flowers from the garden for some state event. Smith promised him the flowers. But to impress it upon him, the Senator said, "As Jimmy Burns said." "As Jimmy Burns said?" interjected Smith. "Why don't you talk about Tommy Alexander, Billy Bonaparte, or Charlie Christ? You get no flowers from the Botanic Garden." [Laughter.]

Is it not a fact that that law still exists?

Mr. STAFFORD. Mr. Chairman, I make the point of order.

Mr. MANN. Is it subject to a point of order?

Mr. STAFFORD. If, as the gentleman from Nebraska [Mr. SLOAN] states, there is a prior authorization of law, then it is not. But I assume, though I have no acquaintance with that act, it was an appropriation law, that expired with that year.

Mr. Chairman, I am rather authoritatively informed by the clerk of the Committee on Appropriations that it was an appropriation for the removal of the fence and not a direction for its removal. Therefore, it being merely an appropriation for its removal, it would not be considered permanent law.

I make the point of order.

The CHAIRMAN (Mr. HOUSTON). The Chair sustains the point of order.

The Clerk read as follows:

Office of the President: Secretary, $7,500; executive clerk, $5,000; chief clerk, $4,000; appointment clerk, $3,500; record clerk, $2,500; two expert stenographers, at $2,500 each; accounting and disbursing clerk, $2,500; two correspondents, at $2,500 each; clerks—two at $2,500 each, four at $2,000 each, six of class 4, two of class 3, four of class 2, three of class 1; messengers—three at $900 each, three at $840 each; three laborers at $720 each; in all, $78,580: *Provided*, That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be necessary.

Mr. OVERSTREET. Mr. Chairman, to me one of the saddest and most unfortunate incidents of the great war was the sinking of the transport, the ill-fated *Otranto*, off the coast of Scotland on the night of October 6, when several hundred of our brave young American boys went down to a watery grave, unknelled, uncoffined, and unsung. These brave young lads had almost reached the scene of war, where they hoped to share the honor and glory that awaited their comrades in arms. But Fate decreed otherwise. They had no chance to show to the world how brave they were. With unfaltering courage they walked out upon the decks of the stricken and sinking vessel and calmly faced their inevitable doom. They were boys, and in the language of a former distinguished Member of this House who has gone to his last reward, "Most of them when life was full of hope and all its tides were at their highest, grandest flow; just when the early sunbeams were falling on the steps of fame and flooding all life's landscape far into the dreamy, distant horizon; just at that age when all the nymphs were making diadems and garlands, weaving laurel wreaths before the eyes of young and eager nature—just then when death seemed most unnatural."

They were heroes as truly as those who were slain upon the field of battle, and we want their spirits to know that the memory of their heroism will be enshrined in our hearts so long as this Republic shall live. [Applause.]

Their untimely death to me is peculiarly sad, for half a hundred or more were from my district and 19 of those splendid boys came from my own county. All of the latter were my personal friends, and I loved them as my younger brothers.

A few weeks ago there appeared in the Sylvania Telephone, my home paper, an editorial describing the incident I have alluded to, and I will read it in my time:

A REAL HERO.

The great war has developed unnumbered heroes—on sea, on land, in the air—and when we think of the splendid and irresistible bravery of our boys and the magnificent heroism of the French and the unyielding courage of the British we are led to think of what the poet said of the combat on the plains of Troy, where if one could have viewed the whole battle field from above—

"The war's whole art with wonder had he seen
And counted heroes where he counted men."

But there is one gallant English officer whom our people here should remember with grateful hearts and whose heroic deed shines with peculiar luster to us, because he was the means of saving the lives of so many of our boys from this section. We refer to the lieutenant who commanded the destroyer that rescued so many of the soldiers from the ill-fated *Otranto*.

When the stricken transport was left alone to her doom in that wild and tempestuous sea this officer, regardless of his own safety and that of his boat and against the orders of the *Otranto's* captain, brought his little craft three times to the side of the larger vessel to rescue the men from their impending doom. When we remember that the wind was blowing a hurricane and that the waves were rolling nearly a hundred feet high we can form some idea perhaps of how perilous was the undertaking and how imminent the danger of destruction to the destroyer and all of her men.

But the lieutenant wavered not. With consummate skill his little boat was brought three times by the side of the sinking ship—sometimes far above her on the crest of a mighty wave and the next minute far below in the trough of the angry sea—and over 300 of our boys were saved from the cruel fate that overtook their comrades.

We don't know what his name is, though we hope some day to know, but he is a real hero, every inch of him, no matter who he is or where he came from.

[Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF EFFICIENCY.

To enable the Bureau of Efficiency, authorized by the urgent deficiency appropriation act approved February 28, 1916, to establish and maintain a system of efficiency ratings, to investigate administrative needs of the service relating to personnel in the several executive departments and independent establishments, required by the legislative, executive, and judicial appropriation acts for the fiscal years 1913 and 1914, respectively, and to investigate duplication of statistical and other work and methods of business in the various branches of the Government service; for purchase or exchange of equipment, supplies, stationery, books and periodicals, printing and binding, traveling expenses not exceeding $3,000, and street car fare not exceeding $50; in all, $125,000: *Provided*, That not more than nine persons shall be employed hereunder at a rate of compensation in excess of $3,000 per annum.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MADDEN. I understand the Bureau of Efficiency is the bureau that has laid out the plans for adjusting the claims of the soldiers under the War Risk Bureau. If the efficiency of the War Risk Bureau is a sample of the knowledge and experience of the man who made the plans, then I am sorry to see an appropriation of $125,000 contained in this bill for the payment of those who are under his jurisdiction.

I understand that Mr. Brown, the head of the Bureau of Efficiency, last year was getting $5,000 and that without any authority of law he increased his own salary out of this lump-sum appropriation to $6,000. I do not see why we are making a lump-sum appropriation, why we do not specify the men, the positions, and the compensations to be paid to the men in this paragraph. There is no reason on earth why we should permit a man who is displaying so little knowledge in the matter of efficiency as the head of this bureau to fix the compensation of the men who are employed under him. There is no reason why he should be permitted to legislate an increased salary to himself without any knowledge on the part of the Congress.

Why, I understand that Mr. Brown not long ago, in the hearings before this committee, made the statement that I was interested in a scheme for the adjustment of a soldier's allotment and that the person to whom the allotment was made was morally unworthy. I assume that he meant to convey in his statement the idea that I was doing a thing that I had no right to do. Now, I wish to submit to the House this statement, that every letter that comes to me, either from the wife or the mother or the relative of a soldier who has made an allotment, is taken up by me on the statement made in the letter, and I submit the case to the bureau for adjustment on the assumption that the

bureau will make the necessary investigation and act in accordance with the law and the facts. I have no interest in anybody's claim except to see that the claim is properly adjudicated according to the facts and the law and the obligations of the Government, and I think it is a piece of impertinence on the part of Mr. Brown to come before one of the committees of the House, sitting in executive session, and make a statement such as I understand he made about me in connection with this case, about the merits of which I have no knowledge whatever, and then not have the courage to let the statement stand in the record. After he made it and it went into the stenographic record he struck it out, because he did not dare to let the statement stand.

I am unable to say just exactly what Mr. Brown said, but whatever he said it proved that he was impertinent and that he was going beyond all bounds of reason and decency.

Now, why did he make the statement? He said he made the statement because I had criticized the bureau. Am I to be subjected to innuendo, or is any other Member of this House to be subjected to innuendo, by a subordinate employee of the Government because we stand on the floor of the House and defend the rights of those whose sons fought to defend the flag? Are we to be criticized because we insist that efficiency shall be the standard by which we gauge the operations of the various executive departments?

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Are we to be subjected to criticism by men who are on the pay roll and have proved their own unworthiness by failure to perform the functions of the office to which they have been appointed simply because we criticize their inefficiency?

I submit that Mr. Brown, or any other employee of the Government, ought not to be permitted to do that, and I also wish to say in this connection right here that when Mr. Brown was before the Committee on Appropriations and made the statement he exceeded every sense of decency and propriety.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. MADDEN. The committee itself should have done me the courtesy to send for me and let me be present when Mr. Brown was making the statement. He would not dare to make a statement about me in the open light of day. He would not dare to let the statement that he made in executive session stand. He would not dare to criticize my integrity of purpose. He would not dare to make the statement that I ever appealed to the Bureau of War Risk Insurance, or to any other bureau, for anything that was not clean and decent and right and just and fair, and he only did it because he thought he was under cover of secrecy and that he would poison the mind of some member of the committee against me by saying what was not true.

I challenge Mr. Brown to make a statement in public that I ever, under any circumstances, either directly or indirectly—and I challenge anybody else not only in connection with the Government, but any man in America, to make the statement—that I have ever been identified with anything that was not clean and decent and right, and I resent not only the impudence but the arrogance of these men who are employed by the Government and who come here to plead for additional appropriations in order that they may increase their own salaries, criticizing Members of this House because they insist that the business of the Government and the allotments to widows of dead soldiers or the wives of wounded soldiers or soldiers who are still alive and not wounded are not given the attention which they ought to be given.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes; I yield.

Mr. LONGWORTH. I do not know whether I correctly understand just what statement was made by Mr. Brown that the gentleman has alluded to.

Mr. MADDEN. I do not know exactly what statement was made myself, except that Mr. Brown said I was interested in the case of an allotment made by a soldier to a woman about whose moral character there was some doubt, and that the address given by the soldier was said to be in a house about the moral standing of which there was at least grave doubt. I am not supposed to know where people live. I am not supposed to know whether they are of good moral character or not. I only know that a man is a soldier when he has enlisted in the Army. I only know that he is defending the American flag, and I only know that when he has taken the oath of allegiance to the flag and shoulders a rifle he is entitled to the same consideration as any other soldier; and if there is anything wrong with his character or with the character of those with whom he associates, that is not my business.

Mr. LONGWORTH. Where was this statement made?

Mr. MADDEN. In the Appropriations Committee.

Mr. LONGWORTH. Before the committee?

Mr. MADDEN. Yes.

Mr. LONGWORTH. Is it in the hearings?

Mr. MADDEN. No; Mr. Brown did not dare leave it in the hearings. He made the statement, it went into the stenographic record, and when the record was given to Mr. Brown for correction he struck it out.

Mr. LONGWORTH. It seems to me that is a very remarkable thing for a bureau chief to say of a Member of the House.

Mr. MADDEN. I think it is an outrage.

Mr. LONGWORTH. In what way did he claim the gentleman was interested?

Mr. MADDEN. I do not know the language he used.

Mr. BYRNS of Tennessee. I want to assure the gentleman—I think my recollection is perfectly clear about the matter—that Mr. Brown did not in his language reflect upon the gentleman in any way with reference to the case to which he refers, and there was not the slightest intimation that there was anything of the kind in his mind or that the gentleman knew anything about the character of the person to whom he referred.

Mr. MADDEN. Did Mr. Brown know anything about the character of the person?

Mr. BYRNS of Tennessee. The only statement he made was based upon the report of the investigators who had charge of the case.

Mr. MADDEN. I know; but why should Mr. Brown undertake to criticize me?

Mr. BYRNS of Tennessee. I want again to assure the gentleman that there was not the slightest criticism of him.

Mr. MADDEN. Did not Mr. Brown say that he raised the question in this case because I had criticized the Bureau of War Risk Insurance?

Mr. BYRNS of Tennessee. My recollection is that the matter came up in connection with the hearing of Mr. Brown in relation to the investigations made by the bureau as to these allotments and allowances, and he was proceeding to point out the necessity of such investigation and the wisdom of the law which required it. He made the statement that practically all of these allowances and allotments were made upon requests by the soldiers, and involved no fraud or intention to defraud, but that there were cases that had come to the attention of the bureau where there was a plain intention to defraud. I remember, for instance, that he referred to some case—I can not give the name because I do not remember it——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time be extended five minutes. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. In one case a woman was drawing a double allotment and allowance on the plea that she was the wife of two different soldiers. Now, in connection with the gentleman's statement, I do recall that Mr. Brown referred to some case in Chicago in which a soldier had made a request for an allowance to supplement the allotment he had made in behalf of his wife, and the investigation disclosed that the address given by the soldier was a place of questionable repute; but Mr. Brown stated, according to my recollection, that the woman involved claimed that she did not live there, and they had no direct proof that she did, although the investigator reported that the address given was a place of that character; but I want again to assure the gentleman that not in the slightest degree did Mr. Brown reflect upon the gentleman from Illinois or intimate in any way that the gentleman had any knowledge of the facts, or had done more than call the attention of the bureau to the case.

Mr. MADDEN. I should like to ask the gentleman from Tennessee why should Mr. Brown call the attention of the committee to me in the case?

Mr. SWITZER. That is the point. Why was the gentleman's name brought into it?

Mr. BYRNS of Tennessee. The case happened to be mentioned among a number that Mr. Brown was calling attention to in order to show the necessity or importance of this investi-

gation being made in order to strike from the list those cases where allowance checks were being sent out improperly. This case happened to be among others that he referred to.

Mr. MADDEN. Suppose that the neighborhood in which this woman was supposed to have lived was not a respectable neighborhood. Does that mean that the woman herself may not be respectable? Does that mean that the Bureau of War Risk Insurance is going to decide about the respectability of the neighborhood in which a soldier's wife lives before they decide in favor of granting the allotment?

Mr. BYRNS of Tennessee. As I said, Mr. Brown stated that the investigation simply showed that the address given by the soldier as the residence of his wife was a house of bad reputation, but that she claimed not to live there, and that they had no direct proof that she did live there, and I assume that the allowance is being paid now; but I submit to the gentleman that if a woman is living in a house of notorious repute——

Mr. MADDEN. I agree——

Mr. BYRNS of Tennessee. That undoubtedly the allowance should not be paid.

Mr. MADDEN. Mr. Chairman, the point I wish to make in connection with this is that Mr. Brown himself, as I understand it, said that he raised the question of my interest in the case, because I had had the courage to criticize the efficiency of the War Risk Bureau. If that is going to be the attitude of the War Risk Bureau, we will find out about it.

Mr. BYRNS of Tennessee. Mr. Brown is not connected with the War Risk Bureau.

Mr. MADDEN. He is the man who is working out the efficiency system of the War Risk Bureau, and if Mr. Brown is going to assume that attitude we will find out about Mr. Brown and about the War Risk Bureau. For one, I do not propose to permit Mr. Brown to criticize Members of the Congress of the United States when they call attention to cases that have not been settled, which ought to be settled. Mr. Brown is not going to be permitted to get away with that. We will call him before a committee and he will be compelled to tell what he knows in public, and we will make him tell it.

Mr. SLAYDEN. Mr. Chairman, I move to strike out the last two words. I was not in the Hall at the time the gentleman from Nebraska [Mr. SLOAN] made some observations a while ago expressing very proper impatience at the tardy completion of the Grant Monument. I myself have been puzzled by that, and I have investigated it from time to time since I have had anything to do with the Committee on the Library. I want to explain to the gentleman before I refer to the chairman of the Commission of Fine Arts, with whom I spoke about two days ago about this matter, that the Grant Monument was authorized before the Commission of Fine Arts was established. The artist who was doing the work—and he is doing a beautiful work, I think, and it will be a great ornament to the city—like nearly all artists with whom we have had dealings, took his own time in which to do his work. Probably that gives us better results. It is said that it does. They say so, and gentlemen who are more familiar with art and art's excellence than I am say so. We had a similar experience in the case of this beautiful pediment over the east wing of the Capitol. Mr. Bartlett, the artist, has done a great work, but he paid no attention, I may say, to the limitations of the statute as to time. I asked Mr. Moore, the chairman of the Commission of Fine Arts, two days ago what was the prospect for the early completion of the Grant Monument. He said it looked brighter; that now we could get what we have not been able to get for the last four years—the essential material for its completion.

Mr. SLOAN. It is the artist's invariable defense that art is long and time is fleeting?

Mr. SLAYDEN. Yes; I think so. I wanted to say this much because some gentlemen seem to think that the Fine Arts Commission controls that, or that the Committee on the Library has something more to do with it than they have. The delays, under the circumstances, were inevitable. The delay in the procurement of the material was due entirely to the war.

Mr. RUCKER. Mr. Chairman, I move to strike out all of line 5, page 30, including the word "that" and all of lines 6 and 7.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. RUCKER: Page 30, line 5, after the word "*Provided*," strike out the remainder of the paragraph.

Mr. RUCKER. Mr. Chairman, I desire to ask the chairman of the committee having this bill in charge a question. I note this paragraph appropriates $125,000 in a lump sum for the administrative work of the Bureau of——

A MEMBER. Efficiency.

Mr. RUCKER. Yes; Efficiency. I could not think of the word—we have had so little of it. What particular reason governed the committee in making a lump-sum appropriation in this case rather than appropriating for the officers and clerks in the usual way?

Mr. BYRNS of Tennessee. There never has been any other appropriation than a lump-sum appropriation for this bureau. It was a lump-sum appropriation when it was under the Civil Service Commission, and it was a lump-sum appropriation for this reason: The gentleman will appreciate the fact that when the Bureau of Efficiency is called on to investigate a particular bureau of the Government, it may need more help at one time than at another, and the appropriation necessarily had to be flexible, so that they can employ the needed number of accountants and experts when they need them, and when they do not need them they can dispense with them.

Mr. RUCKER. I concede that if there is use for the Bureau of Efficiency at all the gentleman's reply is a complete answer to my inquiry, but let me ask the gentleman from Tennessee another question. Was not an effort made a year ago, when this or a like bill was under consideration, to fix a specific salary for the chairman or the chief of this bureau at a certain sum?

Mr. BYRNS of Tennessee. There was a recommendation on the part of the committee that the salary of the chief of the bureau be made $5,000 a year. That was contained in the legislative bill, which was reported to the House at the last session. The gentleman will doubtless recall that that provision went out on a point of order.

Mr. RUCKER. Will the gentleman advise the committee what salary is received by Mr. Brown?

Mr. BYRNS of Tennessee. He is now being paid the sum of $6,000. The gentleman knows that this bureau has been placed especially under the President. Of course, Mr. Brown has no authority to fix his salary.

Mr. RUCKER. Who did fix his salary?

Mr. BYRNS of Tennessee. Or the salary of any other employee of the bureau. The President fixed the salary at $6,000, and he is now drawing that sum.

Mr. RUCKER. That is one instance in which I heartily and cordially disagree with the President. I am not disturbed about the question which agitated my friend from Illinois [Mr. MADDEN]. I do not think Mr. Brown could injure me very much in my district.

Mr. MADDEN. I am not talking about my district. I am talking about Mr. Brown's impudence.

Mr. RUCKER. If Mr. Brown should refer to my espousing the cause of some person who was of immoral character, even though he did not give the sex of that person, it would make no difference, for I am like Cæsar's wife—above suspicion. Impudence? Unquestionably it is impudent in the extreme—intolerable impudence, for any man to question the integrity of the acts of any Member of Congress in presenting to this House or to the bureau having these matters in charge any question involving the interests of any constituent.

Mr. Chairman, I made a motion to strike out this language with a view of following it with a motion to insert other language. I believe this House, after the experience which we have had, ought to legislate ourselves——

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. RUCKER. I will.

Mr. BYRNS of Tennessee. The gentleman has moved to strike out the language that the committee has inserted in this paragraph, which is the only limitation——

Mr. RUCKER. I want to put another limitation on it, though.

Mr. BRYNS of Tennessee. And the gentleman may make the mistake which was made a year ago, when the salary went out on the point of order. The amendment that the gentleman proposes to offer may not be adopted, and then we will have no limitation whatever.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER. I ask that my time be extended for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. RUCKER. Let me ask the gentleman, would this language make the amendment subject to a point of order:

Provided, That no person employed hereunder shall receive a salary in excess of $5,000, and not more than nine persons at a rate of compensation in excess of $3,000.

Mr. BYRNS of Tennessee. I beg the gentleman's pardon——

Mr. RUCKER. Suppose the language in the bill was stricken out and this language inserted:

Provided, That no person employed hereunder shall receive a salary in excess of $5,000, and not more than nine persons at a rate of compensation in excess of $3,000.

Why would not that be a pretty good thing to do and a proper and fair limitation?

Mr. BYRNS of Tennessee. Well, the gentleman is asking me as to the merits of the proposition.

Mr. RUCKER. I am trying to get the gentleman committed.

Mr. BYRNS of Tennessee. I will say I do not think that would be a good thing to do, for this reason: The Chief of the Bureau of Efficiency is now receiving $6,000 a year——

Mr. RUCKER. And, according to the universal testimony of every Member who has thus far expressed himself, is $6,000 more than he is earning.

Mr. BYRNS of Tennessee. Well, without arguing that point that the gentleman makes, I think there can be a great deal said about the great service rendered by the Bureau of Efficiency in several particulars, as testified to by Internal Revenue Commissioner Roper, and I know the gentleman has the utmost confidence in Mr. Roper.

Mr. RUCKER. Absolutely so—no better or more efficient man in the public service.

Mr. BYRNS of Tennessee. He stated to the committee—and the gentleman will find it in the hearings—that Mr. Brown and his Efficiency Bureau have been of the greatest service to him in the organization of his bureau, and I can cite the gentleman to the Postmaster General——

Mr. RUCKER. I have no doubt that under the direction and with the skillful and intellectual management of Mr. Roper even Mr. Brown could improve old conditions in the Treasury Department, but we need Roper to make Brown efficient.

Mr. BYRNS of Tennessee. But waiving the efficiency of the Efficiency Bureau for a moment I do not think we ought to undertake to reduce his salary from $6,000 to $5,000 in this bill for this reason: Congress left the matter open in the last bill. Mr. Brown had no authority to fix his own salary, and I assume if he had such authority he would not have exercised it, because it was a rather delicate thing to do, but my opinion is—there can be no doubt about it—that the matter was presented to the President of the United States, and after such consideration as he thought necessary the salary of the Chief of Bureau of Efficiency was fixed at $6,000. Now, I do not think we ought to legislate here on the question of a salary as to what we may think of a particular individual filling that place. The salary ought to be fixed for the position, and if a man who holds the position now is not entitled to it or is not the proper man some one else ought to take the place.

Mr. RUCKER. The gentleman says we ought not to legislate on the question of a salary here. Where ought we to legislate upon it?

Mr. BYRNS of Tennessee. I qualified my statement by saying I did not think we ought to legislate upon the question of salary in this bill with sole reference to the individual to whom it is to be paid.

Mr. RUCKER. I concede that. Let me ask the gentleman. When you wrote in this bill the proviso "that not more than nine persons shall be employed hereunder at a rate of compensation in excess of $3,000 per annum" that means nine persons will draw not less than $3,000, and it also means that some of the nine will draw whatever sum they may see fit to place it at. I do not believe this Congress can escape responsibility in that way, I believe the gentlemen of the Appropriations Committee, with all the facilities they have for ascertaining the reasonable value of this service, ought to bring to the House a concrete proposition fixing the salary.

Mr. BYRNS of Tennessee. The gentleman will agree in this——

Mr. RUCKER. One moment. Under this law there is nothing to prevent somebody from fixing Mr. Brown's salary at $25,000. We ought to fix it in the bill. I will yield to the gentleman.

Mr. BYRNS of Tennessee. The gentleman refers to nine persons who may receive more than $3,000. I am quite sure the gentleman will agree that if this bureau performs the service which it is expected to perform that they will need a number of good men and expert accountants. Now, the gentleman knows you can not get an expert accountant for less than $3,000 and——

Mr. RUCKER. If they need an expert accountant in the Bureau of Efficiency, who is going to select him? Mr. Brown can not do it.

Mr. BYRNS of Tennessee. Mr. Brown chooses the employees.

Mr. RUCKER. I know; but I say he is not competent to choose an efficient man, if what we hear is true.

Mr. BYRNS of Tennessee. Now, the gentleman goes back to the question of the merits or the demerits of the chief of the bureau.

Mr. RUCKER. That is what we are dealing with.

Mr. BYRNS of Tennessee. That is a question I think the gentleman ought to take up with the President, who appoints him, because he agrees it is no attack upon the committee.

Mr. RUCKER. The gentleman knows the President could not consider the matter, and ought not to do so, but that Congress ought to fix the salary.

Mr. BYRNS of Tennessee. The President is responsible for the fact that Mr. Brown holds that position, and the President has fixed his salary at $6,000 a year.

Mr. RUCKER. I do not know about that. The gentleman is making a statement which, it seems to me, is in the nature of an accusation. I do not know about it. I do not know whether the President is responsible for it or not, but I can not think he is.

Mr. Chairman, I withdraw the motion I made, and now move to strike out the language read by the Clerk and insert——

The CHAIRMAN. The gentleman asks unanimous consent to withdraw his amendment.

Mr. RUCKER. I want to add to that amendment. It is the same thing. Strike out the language after the word *"Provided"* to the end of the paragraph and insert:

That no person employed hereunder shall receive a salary in excess of $5,000 and not more than nine persons at a rate of compensation in excess of $3,000 per annum.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. RUCKER moves, on page 30, line 5, after the word *"Provided,"* to strike out the remainder of the paragraph and insert in lieu thereof the following: "That no person employed hereunder shall receive a salary in excess of $5,000 and not more than nine persons shall be employed hereunder at a rate of compensation in excess of $3,000 per annum.

Mr. BYRNS of Tennessee. Mr. Chairman, just a word. The only effect that amendment would have, if adopted, would be to reduce the salary of the Chief of the Bureau of Efficiency. He is now getting, as has been stated on the floor, $6,000. That salary has been fixed by the President, under whom this bureau has been directly placed. Now, I submit to these gentlemen who differ with me as to the merits of the services of Mr. Brown that we ought not in this bill to determine upon the salary or to measure a salary by the personality of the individual who holds that particular position. If Mr. Brown is not the proper man to be the Chief of the Bureau of Efficiency, he ought to be removed, undoubtedly, and the President has authority to remove him. And I am sure the President would give the fullest consideration to any gentleman, either on the floor or off the floor, who presented to him facts showing whether or not Mr. Brown was the proper man to be at the head of the bureau. But we ought to fix this salary, gentlemen, in accordance with the importance of the position and without reference to the individual who holds that position.

Now, he is getting $6,000. I think this Government can well afford to pay a man at the head of the Bureau of Efficiency $6,000 if he is capable and competent to perform the duties of that position, because there is no position where a man can render greater service to this Government than in connection with that bureau.

Mr. RUCKER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. RUCKER. When did the President appoint Mr. Brown?

Mr. BYRNS of Tennessee. About three or four years ago.

Mr. RUCKER. About two or three years ago?

Mr. BYRNS of Tennessee. Three or four years ago. I do not know just when.

Mr. RUCKER. At the last session of this Congress the gentleman himself brought in a bill here providing for a $5,000 salary for Mr. Brown, and the President fixed his salary. Let me ask the gentleman another thing. What salary does Gen. Roper, the Commissioner of Internal Revenue, get?

Mr. BYRNS of Tennessee. Sixty-five hundred dollars; but the revenue bill contains a provision which will raise his salary to $10,000.

Mr. RUCKER. What are the chiefs of bureaus usually paid? Is it less than $6,000?

Mr. BYRNS of Tennessee. Some of them get less than $6,000.

Mr. RUCKER. Are there any that get as much as $6,000?

Mr. BYRNS of Tennessee. The Director of the Bureau of Standards——

Mr. RUCKER. But that is purely scientific work.

Mr. BYRNS of Tennessee (continuing). And the Chief of the Bureau of Foreign and Domestic Commerce and the Bureau of Engraving and Printing.

Mr. RUCKER. But a great many get less than $6,000?

Mr. BYRNS of Tennessee. A number get less than $6,000.

Mr. RUCKER. A year ago the gentleman thought that $5,000 was salary enough for the chief of this bureau. I think he was right then.

Mr. GARRETT of Tennessee. If the gentleman will yield, how long has Mr. Brown been in the service of this Efficiency Commission?

Mr. BYRNS of Tennessee. Ever since it was established. I do not recall just the year.

Mr. GARRETT of Tennessee. He was first appointed by President Taft, was he not, as a member of the commission?

Mr. BYRNS of Tennessee. No. He was appointed under the Civil Service Commission. This bureau was a division of the Civil Service Commission up until two or three years ago, and at that time Congress took it from the Civil Service Commission and placed it directly under the President.

Now, the gentleman from Missouri refers to the fact that the committee brought in a report a year ago fixing this salary at $5,000. That is true. But the estimate submitted to the committee was for $6,000. The committee determined to report $5,000. That went out upon a point of order. Then it became necessary for some one to fix Mr. Brown's salary, and since that time Mr. Brown has been drawing $6,000 by virtue of the action of the President.

Now, I want to repeat what I said, if the gentleman will permit me. The Bureau of Efficiency, as I could show if I had the time, has rendered material service, and I wish gentlemen here who have criticized the Bureau of Efficiency would take the time to investigate just what that bureau has done, and I wish they would confer with heads of the various bureaus and departments with which it has been connected for the past two or three years. Mr. Roper——

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. RAYBURN. I have made an investigation of the Bureau of War Risk Insurance, I will say to the gentleman, inasmuch as I was very much interested in the administration of the law creating that bureau; and I went down to see Mr. Delanoy when I was there and tried to find out from him what was the matter, and I was spoken to by several people in the bureau about Mr. Brown's efficiency in that bureau. There are about 15 division chiefs in the Bureau of War Risk Insurance, and I went around to quite a number of them and told them that I was making an investigation there to see if I could find out what was the matter with the business of the bureau, why it was not carried on up to date, why letters were not answered, and why there seemed to be a lack of efficiency in the bureau. I told them that I had come there to see what they thought about it, in the light of their experience. They were experienced people. A great many of them came here and volunteered their services during the war. There are people down there getting $2,500 and $3,000 that in other business can command a much higher salary. In the case of every man who was the chief of a division in the Bureau of War Risk Insurance that I asked what the trouble was, the first word was "Brown!"

Mr. RUCKER. Mr. Chairman, will the gentleman allow me to make a statement right there?

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. RUCKER. Mr. Chairman, I ask that the gentleman may have five minutes more. I want to ask him a question.

Mr. BYRNS of Tennessee. Mr. Chairman, may I have five minutes more? I want to reply first to the gentleman from Texas [Mr. RAYBURN].

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. RUCKER. Then let me ask the gentleman a question.

Mr. BYRNS of Tennessee. I want to say, in response to the statement of the gentleman from Texas [Mr. RAYBURN] that it is one of the best evidences, to my mind, that Mr. Brown has been trying to do his duty. I recall what Gen. Bragg said about President Cleveland on one occasion, that he loved him because of the enemies he had made; and the very fact that chiefs of division are criticizing Mr. Brown is an evidence, to my mind, that he has been trying to accomplish something, even though he may have failed.

Now, in spite of that—in spite of what the chiefs of division have said concerning Mr. Brown—it is a notable fact that the Secretary of the Treasury has continued the services of his bureau down there as an aid to the Bureau of War Risk Insurance.

Mr. RUCKER. Oh, no.

Mr. BYRNS of Tennessee. And even recently, when Assistant Secretary Love resigned and the bureau was placed in the charge of Assistant Secretary Rowe, I am informed that Assistant Secretary Rowe wrote a letter to Mr. Brown requesting him to continue the service of his bureau in connection with the War Risk Insurance Bureau.

Now, I say, in spite of what some chief of division has said in criticism of Mr. Brown, the fact that the Secretary of the Treasury and the Assistant Secretary immediately in charge of that bureau has continued his services there is, to my mind, a sufficient answer. It is not particularly surprising that there may be some chief of division who criticizes Mr. Brown, and I dare say you might find some in other departments where the Bureau of Efficiency has been undertaking to perform service. I have no doubt that there may be some chief of division who possibly has not had some recommendation of his put into effect who has criticized Mr. Brown and the Bureau of Efficiency.

Mr. GARRETT of Tennessee. Very well. That criticism is probably well taken; but the fact remains that during the administration of Mr. Brown we could not get an answer to a letter for weeks. That has been my experience.

Mr. BYRNS of Tennessee. I take it that has been the condition in the Bureau of War Risk Insurance ever since it was organized.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. IGOE. When did Mr. Brown go in there to take charge of it?

Mr. BYRNS of Tennessee. He never did take charge of it until Mr. Delanoy resigned.

Mr. IGOE. I understand he has been in charge of it for a year.

Mr. BYRNS of Tennessee. At the time that Mr. Delanoy resigned, Mr. Love, the Assistant Secretary, who had had charge of the bureau since its organization and who knew what Mr. Brown and the Bureau of Efficiency had done in the War Risk Bureau, requested Mr. Brown to serve as acting director pending the appointment of a permanent director.

Mr. RUCKER. Mr. Chairman, will the gentleman yield now?

Mr. BYRNS of Tennessee. I yield to the gentleman.

Mr. RUCKER. Let me say to the gentleman that during the time that Mr. Brown was in the War Risk Insurance Bureau, in authority, as I have information which I think is reliable, an order was issued called "I. C. 145." Has the gentleman ever seen it?

Mr. BYRNS of Tennessee. I do not recall it.

Mr. RUCKER. And that order circulated among all the clerks and stenographers of that bureau, expressly on its face saying—and I want the gentleman to listen—that order expressly directing that no letter shall be answered in relation to checks for allowances or allotments. It said: "File them. If a second letter comes, answer that in a formal way."

Now, is that efficiency? That kind of efficiency that we have had there led to the fact—and I state this on my personal responsibility—led to the fact that a letter written to me, dated December 3, was mailed under the efficiency of that bureau on December 17 at 5.30 p. m. and reached me the next morning.

Mr. BYRNS of Tennessee. I do not want to get into a discussion of the Bureau of War Risk Insurance on this item, because it will be discussed when we reach the item for that bureau.

Mr. RUCKER. The gentleman sort of reprehends the clerks.

Mr. BYRNS of Tennessee. The gentleman is entirely mistaken about that.

Mr. RUCKER. Then I withdraw that remark.

Mr. RAYBURN. Mr. Chairman, I move to strike out the paragraph or anything else in order to get recognition.

The CHAIRMAN. The Chair does not understand the motion. The question is on the amendment offered by the gentleman from Missouri.

Mr. GARRETT of Tennessee. I ask unanimous consent that the gentleman from Texas [Mr. RAYBURN] have 10 minutes.

Mr. BYRNS of Tennessee. Mr. Chairman, I do not want to cut off anybody from discussing this bill, but we want to get through with this bill, if possible, to-night, and certainly to-morrow. We have an amendment pending here now which relates to the salaries of the Chief of the Bureau of Efficiency and nine others. I do not think we ought to drift off on a discussion of the War Risk Bureau, when, as a matter of fact, that subject will come up later on, with reference to the appropriation made for that bureau.

Mr. RAYBURN. Probably I would not have wanted recognition now if the gentleman had not been quite so vigorous in replying to me.

Mr. BYRNS of Tennessee. The gentleman started that by stating what a chief of division had said to him.

Mr. RAYBURN. Yes; and I am going to reply——

Mr. BYRNS of Tennessee. Mr. Chairman, I feel that gentlemen ought to confine themselves to the amendment. I promised, gentlemen, that I would insist on that, and I do not think we ought to take an hour now on the War Risk Insurance Bureau and then take up the subject again later on when we come to discuss the appropriation for it.

Mr. RAYBURN. I want to speak about Mr. Brown. He has been up for discussion here.

Mr. BYRNS of Tennessee. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman asks unanimous consent that debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Chairman, I stated here a moment ago that after the Bureau of War Risk Insurance was organized I realized that they had a great big job, the biggest job in the Government, and for several months I felt that they ought to be entirely excused for not answering letters, as they had a great organization to carry on there. Finally, after the bureau had been in operation about 10 months, I had heard a great many things said here on the floor of the House that I thought probably were not justified; and I still think a great deal of the criticism that has been made of the Bureau of War Risk Insurance and the administration of the law has been made out of a misunderstanding of the law. But I went down to see the director, Mr. Delanoy, and asked him what was the matter. I said, "Have you got plenty of clerks down here?" He said, "We have got all the clerks that we need." Mr. Brown was present at that time. I said, "Then what is the matter with this bureau?" Mr. Delanoy did not say anything, but Mr. Brown said, "Just give us a little more time, and we are going to pull this bureau through." I went on with my investigation a little, and I found out that the Director of the Bureau of War Risk Insurance, Mr. Delanoy, was having nothing whatever to do with the direction of the bureau, but that it had been turned over practically bodily to Mr. Herbert Brown.

Mr. IGOE. When did Mr. Brown first go into the bureau?

Mr. RAYBURN. I think Mr. Brown has been in the bureau since last spring; I am not sure just how long.

Mr. IGOE. Was he not there in December, a year ago?

Mr. RAYBURN. He probably was.

Mr. IGOE. He certainly was.

Mr. RAYBURN. I found out also that a board of control or a consulting board had been formed with reference to the Bureau of War Risk Insurance, composed of men who met once or twice a week to consult about reforms in the Bureau of War Risk Insurance; and I found out that the Director of the Bureau of War Risk Insurance was not on that board at all. I found out by further investigation that all promotions or demotions and all appointments went not through the Director of the Bureau of War Risk Insurance but through Mr. Brown. I found out that the Director of the Bureau of War Risk Insurance had been absolutely stripped of all the authority that he should have had under the act.

Mr. McFADDEN. Will the gentleman tell us who was responsible for that?

Mr. RAYBURN. I am going to do it if I have the time, because I have a story that I want to tell. As I say, I found out that the Director of the Bureau of War Risk Insurance had been stripped of all the authority that he ever had or that he should have had. I called him and his main assistant together when Mr. Brown went out and said to them, "The Bureau of War Risk Insurance ought to be run from the inside and not from the outside. If you are big enough to run this bureau, you will either run it or resign." Mr. Delanoy resigned, and I fully believe that if he had been given a fair chance he would have pulled this bureau through. As I said a moment ago, I saw that the morale of the bureau was gone. The section chiefs did not know what to do. They did not know their right hands from their left hands. I went among them, several of them, and asked what was the matter—what had destroyed the morale of the bureau? They said they had suggestions to make, but they did not know to whom to make them; and they said that the director seemed to think he did not feel disposed to take up these matters. Now, these men are not job hunters. They are people who have come here—actuaries of great insurance companies, insurance men from all over the country who have been drawing great big salaries in the employ of private companies—men who have come here desirous of doing their best work for the Government, and practically every one of them is wanting to resign, and many of them are being begged to retain their positions. Every one of whom I consulted gave me the same answer, that Brown had disorganized this bureau from top to bottom.

I went to the then Acting Assistant Secretary of the Treasury, Mr. Love, from my own State, and told him what I thought was the matter with this bureau. I said to him, "Mr. Brown may be the best efficiency man in the country, and all that, but I never knew the time when a good efficiency man was necessarily a good executive, and I think that to put Mr. Brown in any kind of executive authority in the Bureau of War Risk Insurance was a tremendous mistake and a tremendous blunder."

The Assistant Secretary of the Treasury did not agree with me. He said that Mr. Brown had made a great reputation here as an efficiency man, and that he was going to pull that bureau through if given time.

Now, this is the sequel of that thing: Mr. Delanoy resigned. Mr. Brown stayed in there, but instead of conditions getting better under Mr. Brown's administration they got worse.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER. I ask unanimous consent that the gentleman may have five minutes more.

Mr. DYER. Ten minutes were allowed for debate on this amendment and the gentleman has used only five minutes.

Mr. BYRNS of Tennessee. The gentleman from Iowa [Mr. GOOD] asked me to yield to him the other five minutes.

The CHAIRMAN. The time for debate on this was fixed at 10 minutes.

Mr. MADDEN. I ask unanimous consent that we extend the time to 20 minutes instead of 10 minutes. I think this is important.

Mr. RAYBURN. I am very anxious to complete this statement.

The CHAIRMAN. Does the gentleman from Tennessee object?

Mr. BYRNS of Tennessee. Mr. Chairman, reserving the right to object, the gentleman from Texas is discussing the War Risk Insurance Bureau.

Mr. MADDEN. He is discussing Mr. Brown.

Mr. BYRNS of Tennessee. I hope the gentleman will defer his remarks until we reach that item, because I am sure he will want to discuss it then.

Mr. RAYBURN. I hope the gentleman will let me have five minutes more. I am right in the middle of the statement that I was making.

Mr. BYRNS of Tennessee. The gentleman will want to discuss the War Risk Bureau when we reach it.

Mr. RAYBURN. I hope to God the time is coming when there will be no excuse for discussing it.

The CHAIRMAN. Is there objection to the gentleman's continuing for five minutes?

There was no objection.

Mr. MANN. That is to be added to the time heretofore granted.

The CHAIRMAN. To be added to the time heretofore granted. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Chairman, at that, as I said, Mr. Delanoy had resigned. After I had this talk with the Assistant Secretary of the Treasury, and after he expressed his great appreciation of the work of Mr. Brown, Mr. Delanoy had resigned. Mr. Brown went on, not only in the capacity he was in, but he was appointed director pro tempore of the bureau. Conditions, as I say, did not get better, but they got worse every day. I do not blame Mr. Brown for going into the Bureau of War Risk Insurance. It was the greatest bureau of the Government, and if he could have pulled it through, it would probably have added greatly to his reputation, but, as I say, it got worse every day instead of better, until the condition, I am willing to admit, became most exasperating to anybody who had anything to do with the bureau. When the question of the appointment of another director came up, Col. Lindsley, who was in Europe and who had charge of this matter over there, and who had carried it on well, as he has carried on everything else that he has been connected with—and he is also a citizen of Dallas—was asked by Mr. McAdoo to come here and take charge of this bureau and pull it through. Col. Lindsley came to see me to my room in my hotel and told me that he had been offered this thing and that he was considering taking it. I said to him that there was a great opportunity in the Bureau of War Risk Insurance. I told him that there was great opportunity for him to destroy the credit that he had gained in Europe, that there was a great chance for him to

destroy all of the credit that he had ever gotten, justly, by putting over big organization heretofore, but there was also great opportunity for great service. I said to him, as I told the last Director of the War Risk Insurance Bureau, that the Bureau of War Risk Insurance ought to be run from the inside and not from the outside, and that if a man is not big enough as director of that bureau to run it, he ought to be discharged and some one put in his place. I then went on to detail to him what I thought was the matter, and went over the same conversation with him that I had had with the Assistant Secretary of the Treasury. He said that was most remarkable, for he had just had a talk with Mr. Brown that day, and he told me that Mr. Brown agreed at that time with the suggestions that I detailed that I had made to Mr. Love, that he ought never to have been put in an executive capacity in the Bureau of War Risk Insurance, and that he had been put in a false attitude—indicating thereby that he would like to be relieved of that; but not to my knowledge, before he made this great failure to put the bureau over, had he ever asked that any of the authority that has been placed in his hands be taken away.

I want to say this further. I believe the members of the committee before whom he has appeared will bear me out in this, that there is now in charge of the Bureau of War Risk Insurance a man who will pull that bureau through and bring it up to the high standard of efficiency it ought to have if he is let alone and is allowed to run that bureau from the inside instead of having it heckled from the outside. [Applause.]

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. BURNETT. I want to say to the gentleman that I think I can note a great improvement in it already since Mr. Lindsley has taken charge.

Mr. McFADDEN. I understood that Mr. Brown is accountable now to the Assistant Secretary of the Treasury. Is he accountable to the Assistant Secretary of the Treasury or to Col. Lindsley?

Mr. RAYBURN. I do not know about that. Col. Lindsley, I think, has the correct idea. If he is in need of an efficiency man, if he thinks that some section of his bureau is not operating correctly and that the services of Mr. Brown in an advisory capacity might be of some value in making recommendations, he will employ him in that capacity.

Mr. McFADDEN. The reason I asked that is to ascertain whether there is still a divided authority or whether Col. Lindsley has complete authority.

Mr. RAYBURN. Col. Lindsley, I think, stated before the Committee on Rules the other day that he was entirely responsible.

Mr. McFADDEN. Some gentleman to-day said in debate that this efficiency expert was accountable to the Assistant Secretary of the Treasury as well.

Mr. RAYBURN. The head of the Bureau of Efficiency is no longer the head of the War Risk Insurance Bureau.

Mr. BYRNS of Tennessee. What I said was that the Bureau of War Risk Insurance was one of those bureaus in the Treasury Department which is under an Assistant Secretary of the Treasury. Of course, Col. Lindsley is responsible for the bureau, but each Assistant Secretary of the Treasury is assigned certain bureaus of the department and has general supervision of them all.

Mr. RAYBURN. I know enough about Col. Lindsley to know that when they take authority away from him he will quit the job.

Mr. GOOD. Mr. Chairman, I hold no brief for Mr. Brown. I do not approve of a great many things that have been done in the Bureau of War Risk Insurance. No one will claim that bureau was ever efficient, but that is not the question before us. I was not present in the committee room when the subcommittee had this matter under consideration and the occurrence took place about which the gentleman from Illinois [Mr. MADDEN] spoke this morning. I never heard of it until the gentleman referred to it this morning, but if Mr. Brown was guilty of some indiscretion in that regard, let us at least give him credit for having sense enough to strike it from his remarks and not have it printed, because I do not defend anyone—I do not care in what department he may be—who will come before one of the legislative branches and reflect upon the work of a Member of the House or the Senate. That is not within the province of any such official. Brown did the proper thing in striking such reference from his remarks. I do know that this bureau, operating under the President, has really accomplished some very good work. I do not know whether Mr. Brown is the man to be at the head of it or not. I have a high opinion of his ability, and I do know that you can not have a really efficient man who can go to officers as high as Secretaries and tell them how they must do things, how their offices should be efficiently conducted, unless you pay him a good salary.

The President fixed that salary of Mr. Brown. Congress refused to fix it, and the President, I suppose, fixed the salary only high enough to get a man whom he thought was big enough and able enough to conduct this work, and when I heard Mr. Roper, of the Internal Revenue Department, say that Mr. Brown had rendered wonderful assistance to him and his department I came to the conclusion that the President had made no mistake either in the selection of the man or the amount of his salary, for it really means something to win approval from a man like that, as efficient as Mr. Roper is.

Mr. MADDEN. Was not Brown in the service before the President became President?

Mr. GOOD. Mr. Brown, as you know, worked here under Mr. Tawney when he was chairman of the Committee on Appropriations. He had him investigating the question of insurance, and he made a report that was adopted by the House, and he has been doing the same character of efficiency work for a number of years for various departments of the Government. I have no doubt if he went out into private life he could get much more than $6,000 a year as an accountant, for he is an expert accountant of high standing.

Mr. MADDEN. He may be an expert accountant and not worth a cent as an efficiency man.

Mr. GOOD. I do not know about that. I do know that Mr. Brown and his Bureau of Efficiency went in the office of the Treasury and he sent to the reading room five or six men who were receiving salaries as high as $3,000 a year and none lower than $2,500; he sent them to the reading room; while he went into the office of the Treasury, where they had not been able for more than six months to strike a balance nearer than a million dollars, and effected there a degree of efficiency so that the next year the work in the office was brought up to date, and the next year the department dropped enough clerks so as to effect a saving of $100,000 in that department alone. That is the fact. Now, gentlemen, you talk about some of these war-risk matters and get all "het" up about it and charge all delays to Mr. Brown, but I want to say you can, acting upon these prejudiced claims, do a great injustice to the Government. Whenever a Government official or any branch of the Government is trying to work out efficiency we ought to help. I remember when Mr. Brown opposed the matter of transfer in the question of allotments to the Quartermaster General. Mr. Brown said to the War Department at that time that the proposed change would create confusion in the Department of War Risk Insurance and work a great hardship, both to the enlisted man and his dependents. He stood firm in the matter, and he fought it through, but he could not prevent the rule being adopted that the War Department wanted so that the Quartermaster General should make these allotments after the 1st of July. Now, Mr. Brown is accused of all the faults which resulted from this change, and which were clearly not through Mr. Brown's operation of the law, but in spite of all he could do in preventing this change.

Mr. IGOE. Will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. IGOE. Has the gentleman ever been able to find out who is responsible for the cutting off or the transfer of these allotments—has the gentleman ever been able to find that out?

Mr. GOOD. The War Department ordered that. There is absolutely no question about that.

Mr. IGOE. The War Department says the War Risk Insurance Bureau and they say the War Department, and I would like to find out who really did.

Mr. GOOD. The gentleman is in error, and if he will investigate he will find out that Mr. Brown at the time opposed it, and really went out of his way in opposing it when he was not director, and told the War Department just what would result if it did that thing.

Mr. MADDEN. He generally goes out of his way to do things.

Mr. IGOE. Gen. Lord says not, and I would like to know who really did it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS. The War Risk Insurance Bureau had no power to transfer?

Mr. GOOD. Not at all. I am sure the War Department will never claim that it did not demand this change.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Missouri.

Mr. LARSEN. Mr. Chairman, may the amendment be again reported?

The amendment was again reported.

The question was taken; and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. RUCKER) there were—ayes 18, noes 41.

Mr. MADDEN. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] A hundred and five gentlemen are present, a quorum.

So the amendment was agreed to.

The Clerk read as follows:

CIVIL SERVICE COMMISSION.

Three commissioners, at $5,000 each; chief examiner, $3,500; secretary, $2,500; assistant chief examiner, $2,400; chiefs of divisions—one $2,400 (who shall act as assistant secretary), two at $2,000 each; certification clerk, $2,000; examiners—one $2,400, three at $2,000 each; six at $1,800 each; clerks—6 of class 4, 28 of class 3, 39 of class 2, 52 of class 1, 34 at $1,000 each, 22 at $900 each; messenger; assistant messenger; skilled laborer, $720; four messenger boys, at $420 each. Custodian force: Engineer, $840; general mechanic, $840; telephone-switchboard operator; two firemen; two watchmen; two elevator conductors, at $720 each; three laborers; four charwomen; in all, $291,020.

Mr. DYER. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. BYRNS of Tennessee. In what particular?

Mr. DYER. The gentleman proposes to increase the salaries of officials.

Mr. BYRNS of Tennessee. To what official does the gentleman refer?

Mr. DYER. To the commissioners, but there are several increases here.

Mr. BYRNS of Tennessee. If the gentleman will make his point of order to the particular portion of the paragraph to which it is addressed——

Mr. DYER. The whole paragraph is subject to the point of order. I reserve the point of order on the whole paragraph. Mr. Chairman, I do that for the purpose of calling to the attention of the committee that before we increase the salaries of members of the Civil Service Commission the House ought to know whether or not we are going to have some functioning on the part of the Civil Service Commission. Now, you gentlemen of the committee will agree that when we passed laws calling to the colors the men who are working in the departments, as well as other places in this country, that it was the understanding that if men gave up their positions and joined the Army or the Navy and did not claim exemption, as hundreds and thousands of them did here in the departments, that when those men returned from the Army with their honorable discharges they should be reinstated in their positions. Now, Mr. Chairman, that is not being done. The Civil Service Commission positions are being filled to-day, and when those men return here and want to go back to the positions that they had to give up to go into the service they find women, they find thousands of girls brought here from all parts of the country, and men who have been put in their positions, men who claimed exemption from service, who have entered the Government service in civilian capacity, and are filling the positions to-day, so that the men who went out to do military service and are now returning with honorable discharges find that they can not get their positions back.

Mr. STEVENSON. Will the gentleman yield?

Mr. DYER. I will.

Mr. STEVENSON. Does that apply, does the gentleman think, to the Postal Department?

Mr. DYER. I inquired of the Civil Service Commission, and asked if that was the rule, if they had any policy of putting men back in their position in the civil service who had had to resign to go to military duty, and they told me they were not necessarily putting these men back; that they were not required to put them back.

Mr. STEVENSON. I will state that I had an instance in which a man in my district was appointed under the civil service 10 days ago to take a rural free-delivery route, and to-day I have notice that a soldier who held it before he went had returned and therefore this man was discharged and the soldier was reinstated by the rule in the Post Office Department. That is the reason I asked you about that. I also had a conference to-day with the head of the Southern Railway, which is a quasi Government department, and he said they were reinstating every soldier that came back, and the ladies who were in there to hold their places were going to be discharged.

Mr. DYER. That may be true with reference to railroads; it may be true with reference to the heads of some divisions or departments; but it is not so with reference to the War Department, and it is not so in reference to some other departments. We are being asked to appropriate in this very bill, to which the chairman will agree, for the reemployment and continuation of employment of hundreds of women in the Navy Department, yeowomen, reservists, and where they are receiving more pay than women who have been working there in the civil service for years. And in addition to that, gentlemen, we have men in the naval service, and who are working up there in the Navy Department, men brought here from all over the country and put in there because they are efficient, because they are accountants, because they understand the work in the Bureau of Navigation, and those men are receiving $30 a month pay, while these girls are receiving $140 a month pay. And we can not get these men discharged from the naval service in order to go back home and accept positions that will pay them twice and four times as much.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DYER. Mr. Chairman, I ask unanimous consent for an extension of five minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. DYER. I yield.

Mr. BYRNS of Tennessee. I agree with the gentleman that when soldiers return and want their old positions they ought to be restored to them. But certainly my friend does not insist that the Civil Service Commission is responsible for the failure of these soldiers to secure these positions. It is a matter that rests with the department heads. The Civil Service Commission simply acts in this way: A department sends a notice to the commission that there is a vacancy and asks for a certification. The Civil Service Commission, under the law, can do nothing but certify a list of eligibles.

Mr. DYER. Will the gentleman give me a frank answer as to whether or not he is willing to put into this bill legislation or a proviso to the effect that all soldiers returning with an honorable discharge and seeking their positions back in the Government service that they gave up shall be reinstated?

Mr. BYRNS of Tennessee. Personally I would be very much in favor of a proposition of that sort.

Mr. DYER. Would the gentleman make a point of order against that?

Mr. BYRNS of Tennessee. I doubt that Congress, without any hearing, without consulting the heads of the departments, ought to put into law a provision of that sort, because I do not know just what effect it would have upon the service in the departments.

Mr. DYER. Does not the gentleman know——

Mr. BYRNS of Tennessee. I do not know how many places there are.

Mr. DYER. Does not the gentleman know what effect it will have upon the country as it is now to have men returning from military service and seeking their positions in the Government service being informed there is no vacancy; that their positions have been filled, and with girls and men working there who never rendered military service of any kind? I have had that experience. I know what I am talking about.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. DYER. I will.

Mr. LAGUARDIA. Is the gentleman aware that I introduced a bill as soon as we declared war covering this situation and that the bill was referred to the Committee on Military Affairs and is sleeping there? And the Committee on Civil Service Reform, of which I am ashamed to be a member, has never done anything.

Mr. DYER. The gentleman knows, and we all know, that the Committee on Military Affairs of this House is very inactive and negligent about such matters.

Mr. LAGUARDIA. The Committee on Reform in the Civil Service is dead.

Mr. CAMPBELL of Kansas. Was it not stated soon after the beginning of the war that these men would be restored to their places when they returned?

Mr. DYER. That was stated, and it was stated the country over, and these men who went to service and gave up their positions expected that. I heard it right here on the floor of this House. We have had Members get up and criticize the department heads for asking for exemption for men. The men working in the Government service were pointed to as slackers because their names appeared in this list. A lot of them would not take advantage of it. They had families, some of them, but they did not claim exemption and went into the service. They are coming back, and they are finding their positions filled not only with slackers but with thousands of women brought here from all over the country and who will not leave. The department heads are keeping them in preference—these men slackers and these girls—in preference to reinstating the soldiers of our country. It is not right, gentlemen; it is not just; and the Democratic Party, in charge of the Government, ought to be ashamed of itself, and this committee ought to be ashamed

of itself, if it will not put a provision in this bill compelling the officials to put these men back.

Mr. BYRNS of Tennessee. The gentleman made a broad statement when he said that the departments are filled with slackers. Does not the gentleman know that the departments when these appointments were being made declined to appoint a man within the draft age to any of these places and that thousands of men resigned when they were called in the draft? And does not the gentleman admit that in his present contention that they should be restored?

Mr. DYER. Yes; but they are there by the thousands. And the heads of the departments sent in lists, and they have been published in the RECORD, of men for whom they have asked exemption.

There are thousands and thousands of them in the Government departments. There is no dispute about it. It is in the CONGRESSIONAL RECORD, published here in compliance with the resolution introduced by the gentleman from Illinois [Mr. MADDEN], and which was passed unanimously.

Mr. BYRNS of Tennessee. Oh, there were a number who were exempted under the law on the certification of one or two of the departments here.

Mr. DYER. One or two? Every department. There were thousands in every department, almost. Look at the War Department exemptions. Look at the exemptions in the Agricultural Department. Look at every one of them. Go and search the RECORD in reference to the resolution introduced by the gentleman from Illinois [Mr. MADDEN]. We got reports from each department.

Gentlemen, it is a shame and a burning disgrace, and if the Civil Service Commission is not helping us then I am opposed to increasing their pay. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. IGOE. Mr. Chairman, the gentleman from New York [Mr. LAGUARDIA] states that he introduced a bill that was bottled up in the Committee on Military Affairs. I do not claim any particular credit for myself upon this question, but if the gentleman will examine the RECORD he will find that when the selective draft law was passed I offered an amendment along that line, and it was voted down by the House, so that the gentleman from New York need not criticize the Committee on Military Affairs especially, but he can criticize the whole membership of the House.

Now, I do not agree wholly with my colleague from Missouri [Mr. DYER], but he has touched upon a question of vital importance to the country. These men, not only those employed by the Government but those employed by private individuals and corporations, had good positions, most of them, when they entered the military service. Is the Government going to deny those people the right to have their positions again when they come back from the war? And if the Government denies them that right how can you expect private citizens and corporations in the country to live up to their promises and obligations in the matter?

We have all taken pride in the service flags that we have seen throughout the country, indicating the number of employees who have gone into the service, and employers have been proud to see how patriotic their men were. They have indicated by gold stars the men who will never return. We can do nothing for them, perhaps, except to honor their memory and service and care for those who were dependent or who would have been dependent upon them. Why should not the employers, led by the Government of the United States, have a service flag showing 100 per cent in giving employment to men who are now returning from the war and giving them the positions they left? [Applause.] They are the men who are entitled to them.

Of all the reconstruction problems we have the most immediate, the most pressing, the one we are face to face with right now, is that of unemployment, particularly of the men who are returning from the front, who are returning from the camps, who were taken from their positions by the legislation of this Congress to uphold the cause of their country. Can not the Congress and can not the Government lead the way for the private employers of the country and reinstate the men in the positions that are rightfully theirs?

I have had an instance of a Government employee who returned and who was told that they would try to find a place for him. After considerable delay they did find it, but it was only after much urging. I hope that my colleague from Missouri, when his party comes into control of the House, will also take care of the boys who were employed by this House and who went to the front and who may return when his party is in power. I happen to have two of them who were brought here from Missouri. [Applause.] I am looking to the Republicans upon that proposition to also take care of these two brave boys who have gone from their employment directly under the House of Representatives to fight our battles on the other side, both of whom are still there. [Applause.]

Now, Mr. Chairman and gentlemen, it is a serious question, and I hope that some committee of this House will write it into the law, as I believe it is now in the Postal Service, that men who left the Government service shall have their positions. I hope a movement will sweep over this country so that employers who proudly boasted of these men going to the front, and justly so, will just as proudly boast of the fact that they have given back to these men the positions they had before they went into the service. Let them have a service flag, with stars of a special color if you will, indicating that the men have now returned and have been reemployed.

Mr. ROBBINS. Mr. Chairman, will the gentleman yield for a question?

Mr. IGOE. I do.

Mr. ROBBINS. I had a constituent who was employed in the copyright division of the Library of Congress. He went to the front. He had been getting in the Copyright Division $92.50 a month, and when he came back he was offered a position in the basement, making up large packages for shipment out, at $40 a month.

The CHAIRMAN. The time of the gentleman from Missouri has expired. Does the gentleman from Missouri [Mr. DYER] reserve his point of order?

Mr. DYER. Yes.

Mr. SNYDER. The gentleman who has just spoken [Mr. IGOE] comes from a large manufacturing section of the country. I would like to ask him if he knows of any particular case where a manufacturer refused to take back a returning soldier?

Mr. IGOE. Yes. I saw a letter from a firm, a big firm, too, saying "Your position is open for 10 days and not thereafter."

Mr. SNYDER. Do you think there is anything unjust in that?

Mr. IGOE. I do; because if they do not take that man back he will practically be punished.

Mr. SNYDER. The gentleman evidently did not get my question. What I wanted to know was whether any large manufacturer or industry in his community had refused to take a soldier back on the pay roll after he made application for it?

Mr. IGOE. I know that statements have been written and made orally that they can not get their positions back.

Mr. SNYDER. I do not know of any particular case myself.

Mr. IGOE. I know what they are doing out in my city. The Employment Service of the United States has made a special effort to find employment for the soldiers and sailors and marines. If these men could get back their positions it would not be necessary to do that. I am glad the Government is doing it, and I am for it. I hope it will continue to do good work.

Mr. SNYDER. I agree with the gentleman most heartily.

Mr. IGOE. But I think we should set an example and show the way to private employers.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. O'SHAUNESSY. Mr. Chairman, I ask that the gentleman be given two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. O'SHAUNESSY. I want to ask the gentleman if he proposed or introduced a bill some time ago to give returning soldiers their positions, which is absolutely just and with which I am in entire sympathy?

Mr. IGOE. Yes.

Mr. O'SHAUNESSY. Why not propose that as an amendment to this bill and let us do it now?

Mr. IGOE. It is not germane to this bill. It was germane to the draft bill, and the Members of this House should have set the example at that time. But they can do it at any time, and I hope it will be done.

Mr. O'SHAUNESSY. The time to do it is now.

Mr. IGOE. We ought to do it on one of these bills.

Mr. O'SHAUNESSY. This Government should set the example.

Mr. IGOE. That is the point I am trying to make. I do not say that there are positions for all these people, for changes have been made in business institutions since these men went away; but the Government ought to set the example, and corporations and private employers ought to follow the Government and do their best to place these men back where they were.

Mr. O'SHAUNESSY. If they do not, we may well be ashamed of our country. [Applause.]

Mr. SNYDER. Will the gentleman yield?

Mr. IGOE. I yield to the gentleman from New York.

Mr. SNYDER. It is a fact that the manufacturing concerns of this country have set the pace already in every instance, so far as I know, of taking the men back who come and present themselves for the positions that they left. It is a further fact that many of the soldiers who have returned have not presented themselves and have not come when sent for to take their positions back.

Mr. IGOE. Not so very many of them have had a chance to present themselves.

Mr. SNYDER. I disagree with the gentleman.

Mr. IGOE. If conditions are such that it is necessary to open employment bureaus now, what will happen when the rest of them come?

Mr. SNYDER. The difficulty we find in the manufacturing district I represent is that these boys who left positions and went away are not satisfied to come back and take the positions that they left. Most of them have a different viewpoint. They want something better, and it is difficult in some cases to give them that.

Mr. IGOE. Some people propose to give them arid lands and swamp lands and all that, which is good as far as it goes, but I think they want positions; I think they would like to get back the positions that they had.

Mr. MANN. Mr. Chairman, I hope the Government will be able to restore to their positions, or to good positions, all of the boys who come back from the war, and that private employers may be able to do the same thing; but, after all, these questions are practical. Here is a place in private employment. They must have somebody to fill the place. In many cases they could take the boy back now who is in the Army; but not being able to get him they are required to get somebody to fill the place now, and in many cases are required to assure the party who gets the place that he will be retained in the job. In spite of that, in spite of the fact that we are maintaining a very expensive bureau to seek employment, I have numerous statements from employers in Chicago and elsewhere asking that the War Department discharge some man who is of no use at all in the Army and let him come home and take a responsibe place, but when they try to reach the responsible officers of the Army they might as well talk to a stone wall. If I write to the department about it, I get a form letter back. I suppose they print them in batches. If they do not, they waste lots of valuable time printing them individually. If you write to the commander of the man, usually you do not even get a form letter back. In many cases the commanders of the boys refuse to accept the applications. They have issued an order that if a man is asking for a discharge in order to be employed he must furnish three affidavits. Well, that is not so easy for the boy to do, especially if he is located here and his employer is located on the Pacific coast.

The Adjutant General's office and the Chief of Staff are absolutely callous. Their hides are thick as a walrus's. They have no desire to let boys out to take employment. They do not care whether when the boys come out they starve or get employment. They are utterly inhumane. There is no disposition on the part of the chief army officers to accommodate the boys who are in the Army who have employment awaiting them now to let them out, and in many cases employment that will not wait forever. In the readjustment which is going on, with the Government contracts taken away, many employers throughout the land have to figure on starting up their old businesses in the old way, and they need the men, and to all these cases the Army turns a cold shoulder and a deaf ear. They do not care. What they care about is to have Gen. March made a general. I am not interested to have Gen. March made a general of the Army, but I am interested that he should feel some responsibility to let men receive a discharge who want to go home who are now doing nothing in camp, and not give a general order up here which is not obeyed by a captain or a lieutenant. [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, I call for the regular order.

Mr. GOOD. Will the gentleman withhold that for a minute?

Mr. HARDY. Will the gentleman allow me to make a few remarks?

The CHAIRMAN. Does the gentleman from Missouri insist on the point of order?

Mr. DYER. I reserve the point of order.

Mr. LAGUARDIA. Mr. Chairman, I have an amendment.

Mr. BYRNS of Tennessee. I call for the regular order.

The CHAIRMAN. The regular order is called for.

Mr. BYRNS of Tennessee. I do not want to cut off gentlemen, but we ought to get on with this bill, and I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

Mr. DOWELL. Mr. Chairman, reserving the right to object, I should like a little time.

Mr. BYRNS of Tennessee. How much time?

Mr. DOWELL. Five minutes.

Mr. BYRNS of Tennessee. Could not the gentleman get along with three minutes, or take the time on the next paragraph?

Mr. LAGUARDIA. I want a minute on my amendment.

Mr. DOWELL. I want to say a few words on the subject that is now being discussed.

Mr. GOOD. I should like one minute.

Mr. BYRNS of Tennessee. I ask unanimous consent that all debate on the pending amendment be closed in 10 minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, let me call the attention of the gentleman from Missouri [Mr. DYER] to the fact that we have in the employ of the Government about 650,000 civil-service employees and that the Civil Service Commission must rate and keep tab on all these persons. The president of the commission receives $4,500 and the other members $4,000. We have increased the salary of all the commissioners, making it uniform at $5,000 a year. The civil service commissioners of New York State receive a salary of $5,000 each, of New York City $6,000, and of the city of Chicago $5,000 each. It seemed to the committee that this great commission, having charge of the ratings of 650,000 Government employees, ought to have as much salary as the civil service commissions of these States. That was the reason we made the increase.

Mr. HARDY. Mr. Chairman, I had no idea of making any remarks upon this subject, but the speech that was made a moment ago causes me not only to say a few words, but to ask permission to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARDY. Mr. Chairman, from some of the speeches here one would think that the War Department treated every effort of Congressmen to aid their constituents with contempt. I have had many hundred letters from people in my district with regard to their sons in the Army, and I have taken these letters up with the War Department in its different official bureaus. I want to say that I have never had anything but courteous treatment and prompt attention paid to my requests, and I have never failed to get an answer and to get a discharge when I pursued the plain policy directed by the officers here in the War Department and presented a case warranting the action requested.

Mr. ROBBINS. How do you get them? Tell us how.

Mr. DOWELL. Will the gentleman sign some of my letters?

Mr. HARDY. I do not know the men I write to; there is nothing mysterious about it. I write to the officials, and they tell me what to do. Any other gentleman in this House can go to the same authority that I do and he will get a courteous answer is my belief, and I have never failed to get a courteous answer. But I warn gentlemen that if they expect just simply to send to the department a request for the discharge of any man and have him discharged because they ask it, they will be disappointed.

Mr. AYRES. Mr. Chairman, will the gentleman yield?

Mr. HARDY. Just yesterday a physician out here at Camp Humphreys asked to be discharged, stating that he was a physician in San Antonio. The commanding officer approved it. The application came to Washington, and amid the millions of papers it was not immediately taken charge of. He asked me to investigate this. I called up the proper officer and he said that he would look into the papers, and inside of three hours that man was ordered discharged. I have never failed to have courteous treatment. There is a good deal in the way you approach people. [Laughter on Republican side.] Yes; it is so with you. You let a man come to you in one manner and you will regard him, and another and you will ignore him.

Mr. FESS. Is that a policy to be followed by a Government official?

Mr. HARDY. I do not care who he is; he is a human being, and if you write an insolent letter, you are not likely to get a loving reply.

Mr. FESS. Are we to be suppliants, or can we demand justice?

Mr. HARDY. You need not be suppliants. If you will send a courteous request, it will be attended to, in my judgment.

Mr. FESS. Oh, no.

Mr. HARDY. I say, oh, yes! I have been no suppliant. I have notified the department of the facts existing, and every time they have paid heed and have been courteous and results have followed. I do not know what you gentlemen have done, or why you have done it, but with very little acquaintance with the men in the office, every petition that I have sent has been paid courteous regard to.

I have had brought to my attention a vast variety of requests that I secure the release of men in the Army, Marine Corps, and Navy. Several orders as to demobilization of our forces were issued shortly after the armistice was signed and copies were sent to every Senator and Congressman. I for one read these orders and instructed my secretary to follow the suggestions contained in them, and I expressed the belief that if we cooperated with the different branches of the service we would be of assistance to them and help them to accomplish a great deal, and at the same time help our boys.

Of course I, like other Congressmen, desired to serve my people, but I further appreciated the fact that these important branches of the Government were better trained to know the needs of the country than we; that is, with regard to discharges and future needs of the department.

The Surgeon General's department has had several requests from me in the matter of discharging physicians, and in every case I have received immediate and courteous replies and the cooperation of the officials here.

I know that certain rules for observance of those seeking discharge have been prescribed. I know that the officials here have been obliging in answering all questions asked them by letter or by telephone, and that by communicating with the department here I have been able to help those who have written me, in presenting their requests for discharge. My dealing in all matters with the War Department has been pleasant, but I do not believe they have done anything for me or at my request that they would not have done for any other Member of Congress under the same presentation of facts.

I sometimes found that the man asking for discharge had not made application through military channels. In such case my first action has been to advise the party to make his application and how to make it. Conditions probably exist in the military which we know nothing of, and I have always treated replies to my letters that were unfavorable to those interested as based on good reason and sound judgment. We can not know all the facts existing at the different camps. I deal fairly and frankly with the War Department, and all that I ask or desire in return is that they deal in like manner with me, and they have always done so. I could name many cases brought to the attention of the War Department not by mail alone but by telephone, which have been handled to the satisfaction of the people involved. Of course, the men who wish to be discharged had made formal application, and when the heads of the different departments here were convinced of the merits of each case the men were discharged. I insert also two letters received by me, which I think will be of interest to the people:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, January 20, 1919.

Hon. RUFUS HARDY,
House of Representatives.

DEAR SIR: In response to your request therefor, I have prepared the following statement relative to the demobilization of the United States Army:

According to the latest available data, a total of 47,028 officers and 736,704 enlisted men were actually discharged from the military service between November 11, 1918, the date on which the armistice was signed, and January 11, 1919. The total number of troops designated for demobilization to date, including some 104,000 overseas troops which have already returned to the United States, is approximately 1,281,000.

Reports of the progress of British demobilization show that a total of 3,035 officers and 352,638 men were discharged from the service up to and including January 7, 1919. No accurate information on the demobilization of the French and Italian armies is available. During practically the same period, therefore, the ratios of demobilization among officers and enlisted men in the American and British armies have been more than 15 to 1 and 2 to 1, respectively.

Inasmuch as the French and American methods of demobilization vary markedly, it is impracticable to draw a comparison between the respective results attained in the two countries. When our soldiers are discharged they become actually separated from the service. In France, however, as the result of the system of universal military training which is there in effect, the men are demobilized in the same manner in which they are called into service, namely, by classes, or according to their respective ages, the oldest men being demobilized first. In this lies the conspicuous distinction between the results attained in the two countries, for the French soldier does not, as a consequence of the demobilization of his class, become actually separated from military service. He remains a part of the military establishment, though for the time being released from active duty, and must respond again should his class subsequently be recalled into service. There is, consequently, no necessity for physical examination and the preparation and issue of discharge papers in the case of the demobilized French soldier, but these and other routine matters must be carefully attended to before the American soldier can be duly and lawfully discharged from service. Hence it is plain that demobilization can proceed with much greater facility and far more rapidly in France than in the United States, and no just inference of unnecessary delay can be drawn, even though it prove that the demobilization of the French forces is being accomplished at a rate in excess of that prevailing in this country.

Very respectfully,

P. C. HARRIS,
The Adjutant General.

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, January 17, 1919.

Hon. RUFUS HARDY,
House of Representatives, Washington, D. C.

MY DEAR MR. HARDY: With reference to the visit of your secretary to my office this afternoon, I am very glad to give you the facts in regard to the difficulties the Medical Department is experiencing in the demobilization of the Army.

Numerous letters come to this office with the statement that the war is over and with urgent requests that certain officers and enlisted men be discharged from the Medical Department. It is to be hoped that the fighting part of this war is over, but we still have nearly 2,000,000 men in France and a great many thousands in our camps at home. We have 120,000 patients in our hospitals in France and something like 70,000 in the hospitals in the United States. The necessary personnel must be held in service to care for these sick soldiers. Since our troops went to France 44,000 patients have been returner to the United States; 33,000 of this number have been returned since the armistice was signed. More than 23,000 patients were returned during the month of December, and it is believed, from information received from France, that the December rate of returning patients will continue for the next three months. After that time only the sick and wounded incident to the command which may be left in France will be returned from month to month.

To meet the obligations of the Medical Department to care for the sick it is absolutely necessary for us to keep in service a sufficient personnel to run our hospitals, and in view of the large number of sick yet to come from France it is necessary for us to keep some surplus officers and men to meet the emergency in the future. If this provision is not made in advance, the department will find itself short of the necessary personnel to care for the sick and wounded and will justly be criticized for not giving the soldier the care he has been promised and which the people have a right to demand.

In order that you may know the department has not been slow in making discharges, I wish to state that from the time the armistice was signed to December 12, 9,331 have been discharged. Of this number 7,350 were medical officers, 1,124 dental surgeons, 383 veterinary surgeons, and 474 Sanitary Corps officers; 2,500 members of the Army Nurse Corps have also been discharged and returned to their civil occupations.

I sincerely trust this will give you the information you desire.

With cordial regards,

Very sincerely, yours,

M. W. IRELAND,
Surgeon General, United States Army.

Mr. DOWELL. Mr. Chairman, on the question to which the gentleman has just referred I want to call attention to a communication that I received this morning, a very courteous letter. A gentleman in my district has been imploring one of the officers to release a man necessary for him to open up his manufacturing business this spring. He submitted a long letter to the officer in which he begged the release of this man, and he received the following letter which he sent to me this morning and which I desire to read:

Your letter of January 9 at hand.

I thoroughly appreciate your position and trust you will be able to understand mine when I tell you that I am ordered to release men under certain rules, as follows:

(1) Those who are to resume studies in school, interrupted by their entrance in the Navy.

(2) Those having dependents who are suffering for necessities on account of their being in the service.

(3) Those who have personal business which is suffering by their absence, provided that their services can be spared.

Now, your Mr. ——— can be spared, but I do not see how any of the above rules apply to his case. I have no doubt that within the next 30 days there will be additional orders, and that they will probably include this man; but, of course, I have no definite knowledge to that effect.

Assuring you that I am desirous of doing everything I can in the premises, I am,

Yours, very truly.

If you would read the letter of this man asking the release of the young man from the service, you would believe certainly he is needed in the business. But that is not the question I desire to discuss. This officer states plainly and frankly that the young man "can be spared," but that he is absolutely helpless to let him go, in the face of the orders which he specifically sets out. There is no question about the need of the young man in the business. The letter of the officer clearly acknowledges that and apologizes in a way for not being able to do what he apparently knows should be done. All of the courteous letters he can write—as the gentleman suggests—can do no good. What is needed is some action.

We had all supposed the purpose of the order was to permit the release of men for industrial purposes. This officer is utterly unable to release him, as he states, though he "can be spared." In other words, this officer is holding a man in the service whom he does not need, while the manufacturer is calling for him in business and is desperately in need of his services. It is certainly plain that the order referred to by the officer is hopelessly wanting in its provisions to do what the department has given out it would do, to wit, release men from the service

needed in the industries, or the officer is hopelessly incompetent to construe properly the order.

But, in any event, the young man is still in the service and there is a vacancy in this industry that ought to be filled promptly.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. DOWELL. Yes.

Mr. FESS. I think the letter stated as the first condition those who wanted to resume school.

Mr. DOWELL. Yes.

Mr. FESS. In an application to release a son in whom I am considerably interested, the order of release was, first, those having dependents; second, those needed in essential business; and third, those desiring to resume school work. In my letter it was put last; in yours, first.

Mr. DOWELL. And that is only in the Navy. In the Army regulations they are not permitted, as I have been told by communication from that department, to release young men to continue their school work.

In this case the letter clearly indicates that the department is wholly unable to act or is wholly unable to construe its own orders. It is a reflection upon a department that makes these orders or upon the officers who are unable to construe them properly.

In any event, the letter clearly indicates total disregard for the business interests of the country. The men needed in these industries should be released promptly, and certainly when the departments acknowledge they are no longer needed there.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. LAGUARDIA. Mr. Chairman, I am not a poker player, but I will call a bluff every time it is made. I understood the gentleman to say he would be willing to accept an amendment, although not germane to this bill, providing for the reinstatement of all civil-service employees who have rendered service, and I am now going to offer such an amendment. I introduced a bill (H. R. 29086) which covers this situation exactly.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. LAGUARDIA. I can not yield.

Mr. BYRNS of Tennessee. The gentleman does not want to misquote me. I did not say I would accept it.

Mr. LAGUARDIA. I am not quoting the gentleman, but some gentleman on that side of the House. Now, there is so much talk here by gentlemen about reemployment, let us give a good example to the country; let us not blame the departments if the matter rests in our hands. Here is a chance to make good to these boys, and let us pass this amendment, so that every man who was in the Government employ will have his position when he comes home.

Mr. DYER. Mr. Chairman, I withdraw the point of order so the amendment may be offered.

Mr. DOWELL. May I ask unanimous consent to extend and revise my remarks?

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 32, line 6, insert the following paragraph:

"All civil-service employees who have been drafted or enlisted in the Army and Navy shall, upon being honorably discharged from the service, be reinstated to the position and pay held at the time of such enlistment or draft."

Mr. BYRNS of Tennessee. Mr. Chairman, I regret that I will have to make the point of order against the amendment.

The CHAIRMAN. The Clerk has not read the intervening paragraph yet.

Mr. DYER. I desire to offer an amendment.

Mr. LAGUARDIA. Has the Chair ruled?

The CHAIRMAN. The Clerk has not read the intervening paragraph yet.

Mr. LAGUARDIA. Then I withdraw my amendment for the time being.

Mr. DYER. Mr. Chairman, I desire to offer this amendment at the end of the paragraph, line 21, page 30, and it is only to give preference to these soldiers in the civil service.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 30, line 21, after the end of paragraph, insert:

"*Provided*, That in the appointment of employees hereunder preference, if otherwise qualified, shall be given to all persons who were in the military service in the war with Germany and who have received an honorable discharge."

Mr. BYRNS of Tennessee. Mr. Chairman, I reserve a point of order, and I want to ask the gentleman this question: That is not the law now?

Mr. DYER. No; this is the law with reference to certain soldiers in the War of 1861–1865.

Mr. BYRNS of Tennessee. And also the Spanish-American War?

Mr. DYER. No.

Mr. BYRNS of Tennessee. Now, Mr. Chairman, I want to say, in explanation of the point of order I shall make, I think a matter of this importance should come from the proper committee having jurisdiction of it. I do not think here upon an appropriation bill we should undertake to enact legislation of that kind.

Mr. DYER. Will the gentleman permit?

Mr. BYRNS of Tennessee. The gentleman says it does not apply to the Spanish-American War. Why does not the gentleman introduce an amendment——

Mr. DYER. We have.

Mr. BYRNS of Tennessee. Putting legislation on the statute books applying to those soldiers?

Mr. DYER. Let me say to the gentleman, if the gentleman will give me his attention, several years ago we had in the legislative, executive, and judicial appropriation bill a similar provision to this enacted. The provision which I have presented has been presented in appropriation bills and it has been agreed to and has been the law. Of course, it only is the law for the year during the life of these appropriations, and it has been done in reference to all wars with soldiers except the present war with Germany. I am only trying to put them upon the status with the other soldiers. I will say to the gentleman that that is very reasonable and fair, and I——

Mr. BYRNS of Tennessee. I would very heartily support legislation of that kind if it comes before the House in the regular way of legislation, but I can not agree for it to be placed upon this appropriation bill, and certainly without receiving any consideration, and I therefore make the point of order.

Mr. DYER. There are precedents, many of them.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For necessary traveling expenses, including those of examiners acting under the direction of the commission, and for expenses of examinations and investigations held elsewhere than at Washington, and including not exceeding $1,000 for expenses of attendance at meetings of public officials when specifically directed by the commission, $20,000.

Mr. LAGUARDIA. I now offer my amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 32, line 6, insert the following paragraph:

"All civil-service employees who have been drafted or enlisted in the Army and Navy shall, upon being honorably discharged from the service, be reinstated to the position and pay held at the time of such enlistment or draft."

Mr. BYRNS of Tennessee. I make the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For Secretary of State, $12,000; Assistant Secretary, $5,000; Second and Third Assistant Secretaries, at $4,500 each; Director of the Consular Service, $4,500; Undersecretary of State, to be appointed by the President, by and with the advice and consent of the Senate, $7,500; officers to aid in important drafting work—5 at $4,500 each, 14 at $3,000 each, 17 at $2,500 each, to be appointed by the Secretary, any one of whom may be employed as chief of division of far eastern, Latin-American, near eastern, or European affairs, or upon other work in connection with foreign relations; assistant solicitors of the department, to be appointed by the Secretary—5 at $3,000 each, 2 at $2,500 each; chief clerk, who shall sign such official papers and documents as the Secretary may direct, $3,000; law clerks—1 at $2,500, 2 at $2,250 each, 3 at $2,000 each; law clerk and assistant, to be selected by the Secretary, to edit the laws of Congress and perform such other duties as may be required of them, at $2,500 and $1,500, respectively; chiefs of bureaus—2 at $2,250 each, 5 at $2,100 each; 2 translators, at $2,100 each; additional to Chief of Bureau of Accounts as disbursing clerk, $200; private secretary to the Secretary, $2,500; private secretary to the Undersecretary, $2,000; clerk to the Secretary, $1,800; clerks—27 of class 4, 30 of class 3, 40 of class 2, 63 of class 1 (3 of whom shall be telegraph operators), 40 at $1,000 each, 10 at $900 each; lithographer, $1,400; chief messenger, $1,000; 8 messengers; 27 assistant messengers; 4 messenger boys at $420 each; packer, $720; 7 laborers; 4 telephone-switchboard operators; chauffeur, $1,080; 10 charwomen; in all, $529,840.

Mr. FLOOD. Mr. Chairman, I move to strike out the last word to ask the chairman of the committee a question about this appropriation. I see there has been a considerable reduction in the appropriations to maintain the State Department. I want to ask the chairman if he has taken into consideration the fact that the work of the State Department will be very greatly increased as a result of the cessation of hostilities, that the Diplomatic Service will be largely increased and the Consular Service will be tremendously increased, and that these increases in the foreign service will greatly increase the work in the Department of State; that is, our officials here will have more work than they have ever had to do, more even than they have had to do during the war. I notice in the item next to be reached that the amount appropriated for the current year for temporary clerks

was $400,000. In this bill it has been reduced to $125,000, and I would like to ask the gentleman if his committee considered the fact of the increased work that will be imposed upon this department, and if, in view of the increased work, this appropriation is sufficient?

Mr. BYRNS of Tennessee. I will say to the gentleman, Mr. Chairman, that the committee did consider the increased work that will be devolved upon this department, and this particular paragraph just read contains a considerable increase rather than a decrease. The force is increased in the Department of State in this paragraph alone more than $78,000.

It was impossible when the hearings were had for those representing the State Department to know just what the amount of work would be in the department here during the next fiscal year. It is true at that time a considerable estimate had been submitted to the Committee on Foreign Affairs for an increase of the Consular Service. When this bill was marked up the consular bill had not been completed and the committee had no information as to just what the Committee on Foreign Affairs was going to do with the estimates submitted to them. But we assumed that the Committee on Foreign Affairs would make an increase of the consular representatives in foreign countries, and therefore we recommended this increase of more than $78,000 for drafting officers and other employees in the department here and recommended $125,000 to be used in the employment of additional clerks. I do not know, and I take it the gentleman from Virginia [Mr. FLOOD] does not know, and I doubt very much if those in charge of the State Department, efficient as they are, can tell now what they will need during the next fiscal year. We are passing from a war to a peace basis. As I said yesterday, none of the heads of these departments is able to speak with any definiteness or positiveness as to the amount of work they will have on hand. But one thing is certain, as the committee believed, that $125,000 for additional employees ought to be sufficient to carry the State Department until December, when a deficiency bill can be passed, assuming that they will have all the work that the State Department says they will have.

Now, if it be true that the Committee on Foreign Affairs has recommended so many consular agents, and naturally that will greatly increase the business here in the departments, and that they need more money, then the heads of the State Department can go before the Senate committee and make out their case in view of what the Committee on Foreign Affairs has done. But I feel under those circumstances, in view of the fact that the State Department can come before Congress next December, and then, having passed through four or five months of the fiscal year, can speak positively as to the amount of increased work which has devolved on the department, and what will be needed for the remainder of the fiscal year, we ought not to build up appropriations here by way of lump sums that may or may not be used. I think it is time to keep some of the money in the Treasury or in the hands of the people, so far as we can.

Mr. FLOOD. Mr. Chairman, I agree fully with the gentleman that now is the time Congress ought to economize, but now is not the time we ought to economize in a niggardly way with reference to the development of our foreign commerce, in the readjustment that is going to take place within the next few years. The gentleman says when these estimates were made the Department of State did not know what increase they would ask for their foreign service.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FLOOD. But that now the department does know, and when this bill goes before the Senate committee the department can go before that committee and ask for proper appropriations. That is a very satisfactory suggestion, because the department does now know, or will by that time know, how the foreign service is going to be increased. We all know that the Diplomatic Service is going to be largely increased. The bill that the Committee on Foreign Affairs reported provides for two additional ministers, one to Bulgaria and one to Serbia. There will be diplomatic representatives in what are now parts of Austria, parts of Russia, and parts of Turkey. How many we do not know. In all these places we will have to supply consuls. The bill provides for an addition of about 50 consuls, and for appropriations to keep them up, and that will necessitate an additional force of clerks in Washington.

The suggestion made by the gentleman that the Department of State could come back in December and get an appropriation in a deficiency bill would not be satisfactory, because this bill has cut the appropriation from $400,000 for these clerks to $125,000, and $125,000 would not sustain the clerical force of the Department of State from the 1st of July to the 1st of December. But, as I stated, I do think the suggestion, which I take it the gentleman and the other conferees on the part of the House would concur in, that the Senate committee, with more information than the House committee had, could make the necessary allowances for this purpose is satisfactory, and I am sure will be satisfactory to the Department of State.

Mr. STAFFORD. Mr. Chairman, unless the gentleman from Massachusetts [Mr. ROGERS] prefers to take the floor now, I would like to make a statement.

Mr. ROGERS. I will be glad to defer my reply until the gentleman has finished.

Mr. STAFFORD. Mr. Chairman, the committee in determining the amount of appropriation for the State Department in no wise sought to hamper its activities.

Shortly after the outbreak of the European war the State Department had certain additional burdens placed on it while our Government, as a neutral, was representing certain belligerent Governments, whereby the committee recognized the need for providing additional clerks. To meet that condition the committee carried for three years temporary appropriations, carrying, respectively, $54,000 and $72,000. This year that temporary force of clerks that has been provided for the past three years under two separate items was incorporated into the permanent statutory roll. On yesterday I directed attention in some brief remarks in general debate to the growing appropriations occasioned by the world war, and pointed out the increase of appropriations for the clerical force in the State Department. May I repeat the figures that I then gave?

In 1917 we appropriated for the State Department clerical force $321,000 on the statutory roll and $126,000 additional for these two temporary forces, or making an aggregate of $447,000. In 1918 that was increased by reason of a temporary appropriation to a total of $582,000. Now, we all recognize the war is over, but in this bill we have appropriated the total sum for the statutory force of $529,840, and granted to the department an additional temporary appropriation to provide for the increased work thrown upon it by reason of war activity of $125,000, or making a gross total of $654,840. In 1917 the gross total for this department was $447,000.

We are appropriating a gross total in this bill of more than 50 per cent greater than in 1917, or $654,840. There is an impression in some departments that with the increase of work it is necessary to multiply the clerical force to correspond proportionately with the increased work, and yet any person who has acquaintance with business in the slightest degree knows that many times the total activities of a business concern may multiply fourfold or tenfold and yet the clerical force required to perform that work may only need to be increased twofold.

Mr. FLOOD. I did not exactly understand how much the gentleman stated is carried in the current law for the employment of this temporary clerical force.

Mr. STAFFORD. One hundred and twenty-five thousand dollars.

Mr. FLOOD. I mean in the law of 1919.

Mr. STAFFORD. In 1919 we carried $200,000 and gave a deficiency in addition of $200,000.

Mr. FLOOD. Making $400,000?

Mr. STAFFORD. Yes; $400,000.

Mr. FLOOD. That you reduce to $125,000?

Mr. STAFFORD. Yes; we reduced that to $125,000, but we have transferred to the permanent statutory roll those temporary employees, totaling in the appropriation $126,000, which at the outbreak of the European war was intended merely for temporary employment, arising out of the exigencies occasioned by the war. We have made them a permanent part of the State Department. In three years by the appropriations to-day we have increased the total appropriation 50 per cent. The committee thought we were not hampering the State Department in its activities by providing so liberal an increase in its appropriation over that of three years ago.

Mr. FLOOD. You are reducing it over 30 per cent from what it is in the current year.

Mr. STAFFORD. Oh, no. When the war was at its peak the State Department was besieged with thousands of matters which will not come up in the fiscal year that we are now appropriating for.

Mr. FLOOD. I say you are decreasing the State Department's appropriation by over 30 per cent.

Mr. STAFFORD. Yes; because we are recognizing that those conditions are on the decline. They will not require so much clerical force when peace is established.

Mr. FLOOD. The State Department's work will be greater in peace times than it was during the war.

Mr. STAFFORD. The State Department officials came before us when we granted this $126,000 for the temporary roll, and it was stated that it was merely to provide for those conditions where the United States Government was acting as an intermediary neutral for certain belligerent governments. We are not assuming the responsibility of other governments which were imposed upon us at that time and which they could not perform. Our State Department is relieved of that work at this time.

Mr. ROGERS. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last two words.

Mr. ROGERS. Mr. Chairman, I would like to engage the attention of the gentleman from Tennessee [Mr. BYRNS]. In lines 10, 11, and 12 of page 32 there is an appropriation, "Undersecretary of State, to be appointed by the President, by and with the advice and consent of the Senate, $7,500." That officer, of course, is to be known under a new name. He has been known in the past as Counselor for the Department of State.

Mr. BYRNS of Tennessee. The gentleman is correct.

Mr. ROGERS. He receives a salary which in amount is second only to that of the Secretary of State himself within the department. Whenever the Secretary of State is absent, as at the present time, the Undersecretary acts as Secretary of State.

While the point is rather a small one, it strikes me that he ought to be mentioned second in the roster of employees of the department rather than fifth. In other words, why in reason or otherwise should he be postponed to a place after the Assistant Secretary of State at $5,000 and the Second and Third Assistant Secretaries at $4,500 each?

Mr. BYRNS of Tennessee. If the gentleman will offer that amendment I will be glad to accept it.

Mr. MANN. The law requires it.

Mr. BYRNS of Tennessee. The reason this position is named where it is now in the bill is that the law provided for the Assistant Secretaries. There was no law providing for an Undersecretary of State, but a law providing for a counselor.

Mr. ROGERS. I move, Mr. Chairman, to transfer the language "Undersecretary of State, to be appointed by the President, by and with the advice and consent of the Senate, $7,500," placing it prior to the words "Assistant Secretary, $5,000; and Second and Third Assistant Secretaries, $4,500 each; Director of the Consular Service, $4,500."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: Page 32, line 10, transpose the following language: "Undersecretary of State, to be appointed by the President, by and with the advice and consent of the Senate, $7,500," in order that it will follow the language, "For Secretary of State, $12,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For temporary employees in the Department of State, $125,000: *Provided*, That not more than eight persons shall be employed hereunder at a rate of compensation exceeding $1,800 per annum.

Mr. DYER. Mr. Chairman, I desire to offer an amendment to this item, to which I crave the attention of the gentleman from Tennessee [Mr. BYRNS], and also his favorable attitude.

The CHAIRMAN. Where does the gentleman intend to offer the amendment?

Mr. DYER. Right at the end of the paragraph, where the Clerk read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 33, line 17, insert:
"*Provided*, That no part of any appropriation herein shall be used unless all former Government employees who resigned to enter the military service in the war with Germany shall be reinstated on application to their former positions appropriated for herein, if they have received an honorable discharge and are qualified to perform the duties of the position."

Mr. BYRNS of Tennessee. However much sympathy I have with the object of the gentleman, I must make a point of order on that.

Mr. MANN. What is the point of order?

Mr. DYER. It is not subject to a point of order.

Mr. BYRNS of Tennessee. It is legislation upon an appropriation bill.

Mr. MANN. This is a pure limitation.

Mr. BYRNS of Tennessee. It starts out as a limitation, but winds up as a strict piece of legislation.

The CHAIRMAN. The Chair will hear the gentleman from Missouri on the point of order.

Mr. DYER. Mr. Chairman, I take it that is purely a limitation upon this appropriation. In other words, it does not require the appointment of anybody or the reinstatement of anybody unless men who were in the service and resigned to enter the military service are found to be competent and qualified in every respect. If that is so, and they make application for their positions for reinstatement, then they are to be reinstated, and to that extent only is it a limitation upon the amount appropriated for herein. It has been, in effect, considered in previous bills of that kind.

The CHAIRMAN. Does the gentleman from Tennessee want to be heard on the point of order?

Mr. BYRNS of Tennessee. I have only this to say, that while the amendment starts out as a limitation, it winds up by saying that the money shall not be used unless a specific or certain thing is done. It is not a limitation upon how the money shall be expended or anything of that kind, but it seeks to enact legislation directing that a certain specific thing be done, having no connection with the appropriation. I think it is subject to the objection that it is legislation, and therefore not authorized on an appropriation bill.

Mr. MANN. Mr. Chairman, we could put a provision in this bill if we wanted to that no part of the money appropriated herein shall be expended unless the people employed have green eyes; that is, so far as the point of order is concerned. The limitation as to the point of order is not a matter addressed to the discretion of Members of the House as to how they want to vote, or as to what limitation they want to put in. This is not a direction to any department of the Government to do anything which it can not now do. Under the guise of a limitation we can not put in a provision requiring a department to do a thing which under law it can not do, because that is a change of law; but the gentleman from Tennessee [Mr. BYRNS] will not contend that the departments of the Government do not now have the authority to reinstate these soldiers who come home with honorable discharges, and if they have that authority we can say as a matter of limitation that they shall not expend the money unless they exercise the authority which they have, because that does not change the law at all. That is purely a limitation on the appropriation as to whether it shall be expended or not.

The CHAIRMAN. The question, of course, is whether or not this is a limitation, or whether in addition to being a limitation it proposes legislation. Now, the rule, as the Chair understands it, is that while it is not in order to legislate as to the qualifications of the recipients of an appropriation, the House may specify that no part of an appropriation shall be paid to persons lacking certain qualifications.

On January 30, 1901, the Agricultural appropriation bill was under consideration in Committee of the Whole House on the state of the Union, and the Clerk had read the paragraph relating to agricultural colleges, when Mr. Charles B. Landis, of Indiana, proposed this amendment:

Provided, That no part of the appropriation shall be available for the Agricultural College of Utah until the Secretary of Agriculture shall be satisfied and shall so certify to the Secretary of the Treasury that no trustee, officer, instructor, or employee of said college is engaged in the practice of polygamy or polygamous relations.

Some debate having taken place, and Mr. WILLIAM H. KING, of Utah, having suggested a point of order, the Chairman said:

There are two reasons why the Chair would be inclined to overrule the point. In the first place, it comes rather late, and, in the second place, the amendment seems to be a limitation upon this appropriation.

The amendment having been agreed to, Mr. KING offered the following amendment:

And that no person shall be appointed a teacher or trustee in any of said colleges who has been engaged in any lynching, and until proof shall have been furnished, to the satisfaction of the Secretary of Agriculture, that such teacher or trustee has not been guilty of adultery or fornication.

Mr. Charles H. Grosvenor, of Ohio, made the point of order that the amendment was not in order.

The Chairman said:

Let the Chair state to the gentleman that the ruling on the other amendment was that that was a limitation upon the appropriation—providing that no part of this appropriation shall be paid to the agricultural college, in general terms, until it was ascertained that no teacher or trustee was a polygamist. That is a general statement of that amendment. That was a limitation upon the appropriation. Then comes this independent proposition involving legislation. * * * The Chair sustains the point of order.

Thereupon Mr. KING offered the following:

Provided, That no part of this appropriation shall be available for the Agricultural College of Indiana, or any other State or Territory, until the Secretary of Agriculture shall be satisfied and shall so certify to the Secretary of the Treasury, that no trustee, officer, instructor, or employee of said college is engaged in the practice of polygamy or polygamous relations or is guilty of adultery or fornication.

Mr. Grosvenor made the point of order against the amendment.

The Chairman overruled the point of order and held that the amendment was in order.

The Chair has read from Hinds' Precedents of the House of Representatives, Volume IV, section 3942.

The Chair is of the opinion that the question presented by the amendment is on all fours with the one presented in the precedent cited by the Chair. The point of order is overruled. The question is on agreeing to the amendment.

Mr. DYER. Mr. Chairman, I desire two or three minutes to explain the amendment to the committee.

Mr. CLARK of Florida. We understand it.

Mr. DYER. This amendment provides nothing except that the men who were in the civil service of the Government, who resigned to enter the military or naval service, if they return with honorable discharges and are physically and otherwise qualified to go back into their old positions, and they apply for them, shall be given their positions back. That is everything this amendment provides for, and it is nothing more nor less than we have told the people of the country that these men should have. The President of the United States, I am sure, and every Member of Congress who had anything to do with the selective draft, believed that the men who gave up their positions and were called out, either through the draft or by volunteering, and went into the military service, should not lose their positions because of that service. That is all this requires.

Mr. HUMPHREYS. Does the term "military service," in the opinion of the gentleman, include service in the Navy and in the Marine Corps?

Mr. DYER. It has been ruled that that includes service in all branches.

Mr. BYRNS of Tennessee. Will the gentleman read the amendment again?

Mr. DYER. The amendment reads:

Provided, That no part of any appropriation herein shall be used unless all former Government employees who resigned to enter the military service in the war with Germany shall be reinstated on application to their former positions appropriated for herein if they have received an honorable discharge and are qualified to perform the duties of the position.

Mr. GRAHAM of Illinois. Does the gentleman think that includes those who were taken in by operation of the draft?

Mr. DYER. Yes.

Mr. GRAHAM of Illinois. The language is "who resigned."

Mr. DYER. They all resigned when they entered the military service. There is no difference between them, whether they entered through the selective draft or in the other way.

Mr. GRAHAM of Illinois. Does the gentleman know as a matter of fact whether there were formal resignations in all cases?

Mr. DYER. I do not know as to that, but I think it is so construed that a man who enters the military service must resign. He can only be separated in one of two ways, by resignation or discharge.

Mr. ROGERS. Why not put in the word "left"?

Mr. GRAHAM of Illinois. I am afraid that you will get into trouble about that. Make the language "enlisted or was drafted."

Mr. DYER. I have no objection to such an amendment.

Mr. HUMPHREYS. The amendment says if they are "qualified." Does the gentleman mean by that physically qualified?

Mr. DYER. That means that the men are physically qualified to perform the duties.

Mr. HUMPHREYS. You do not say physically, and if you leave it simply that if they are qualified, then that leaves it at last to the department chief, who has to make the employment, who has to accept or reject them; and if he does not want them, he will say that they are not "qualified."

Mr. RAMSEYER. Are the departments refusing to take back these men?

Mr. DYER. Yes; in some instances.

Mr. JUUL. Mr. Chairman, I desire one moment to support this amendment for the following reason: I received to-day a communication from Rock Island, Ill. A man who was a first-class draftsman in Rock Island left the service of the Government and enlisted in the Navy. When he was returned to Illinois he proceeded to Rock Island to secure his old position. Instead of being installed in the position he formerly held at $1,690 per year he was assigned to laboring work at $2.50 a day. It seems mighty poor reward for a man who volunteered in the service of his country when he comes home to find himself reduced from a $1,690 a year position as a first-class draftsman to the position of a laborer at $2.50 a day, and given the alternative of accepting that latter position or walking the streets. I have had to-day a most pathetic appeal to do something on the floor of this House to see that men similarly situated are accorded different treatment. I most heartily support this amendment, and hope that it will pass.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri.

Mr. DYER. Mr. Chairman, I understand the gentleman from Illinois desires to offer an amendment to it.

Mr. GRAHAM of Illinois. Mr. Chairman, I offer the following amendment to the amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. GRAHAM of Illinois: In the Dyer amendment strike out the following: "resigned to enter the military service," and insert in lieu thereof the following: "have been drafted or enlisted in the military or naval service of the United States."

Mr. EMERSON. Now let us have it reported as it will be if amended.

The CHAIRMAN. Without objection, the Clerk will report the amendment as amended.

The Clerk read as follows:

Page 33, line 17, insert the following:

"*Provided*, That no part of any appropriation herein shall be used unless all former Government employees who have been drafted or enlisted in the military or naval service of the United States in the war with Germany shall be reinstated on application to their former positions, appropriated for herein, if they have received an honorable discharge and are qualified to perform the duties of their office."

Mr. HUMPHREYS. Mr. Chairman, the amendment which the gentleman from Missouri offers provided that these men should be restored if they had entered the military service, and in response to a question from me he told me that the term "military service" covers service in the Navy, the Army, and the Marine Corps.

Mr. GRAHAM of Illinois. This is the military and naval service that is provided for now.

Mr. HUMPHREYS. If the term "military service" embraces service in the Navy and the Marine Corps, it ought to be left in the amendment in that way. If we, however, say military and naval service, I am not so sure but that may exclude service in the Marine Corps. If we use a general term, it takes in everything; and if we specify, it excludes everything else.

Mr. GRAHAM of Illinois. So far as I am concerned, if the term "military service" includes naval and Marine Corps service, I am content to strike out the words "and naval."

Mr. DYER. It does. There is no question about that.

Mr. GRAHAM of Illinois. Then I ask unanimous consent that the amendment may be modified by striking out the words "and naval."

The CHAIRMAN. Without objection it will be so ordered.

Mr. HUMPHREYS. Then I want to suggest this to the mover of the amendment, that we ought to put something there to indicate just what he means by the word "qualified."

Mr. DYER. I think we should leave it just as it is, because we do not want or expect the Government to take back anybody for the performance of duties in connection with the Government unless they are qualified; and this is plain enough; it shows the desire of Congress; it shows the intention, and there would never be any question about it. I do not think we ought to put in detail just what we mean by "qualified."

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. BYRNS of Tennessee. I want to call the attention of the gentleman to what we are about to do, it seems to me from a close reading of this amendment, and I am sure the gentleman does not intend to do what I think this amendment will do if adopted. This amendment, if adopted, will prevent the employment of any of the appropriations made in this act until after the department has ascertained whether or not there are men either in the Army or Navy who have been discharged who want their positions back. The gentleman's amendment reads as follows:

Provided, That no part of any appropriation herein shall be used unless former Government employees who resigned to enter the military service in the war with Germany shall be reinstated on application to their former positions, appropriated for herein, if they have received an honorable discharge and are qualified to perform the duties of their position.

Mr. DYER. The gentleman will note it says "who have applied." It does not include anybody except those who have applied for their positions and been found qualified. We put that in specially so there will not be any trouble in that respect. They must make their application before there can be, of course, any consideration. It is only those who have applied who will be considered, and I am sure the gentleman will not find any difficulty in that respect.

Mr. BYRNS of Tennessee. When shall they apply, at what time? I have no objection to an amendment of this kind if it

is so framed as not to interfere with the service of the Government, but I think there is very serious question whether or not this amendment would not carry an appropriation.

Mr. DYER. I will say to the gentleman I am as anxious as the gentleman is that there shall be no difficulty in this respect, and pending the completion of this bill I am perfectly willing it might be submitted to anyone or it might be given all the consideration possible, and in the event there is any trouble about it we can take it up.

Mr. MANN. The gentleman from Missouri need not be alarmed. If we vote this provision in the bill, it will not stay in this shape when the bill becomes a law, but there will be a provision of the bill when it becomes a law providing that these men who are in the Army and who are honorably discharged shall have their positions back again, and that is subject to the point of order at this time. The gentleman in charge of the bill probably feels obliged to make the point of order, but if this provision goes into the bill temporarily I hope the gentleman from Tennessee will use his great intellect—and he has a great intellect—to put in the proper language to accomplish what we would like to accomplish now but can not because of the rule of the House.

The CHAIRMAN. The question is on the amendment to the amendment.

Mr. JUUL. If the chairman will pardon me, is this subject to a further amendment?

The CHAIRMAN. No.

Mr. JUUL. If I can obtain unanimous consent, I would wish——

The CHAIRMAN. The gentleman can not offer an amendment in the third degree. There is already an amendment to an amendment pending.

Mr. JUUL. I would say if we insert the words "and stand ready to accept employment" we would have the evil cured.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Illinois [Mr. GRAHAM].

The question was taken, and the amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment as amended.

The question was taken, and the amendment as amended was agreed to.

The Clerk read as follows:

No money appropriated by any other act shall be used during the fiscal year 1920 for employment and payment of personal service in the Department of State in the District of Columbia.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I moved to strike out the last word for the purpose of bringing up again, with the indulgence of the committee, the subject mentioned by my friend from Texas [Mr. HARDY]. In the first place, I want to congratulate the gentleman, and if I had my hat on I would take it off to him. I bow down to him on account of his accomplishment. One lone Democrat has been able to accomplish more in the way of discharge of soldiers than all of the Republican side put together, and all the efforts that they have been making. I wish I knew how the gentleman did it. There are a number of others on this side who would like to get the recipe in some way and find out how or through whom, where, or whereby it is done.

Mr. MILLER of Minnesota. We would like to get the formula.

Mr. GREEN of Iowa. Let me tell the gentleman what information I got when I called on the War Department some time ago. Perhaps about three weeks ago I went to see The Adjutant General in person in reference to this matter of discharges. I was told that absolutely nothing could be done here in Washington—absolutely nothing—and I am not the only one who has been told that same thing. I do not know whether by The Adjutant General or by whom——

Mr. HARDY. If the gentleman will permit, was the gentleman informed that if he should make application of the officer in command at the camp located it would be taken care of?

Mr. GREEN of Iowa. I was told that that was the proceeding that should be instituted. They did not tell me anything in reference to such efforts as the gentleman from Texas has been making. Now, do not think that I object to the efforts of the gentleman from Texas. On the contrary, more power to his arm! I wish he could get all of these drafted men discharged, and if he will come over to my office when he has not any other employment I will give him 50 or 100 more to work on, and I hope he will be as successful as he was with the others.

Mr. HARDY. Has the gentleman followed the directions given him?

Mr. GREEN of Iowa. Oh, yes. They applied, and their applications were left in some cases for two months without any consideration.

Mr. HARDY. Has the gentleman given all those facts to the officers here and not gotten any satisfaction at all?

Mr. GREEN of Iowa. I have gone to the officers and have gotten no result. I do not know what the gentleman calls satisfaction. I can not complain of being treated discourteously as far as that is concerned. I never have been treated otherwise than courteously by any officer of any standing.

Mr. HARDY. The gentleman has never been treated discourteously here.

Mr. GREEN of Iowa. No; as far as that is concerned, I have no complaint. Let me tell the gentleman another thing in reference to some of these efforts. I got a letter the other day saying it was discussed by the officers of a certain camp to whom these vouchers were presented that if there were any efforts made to use political influence, meaning anything a Congressman did to alleviate the needs of these men and the hardship of their situation, or any attempt to tell the department, or even writing the officers by writing what the facts were and the urgency of the case, that that would be marked up against the applicants and counted against their record in the future. I hope the gentleman will not get into that kind of trouble.

Mr. HARDY. I will state to the gentleman my recollection is that upon a little impudence in a letter by some man when taken to the department they have brought the fellow over the coals.

Mr. GREEN of Iowa. I am very glad to hear that——

Mr. HARDY. I think if attention was called to the fact that a commanding officer or anyone else replied in any other way but politely that——

Mr. GREEN of Iowa. The great trouble appears to be not that they do not reply politely, but often they do not reply at all. I never have received any replies that were not perfectly polite except one from a second lieutenant, and I took into consideration that it was from a boy who probably did not think how it sounded.

But it is the exception to find a lieutenant who is not courteous.

Mr. FAIRFIELD. I was just going to say that I have written to the commanding officers in the cantonments, and they will not give me a reply at all. They absolutely ignore any letter or suggestion I make.

Mr. CHARLES B. SMITH. I do not like to take up the gentleman's time, but I had an experience similar to the one that was mentioned, except that when I had received a statement from the commanding officer of the camp that the man would be punished if I interfered further I went to The Adjutant General and he sustained the commanding officer, and said that he was correct in stating that the soldier would be punished if he obtained congressional interference.

Mr. GREEN of Iowa. The trouble is the gentleman is not in the right locality. He is on the right side of the House, but something is wrong or he would be as successful as my friend from Texas. But the gentleman from Georgia has stated a case where he should have had the gentleman from Texas have the party "hauled over the coals." Congress employs all these men, both high and low, and it should not put up with such conduct, whether it be on the part of The Adjutant General or somebody lower down. But I would want to have all the facts in the case before I convicted The Adjutant General. I can readily understand that there might be improper interference. On the other hand, it is not improper to write the commanding officer what a Congressman knows with reference to a case, and an insolent reply should be punished. Members of Congress know more about the facts in these cases than anyone else. They know what the situation is with reference to these men and their dependents, and their recommendations ought to be considered.

Mr. OVERSTREET. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read as follows:

Office of the Secretary: Secretary of the Treasury, $12,000; assistant to the Secretary, $5,000; 3 Assistant Secretaries, at $5,000 each; 2 additional Assistant Secretaries, at $5,000 each, in accordance with the authority contained in the deficiency-appropriation act approved October 6, 1917; clerk to the Secretary, $3,000; executive clerk, $2,400; stenographer, $1,800; 3 private secretaries, 1 to each Assistant Secretary, at $1,800 each; Government actuary, under control of the Treasury, $4,000; clerks—3 of class 4 (2 of whom shall act as private secretaries to the additional Assistant Secretaries authorized by the deficiency act of Oct. 6, 1917), 4 of class 3, 2 of class 2; chief messenger, $1,100; 2 assistant chief messengers, at $1,000 each; messengers—3 at $900 each, 5 at $840 each; in all, $78,200, or so much thereof as may be necessary.

Mr. SLOAN. Mr. Chairman, I move to strike out the last word. I do that for the purpose of calling attention to the salary of the Secretary of the Treasury, which has recently been pronounced insufficient for the then incumbent. Touching that proposition, I have no desire to say that it is any more than any occupant should have. I have a great regard for the present occupant of that position. What the Secretary is paid this $12,000 for is not for the purpose of creating a large expense to the country or causing a large expense of his own energy in developing and carrying out so-called policies not in harmony with the laws of the land as passed by Congress.

I read recently of the newly appointed Director General of the Railroads that his policy was to be the same policy as that of his predecessor. I understand it is the duty of a Secretary to carry out the policies outlined by the law-making body of the country and not those particular policies, beliefs, or doctrines derived from former prejudices, political beliefs, or directions of administration in conflict with the laws passed by Congress. We have recently been voting a large amount of long-time national indebtedness. Twenty-two billion dollars have been authorized and sixteen billions, roundly speaking, sold to the people. The people were called upon to buy that amount of bonds, and they responded. A large amount of that has been paid to maintain the Army, a considerable amount for the Navy, and generous sums for other purposes; but the largest single item—in fact, more than one-half of the amount realized from the sale of long-time bonds of this country—has been loaned to foreign countries. The amount now is something over $8,500,000,000, an enormous sum. It is nearly three times the amount of the total assets of the National Treasury, outside of the due bills that we have taken from these foreign countries. This amount in gold would load a train of cars 5½ miles long; each car with 50,000 avoirdupois pounds of gold in it. That would be more than one-half of the gold produced in the world in the last 500 years. Whether or not legislative authority of the countries borrowing was behind this paper is information that has never been vouchsafed to us. I do not charge that it has not been done; but the information has not come.

Mr. FAIRFIELD. Does the gentleman know whether or not there are any bonds held by us against the foreign nations for this debt?

Mr. SLOAN. Not a single long-time bond. Moreover, Secretary McAdoo who has just left the Cabinet was inquired of as to when these temporary certificates, or whatever you may see fit to call them, would be converted into long-time bonds as the American people expected. Yes; as the Congress said they should be converted. That is why I am talking about the policy of a national or a Cabinet officer. Some day we will have to settle whether the policies of an administration including Cabinet officers on the one hand or the Constitution adopted by the people and the laws of Congress on the other is the law of the land.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SLOAN. I will.

Mr. LONGWORTH. It is only fair to say that Congress only made that definite provision in regard to the 3½ per cent issue and not in regard to those subsequent.

Mr. SLOAN. Only made it definite; yes. It was kept in a rather indefinite form in the later issues. But the gentleman, who is a member of the Ways and Means Committee, knows that the reason why it was left indefinite was because it was said to be inconvenient in the hurry of making these loans to convert them into the more formal loans called long-time loans, and a reasonable time and opportunity was given under the enactments to enable conversion to be conveniently made. There is authority for their conversion in all of the issues and that authority was practically a command. That authority has not been used, and the question is whether it will be used or not. Demand notes, such as were taken, were never considered and there was no proper authority for their being taken. The law speaks about converting these short-time loans before maturity. But demand notes are not short-time notes. They are no-time notes.

Mr. LONGWORTH. The gentleman is entirely right in saying that none of them have been converted, but Congress only provided that the three and one-half's should be converted, and has not definitely provided that the others should.

Mr. SLOAN. Oh, no; not definitely as to when the later loans should be converted.

Mr. SHERWOOD. I would like to ask how much of that money went to Russia?

Mr. SLOAN. I will give the figures. I do not have them right before me.

Mr. SHERWOOD. Do you recollect how much?

Mr. LONGWORTH. I think it is substantially $300,000,000. My recollection is that the Secretary told us that about $300,000,000 had been loaned to Russia.

Mr. SHERWOOD. Were the due bills given by the Kerensky government?

Mr. SLOAN. One hundred and eighty-seven million seven hundred and seventy-nine thousand dollars was loaned to Russia. A greater sum was authorized.

Mr. SHERWOOD. Was a due bill given by the Kerensky government?

Mr. SLOAN. I presume it was, and it was signed by the diplomat representing the Government of Russia when Kerensky was in power. That is as I understand it. I am not giving it as absolutely definite.

Here I give the amounts of our foreign loans at the beginning of the year. They have been considerably increased since then:

Great Britain	$3,945,000,000
Belgium	212,855,000
Cuba	15,000,000
Czecho-Slovak	7,000,000
France	2,436,427,000
Greece	39,554,000
Italy	1,210,000,000
Liberia	5,000,000
Roumania	6,666,666
Russia	187,729,750
Serbia	12,000,000
Total	8,464,542,416

Mr. JUUL. Mr. Chairman, will the gentleman pardon one more question?

Mr. SLOAN. Yes.

Mr. JUUL. As to the statement made here by the gentleman from Nebraska, is it not a fact that if we had interest-bearing coupon bonds of the nations borrowing the money, with the interest derived from those bonds they would be almost sufficient to pay the indebtedness of the new securities held in this country for bonds which we have issued ourselves?

Mr. SLOAN. They would meet a large portion of our indebtedness. That has been explained to the American people. Thirty million dollars was paid out as expense in issuing our bonds, which the people purchased. It has been explained in every hall in this country that we were loaning the money to the allies——

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SLOAN. Mr. Chairman, I would like to have five minutes more.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection?

Mr. SLOAN. So that the boys, when they went and fought the battles of our country and came home, and in the course of 20 or 30 years had reached their maximum as wealth producers, they would not be forced into the position of having to pay the bonds as well as having won the war. So it was understood by the American people that these bonds taken from other countries would be the same practically as our bonds, remembering the distinction made by the gentleman from Ohio. The American people allowed those loans to be made upon this assumption that when the last war indebtedness due was demanded our foreign loans then due would pay them. Now, then, when the chairman of the Committee on Ways and Means asked the former Secretary of the Treasury about what was done about conversion, that official wrote as follows:

THE SECRETARY OF THE TREASURY,
Washington, November 5, 1918.

MY DEAR MR. KITCHIN: Your letter of the 28th ultimo has been duly received, asking for certain information regarding the conversion of the obligations of the allied Governments purchased under section 2 of the first liberty bond act into long-time obligations.

I take pleasure in advising you that none of the foreign obligations purchased pursuant to the authority of the first liberty bond act or the second liberty bond act or the acts amendatory thereof and supplemental thereto have been converted into long-time obligations, and no definite decision has been reached as to when, whether, or to what extent such conversion should be made.

If there ever was fine scorn sent from a Cabinet officer to the law-making body of this country, it is embodied in that letter. Reduced to an interrogatory, it is: What are you going to do about it?

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman pardon another question?

Mr. SLOAN. Yes.

Mr. GRAHAM of Illinois. Does the gentleman remember whether the English Government has ever presented this matter to the Parliament, or whether it has ever been presented to the French Congress for ratification in any way?

Mr. SLOAN. I do not know. I hold in my hand and will present for this RECORD a statement of England's estimated indebtedness, and there is no reference that any man can find to a dollar of indebtedness due from Great Britain to the American people. There is just one reference to an American loan; but that loan was made in 1916 and it refers, of course, to a loan secured by various securities sold in America, but it was not a loan made from the American Government.

Mr. GRAHAM of Illinois. Does the gentleman know whether these due bills or certificates which our Treasury Department holds as evidence of those debts are interest bearing or not?

Mr. SLOAN. I understand they are interest bearing and that interest has been paid upon them.

Mr. LONGWORTH. At the rate of 5 per cent.

Mr. SLOAN. But there is nothing except the authority that we gave them to collect the interest that we were to pay upon obligations of the same tenor and effect—our own obligations—which would relate to time and maturity and rate of interest and other essential elements, including gold standard of value of money payments, interest and principal.

Now, why the largest asset in the American Treasury—nearly three times, as I said before, all other assets in our Treasury—is not quoted in our daily report of the Treasury, and why our largest debtor, in the classification of its debts, said nothing specific about our loan I do not understand. I could find nothing in the Congressional Library more definite, nor could the men engaged in legislative research over there find any more definite statement in any recognized British work—anything showing what the amount of the American loan to the British Government was. I presume it is included somewhere in the various items of the statement, but where I can not locate.

I do not criticize that particularly, only it would seem that in the international bookkeeping these obligations should have been recognized and designated as, "The loan made Britain by the American Government amounts to so much," or to that effect.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. FAIRFIELD. Will the gentleman be kind enough to say as to the source of the statement he has there?

Mr. SLOAN. The statement I have was published in the official document issued under the direction of the President of the United States, known as the Official Bulletin, and heretofore under the immediate direction of one George Creel. The statement I here attach:

RECENT ESTIMATE OF BRITISH WAR DEBT ACCORDING TO THE LONDON ECONOMIST.

According to the London Economist (Sept. 28, 1918), the national debt of the United Kingdom shows the following growth since August 1, 1914:

[In millions of pounds.]

	Aug. 1, 1914.	Mar. 31, 1915.	Mar. 31, 1916.	Mar. 31, 1917.	Mar. 31, 1918.	Sept. 21, 1918.	Change since Aug. 1, 1914.
Funded debt	584.7	583.3	318.5	317.8	317.8	317.8	− 268.9
Term annuities	29.6	28.0	26.1	24.0	24.0	24.0	− 5.6
Unfunded debt:							
3½ per cent war stock	.....	349.1	62.8	62.7	62.7	62.7	+ 62.7
4½ per cent war stock	.....	.....	900.0	20.0	20.0	20.0	+ 20.0
4 and 5 per cent war stock	.....	.....	.....	1,962.4	2,073.0	2,034.4	+2,034.4
National war bonds	.....	.....	.....	.....	614.2	1,085.1	+1,085.1
Treasury bills	15.5	77.2	566.8	463.7	972.6	1,093.2	+1,077.7
Exchequer bonds	20.5	67.4	177.0	320.3	414.6	415.3	+ 394.8
War savings certificates	.....	.....	1.4	74.5	136.7	180.4	+ 180.4
War expenditure certificates	.....	.....	.....	23.6	22.9	7.4	+ 7.4
Other debt	.....	.....	9.2	316.5	936.9	1,189.2	+1,189.2
American loan	.....	.....	51.4	51.4	51.4	51.4	+ 51.4
Temporary advances	1.0	.....	19.9	217.5	192.2	328.8	+ 327.8
	653.3	1,105.0	2,133.1	3,854.4	5,839.0	6,809.7	+6,156.4
Other capital liabilities	57.2	57.0	56.7	52.2	51.2	51.0	− 6.2
Total liabilities	710.5	1,162.0	2,189.8	3,906.6	5,890.2	6,860.7	+6,150.2

Of the total war-time expenditure of £8,268,332,809, according to the Economist, £2,119,214,607, or 25.6 per cent, was met by revenue, and £6,149,118,202, or 74.4 per cent, by net borrowings. Expenditures include advances of the British Government to allies and dominions, which, according to official announcement (see London Statist, Aug. 3, 1918, p. 175), by the end of July, 1918, had reached a total of £1,610,500,000, composed of £1,275,500,000 advanced to the allies, of £208,000,000 advanced to dominions, and £126,500,000 of accrued interest, etc.

Loans to allies show the following distribution:

Russia	£568,000,000
France	402,000,000
Italy	313,000,000
Belgium, Serbia, Roumania, and Greece	119,000,000
	1,402,000,000

For the financial year 1918–19 it is estimated loans to allies will increase by £300,000,000, and loans to dominions by £50,000,000.

The CHAIRMAN. The time of the gentleman from Nebraska has again expired.

Mr. GREEN of Iowa. Mr. Chairman, I should like to have the gentleman's time extended five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the time of the gentleman from Nebraska be extended five minutes. Is there objection?

There was no objection.

Mr. GREEN of Iowa. I would say to my friend from Nebraska that I do not think any legislative action has been taken by either the French or the British Governments. I read the Parliamentary Debates of the British Government and glance over the résumé of the acts of the French Government, being able to understand French sufficiently for that purpose, and I never have seen any mention that either of those Governments has taken any such legislative action. Of course, it is possible I might have overlooked it.

Mr. SLOAN. I have kept watch over that proposition as well as I could. I do not claim that the Treasury Department has failed to take an acknowledgment of the indebtedness of these various countries to this Government; but when we loaned more than half the proceeds of all our bond issues, which have been bought by people of the United States, and we as a Congress had definitely directed what should be done with the first loan and modified the statement for the other loans, as we were assured, simply as a matter of convenience for the Treasury to ultimately carry out the purpose and spirit of the loans, good faith demands a compliance of the direct mandate and implied direction.

It would be unfortunate and humiliating if every man who went before his people and asked them to stand by the Government and pledge their money and their credit for the purpose of winning the war and of relieving the boys who fought the war 20 or 30 years hence from having to pay for the prosecution of the war, to have the Treasurer of the United States say he does not know whether, or to what extent, or when there will be any compliance with the law passed by Congress.

The authority for the making of foreign loans is found in the first and second bond authorization acts, as follows:

First—

[Public, No. 3, 65th Cong.; H. R. 2762.]

An act to authorize an issue of bonds to meet expenditures for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to extend credit to foreign governments, and for other purposes.

* * * * * * *

SEC. 2. That for the purpose of more effectually providing for the national security and defense and prosecuting the war by establishing credits in the United States for foreign governments, the Secretary of the Treasury, with the approval of the President, is hereby authorized, on behalf of the United States, to purchase, at par, from such foreign governments then engaged in war with the enemies of the United States, their obligations hereafter issued, bearing the same rate of interest and containing in their essentials the same terms and conditions as those of the United States issued under authority of this act; to enter into such arrangements as may be necessary or desirable for establishing such credits and for purchasing such obligations of foreign governments and for the subsequent payment thereof before maturity, but such arrangements shall provide that if any of the bonds of the United States issued and used for the purchase of such foreign obligations shall thereafter be converted into other bonds of the United States bearing a higher rate of interest than 3½ per cent per annum under the provisions of section 5 of this act, then and in that event the obligations of such foreign governments held by the United States shall be, by such foreign governments, converted in like manner and extent into obligations bearing the same rate of interest as the bonds of the United States issued under the provisions of section 5 of this act. For the purposes of this section there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $3,000,000,000, or so much thereof as may be necessary: *Provided*, That the authority granted by this section to the Secretary of the Treasury to purchase bonds from foreign governments, as aforesaid, shall cease upon the termination of the war between the United States and the Imperial German Government.

SEC. 3. That the Secretary of the Treasury, under such terms and conditions as he may prescribe, is hereby authorized to receive on or before maturity payment for any obligations of such foreign governments purchased on behalf of the United States, and to sell at not less than the purchase price any of such obligations and to apply the proceeds thereof, and any payments made by foreign governments on account of their said obligations to the redemption or purchase at not more than par and accrued interest of any bonds of the United States issued under authority of this act; and if such bonds are not available for this purpose the Secretary of the Treasury shall redeem or purchase any other outstanding interest-bearing obligations of the United States which may at such time be subject to call or which may be purchased at not more than par and accrued interest.

Second—

[Public, No. 43, 65th Cong.; H. R. 5901.]

An act to authorize an additional issue of bonds to meet expenditures for the national security and defense, and for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign governments, and for other purposes.

* * * * * * *

SEC. 2. That for the purpose of more effectually providing for the national security and defense and prosecuting the war, the Secretary of the Treasury, with the approval of the President, is hereby authorized, on behalf of the United States, to establish credits with the United States for any foreign governments then engaged in war with the enemies

of the United States; and, to the extent of the credits so established from time to time, the Secretary of the Treasury is hereby authorized to purchase, at par, from such foreign governments, respectively, their several obligations hereafter issued, bearing such rate or rates of interest, maturing at such date or dates, not later than the bonds of the United States then last issued under the authority of this act, or of such act approved April 24, 1917, and containing such terms and conditions as the Secretary of the Treasury may from time to time determine, or to make advances to or for the account of any such foreign governments and to receive such obligations at par for the amount of any such advances; but the rate or rates of interest borne by any such obligations shall not be less than the highest rate borne by any bonds of the United States which, at the time of the acquisition thereof, shall have been issued under authority of said act approved April 24, 1917, or of this act, and any such obligations shall contain such provisions as the Secretary of the Treasury may from time to time determine for the conversion of a proportionate part of such obligations into obligations bearing a higher rate of interest if bonds of the United States issued under authority of this act shall be converted into other bonds of the United States bearing a higher rate of interest, but the rate of interest in such foreign obligations issued upon such conversion shall not be less than the highest rate of interest borne by such bonds of the United States; and the Secretary of the Treasury, with the approval of the President, is hereby authorized to enter into such arrangements from time to time with any such foreign governments as may be necessary or desirable for establishing such credits and for the payment of such obligations of foreign governments before maturity. For the purposes of this section there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $4,000,000,000, and in addition thereto the unexpended balance of the appropriations made by section 2 of said act approved April 24, 1917, or so much thereof as may be necessary: *Provided*, That the authority granted by this section to the Secretary of the Treasury to establish credits for foreign governments, as aforesaid, shall cease upon the termination of the war between the United States and the Imperial German Government.

SEC. 3. That the Secretary of the Treasury is hereby authorized, from time to time, to exercise in respect to any obligations of foreign governments acquired under authority of this act or of said act approved April 24, 1917, any privilege of conversion into obligations bearing interest at a higher rate provided for in or pursuant to this act or said act approved April 24, 1917, and to convert any short-time obligations of foreign governments which may have been purchased under the authority of this act or of said act approved April 24, 1917, into long-time obligations of such foreign governments, respectively, maturing not later than the bonds of the United States then last issued under the authority of this act or of said act approved April 24, 1917, as the case may be, and in such form and terms as the Secretary of Treasury may prescribe; but the rate or rates of interest borne by any such long-time obligations at the time of their acquisition shall not be less than the rate borne by the short-time obligations so converted into such long-time obligations; and, under such terms and conditions as he may from time to time prescribe, to receive payment, on or before maturity, of any obligations of such foreign governments acquired on behalf of the United States under authority of this act or of said act approved April 24, 1917, and, with the approval of the President, to sell any of such obligations (but not at less than the purchase price with accrued interest unless otherwise hereafter provided by law), and to apply the proceeds thereof, and any payments so received from foreign governments on account of the principal of their said obligations, to the redemption or purchase, at not more than par and accrued interest, of any bonds of the United States issued under authority of this act or of said act approved April 24, 1917; and if such bonds can not be so redeemed or purchased the Secretary of the Treasury shall redeem or purchase any other outstanding interest-bearing obligations of the United States which may at such time be subject to redemption or which can be purchased at not more than par and accrued interest.

It will be observed that under the first $3,000,000,000 in foreign loans were authorized. Under the second there was authority for four billions. In the later bills authorizations raised amounts for foreign loans to $10,000,000,000 total. No material change was made about terms of conversion.

Consideration of this matter has become important, because within 30 days it has been seriously suggested by prominent sentimentalists that these debts be forgiven and canceled. If such a course were seriously considered by Congress or the administration, there would be little market for another issue of United States bonds.

Quite recently it has been proposed that these evidences of indebtedness might be sold for ready money on the market and let the next generation pay the $10,000,000,000 coming due in 20 or 30 years. That would be equivalent to a guardian selling the securities of his ward to pay the guardian's own proper debt, hoping that the ward would forget, or at least forgive, the misapplication on settlement day.

Mr. JUUL. Will the gentleman yield?

Mr. SLOAN. Yes.

Mr. JUUL. If I have understood the remarkable speech of the gentleman correctly, the gentleman has practically stated here this afternoon that there is a doubt in his mind whether or not the gentlemen acting for these foreign governments had legislative authority back of them.

Mr. SLOAN. I am not emphasizing that particularly.

Mr. JUUL. I want the gentleman to state directly if he knows whether there was legislative authority back of the loans made by this country to these other foreign governments?

Mr. SLOAN. I do not know, because those who had charge of the loans, and to whose audience we were not admitted, have not given us that information. I have spoken of this not for idle criticism. The present Secretary of the Treasury has said to the country that the new bond issue of $5,000,000,000 was not to be a commercial one. That it is to be based upon an appeal to the patriotism of the people. It would seem to me that one of the best ways to go to the people asking for a loan of $5,000,000,000, not as a matter of investment, but as a matter of patriotism, would be to carry out in good faith the pledge made to the people of the United States and the pledge made to the 4,000,000 American soldiers now or heretofore in the service. It would seem to me that if they are talking about policies, it would be a very good time for our new Secretary of the Treasury, when this new bond issue is about to be made, to say to the American people, "I am going to carry out the pledge made to the American people. I am going to convert these sight drafts or due bills, or whatever they are, into long-time bonds, corresponding with the bonds that were sold to the American people," so that 20 or 30 years from now, when the bonds come due, the boys will say, 'Yes; we will pay them.' Congress in 1918 and 1919 provided a trust fund invested in foreign securities to pay these American securities when they came due. Use them for the purpose for which they were taken."

Mr. SHERWOOD. Do I understand the gentleman to say that more than one-half of the four issues of liberty bonds have been loaned abroad?

Mr. SLOAN. Yes.

Mr. SHERWOOD. Is that the gentleman's statement?

Mr. SLOAN. Something over $8,500,000,000 have been loaned abroad and about $16,000,000,000 liberty bonds have been sold.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FOCHT. I ask unanimous consent that the gentleman have one minute more.

The CHAIRMAN. Unanimous consent is asked that the gentleman's time be extended one minute. Is there objection?

There was no objection.

Mr. FOCHT. In connection with the $8,000,000,000 which the gentleman says have been loaned to various European Governments, do I understand that there has not been a satisfactory accounting for it up to this time?

Mr. SLOAN. I have gone into details. I would leave the question as to "a satisfactory accounting" to the judgment of the House. It has not been satisfactory to me.

Mr. FOCHT. Is it not up to the Congress to call upon the authorities to see that there is an accounting?

Mr. SLOAN. I think Congress ought to rise to its duty in a number of respects, and this subject is one of them.

Mr. FOCHT. I am quite in accord with that view.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask the Clerk to read.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

To enable the Secretary of the Treasury to enforce the provisions of the act of March 23, 1910 (36 Stat., p. 241), when instituting inquiry into the solvency of bonding companies doing business with the Government, $5,000; the expense of each examination to be reimbursed by the bonding company examined.

Mr. WALSH. I desire to ask the chairman of the committee having charge of this measure if the purpose of this is to have the Government make an investigation of a bonding company with which it is transacting business?

Mr. BYRNS of Tennessee. Yes.

Mr. WALSH. As to its solvency, and then require the bonding company to pay the expense of the investigation?

Mr. BYRNS of Tennessee. It does that now under the law.

Mr. WALSH. This is new law in this bill, is it not?

Mr. BYRNS of Tennessee. The Government makes the investigation now under the law and the bonding company pays the expense of it.

Mr. WALSH. No; the part requiring the bonding company to reimburse the expense of such examination is new legislation. Does the gentleman contend that that is a wise policy for the Government?

Mr. BYRNS of Tennessee. Many of the bonding companies do quite a large business with the Government. They are very solicitous about securing that business. Now, it is necessary for the Government to make such investigations from time to time to determine whether or not they are solvent and their bonds are sufficient protection to the Government. The very fact that they do business with the Government, outside of the fees that they receive, is in itself worth a great deal to each company. My impression is that the law now provides that the bonding companies shall pay these expenses. I may be mistaken in that. It is being looked up so as to be certain.

Mr. WALSH. The effect of this legislation is substantially this: The bonding company seeking to do business with the

Government will come to some official and say, "We would like to furnish these bonds or underwrite this liability, and if you will send your experts to examine our books as to our solvency and give us this business, why we will pay all the expenses of the examination."

It would seem to me that if the Government is going to do business with a concern and conduct an examination as to the financial responsibility of the concern, that where the Government is making that examination for its own protection the Government ought to be able to pay for it.

Mr. BYRNS of Tennessee. Under the law every company doing a bonding business with the Government is required to file with the Secretary of the Treasury a statement, signed and sworn to by its president and secretary, showing its assets and liabilities. That report must be filed in the months of January, April, July, and October. Then the Secretary of the Treasury has the power and it is made his duty to revoke the authority of any such company to transact any new business under this act whenever, in his judgment, that company is not solvent or is conducting its business in violation of the act. I submit the only way the Secretary of the Treasury can determine whether or not the company is solvent is by an examination.

Mr. WALSH. Certainly.

Mr. BYRNS of Tennessee. And this provision here is simply to pay the initial expenses necessary to make these investigations from time to time. They are to be made only in case where from the report filed it is apparent some investigation should be made.

Mr. WALSH. But the bonding company is required to reimburse the expenses, that is to say, to pay for the examination. The Government might through this method do all of its business with one company.

Mr. GARNER. We want an examination of a particular company. We say, "It is very expensive, and we have no money to do it with, and therefore we will have but one company that we are doing business with, and we will decline to do business with another bonding company."

Mr. BYRNS of Tennessee. And, as the gentleman from Nebraska suggests, that is true in case of insurance companies.

Mr. WALSH. That is for the protection of the policyholders.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. Mr. Chairman, I still further reserve the point of order.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. The gentleman from Massachusetts has the floor.

Mr. EMERSON. Is this agreeable to the insurance companies?

Mr. BYRNS of Tennessee. I have not consulted the insurance companies as to whether it is agreeable.

Mr. EMERSON. I did not know but that something happened before the committee that would indicate that.

Mr. BYRNS of Tennessee. This recommendation was made by the Treasury Department.

Mr. LOBECK. And there is no question that the insurance companies or the bonding companies are very willing to pay for the examination, to have their companies examined, so that the Government may know that they are reliable.

Mr. BYRNS of Tennessee. I am quite sure that they are willing to pay the expense.

Mr. WALSH. They are willing to pay for a certificate of good character issued by Uncle Sam.

Mr. LOBECK. Why should Uncle Sam pay for it?

Mr. WALSH. If the Government is going to require an investigation as to the solvency of a bonding company which is soliciting its business, the question is whether or not it would not be better for the Government to pay for the expense of that examination, rather than make the bonding company reimburse it. Would it not lead to more efficiency in the examination that is to be made?

Mr. BYRNS of Tennessee. I do not think so. I can not understand why it would have that effect.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. GARD. Why can not the Government issue its own bonds without all of this intervening process, providing for an examination and paying for it?

Mr. WALSH. I understand the Government is in the business of issuing bonds, though I do not know that they are bonds of this character.

Mr. GARD. I mean bonds for its employees, trust bonds.

Mr. FOSTER. The insurance companies do not want to go into that business.

Mr. LOBECK. The Government carries its own insurance.

Mr. WALSH. What is the explanation of the matter, taken in conjunction with the statute that the gentleman read?

Mr. BYRNS of Tennessee. It is put in here simply so that we may be certain that these companies are going to be examined from time to time, and that the Government will not stand to lose possibly hundreds of thousands of dollars by some company becoming insolvent.

Mr. WALSH. Of course the gentleman would not contend that simply because the Government has made an examination as to the solvency of the company, therefore it could not become insolvent.

Mr. BYRNS of Tennessee. Not at all, but I submit to the gentleman that if we are simply to take the statements filed during these months that I have named and make no investigation of the books of the company and their assets at any time, it is entirely possible that insolvent companies might be carrying bonds and that ultimately the Government might stand to lose many thousands of dollars in the case of some particular defalcation.

Mr. WALSH. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

Bureau of War Risk Insurance: For expenses of the Bureau of War Risk Insurance, as authorized by law: For salaries of the director and commissioners, and of such deputies, assistants, accountants, experts, clerks, and other employees in the District of Columbia, as the Secretary of the Treasury may deem necessary, $9,509,630; stationery and minor office supplies, $150,000; miscellaneous expenses, including telephones, telegrams, freight, express, foreign postage, not exceeding $100 for street car fares, and not exceeding $500 for law books, books of reference, and periodicals, $25,000; printing and binding, to be done at the Government Printing Office, and necessary printing of forms, etc., for use abroad may be done abroad, $125,000; furniture, equipment, and supplies, $175,000; traveling expenses (exclusive of field investigations), $5,000; salaries and expenses of employees engaged in field investigations and expenses of not more than eight temporary branch offices, $1,000,000; in all, $10,989,630: *Provided*, That all employees appropriated for by this paragraph shall be engaged exclusively on the work of the Bureau of War Risk Insurance during the fiscal year 1920.

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. BYRNS of Tennessee. But I understand that the gentleman from Massachusetts has reserved the point of order. Ought not that to be disposed of before the amendment is offered?

The CHAIRMAN. Does the gentleman from Massachusetts insist upon his point of order?

Mr. WALSH. I reserve the point of order. I reserve the point of order to the proviso for the purpose of making inquiry as to why you provide that none of the employees of this bureau may be discharged during the year 1920?

Mr. BYRNS of Tennessee. There is no such provision, I will say to the gentleman, as that.

Mr. WALSH. Well, it says, "*Provided*, That all employees appropriated for by this paragraph shall be engaged exclusively on the work of the Bureau of War Risk Insurance during the fiscal year 1920."

Mr. BYRNS of Tennessee. That was put on simply for the protection of the Treasury and this bureau as well. Here is a lump sum out of which these employees are paid. Now, we want to be sure that those who are employed out of that lump sum are employed upon the work of this War Risk Bureau, and not appointed to the War Risk Bureau roll and transferred to some other bureau of the Treasury Department.

Mr. WALSH. The gentleman wants to make sure that those employees down there are employed exclusively by the War Risk Bureau?

Mr. BYRNS of Tennessee. Yes.

Mr. WALSH. Does the gentleman think this is going to add to the efficiency of the bureau?

Mr. BYRNS of Tennessee. I hope it will. It will not detract from it.

Mr. WALSH. If they transfer about a thousand to some other department it will be the greatest move toward efficiency in the bureau that could be taken.

Mr. BYRNS of Tennessee. This provision will certainly subtract from some of the excuses we have heard here in the past as to the failure to pay allotments and allowances promptly, but whether it does that or not the gentleman can see this very clearly, if authority is given to employ persons out of this lump sum and they are put on the rolls of the bureau and then transferred to some other bureau of the Government, either the work of the bureau may be crippled or this fund may be used for other Government work. What the committee was trying to do was to see to it that the fund here appropriated is used exclusively for the work of the Bureau of War Risk Insurance, and not provide

a lump sum for half a dozen other bureaus in the Treasury Department.

Mr. WALSH. Has that practice prevailed during the past year?

Mr. BYRNS of Tennessee. Not in this bureau. A similar provision has been carried for a great number of years with reference to The Adjutant General's office in the War Department.

Mr. WALSH. There are half a dozen other bureaus here where there is no such proviso as that, and if nothing like that has occurred what was there to lead the committee to fear that a large number of these employees might be transferred? We are discharging employees; we are even inviting them to resign and holding out inducements that their traveling expenses will be paid to their homes when the measure that has been signed in a foreign land reaches this country by ocean steamship in the future.

Mr. BYRNS of Tennessee. The hearings disclose there were employees detailed out of the War Risk Bureau at the time these hearings were held whose salaries aggregate $25,840.

Mr. WALSH. To what branches were they detailed?

Mr. BYRNS of Tennessee. There were four or five to the office of the Assistant Secretary of the Treasury, Mr. Love, another one to the chief clerk of the Treasurer's office, another one to the Secretary's office, and still another to the office of the chief clerk, and two more to the office of Secretary Love, and one to the office of the Secretary.

Mr. WALSH. The Secretary and Mr. Love have both separated themselves from the service, have they not?

Mr. BYRNS of Tennessee. I know, but the positions still exist.

Mr. WALSH. It was not the position that caused the transfer; it was probably the men, and if those gentlemen have resigned, it is likely the new Secretary will not require the services of these men.

Mr. BYRNS of Tennessee. I hope not, but there can be no harm in this provision.

Mr. WALSH. The gentleman does not think these employees were transferred unnecessarily, and if they were not we do not want to prevent the Secretary of the Treasury from having these employees in the future if he needs them.

Mr. BYRNS of Tennessee. It has been the contention of the committee and the Congress for years that where a bureau needs employees they should come here through regular estimates and tell the Congress what the needs are, so Congress will be able to make the proper appropriations. We do not want to make an appropriation of $10,000,000 for employees in the Bureau of War Risk Insurance and have a number of them transferred to some other bureau of the department.

Mr. WALSH. The only number that have been transferred in amount aggregate some $25,000 in salary.

Mr. BYRNS of Tennessee. Twenty-five thousand eight hundred and forty dollars.

Mr. WALSH. And those were transferred to the Secretary's office and the Assistant Secretary who had charge of this particular bureau.

Mr. BYRNS of Tennessee. I will say to the gentleman there are six of them who have been transferred to the office of the chief clerk of the Treasury Department, and certainly he has nothing to do except in a general way with this bureau. There were eight of them transferred to the office of Assistant Secretary Love. Now, he is in charge of this bureau as Assistant Secretary, and, of course, I take it this provision would not affect him. There was one transferred to the office of Assistant Secretary Rowe and one to the Treasurer's office.

Mr. WALSH. Has the gentleman the figures here showing the number of employees in the War Risk Bureau and the average rate of compensation?

Mr. BYRNS of Tennessee. Yes; I think I have those facts. There are some 13,000, including those under contract. I can give the gentleman the exact number in a short time. There are over 9,000 on the rolls paid an annual salary and something over 4,000 who are employed under contract.

Mr. WALSH. Has the gentleman the average rate of compensation?

Mr. BYRNS of Tennessee. Yes; I have that. I can not tell the gentleman exactly the average rate, but my recollection is it is about $1,100 a year, or a little more.

Mr. WALSH. Are there not three classes of employees rather than two?

Mr. BYRNS of Tennessee. The gentleman will find a complete explanation on page 1008 of the hearings.

Mr. MADDEN. Why not put it in the RECORD, so as to let us have it?

Mr. WALSH. Mr. Chairman, this is clearly——

Mr. BYRNS of Tennessee. I find the average salary is $1,117.

Mr. WALSH. It is clearly a legislative provision upon this paragraph, and is not a limitation in any way that I can see.

Mr. BYRNS of Tennessee. It is a limitation, I will say to the gentleman, pure and simple.

Mr. WALSH. It is rather a requirement that the money shall be expended in a certain way. I will withdraw the reservation of the point of order.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word.

Gentlemen, I have always contended that the Government can not conduct any business as efficiently as a private individual can. I do not believe the Government ought to engage in any kind of business unless it is absolutely necessary as a part of the police powers of the country or for the purpose of maintaining the morals or health of the people. In other words, I never have believed in any more government than was absolutely necessary to maintain the life, liberty, and pursuit of happiness of the people.

When the bill relative to the War Risk Insurance Bureau was proposed here it was stated that it was not the intention of the Government to go into the insurance business, but that on account of the fact that these men who are apt to go into the military service might be injured, and on account of the fact that their insurable value was to be taken away from them on their entrance into the Military Establishment, we ought to take the place of it by some adequate insurance. With this idea I was heartily in accord. It was then stated by those who were proponents of the bill that as soon as the men got out of the service, if they were able to get insurance in other places, it was the purpose of the Government to have them drop the insurance, and only carry those who could not get insured any place else. The manifest purpose of the War Risk Insurance Bureau or the Government now, so far as either seems to have any control over this, is to continue men in this insurance taking their insurance from the Government and continue the Government in the insurance business as to all those who now have policies with it. The hearings show, I understand, that about four million have embraced the provisions of this act and have made application and are now carrying insurance under its terms. And the War Risk Insurance Bureau in all its material that it publishes and puts out insists and urges that the men be asked to continue this governmental insurance.

Mr. FESS. Will the gentleman yield to an interruption?

Mr. GRAHAM of Illinois. Yes, I yield to a question.

Mr. FESS. The new director of the War Risk Insurance Bureau stated before the Rules Committee in the hearings that the Government, in his judgment, never would discontinue the insurance along this line.

Mr. GRAHAM of Illinois. So it is now the purpose, gentlemen, of the Government of the United States to embark in the insurance business on a large scale and to carry, if possible, a large insurance business, now totaling approximately 4,000,000 policyholders. We can not do it as we can do any other business, as efficiently and as economically as it can be done by those established agencies that have been doing this kind of business for years.

And in order to illustrate what I have stated here, I want to call your attention to the expense that is now connected with the running of this War Risk Insurance Bureau. I protested when this bill was up here, and when it was being passed, as did some others, that we ought to use the established machinery of the Pension Bureau, so far as it was possible, at that time having over 900 employees and something like 4,500 field examiners, for this purpose, but those who proposed the bill would not have anything to do with that bureau, and said it could not be done. We are now running this with approximately 4,000,000 policyholders, and I want you gentlemen on this committee to notice some comparisons that I shall make. We have at this time on the permanent roll of the War Risk Insurance Bureau 11,108 employees.

Mr. MADDEN. You have more than that.

Mr. GRAHAM of Illinois. I am talking about the permanent roll. It has 11,108 employees. I got these figures this morning from the director of the Bureau of War Risk Insurance himself, and I therefore presume they are authentic. You will observe that this bill carries appropriations of approximately $10,000,000 for this bureau for the next fiscal year. Do you know what the pay roll of the permanent employees is at present in this bureau? It is $12,502,600, exceeding the amount named in the bill by $2,000,000, just for the simple item of the permanent employees in the bureau.

Mr. MADDEN. How many temporary employees have they?

Mr. GRAHAM of Illinois. There are three classes, as were mentioned by the gentleman from Massachusetts a moment ago.

There are the permanent employees; the contract roll, so called; and the piece-rate roll. On the contract roll there are approximately 945 employees. On the piece-rate roll—that is, those who are brought in to work by the piece—there are 2,450 employees. The contract roll costs us per year $926,470, or about $1,000,000. The piece-rate roll, 2,450 employees, costs $1,567,306 a year. Or we have a total pay roll in Washington—and now I am not including the field operators or the class that is working out over the country making investigations or the New York office, but I am including simply the Washington employees—of $14,996,376.76, or approximately $15,000,000 a year for these men here in the city of Washington.

Now, there is no overhead charge in that; there is no office expense. There is nothing else. It costs us $15,000,000 a year to carry the pay roll of employees who are running this War Risk Insurance Bureau now, and they are handling, gentlemen, 4,000,000 claims. A large part of that work is taken away and is now being performed by the Quartermaster Department of the United States Army, namely, the allotment work.

Let me call your attention to what is being done by some of the life insurance companies of the country. I have no interest in these life insurance companies. I give this information directly as I get it from the presidents and secretaries of the various companies from whom I have obtained it. In September a year ago the New York Life was carrying a million policies. It had on its pay roll 1,683 employees, who were doing all that business. The Mutual Life Insurance Co., of New York, had 600,000 policies, and it had 2,000 employees. Now, notice these figures as to the Prudential. The Prudential Insurance Co. had 15,000,000 policyholders and had 28,000 field men, agents, solicitors, and all kinds of employees to handle those 15,000,000 policies.

Mr. HUMPHREYS. Twenty-eight thousand employees?

Mr. GRAHAM of Illinois. Yes; 28,000 employees to handle those 15,000,000 policies. Now, the Prudential policies, as I understand them, gentlemen, are policies where their collections are made largely monthly or weekly; that is, the great bulk of their business is conducted by the month, or in certain periods, and necessarily a great many field men or solicitors are necessary.

Now, how many employees did it take to run this business per million? The New York Life takes 1,683 employees to handle a million policies. The Mutual Life has about 2,200 employees, with 600,000 policies. The Prudential took 1,866 employees per million. If the Prudential Life could handle the bulk of business that is being handled by the War Risk Insurance Bureau, on the same proportion they would do it with 7,464 employees. Instead of 7,464 employees we have, approximately, as has been said here, 14,503 employees. In other words, in order to handle the business that we ought to handle with 7,464 employees we are using over 14,000 to do it.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield there?

Mr. GRAHAM of Illinois. Yes.

Mr. RAYBURN. The gentleman wants to be fair. Surely the gentleman does not contend that we are carrying 14,000 employees to attend to simply the insurance features of the War Risk Insurance Bureau?

Mr. GRAHAM of Illinois. I mean that we are having that many men to carry on the business of 4,000,000 policyholders.

Mr. RAYBURN. In the Army?

Mr. GRAHAM of Illinois. Yes.

Mr. RAYBURN. Fourteen thousand people.

Mr. GRAHAM of Illinois. I said so. Does the gentleman doubt it?

Mr. RAYBURN. The gentleman surely does not want to convey the impression that in the insurance division of the War Risk Insurance Bureau there are 14,000 employees. The insurance division is not the largest division.

Mr. GRAHAM of Illinois. I understand it is the biggest end of the business.

Mr. RAYBURN. The gentleman must know that more than half of the employees in the War Risk Bureau are in the allotment and allowance divisions.

Mr. GRAHAM of Illinois. Let me answer the gentleman's question. I said there were 4,000,000 policyholders in the war-risk insurance business being handled by that bureau. The allotments and allowances and the insurance business, of course, is being done, but a large part of the allotments are being handled by the Quartermaster Department of the Army, and the work being done on the insurance policies is no greater than that which is being done by the Prudential or the New York Life or the New York Mutual.

Mr. BYRNS of Tennessee. The director stated that the insurance division has now only 2,400 employees.

Mr. GRAHAM of Illinois. I do not care what the director says. I know that the employees are there, and they are being hired and paid for, and I know that they have 4,000,000 policyholders in the Army and Navy to attend to. We know what their business is. We know it is to take care of the allowances and allotments and insurance.

Mr. RAYBURN. And compensation.

Mr. GRAHAM of Illinois. That is a small amount.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. STEVENSON. How many years has it taken the New York Life Insurance Co. to put a million policyholders on its books?

Mr. GRAHAM of Illinois. I can not say.

Mr. STEVENSON. Four million have been put on the books here. The New York Life Insurance Co. has been in business since 1850.

Mr. GRAHAM of Illinois. What has that to do with the proposition that I am now submitting, that it takes twice as many employees for us to do the same bulk of business as it would take a private institution?

Mr. STEVENSON. It has this to do with it: That if the New York Life Insurance Co. undertook to put 4,000,000 policyholders on its books in one year, it would have to largely increase its force, would it not?

Mr. GRAHAM of Illinois. I do not know about that.

Mr. RAYBURN. And the gentleman says that this life insurance company could do its business with 7,000 employees.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. RAYBURN. And the gentleman says this life insurance company can do the amount of business that the War Risk Insurance Bureau is doing with 7,400 clerks, when the statistics show that that bureau is doing it with 2,400 clerks.

Mr. GRAHAM of Illinois. The only difference between the gentleman from Texas and myself is that he is distinguishing the insurance end of this business from the other divisions of it.

Mr. RAYBURN. What has the New York Life to do with it?

Mr. GRAHAM of Illinois. I am talking not only about the New York Life, but also the New York Mutual and the New York Prudential.

Mr. RAYBURN. All the insurance companies in the United States have not got as much insurance in force as the Bureau of War Risk Insurance has. Has the gentleman counted it up to see how many men the life insurance companies have to transact their business?

Mr. GRAHAM of Illinois. I do not understand the gentleman's question.

Mr. RAYBURN. I say the Bureau of War Risk Insurance has 2,400 clerks, and it has more insurance in force than all the private companies in America. Has the gentleman gone into the question to see how many employees the private insurance companies of the United States have?

Mr. GRAHAM of Illinois. I am giving the gentleman the figures as given to me by the Bureau of War Risk Insurance, of the employees who handle the total business of that bureau.

Mr. RAYBURN. But the gentleman surely does not want to convey the impression that those 14,000 clerks are all in the insurance section of the War Risk Bureau?

Mr. GRAHAM of Illinois. I did not say so.

Mr. RAYBURN. I should hope the gentleman would not want to convey that impression.

Mr. GRAHAM of Illinois. What I have said is that there are 4,000,000 policyholders of the War Risk Insurance Bureau. Now, as a large amount of this work that is being done by the War Risk Insurance Bureau relates to allotments, there is a comparatively small amount of work to be done——

Mr. RAYBURN. By whom?

Mr. GRAHAM of Illinois. By the bureau.

Mr. RAYBURN. By what division of it?

Mr. GRAHAM of Illinois. The bureau itself. What I mean is that the bureau handles its work through these employees, and I do not know how they are divided.

Mr. RAYBURN. It has two or three million allotments which have to be handled each month.

Mr. GRAHAM of Illinois. The gentleman from Texas is taking a good deal of my time, but I want to answer him, if I can.

Mr. RAYBURN. The gentleman does not want to put himself in a false light.

Mr. GRAHAM of Illinois. I am not going to do so, and I do not propose to let the gentleman do it.

Mr. RAYBURN. To my mind the gentleman was creating a false impression, and I am sure he does not intend to do that.

Mr. GRAHAM of Illinois. I do not think so. I have contended that there are these 4,000,000 policyholders of the Government, whose work is being handled by 14,000 employees, and I have said, or tried to say, that the work that is being done as to these various policies is not any greater in the aggregate than is being done, for instance, by the Prudential Life Insurance Co. as to its various types of policyholders, some of whom have annuities, some of whose collections are taken monthly, and the bulk of whose business differs very much from that of a straight insurance company. And I believe that the Prudential Life Insurance Co., or some other company doing a regular life-insurance business, could do this business much more economically and efficiently than it is now being done by our War Risk Insurance Bureau.

Mr. TILSON. I wish to ask the gentleman from Texas if he thinks the amount of insurance in force is a fair measure of comparison, when the War Risk Insurance policies are largely for $10,000 each, a very large amount, as insurance policies go? Practically the same amount of work has to be done on a small industrial policy as on a large policy. On the other hand, has the gentleman taken into consideration the fact that a large number of the employees of the Prudential, for instance, are solicitors for the business of that company, whereas in this Government insurance there is no occasion for soliciting?

Mr. RAYBURN. The gentleman says that these war-risk insurance policies are for $10,000. Let me call the gentleman's attention to the fact that most of the insurance premiums in the United States are paid annually, whereas these war-risk insurance premiums are paid monthly.

Mr. TILSON. Yes; but the war-risk premiums do not have to be collected by solicitors.

Mr. RAYBURN. If you will divide each of these $10,000 policies by 12, it will give a fairer comparison of the relative amount of business.

Mr. EMERSON. The Prudential Insurance Co. collects weekly.

Mr. TILSON. Weekly or monthly——

Mr. RAYBURN. On all of its policies?

Mr. TILSON. Whereas the collections on the war-risk insurance policies are made from the pay rolls of the soldiers.

Mr. RAYBURN. Does the gentleman say that all the premiums of the Prudential Insurance Co. are collected weekly?

Mr. TILSON. Premiums for industrial insurance, which constitutes a very large portion of the total number of policies of the Prudential Insurance Co., are usually collected weekly or monthly.

Mr. GRAHAM of Illinois. Here is what I am trying to get at. I have already called attention to the great disproportion in the number of employees in this governmental bureau, as compared with the number engaged in other insurance work, and the thing I want to suggest to the members of this committee is whether this Congress is willing now to embark upon the insurance business or whether we want to encourage that sort of a proposition. I am entirely willing and glad to have the Government carry the insurance of these soldiers and sailors who come back who can not get insurance elsewhere. I think that is the thing for us to do. I am also glad to embark upon any scheme that will carry their insurance for a reasonable time, until it can be transferred to other agencies that can carry it; but I do not believe it is wise or practicable or good economics for us now to start upon the idea of a Government insurance company.

Mr. EMERSON. If this War Risk Insurance Bureau is abolished, what becomes of the men who have been injured in the war? How will they be taken care of? I want to get the gentleman's idea about that.

Mr. GRAHAM of Illinois. The men who are injured ought to be continued as insurable risks by the Government, because there is no other place for them to get their insurance. We pledged them that before we went to war.

Mr. EMERSON. I think that is right.

Mr. GRAHAM of Illinois. We want to make good our pledge.

The CHAIRMAN. The time of the gentleman has expired. The pro forma amendment is withdrawn. The Clerk will read.

Mr. BYRNS of Tennessee. Mr. Chairman, I want to make this statement in response to the gentleman and in explanation of this appropriation. This appropriation is $1,378,000 less than the estimate submitted and $181,370 less than the amount appropriated for the current year. The gentleman from Illinois [Mr. GRAHAM] has assumed in his remarks that practically all of the employees in the Bureau of War Risk Insurance are engaged in the insurance work. As a matter of fact, only about one-fourth, or less than one-fourth, of the employees at the present time are engaged in the insurance division of the War Risk Insurance Bureau.

Mr. GRAHAM of Illinois. What makes the gentleman think that I assume that?

Mr. BYRNS of Tennessee. That is what I understood the gentleman to say in his comparison of the number of employees here at the War Risk Insurance Bureau with the number of employees in the various insurance companies.

Mr. GRAHAM of Illinois. The gentleman misunderstood me; I did not so state at any time. In fact, I expressly disavowed that. I stated the number of men employed by the War Risk Insurance Bureau, and then I went on to develop the theory that this work they were doing in respect to these millions of policyholders was no greater in amount than was being done by the insurance companies. I did not intend to say, nor do I intend to say, that they are entirely in the insurance work.

Mr. BYRNS of Tennessee. I do not want to misquote the gentleman, but I understood the gentleman to say that by comparison with the insurance company to which he referred this work ought to be done with 7,000 employees here in the insurance division. As a matter of fact only 2,400 are so employed. I want to call the attention of the committee to this fact. Here are 4,000,000 policyholders. Twelve notices have to be sent out each year to each policyholder, one each month, and then the War Risk Bureau here collects the premium 12 times from each policyholder. If the policyholder fails to remit promptly, he is sent a second notice within 60 days, and then if he fails to remit he is sent another notice requiring in this notice that he shall furnish an affidavit as to his physical condition; and if I remember correctly, he is then sent still another notice before he is dropped from the rolls, because the policy does not lapse for six months after default.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. MANN. Does the War Risk Insurance Bureau require these soldiers to personally remit each month?

Mr. BYRNS of Tennessee. That is taken out of the pay of the soldier at the present time.

Mr. MANN. But the gentleman said they had to send a notice each month to each soldier and get the remittance from the soldier.

Mr. BYRNS of Tennessee. I was speaking with reference to the next fiscal year, for this appropriation applies to the next fiscal year, and at that time it is to be hoped that most of these men will have been discharged and will be in the civilian positions.

Mr. MANN. I hope so.

Mr. BYRNS of Tennessee. We all understand that as long as the soldier is in the Army or the Navy his premium is deducted from his pay, unless he has requested otherwise.

Mr. MANN. What use have they for 2,400 or 400 employees to do that?

Mr. BYRNS of Tennessee. I have just stated to the gentleman that these payments come in monthly. There are 4,000,000 of them. They necessarily require a great number of clerks to keep the audit and keep the record of these payments made by these soldiers and sailors.

The fact that they have 2,400 employees now does not mean that they are not going to need more during the next fiscal year, because necessarily that division will have to be increased to a considerable extent for the reasons I have just stated. In addition to that, under the law each soldier has a right to convert his policy whenever he chooses, and it is expected that a great many of these conversions will be requested and will take place during the next fiscal year. Examinations have to be made, investigations have to be made from time to time, and in addition to that there are quite a number of these employees in the War Risk Bureau who are employed in the allotment and allowance section. Of course that is going to be largely decreased, I hope, by July 1, but nevertheless there will be required a considerable number of employees during a portion of the next fiscal year.

Mr. MANN. The gentleman lands himself in this position, as far as this appropriation is concerned. He says that it requires no considerable clerical work to take care of the payments in the insurance part of it now, because that is a deduction from pay, but he says that will be decreased because men are discharged from the Army, and when they are discharged there are no further allotments and allowances to be taken care of. My colleague from Illinois called attention to the fact that you propose to appropriate, and, in fact, have a force down there of 14,000 people employed under this department, and that while

the people are in the Army the war-risk insurance, as insurance, amounts to but little, and that after they are out of the Army the allowance and allotment will amount to nothing.

Mr. BYRNS of Tennessee. The gentleman was incorrect in his statement that there will be 14,000 employees, because the War Risk Bureau only estimates for the next fiscal year 9,101 employees, and the committee cut their estimate $1,378,000.

Mr. MANN. How much less is the appropriation next year than it is for the present year.

Mr. BYRNS of Tennessee. $181,370.

Mr. MANN. Less next year than in the current year; and you propose to reduce the clerical force from 14,000 to how many?

Mr. BYRNS of Tennessee. But the gentleman overlooks the fact that while it is $181,370 less than the appropriation for the current year, the Bureau of War Risk Insurance is asking for a deficiency for the remainder of this fiscal year to take care of these employees. They estimate for only 9,101 employees for the next fiscal year. The committee has cut their estimate $1,378,000, which applies not only to employees but to the work of investigation.

Mr. MANN. If the gentleman will pardon me, I do not know how many employees they need or how many they have, but I am in favor of giving them all that they ask for, because I think they are the ones to be held responsible. They are not attending to the insurance business properly; they are not attending to the allowance business properly; and they are not attending to the allotment business properly.

There is not one of these branches where the work is up to date or where any satisfaction can be obtained from the bureau in reference to any individual case.

Mr. BYRNS of Tennessee. I know there has been a great deal of dissatisfaction with the bureau. I certainly hold no brief for the bureau, because I have had a number of cases myself of which I have made serious complaint, but I am satisfied that the present director of the bureau, who comes very highly——

Mr. MANN. Talks good; but does he do anything?

Mr. BYRNS of Tennessee. He has not had an opportunity to show the gentleman and other Members of Congress just what he will do, but those who know him are satisfied that he is going to make good.

Mr. MANN. I received the same letter from him this morning that every Member of Congress did, asking when we had any complaints to make that we address it to him personally. Thereupon I wrote him a letter. I do not expect it would receive any attention at all if I did not make this remark. Now, I expect it will, but the other letters which will not be sent to him—I have scores of them—will not receive the attention of the War Risk Bureau. They are not attending to anything down there and have not been since he has been in, as far as my observation and experience goes.

Mr. BYRNS of Tennessee. He has only been in a week or so.

Mr. FOSTER. He has been in less than 30 days.

Mr. MANN. Thirty days is time to do something with 10,000——

Mr. FOSTER. He is doing something.

Mr. MANN. I will not say he is not, but it is being done for the Democratic side of the House; we have not observed any over here. The gentleman from Texas [Mr. HARDY] gets things done, but I can not get such things done.

Mr. FOSTER. The gentleman complained of Brown to-day, and he is a Republican, not a Democrat.

Mr. BYRNS of Tennessee. The gentleman from Illinois raises the question of what these employees who are now in the insurance division are doing. I want to read this, which will show just what kind of work they are accomplishing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. I ask for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee (reading)—

Up to this time, these employees have been engaged chiefly in the preparation of the records of insurance taken by the four and a quarter million men in the Army and in the Navy who have applied for insurance. Indexes and premium-card records have been prepared and insurance certificates have been issued. While the men have been in the service the premiums, amounting now to about $24,000,000 a month, have been collected by the pay officers of the Army and Navy. With the return of the men to civil life, the collection of the premiums will have to be made by the insurance division, and this will mean mailing a premium notice each month to every man after his discharge if he continues his insurance, and recording the premium if he pays it, as well as sending follow-up notices to all persons who become delinquent in the payment of their premiums. An insurance policy will have to be issued in every case where the insured elects to change from the present term insurance to a standard form of policy. This work of conversion, of course, will not all be done in the fiscal year of 1920, but must be begun during the year and must be finished within five years from the termination of the war. It is safe to assume that for a long time to come there can be no reduction in the number of persons employed in the insurance division. On the other hand, it is probable that, even with the introduction of the best labor-saving devices available, some increase in the force will be necessary.

In making this recommendation for over $10,000,000 the committee was actuated by this purpose and this purpose alone. We wanted to give this Bureau of War Risk Insurance all the money that was necessary to do this work properly, so that it could not be said that they did not have sufficient employees to do the work of that bureau.

Mr. WALSH. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. WALSH. How many buildings is that bureau occupying at the present time?

Mr. BYRNS of Tennessee. They are occupying at the present time 15 buildings, and that has been offered as one of the reasons for the failure to promptly settle all cases.

Mr. WALSH. Does the gentleman expect them to move into the Arlington Building?

Mr. BYRNS of Tennessee. This bill provides that they shall have a place in that building as soon as completed.

Mr. WALSH. How soon will that building be completed?

Mr. BYRNS of Tennessee. The building, I understand, will be completed by February 1, or at least the main building. The annex will be completed some months later.

Mr. WALSH. Will that go a great ways toward relieving this opportunity for criticism?

Mr. BYRNS of Tennessee. Undoubtedly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Michigan. I ask that the gentleman's time be extended for a few minutes—two minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SMITH of Michigan. Will the gentleman please explain how long the Government will carry these policies of $10,000 that are now held by soldiers after they are discharged?

Mr. BYRNS of Tennessee. The soldiers may convert their policies at any time for five years after their discharge.

Mr. RAYBURN. They are carried as long as the man lives.

Mr. SMITH of Michigan. What are they going to be converted into that requires the consent of some insurance company?

Mr. GARRETT of Tennessee. Oh, no. In the document room the gentleman can find a copy of the law. It does not require that they be converted with the consent of an insurance company. The Government carries the insurance under the law that was passed as long as the man lives.

Mr. SMITH of Michigan. That is what I wanted to find out—if they had that right. What is the rate? Is there an increase of the rate, or is it at the same rate?

Mr. GARRETT of Tennessee. The mortality tables—3½ per cent—with which the gentleman is perfectly familiar.

Mr. FESS. I would like to have the attention of the chairman of the committee for just a moment or two. These three divisions in the War Risk Insurance Bureau—compensation, allowance, and insurance—will not be perpetual, of course. The allotment and allowance divisions will stop as soon as the close of the war is officially announced.

Mr. BYRNS of Tennessee. As soon as the soldiers are discharged.

Mr. FESS. The compensation division might be taken care of by the Pension Department if Congress saw proper to transfer it. That would leave the insurance division a permanent bureau. My question, and it is in the best of faith, is: In the opinion of the chairman, what will be the number of men and women to take care of the insurance feature alone? Has the gentleman any figures on that at all?

Mr. BYRNS of Tennessee. I have not; and those appearing for the bureau at the hearings could not state definitely. All they could say was that it was going to require quite an increase over the present number of employees, growing out of the necessity of sending these notices and follow-up notices to which I have referred.

Mr. FESS. It will be an increase rather than a decrease?

Mr. BYRNS of Tennessee. It will be increased considerably.

Mr. FESS. As the gentleman knows, it is so difficult to detach anyone from the Government service that there will be all sorts of arguments that this person or that person should be retained, and it seems to me that is a fact we ought to consider pretty minutely.

Mr. BYRNS of Tennessee. I did not mean that the gentleman should understand me as saying that there would not subsequently be a decrease, but I was referring to the fiscal year 1920. There will be a considerable increase of employees required during that year, and perhaps the next year, until these policies are

all converted. After that, in all probability, the force can be reduced to a considerable extent.

Mr. FESS. My correspondence, as I am sure the gentleman's does, pertains much as to the allowance features. Mr. Lindsley frankly said before the Rules Committee that the War Risk Insurance Bureau had not very well functioned, admitted there was a lot of irregularity, and promised the committee there would be a reorganization, with the assurance that there would be better results. That is one reason why the committee felt that the new director should have plenty of time to indicate what reforms could be worked.

Mr. BYRNS of Tennessee. Will the gentleman yield for a statement right there that has not been made on the floor, and which I think should be made in justice to the former heads of the bureau? It was stated to the committee that the work in the allotment and allowance section, the sending out of the checks, was greatly delayed during the "flu" epidemic here in the city of Washington. A great percentage of the employees were away from the bureau for a considerable number of days. Then, in addition to that, they installed some addressograph machines in the bureau for addressing these checks, and the plates were defective; and owing to the great difficulty in securing material and getting competent expert men to do that work they were unable to supply those plates for a considerable length of time. Those things militated considerably against the prompt handling of the checks for allotments and allowances. The gentleman no doubt received a number of letters, as I did and as all Members of the House did, complaining that checks were two or three months behind during the fall. And that was the explanation given for this delay.

Mr. FESS. There was an immense amount of confusion in that section, as the gentleman knows. Checks were sent out that would be irregular and would have to be returned. And that would indicate there is quite a large force in the allotment and allowance section, and when that discontinues there ought to be a great reduction in the number of employees in this bureau.

Mr. BYRNS of Tennessee. That is all contemplated, and they will be considerably reduced during the next fiscal year. But those employees will be taken up in the increase necessary in the compensation division and insurance division.

Mr. FESS. So that with the discontinuance of the second section, we will not reduce the number of employees in the bureau materially?

Mr. BYRNS of Tennessee. Oh, yes; because there are now about 13,000 employees in these three different classes in the bureau. The estimates submitted only contemplated a little over 9,000 employees for the next fiscal year.

Mr. FESS. That would indicate that about 5,000 are taken out of this second section?

Mr. BYRNS of Tennessee. Not particularly that section, but it indicated that they were going to drop or expected to drop during the next fiscal year at least 4,000 employees.

Mr. FESS. I think the committee has quite a task on its hands in reducing the number of employees. I was lately talking with a man that had 300 men under him, and he said that he could get along with 30. I think such an error as that ought to be corrected, and I think if it was brought to the attention of the committee it would be corrected. The reason I have risen is not to attack the number but to indicate the difficulty of detaching from the roll any person when once put upon the roll. It seems to me we have got to use the knife somewhere.

Mr. BYRNS of Tennessee. I am frank to say that there is necessarily a great deal of uncertainty as to how many employees will be needed during the next fiscal year. Now, we did not have the advantage and opportunity of hearing the new director, because these hearings were held before he was appointed. But we felt we ought to be certain to allow a sufficient number so that there could not be any complaint during the next fiscal year concerning delays.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask that the gentleman have two minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Ohio have two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. GRAHAM of Illinois. I notice the gentleman says 13,000 employees. Does not he agree with me that the number now is approximately 14,500, or does the gentleman have any accurate information as to the situation to-day?

Mr. BYRNS of Tennessee. Yes.

Mr. GRAHAM of Illinois. The director of the bureau, if the gentleman will yield further, gave me these figures this morning, giving 14,403 employees in the contract piece roll and the permanent and temporary rolls. Does the gentleman think that during the next fiscal year those employees that are engaged there will be increased or decreased?

Mr. BYRNS of Tennessee. They will be greatly decreased; necessarily so. As the Army demobilizes these employees will be decreased in number.

Now, the gentleman asked me as to the number of employees. Mr. Brown was asked—

Mr. Brown, how many employees are in the bureau at this time?

He replied:

We have approximately 13,000, including the permanent, temporary, and contract employees.

That is where I get my information.

Mr. GRAHAM of Illinois. The statement I have given was given me this morning. It was given by the telephone, but the person who gave it purported to be the director of the bureau, and I presume he was. He gave me those figures exactly as I have given them here.

Mr. BYRNS of Tennessee. This statement I have quoted was made on December 13.

Mr. SWITZER. Mr. Chairman, I want to disagree with this notion that the number of employees in this establishment will be decreased next year or the year following. Sight is lost of the fact that very few of the men who have gone into this war, the 4,000,000, have yet made application for pension. In the war-risk insurance law it is called "compensation." While you may get reduction of the allotment and allowance features, here comes the pension feature of the war-risk insurance act under title 3. Most of the soldiers will then be out of service, and it will not be easy then to collect these premiums, as it is now, by deducting from the pay of the soldiers. They will have to be notified. They can not be dropped out abruptly, and it will require more time in the collection of premiums and in the conversion of this great amount of life insurance into other forms and policies under the law, as contemplated.

So in my opinion it will be a long time, just as it has been in the Pension Bureau a number of years, before this force can be reduced; that is, if the force now employed is working efficiently. Necessarily for a number of years the force will have to be increased in the War Insurance Bureau rather than decreased.

I am one of the Members of Congress who opposed at the time of the passage of this law the taking away from the Pension Bureau of the business that properly belonged to that bureau and placing it in the War Risk Insurance Bureau. It seems to me that subsequent events have justified the wisdom of the contention of those who were opposed to ignoring the two pension committees of this House, when merely because the Secretary of the Treasury, who was then seeking work and seemed to be wanting other jobs, inasmuch as appointments did not come fast enough, issued a command to the Committee on Interstate and Foreign Commerce to reach into the Department of the Interior and take away from that department work that properly belonged to the Bureau of Pensions and placed it under the War Risk Insurance Bureau. The Secretary of the Treasury, through the Committee on Interstate and Foreign Commerce, reached into the War and Navy Departments and took away work that properly belonged to those departments and put it into the War Risk Insurance Bureau and concentrated all of this work under one head. I take it that the Secretary of the Treasury thought it would be popular then to be the head of this great bureau which was being created, but it seems since all this trouble has developed that he has taken a sudden action to resign and go West.

Now, gentlemen, I refer you to the bill that has been introduced here by a Representative from Illinois, Mr. FULLER, who in a speech made last Saturday stated what I have no doubt is true, that all of the work that is being done and that will be done in the War Risk Insurance Bureau by reason of the passage of title 3 of the war-risk insurance act, the pension part of it, could all be done in the Pension Bureau practically by the force that is now employed there. If that is true, why not take away from the War Risk Insurance Bureau this work that should not have been given to it and transfer it to the Pension Bureau? Will it not save a great deal of money?

Mr. RAYBURN. How do you know that?

Mr. SWITZER. Here is a bureau whose machinery has been built up during the past 55 years.

Mr. RAYBURN. How do you know it would save money?

Mr. SWITZER. I have the statement of the gentleman from Illinois [Mr. FULLER], who is on the Committee on Invalid Pensions. You can read his speech. I have no doubt the Pension Bureau could take care of all the pension work that is being done to-day in the War Risk Insurance Bureau if that work were placed in the Pension Bureau.

Mr. RAYBURN. Oh, the Pension Office has been behind ever since I have been in Congress with the little work it has to do.

Mr. BYRNS of Tennessee. Does not the gentleman know that the Pension Bureau has been complaining to the Committee on Appropriations of the very fact that there was inserted in the bill a couple of years ago a provision preventing them from increasing their force and complaining that with their present force they have been unable to do their work?

Mr. SWITZER. Of course, there is no bureau that wants to drop any of its force. I understand that.

It has been stated here in this debate that we have been exceedingly liberal to the soldiers in the way of pensions. The great trouble in this Congress, I think, has been that we have stressed too much the importance of the insurance feature. I find that scarcely half of the soldiers, even after they get home from their service, know that they are entitled to a pension if they have been crippled or have received an injury.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SWITZER. Mr. Chairman, I would like to have just two or three minutes longer.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SWITZER. For some reason or other the matter of insurance has been impressed upon the minds of the soldiers, but nothing has been said to them about their right to have a pension if they become crippled or diseased.

Mr. RAYBURN. Let me ask the gentleman a question.

Mr. SWITZER. Very well.

Mr. RAYBURN. Neither the soldier nor any of his people has any claim on this compensation unless he is crippled. They have no interest it it unless he is hurt.

Mr. SWITZER. What I want to impress upon the members of this committee is that at this time, on account of this propaganda emphasizing the war-insurance feature, which has overshadowed everything else, neither the soldiers nor their families are aware of the fact that they are entitled to a pension. Their families seem to know nothing about it until long after they have received notice of the soldier's death. Now, it has been stated that we have been more liberal than any other Congress. I do not understand that we have been more liberal for these crippled and maimed soldiers. I believe there was an amendment made to the law offered by me giving a soldier who lost both hands, both feet, or both eyes $100 a month, the same as they received under the pension law that has been on the books for at least a decade. Now, as I understand it, for a total disability, under this law only $30 can be paid. What is the rating of the War Risk Insurance Bureau on a man who has lost an arm or a hand or a leg? Can the gentleman tell me? It could not be over $30 a month. And yet when the first million men enlisted or were drafted the law was this: For the loss of one hand or one foot, or being totally disabled in the same, the rate was $40 per month; for the loss of an arm at or below the elbow or a leg at or above the knee, or being totally disabled in the same, the rate was $46 per month; for the loss of an arm at the shoulder joint or a leg at the hip joint, or so near the shoulder or hip joint, or where the same is in such a condition as to warrant the use of an artificial limb, the rate was $55 per month; for the loss of one hand and one foot, or being totally disabled in the same, the rate was $60 per month.

Now, in the pension law, at the time the first million men were enlisted or drafted, this was the rate of compensation to be paid for those specified losses. Yet, day by day we hear statements here that we have been more liberal to the maimed and disabled soldiers than past Congresses or other countries, and so forth.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Auditing accounts of the Army in France: For salaries of employees in the offices of the Comptroller of the Treasury and Auditor for the War Department to audit accounts arising in connection with the Military Establishment abroad, including traveling expenses, per diem not exceeding $4 in lieu of subsistence for officers and employees absent from Washington, rent abroad, cablegrams and telegrams, printing, stationery, office equipment and exchange thereof, supplies, and all other necessary expenses, $375,000, of which not exceeding $75,000 may be expended in closing up during the fiscal year 1920 the work abroad now performed pursuant to the authority for auditing accounts abroad contained in section 12 of the act of September 24, 1917.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee a question about this item at the bottom of page 44, for the offices of the Comptroller of the Treasury: How many auditors are there in France under this section? When I was going across to the other side this fall there were 14 auditors on the ship that I sailed on, who said they were engaged in this kind of work, and I would like to know how many men there are doing this sort of work over there.

Mr. BYRNS of Tennessee. About 175 in Paris now, I understand.

Mr. GRAHAM of Illinois. One hundred and seventy-five?

Mr. BYRNS of Tennessee. Yes.

Mr. GRAHAM of Illinois. Those men are engaged in checking the vouchers that pass between the Treasury and the War Department?

Mr. BYRNS of Tennessee. They are there for the purpose of auditing the accounts of the War Department for supplies and other expenditures made in France.

Mr. GRAHAM of Illinois. Does the gentleman know about what their average salary is?

Mr. BYRNS of Tennessee. Yes; I do. Their salaries are placed at different amounts. Under the Comptroller of the Treasury there is an assistant comptroller, at $4,500; one chief clerk, at $300 per month; one expert accountant, at $250 per month; two expert accountants, at $200 per month each; one clerk, at $160 per month; one clerk, at $140 per month; two clerks, at $110 per month.

Then, there are 165 persons employed in the office of the Assistant Auditor for the War Department at Paris, at follows: One assistant auditor, $4,000; 1 chief clerk, at $250 per month; 1 expert accountant, at $250 per month; 1 clerk, at $200 per month; 1 clerk, at $160 per month; 9 clerks, at $150 per month; 20 clerks, at $135 per month; 78 clerks, at $125 per month; 25 clerks, at $110 per month; and 28 clerks, at $100 per month.

The CHAIRMAN. The clerk will read:

The Clerk read as follows:

OFFICE OF AUDITOR FOR NAVY DEPARTMENT: Auditor, $4,000; chief clerk and chief of division, $2,250; law clerk, $2,000; 2 chiefs of division, at $2,000 each; 2 assistant chiefs of division, at $2,000 each; clerks—27 of class 4, 45 of class 3, 45 of class 2, 65 of class 1, 35 at $1,000 each, 7 at $900 each; helper, $900; messenger; 2 assistant messengers; 3 laborers; messenger boy, $480; in all, $324,790.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. What is the desire of the chairman of the committee having the bill in charge as to running this evening?

Mr. BYRNS of Tennessee. The gentleman knows that we were disappointed about not being able to meet at 11 o'clock this morning, and, as we have not made much headway, I had hoped we might be able to run at least until 7 o'clock.

Mr. STAFFORD. Would it be agreeable to the gentleman to move to rise at 6.30, with the understanding that we will try to have an agreement that we may meet at 11 o'clock to-morrow morning?

Mr. BYRNS of Tennessee. Yes; if I can not do any better than that.

Mr. STAFFORD. I am informed that the gentleman stated that he would do even better than that under compulsion.

Mr. BYRNS of Tennessee. No; I will accept the suggestion of the gentleman from Wisconsin.

The Clerk read as follows:

Office of the Treasurer: Treasurer, $8,000; Assistant Treasurer, $3,600; Deputy Assistant Treasurer, $3,200; cashier, $3,600; assistant cashier, $3,000; chief clerk, $2,500; chiefs of divisions—2 at $3,000 each, 3 at $2,500 each; 3 assistant chiefs of divisions, at $2,250 each; vault clerk, $2,500; principal bookkeeper, $2,500; 2 tellers, at $2,500 each; assistant tellers—2 at $2,250 each, 3 at $2,000 each; 5 section chiefs, at $2,000 each; assistant bookkeepers—2 at $2,100 each, 2 at $2,000 each; interest teller, $2,000; vault clerk, bond division, $2,000; clerk for Treasurer, $1,800; coin clerk, $1,400; clerks—25 of class 4, 28 of class 3, 8 at $1,500 each, 32 of class 2, 8 at $1,300 each, 115 of class 1, 85 at $1,000 each, 45 at $900 each; expert counters—40 at $1,200 each, 10 at $1,100 each, 44 at $1,000 each, 90 at $900 each, 12 at $800 each, 26 at $720 each; 2 compositors and pressmen, at $1,600 each; addressograph operator, $1,400; 2 skilled laborers, at $1,200 each; silver piler, $1,000 and $200 additional while the office is held by the present incumbent; 14 messengers; 8 assistant messengers; 23 laborers; messenber boys—8 at $600 each, 14 at $480 each, 8 at $360 each; in all, $778,170.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word. I want to ask about the language in line 22—"and $200 additional while the office is held by the present incumbent."

I assume there is some reason for that, and I would like to know what it is.

Mr. BYRNS of Tennessee. There is a reason for it. That is on account of the very great efficiency of a silver piler who has been employed in the Treasurer's office, for many, many years. It has been stated to the committee that he is a Swede, a man of very powerful build, who has worked very faithfully and efficiently for a number of years in that office.

Mr. GRAHAM of Illinois. This has been customary heretofore?

Mr. BYRNS of Tennessee. It has been carried for the last two or three years.

The Clerk read as follows:

Office of Commissioner of Internal Revenue: Commissioner, $6,500; deputy commissioners—2 at $4,000 each, 1 $3,600; chemists—chief $3,000, 1 $2,500; assistant chemists—2 at $1,800 each, 1 $1,600, 1 $1,400; heads of divisions—1 $3,500, 5 at $2,500 each, 5 at $2,250 each; 3 assistant heads of divisions, at $2,000 each; attorney, $3,600; law clerk, $2,000; insurance expert, $2,000; railroad expert, $2,000; superintendent of stamp vault, $2,000; private secretary, $1,800; clerks—4 at $2,000 each, 52 of class 4, 60 of class 3, 98 of class 2, 83 of class 1, 76 at $1,000 each, 73 at $900 each; 11 messengers; 21 assistant messengers; 16 laborers; in all, $687,870.

Mr. SLOAN. Mr. Chairman, the reading of this paragraph suggests to me that this office will be, probably during the next fiscal year, somewhat modified perhaps by that which has occurred to-day. Nebraska, of which I represent one district, is the thirty-sixth State to ratify the amendment to the Constitution of the United States known as the prohibition amendment. Nebraska was the thirty-seventh State to enter this Union. Modest as it has always been, it did not desire to be the first to ratify it, but when it came to carrying any procedure of this kind over the top I am pleased to say that Nebraska did the turn.

Mr. GALLAGHER. What are they going to do with their corn out there?

Mr. SLOAN. Oh, Chicago men, I understand, have cultivated a great taste for johnnycakes, even above that for potatoes.

Mr. GALLAGHER. I think it will take a long time before johnnycake will satisfy them.

The Clerk read as follows:

Contingent expenses: For stationery, including tags, labels, and index cards printed in course of manufacture, for the Treasury Department and its several bureaus and offices, $90,000, and in addition thereto sums amounting to $216,400 shall be deducted from other appropriations made for the fiscal year 1920, as follows: Contingent expenses, Independent Treasury, $5,000; contingent expenses, mint at Philadelphia, $700; contingent expenses, mint at San Francisco, $300; contingent expenses, mint at Denver, $300; contingent expenses, assay office at New York, $700; materials and miscellaneous expenses, Bureau of Engraving and Printing, $11,000; suppressing counterfeiting and other crimes, $700; Public Health Service, $3,500; Quarantine Service, $1,000; preventing the spread of epidemic diseases, $500; expenses of Coast Guard, $5,000; general expenses of public buildings, $6,000; collecting the revenue from customs, $66,700; collecting war revenue, $115,000; and said sums so deducted shall be credited to and constitute, together with the first-named sum of $90,000, the total appropriation for stationery for the Treasury Department and its several bureaus and offices, with the exception of field officers located in foreign countries, for the fiscal year 1920.

Mr. FESS. Mr. Chairman, I move to strike out the last word for the purpose of making an inquiry. In line 15, page 55, I find the following language: "General expenses of public buildings, $6,000." What is the reason for that item?

Mr. BYRNS of Tennessee. That is a transfer of an appropriation so that the stationery can be purchased through the bureau of printing and stationery in the Treasury Department. In other words, this paragraph here represents transfers from the various funds belonging to different Government activities in the department. The transfer is made in order that these purchases may be made through one central agency, the division of stationery and printing.

Mr. FESS. What I had in mind was whether there is not some overlapping here between one committee and another. There are so many items that it seems should not appear in this bill.

Mr. BYRNS of Tennessee. This is a transfer from the appropriation that is made in the sundry civil appropriation bill for public buildings. This does not carry any additional appropriation, but simply transfers this amount of money, $6,000, from the appropriation carried in the sundry civil appropriation bill, so that the supplies necessary may be purchased through this central agency.

Mr. FESS. There is no duplication?

Mr. BYRNS of Tennessee. None whatever.

The Clerk read as follows:

For operating expenses of the Treasury Department Annex, including fuel, electric current, ice, ash removal, repairs, and miscellaneous items, $15,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. Is this item for operating expenses of the Treasury Department Annex, for the new building in course of construction on Pennsylvania Avenue next to the Belasco Theater?

Mr. BYRNS of Tennessee. Yes.

Mr. WALSH. How did they compute the amount required for operating expenses on a building at this stage of its completion?

Mr. BYRNS of Tennessee. They take into consideration the number of square feet in the building, the number of rooms, and they figure on the amount of coal and electric current that will be necessary for the entire fiscal year, basing their estimates upon what is being consumed and has been consumed in buildings of similar size.

Mr. WALSH. Are there any additional employees provided for to go into that building?

Mr. BYRNS of Tennessee. Yes; but they are in a previous paragraph of the bill. This does not relate to any employees.

Mr. WALSH. Does the gentleman know when that building is to be completed?

Mr. BYRNS of Tennessee. I can not say to the gentleman definitely.

Mr. STAFFORD. If the gentleman will permit, it is stated by the supervising architect——

Mr. WALSH. We have not any supervising architect.

Mr. STAFFORD. Or the gentleman acting in that capacity, that they expected to have the building ready for completion about April or May 1 of this year. It is all under roof.

Mr. BYRNS of Tennessee. Certainly prior to the beginning of the next fiscal year.

Mr. WALSH. What department of the Treasury is to be in that building?

Mr. BYRNS of Tennessee. That has not been determined, so far as I have understood. I think it was originally intended that the Internal Revenue Service would go into that building. Whether that bureau will be actually placed in that building I do not know. I have heard different stories as to what bureaus are going in there.

Mr. WALSH. Would it not make a difference in the operating expenses of the building what department would go in there?

Mr. BYRNS of Tennessee. I think it would not, because they will all require the same amount of heat and the same amount of electricity and the same amount of ice.

Mr. WALSH. And this is based upon the entire year, so that it is expected that in the future they will be able to operate that annex building for $15,000 annually?

Mr. BYRNS of Tennessee. Their estimate was somewhat larger than this. I am reminded by the clerk that it was about $19,000, and the committee reduced it to $15,000, thinking that would be enough.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

For purchase of cards and tabulating equipment for use in auditing accounts and vouchers of the Postal Service, including exchange and repairs, $219,000, to be expended under the direction of the Auditor for the Post Office Department under rules and regulations to be prescribed by the Secretary of the Treasury: *Provided*, That not exceeding $39,400 may be expended for the rental of tabulating and card-sorting machines.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 14078 had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, Mr. LITTLEPAGE was granted leave of absence for one week on account of illness in the family.

HOUR OF MEETING TO-MORROW.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. SLOAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. SLOAN. For leave to revise and extend the speeches I made to-day.

The SPEAKER. The gentleman asks unanimous consent to revise and extend his speeches made to-day. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 31 minutes p. m.) the House adjourned until to-morrow, Friday, January 17, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, requesting that funds be provided for the construction of the additional buildings for laboratory purposes and research work, etc., in connection with the Hygienic Laboratory, Public Health Service, Washington, D. C. (H. Doc. No. 1692); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of Commerce, transmitting report of an accumulation of documents and files of papers which are not needed or useful in the transaction of the current business of the department and have no permanent value or historical interest, as shown by the statement transmitted herewith (H. Doc. No. 1693); to the Committee on the Disposition of Useless Executive Papers and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of Labor submitting a supplemental estimate of appropriation required for public printing and binding for the Department of Labor, fiscal year 1919 (H. Doc. No. 1694); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 10979) to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia, in cases of subdivision or sales of land therein, reported the same without amendment, accompanied by a report (No. 937), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Miss RANKIN, from the Committee on the Public Lands, to which was referred the bill (H. R. 13350) to add certain lands to the Yellowstone National Park, reported the same without amendment, accompanied by a report (No. 938), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII:

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 13646) providing for the disinterment and removal of the remains of the infant child, Norman Lee Molzahn, from the temporary burial site in the District of Columbia to a permanent burial place, reported the same with amendment, accompanied by a report (No. 936), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 6442) granting a pension to Martha A. Curtis; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11111) granting a pension to Annie Elizabeth Clark; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 14532) to establish load lines for certain vessels; to the Committee on the Merchant Marine and Fisheries.

By Mr. TAGUE: A bill (H. R. 14533) to donate captured cannons to the city of Boston, in the Commonwealth of Massachusetts, for loan to the Bunker Hill Monument Association; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 14534) authorizing the Secretary of War to donate to the town of Dixfield, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 14535) authorizing the Secretary of War to donate to the city of Pesotum, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ADOLPHUS P. NELSON: A bill (H. R. 14536) authorizing the Secretary of War to donate to the village of Eagle River, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14537) authorizing the Secretary of War to donate to the city of Medford, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14538) authorizing the Secretary of War to donate to the city of Hayward, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14539) authorizing the Secretary of War to donate to the city of Hurley, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 14540) authorizing the Secretary of the Navy to transfer to the active list of the Navy certain reserve officers; to the Committee on Naval Affairs.

By Mr. CRISP: A bill (H. R. 14541) authorizing the Secretary of War to donate to the city of Ashburn, Ga., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 14542) authorizing the Secretary of War to donate to the town of Gloucester, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14543) authorizing the Secretary of War to donate to the town of Smithfield, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14544) authorizing the Secretary of War to donate to the town of Burrillville, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14545) authorizing the Secretary of War to donate to the town of North Smithfield, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14546) authorizing the Secretary of War to donate to the town of Lincoln, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14547) authorizing the Secretary of War to donate to the town of Cumberland, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14548) authorizing the Secretary of War to donate to the city of Pawtucket, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14549) authorizing the Secretary of War to donate to the city of Woonsocket, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14550) authorizing the Secretary of War to donate to the city of Central Falls, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TREADWAY: A bill (H. R. 14551) authorizing the Secretary of War to donate to the town of Huntington, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14552) authorizing the Secretary of War to donate to the town of Great Barrington, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14553) authorizing the Secretary of War to donate to the town of Lenox, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14554) authorizing the Secretary of War to donate to the town of Shelburne Falls, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANDLER of Mississippi: A bill (H. R. 14555) granting the consent of Congress to the board of supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at Barrs Ferry, in said county; to the Committee on Interstate and Foreign Commerce.

By Mr. SANFORD: A bill (H. R. 14556) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 14557) authorizing the Secretary of War to donate to the village of Lone Rock, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HENRY T. RAINEY: A bill (H. R. 14558) authorizing the Secretary of War to donate to the town of Franklin, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 14559) authorizing the Secretary of War to donate to the village of Carthage, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DENT (by request): A bill (H. R. 14560) to reorganize and increase the efficiency of the Regular Army; to the Committee on Military Affairs.

By Mr. ROGERS: A bill (H. R. 14561) to amend an act entitled "An act for the improvement of the foreign service" so as to provide a system of promotion of efficient secretaries in the Diplomatic Service to vacancies arising in the rank of minister; to the Committee on Foreign Affairs.

By Mr. WINSLOW: A bill (H. R. 14562) authorizing the Secretary of War to donate to the town of Douglas, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14563) authorizing the Secretary of War to donate to the town of Auburn, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14564) authorizing the Secretary of War to donate to the town of Upton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14565) authorizing the Secretary of War to donate to the town of Sutton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14566) authorizing the Secretary of War to donate to the town of Grafton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14567) authorizing the Secretary of War to donate to the town of Hopedale, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14568) authorizing the Secretary of War to donate to the town of Mendon, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14569) authorizing the Secretary of War to donate to the town of Millbury, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14570) authorizing the Secretary of War to donate to the town of Millville, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14571) authorizing the Secretary of War to donate to the town of Shrewsbury, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 14572) authorizing the Secretary of War to donate to the town of Caribou, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OVERMEYER: A bill (H. R. 14573) to authorize the exchange of the present Federal-building site at Fremont, Ohio, for a new site, etc.; to the Committee on Public Buildings and Grounds.

By Mr. O'SHAUNESSY: A bill (H. R. 14574) providing for reinstatement for soldiers, sailors, and marines to their former Government positions; to the Committee on Reform in the Civil Service.

By Mr. PRATT: A bill (H. R. 14575) to provide for the erection of a public building in the city of Bath, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. FERRIS: A bill (H. R. 14576) authorizing the Secretary of War to donate to the town of Chickasha, county of Grady, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 14577) to expel and exclude from the United States certain undesirable aliens; to the Committee on Immigration and Naturalization.

By Mr. JONES: A bill (H. R. 14578) authorizing the Secretary of War to donate certain designated towns each one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 14579) donating two captured German cannons or field guns and carriages to the town of Brattleboro, Vt., for ornamental purposes; to the Committee on Military Affairs.

By Mr. HARRISON of Mississippi: A resolution (H. Res. 504) to make in order, in the consideration of the Diplomatic and Consular appropriation bill, provisions for embassies and consular buildings; to the Committee on Rules.

By Mr. CAMPBELL of Kansas: A resolution (H. Res. 505) proposing an investigation of casualties in the Thirty-fifth Division in the battle of the Argonne Forest; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CRAMTON: A bill (H. R. 14580) granting an increase of pension to George B. Crain; to the Committee on Invalid Pensions.

By Mr. CURRIE of Michigan: A bill (H. R. 14581) granting a pension to Margaret Donahue; to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 14582) granting a pension to Esther F. Fiken; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 14583) granting a pension to David R. Evans; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 14584) for the relief of the widow of Joseph C. Akin; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of Parker Motor Truck Co., Milwaukee, Wis., advising an increase in zone rates on advertising; to the Committee on Ways and Means.

Also, petition of the Stowell Co., founders and manufacturers, asking for quick passage of Dent bill for validation of informal contracts; to the Committee on Labor.

Also, petition of employees of the Western Union Telegraph Co., protesting against the wage schedule adopted by Postmaster General Burleson; to the Committee on Labor.

Also, petition of Leroy D. Samuels, United States Weather Bureau, relating to the proposed increase in salary of Federal employees; to the Committee on Labor.

Also, petition of Ladies Catholic Benevolent Association, favoring the Baker bill granting recognition for nurses; to the Committee on Military Affairs.

By Mr. ESCH: Petition of Government employees at Milwaukee, Wis., requesting the passage of the salary increase provision of the legislative, executive, and judicial appropriation bill; to the Committee on Appropriations.

Also, resolutions adopted by 900 delegates in convention assembled at Baltimore, Md., recommending a league of nations; to the Committee on Foreign Affairs.

By Mr. HAMILTON of Michigan: Petition of Woman's Temperance Union of Allegan, Mich., asking support to ratify the national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. SNOOK: Resolutions adopted by the committee from shops of Wabash Railroad and members of American Federation of Railroad Workers in Decatur, Ill., favoring continuance of Government control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. SNYDER: Petition of pastor and members of the Methodist Episcopal Church of Oriskany Falls, N. Y., to prevent the emigration of brewers in the United States to China for the purpose of brewing in that country; to the Committee on Foreign Affairs.

By Mr. WINSLOW: Petition of mass meeting of citizens at Worcester, Mass., asking Congress to enforce the provisions of Federal Constitution in respect to invasion of Russia; to the Committee on Foreign Affairs.

Also, resolutions of Lithuanian residents of Worcester and Commonwealth of Massachusetts, relating to the persecution of people of Lithuania; to the Committee on Foreign Affairs.

SENATE.

FRIDAY, *January 17, 1919.*

(Legislative day of Tuesday, January 14, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. SHEPPARD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Texas suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Jones, Wash.	New	Smith, Ga.
Bankhead	Kellogg	Norris	Smith, S. C.
Beckham	Kendrick	Nugent	Smoot
Borah	Kenyon	Overman	Spencer
Culberson	King	Page	Sutherland
Curtis	Kirby	Penrose	Swanson
Fernald	Knox	Phelan	Thomas
Gay	Lewis	Pittman	Trammell
Gerry	Lodge	Poindexter	Underwood
Gronna	McCumber	Pollock	Vardaman
Harding	McKellar	Pomerene	Walsh
Henderson	McLean	Reed	Watson
Hollis	Martin, Va.	Saulsbury	Weeks
Johnson, S. Dak.	Moses	Sheppard	Williams
Jones, N. Mex.	Myers	Smith, Ariz.	Wolcott

Mr. McKELLAR. I wish to announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness. I will let this announcement stand for the day.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

Mr. CURTIS. I desire to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness and the absence of the Senator from South Dakota [Mr. STERLING] on account of a death in his family.

Mr. KIRBY. I desire to announce that the Senator from Arkansas [Mr. ROBINSON] is detained on account of illness.

Mr. LEWIS. I wish to announce that the senior Senator from Oregon [Mr. CHAMBERLAIN], the Senator from Florida [Mr. FLETCHER], the Senator from Kentucky [Mr. MARTIN], and the Senator from Louisiana [Mr. RANSDELL] are detained on official business.

Mr. FERNALD. I desire to announce that the Senator from North Carolina [Mr. SIMMONS], the Senator from Wisconsin [Mr. LENROOT], and the Senator from New York [Mr. CALDER] are necessarily absent in committee.

The PRESIDENT pro tempore. Sixty Senators have answered to their names. There is a quorum present.

FOOD SUPPLIES FOR EUROPE.

Mr. MARTIN of Virginia. I ask the Senator from Texas to yield to me a moment that I may submit a report from the Committee on Appropriations.

Mr. SHEPPARD. Certainly.

Mr. MARTIN of Virginia. I report back favorably with amendments from the Committee on Appropriations the bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto outside of Germany as may be determined upon by the President as necessary. I wish to give notice in making this report that I have directed the clerk to place upon the desks of Senators copies of the hearings, and that immediately following the completion of the routine morning business to-morrow I shall ask the Senate to proceed to the consideration of the bill.

Mr. BORAH. May I ask what disposition is to be made of the bill? I could not hear the statement of the Senator from Virginia.

Mr. MARTIN of Virginia. I shall ask the Senate to-morrow at the completion of the routine morning business to proceed to the consideration of the bill.

Mr. KENYON. There was the right reserved in the committee by certain Senators, or by a certain Senator, to file a minority report on the bill. I do not know that it will be done, but if it is decided to submit such a report I can file it by to-morrow morning.

Mr. MARTIN of Virginia. I shall not ask that the bill be taken up before to-morrow morning.

Mr. KENYON. All right.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

SENATOR FROM NORTH CAROLINA.

Mr. OVERMAN. Mr. President, I rise to a privileged matter. I present the credentials of my colleague [Mr. SIMMONS] for another term in the Senate. I ask that the credentials may be read and filed.

The credentials were read and ordered to be filed, as follows:

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, FURNIFOLD M. SIMMONS was duly chosen by the qualified electors of the State of North Carolina a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness his excellency, our governor, Thomas Walter Bickett, and our seal hereto affixed at Raleigh, this the 11th day of January, in the year of our Lord 1919.

T. W. BICKETT, *Governor.*

By the governor:
[SEAL.] J. BRYAN GRIMES.

PETITIONS AND MEMORIALS.

Mr. FERNALD. I present resolutions adopted by the Chamber of Commerce of the city of Bangor, Me., urging the protection of the rights of investors in public utilities, and the further development and utilization of the water powers of the State of Maine, which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

BANGOR CHAMBER OF COMMERCE,
Bangor, Me., January 15, 1919.

Hon. BERT M. FERNALD,
United States Senate, Washington, D. C.

DEAR SIR: Inclosed find copy of letter, together with resolutions adopted by our chamber here. We shall be obliged if you will give these any publicity you can; also, if you will urge the National Chamber of Commerce to give what notice they can to them.

Yours, very truly,

JAMES Q. GULNAC, *President.*

—

BANGOR, ME., *January 8, 1919.*

SIRS: The Bangor Chamber of Commerce, in sending to you a copy of resolutions passed by them, beseech you to give immediate consideration of these questions. They also ask you to consider that future developments in the State of Maine are almost wholly dependent upon the development and utilization of the water powers of the State; that to make possible the full use of the present water developments and to justify further electric developments a proper consideration must be granted the investing public by the powers regulating such development and operation; that our governor, our legislature, our public utility commission be urged to consider the fact that for any well-regulated public utility it is their sworn duty to see that the rights of the investing public are properly safeguarded, and that for such well-regulated utility a return upon their investment sufficient to attract capital inside the State and from outside the State is justified; that the majority of citizens desire to see the resources of the State fully developed. May we ask you also to make known to us the result of any investigation you may make, to the end that a full education of the public in this question be obtained?

Respectfully,

BANGOR CHAMBER OF COMMERCE,
———— ————, *President.*

—

Resolutions adopted by the Bangor Chamber of Commerce.

Whereas the Bangor Chamber of Commerce feels that the country is facing a grave condition in regard to public utilities; and

Whereas they feel that all citizens are vitally interested in the well-being of the public utilities; and

Whereas they feel that on their organization and on similar organizations throughout this entire country rests a grave responsibility in this regard: Now, therefore, be it

Resolved, That the Bangor Chamber of Commerce, realizing that their duty was to study the question, both in the State of Maine and elsewhere, and to make known to their members and to the citizens of this community the result of their study—

That as a result of such study the Bangor Chamber of Commerce finds that a substantial part of the funds of the savings banks is invested in bonds of public utilities; that the depositors of mutual savings banks are in reality part owners of every such investment; that the same is true of the life insurance companies, both as to investment and ownership; that the present and future well-being of every community is directly dependent upon the successful running and further development of the public utilities operating in their locality; that every such community should be anxious to see that the conditions under which such public utilities are operating are such as to allow the companies sufficient revenue to properly protect the public from accidents, to keep their lines in good condition, to render efficient service to the public, to make further needed developments, and to safeguard the property ownership of the investing public.

The Bangor Chamber of Commerce feels that a much graver responsibility rests with the public-service commissions; that their sworn duty is to see that the public utilities are properly and efficiently run; that they are responsible for the credit, continuity, and general well-being of the public utilities; that every public-service commission should be upheld and backed where they have recognized such responsibility; that where commissions have not so recognized this duty the public should insist that they so do.

The Bangor Chamber of Commerce urges every board of trade in the State of Maine to at once start a study of this question; that they urge the National Chamber of Commerce at Washington to give space in The Nation's Business to this question; that the National Chamber of Commerce be asked to urge every member of the national association to study this question and to make known through publicity in the same channels the result of this study.

The Bangor Chamber of Commerce also urges the Bangor Rotary Club to take this up with their national association in the same manner. The Bangor Chamber of Commerce feels that an intelligent study of this question by the business men of the country, with a campaign of publicity as to the result of this study, will aid greatly in solving rightly this very grave problem.

BANGOR, ME., *January 6, 1919.*

Mr. LODGE presented resolutions adopted by the City Council of Cambridge, Mass., favoring the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

Mr. FRELINGHUYSEN presented a petition of the Political Study Club, of Orange, N. J., praying for the submission of a Federal suffrage amendment to the Constitution of the United States, which was ordered to lie on the table.

He also presented a petition of the Catholic Club of Bernardsville, N. J., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Essex and Berger Counties, in the State of New Jersey, praying for the enactment of legislation substituting the oath required of enlisted men for the oath required of officers, which was referred to the Committee on Military Affairs.

STATE, WAR, AND NAVY BUILDING (S. DOC. NO. 344).

Mr. SMITH of Arizona. From the Committee on Printing I present a report favorable to printing the report of the National Board of Fire Underwriters on the condition of the State, War, and Navy Building, transmitted by the Secretary of War in response to a resolution of the Senate, and I submit a resolution for that purpose. I ask unanimous consent for the present consideration of the resolution.

Mr. SHEPPARD. Will the resolution lead to any debate?

Mr. SMITH of Arizona. It will lead to only a word or two. The junior Senator from New York [Mr. CALDER] is interested in the subject and wishes to submit a few brief remarks. I will ask the Senator from New York if he proposes to take much time. If so, I will withdraw the resolution for the present.

Mr. CALDER. I will state that I shall take about five minutes.

Mr. SHEPPARD. I ask that the unfinished business be temporarily laid aside for this purpose.

The PRESIDENT pro tempore. Without objection, the unfinished business will be temporarily laid aside, and the Senate will proceed to the consideration of the resolution.

Mr. JONES of Washington. I think it ought to be read before consent is given.

Mr. SMITH of Arizona. I will withdraw it if it is to lead to debate.

Mr. JONES of Washington. Does not the Senator wish to have the resolution read?

Mr. SMITH of Arizona. It is in answer to a Senate resolution, recently passed, asking for information. The information came to the Senate, and under the rule it should be printed. I am asking that it be printed.

Mr. JONES of Washington. If under the rule it should be printed, what is the necessity for the adoption of the resolution?

Mr. SMITH of Arizona. I want to have the resolution passed to print the reports, together with the accompanying illustrations, which came in response to a resolution of the Senate.

Mr. JONES of Washington. I should like to have the resolution read. That is all I want.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 413), as follows:

Resolved, That the reports of the National Board of Fire Underwriters on the condition of the State, War, and Navy Building, transmitted by the Secretary of War, in response to a resolution of the Senate (No. 271), be printed as a Senate document, together with the accompanying illustrations.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. CALDER. Mr. President, the reports of the National Board of Fire Underwriters were sent to the Senate by the War Department, as the result of a resolution of inquiry submitted by me some months ago. I think it very important that the report should be printed, and I earnestly request Members of the Senate to read it carefully.

I was prompted to offer the resolution through observing that a frame structure had been built in one of the inner courts of the State, War, and Navy Building, which I considered to be a very real fire hazard to that building. It is a structure which ought not to be permitted in any public or private building in America, and for the past year it has been a very great menace to that fine structure.

The report will show that the most important papers of our Government are lodged in that building—the original Declaration of Independence, the original Constitution of the United States, our important treaties with foreign countries, and other valuable State, War, and Navy documents.

I have repeatedly urged, Mr. President, that this frame building should be demolished. Only yesterday, without knowledge that this matter would be brought up to-day, I called at the War Department and again urged that it be taken down. If it had been erected in the inner court of any private building in the United States it would have been ordered demolished long ago.

I hope, as the result of the printing of this report, some action will be taken by the Committee on Public Buildings and Grounds of this body, insisting that this building be put in proper condition to safeguard the valuable decuments of the country.

The resolution was passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS:

A bill (S. 5361) donating captured cannon and cannon balls to the University of Kansas, Lawrence, Kans.;

A bill (S. 5362) donating captured cannon and cannon balls to the city of Garnett, Kans.;

A bill (S. 5363) donating captured cannon and cannon balls to Ellsworth County, Kans.;

A bill (S. 5364) donating captured cannon and cannon balls to the city of McPherson, Kans.;

A bill (S. 5365) donating captured cannon and cannon balls to the city of Baxter Springs, Kans.; and

A bill (S. 5366) directing the Secretary of War to restore to their former rank 18 noncommissioned officers of the One hundred and thirty-ninth United States Infantry (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 5367) granting an increase of pension to Francis M. Ellis (with accompanying papers); to the Committee on Pensions.

By Mr. KIRBY:

A bill (S. 5368) authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. L. McFarlin, at Little Rock, Ark.; to the Committee on Post Offices and Post Roads.

By Mr. HENDERSON:

A bill (S. 5369) to provide for an increase of salary of the United States marshal for the district of Nevada; to the Committee on the Judiciary.

By Mr. WALSH:

A bill (S. 5370) granting a pension to Thomas Ryan; to the Committee on Pensions.

By Mr. REED:

A bill (S. 5371) for the relief of Roland S. Robbins; to the Committee on Claims.

By Mr. SUTHERLAND:

A joint resolution (S. J. Res. 212) directing The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

RIVER AND HARBOR APPROPRIATIONS.

Mr. PHELAN submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. WEEKS submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. FRELINGHUYSEN submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

WITHDRAWAL OF PAPERS—S. J. BATCHELDER.

On motion of Mr. CURTIS, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying the bill S. 1396, Sixty-fifth Congress, second session, granting a pension to S. J. Batchelder, no adverse report having been made thereon.

UTILIZATION OF WINE GRAPES.

Mr. PHELAN. I offer a resolution and ask that it be read and lie on the table.

The resolution (S. Res. 414) was read and ordered to lie on the table, as follows:

Resolved, That the Secretary of Agriculture be, and he is hereby, requested to investigate and furnish the Senate of the United States with information bearing upon the utilization of wine grapes for other purposes than the production of alcoholic beverages.

THE CENSUS.

Mr. SHEPPARD. I ask that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays the unfinished business before the Senate.

The Senate resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The PRESIDENT pro tempore. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. SMOOT. Mr. President, I understand that the chairman of the committee, the Senator from Texas [Mr. SHEPPARD], has accepted the amendment offered by the Senator from Maryland [Mr. FRANCE] to section 9; in other words, to strike out all of section 9 of the bill as it comes from the House and to insert a new section. To section 9 of the bill as it came from the House I offered an amendment placing the supervisors of the census under the civil-service act and rules. The acceptance of the amendment proposed by the Senator from Maryland prevents my amendment from having any force whatever, and as the section now before the Senate, as introduced by the Senator from Maryland, provides that the supervisors of the census shall be appointed by the President, by and with the advice and consent of the Senate, it becomes necessary that I shall offer an amendment in conformity with the amendment which I offered while the bill was before the Senate as in Committee of the Whole. I realize that that can only be done by unanimous consent. I was not aware that section 9 of the bill, as it was accepted by the chairman of the committee, had any provision in it relating to the appointment of supervisors. Therefore, Mr. President, I ask unanimous consent that I may be allowed to offer the same amendment to section 9 as the bill provides now, as it is in the Senate, which I offered while the bill was before the Senate as in Committee of the Whole.

Mr. SHEPPARD. I hope the unanimous consent asked by the Senator from Utah may be granted, in order that we may have a vote on the proposition.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Utah? The Chair hears none. The amendment proposed by the Senator from Utah will be stated.

The SECRETARY. After the word "appointed," on line 11 of the printed amendment of Mr. FRANCE, it is proposed to insert the words "in conformity with the civil-service act and rules."

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Utah.

Mr. SHEPPARD. I ask for the yeas and nays on the amendment.

Mr. SMOOT. Mr. President, before the vote is taken, may I complete the amendment which I desire to offer, so that one vote will answer for the entire amendment?

The PRESIDENT pro tempore. In the absence of objection, the Secretary will state the remainder of the amendment as proposed by the Senator from Utah.

The SECRETARY. It is also proposed, after the word "President," at the end of line 11 of the amendment of Mr. FRANCE, to insert the words "by and," so that it will read "by and with the advice and consent of the Senate"; and, after the word "Senate," on page 2, line 1, to insert the following proviso——

Mr. SMOOT. I will say, Mr. President, that I have modified the amendment in one respect, so as to make the proviso read:

Provided further, That said supervisors shall be selected from persons who have passed the necessary civil-service examinations.

That will complete my amendment.

Mr. SHEPPARD. Mr. President, I ask for the yeas and nays on the amendment proposed by the Senator from Utah.

The yeas and nays were ordered.

Mr. SMITH of Arizona. Mr. President, the pending question is not understood in the confusion in the Chamber. It has been impossible for any Senator to understand a word that has been said. Senators do not know what the question is, and I should like information before the call of the roll as to what we are to vote on.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Utah, which places the selection of these employees under the civil service. As the Chair understands, the same amendment was adopted by the Senate as in Committee of the Whole, but it was displaced by the adoption in the Committee of the Whole of the amendment of the Senator from Maryland [Mr. FRANCE] substituting a new section for section 9.

Mr. OVERMAN. Mr. President, as I understand, this amendment does not apply to all employees, but merely to supervisors.

Mr. SMOOT. It is merely as to supervisors.

The PRESIDENT pro tempore. The Chair can not hear what Senators are saying. Business will cease until order is restored in the Chamber. The Chair must ask Senators to take their seats and to cease conversation.

Mr. SMOOT. Mr. President, I desire to say to the Senator from Arizona that the amendment applies to the 400 supervisors who are provided for under the census bill.

Mr. SMITH of Arizona. Those 400 supervisors, as I understand, are to be called from the civil service?

Mr. SMOOT. They are to be appointed by the President from the persons who have passed the necessary civil-service examination.

Mr. SMITH of Arizona. No matter what branch of the civil service they happen to be in?

Mr. SMOOT. My amendment provides that they shall be selected from those who have passed the necessary civil-service examination, and, of course, the Civil Service Commission will provide the rules for the passing of the required examination.

Mr. SMITH of Arizona. As I understand, then, the supervisors might be appointed from any branch of the civil service.

The PRESIDENT pro tempore. The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], and therefore withhold my vote.

Mr. OVERMAN. I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the senior Senator from Oklahoma [Mr. GORE] and vote "nay."

The PRESIDENT pro tempore (when Mr. SAULSBURY'S name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT], which I transfer to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING]. In his absence I withhold my vote.

The roll call was concluded.

Mr. CURTIS. I have a pair with the junior Senator from Georgia [Mr. HARDWICK], which I transfer to the junior Senator from New Jersey [Mr. BAIRD] and vote "yea."

Mr. FRELINGHUYSEN (after having voted in the affirmative). I should like to inquire whether the junior Senator from Montana [Mr. WALSH] has voted?

The PRESIDENT pro tempore. The junior Senator from Montana has not voted.

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana. I transfer that pair to the senior Senator from Minnesota [Mr. NELSON] and will allow my vote to stand.

Mr. SMITH of Maryland (after having voted in the negative). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM], who, I notice, is not present. I transfer that pair to the senior Senator from California [Mr. PHELAN] and will allow my vote to stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON];

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN].

Mr. LEWIS. I wish to announce that the Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from California [Mr. PHELAN] are detained on official business.

The result was announced—yeas 28, nays 40, as follows:

YEAS—28.

Borah	Hale	Lodge	Penrose
Calder	Harding	McCumber	Poindexter
Cummins	Johnson, Cal.	McLean	Smoot
Curtis	Jones, Wash.	Moses	Spencer
France	Kellogg	New	Wadsworth
Frelinghuysen	Kenyon	Norris	Watson
Gronna	Lenroot	Page	Weeks

NAYS—40.

Ashurst	Jones, N. Mex.	Pittman	Smith, Ga.
Bankhead	King	Pollock	Smith, Md.
Beckham	Kirby	Pomerene	Sutherland
Culberson	Lewis	Ransdell	Swanson
Fletcher	McKellar	Reed	Thomas
Gay	Martin, Ky.	Saulsbury	Trammell
Gerry	Martin, Va.	Shafroth	Underwood
Henderson	Myers	Sheppard	Vardaman
Hollis	Nugent	Simmons	Williams
Johnson, S. Dak.	Overman	Smith, Ariz.	Wolcott

NOT VOTING—28.

Baird	Goff	McNary	Smith, Mich.
Brandegee	Gore	Nelson	Smith, S. C.
Chamberlain	Hardwick	Owen	Sterling
Colt	Hitchcock	Phelan	Thompson
Dillingham	Kendrick	Robinson	Townsend
Fall	Knox	Sherman	Walsh
Fernald	La Follette	Shields	Warren

So Mr. SMOOT's amendment to the amendment was rejected.

PUBLICITY OF PEACE CONFERENCE PROCEEDINGS.

Mr. BORAH. Mr. President, I trust the Senator in charge of the census bill will pardon me for occupying the time of the Senate very briefly.

If the press reports from Versailles are correct, although I ought to say that all the press reports which come from that point begin by saying, "It is understood," or "It is supposed"—but if they be correct, the first point of the 14 points of the President is now up for consideration. I do not think that the Senate, a part of the treaty-making power, ought to permit it to pass without some consideration. I am perfectly aware that there are those who differ with me, but I regard it as one of the most vital propositions before the Congress, and we at least ought to permit it to be known that we are in full sympathy with the views of the American delegation with reference to publicity in the proceedings at Versailles.

I can not say, Mr. President, that it is a surprise that a movement has been inaugurated in favor of secrecy, and yet I had supposed from the announcements, not only in this country but in Europe, that more consideration would be given to the question than seems to have been given to it. It seems to have been disposed of without much discussion. I feel it is worthy of comment here.

When the President delivered his address to Congress upon the 8th of January, the first proposition looking to the permanent peace of the world read as follows:

Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

There can be no possible construction placed upon this language other than that it was intended to cover just such proceedings as are now being initiated at the peace conference.

Open covenants of peace—

Had the statement stopped there, it might be said that it was intended to cover the simple proposition of publishing the covenants of peace after they had been negotiated and concluded; but the President was careful to say:

Open covenants of peace, openly arrived at.

And the question now is whether or not that proposition is to be utterly discarded and disregarded in the proceedings at Versailles.

It would seem that they have practically concluded upon a program adverse to this proposition. I read a part of the article which appeared in yesterday's New York Times:

After all that has been promised concerning open discussion in the making of peace, steps were taken at to-day's session of the interallied conference which show that the whole intent is to keep the people of the world in the dark as to what is going on behind the closed doors of the Quai d'Orsay. The representatives of the five great powers adopted a resolution that nothing about their deliberation be disclosed except what was contained in the colorless daily communiqués.

Some of those connected with the conference construe the resolution as meaning that they are to be barred from seeing members of the press.

The whole spirit of the action taken is contrary in every respect to the assurances given to the American people, and already a feeling of discouragement and indignation is displayed among newspaper representatives from allied countries. The British correspondents made a formal protest, which was backed immediately by the American correspondents.

No disclosure has yet been made as to who was responsible for this amazing procedure, and I prefer to withhold a statement until I am more fully informed. The fact remains that the resolution must have been supported by the delegates of at least three powers, which shows how little the doctrine of open covenants, openly arrived at, prevails among those who are engaged in settling the destinies of the world.

Outside of this new and most serious cause for complaint the American correspondents feel that they are not getting a square deal in obtaining information from the American delegation. The daily conferences between the correspondents and members of the delegation are unproductive in every way, and the conclusion has been forced upon the correspondents that the only source of news concerning American participation in the peace negotiations is the President, who is inaccessible.

In spite of condemnation while the war was on of the secret methods prevailing at the Congress of Vienna, the conclusion is being forced upon observers here that this conference is the Congress of Vienna over again.

There is an Associated Press dispatch in this same paper, following that article, which I will ask to have inserted in the RECORD without reading.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

PARIS, *January 15, 1919.*

The question of whether the peace conference is to be secret or wholly open to the eyes and ears of the world, the settlement of which has been long awaited, was brought to a focus to-day when it was announced that an agreement had been made to confine the information given to the public to a daily official communiqué and that a gentleman's agreement prevailed among the delegates not to discuss or in any way give information of the meetings in the foreign office.

No written official announcement of this purpose was issued, but word was passed out to this effect, and it was followed by an explosion which quite drowned out the doings of the peace commissioners.

The understanding is that the American and British delegates opposed this decision, but that the French, Italians, and Japanese, voting together, prevailed.

The British newspaper correspondents immediately joined in a memorial of protest, which they put before Premier Lloyd George. The American newspaper correspondents united in what is virtually a round robin to President Wilson, in which they protested in measured terms against the decision, and reminded the President of that one of his 14 points which specifies "open covenants of peace, openly arrived at."

The memorial was before the President to-night, and there is every reason to believe that such a storm has been raised as will force the question before the meeting again before the actual sessions of the peace conference begin on Saturday morning.

The question of whether the meetings are to be open or closed has been smoldering for several days. It is associated with conditions which have surrounded the lack of method in making public what has actually been going on in conference for the last month. The American newspaper correspondents, of whom there are about 100 here to report the peace proceedings, have been received in daily audience by the American commissioners under the stipulated conditions that what was developed was solely for their guidance and not to be reported as bearing the stamp of authority or coming from the mission.

The American delegates are indignant at what they regard as a breach of faith on the part of some persons who were admitted to the informal discussions they have been holding daily with newspaper men. These conferences were inaugurated immediately after the delegates arrived in Paris to keep correspondents properly advised of developments further than that given in official communiqués.

At the outset it was stipulated that nothing communicated to the correspondents during these conferences should be credited to official sources, the restriction being so severe as to prohibit the customary intimations as to sources, so that whatever a correspondent elected to write should be stated on his own responsibility.

Despite this a statement of informative character, made by Secretary of State Lansing to the newspaper men, appeared in some French newspapers, directly or indirectly attributed to him. It was made more embarrassing to the American delegates because the publications appeared in newspapers opposed to the present French Government.

Because some statements, used in this manner, related to subjects like the denial of the plan to use American troops in Poland, which is understood to be favored by the Clemenceau government, but is opposed by the Socialists, the American delegates felt they were in danger of being involuntarily dragged into the complications of French factional political conflicts.

At the request of the American delegation the correspondents have undertaken to adopt disciplinary measures and to require a separate understanding from each of their number to observe restrictions imposed regarding news use of matters discussed at these conferences in order to prevent further complications and, perhaps, the termination of the present confidential relations between the delegates and the newspaper men.

Mr. BORAH. Mr. President, I observe by the press dispatches that the President has taken up this matter and that it may be reopened for consideration, and it is indicated in the press dispatches this morning that the ultimate result may be open sessions of the conference. It is by reason of this last item in the news that I felt disposed to say a word, because I should like to have the President know and to have the delegates representing this country at the conference know that the great majority of the American people expect that those proceedings shall be open and that all the details of substantial matters shall be made known as the congress proceeds in its deliberations.

Secret diplomacy has left the germ of conflict and of war in every great peace congress which has convened in the last 250 years. There has not been a single peace congress at which nations have met for the purpose of adjusting the troubles of any particular portion of the world but that there have been left for future contention, suspicion, prejudice, and feeling those things which resulted from secret negotiations and secret proceedings. If we are proposing to take a correct and accurate step toward permanent peace the people who fought and won this war must know the conditions upon which it is being settled. It will be a distinct discouragement, not only to the people of this country but, I venture to say, to the masses the world over, if at the first initiatory step the same old practice of absolute government is reinaugurated and readopted by a congress which comes together as a result of a fight to make the world safe for democracy.

I venture to read a paragraph from Lord Northcliffe, who, I presume, will not be considered as uninformed in regard to these matters or uninstructed as to the wisdom of the course proper here to be pursued. He says:

Nothing can be worse for the prospects of the coming conference than an atmosphere of secrecy and half truths. Yet up to the present there has been no official statement that the momentous meetings about to take place will be held in accordance with President Wilson's expressed views on the question of open diplomacy.

DAYS OF SECRET CONCLAVES GONE.

The days of secret conclaves are dead and gone. Clandestine assemblies are the harbingers of intrigue, suspicion, and possible deception. It would be intolerable that the fate of whole nations, great and small, should be decided in secret. Shall the destinies of millions of peoples in all quarters of the globe be left to the tender mercies of a comparative handful of delegates, against whose enactments there is no public appeal? Such would be mockery of that principle of self-determination of free nations which has been fought for and won in this war.

Labor, upon which the great losses of life during the war have mainly fallen, is alarmed at the prospect of great world plans being carried out without its knowledge. It is reported from London that the Labor Party has sent a strong protest to our Government, which so far has done nothing to allay public anxiety on the subject.

I ask leave also to have inserted in the RECORD an editorial from the Philadelphia Public Ledger.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Philadelphia Public Ledger, Nov. 14, 1918.]

OPEN THE DOORS OF THE PEACE CONFERENCE—CEMENT THE PEOPLE'S VICTORY WITH A PEOPLE'S PEACE—WILL PRESIDENT WILSON GO?

There is not an American who does not understand that our victory has been won and the tragic price paid solely that "government of the people, for the people, by the people, shall not perish from the earth." Every American soldier dead in France laid down his life for that purpose, sustained and comforted by our tacit pledge that we would make very sure that his supreme sacrifice was not in vain. He died—the soldiers of our allies died—to substitute democracy for autocracy as mankind's dominant method of government.

Henceforth the people rule—that is that healing message, if we have not all been deceived, that the winged Victory of this electric age carried round the world like a swifter Ariel after the armistice was signed. All the wicked, blinding, betraying, tyrannous treacheries of autocracy were swept away by the allied guns. Sinister plottings, secret intrigues, back-stairs bribes, and double-dealing diplomacy with its soft voice and its serpent's heart, all the subterranean methods of autocracy, buying and selling peoples like cattle or sending them to the shambles for quarrels they neither shared nor comprehended—all are to vanish at the dawn of this new day like the miasma of a fetid swamp.

The peoples of the world are to rule as the peoples of these United States rule; and the corner stone of popular rule everywhere is free and public discussion.

Would we think we had popular rule in America if the sessions of Congress were habitually secret?

There are secret sessions of the Senate for the discussion of our foreign relations, which only means that, when even a democratic people must do business with Governments who traffic in secrecy, that people can not always play its hand, face up, on the table. But matters appertaining strictly to the government of the people of the United States are commonly discussed in public, and all important decisions are taken in public. We would never dream of tolerating any other system. The legislature of a free people can not be a secret society, with tiled doors and publicity prohibited.

Neither can the legislature of an association—a wider United States—of free peoples. Publicity is the very breath of life of popular government.

There will assemble in Europe presently a legislature of free peoples. None others are to be admitted. No autocracy need apply. It will be termed a peace conference, but its business will be to legislate regarding the most fundamental matters affecting the future happiness, security, and prosperity of practically all the free peoples of the world.

SHALL IT SIT BEHIND CLOSED DOORS?

If it does, what becomes of President Wilson's spirited, repeated, and perfectly proper protests against the ancient evil of "secret diplomacy"? This peace conference, remember, will not act for a number of autocratic governments, scornfully ignoring their own peoples, bartering away their rights and fixing their destinies behind their backs. It will act for the peoples themselves, and its every decision must be ratified by these peoples if it is to stand. For the first time in history a great treaty of peace, intimately touching many nations and remaking the maps of three continents, will be written by the plain people of the world and not by their irresponsible rulers, with their retinues of devious diplomats and professional political panderers.

It goes wholly without saying that such a peace conference should be wide open to its masters and creators, the ruling democracies whose decrees it will register. It should be as open as Congress, as the public courts, as most parliaments of self-governing nations. Every session should be open. All the debates and deliberations should be public. We should not only know what it does but why it does it. Still more important, we should know in advance what it thinks of doing, so that we can protest, agree, suggest changes.

The suggestion comes from Washington that President Wilson may attend in person this peace conference of unprecedented import and endless possibilities. It is a proposal which will have the unanimous support of the allied world, and would make a special appeal to the forward thinkers, the war-weary toilers, the passionate believers in democracy, everywhere. They would feel that their foremost champion was at the peace table. They would fear the insertion of no autocratic or militaristic "joker" in the conditions on which the permanent banishment of war is to be built. Americans will favor the idea most warmly if they can be assured that the vitally important business of their own Government can be arranged for in the absence of the Chief Executive. They will not take very seriously any sentimental tradition against the President leaving American territory during his term of office. Where our soldiers have died for liberty is "American territory" forever. This world-war into which we have been drawn has weakened the boundaries of precedent; and, as John Wesley put it, made "the world our province."

If President Wilson attends the conference, and possibly presides at its sessions on the invitation of all the allies, there will surely be no question about the "open door." That is one of his firmest, soundest principles. He will never consent to do the people's business in matters of such paramount importance out of the hearing of the peoples affected. He will never participate in and perpetuate by a commanding precedent that hoary evil which has sown suffering throughout humanity for a thousand years—"secret diplomacy."

Nor will the people of this free country permit it, if they have the power to prevent it. In this regard, they will be unanimously "behind the President." We hope the President will go. We hope that he will persuade this first peace conference of victorious democracy to deliberate, debate, and make its momentous decisions in full daylight.

Mr. BORAH. Mr. President, it is the same old story. When the Vienna Congress met, or was about to meet, there was the fullest assurance that the proceedings would be open to the world. There was the fullest assurance of the widest and most humanitarian consideration of all matters relating to the public ends. But scarcely had they met in that famous city when Metternich began to urge the necessity of secrecy in their negotiations; and, master of diplomacy as he was, he finally succeeded in closing the doors of the Vienna Congress to the outside world. Every student of history knows that inside those doors were written the secret treaties over which the world has been waging war from time to time ever since. It is not too much to ask, in view of the sacrifices which have been made and the tremendous results depending upon the action of this congress, that the world at large shall know its proceedings, and that the doors shall be open to all the world.

Mr. WILLIAMS. Mr. President, I am glad to hear words of commendation for the President of the United States in the hard fight that he is making in Europe. I am glad that at least one voice has gone up on the other side of this Chamber to hold up his hands instead of pulling them down. He has a hard fight to make, not only in behalf of the publicity of negotiations but in behalf of a great many other things as well.

I note with a great deal of pleasure that the Senator mentions the fact that the two great English-speaking peoples have announced themselves in favor of making public the steps of negotiation as they go on. Of course, that does not mean that every private conversation between two or three men shall be published in the newspapers; but it does mean that everything arrived at, step by step, shall be communicated to the enlightened sense of the world.

I agree with the Senator from Idaho that there is nothing better calculated to keep the peace of the world than to let the intelligence of the world know what the diplomats of the world are doing. That is what President Wilson wants. That is what David Lloyd George wants. But the Senator ought not to be astonished at continental Europe after a thousand years of mistraining in regard to these things. Even republican France is a little bit doubtful about allowing all the steps of diplomatic procedure to go to the public.

The Senator must remember that they have not a public which they can trust, as we have and as the English have. They have some reason to be more distrustful of their public than we have. I have no doubt that before this is over—in a few days, indeed—all the substantial steps taken in that conference will be communicated to the public fully, and that we will overcome the continental distrust of its public. We have no distrust of ours, because it has proven itself worthy of trust for years and years. The British have no distrust of theirs; but the Senator and I both ought to remember that we have "to make allowances," as the darkies say, for people who are not situated as we are. So that I think you can deal with some degree of charity with the late decision which evidently was pronounced by the non-English-speaking races at the conference.

Wherever English goes, publicity may go. Wherever the language of Shakespeare and of Milton can go, men can trust one another to speak plainly, so that open negotiations can be effected.

But the Senator must remember that there is only one language of Shakespeare and Milton so far as he and I know, and that it is not true of all the other people in the world that they can trust their public so considerably as we can ours. I think it is about time we were coming to the conclusion that the time has arrived even with them, and I agree with the Senator; but the Senator must make allowances for the fact that they are slow to arrive at that conclusion because their past history has not justified it.

I am glad, indeed, that the Senator rose to uphold the hand of Woodrow Wilson in the rough tussle he is having in Europe, upon this particular question at any rate, and I hope that what he has said will have some effect in Paris, if it is read there. I do not know whether what he and I say here will be read there or not, but it might be. Perhaps the President might find it to his interest to quote it, and if he does I hope it will have some effect, especially upon the French. I do not understand the French position, because they, too, have arrived at a stage of civilization where they can trust their public if they will. Clemenceau can trust his public if he just has the courage to do it, and all the help we have got to have is his, and then we will make these proceedings public to the common conscience and common sense of the democratic world.

Mr. LEWIS. Mr. President, I make bold to offer a suggestion in accordance with the sentiment expressed by the Senator from Idaho [Mr. BORAH] and the Senator from Mississippi [Mr. WILLIAMS]. However, I view an aspect with more seriousness than seems to be at present in the mind of either of the able Senators—at least one that they have not expressed, if they feel it.

Mr. President, if there is any force of Europe or of any other nation sitting about the peace table which shall be able to overrule the President of the United States in his first effort of his first undertaking to obtain the first principle, merely publicity in the proceedings, I warn that force they will by their conduct reopen the conflict. They will precipitate anew more war; and, sir, it will be because every little nation aspiring to have its rights ascertained and declared, every people of that nation seeking to have their liberties acknowledged, will believe that that first move of enforced secrecy is with the object of defeating them; that its purpose in hiding the declaration, the deliberation, and the decision is to work a secret conclusion against their contentions. While such secrecy is pending these people will be the first out of that very suspicion suggested by the Senator from Mississippi—through the ignorance of people who, heretofore unacquainted with the methods of diplomacy and previously never trusted with its course, will suspect the object—and, as the Senator from Idaho most aptly expressed, those in Europe will at once conclude that all the promises that have heretofore been made on this subject at the very outset are decided to be ignored or betrayed. If that moment really comes, these lesser nations will not await the second decision. They will decide then and there that they shall protect themselves.

Remember, sir, their soldiers rest on arms. Their tents are filled with smoking explosives and their weapons are still the companions of these fighters. The purposes for which they went into this war will burn in their hearts and flame in their minds. We shall have another outbreak from these little people to protect themselves at once by obtaining possession of the disputed ground and premises which it claims, because they

will decide that this first move of secrecy is against them. They will conclude that however sincere the President was to protect them, yet his very first movement was circumvented and defeated by numerical majority on the one hand and the inheritance from the methods of the Congress of Vienna on the other.

Mr. President, for that reason let these people who would not hearken to the counsel of the President of the United States beware. The temper of the soldier in Europe—American, English, French, indeed of every nationality, waiting to be released, hoping to return to his home—is baffled, fancying himself deceived, is in a disposition that is not well to trifle with.

It was that returning soldier of the legions of Pompey, Cæsar, and Rome who, when he did return to Rome, burning under disappointment and believing that he had been tricked by the consuls, seized possession of the imperial country and visited upon that empire the devastation that 50 years did not remedy. It was that offended soldier under Napoleon, returning to France, who fancied he had been tricked by those who had been returned to government, who became the commune of France, property was destroyed, life was decimated, civilization was aflame, and a devastated form of all organized life was the only relic which the eyes of three generations could afterwards behold.

Therefore, sir, not only must these peace commissioners, whoever they are, understand that this body and this American people is behind the President of the United States in this his very first undertaking, but they will, sir, construe the movement of opposing him as the first proof of the enmity on the part of those who oppose him and evidence of their opposition to the purposes of America. From that moment every other step these commissioners will take will be under the cloud of suspicion and distrust from all people. Let them know it.

Mr. President, there is a second thought, however, which I beg to impose upon the consideration of my very able friend, the Senator from Idaho, and the Senate and ask consideration of it. As much as we would care to have the European commissioners understand that we are behind the President—and in this respect many Senators on the other side who have never yet spoken can be depended upon when the time comes to give him full support upon this phase, sir—as much as we may hope that the foreign commissioners may be impressed by our attitude, and as greatly as we felicitously dwell on the prospect of influencing them for their own conduct and for the success of their deliberations, let this other thought, however, be uppermost with us, I pray you. Woodrow Wilson, the President of the United States, has assured the people of the United States, not only in the declaration read by the Senator but in four speeches made yonder in Europe, speaking with the solemnity of his position, that the publicity of these proceedings shall be assured to the public of the United States; that the public of the United States shall know what transpires. He has assured you and the country that there shall be no censorship upon the cables, as far as we can prevent that; that there shall be no censorship upon the report of the proceedings, as far as we can prevent that.

Mr. President, it is the duty of the President of the United States to prove to the people of this country that he is keeping faith with the promise he made them. We can not permit the commissioners of Europe or any other power in the world to put President Wilson in the position where he may be charged with intentionally deceiving his own people or being unable to keep faith with them without betraying the source of the responsibility. We will let no delicacy growing out of past associations with either ally or enemy close our mouths to the full and complete explanation to America of whoever is the source which we will regard as either violating the faith we owe to our country or deceiving in their conduct the promise to the President of the United States.

If the President of the United States shall in this one material necessity of mere publicity to his own people of the thing he is doing in their behalf fail to keep that covenant, he will awaken suspicion in the hearts of all those in his own land and from that moment stand weakened in his place. He knows that. We know that.

Therefore, Mr. President, the very first and supreme duty, as I see it, is that we shall give him support in every way, that he may keep faith with his own people, that they may never have occasion to suspect the sincerity of his purpose or doubt the devotion of his duty.

For that reason, Mr. President, I happily, sir, concur in the sentiment of the Senator from Idaho; I rejoice in the gladness of the Senator from Mississippi; but I add other reasons of more solemn character, from my position, so that the President's word to his own country must be kept, and knowing him as we do, we feel that from him can come the expression of the just man of the Merchant of Venice:

> My word once given forth shall not be recalled.
> Shall I lay perjury to my soul? No; not for Venice.

Mr. JOHNSON of California. Mr. President, I want to add what little I can to what has been said by the Senator from Idaho [Mr. BORAH] so well of that which at the very outset of the peace negotiations becomes of transcendent importance. I wish to add one thought to what he has said, bringing home, it seems to me, more clearly, even though not in his forceful language expressed, just what this means.

In January, 1918, the President stated his 14 points. They have become since that time somewhat famous. Every nation on the face of the earth has accepted those 14 points of peace as laid down by the President of the United States, with the possible exception of one, into which we need not go at this time. In accepting those 14 points of peace which the spokesman of the United States gave to the world, the first was, as has been adverted to here again and again, "open covenants of peace, openly arrived at."

Yet at the very instant when the peace conference assembles in Europe the first of these covenants of peace accepted by every nation on the face of the earth is deliberately violated, and instead of open covenants of peace, openly arrived at, we are given, and the world is given, the same old deceptive secret diplomacy, and our only news is a communique, which we know from experience of the past four years is made merely to cover up what has been done, and which does not state at all the facts of what is transpiring.

So the matter becomes of importance, not only to the President there, and enlists all of us in his support, but it becomes of importance, too, to the whole Nation, which has accepted these 14 covenants concerning peace, the first of which in the very initial meeting of the peace conference is discarded.

So, Mr. President, I think if I had the power, if this sort of thing be persisted in for the next two or three days, some affirmative action should be taken by the Senate, something by which we may say affirmatively here that we insist, as a part of the treaty-making power, that there shall be open discussion, or at least information daily given out of all that is transpiring, that the truth shall be known to all our people.

There is another aspect of this thing that appeals to me, too. It is humiliating and it is irritating to me to have the President of the United States bottled up in any kind of conference. It is humiliating and it is irritating to me to have our President enmeshed in the entanglements of secret European diplomacy, and to have him sitting there as a member of a conference, with his lips sealed by agreement of the conference, and unable to say to the people of the United States and to the Government of the United States what is there transpiring, and compelled by vote of those sitting with him to refrain from communicating with our people. If the President shall fight his way through this peculiar entanglement and this mesh of secret diplomacy of Europe, I will be very glad to lend him such humble support and give him such cheer as can be given by one Member of this body.

It emphasizes, after all, in the last analysis, the necessity for what has been suggested upon this floor of an American policy, and an American policy respecting all that is transpiring across the water to-day. I hope that out of it will come one thing at least—a policy which will consider America first; that with the least possible delay the men in khaki who represent the United States across the sea will be brought home and brought home at the earliest possible moment. I hope that out of it, too, will come the determination on the part of the Senate and the Government of the United States to leave to other nations, the nations beyond the sea, the policing of the world hereafter, and that will give us the definite policy to bring home our troops, wherever they may be, as soon as our present obligations shall have been fulfilled.

THE CENSUS.

The Senate resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

Mr. SHEPPARD. There are some minor amendments that should be adopted. On page 12, line 11, between the word "of" and the word "census," insert the word "the."

The VICE PRESIDENT. Section 10 is out of the bill.

Mr. SHEPPARD. It is a minor correction, anyway.

The VICE PRESIDENT. It can be amended by the conferees.

Mr. SHEPPARD. It is an unimportant change, and doubtless will be attended to in conference. What other sections were amended by the France amendments?

The SECRETARY. Sections 1, 2, 8, 9, and 10.

Mr. SHEPPARD. In section 12, line 4, page 15, the word "provision" should be "provisions."

The VICE PRESIDENT. That amendment will be agreed to.

Mr. SHEPPARD. In section 15, line 3, the word "commission" is misspelled; the letters "i" and "s" should be transposed.

The VICE PRESIDENT. The amendment will be agreed to.

Mr. SHEPPARD. On page 22, in line 6, I move to strike out the word "or" before the word "clerk," the last word in the line.

The VICE PRESIDENT. The amendment will be agreed to, without objection.

Mr. SHEPPARD. In line 7, insert a comma after the word "employee."

The VICE PRESIDENT. The amendment will be agreed to, without objection.

Mr. SHEPPARD. That is all.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. SHEPPARD. I move that the Senate request a conference with the House on the bill and amendments and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. SHEPPARD, Mr. ASHURST, and Mr. LA FOLLETTE conferees on the part of the Senate.

SALARIES OF JUDGES.

Mr. OVERMAN. I move that the Senate proceed to the consideration of the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak.	Myers	Smith, Ga.
Beckham	Jones, N. Mex.	New	Smoot
Borah	Jones, Wash.	Norris	Sutherland
Calder	Kellogg	Nugent	Swanson
Cummins	Kendrick	Overman	Thomas
Curtis	Kirby	Page	Trammell
Fletcher	Knox	Penrose	Underwood
France	Lenroot	Pittman	Vardaman
Frelinghuysen	Lewis	Poindexter	Wadsworth
Gay	Lodge	Pollock	Warren
Gronna	McKellar	Pomerene	Watson
Hale	McLean	Ransdell	Weeks
Harding	McNary	Saulsbury	Wolcott
Henderson	Martin, Ky.	Sheppard	
Hollis	Martin, Va.	Simmons	
Johnson, Cal.	Moses	Smith, Ariz.	

Mr. SUTHERLAND. I desire to announce the absence of my colleague [Mr. GOFF] on account of illness.

Mr. THOMAS. The senior Senator from Missouri [Mr. REED] is necessarily absent.

The VICE PRESIDENT. Sixty-one Senators have answered to the roll call. There is a quorum present.

Mr. SMITH of Georgia. Mr. President, the pending bill, coming to us from the House of Representatives, has been carefully considered by the Judiciary Committee of the Senate and by a subcommittee of the Judiciary Committee. The bill was the subject of lengthy investigation by the Judiciary Committee of the other House before it was reported to the House.

For a long time it has been realized that the judges of our United States courts have been inadequately compensated for their services. There has been a general belief that there should be some increase in their salaries. The House Judiciary Committe reported a bill based upon the plan of making the minimum pay of the district court judge $6,500, with an increased salary based upon the population of the district, the minimum salary of the circuit court judge $7,500, with the maximum salary $1,000 in excess of the largest salary of the district court judge in the circuit. The House modified the bill, and made the salary of the district court judges $7,500 and of the circuit court judges $8,500. The subcommittee of the Judiciary Committee and the Judiciary Committee of the Senate have blended the House action and the action of the House Judiciary Committee. We have made the minimum salary of a district court judge $7,000, with a maximum of $9,000, and the minimum salary of a circuit court judge $8,000, with a maximum of $10,000, and we have provided that in districts of over a million and a half inhabitants there may be an increase of salary of the district judges to the maximum of $9,000, and we have placed the salary of the circuit court judges $1,000 beyond the salary of the district court judges. This is substantially the bill.

The House also increased the compensation of the judges of the Court of Claims. The Senate Judiciary Committee has increased, also, salaries of judges of the Supreme Court of the District of Columbia and judges of the Court of Appeals of the District.

The bill further provides a measure that it is believed will be very helpful to our Federal judiciary. Now, at 70 years of age, with 10 years of service, a district or circuit court judge can resign with full pay for the remainder of his life, but he is removed entirely from any class of work upon the bench. There have been many instances in which judges of both of those courts have felt entirely able to do nearly full work, but not quite full work, and they have hesitated about resigning, because they felt, though entitled to full compensation after resigning, that they wanted to do something; that they wanted to serve. This bill allows a judge who is entitled to resign, instead of resigning, to retire, and thereafter he may be assigned to work and can do all the work that his physical condition still makes it practicable for him to do.

Mr. WARREN. Mr. President, may I interrupt the Senator from Georgia?

Mr. SMITH of Georgia. Yes.

Mr. WARREN. The Senator from Georgia has explained that now at 70 years of age, after 10 years of service, a judge may retire and receive his full pay during the balance of his life. I understand that the bill provides that in the case of inability of a judge who has not retired and who is 70 years old there can be another judge appointed for his district; but I do not understand—and I will ask the Senator from Georgia to explain his idea of the matter—the intention of the bill, whether it is the intention to appoint, whether or no, another judge in a district before the sitting judge has retired, although he may be perfectly able and perfectly willing to do the work of his district.

Mr. SMITH of Georgia. That is not the intention at all, and that can not be done under the provisions of the bill.

Mr. WARREN. I concluded that under the language of the bill it could not be done unless it were done in a rather radical way.

Mr. SMITH of Georgia. It could not be done. The bill carefully guards that. Only when the judge is physically and mentally permanently unable to perform efficiently all the duties of his office can the additional judge be appointed unless the sitting judge voluntarily retires.

Mr. WARREN. I desire to ask the Senator, with his permission, a question on another branch of the subject. As I understand the bill—unintentionally, of course—I assume an injustice would be done to judges of the courts here in Washington. When it is undertaken to apply the rule of population and it gets into the millions, of course you have not suitable units of measurements. The consequence is that under this bill, if it is not amended, we are dooming those judges who have a very great deal of business to do, and especially as to the court of appeals, which I believe has one-third of the amount of all the business of all the circuits of the United States—we are dooming all of those to the minimum salary with no chance of advancement. Consequently, though they are doing more work than judges of the other courts, they will be getting far less salary. I think the Senator from Georgia must have observed that, and I trust when amendments are offered—I have one which I intend to offer—that they may be considered on their merits.

Mr. SMITH of Georgia. Mr. President, I think this question should be considered on its merits. I have been thinking about the provision with reference to the plan of compensation for the judges of the Supreme Court of the District of Columbia and the judges of the Court of Appeals of the District of Columbia, and I hardly think it meets the situation. The judges of the Supreme Court of the District are practically district judges and judges of the Court of Appeals of the District are practically circuit court judges. When we undertake to apply to them the population rule, it can not give them any increase beyond the minimum salary, and yet I believe it is true that the judges of the Supreme Court of the District of Columbia and the judges of the Court of Appeals of the District of Columbia do a vast amount of most important work. I shall be glad to listen to any amendment that is offered, and if my colleagues on

the Judiciary Committee who are upon the floor at that time do not object, I shall offer no objection.

I ask now that the bill be taken up for committee amendments, and as we reach section 3, which applies to the judges of the Supreme Court of the District of Columbia and the judges of the Court of Appeals of the District, I shall be glad to stop to hear amendments or substitutes from the floor of the Senate.

Mr. JONES of Washington. Mr. President, I wish to inquire if the Senator is asking unanimous consent that the committee amendments shall be first considered?

Mr. SMITH of Georgia. That is my request.

Mr. JONES of Washington. I can see a good reason why that should be done in the case of appropriation bills, but I do not think it ought to be done in the case of bills of this character. I have no amendment to offer myself, but I shall object to any unanimous consent requiring the disposition of committee amendments before any other amendment is considered.

Mr. SMITH of Georgia. Then, without the exclusion of other amendments, I ask that we proceed for the present to consider committee amendments.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on the Judiciary was, in section 1, page 1, line 6, after the word "amended," to insert the words "so as," so as to read:

That section 2 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and the same hereby is, amended so as to read as follows:

The amendment was agreed to.

The next amendment was, on page 1, after line 6, to strike out:

"SEC. 2. Each of the district judges shall receive a salary of $7,500 a year, to be paid in monthly installments."

SEC. 2. That section 118 of the act aforesaid be, and the same is hereby, amended to read as follows:

"SEC. 118. There shall be in the second, seventh, and eighth circuits, respectively, four circuit judges; in the fourth circuit, two circuit judges; and in each of the other circuits, three circuit judges, to be appointed by the President, by and with the advice and consent of the Senate. They shall receive a salary of $8,500 a year each, payable monthly. Each circuit judge shall reside within his circuit. The circuit judges in each circuit shall be judges of the circuit court of appeals in that circuit, and it shall be the duty of each circuit judge in each circuit to sit as one of the judges of the circuit court of appeals in that circuit from time to time according to law: *Provided*, That nothing in this section shall be construed to prevent any circuit judge holding district court or otherwise, as provided for and authorized in other sections of this act."

And insert:

"SEC. 2. The salaries to be paid to the district judges shall be $7,000 per annum, except that in districts having a population of over 1,000,000 the district judge or each of the district judges appointed for those districts, respectively, shall receive annually additional compensation at the rate of $500 for each half million of population or part thereof in their respective districts in excess of the first 1,000,000, which additional compensation, as the same may be ascertained, as aforesaid, in the said several districts, respectively, together with said sum of $7,000, shall be the annual salary payable to the district judge or each of the district judges in such districts, respectively: *Provided, however*, That the salary of any district judge appointed for more than one district shall be determined on the basis of the aggregate population of the districts for which he is appointed. Such salaries shall be paid in equal monthly installments, beginning on the first day of the month next following the approval of this act, and the amount to be so paid in the several districts, under the provisions of this act, shall be ascertained by the Attorney General of the United States from the last Federal census and certified by him to the proper disbursing officer or officers. As soon after the 1st day of January next succeeding the taking of any future Federal census as may be practicable any changes in such salaries due to changes in population shall be ascertained and determined by the Attorney General of the United States and shall become effective on and after the 1st day of July next following: *Provided, however*, That at no time shall the salary of any district judge be diminished during his continuance in office, nor shall the salary of any district judge at any time exceed the sum of $9,000 a year."

Mr. THOMAS. Mr. President, there must have been, of course, some controlling reason actuating the committee in their recommendation of this section as a substitute for section 2 of the House bill; but I am unable, until I am better informed, to see any improvement which the proposed amendment makes over the House provision. Nor do I perceive the necessity of paying a district judge a higher salary because he lives in a district containing a population of more than a million, and thus regulating salaries on the basis of constituency or jurisdiction.

The State of Florida has two districts and, if I mistake not, three district judges. The State of Colorado, which is approximately equal in population to the State of Florida, having a population of approximately 1,000,000, has only one district judge. The work which the district judge of my State is necessarily required to do is very much greater than the work which is required in Florida, where the judicial force of the United States is at least double, and I think three times as large, and, as the Senator from Illinois [Mr. LEWIS] suggests to me, exclusive of admiralty business, it is probably very much in excess of the usual business which now goes to the Federal courts; but the judge of my district, its population at the last census being a trifle under a million, notwithstanding that fact, will receive the identical salary which each of the three judges in the State of Florida will receive.

In your own State, Mr. President [Mr. KENDRICK in the chair], the population is less than half a million. The district judge of the State of Wyoming has a large business. I think I may safely say that, in proportion to the population of the State, he has as extensive a business to transact as can be found in any district in the United States. Certainly that is true in times of peace.

Mr. WARREN. May I add to what the Senator says, that that particular district judge, notwithstanding the great amount of work he has to do, is called upon to serve in other courts—courts about, or, in case of illness, and so forth, in adjoining districts.

Mr. THOMAS. Yes; that is true. He is the oldest district judge in the ninth circuit. While all comparisons are invidious, and I will not say he is the best of all the district judges in that district, I certainly am justified in saying that he is the equal of any judge within the district, both in his capacity for work and his experience upon the bench and his ability to transact business. He occupies, therefore, a place in the district where, under the terms of this proposed amendment, his salary can not under any circumstances exceed the minimum fixed in the bill. I use that instance by way of illustration of my doubt as to whether population is a proper basis for establishing the salaries of district judges.

Another reflection along the same line is this: In many—I will not say most, but in many—of the districts of the United States where the population is in excess of 1,000,000, two judges are appointed for the district. The Senator from Arizona [Mr. SMITH] some time ago, I think, succeeded in securing the passage of a bill providing for an additional judge in his district. The Senator from California [Mr. PHELAN] introduced and succeeded in securing the passage of a bill increasing the number of district judges in the district of which San Francisco is the center.

So that this proposed amendment, I think, works unjustly in both ways. It fails to recognize the vast amount of business transacted in comparatively small districts—that is, small on the basis of population—and at the same time it rewards judges, regardless of their number, where the population of the district to which they are appointed exceeds 1,000,000.

Mr. SMITH of Arizona. Mr. President, will the Senator permit an interruption along the line on which he is now speaking?

Mr. THOMAS. Certainly.

Mr. SMITH of Arizona. It strikes me, as the Senator says, that the mere fact of population has very little to do with the labor of the court. Take Arizona, for instance. Recently the Senate passed a bill providing for another judge there on the ground that it is a physical impossibility for the present judge to transact the business in Arizona—a State as large as three of the ordinary Eastern States, and with courts held at four different places. From the 14th of last March—I have not the data before me, as I gave it to the Representative of Arizona in the House for use there—but, speaking generally, I should be willing to make the assertion that there are few, if any, Federal courts in the United States that transact the business that that court in my State is compelled to transact.

Mr. THOMAS. And that, too, since the State went for prohibition.

Mr. SMITH of Arizona. That is true, although the Federal courts have very little to do along that line, as the State courts have jurisdiction.

I had the exact history of the record; but suffice it to say that the judge on the bench had on the docket in March some 350 cases—law, equity, and criminal. He has sat for five years without one week's real recess, and from the 14th day of last March up to last November he had disposed of some 500 cases, sitting often day and night; and yet he now has on his docket something like 600 cases. The effort to get another judge to help out seems to create the impression that we are trying to get some Democrat appointed to an office, and that is what has met me here and met me in the House. There is nothing in it.

I do not want to take the Senator's time, if I am intruding on him.

Mr. THOMAS. Go right ahead.

Mr. SMITH of Arizona. We have been attempting to get an additional judge for Arizona, but we can not.

It strikes me that the House bill is infinitely better than the Senate substitute. It made the salary of every one of these dis-

trict judges $7,500 flat. That is little enough. The judge of my court has got to quit, or else he will simply ruin his health in an effort to keep the jails partly cleared, as well as he can, and save as much expense as possible to the Government.

That is the condition that the matter is in; and the flat $7,500, as the House bill provided, strikes me as infinitely better. Under the Senate committee amendment the mere fact that a million men live in a district is to give a man a thousand dollars more for presiding over the court, instead of estimating the amount of business that the judge has before him. The expense of living is just as high or higher where we have to travel from place to place in the West as it is anywhere in the East; and estimating it on the basis of a mere population that has no Federal business, and fixing the additional salary on that basis, seems to me without any reason whatever. If it were put on the basis of the business the court transacts, that might produce a good many suits that otherwise would not be brought; I appreciate that. Therefore, it seems to me, the Senator's criticism is exactly right, that the House bill, with a flat $7,500 salary, should not be objected to by anyone, with the amount of business that these courts have; and it strikes me that the House bill, without amendment, ought to be passed.

Mr. THOMAS. Mr. President, I think the position of the Senator from Arizona [Mr. SMITH] is justified by the facts which he has recited; but if the system of salaries for district judges proposed by this amendment be the sound one, the same principle should extend to the circuit court of appeals.

The eighth circuit, which comprises the State which I in part represent here, is the largest circuit in the United States, geographically; and while I am not able to state off-hand the population which is comprised in that circuit, it is certainly very large, and the business which is transacted by that circuit is greater than that of any other circuit in the country. That being so, and assuming that the population is larger, why should not each of the circuit judges for the eighth circuit receive a greater salary than will be paid to the circuit judges for, we will say, one of the southern or eastern districts—the second, third, or fourth?

There is surely a disparity in the populations of the circuits. There must be, in the nature of things, as there is geographically, and as there is also in the territory and the population of the United States judicial districts. So that the system is not symmetrical, it is not equitable, nor, in my judgment, is it consistent, unless the salaries to be paid to the circuit judges shall conform to and be regulated by the same basis.

I have the very highest opinion of the ability of the Senator having charge of the bill, and I know that he must have reasons which are conclusive to him, at least, for proposing these amendments to the House bill; but as far as I am able to judge until I am better informed, the House provision is far preferable, if we are to raise these salaries at all.

Mr. SMITH of Georgia. Mr. President, I can give to the Senate the reasons that influenced the subcommittee that investigated this question; and they are substantially the same reasons that influenced the Judiciary Committee of the House.

Take, as an illustration, the city of New York. We find our Federal judges there paid about half as much as the State court judges.

Mr. CALDER. Mr. President, if the Senator will permit me, one-third as much. We pay our supreme court judges $17,500 a year.

Mr. SMITH of Georgia. The Senator from New York suggests that they are paid one-third as much.

Mr. THOMAS. Mr. President, that is true of New York; but in Colorado the salaries of the district judges and the circuit judges are both larger than the salaries which we pay to the judges of our supreme court, and we only pay $4,000 a year to the judges of the district court.

Mr. SMITH of Georgia. Mr. President, I was wishing to indicate to the Senate the situation that confronted us, that led both of the Judiciary Committees to conclude that some recognition of salary based upon population was necessary.

Take the case in the city of New York, where the volume of business is immense, where the successful lawyer finds as a result of his efforts an income much larger than in smaller communities, and where the expenses of living are much greater. It was believed that some system ought to be adopted that would make it practicable to carry the salaries in New York, Philadelphia, Chicago, and a few other portions of the country, reasonably beyond the salaries in States like my own, or districts in which there are no large cities; and this plan of population was adopted. The House plan ran the salary of the circuit court judge up to $11,000, and the salary of the district court judge to $10,000. We restricted it so as to limit the circuit court judge to a thousand dollars less, and the district court judge to a thousand dollars less.

For a long time the same pay was not given to all of our district judges, or all of our circuit-court judges, before they became judges of the circuit court of appeals. The difference in volume of business and in the location was recognized, and the salaries varied. The salaries of our district attorneys now vary. The salaries of our collectors of internal revenue vary. So we felt that we were justified in following the view of the Judiciary Committee of the House, and, undertaking to make some provision by which in certain of the larger districts, where incomes were larger, where expenses of living were relatively somewhat larger than in the smaller districts, and the business larger, larger salaries should be paid.

Mr. CUMMINS. Mr. President, there is a great deal of reason in the suggestion made by the Senator from Georgia; but the trouble is that this standard does not accomplish his purpose altogether, or it accomplishes a good deal more than it. You take the district as a basis. Now, the same population in a State may be divided into two divisions. The judges do exactly the same business; they live under the same circumstances and in the same general community; yet in the one case the salary would be largely increased over the minimum, and in the other it would not be increased at all. That is the objection that I have to this standard.

Mr. SMITH of Georgia. Mr. President, I recognize the criticism which the Senator from Iowa places upon it. We do not submit this action without some doubt ourselves. We do not believe that we have certainly done the only thing that could be done; but we felt that we could, perhaps, come nearer obviating the difficulties in this way than in any other way. We felt that it was probably the best plan that we could suggest.

We raised the minimum salary of the district judge to $7,000, as against $6,500 in the original House bill. We stopped the maximum at $9,000, as against $10,000 in the House. We raised the minimum for the judge of the circuit court of appeals to $8,000, instead of $7,500. We stopped the maximum at $10,000. We undertook to raise a little at the bottom and trim off a little at the top in this plan, because we felt that the plan itself had defects in it.

Mr. CUMMINS. If the Senator will allow me just a moment more in order to exemplify what I have just stated, I should like to ask the Senator from Minnesota [Mr. KELLOGG] what effect this amendment would have upon the salary of the district judges in Minnesota. How much would the salary of a district judge in Minnesota be under the provisions of this law?

Mr. SMITH of Georgia. I can tell the Senator, unless the Senator from Minnesota has the figures.

Mr. CUMMINS. I did not know that the Senator from Georgia had the figures, or I would have asked him.

Mr. SMITH of Georgia. Yes; I think I have them here.

Mr. KELLOGG. Will the Senator give them? I will look and see if I have them.

Mr. SMITH of Georgia. My figures here give the district court judge in Minnesota $8,500 and the circuit court judge $9,500.

Mr. CUMMINS. Precisely. Now, Mr. President, that brings clearly to the attention of the Senate the disparity which I mentioned a few moments ago. Minnesota has one district, and therefore the salary of a district judge is determined by the population of the whole State. Iowa has two districts and has two districts judges only; and the salary of the district judges in my State would not be increased at all over the minimum under the operation of the proposed statute. So we would have the situation of two adjoining States—and they are about as nearly alike as two States could be—in which the district judges in one were receiving $8,500 and in the other $7,000.

Mr. SMITH of Georgia. But in one State you divide the State and have two judges, and in the other State the one judge does all the work.

Mr. CUMMINS. That is true; but there is not more than one district judge in Minnesota. There is not the same number of judges.

Mr. THOMAS. They all receive the increased salary.

Mr. CUMMINS. They all get an increased salary. I have no objection in the world to that; but you are proposing a plan here that will create the greatest possible discontent everywhere, because it is discriminating against judges without any reason.

Mr. THOMAS. The Senator might add that Minnesota has at least the same number of judges in the one district that Iowa has in the two districts. Under the operation of this law all the judges will get the increased salary, but neither of the Iowa judges will get anything more than the minimum, if the business in the two States and the population of the two States are practically identical.

Mr. CUMMINS. Minnesota has a little larger population than Iowa.

Mr. THOMAS. Not much.

Mr. CUMMINS. Not materially larger. In our State we divide into districts two million and a half people—into two districts two million and a half people—and the districts are so divided that they are about equal in population. So that in each district there are about 1,250,000 people, not enough in either district to entitle the district judge to any advance over the minimum compensation by reason of population, although the judges do their work and live under practically the same conditions.

Mr. SMITH of Georgia. I understand there is one district in Minnesota and there are two districts in Iowa.

Mr. CUMMINS. That is the way I understand it.

Mr. KELLOGG. Yes; there are one district and two judges in Minnesota.

Mr. CUMMINS. We have two districts and two judges.

Mr. KELLOGG. There are five divisions; but, as I recollect, those are divisions of the district. They hold court in five different places, and there are two judges of the district court.

Mr. WARREN. What is the population?

Mr. KELLOGG. The population is two million and a quarter or two million and a half.

Mr. SMITH of Georgia. I am obliged to recognize that there are inequalities in this bill, but I do not see how we could take care of the necessities for the larger salaries in the larger places except in this way, and we undertook to put it in the best shape we could along that line.

Mr. FLETCHER. May I ask the Senator if he knows of any other instance? I do not recall any other States that have only one district and one judge.

Mr. THOMAS. My State has only one district and one judge.

Mr. FLETCHER. Of course some States have more than one district, but I mean one district with more than one judge. I do not recall any others.

Mr. THOMAS. There are States having more than one district in which the number of judges exceed the number of districts.

Mr. HENDERSON. There is the same condition in Nevada as in Colorado.

Mr. FLETCHER. And in Nevada, Arizona, and New Mexico.

Mr. THOMAS. There are States that have more than one district in which the number of judges exceeds the number of districts and each of those judges under this bill notwithstanding population is entitled to the same salary.

Mr. FLETCHER. There are very few of those cases. I think there have been some proposals passed by the Senate but not yet passed by the House where additional judges are provided in some particular districts but there are very few of those cases and very few cases similar to the Minnesota case. It is almost impossible to make a bill that will fit all conditions. I believe it is true that if the Senate bill is passed it will not mean quite as large a draft on the Treasury as the bill passed by the House. I do not know whether the Senator from Georgia has figured that out exactly, but it is my impression that the committee did. I think if the Senate committee bill is passed it will not mean quite as large an increased expenditure in judges' salaries as the bill passed by the House would call for. In other words, if we make a minimum salary of $7,000 for district judges and only increase in those districts where the population and business increase, you will not pay out as much money for the salaries of district judges as you would if you made all the salaries for every district judge $7,500.

Mr. SMITH of Georgia. For district and circuit judges together the Senate committee bill appropriates a little more than the bill as passed by the House.

Mr. KELLOGG. I did not hear the Senator's remarks; there was so much noise in the Chamber. Will the Senator please repeat it?

Mr. SMITH of Georgia. For district and circuit judges combined the increase is a little more in the Senate committee bill.

Mr. KELLOGG. What is the increase? Is it not about $200,000 altogether?

Mr. SMITH of Georgia. The total increase in the bill as passed by the House is $189,000. The total increase by the Senate committee bill is $229,000. I will say again to Senators that it is a matter for them to determine. I believe from what I have heard from Senators that there is almost a unanimous view in the Senate that increases should take place. I have had so many Senators speak to me of their interest in this bill and their desire to support the increase of compensation for the judges that I feel sure the general principle of an increase will receive the cordial support of the Senate. Just what plan should be pursued is for you to decide. We give you the plan recommended by the Judiciary Committee of the House, modified as I have stated. The House itself desire to treat all the judges, without regard to territory, in exactly the same way. It is simply for the Senate to say which they prefer.

Mr. WILLIAMS. Mr. President, some one said many years ago—I do not remember just now who it was but I believe it was Edmund Burke—that the trouble with the English-speaking races is that they constitute a government of lawyers—lawyers in the legislative assemblies, lawyers making laws for lawyers' benefit, and lawyers fixing salaries for lawyers' benefit. Whoever may have said this, there is a great deal of truth in it. If you will look over the membership of the House of Representatives and of the Senate and of the House of Commons in Great Britain, you will find that a large majority of them are lawyers and they legislate in behalf of lawyers, as is perfectly natural.

So far as I can ascertain, this is a bill to increase the salaries of lawyers who have become judges, and who, having become judges, are sacrosanct and ought to be above criticism even as to the amount of money they are to be paid.

There is not any lack of lawyers in the United States who are hunting positions as Federal judges. A vacancy can not occur in a single State of the Union when there are not from 10 to 12 of the most prominent lawyers in the State seeking the position, desiring very honestly to have it for public purposes, not for the reason of the payment of the salary, but because they want to serve the public. They are always there.

I have had a man or two appointed as Federal judge, and the Senator from Georgia, too, has, I expect, although I do not know. I imagine we both had a great deal of difficulty in determining which one of the several men applying for the place we should recommend. They all wanted the position, and wanted it very badly. Men who vied with the Senator and with myself when we were attorneys in our practice—it did not take much to vie with me, but it took a great deal to vie with him—were seeking positions as Federal judges, and very glad to get them at the salaries already paid.

There is no reason in the world why the salaries should be raised. Senators tell me that at certain points in the United States certain Federal judges must decide a certain multitudinous number of cases for which they ought to be extraordinarily remunerated, and that there are other places where they decide a less number of cases for which they ought not to be extraordinarily remunerated. I find that a man can just do so much work in a day, no matter what he is—a judge or what not—and that he does not give himself extra hours on account of extra labor, either; that the average judge devotes about six hours a day in public to the public business, and if he is a very conscientious man he devotes more to it in private.

I am tired of government by lawyers, for lawyers, and for lawyers' payments and compensations. I do not speak with any antagonism. I am the son of a lawyer, the grandson of a lawyer, the great-grandson of a lawyer, the great-great-grandson of a lawyer, and a lawyer myself in a way—not, I thank God, in a commercial way. I never made so awfully much money out of it, because I did not want to go into that part of the practice that based itself purely upon commercial compensation.

I do not see any reason why these salaries should be increased. The lawyers, judging by the fact that they all want the places, do not see any reason for it. The men whom I have had appointed as judges and the men whom the Senator from Georgia has had appointed as judges did not see any particular reason for it, because they took the job at the old price and were very glad to get it. They summoned the whole family up that night and thanked God for the opportunity to take the place. I suppose the wife prayed and the children prayed, and all of them rendered thanks to God that they had gotten the position.

A lawyer with ermine on him is just simply a lawyer. We call him a judge, but we have not added anything to his consideration or his ability or his capacity. If he did not want to take the place as a Federal judge at $6.000 a year salary he need not have taken it. All he has to do is to let it alone.

By the way, the chief judges of the United States, men like Chief Justice Marshall and Story, were men who never quarreled about their salaries. Each one of them considered himself peculiarly blessed in having the salary which he had. There is not a line in all the autobiography and biography of Chief Justice Marshall complaining about the fact that he was not adequately compensated as a lawyer. He could not have made $2,500 a year in Virginia practicing law.

He never had made it in his entire life. Story could not have made $5,000 a year in Massachusetts practicing law, and never had made it in his entire life. Yet they were two of

the very best judges the United States ever had, and why? Principally because they never practiced law for money. The average lawyer who practices law for money and whose aim in his profession is to make money is not a good lawyer and will not make a good judge. He is merely a self-seeker. He is merely a fellow who wants money handed out to him, and if he is that sort of a fellow he will not make a good judge, whatever else he may make.

Old John B. Minor, of the University of Virginia, in my opinion was the greatest lawyer this country has seen in half a century. He scarcely made a living practicing law, because when a case came in to him the ethics of which he did not approve he turned it down. He educated more great lawyers than any man in America except Chancellor Kent, of New York. Kent, of New York, never made any immense amount of money practicing law, as the Senator from New York can testify, but Kent was a great judge, and he was a great judge for the reason John B. Minor was and Story was and Marshall was, to wit, because he had never looked to the law simply and solely as a method of making money.

Mr. President, I do not believe you are going to attract to the bench the best judges by increasing the salaries. I believe if you increase them high enough you will attract the money seeker, the moneygrubber, and the money lover, and whenever you get them on the bench you will have a bad judiciary.

Mr. MYERS. Mr. President, I send to the desk an amendment to the pending committee amendment and ask to have it read.

The SECRETARY. Amend by inserting, after the word "judges" at the end of line 16, page 2, the words "including the United States district judges for the Territory of Hawaii."

Mr. MYERS. Mr. President, this bill does not apply to United States district judges for the Territories of the United States. It applies only to United States district judges for districts on the mainland or in the United States proper. There are two United States district judges for the Territory of Hawaii. The salary of each is $6,000 per year. They are not appointed for life, as are the United States district judges in the United States proper. They are appointed for only six years.

I do not see any reason why the United States district judges for the Territories should not receive as much compensation as other United States district judges. The United States district judges for the district of Hawaii, as I say, serve only for six years, and in that respect are at a disadvantage with those United States district judges who serve for life or during good behavior. They have to go thousands of miles away from home and live in a strange land. The cost of living in Hawaii is even higher than it is on the mainland of the United States.

The United States district judges for the Territory of Hawaii are good judges and should receive as much compensation as the United States district judges on the mainland. Furthermore, I think the United States district judges in the different Territories should be paid something like the same compensation. The United States district judges for Alaska receive $7,500 per year. I can see no reason why United States district judges for the Territory of Alaska should receive more compensation than United States district judges for the Territory of Hawaii. There is no reason for it. When you come to reason, there can be no reason for it. The United States district judges for Hawaii should receive just as much compensation as those who serve in Alaska. Hawaii is as far away from the mainland of the United States; the cost of living is just as great, I am sure, in Hawaii as in Alaska.

There may be some difference of opinion among Senators as to the wisdom of this bill. There may be some difference of opinion as to the justification and advisability of enacting this proposed legislation and increasing the salaries of Federal judges; but, if we are going to do it at all, it seems to me we ought to do it equitably and fairly and not increase some and exclude others. It seems to me, if we are going to enact this legislation at all, it should be fairly and equitably framed and put upon a plane, so that all of the United States district judges shall be fairly treated and compensated somewhat alike. Then, when the bill is perfected in that way, it is a question for the Senate to decide whether or not the bill shall be enacted into law. I seek to perfect the bill in an equitable and fair way before the question of its final passage comes before the Senate.

I believe my amendment should be adopted. There is a population of about a half million people in Hawaii. This amendment to the committee amendment, if adopted, would give the United States district judges for the Territory of Hawaii a salary of just $7,000 per annum. It would fix their salaries at the minimum salary provided in this bill. It would give them the lowest salary provided by this bill for any United States district judge, and I think they are certainly worthy of that. They are good men and good judges and there can be no ground for discriminating against them. It is apparent they are discriminated against, though, when you remember that United States district judges for Alaska are given $7,500 a year. My amendment would pay the Hawaiian district judges of the United States $500 per year less than the United States district judges for the Territory of Alaska receive, and would give them the minimum that any United States district judge on the mainland would receive.

It seems to me the amendment should appeal to the Senate as being absolutely fair, just, and reasonable, and there should be no doubt of its adoption.

Mr. KELLOGG. Mr. President, I do not wish to take much of the Senate's time, but I am loath to allow the remarks of the Senator from Mississippi [Mr. WILLIAMS] to pass without at least attempting to answer them.

The Senator states that most of the Members of the House and Senate are lawyers, and therefore it looks to him like they are voting to increase the salaries of lawyers. Great as that argument may seem, I submit that we are not in the habit of putting men on the bench unless they are lawyers, and, of course, when we vote to increase their salaries we vote to increase the salaries of lawyers.

But beyond that, if it is an intimation or an insinuation that the lawyers of the Senate and the House of Representatives are seeking to increase these salaries for personal advantage or in the hope of some time occupying a place on the bench and getting the larger salaries, I am astonished that the Senator from Mississippi should make such an insinuation. The public men in both Houses of Congress and in the legislatures and in public life for more than 100 years have come from that great and honorable profession, and it is a slander upon them to say that they are voting to increase their own salaries.

Mr. President, of course lawyers can be found to occupy the judicial positions at the present salaries, such as they are, and I do not wish in any way to reflect upon the men who are occupying those positions, for the Federal judiciary has during the entire life of this Republic been of a very high grade, and the judges whom I have known, though many times serving for much less than their abilities would justify, are men of high character and ideals and possess eminent qualifications for their position.

But, Mr. President, because men can be procured to fill positions is no answer to the argument that they should be paid a fair salary consistent with the incomes of men of their profession, although I do not claim they should be paid any such amount as men of their profession of like ability can earn. I have no doubt that every office of justice of the peace in important cities could be filled by lawyers, but that is no argument to the effect that a justice of the peace would be suitable to sit upon the court of appeals bench.

Mr. President, it is a well-known fact, not only to lawyers but to everyone, that judges of the United States courts have not for many years been paid a salary commensurate with the very important positions they occupy, and it is becoming increasingly difficult in the large centers of population, where professional incomes are high, as well as in the villages and rural districts, to obtain the best men for appointment as United States judges. In the last few years judges have been resigning in the State of New York, because they simply could not live on the salaries which they there received.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Minnesota yield to the Senator from Washington?

Mr. KELLOGG. I yield.

Mr. POINDEXTER. I have been informed by former Senator O'Gorman, of New York, that the justices of the peace and the police magistrates of New York City receive $8,000 a year, while the United States district judges only get $6,000 a year.

Mr. KELLOGG. I am not informed as to that, but the judges of the Supreme Court of the City of New York, which is the nisi prius court, get $17,500 a year, while the United States district judges get $6,000 a year.

Now, let us consider this fact. It is not solely a question of whether the man can buy the necessaries of life and can live on the salary that is now paid, but it is a question of paying salaries commensurate with the incomes of lawyers in the community; and no one will claim that any man who is qualified to sit upon the United States district court or upon the circuit court bench could not earn vastly more than the salary he is now paid or that it is proposed to pay in this bill.

Mr. WILLIAMS. Then why does he take the place?

Mr. KELLOGG. The Senator from Mississippi asks why judges take such places. It is because it now is, and always has been, a very honorable place, and it is to the honor of the profession that that is the fact.

Mr. WILLIAMS. That answers the question.

Mr. KELLOGG. But we should not force men to take those positions simply because of the honor involved, for it means that a poor man can not afford to do so, and the bench will be filled by rich men or by incompetents.

Mr. WILLIAMS. Will the Senator pardon me this interruption?

Mr. KELLOGG. I will.

Mr. WILLIAMS. If it be true that a man takes the place partially because of its compensation and partially because of its honor, and chiefly because of its honor, then why should we put it upon a mere monetary basis? Why should we not leave to the honor of the profession some of the ambition that Marshall, Kent, and Story had to figure in American history as great lawyers? Why should we reduce it to a mere dollars-and-cents standard? As I understand, the Senator from Minnesota says that these men take these places because of the honor in them. I can understand that; he can understand that; the Senator from Washington [Mr. POINDEXTER] can understand that. We will do much more for honor than we will for money.

Mr. KELLOGG. Mr. President, I will attempt to answer the Senator from Mississippi. It undoubtedly is a fact that a great many of the judges occupy the position because it is a position of honor and dignity, and I do not expect that we are going to pay a salary anywhere near what those men could earn in their profession; no one thinks of doing that.

Mr. WILLIAMS. Will the Senator pardon one more question?

Mr. KELLOGG. I have not yet answered the Senator's first question.

Mr. WILLIAMS. Then the Senator can answer the two questions at the same time. Suppose we undertook to pay the utmost salary that any lawyer in private practice could get, then would we not undertake to pay a dishonest salary for dishonest service to public corporations?

Mr. KELLOGG. Mr. President, no one thinks of paying a maximum salary equal to the income of many lawyers; but I should like to remind the Senator from Mississippi that there are a great many high-minded and able lawyers who are just as patriotic as is the Senator from Mississippi or any other Senator in this body, who have large incomes from legitimate and honorable business. No one expects to pay judges more than a small proportion of the income of such lawyers; but I do think that we should not leave the judges of the United States courts to be paid by honor alone. I do not wish only men to be selected for those positions who have made their fortunes. I like to see young men of ability who are poor and yet have the world before them given an opportunity to distinguish themselves upon the bench.

Manifestly the salaries of the district and circuit judges of this country are inadequate. Let me submit some figures. The eighth circuit, in which I have had the honor of practicing for over 40 years, contains 13 States, reaching from the Mississippi River to the Rocky Mountains and from the borders of this country on the north to the south to New Mexico. It has a population of almost 20,000,000; it has four United States circuit judges who sit in the court of appeals, and since the day that Justice Miller and Justice Brewer added luster to that bench it has been filled by lawyers of the highest ability, character, and standing. One of them to-day is upon the United States Supreme Court bench, having sat there many years. Judge Caldwell was well known as one of the great lawyers of this country, and Judge Miller in his day was ex officio circuit judge, representing the Supreme Court of the United States. To-day there are Judges Sanborn, Hook, Smith, and Stone. They are all men of ability and character. Judge Sanborn has been on that bench for more than a quarter of a century and is one of the great lawyers and judges of this country, his entire time and strength being given to a work of colossal magnitude. We are paying him only $7,000 a year, and he would have resigned but for the protest of the members of the bar of this country. I say that that is not fair.

Mr. President, the judiciary, State and Federal, is the corner stone and the foundation of law and order in this Republic. It sits between the legislative and the executive. Its powerful hand protects the citizen if the Executive, in the pursuit of his ambitions, seeks to usurp his powers; and it is the prerogative of the judge to decide whether the statutes that Congress pass conform with the Constitution and the Bill of Rights which were framed by our forefathers and which have been handed down to us through the generations. Nothing is more important to the protection of the citizen and to the stability of the Government than a high-minded, honorable, fearless judiciary.

I do not for a moment wish that we shall turn the bench into a money-grubbing profession. I say, to the honor of the bench of this country, that against its standing that charge can never be made; and the proposed increase here provided certainly will not render the judges of the United States liable to the charge of profiteering.

Mr. President, I am not particular whether the amendment of the Judiciary Committee be adopted or whether there be a flat increase applying to all the judges of the United States. I realize that there are objections to both systems. The House Judiciary Committee for the last year or two had under consideration, as the Senator from Georgia [Mr. SMITH] has stated, this plan, and they reported in favor of it. Then the House changed it to a flat salary basis. The Senate Judiciary subcommittee recommended a flat increase of salary, but the entire Judiciary Committee, considering the matter again, recommended the sliding scale, with a maximum and a minimum limitation.

Mr. SMITH of Arizona. Mr. President, will the Senator from Minnesota permit an interruption?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Arizona?

Mr. KELLOGG. I yield to the Senator.

Mr. SMITH of Arizona. I should like to have the judgment of the Senator from Minnesota as to which, in his opinion, as the matter now stands, is the better legislation. My view of the bill leads me to feel that the House as it passed the bill came nearer to being absolutely fair all along the line. The plan of the House impresses me as being preferable to that of the bill as reported to the Senate. I have great confidence in the judgment of the Senator from Minnesota in the matter, and should be somewhat led by his mature judgment as to which of these plans is the better; but at present I am convinced that the bill as it came from the other House is much better than as now proposed to be amended by the Senate committee.

Mr. KELLOGG. Mr. President, I will try to answer the Senator from Arizona before I complete my remarks. I wish to state the two sides of the question as fairly as possible, and I shall be content whichever plan the Senate adopts. I think, however, that the salaries fixed in the House bill are not high enough. As I understand, they are $7,500 for district judges and $8,500 for circuit judges. I think those salaries should be higher.

Coming, now, to the question of which is the better plan, the one adopted by the other House or the one adopted by the Senate Judiciary Committee, reversing the position, as I understand, taken by the subcommittee of the Judiciary committee. I am not on the Judiciary Committee and therefore am not familiar with the arguments and statistics which were presented as to the various large centers of population, and I can only give my views in a general way. It is true, undoubtedly, that in New York, Philadelphia, Boston, Chicago, St. Louis, and other cities it is much more difficult to obtain high-grade lawyers to sit upon the district bench than it is in the country lawyers of equal ability.

I am a great believer in the country lawyer. I was born in the country, started to practice in a little country town in southern Minnesota, and traveled over the prairies of the West trying lawsuits, and I know that many, if not most, of the great lawyers of the United States have come from country towns. If you will look at the bar of the great cities to-day, you will find that they have drawn their brains largely from the country. I also know that a salary of six, seven, or eight thousand dollars a year in Iowa or Minnesota or in the Dakotas would be much more adequate than $10,000 in New York City or Washington, where rents are enormous and where the standard of professional incomes is very much higher.

Of course, a lawyer should not look exclusively to the money question, and the great lawyers of the country do not. It is a rule almost universal that the great lawyers of this country do not turn away clients any more than the great doctors do because they have no money; but it is not dishonorable for the great lawyers of the country to earn large incomes, any more than it is dishonorable for men engaged in business to make large incomes; it is honorable.

Mr. President, as I have stated, it is true that in the large cities it is more difficult to obtain professional men to sit upon the bench than in the country, and there is a reason for it. In my State we pay our district judges, our State trial judges, $1,500 more in St. Paul, Minneapolis, and Duluth than we pay them elsewhere in the State, and there has never been any ob-

jection to that. In the State of New York likewise the State judges get a great deal more—I think nearly twice as much—in the city of New York than they do up State, where I lived when I was a boy. On the other hand, it is also true, as stated by the Senator from Iowa, that there are discriminations in this system. I will admit that as between the State of Minnesota and the State of Iowa I do not think that the judges of the district courts ought to be paid any more in the State of Minnesota than in the State of Iowa, although possibly litigation is greater in Minnesota, owing to the enormous mining district which is situated principally in that State. There will be some discrimination and it can not be avoided. Even if we make a flat increase in salary, there will be discrimination; there is no doubt about that; and under such a plan the discrimination might be greater.

Take the judges of the circuit court of appeals. The circuit court of appeals of the eighth circuit embraces 13 States. There is no other court embracing anywhere near so large a number of States. It has the largest population by about 7,000,000 of any circuit in the United States. It has nearly 20,000,000 people, while the circuit with the next greatest population is the New York circuit, known as the second circuit, which has 12,500,000 people; next comes the Pennsylvania, or third circuit, which has twelve and a third million people; and then the seventh circuit, embracing Wisconsin, Illinois, and Indiana, which has 11,800,000 people. I ask to include the computation I hold in my hand at the end of my remarks, without reading.

The PRESIDING OFFICER. Without objection, permission is granted.

Mr. KELLOGG. Mr. President, under this bill the United States circuit judges of the court of appeals of the first circuit, embracing New England; of the second circuit, embracing Vermont, New York, and Connecticut; and of the third circuit, embracing Pennsylvania, New Jersey, and Delaware, will get the maximum salary of $10,000, which is certainly not more than adequate. The judges of the seventh circuit, embracing Wisconsin and Illinois and Indiana, in which the city of Chicago is situated, will also receive a salary of $10,000.

In the circuit of which Minnesota is a part, as I figure it—and I think I am correct—the maximum salary of the judges of the United States circuit court of appeals will be $9,500. I readily realize that when those judges sit in St. Paul, St. Louis, Denver, where litigation is perhaps heavier than in any other circuit in the United States, they ought to be paid as much as the judges of the circuit court of appeals in the New York circuit, but I am not going to object to the bill on that account, for I realize that we can not get exact equality, and, even if we provide a flat increase of salary, some judges in the country districts, where the business is light, will be paid really more than the judges in the big districts, where the business is heavy.

In the eighth circuit, during the life of the court, there have been more opinions filed than in any other court in the United States; the litigation has been of greater importance; it has involved a great section of the country traversed by railroads, embracing great cities and great mining and industrial interests, the principal iron mines and many of the other mineral industries of the country being situated within that circuit. Yet I am not going to object because the judges of that circuit under this bill will receive $500 a year less than the judges in the New York and other circuits, because I believe the committee has tried to make as fair a bill as possible. Personally, I am perfectly willing, if the Senate so desires, to have adopted the plan of a flat increase of salary.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. KELLOGG. I yield.

Mr. CUMMINS. Does the Senator know of any reason why the committee should not have adopted the rule of population in the case of the circuits as well as in the case of the districts?

Mr. KELLOGG. No; I am not familiar with the statistics or the arguments before the committee. As I have said, I am not on the committee, and I have had only a very brief opportunity to look over the report of the committee and the bill. I repeat, it is a question of opinion as to which is the best method, and I am sure the chairman of the committee will be perfectly satisfied if either plan is adopted, provided a reasonable increase in the salaries of these judges is provided.

Mr. CUMMINS. Mr. President, I am just as much in favor of a fair increase in the compensation of United States judges as is the Senator in charge of the bill or the Senator from Minnesota, but I can tell the Senator why the rule of population was not adopted with respect to the circuit judges.

Mr. KELLOGG. I am not familiar with that.

Mr. CUMMINS. The committee was trying to provide, as was stated by the Senator from Georgia, the highest salary for United States judges in New York, Boston, Philadelphia, and Chicago, and the rule of population will do that in the case of district judges, but will not do it in the case of circuit judges. Therefore, another rule was adopted for ascertaining the compensation of circuit judges. I think the rule eminently unfair, not that I am not willing to give some compensation to the judges in New York, Boston, Philadelphia, and Chicago in excess of the general level of compensation, for I am. I recognize as perfectly valid some reasons, at any rate, that are given for higher salaries in those places. All of the judges want their salaries increased, of course, but this bill will bring about more heartburnings than we have ever seen in judicial circles.

I see the Senator from Michigan [Mr. TOWNSEND] sitting by me. The bill will not only create disparity between States, but between districts in the same State. A few moments ago I asked the Senator from Michigan what the effect of the bill would be in his State, and he told me that the result would be that the salary of the judge of the western district of Michigan would be $7,500, while the salary of the judge of the eastern district of Michigan would be $8,500, both of them men of the very highest character, both of them capable of great work, and one of them doing just as much work and just as important work as the other. I do not believe there is any justification for that kind of a rule.

Mr. KELLOGG. Mr. President, I can not answer the Senator as to specific salaries in the case of the various district judges of the country. I know, of course, that there is some discrimination between the judges of the circuit court of appeals. Of course, that could be removed by making a flat increase in the salaries of all judges of the circuit court of appeals to $10,000 a year, because undoubtedly in all the circuits the courts of appeal hold their meetings in more than one place. I presume that is true; they certainly do in the circuit where my home is.

So far as I know I have not heard of any objection by the judges themselves; naturally, perhaps, they would not raise objections; but I have heard from a good many judges who, while they realize that the bill probably does discriminate somewhat, yet on the whole they are satisfied, and some of those judges are in the big cities. Of course, however, I can not speak for the bench as a whole, and I realize what the Senator from Iowa has said that there is necessarily some discrimination.

APPENDIX.

MEMORANDUM RE H. R. 12001, JUDICIAL SALARY BILL.

Population of the nine judicial circuits of the United States.

STATES IN THE FIRST CIRCUIT.	
Maine	787,042
New Hampshire	448,274
Massachussetts	3,889,607
Rhode Island	648,964
Total	5,773,887
STATES IN SECOND CIRCUIT.	
Vermont	367,439
New York	10,833,795
Connecticut	1,307,163
Total	12,508,397
STATES IN THIRD CIRCUIT.	
Pennsylvania	8,936,091
New Jersey	3,146,547
Delaware	218,722
Total	12,301,360
STATES IN SEVENTH CIRCUIT.	
Wisconsin	2,580,800
Illinois	6,400,473
Indiana	2,872,842
Total	11,854,115
STATES IN EIGHTH CIRCUIT.	
North Dakota	817,554
Minnesota	2,378,128
South Dakota	753,897
Iowa	2,224,771
Missouri	3,467,401
Nebraska	1,309,627
Kansas	1,896,520
Arkansas	1,819,587
Oklahoma	2,465,402
Wyoming	195,791
Utah	463,431
Colorado	1,040,842
New Mexico	450,381
Total	19,283,332

N. B.—The foregoing figures have been obtained from the Census Bureau, and represent estimates of the population of the States mentioned on July 1, 1919, computed on a mathematical basis, being advanced from the last census statistics taken on April 15, 1910.

Mr. WILLIAMS. Mr. President, the salary of a Senator of the United States is $7,500 a year. A Senator of the United States is selected by the people of his State. His source of authority is of the very highest order. A judge of a Federal court is generally selected by some political influence, plus the President and the Attorney General. His source of authority is not of the very highest order. If a Senator does his duty, he does very much more work than a judge of a Federal court. Of course, if a Senator does not do his duty, he may do a good deal less than some judges of some Federal courts. He could not possibly, no matter how much he played, do less work than some other judges of some other Federal courts. There is no reason in the world why an officer of this Government—and the legislative branch of the Government coordinates with the judiciary—should be paid less than the judiciary, except upon the Supreme Court itself, which sits in judgment over both the judiciary and the legislative and the executive branches.

Suppose somebody came in here to-day and said that we ought to fix our salaries as Senators according to the population of our respective States, or according to their wealth, or according to their business. Would you pay a Senator from New York ten times as much as you pay a Senator from Minnesota? If you were guided by the population ratio, or by the wealth ratio, you would have to pay him at least that much more. Is there any sense in it? Are there any ethics in it? And I want to go back to the ethics of the situation.

I repeat now what I have said by innuendo, that if you attempt to pay men upon the Federal bench the salaries that unscrupulous lawyers can gain off the bench, then you have corrupted the bench; and when I say that, I do not mean scrupulous lawyers; I mean unscrupulous lawyers. Every time this question is presented for debate in this body or at the other wing of this Capitol men mention the immense salaries that certain lawyers are getting.

Mr. KELLOGG. Mr. President, if the Senator will permit me, did I mention the immense salaries that certain lawyers were getting?

Mr. WILLIAMS. The Senator did not mention any particular salary that any particular lawyer was getting; no.

Mr. KELLOGG. Did I mention any salaries at all?

Mr. WILLIAMS. But the Senator went on and mentioned the fact that the judges could not get as much as they could in private life.

Mr. KELLOGG. That is a mild statement of the position I took.

Mr. WILLIAMS. Yes. Now, what the Senator meant by that was that the judges could not get as much as some lawyers could get in private life. If he had referred to Chief Justice Marshall, or to Justice Kent, of New York, or to Story, they got a great deal more as salary than they ever earned as practitioners; but they did not get as much as a whole lot of other lawyers in their day got—the lawyers that took business that Kent or Story or Marshall would have scorned.

What about this basis of population with regard to salaries for judges? Are you going to give a Senator from Pennsylvania five times the salary that a Senator from Georgia gets? They do the same work, or are supposed to do it. Every judge of the appellate court and every circuit judge and every district judge of the United States has business enough to keep him busy all the time if he attends to his work. Why should you discriminate between them on account of the population behind them? And if it be true that you are discriminating, not on account of population, but on account of the number of cases, then why not increase the number of judges and let each judge have approximately the same business to perform and pay him the same salary?

But at the bottom of it all, Mr. President, there are, to me, the ethics of the situation. I deny, I scorn the proposition, that a man honored with a life tenure as an officer of the United States Government for the purpose of construing its laws ought to want or demand the same compensation that he would receive in private life. You would give up the position that you occupy to-day, and I would give up mine, for a position for life upon the Federal bench, and the Senator from Minnesota would give up his. Why? The honor, the dignity, the patriotism, the service, the life service of a true and honest man rendered to his country.

What is there in life after all except service—service which I render you, or you me, or which we both render the public? The balance of it is selfishness. You show me a lawyer who would not take a place upon the Federal bench for life at $6,000 a year rather than earn $15,000 in private life and I will show you a man that is crooked, in heart crooked, in soul crooked, in mind crooked, because he has at heart the idea that the amount of money that he can earn is of more worth to God and man than the amount of service that he can render.

Mr. SMITH of Arizona. Mr. President, in what little I have to say I shall not stop to answer anything that has been said about the legal profession by the Senator from Mississippi, for I do not know that it has anything to do with this case; but I have learned to-day for the first time, and from him, that the best way to get a good lawyer upon the bench is to get a man who never was able to make a living practicing that honorable profession; and the way to secure an absolutely perfect judge is not to allow him any salary at all. [Laughter.] That is idealistic in the highest degree, and as practical as real simonpure idealists usually are.

I want to say that as far as this discussion has gone—and I am deeply interested in it, though not personally, any more than any other Senator here—I feel that we ought to accept the House bill. It shortens further debate on this question and gives, in my judgment, as good a law as we can possibly get out of the present condition. I do not think there was any justification in the Senate committee striking out the $7,500 placed in the House bill in section 2 and substituting $7,000 per annum as the minimum salary, and doing it, I imagine, on the ground of population of the district rather than on the labor to be performed by the judge. It so happens that there are many districts in the United States where $6,000 might be a sufficient salary, a fair compensation for the service rendered; and from what has just been said by the Senator from Mississippi, I would judge that inasmuch as little men were hunting big places, even with the smallest salaries, many of the judges with whom he is acquainted were getting much more than they ought to have, even at $5,000. In such cases the Federal courts in such States should be confined to not more than one district, and I will agree with the Senator to limit the salary to the value of the service rendered at any time that he will introduce a bill to that effect. Mr. President, no law of man was ever made or ever can be made that will insure exact justice to all concerned. In our limited conditions we can only try our best to approach that exact justice we all desire. Because a Mississippi judge has nothing to do and can regale himself and live in envious splendor on $6,000 a year is no reason that a busy and able public servant in my State should be worked to death on starving wages.

Take the judge of my district—Judge Sawtelle—an ornament to the bench, a man of the highest personal character, and a lawyer of exceptional ability, a man whose life is as clean as his mind is honest, and who is absolutely fearless in the performance of his duty. When comparatively a young man he quit a practice of twelve or fifteen thousand dollars a year to take the position of district judge at $6,000. Men have ambition, just as many of us started out, actuated by it, not as a money-getting matter but feeling that probably he could render such service to his country as to be honored and respected by his contemporaries and leave a name that his descendants would revere. Nevertheless the judge or the Senator must have something to live on. The judge can not educate his boys on his present salary and hold four terms of court in a State almost as big as Ohio, Indiana, and Illinois put together, going hundreds of miles from one court to another, six years on the bench now without a week's actual recess, trying cases at night, with a docket constantly growing, and disposing of something like 500 cases since last March, and he has 600 cases now on his docket. He has to do this, and he does it and is doing it simply because he can not possibly enjoy a recess with 100 or 200 people in jail awaiting trial.

We have asked for a second judge for that district. For the reasons that I indicated in the few words I said a while ago, that judge has not yet been granted. That bill, which passed the Senate, has not passed the House. They are trying to mix it up with politics. Politics has nothing to do with it. Telegrams or letters sent here to Members of the House and Senate by low and common ward politicians are unworthy of decent consideration at your hands. The judge of my district can not perform the duties of his office and keep his health, and no man living can do it. With possibly one or two exceptions, there is not in this Senate a man who works half the time that Judge Sawtelle works in Arizona upon the bench, and I know that his services to his country there are as great as the services of any one of us here; and yet the Senate has cut that salary down to $500 less than the House bill provided and largely increased the salary of judges doing less work, but serving in districts having a larger population.

There are ten cases coming before the Arizona district judge to where one case is heard in many other districts, especially in some States of the South and in the New England States. Unnecessary courts should be abolished and the remaining judges

given a fair pay for their highly specialized and valuable service. If there ever was a time when men of learning, men of courage, men of character, men of justice and patriotism, should occupy the bench it is now. Whatever may be said to the contrary, the courts of our country, with some disgraceful exceptions, have held the fairly balanced scales of justice. I have no patience with those who talk about "lawyer-made laws for benefit of lawyers." Show me in all the acts of Congress one single law justifying that scandal. Whenever you hear on the streets or in political or other gatherings some blatant orator deriding the laws of the land, the courts of justice, put him down as an enemy to decent government, an opponent of modern civilization, and in essence a traitor to the country his presence pollutes. We need on the bench the highest character of men that can be secured—men of learning, experience, wisdom, sound judgment, unafraid in performance of duty; but such men can not be had at salaries that will not educate their boys and girls and afford a home for the mother. My record shows my willingness to accord to every man who works with hand or brain a fair compensation for the labor performed.

Mr. TOWNSEND. Mr. President, I had assumed that every sober-minded Senator was in favor of increasing the salaries of Federal judges. I think we have all had knowledge of conditions in our own districts, so that we know something of the work that is done by and the duties that are required of a Federal judge.

With me, it is not a question as to how much these men could earn in private life. It is simply a matter of what it is right for the Government to pay its judicial servants. What ought the judges to receive as a minimum salary for the services which they render the country?

Considering what the States have done in the payment of their judges, it does not seem to me that the salaries of Federal judges, district and circuit, are high enough. I am, however, better pleased with the House provision than I am with the Senate amendment, although I would like to see the salaries still higher than those provided by the House. I would like to provide a flat salary of $8,000 for the judges. My reason for that, among others, is that every judge devotes his whole time to the duties of his office, and most of our judges are already overworked. Furthermore, they are frequently assigned in exchange with other judges in other circuits, and it frequently happens that a judge sits for months in a district outside of the one over which he presides.

For instance, a judge in Michigan is sometimes assigned to a circuit or district in New York City. He goes down there and serves, performs there the same duties that he performs at home, and the same duties that are performed by the local judge. It seems to me there can be no reason why men who do exactly the same work, and possibly in the same circuit during a portion of their term, should receive different salaries.

Therefore, Mr. President, without attempting to answer any of the arguments that have been made against raising the salaries, and without attempting to laud the judiciary, for which I have the very greatest respect, but coming back to my original proposition—namely, that most men who are familiar with the circumstances believe that the judges are not receiving enough—it seems to me the only questions for us to decide are how much shall be the minimum salary and whether the salary shall be graded according to population or whether it shall be the same for all.

I think the minimum ought to be $8,000, and I think every judge who is on the district bench should receive that salary. As for the circuit judges, I am not particular whether you make the salary $9,000 or $10,000; but, in my judgment, it ought to be the same for all. We pay Senators and Members of the House not according to the population of the States or districts which they represent but all receive the same, because they are supposed to perform the same duties and meet the same responsibilities.

Therefore, I shall feel that it is best to vote against the Senate amendment, with the hope that we can raise the House provision to $8,000 a year for district judges and $10,000 for circuit judges.

Mr. MYERS. Mr. President, the Senator from Texas [Mr. SHEPPARD] has taken an interest in the subject matter of the amendment to the committee amendment which I have just offered, to wit, the salaries of the United States district judges for the Territory of Hawaii. He has a communication on the subject from the Attorney General of the United States which he intended to present and ask to have read. As he is not present for the moment, I make the request for him. I send the communication to the desk, and ask that it be read.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., January 6, 1919.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

DEAR SENATOR: I acknowledge receipt of yours of the 4th, suggesting that the bill increasing the salaries of Federal judges be amended so as to include territorial judges.

I not only see no objection to the raising of these salaries, but believe it would be well to do so. Judges are almost universally underpaid in this country. As the bill referred to is now pending in the Senate, I suggest that you have it amended so as to carry out your views. It is very difficult for me to keep up with legislation of this character, and under existing conditions in my department it is hardly possible.

Yours, very truly,

T. W. GREGORY,
Attorney General.

Mr. SHEPPARD. Mr. President, I am very thankful to the Senator from Montana for having sent the letter to the desk. I was out of the Chamber temporarily, or else I would have sent it up myself.

I wish to say that the amendment strikes me as being eminently fair and eminently just, and I hope the Senator from Georgia will accept it.

Mr. SMITH of Georgia. Mr. President, I ask that the amendment of the Senator from Montana be read.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The SECRETARY. On page 2, at the end of line 16, after the word "judges," it is proposed to insert "including the United States district judges for the Territory of Hawaii."

Mr. UNDERWOOD. Mr. President, I desire to ask the Senator from Montana if he would object to amending that amendment by including Porto Rico? They are all on exactly the same basis.

Mr. MYERS. I do not know anything about the salary of the United States district judge for the Territory of Porto Rico. What is it—$6,000?

Mr. UNDERWOOD. I think he gets $5,000, but he does exactly the same class of service, and Porto Rico is on exactly the same basis of salary.

Mr. MYERS. No; I would have no objection to including Porto Rico.

Mr. HOLLIS. Mr. President, would the Senator object to withholding that amendment for the present and letting us see what is the fate of the amendment of the Senator from Montana?

Porto Rico is in the first circuit, the circuit in which I reside and where I practice law. If the amendment of the Senator from Montana should prevail I intended to offer an amendment putting in Porto Rico, but I should hate to hurt the Senator's amendment by coupling it with another one. I would rather have them separate.

Mr. UNDERWOOD. I have no desire to do so, and therefore I asked the Senator if he was willing to consent. As the Senator from New Hampshire intends to offer an amendment on the subject, I will not press my suggestion at this time.

Mr. THOMAS. Mr. President, I trust that Senators who want to enlarge the scope of this bill will not overlook Alaska.

Mr. MYERS. The United States district judge for the Territory of Alaska, I understand, receives $7,500 per year. I then simply ask for a vote on my amendment as I sent it to the desk, and as it reads now, applying to the Territory of Hawaii alone.

Mr. McKELLAR. Mr. President, I favor the legislation in this bill. I think it proper to increase the salaries of our Federal judges; but, like the Senator from Arizona [Mr. SMITH] and some others who have discussed this subject, I am inclined to think that the House bill is the better bill.

I doubt the wisdom of legislating according to population. I think it is rather unfair to the judges who do not live in the populous districts, who may have just as much work to do as those who do live in the populous districts, to pay them a different salary. I think it is wrong in principle. It is contrary to the policies along which we usually operate, and for that reason I hope very much that the Senator from Arizona will insist upon his motion to strike out section 2 as proposed by the committee and restore the provision of the House bill which increases the salaries to $7,500 a year for district judges, and to $8,500 a year for circuit judges.

I think these increases should be made. I think they should be uniform. I think we should treat all judges alike. Why, as we know, these judges constantly sit by interchange. Judges from my State frequently sit in Ohio, New York, and other more populous States. They would be sitting there and doing the work of their colleagues at a less salary under those circumstances.

The proposal of the committee is an unfair method of determining salaries, as it seems to me. I should like to see all treated equally and fairly alike, especially those in the same class. That is all I have to say about that. I think their salaries ought to be equalized. I will vote for the salaries as provided in the bill as passed by the House. I would much prefer that method of dealing with the question. The method provided in the committee amendment will be the cause of much complaint from the judges holding the same positions in the less populous districts and receiving less salaries. One other matter before I take my seat, Mr. President. I think the salaries of the supreme court judges of the District should be made the same as the salaries of district judges, and that the salaries of judges of the Court of Appeals of the District should be made the same as the salaries of the circuit judges. The work in each case corresponds, and the salaries should be arranged accordingly. This is only fair.

Mr. SMITH of Georgia. Mr. President, I call the attention of the Senator from Tennessee to the fact that when these judges are sent out of their districts away from their homes, they receive transportation and $10 per diem extra pay, which, in a way, if applied to the entire year, would amount to something like $3,000. This, of course, is some compensation to those judges from the smaller districts, who go to the larger districts to help attend to the business there.

I mention this simply to remind the Senate of the fact and to state again that I am not a partisan of either plan. They seem to be so nearly the same that I would be glad to have either. We only finally adopted the graduated scale, because we thought some substantial recognition should be made of the status in the big cities, and that in this way alone we could succeed in reaching it.

Mr. McKELLAR. Mr. President——

Mr. SMITH of Georgia. Just one word more and then I will yield the floor to the Senator. I mention again that the district attorneys receive different salaries in different districts, even in the same State, and United States marshals receive different salaries. The theory that everyone occupying a particular office must receive the same salary everywhere has not been followed. Indeed, until a few years ago the district judges in different parts of the United States received different salaries, just as in some of the States the nisi prius judges receive larger salaries in the large cities than they do in the rural districts. I have no doubt it is based upon the theory that to obtain the talent you want you ought to recognize the earning power of the person called to the particular position. You must consider the earning capacity of the person at the place where he is located and also the expense of living.

I deemed it due to the committee that I should say this much as presenting the line of thought which influenced the committee.

Mr. McKELLAR. Before the Senator takes his seat, may I ask him a question? Does not the Senator think the scale of difference, if I may call it that, between $7,500 and $9,000 is too small to be taken into consideration in the settlement of the salaries of these judges? In other words, take a lawyer from New York, who is about to be appointed to a judgeship, who has to give up a very large practice, does the Senator think it would make very much difference to him whether he received a salary of $7,500 or $9,000?

Mr. SMITH of Georgia. He might take the place without regard to the salary for the honor in the position and his desire to render the public a service, but the $2,000 would help substantially in meeting his expenses each year, even in New York, and even here in Washington.

Mr. SAULSBURY. Mr. President, it seems to me there is an improper distinction made in the payment of judges when it is based on population. I know something of the conditions in the eastern and northeastern sections of the country, and I think it is very proper that I should call the attention of the Senate to the condition in my own district. Of course, the judge in our district will get the smallest salary, on the basis of population. At the same time the judge in our district is sitting on the bench all over the populous State of Pennsylvania, helping the judges who are receiving the higher salary in Pennsylvania, possibly as high as the salary received by judges anywhere in the United States.

I fancy that in the three States, in the third circuit—New Jersey, Pennsylvania, and Delaware—and in all the districts of that circuit there arise as important cases, as complex questions for decision, and we need as good judges as anywhere else in the United States. Those judges practically divide up their work.

It seems to me a bit humiliating for a judge in one of the smaller districts to have to make out his per diem account, his traveling expenses, and things of that sort. So far as we are concerned in that section of the country, certainly in the third district, it seems to me, any distinction, while it may be a bit humiliating, is absolutely useless and uncalled for.

I shall vote for the House provision making them all equal, and I fancy that even in those districts where by reason of sparse population the judges would go on the smaller salaries, yet the judges in those districts having to travel long distances and put up with inconveniences are entitled to quite as much consideration as are the judges in thickly settled districts.

It seems to me the House provision, under the circumstances, is the best. I do not think there is any danger of overpaying our judges anywhere, certainly not in this portion of the country, where it is almost always a sacrifice to any lawyer who is fit to be a judge to go on the bench, so far as the pecuniary consideration is concerned.

I hope no distinction will be made in regard to population. I shall vote against it.

Mr. McKELLAR. Mr. President, a parliamentary inquiry. Is it in order now to move to strike out section 2 of the bill and insert section 2 as agreed to by the House?

The VICE PRESIDENT. It is not.

Mr. SMITH of Georgia. The parliamentary status is this——

The VICE PRESIDENT. It has been answered by the Chair.

Mr. SMITH of Georgia. I did not hear the Chair.

The VICE PRESIDENT. The Chair said it was not in order.

Mr. McKELLAR. I want to offer the amendment when it is in order.

The VICE PRESIDENT. The pending amendment is the amendment of the Senator from Montana [Mr. MYERS] to the amendment.

The amendment to the amendment was agreed to.

Mr. HOLLIS. Mr. President, the only district court not now on the same basis as the others is the district court of Porto Rico, which is in the first circuit. I am not acquainted with the judge. The Senator from Alabama [Mr. UNDERWOOD] tells me he is a fine judge and a fine man. I believe it is the temper of the Senate, if we can judge from the speeches, that all these judges should be put upon the same scale. I shall certainly vote for that, and hope it may be adopted.

In order that the court in Porto Rico may not be the only one left with a smaller salary, I move in the Senate Committee bill as amended, after the word "Hawaii," to insert the words "and Porto Rico."

The VICE PRESIDENT. The question is on the amendment of the Senator from New Hampshire to the amendment of the committee as amended.

Mr. BRANDEGEE. Mr. President, I think it is desirable, if it were possible, to put all the judges upon the same basis, but the question is how to do that. Paying all the judges the same salary does not do it, because the cost of living varies so tremendously in the different districts. I am not informed as to what the cost of living of the judge in Porto Rico will be, but it is perfectly evident that it costs the Federal judge in one of the large metropolitan cities of the country much more to live than it does the judge in a small community. I do not know that the increase of the compensation of judges in proportion to the population of the district would be a fair measure as indicating the difference in the cost of living. I do agree, however, that, as a general rule, the salaries of all of the Federal judges should be increased. I know personally of instances where various Federal judges have been compelled to resign their office because they could not meet their family expenses. It is perfectly evident that a Federal judge who happens to reside in a country village, who happens to own a farm or be in the neighborhood of farms, where a great deal of the products come from, and has a modest house, if his salary is increased to $9,000, say, and the judge in a metropolitan city is left at $9,000, the judge in the smaller locality has a great advantage. It is not what is paid the man, it is what he can save out of his salary, if anything, that indicates whether he is overpaid or not.

I am in some doubt whether to vote for the amendment reported by the Judiciary Committee of the Senate or the House provision. It is impossible in a place like New York for a judge to lease a proper residence for himself and family for less than six or seven thousand dollars a year, which leaves him nothing at all with which to support his family.

It is easy enough for people to talk about rascally lawyers being judges, and so forth. Of course, if there are such, the executive branch of the Government and the Senate that confirms them are responsible for such judges, but there is not one in a million whoever becomes a Federal judge who is an improper character. The judges should be paid proper salaries. There are many Federal judges to-day who, at the small amount paid them, six or seven thousand dollars, or whatever it may be, if they left the bench, would make $100,000 a year in the

locality where they are situated. They are simply detained upon the bench by the desire to occupy the honorable position afforded and by a feeling that they can render good service to their country.

I hope, whatever action the Senate takes, which will throw the matter into conference, that salaries at least as high as proposed by the House, and I hope higher, may finally be the outcome of this legislation. Ten thousand dollars a year would certainly not be excessive compensation for a circuit judge or a district judge of the United States.

It has been stated that in New York City the police magistrates get $12,000 a year, and the supreme court judges, who are not judges of the highest court in that State, get $17.500 a year; and the great United States Government, with tremendous questions coming before the Federal judiciary, pays its judges less than half what the judges get in the State of New York.

The VICE PRESIDENT. The question is on the amendment of the Senator from New Hampshire [Mr. HOLLIS] to the amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question is on the amendment of the committee as amended.

Mr. HOLLIS. Mr. President, a parliamentary inquiry. I do not understand from the way the bill is printed how far we are considering the Senate committee amendment.

The VICE PRESIDENT. We are considering the amendment on page 3, line 21.

Mr. HOLLIS. Why is not all in italics on pages 2, 3, and 4 a part of the amendment?

Mr. SMITH of Georgia. It is.

Mr. HOLLIS. But we have been considering it piecemeal. That is entirely satisfactory, if it is understood.

Mr. SMITH of Georgia. I think we have read the entire paragraph down to section 3.

Mr. THOMAS. I think we had better consider it section by section.

Mr. HOLLIS. I agree to that; but I want it understood, because I have an amendment to offer to section 4 when it is reached.

Mr. SMITH of Georgia. The apparent confusion about the sections is that section 2 contains certain sections of the Judicial Code, and from line 16, page 2, down to line 6, page 5, you have but one section.

The VICE PRESIDENT. The Chair is of the opinion that the vote first comes on this question: The original bill as it came from the House, down to line 15, on page 3. That is the part that the Senate committee amended. It undoubtedly goes to line 5, on page 5.

Mr. HOLLIS. Then the Senate committee amendment must be first perfected before the question of substitution arises. I desire to offer two amendments on page 4. I do this at the request of the Senator from Montana [Mr. WALSH] who has been obliged to leave the Chamber. The purpose of the amendment is to make sure that the judges of the old court of commerce shall be included with the other circuit judges. It will be recalled by the Senate that a few years ago the court of commerce, which handled appeals from the Interstate Commerce Commission, was abolished, but that the members of that court were continued as circuit judges and are now assigned to do circuit judge work in different parts of the country, and that they are doing it to the satisfaction of all concerned.

I think it is the intention of the Judiciary Committee to see that they are given the same increase in salary that other circuit judges get. In order to make that certain I will offer two amendments. On page 4 of the bill as printed, line 14, I move to strike out the word "the" before the word "circuit," and on the same page, line 19, after the word "appointed," I move to insert the words "or to which they may be assigned during the period of their assignment, respectively."

Mr. SMITH of Arizona. Will the Senator permit me to ask him a question?

Mr. HOLLIS. Certainly.

Mr. SMITH of Arizona. It will be moved by some one to strike out the whole Senate committee amendment, and I would suggest to the Senator the propriety of reserving his amendment until the vote is taken on whether this amendment to the whole section should be stricken out or not.

Mr. HOLLIS. In case the Senate committee amendment is adopted, which I think it will not be, it will be too late for my amendment. We must first perfect the part to be substituted before we vote on whether to substitute it, and I am endeavoring to perfect it in case we should be outvoted. I am quite sure that is the parliamentary situation.

Mr. SMITH of Arizona. Suppose we vote upon it, and after we put the amendment in we strike out section 2 as amended?

Mr. HOLLIS. My understanding is that if the Senate committee amendment as amended is adopted it will then be too late to offer further amendments to that amendment.

Mr. SMITH of Arizona. You could offer the amendment to the bill.

Mr. HOLLIS. I understand not.

Mr. SMITH of Arizona. As a separate section.

Mr. HOLLIS. I am supposing that the Senate committee amendment is adopted over our wish.

Mr. LODGE. May I ask the Senator from New Hampshire a question in regard to his amendment, with which I am in entire accord? Does not that need to be put into the original section also to perfect the text of the House bill?

Mr. HOLLIS. I am going to offer a similar amendment to take care of it before we vote on the substitute in the Senate. I intend to do that, but the phraseology will have to be different.

Mr. LODGE. It is desirable to perfect them both.

Mr. HOLLIS. I shall do that.

Mr. CUMMINS. Mr. President, I do not fully understand the amendment just offered by the Senator from New Hampshire. I wish he would explain it to me a little further.

Mr. HOLLIS. On page 4, line 14, at the beginning of the sentence, the words "The circuit judges shall receive" might be construed to mean the circuit judges who had been mentioned before. By striking out the word "the" all circuit judges are included, and that would include the judges who are now serving as circuit judges. Then their salary is to be dependent upon the salary allowed circuit judges in the circuit to which they happen to be assigned. For instance, if they are assigned to the New York circuit, they get the New York circuit pay. If they are assigned to some other circuit, they get the pay of that circuit. That is my understanding.

Mr. CUMMINS. The salary might be changed then from month to month or year to year.

Mr. HOLLIS. Yes; and that shows the inconsistency of it.

Mr. CUMMINS. Mr. President, a parliamentary inquiry. If the committee amendment is rejected, will the House text be open to amendment?

The VICE PRESIDENT. The Chair is not of that opinion. It is open to amendment now. It is open first to amendment. The rule is that where there is a motion to strike out and insert, the portion to be stricken out is open to amendment and the portion to be inserted is open to amendment, and the part to be stricken out is first open to amendment.

Mr. CUMMINS. I do not question the ruling of the Chair, but I am very anxious that those who have offered amendments to the committee amendment, the amendment relating to Hawaii and the amendment relating to Porto Rico and now relating to the four unassigned circuit judges, will offer their amendments also to the original text, so that we can have a fair vote as between the committee plan of adjusting salaries and the plan the House has adopted. I commend that to the Senators who have offered those amendments.

Mr. HOLLIS. I am quite sure the practice has been in the Senate for the past few years to hold that either the part to be inserted or the substitute may be amended at any time before the vote is taken.

The VICE PRESIDENT. There is no doubt about that. The only point is when two Senators are insisting upon an amendment, one to the original text and the other to the substitute, the amendment to the original text is first in order.

Mr. HOLLIS. That is my recollection about it.

The VICE PRESIDENT. There is no doubt about that. The Senator's amendment to the amendment is in order, and the question is on agreeing to it.

The amendment to the amendment was agreed to.

Mr. HOLLIS. I wish now to offer an amendment. On page 2, line 5, I move to strike out the word "they" and to insert "all circuit judges." That will have the effect of including the four circuit judges at large, so to speak.

The amendment to the amendment was agreed to.

Mr. HOLLIS. Now, to take care of Hawaii and Porto Rico in the original text, on page 1 of the bill as printed, line 7, after the word "judges," I move to insert "including the district judges of Porto Rico and Hawaii."

Mr. SMITH of Arizona. I do not know exactly the nature of the courts in Hawaii or Porto Rico. I know that under the Territorial law there was no such thing as a United States district court or a United States circuit court; but the appointee of the President exercised jurisdiction of the Federal and district courts, and they were at the same time the judges of courts of original jurisdiction under the Territorial law. If this is confined to district judges and they are not in fact district judges, it might show some little lack of investigation as far as we are concerned in passing the act.

Mr. THOMAS. I would suggest, then, to the Senator from New Hampshire, in view of what the Senator from Arizona has said, that his amendment be changed so as to read:

And the United States judges in Porto Rico and Hawaii.

If they are not district judges, certainly they are United States judges.

Mr. SMITH of Arizona. "Judges exercising Federal jurisdiction." It seems to me that might be better. They might be district judges for aught I know.

Mr. THOMAS. It all depends upon the phraseology of the act creating the Territories of Hawaii and Porto Rico.

Mr. SMITH of Arizona. Exactly.

Mr. HOLLIS. Following that suggestion, I will change the amendment. I move to insert after the word "judges" in the seventh line, page 1, the words "including judges in Porto Rico and Hawaii exercising Federal jurisdiction." I think that will cover it.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KELLOGG. I move to amend by striking out on line 8, page 1, in the House text, the figures "$7,500" and inserting in lieu thereof "$9,000"; and by striking out in line 6, on page 2, in the House text, "$8,500" and inserting "$10,000."

The VICE PRESIDENT. The question is on the amendment of the Senator from Minnesota.

On a division, the amendment was agreed to.

Mr. THOMAS. Mr. President, I am not in favor of these increases at this time. I believe in paying the Federal judiciary well, but I am not prepared to support these increases now. If they are to be made, however, they should be uniformly made, and commensurate with the importance of the courts presided over by the judges to be affected by the bill.

I therefore propose an amendment. On page 5, I move to strike out lines 11, 12, 13, and 14 and to insert the following:

The Chief Justice of the Court of Appeals of the District of Columbia shall receive a salary of $10,000 a year, and each of the associate justices thereof the sum of $9,500 a year, payable monthly. One-half shall be paid from the revenues of the District of Columbia and one-half from the Treasury of the United States.

I have a memorandum which states——

The VICE PRESIDENT. The amendment is not in order.

Mr. THOMAS. Why not?

The VICE PRESIDENT. Because we are considering another amendment.

Mr. THOMAS. That is a very good reason. When the bill was taken up the Senator having charge of the bill asked unanimous consent to consider the amendments of the committee first.

The VICE PRESIDENT. That is true.

Mr. THOMAS. Objection was made, and consequently I do not understand that this amendment is not in order.

The VICE PRESIDENT. The present amendment the Senate is considering——

Mr. THOMAS. If the Chair will allow me another word, I accept the ruling of the Chair and will offer the amendment later.

The VICE PRESIDENT. The pending amendment ends at line 5, on page 5. The question is on the amendment of the committee as amended.

Mr. CUMMINS. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK] which I transfer to the Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. KNOX (when his name was called). I announce my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN]. In his absence I withhold my vote.

Mr. SAULSBURY (when his name was called). I think my general pair, the senior Senator from Rhode Island [Mr. COLT], would vote as I am about to vote, but, out of an abundance of caution, I transfer my pair with that Senator to the senior Senator from Nebraska [Mr. HITCHCOCK] and will vote "nay."

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING], and in view of his absence I withhold my vote.

Mr. SUTHERLAND (when his name was called). I inquire, Has the senior Senator from Kentucky [Mr. BECKHAM] voted?

The VICE PRESIDENT. He has not.

Mr. SUTHERLAND. I have a pair with that Senator, and he not being present I withhold my vote.

Mr. THOMAS (when his name was called). I transfer my pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the Senator from Oklahoma [Mr. GORE] and vote "nay."

The roll call was concluded.

Mr. WATSON (after having voted in the negative). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. I transfer that pair to the senior Senator from New York [Mr. WADSWORTH] and will permit my vote to stand.

Mr. KELLOGG. I have a general pair with the Senator from North Carolina [Mr. SIMMONS], but I transfer that pair to the Senator from Maine [Mr. FERNALD] and vote "yea."

Mr. MCNARY. I desire to announce the absence of my colleague [Mr. CHAMBERLAIN] on account of official business.

Mr. BRANDEGEE. I am paired with the senior Senator from Tennessee [Mr. SHIELDS], and therefore withhold my vote.

Mr. SAULSBURY. I desire to announce that my colleague [Mr. WOLCOTT] is absent from the Senate this afternoon on official business.

Mr. FRELINGHUYSEN. I transfer my general pair with the junior Senator from Montana [Mr. WALSH] to the junior Senator from Missouri [Mr. SPENCER] and vote "yea."

Mr. LEWIS. I desire to announce that the Senator from California [Mr. PHELAN], the Senator from Oregon [Mr. CHAMBERLAIN], and the Senator from Montana [Mr. WALSH] are detained on official business.

Mr. MYERS (after having voted in the affirmative). I have a pair with the Senator from Connecticut [Mr. MCLEAN]. He seems not to have voted. I therefore transfer my pair with that Senator to the Senator from California [Mr. PHELAN] and will allow my vote to stand.

The result was announced—yeas 10, nays 45, as follows:

YEAS—10.

Calder	Hale	Lewis	Smith, Ga.
Fletcher	Kellogg	Myers	
Frelinghuysen	King	Poindexter	

NAYS—45.

Ashurst	Jones, N. Mex.	Penrose	Swanson
Bankhead	Jones, Wash.	Pittman	Thomas
Cummins	Kirby	Pollock	Townsend
Curtis	La Follette	Pomerene	Trammell
France	Lodge	Ransdell	Underwood
Gay	McKellar	Reed	Warren
Gerry	McNary	Saulsbury	Watson
Harding	Martin, Ky.	Shafroth	Weeks
Henderson	Moses	Sheppard	Williams
Hollis	New	Smith, Ariz.	
Johnson, Cal.	Nugent	Smith, Mich.	
Johnson, S. Dak.	Page	Smoot	

NOT VOTING—41.

Baird	Gore	Nelson	Spencer
Beckham	Gronna	Norris	Sterling
Borah	Hardwick	Overman	Sutherland
Brandegee	Hitchcock	Owen	Thompson
Chamberlain	Kendrick	Phelan	Vardaman
Colt	Kenyon	Robinson	Wadsworth
Culberson	Knox	Sherman	Walsh
Dillingham	Lenroot	Shields	Wolcott
Fall	McCumber	Simmons	
Fernald	McLean	Smith, Md.	
Goff	Martin, Va.	Smith, S. C.	

So the committee amendment as amended was rejected.

The VICE PRESIDENT. The Secretary will state the next committee amendment.

Mr. THOMAS. Mr. President, I now wish to renew the motion which I tried to make a few moments ago.

Mr. HENDERSON. Will the Senator from Colorado yield for just a moment?

Mr. THOMAS. I will.

Mr. HENDERSON. There is an amendment on the table which I had printed a few days ago which I think covers the matter the Senator from Colorado has in mind. If he will allow the Senate committee amendment to be read, and then permit my amendment to be stated, he will see how nearly my amendment conforms to the amendment which he intends to offer.

Mr. THOMAS. Very well.

The VICE PRESIDENT. The Secretary will state the committee amendment.

The SECRETARY. It is proposed by the Committee on the Judiciary to insert as a new section, on page 5, the following:

SEC. 3. That the judges of the Supreme Court of the District of Columbia shall receive salaries upon the same basis as salaries provided by this act to be paid to judges of district courts of the United States, and such salaries shall be paid as now provided by law.

The judges of the Court of Appeals of the District of Columbia shall receive salaries upon the same basis as the salaries provided by this act to be paid to judges of the circuit courts of appeals of the United States.

Mr. HENDERSON. If the Senator from Colorado will now allow the Secretary to read my proposed amendment to take the place of section 3, as reported by the committee, he will see how it conforms to his amendment.

Mr. THOMAS. I have no objection to that being done.

The VICE PRESIDENT. The amendment proposed by the Senator from Nevada to the amendment of the committee will be stated.

The SECRETARY. In lieu of the committee amendment just stated it is proposed to insert:

That the judges of the Supreme Court of the District of Columbia shall each receive an annual salary of $9,000, and the chief justice of said court shall be paid a salary of $9,500, said salaries to be paid as now provided by law.

The judges of the Court of Appeals of the District of Columbia shall each receive an annual salary of $10,000, and the chief justice of said court shall receive an annual salary of $10,500.

Mr. THOMAS. Mr. President, if the Senator from Nevada will consent to the substitution of $9,500 for $10,000 in the last clause of his amendment, I will not offer the amendment which I have in mind

Mr. HENDERSON. I will accept that modification of the amendment, Mr. President.

Mr. THOMAS. Mr. President, for the information of the Senate, I ask that the memorandum which I send to the desk regarding the amendment be read. I desire to say before taking my seat that I think if this bill is to be enacted at all it should include the amendment offered by the Senator from Nevada. For the reasons heretofore stated, however, I shall vote against the bill.

Mr. WARREN. Mr. President, the amendment as now proposed to be amended comprehends the amendment which I had already submitted and had printed; and I shall be glad to support the amendment as now offered by the Senator from Nevada, with the modification proposed by the Senator from Colorado [Mr. THOMAS], which the Senator from Nevada has accepted. I trust the amendment will be adopted and that the bill containing it will pass.

The VICE PRESIDENT. The Senator from Colorado has asked that the memorandum which he has sent to the Secretary's desk be read. If there is no objection, it will be read. The Chair hears none.

The Secretary read as follows:

Memorandum. In re H. R. 12001, concerning the increase in the salaries of Federal judges in its relation to the courts of the District of Columbia.

THE BILL AMBIGUOUS.

The Senate Committee on the Judiciary have reported certain amendments to the above-mentioned bill which provide, in effect, that the justices of the "Court of Appeals of the District of Columbia shall receive salaries upon the same basis as the salaries provided by this act to be paid to judges of the Circuit Courts of Appeals of the United States."

This is ambiguous. The act declares that the circuit judges shall receive $1,000 in excess of the highest salary paid to any of the district judges of the districts comprised within the judicial circuit for which the circuit judges shall be appointed. But there is no district judge in the District of Columbia. How, then, can the salary to be paid to the justices of the Court of Appeals of the District of Columbia be measured?

DISCRIMINATION.

If we assume that the salary of the justices of the Court of Appeals of the District of Columbia is to be measured by the salary paid to the justices of the Supreme Court of the District, each would receive only $8,000 a year, while the salary to be paid under the bill to circuit judges in circuits not doing half the work that is done by the court of appeals in this district is $10,000 a year, as will appear in a minute.

THE WORK DONE.

Herewith is a statement showing the number of cases disposed of by the Court of Appeals of the District of Columbia during the 25 years of its existence and the number of cases disposed of during the same period by the different circuit courts of appeals. This statement was prepared from the reports of the Attorneys General. It shows that the Court of Appeals of the District ranks third in the number of cases disposed of, yet the bill puts it lowest in point of salary.

To the suggestion that the number of cases disposed of by a court is not the correct criterion by which to judge the quantity of business done, because one case may take three weeks or a month to try, while another may be disposed of in a few hours, the answer is (a) that this is not true of appellate courts, for it is a rare thing for such courts to devote more than four hours to the hearing of a case; and (b) it is true of all trial courts. Five months were given to the trial of the Hutchins will case in the Supreme Court of the District of Columbia, six weeks to the trial of the Hammond-Sully case, and more than a week to the trial of the Godsill case.

Moreover, two of the circuit courts of appeals, for the judges of whom the bill provides $10,000 a year, have four judges, while the District Court of Appeals has only three. Furthermore, it is a matter of common knowledge amongst practitioners that practically every circuit court of appeals in the United States calls in district judges to assist, and that in some circuits it is a rare thing to find more than one circuit judge at a sitting. The court is usually made up of one circuit judge and two district judges, so that in practice nearly all of the circuit courts utilize the services of from 10 to 12 judges. When this is considered, it becomes apparent that the work done by the District Court of Appeals entitles it to be placed at the head and not at the foot of the column.

JURISDICTION.

The jurisdiction of the Court of Appeals of the District of Columbia is broader than that of any circuit court of appeals. It comprehends not only all Federal but also all State jurisdiction. Besides, the court has a special jurisdiction of appeals from the Patent Office and from the action of the Postmaster General in certain matters. The wide scope and practical importance of the court's jurisdiction are further indicated by the fact that it has power to control by mandamus or injunction the actions of the Secretary of the Treasury (Newman *v.* Moyers, 47 App. D. C., 102), the Secretary of the Interior (United States *v.* Hitchcock, 190 U. S., 316), and the Interstate Commerce Commission (United States *v.* Interstate Commerce Commission, 246 U. S., 638). This jurisdiction is often invoked, and at times affects property of great value in different parts of the country.

The decisions of the Court of Appeals of the District of Columbia are final in substantially the same class of cases as those in which the action of the circuit courts of appeals is final.

THE SALARY OF CHIEF JUSTICES.

Assuming that the bill places the salary of the justices of the District Court of Appeals at $8,000, it will raise each of the associate justices $1,000 and the chief justice only $500. When the court was formed, in 1893, 25 years ago, the salary of the associate justices was fixed at $6,000 per year and that of the chief justice at $6,500 (27 Stat., 434). In 1903, or 10 years afterwards, the salary of each of the associate justices was increased to $7,000 a year and that of the chief justice to $7,500 (32 Stat., 825). The salaries have remained at those figures ever since. The bill wipes out this distinction between the chief justice and associate justices and, as has been observed, raises the salary of the associate justices $1,000 a year, while that of the chief justice is raised only $500.

The chief justice of the Court of Claims, according to the bill, will continue to receive $500 in addition to the salary paid to the associate justices of that court.

The chief justice of the Supreme Court of the District of Columbia receives $500 more than any of his associates (39 Stat., 119).

The Chief Justice of the Supreme Court of the United States receives $500 more than any of his associates (32 Stat., 825).

This shows that it has been the legislative custom to pay a chief justice $500 more than his associates.

SUMMARIZATION.

To summarize, the cost of living in the District of Columbia is certainly as high as in any other place in the United States. The volume of business done by the Court of Appeals of the District of Columbia is more than that of any circuit court of appeals in the United States, save two. The jurisdiction of that court is more comprehensive than that of any circuit court of appeals, and the litigation which comes before it is as important as that with which any circuit court of appeals has to deal. Why, then, should not the salary of the justices of the District Court of Appeals be as high as that of the judges, for instance, of the third circuit or of the first circuit, where the business done is considerably less than in the District of Columbia, as shown by the statement attached hereto.

WHAT WOULD BE FAIR.

The average salary provided in the bill for judges of the circuit court of appeals, as shown by the attached statement, is a little less than $9,500. It would seem that the justices of the Court of Appeals of the District of Columbia should have at least that, and the chief justice $10,000, or $500 additional, as heretofore.

This could be accomplished by striking out lines 11, 12, 13, and 14, on page 5, and substituting therefor the following:

"The chief justice of the Court of Appeals of the District of Columbia shall receive a salary of $10,000 a year and each of the associate justices thereof the sum of $9,500 a year, payable monthly; one-half shall be paid from the revenues of the District of Columbia and one-half from the Treasury of the United States."

Number of cases disposed of by circuit courts of appeals and the Court of Appeals of the District of Columbia, 1893 to 1918, inclusive.

[Compiled from annual reports of the Attorney General.]

	Number of judges.	Cases disposed of 1893 to 1918, inclusive.	Proposed salaries.
Second circuit	4	6,196	$10,000
Eighth circuit	4	4,989	9,500
Court of Appeals, District of Columbia	3	4,402	8,000
Fifth circuit	3	3,139	8,500
Sixth circuit	3	3,094	9,500
Ninth circuit	3	2,985	8,500
Seventh circuit	4	2,613	10,000
Third circuit	3	2,342	10,000
Fourth circuit	2	1,613	8,500
First circuit	3	1,280	10,000

Court of Appeals, District of Columbia, organized in 1893.

The court opens its October term (1918) with 18 per cent more cases on the calendar than the highest previous year in its history.

Mr. SMITH of Georgia. Mr. President, I have this suggestion to make in reference to increasing the salaries of the judges of the Supreme Court and of the Court of Appeals of the District of Columbia. I am ready to accept for the committee an amendment making the salaries of the judges of the Supreme Court of the District of Columbia equal to the salaries of the judges of the district courts of the United States, the two classes of judges occupying very much the same position, and making the salaries of the judges of the Court of Appeals of the District the same as the salaries of the judges of the circuit courts of appeal. This could be done very easily by striking out in line 7 the word "upon," and striking out in line 8 the word "basis," and pursuing the same course in line 12, so that section 3 would then read:

SEC. 3. That the judges of the Supreme Court of the District of Columbia shall receive salaries the same as salaries provided by this act to be paid to judges of district courts of the United States, and such salaries shall be paid as now provided by law.

The judges of the Court of Appeals of the District of Columbia shall receive salaries the same as the salaries provided by this act to be paid to judges of the circuit courts of appeals of the United States.

Mr. HENDERSON. Mr. President, I am very glad to accept that amendment, and I will ask to be allowed to withdraw the amendment I have offered to section 3.

The VICE PRESIDENT. The question is on the amendment of the Senator from Georgia to the amendment reported by the committee.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator in charge of the bill how much of an advance of salary will probably be involved as the provision stands now?

Mr. SMITH of Georgia. This modification involves no advance. It depends entirely——

Mr. LEWIS. It really operates as a reduction, does it not?

Mr. SMITH of Georgia. It depends entirely upon how section 118 is adopted. It simply puts the judges of the Supreme Court of the District of Columbia and the judges of the Court of Appeals of the District of Columbia upon the same basis as district judges and judges of the circuit courts of appeals, respectively. Where those salaries shall finally be left is another question; but I undertake to place the Supreme Court judges of the District, who are really United States district judges, under another name, and the judges of the Court of Appeals of the District, who are really judges of United States circuit courts of appeals under another name, on the same basis as all other district judges and judges of the circuit courts of appeals.

Mr. WILLIAMS. I should like to ask the Senator from Georgia if he thinks that the Supreme Court and Court of Appeals judges of the District of Columbia are upon the same basis as a matter of duty and as a matter of dignity with the other judges to whom he has referred?

Mr. SMITH of Georgia. Yes; I think so. The judges of the Supreme Court of the District have all the jurisdiction that is vested in a district judge of the United States, plus the local jurisdiction attaching to them as being charged with the duties ordinarily pertaining to a superior or district court judge of a State. The Court of Appeals of the District has all the jurisdiction of a circuit court of appeals of the United States, and a vast number of important cases come to that court growing out of governmental responsibilities attaching to citizens of the District of Columbia.

Mr. WILLIAMS. As I understand, then, this proposition involves no advance in salary.

Mr. SMITH of Georgia. Not unless the salaries of the other judges are advanced.

Mr. WILLIAMS. And that that proposition is to be later considered by the Senate?

Mr. SMITH of Georgia. That is still before the Senate.

Mr. WILLIAMS. It is to come up before the Senate for subsequent consideration.

Mr. WARREN. Mr. President, I wish to say that the Court of Appeals of the District of Columbia has not only the duties of the ordinary circuit court of appeals but it has a class of business peculiar to itself. It is also the only court to which patent business is referred in case of appeal from the Commissioner of Patents; and in the number of cases disposed of, according to the Report of the Attorney General, the Court of Appeals of the District of Columbia ranks third among the 9 or 10 circuits of the United States in the amount of business transacted—the number of cases adjudicated.

Mr. FLETCHER. Mr. President, the inquiry of the Senator from Mississippi [Mr. WILLIAMS] raises a question which I think is important now. I should like to ask whether or not section 1 and section 2 have been adopted as amended? I do not understand that any vote has been taken upon the adoption of those sections as they appear in the House bill as amended. The vote was taken upon the question of striking out the House provision and inserting in lieu thereof section 2, as proposed by the Senate committee amendment, and the amendment of the Senate committee was rejected. There were certain amendments, I believe, adopted to the House provision, but the provision as amended has not been voted on, as I understand.

The VICE PRESIDENT. We will vote on that when we get to a vote on the bill.

Mr. FLETCHER. Then, the status up to this time is that the salary of the district judges is to be fixed at $8,500 a year, as I understand, under the amendment of the Senator from Minnesota [Mr. KELLOGG].

Mr. KELLOGG. The salary of district judges is to be $9,000 and of circuit judges $10,000.

Mr. FLETCHER. That is worse and worse. I think that is a great mistake. I was expecting that the Chair would put the question on the adoption of that provision in the bill as amended.

The VICE PRESIDENT. The Chair did, and it was adopted.

Mr. FLETCHER. I thought the question was upon the substituting for the House provision the Senate committee amendment.

The VICE PRESIDENT. That was voted down.

Mr. FLETCHER. We refused to do that. But is there not a further question on whether or not section 2 as amended shall be agreed to?

The VICE PRESIDENT. It was amended before the Senate voted on the substitute. The Senate did vote on the amendment to make the salaries $9,000 and $10,000.

Mr. FLETCHER. I merely want it understood that I think a great mistake was made in doing that. I think it will tend to defeat the whole bill.

Mr. LODGE. Mr. President, I desire to offer an amendment.

The VICE PRESIDENT. Let us first dispose of the pending amendment.

Mr. LODGE. I beg pardon; I thought that it had been disposed of.

The VICE PRESIDENT. The amendment of the Senator from Georgia [Mr. SMITH] has not been agreed to. The question is on agreeing to section 3 as amended. Without objection, the amendment as amended is agreed to.

Mr. LODGE. I offer an amendment to be inserted on page 6, between lines 3 and 4.

The VICE PRESIDENT. There are two committee amendments prior to that, which the Secretary will state.

The SECRETARY. On page 5, line 15, it is proposed to change the number of the section from "3" to "4."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The SECRETARY. On page 5, line 16, after the word "amended," it is proposed to insert the words "so as."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. LODGE. I now ask that my amendment be stated.

The SECRETARY. On page 6, after line 3, it is proposed to insert a new section to be known as section 4½——

Mr. LODGE. The number can be changed if desired.

The SECRETARY. It is proposed to insert a new section, as follows:

SEC. 4½. That the presiding judge and the associate judges, respectively, of the United States Court of Customs Appeals shall receive salaries equal in amount to the salaries provided by this act to be paid the chief justice and other judges, respectively, of the Court of Claims, payable monthly from the Treasury.

Mr. POMERENE. Mr. President, may I ask the Senator what those salaries are now?

Mr. LODGE. The salaries now are $7,000.

Mr. POMERENE. I refer to the salaries of the judges of the Court of Claims.

Mr. LODGE. The salary of the judges of the Court of Claims at this time is $6,500, but that salary is raised by this bill to $7,500, and the salary of the chief justice to $8.000. The increase in the case of the Court of Customs Appeals is much smaller than in the case of the Court of Claims. The judges of the Court of Customs Appeals were originally paid, under the act creating that court, $10,000, which amount was reduced by a provision of the code to $7,000. The amendment I have offered simply puts them on the same basis as the judges of the Court of Claims.

Mr. POMERENE. I have no objection to the Senator's amendment, save that it was my understanding that when this court was first created it was planned to make the salary of those judges $10,000 a year.

Mr. LODGE. That was provided in the organic act creating the court.

Mr. POMERENE. That was done when the court was first created?

Mr. LODGE. Yes.

Mr. POMERENE. Then, afterwards, they were reduced in order to keep the salaries of the judges of that court on an equality with the salaries of the circuit judges?

Mr. LODGE. Yes.

Mr. POMERENE. The only objection I have to the Senator's amendment is that it seems to me, instead of making the salary of the judges of the Court of Customs Appeals to correspond with the salary of the judges of the Court of Claims, they should be made to harmonize with the salaries of the circuit judges as proposed in the amendment which we have just adopted.

Mr. UNDERWOOD. Mr. President, if the Senator will yield to me for a moment, I desire to say that I intend to offer an amendment to the bill, now that the other salaries have been

increased, to put the salaries of the judges of the Court of Claims on the same basis as the salaries of judges of the circuit courts. That is where they belong, and I intend to offer that amendment; but it properly comes in prior to this point in the bill.

Mr. LODGE. I am very glad the Senator is going to do that. I think the judges of the Court of Claims ought to be paid that salary.

Mr. HOLLIS. Mr. President, will the Senator permit me to make a suggestion?

Mr. UNDERWOOD. Yes.

Mr. HOLLIS. I think it is clear that the salary of the judges of the Court of Customs Appeals should be the same as the salary of the judges of the Court of Claims, and if the amendment of the Senator from Massachusetts should be voted on and adopted, then it would be in order to increase, if the Senate sees fit to do so, the salaries of the judges of the Court of Claims. So, I think the amendment of the Senator from Massachusetts should be voted on first.

Mr. UNDERWOOD. There is no conflict; I merely wanted to suggest that I was going to offer such an amendment.

Mr. LODGE. I am very glad the Senator is going to do so, for I think it ought to be done.

Mr. WILLIAMS. Mr. President, I understand that the Senator from Alabama bases his contention upon the fact that the other salaries have been raised. I do not understand that they have been. I understand that the committee has reported in favor of raising them.

Mr. UNDERWOOD. My phraseology was misleading. They have been raised as far as the text of the bill stands now, and that is as far as I desired to go in my statement.

Mr. WILLIAMS. I was afraid that expression might create a wrong impression upon the minds of the Members of the Senate. Of course, if these other salaries had been raised, then this salary perhaps ought to be raised; but they have not been raised, and I hope they will not be raised, and therefore the argument falls to the ground. It is like the little child that went out and thought it saw a dead chicken on the sidewalk, and said: "If it had been dead, mamma, I wonder who killed it?"

Mr. President, I do not see why everybody in the United States ought to be appealing to the Congress of the United States to-day for higher salaries and higher pay, at a time when every particle of patriotism there is in a human being ought to appeal to us to be satisfied with what we have, and not to seek anything more.

Of course, I understand the argument about a higher cost of living, and all that; but we have all had to meet that. People who did not have but $600 a year had to meet that. People who did not have but $1,000 a year had to meet the higher cost of living. All of us have had to do that. Why should these judges be promoted to $8,000, $9,000, $10,000 a year? What sacrosanct principle is it that makes them entitled to it?

I hope the Senate will not be mislead by the argument that other salaries are going to be advanced into voting to advance certain salaries, because if the Senate acts upon that idea, then we will have a sort of a confederacy of interest. Every friend of every judge who wants his salary increased will be voting for it upon the theory that some other judge's salary is to be increased, and when you get through you have got a sort of a trust, a sort of a legislative-enactment trust, to bundle them all together, and then bundle them all up at the higher rates. It does seem to me that this is a time when the ordinary patriotic American citizen ought not to be asking for higher pay, but ought to be volunteering to serve for less pay, if necessary, or at least expressing his willingness to serve for the same pay.

I hope this amendment will not be adopted, because if it is it just adds five or six or seven Senators who are interested by friendship to the list of those who will be interested by other friendships in increasing salaries all along the line.

Mr. TRAMMELL. Mr. President, if I am correctly informed, the bill at present stands amended so as to provide a salary of $9,000 for the district judges and $10,000 for the circuit judges.

The VICE PRESIDENT. That is correct.

Mr. TRAMMELL. Mr. President, in my observation I have found that the Federal judgeship is almost always the coveted goal of the average lawyer, and of good lawyers, at the salaries that have been paid heretofore. In considering the question of increasing the salaries of the employees here in the District of Columbia, those carrying on the governmental work of the various departments, this body, as well as the one at the other end of the Capitol, has gone on record as being opposed to increasing salaries in excess of 10 per cent, and that has been limited to a maximum salary of $2,500. We think that when we come to deal with the average young man or young woman working for the Government here for the mere pittance of $1,000 or $1,200 a year—many of them merely eking out an existence, you may say—we must be so economical, we must so safeguard the interests of the taxpayers of this country, that we tell them that they must not receive an increase of more than 10 per cent; and if they are enjoying a remuneration in excess of $2,500 a year, then they can not participate in an increase at all.

I have a great deal of respect for the judiciary of this country. I appreciate and esteem the legal profession. I am not one of those that are given to criticizing the judiciary, or that would detract from the men who compose the legal profession. We have no more patriotic, no more intelligent, no more loyal class of citizens than the members of the bar of our country. But, Mr. President, I say that in dealing with them we should deal with them just as we do with every other Government employee. We should deal with them with that same fair hand of justice tempered neither by favoritism nor by prejudice, that we deal with others who are serving our Government, others who are being paid by the taxpayers of this country.

Mr. President, my sympathy and my feelings of interest may be aroused; I may become concerned and sympathize with the average employee who is making only $1,200 or $1,500 a year. When you talk about increasing and raising his salary, I realize at once that there is merit in the contention. When you talk about such a young man or young woman not having sufficient upon which to live, and not having sufficient to even furnish himself or herself with the necessities of life, I can understand that; but when you go to talking about officers receiving $6,000 and $7,500 per annum and allowed their expenses when they are traveling in different parts of their district and allowed their per diem for their hotel bills, with working quarters furnished free, being pauperized and objects of pity I can not quite appreciate the appeal for pity.

I have seen this question agitated before about raising the salaries of the judiciary. I have heard it proclaimed that by doing so you will increase efficiency upon the bench. I have seen the salaries increased, and I have seen the same judge who was sitting upon that same bench at the old salary occupying it again at the increased salary; and that is going to be true throughout this country.

Mr. WILLIAMS. Or an inferior judge succeeding him.

Mr. TRAMMELL. Very, very aptly put, Mr. President. I have sometimes seen an inferior judge succeeding him at the increased salary.

I do not think this is a very appropriate time to talk about increasing the salaries of those who are already getting sufficient remuneration to call to these positions of trust and honor and responsibility among the very best legal minds and talents of our country. Taking the bench of this country as a whole, it is composed of intelligent, patriotic, and efficient officials. It is only now and then we find a misfit. If increasing their salary is to be a benefit going directly to those occupying the bench at the time, there is no use of trimming our sails in order to make it appear that it is for the purpose of building up the efficiency or the dignity of the courts. It is not that. It is purely a matter of increasing the salaries of those who to-day are occupying these positions.

This body has passed a bill authorizing an additional judge in my State. You would not think there was any scarcity of splendid material to fill that office if you knew as much of the situation, and of the aspirants to it, as my colleague and myself know. There are a number of the best lawyers in the State who are anxious and willing to have the honor thrust upon them; and that is true throughout the country.

Mr. WILLIAMS. And, by the way, Mr. President, I should like to ask the Senator from Florida a question. Is it not a part of his experience that lawyers will frequently give up incomes, say, of $10,000 to take a position for life upon the Federal bench at $6,000, and are glad to do it, because $6,000 a year as a certainty and for life is so much better than a problematical $10,000?

Mr. TRAMMELL. Mr. President, the statement of the distinguished Senator from Mississippi is very correct. As I stated at the outset of my argument, my observation has been that a judgeship upon the Federal bench is the coveted goal of the average lawyer of the country; and it is not confined to two-by-four lawyers, but applies to our most distinguished and capable lawyers.

What is $6,000 or $7,000 a year in the way of salary? That comes absolutely without any expenditure upon the part of the judge who enjoys it. You take an attorney making $10,000 or $12,000 per annum, with his office force to maintain, with his traveling expenses and his hotel bills, and he is not making any more net income than the lawyer who occupies the bench and receives his $6,000 or $7,000 a year without any expenses to

pay. Do you think that the taxpayers of this country feel at this particular time, when they are already so heavily burdened, that you should increase the salaries of these judges so as to give them an income in excess of that of the lawyers making $10,000 or $12,000 a year in private practice? That is, it is equivalent to that as far as the net income is concerned. There is a wonderful difference between the gross amount of a lawyer's income and the net salary paid by the Government.

This bill now provides for $9,000 and $10,000 a year salary for district and circuit judges, respectively. I do not believe we should increase the salary to any such amount unless we are going to extend to every branch of this Government such magnanimity, such consideration for Government employees in other branches of the service.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator from Florida one more question. Now that the people of the United States will probably have to help feed Belgium and Serbia and Roumania and northern France and Mesopotamia and Syria and Palestine, and later on perhaps even our enemies, Germany and Austria and Hungary, is this a time for men who love their country to be consenting, even, to receive increased salaries, when they already are getting enough to live on and to live comfortably?

Mr. TRAMMELL. Mr. President, I think the suggestions made by the Senator from Mississippi are very appropriate, and I feel myself that in the case of those who are receiving ample salaries at the present time it does not come with very good grace to seek an increase with the burdens upon our Republic at this time.

Take the judiciary of the States, Mr. President. A very large majority of the States only pay their circuit court judges salaries of $4,000 or $5,000 per annum. In my own State they receive a salary of $4,300 per annum, and are required to defray their own traveling expenses. You go to the supreme court—and I refer with pride to the Supreme Court of Florida, because we have none throughout this country that surpasses it or is its peer as a court composed of able, efficient, and well-trained lawyers—yet members of our supreme court receive the very small salary of $4,500 a year. I say "small." The members of the bar of that State do not seem to think so, if the question of the salary is the only thing that induces them to go upon the bench, because as each election rolls around you find various lawyers who are on the outside looking in, seeking to have the people of that State place them upon the supreme court bench at $4,500 a year. You go into the executive branch of the governments of the various States; I very hurriedly glanced over the list of the salaries paid by the different States, and I find that there are only about eight governors throughout the Union who receive compensations in excess of $7,000. Large States like New York, Illinois, Pennsylvania, Ohio, and a few others pay salaries in excess of $7,000 per annum, but a very large majority of the States fix salaries ranging from $4,000 to $6,000 and $7,000 per annum. I should say that the average would possibly be around five or six thousand dollars per annum.

Of course, I know it will be contended here that these judges do not save anything out of their salaries, and that may be true with some of them; but when you consider that the judge of a Federal court has his appointment handed to him upon a silver platter, as far as any expense connected with his procuring it is concerned, and when you consider that when he has served a certain length of time and reached a certain age he is retired to private life with his full salary, I think they are being pretty well paid at the present time. They at least have a good living and an assurance of comfort in old age.

We had up here before us on one occasion the matter of increasing from $10,000 to $12,000 the salary of certain officials connected with the Federal Government. I said at that time that I was not willing to lend my voice nor was I willing to join in the advocacy of increasing the larger salaries until we did justice by those who were drawing the smaller salaries. It is a rather peculiar thing. Very often you find a man who thinks that the official who is already well paid should have his salary increased; but when the day comes to deal with a raise for those receiving a smaller salary, some of those who championed raising the high salary turn topsy-turvy, take a slide upon the toboggan, do the acrobatic stunt, and you find them opposing raising the salary of the man who is getting twelve or fifteen or eighteen hundred dollars per year, because, as they claim, he is getting along very nicely and getting all he is worth.

The Senator from Mississippi [Mr. WILLIAMS] very wisely suggests that "to him that hath shall be given, and from him that hath not shall be taken away."

Mr. LEWIS. Mr. President, the Senator can not give the Senator from Mississippi credit for that. It is from St. Mark.

Mr. TRAMMELL. I give the Senator from Mississippi credit for his quotation. Whether or not he is exactly correct in the quotation does not make any particular difference. It fits very nicely indeed, and is a good guess. [Laughter.]

Mr. President, I am opposed to the bill in its present form, and hope that it will not be passed as amended, giving, as I stated before, at present, in the form in which it is amended, a salary of $9,000 to the district judges and $10,000 to the circuit judges. My opposition to this is not based upon any feeling other than that of the highest respect and consideration for the judiciary of the country. I realize that the judiciary is one of the great bulwarks of this country for our protection and defense, for the security of a civilized people, and that the judges should enjoy a reasonable salary; but I believe, when everything is considered and the present conditions of our country are taken into account, that it would not be right, it would not be justice to the taxpayers of this country, to increase the salaries up to nine and ten thousand dollars, as provided in this measure.

Mr. LODGE. Mr. President, I simply desire to call attention to the fact that the amendment which I have offered has nothing to do with rates. It simply puts one court, which I think should not have been omitted, on the same basis as the other court, whatever that basis may be.

The VICE PRESIDENT. The question is on the amendment of the Senator from Massachusetts.

Mr. SMITH of Georgia. I should like to have the amendment stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. It is proposed to add a new section in the bill, on page 6, after line 3, as follows:

SEC. 3. That the presiding judge and the associate judges, respectively, of the United States Court of Customs Appeals shall receive salaries equal in amount to the salaries provided by this act to be paid the chief justice and other judges, respectively, of the Court of Claims, payable monthly from the Treasury.

Mr. SMITH of Georgia. Mr. President, there could be only one objection to this amendment. It would be that possibly the salary of this court ought to be fixed in a revenue bill, rather than in this judicial bill; but it was not considered in the revenue bill, and I shall not object to the amendment.

The VICE PRESIDENT. The question is on the amendment of the Senator from Massachusetts.

The amendment was agreed to.

Mr. UNDERWOOD. Mr. President, along the same line as the amendment just offered, to equalize the salaries upon the same basis that they were before the bill was amended, I move to strike out, on page 5, line 25, after the word "office," the words "The chief justice shall be entitled to receive," down to the end of that section, and to insert in lieu thereof the following:

The chief justice and the other judges of the Court of Claims shall receive salaries upon the same basis as salaries provided by this act to be paid to judges of the Circuit Court of Appeals of the United States.

The VICE PRESIDENT. The question is on the amendment of the Senator from Alabama.

The amendment was agreed to.

Mr. MYERS. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert a new section, after line 14, on page 5, as follows:

SEC. —. The salary of the chief justice of the Supreme Court of the Territory of Hawaii shall be $7,000 per annum, and that of the associate justices thereof shall be $6,500 per annum, and the salary of the several circuit judges of the Territory of Hawaii shall be $5,000 per annum.

Mr. MYERS. Mr. President, there are two sets of judges in the Territory of Hawaii. One set presides over matters of Federal jurisdiction, and the other set presides over matters of Territorial jurisdiction, to administer the laws enacted by the Territorial Legislature of Hawaii. All are paid by the United States. This amendment is to increase somewhat the salaries of the Territorial judges.

The judges of the Territorial courts of the Philippines receive the following salaries: The chief justice receives $8,000 per annum, and there are six associate judges receiving $7,500 each per annum. I have offered this amendment to increase the salaries of the Territorial judges of Hawaii to some extent, but not nearly so much as the salaries received by the judges of the Philippines.

I have here a memorial from the Bar Association of Hawaii, praying for an increase in salary for their Territorial judges, which I send to the desk and ask to have read. My amendment

does not increase the salaries of the Territorial judges in Hawaii as much as this memorial prays for. I did not see fit to ask so much as that, but it increases them somewhat.

I now ask to have the memorial read.

Mr. SMITH of Georgia. Mr. President, would not the Senator be satisfied to have it printed in the RECORD?

Mr. MYERS. No; I would not, Mr. President.

Mr. SMITH of Georgia. Mr. President, we can not afford to go beyond the district judges. I am utterly opposed to this amendment, unless you want to kill the bill. If you expect to have any of these salaries increased you must be reasonable about it, or tolerably reasonable.

I think it was a mistake to put the circuit and district judges up to $9,000 or $10,000. I would be perfectly willing to have their salaries increased to that extent if I were the sole person to vote upon it, but I do not believe it is possible to pass those increases through the House.

Mr. MYERS. I ask that the memorial be read and then that the amendment be voted on.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

To the Senate and House of Representatives of the United States in Congress assembled:

The memorial of the Bar Association of the Hawaiian Islands respectfully presents this petition to the Congress of the United States, and your petitioners say as follows:

1. That Congress, by the act of Congress of May 27, 1910, section 8, Thirty-sixth Statutes at Large, page 443, fixed the annual salaries of the judges of the several courts of record of this Territory as follows: The chief justice of the supreme court at $6,000, the first and second associate justices of said court at $5,500 each, and the judges of the several circuit courts at $4,000 each.

2. That the Bar Association of the Hawaiian Islands, at its regular quarterly meeting held in Honolulu on the 27th day of February, A. D. 1918, unanimously adopted a resolution to petition the Congress of the United States to increase the salaries by an act of Congress, as follows: That the annual salary of the chief justice of the supreme court be increased to $8,000, the associate justices to $7,500, and the several circuit judges to $6,000; and this resolution was adopted after a thorough investigation.

3. That since the passage of the act of May 27, 1910, section 8, Thirty-sixth Statutes at Large, page 443, by the Congress of the United States, the cost of living in Hawaii has steadily advanced each year, and more particularly since the beginning of the present European war, and the salaries, as fixed by the said act, are wholly inadequate for the support of the several judges of the said courts in this Territory.

4. The dignity and requirements of the judges of our courts of record are such as to require them and each of them to expend their entire salaries, and most of them have been compelled to depend upon their private income to meet the expenses of living during their term of office. Since the declaration of war by the United States there has been a continuous increase in the cost of every article of use and consumption in Hawaii. Rents, boarding rates, clothing, food supplies, wages of servants, and every possible article which they are called upon to purchase have positively advanced in price, and the purchasing power, therefore, of these salaries has diminished to such an extent as to make it impossible for the judges to meet their current expenses and to maintain the dignity which their social position requires. In this connection it should not be overlooked that nearly everything they use, from the material with which their homes are built to the articles of food upon their tables (barring a partial and inadequate local supply of meat, fish, and vegetables), has to be transported hither from the mainland or from New Zealand and Australia, and, in addition to the largely increased cost of these materials at the points of their production, the cost of their transportation hither has been many times multiplied as a result of the scarcity of shipping.

5. The present occupants of the several judicial positions command the respect and confidence of the bar of these islands, and of the commercial interests, and the people at large realize that the impartial administration of justice is paramount to all other considerations, and that the judges should receive such salaries so as to enable them to be independent; and it is also well known that many of the appointees, upon accepting the positions, made large sacrifices by giving up their lucrative law practice in response to a demand and request from the bar that they accept these positions.

6. The litigation in the Hawaiian Islands is of a varied and of a mixed character, and the several dockets of the several courts demonstrate that the judges are required to perform very laborious tasks and give their entire time to the several duties of their office; and most of the calendars in the several circuits can not be kept clear, because jury trials, as a rule, can not be shortened; and yet the judges have been ever zealous, and especially the present appointees, in trying to clear the docket.

7. The Bar Association of Hawaii can not too strongly present the facts in support of an increase in the salaries of the judges, and we are conversant with and know well that, in view of economic conditions here and for the reasons set out in this memorial, the salaries are wholly inadequate, and we therefore humbly pray for favorable action in the premises.

Attached to the memorial of this association is the form of a bill amending the act of May 27, 1910, section 8, Thirty-sixth Statutes at Large, page 443, and we pray that it may be introduced in the Senate and House of Representatives of the Congress of the United States.

THE BAR ASSOCIATION OF THE HAWAIIAN ISLANDS.

Dated at Honolulu this 15th day of March, A. D. 1918.

A bill to amend section 92 of the act approved April 30, 1900, entitled "An act to provide a government for the Territory of Hawaii," as amended by section 8 of chapter 258, Thirty-sixth Statutes at Large, approved May 27, 1910.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

SECTION 1. That section 92 of the act approved April 30, 1900, entitled "An act to provide a government for the Territory of Hawaii," being chapter 339, Thirty-first Statutes at Large, as said section is amended in and by an act approved May 27, 1910, being section 8 of chapter 258, Thirty-sixth Statutes at Large, is hereby further amended so as to read as follows:

"SEC. 92. That the following officers shall receive the following annual salaries, to be paid by the United States: The governor, $7,000; the secretary of the Territory, $4,000; the chief justice of the supreme court of the Territory, $8,000; the associate justices of the supreme court, $7,500 each; the judges of the circuit courts, $6,000 each; the United States district attorney, $4,000; the United States marshal, $3,000. And the governor shall receive annually, in addition to his salary, the sum of $500 for stationery, postage, and incidentals; also his traveling expenses while absent from the capital on official business; and the sum of $2,000 annually for his private secretary."

SEC. 2. This act shall take effect and be in force from and after its approval.

Mr. SMITH of Georgia. Mr. President, I wish to warn Senators unless they wish to defeat the bill we must not add more matter of that kind. I hope the amendment will be rejected. It applies to an entirely different class of judicial officers. I wish to urge that we defeat this proposed amendment.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Montana.

The amendment was rejected.

Mr. ASHURST. I offer the following amendment.

The VICE PRESIDENT. It will be read.

The SECRETARY. It is proposed to add a new section as follows:

SEC. —. That the President of the United States be, and he is hereby, authorized and directed, by and with the advice and consent of the Senate, to appoint an additional judge of the district court of the United States for the southern district of Florida, who shall reside in said district, and whose compensation, duties, and powers shall be the same as now provided by law for the judge of said district.

That the President of the United States shall appoint, by and with the advice and consent of the Senate, an additional judge for the northern district of California, who shall reside in said district and shall possess the same qualifications and have the same powers and jurisdiction and receive the same salary now prescribed by law in respect of the present district judges therein.

That the President of the United States, by and with the advice and consent of the Senate, shall appoint two additional district judges for the northern judicial district of the State of Illinois, each of whom shall possess the same qualifications and have the same powers and jurisdiction as now prescribed by law in respect to the present judges for that district.

That the President of the United States shall appoint, by and with the advice and consent of the Senate, an additional judge for the district of Arizona, who shall reside in said district and shall possess the same qualifications and have the same powers and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

That the clerk of the district court for the district of Arizona and the marshal and district attorney for said district shall perform the duties appertaining to their offices, respectively, for said court.

That the President of the United States shall appoint, by and with the advice and consent of the Senate, an additional judge for the district of Montana, who shall reside in said district and shall possess the same qualifications and have the same powers and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

That in case of disagreement in relation thereto between the judges of said district court the senior circuit judge of the ninth circuit shall make all rules for the transaction of the business of said court and all necessary orders for the division of the work and the assignment of cases for trial.

That the clerk of the district court for the district of Montana and the marshal and district attorney for said district shall perform the duties appertaining to their offices, respectively, for said court.

That the President of the United States shall, by and with the advice and consent of the Senate, appoint an additional district judge for the western judicial district of the State of North Carolina, who shall reside in the said district and shall possess the same qualifications, have the same power and jurisdiction, and receive the same salary now prescribed by law in respect of the present district judge therein.

That whenever a vacancy shall occur in the office of the district judge for the western judicial district of the State of North Carolina senior in commission such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

That hereafter there shall be a district judge of the United States for the middle district of the State of Tennessee, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall possess the same qualifications and shall have the same powers and jurisdiction and receive the same compensation prescribed by law in respect to district judges of the United States: *Provided*, That the judge now acting for the eastern and middle districts of Tennessee shall continue to act in both said districts until a judge is appointed and qualified for the middle district as hereinafter provided.

That the district judge now holding office and acting for both said districts and his successors shall be assigned to and hereafter be the district judge for the eastern district in said State.

That the President of the United States, by and with the advice and consent of the Senate, shall appoint the district judge for the middle district in said State, who shall, as to all business and proceedings arising in said middle judicial district, possess and exercise all the powers conferred by existing law upon judges of the district courts of the United States, and who shall succeed to and possess the same powers and perform the same duties within the said middle judicial district as are now possessed and performed by the district judge acting for both said districts in said State.

That terms of court may be held at the places and in the manner now prescribed by law in the eastern judicial district by the judge of the middle district or in the middle judicial district by the judge of the eastern district, provided it is mutually agreed by and between the judges of each of said districts that the public interest demands it.

That hereafter there shall be for each of the two judicial districts in the State of Mississippi a district judge of the United States, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall possess the same qualifications and shall have the same powers and jurisdiction and receive the same compensation prescribed by law in respect to district judges of the United States:

Provided, That the judge now acting in both said districts shall continue to act in both said districts until a judge is appointed and qualified for the southern district as hereinafter provided.

That the district judge now holding office and acting for both said districts shall be assigned to and hereafter be the district judge for the northern district in said State.

That the President of the United States, by and with the advice and consent of the Senate, shall appoint the district judge for the southern district in said State, who shall, as to all business and proceedings arising in said southern judicial district, possess and exercise all the powers conferred by existing law upon judges of the district courts of the United States, and who shall succeed to and possess the same powers and perform the same duties within the said southern judicial district as are now possessed and performed by the district judge acting for both said districts in said State.

That terms of court may be held at the places and in the manner now prescribed by law in the southern judicial district by the judge of the northern district or in the northern judicial district by the judge of the southern district, provided it is mutually agreed by and between the judges of each of said districts that the public interest demands it.

That all laws and parts of laws so far as inconsistent with the provisions of this act are hereby repealed.

Mr. SMITH of Georgia. I wish to ask the Senator from Arizona if he is not willing to allow the amendment to be printed and go over.

Mr. ASHURST. Of course; but if we want to finish the bill to-night——

Mr. SMITH of Georgia. I do not think we can.

Mr. ASHURST. Now, let me say that the frowns of my friend will avail nothing. I have a right as a United States Senator to offer any amendment that I see fit.

Mr. SMITH of Georgia. Mr. President, I did not mean to question that.

Mr. ASHURST. I stand by my right to offer this amendment. It simply gives additional judges to those States that need them. The judges for the States of North Carolina, Tennessee, Illinois, California, Mississippi, Montana, and Arizona are very much overworked. In those States additional judges are needed. This amendment simply includes those bills that have passed this Senate during the Sixty-fifth Congress granting additional judges. The Judiciary Committee of the Senate considered the situation in these various States. It ascertained that the judge in Florida, in the southern district, was the most overworked judge in the United States. It ascertained that the district judge in Arizona was the next most overworked judge in the United States, and the next were the judges in Montana, Illinois, Tennessee, North Carolina, Mississippi, and California.

This amendment simply includes those bills which the Senate has already passed. The part of the amendment which relates to a new judge for the southern district of Florida passed the Senate February 6, 1918. The part of the amendment providing for a new judge in the northern district of California passed the Senate May 21, 1918. The bill providing for two new judges in the northern district of the State of Illinois passed the Senate May 21, 1918. The bill providing for an additional judge in the district of Arizona passed the Senate February 5, 1918. That part of the amendment providing for an additional judge for the district of Montana passed the Senate September 11, 1917.

That part of the amendment which provides for an additional judge in North Carolina passed the Senate May 16, 1918. That part of the amendment providing for a new judge in the State of Tennessee passed the Senate September 12, 1917, and that part of the amendment which provides for an additional judge in the State of Mississippi passed the Senate September 11, 1918.

I submit that the Senate seriously passed those bills, and I resent any suggestion of impatience or any suggestion that I ought not to be heard at this time.

The imperial State of California needs this additional judge, and Montana, Illinois, Arizona, Mississippi, North Carolina, and Tennessee need additional judges. I serve notice that I am not a State senator but a United States Senator, and if Georgia needs an additional judge, if in good faith Indiana needs a judge, why should we decline to grant it?

The Senate of the United States passed these bills which make up my amendment. Senators say, "Why do you not include my State in your amendment?" I did not do that because the Judiciary Committee of the Senate had not considered such bills. The amendment I have just presented is made up of those bills that have passed the Senate; in other words, it includes simply, solely, and only the bills that the Judiciary Committee of the Senate reported favorably after hearings that were voluminous, and which bills have passed the Senate.

Mr. WILLIAMS. Mr. President——

Mr. ASHURST. The Senator will pardon me. Senators must not grow impatient when a new and young Senator insists on having a right to be heard. I am in favor of this bill, even should my amendment fail. I have been a constant and, I believe, a just critic of some of our Federal judges, but I am glad to see the salaries of the Federal judges increased. In this day of Bolshevism, in this day when the I. W. W. is clamoring at your gate seeking to tear down your civilization, it will be the judges who are not afraid to enforce the law that will save our civilization of to-day.

Mr. WILLIAMS. Mr. President——

Mr. ASHURST. I will yield in a moment.

Mr. President, if the distinguished Senator in charge of the bill feels that my amendment, which includes only those bills that have passed the Senate, would imperil this bill, I will withdraw it. Does the Senator fear that my amendment would do that?

Mr. SMITH of Georgia. I am not prepared to say further than this: The subject was considered by the Judiciary Committee, and we determined that it would not do to undertake to attach these several bills to the pending bill lest it might jeopardize it. The Senator from Florida was present and suggested that the bill applicable to Florida be added, but it was finally agreed by the committee that in the opinion of the committee it was best not to undertake to attach any general legislation to the pending bill.

While I am on my feet I want to say to the Senator that when I found there were so many of them included in his amendment I thought it was a piece of humor.

Mr. ASHURST. A piece of humor! The Senator is a Member of the Judiciary Committee, which reported these bills which make up my amendment.

Mr. SMITH of Georgia. The Senator has given me the floor by asking me a question, and I am going to ask him to let me finish my answer.

Mr. ASHURST. I am at times a little humorous, and sometimes the Senator may intend to be, but I do not get off any humor in the Senate.

Mr. SMITH of Georgia. I did not suppose when there were so many of them that they were to be pressed at this time, and that is why I manifested some impatience. Of course, I recognize the right of the Senator to press them and press them just as long as he desires. I have no doubt I voted for every one of them, and if they can go through I do not object to their going through.

Mr. ASHURST. The Senator is on the Judiciary Committee and gave the committee the benefit of his vast experience as a lawyer and a statesman. He voted for each and every one of these bills, except one of them, which was ordered reported when he was not present. I now yield for a moment to the Senator from Mississippi.

Mr. WILLIAMS. I merely wanted to say this, Mr. President: I fully agree with the Senator from Arizona that it is better to increase the number of judges to take care of the business of the country than it is to increase the salaries of the judges who are already willingly serving at the present salary and whose places are being awaited by countless numbers of briefless attorneys or attorneys with briefs. I think, if we are going to pass this bill, it might be very well to put upon it additional judgeships. I think it would be infinitely better than increasing the salaries of the judges who are already willingly serving at their present salaries. Not one of them would resign if you gave him a $10,000 check to-morrow. But I was going to suggest that it is growing late, and, as the Senator in charge of the bill has some very important amendments pending that I would not be willing to have considered without a quorum, I was going to ask that we take a recess.

Mr. SMITH of Georgia. If the Senator from Arizona has finished, I move that the Senate take a recess——

Mr. ASHURST. I do not want to delay the progress of the bill. I think the bill should pass, but I believe the Senate should seriously consider my amendment. I want to give additional judges to those States that require them, and let me remind you that I think the Judiciary Committee of the Senate of the United States—I happen to be on it—is "some" body of men. There are CHARLES A. CULBERSON and ALBERT B. CUMMINS—I can name more who are able lawyers on the Judiciary Committee—HOKE SMITH, KNUTE NELSON, L. S. OVERMAN, and FRANK B. BRANDEGEE, and all the balance of them. The Judiciary Committee found, after hearings, that the State of California in good faith ought to have an additional judge; that in the State of Illinois the Federal courts are cluttered with business; that the same is true of Florida by reason of its proximity to Cuba; that the same is true of Arizona, with 300 miles of international border and hundreds upon hundreds of smuggling cases and the judge working harder than I ever want to work. The Arizona judge has had but four weeks' vacation in four years.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from Arizona yield to the Senator from North Dakota?

Mr ASHURST. I yield; but first let me say that the Senate of the United States has passed every one of these bills and the Judiciary Committee was unanimous in its report on each one of the bills——

Mr. WILLIAMS. If the Senator will pardon me.

Mr. ASHURST. I yield to the Senator from Mississippi.

Mr. WILLIAMS. One of the bills passed the Senate three times.

Mr. ASHURST. I did not know that. That was the Mississippi case. I knew it had passed once.

Mr. GRONNA. I have a concurrent resolution here which, of course, would not settle this judicial question; but I think it would help to still the storm of Bolshevism, and I ask unanimous consent out of order to have it read. It is a concurrent resolution of the Legislature of North Dakota.

The PRESIDING OFFICER. Is there objection?

Mr. ASHURST. Not in my time, of course, and not in the middle of my remarks.

The PRESIDING OFFICER. The Chair understood the Senator from Arizona to yield for that purpose.

Mr. SMITH of Georgia. If it will suit the Senator from North Dakota to have it read to-morrow morning, I am quite anxious to move for a recess until 12 o'clock to-morrow.

Mr. GRONNA. It is very brief.

The PRESIDING OFFICER. Does the Senator from Arizona yield for the purpose of having it read?

Mr. ASHURST. I yield for no purpose whatever now.

The PRESIDING OFFICER. The Senator from Arizona declines to yield.

Mr. ASHURST. I will yield the floor in a moment to the Senator from North Dakota.

Mr. GRONNA. All right.

Mr. ASHURST. If I had not been interrupted I would have finished a long time ago. I fear that owing to the cluttered condition of legislation the various bills regarding these judges will not pass the other branch of Congress, and surely I do not need to remind the Senate that a bill must pass another branch of Congress before it becomes a law. I have been, I repeat, a constant and severe, and yet I think truthful, critic of some of our Federal judges, and if time permitted I could point to instances where grave abuses have been perpetrated by some of the Federal judges, where injunctions against laboring men, especially, have been unjustly issued, improvidently issued; but that does not alter the fact that the Federal judges, as a rule, are clean, able, and courageous.

While now and then some judge falters in his duty, the record made in the recent war with Germany by our Federal judiciary is a record replete with courageous patriotism. Witness the splendid services of Judge Landis, of Illinois, and the decision of Judge Speer, of Georgia, on the question of the selective draft. His opinion has become a classic in our jurisprudence. I could name others, but time does not permit.

I made an argument before the Committee on the Judiciary with reference to the necessity for an additional judge in the State of Arizona, and very copious data were gathered by me relative to that matter. I should like to have permission to include it in the RECORD as part of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

ADDITIONAL DISTRICT JUDGE IN ARIZONA.

SUBCOMMITTEE OF THE COMMITTEE ON THE JUDICIARY,
UNITED STATES SENATE,
Washington, D. C., Monday, December 10, 1917.

Hon. HENRY F. ASHURST, a Senator of the United States from the State of Arizona, to-day submitted the following memornda and letters to the subcommittee—Messrs. FLETCHER (chairman), SHIELDS, and BRANDEGEE—appointed to consider his bill (S. 714) providing for an additional judge for the district of Arizona:

The text of the bill is as follows:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States shall appoint, by and with the advice and consent of the Senate, an additional judge for the district of Arizona, who shall reside in said district and shall possess the same qualifications and have the same powers and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

"SEC. 2. That in case of disagreement in relation thereto between the judges of said district court the senior circuit judge of the ninth circuit shall make all rules for the transaction of the business of said court and all necessary orders for the division of the work and the assignment of cases for trial.

"SEC. 3. That the clerk of the district court for the district of Arizona and the marshal and district attorney for said district shall perform the duties appertaining to their offices, respectively, for said court."

The bill provides for the appointment of an additional judge for the district of Arizona. The United States district courts for the district of Arizona are overcrowded. It is utterly impossible for one judge properly to handle the business of the district. Notwithstanding the fact that the present judge has held regular sessions and rarely observed holidays, Sundays excepted, he has been unable to keep up with the constantly increasing calendars. The present judge has taken but two weeks' vacation in the past three and one-third years. Some of the facts showing the reason for the present overcrowded condition of the dockets are set forth as follows:

The estimated population for draft apportionment of Arizona is 409,203. (S. Doc. 64, 65th Cong., 1st sess., p. 9.) The area of the State is 113,956 square miles. The Indian population of Arizona (exclusively under the jurisdiction of the United States) is 44,436. (Report Committee on Indian Affairs, 1916, p. 73.)

A factor contributing to the increase of the business of the Federal court in Arizona is the large area of the State which is included within Indian, forest, and military reservations, and therefore subject to the exclusive jurisdiction of said court. The area which is involved in Indian, forest, and military reservations in Arizona equals 42 per cent of the total area of the State. This is a larger proportion exclusively within Federal control than any other State in the Union.

In order to exhibit a comparative analysis of the business transacted by the courts of the United States in Arizona and that disposed of in other States, statements have been compiled by the Department of Justice covering the northern and southern districts of Florida, Louisiana (eastern and western district), Mississippi (northern and southern districts), the States of Montana, Nevada, New Jersey, Utah, Wyoming, and Arizona. The comparisons are valuable as furnishing a reason for the passage of the bill:

Alabama has a Federal judge for every 767,092 of population and 17,332 square miles of area.

Maine has a Federal judge for its 767,038 of population and 33,040 square miles of area.

California has a Federal judge for every 712,068 of population and 39,577 square miles of area.

Texas has a Federal judge for every 868,742 of population and 53,179 square miles of area.

Arizona has one Federal judge for its 409,203 of population and 113,956 square miles of area.

CIVIL AND CRIMINAL CASES TRIED.

The district court of the United States for the district comprehended by the State of Arizona disposed of 286 cases in 1913; 349 in 1914; 269 in 1915; and 299 in 1916—1,203.

The district court of the United States for the northern district of Florida disposed of 111 cases in 1913; 181 in 1914; 168 in 1915; and 282 in 1916—742.

The United States courts for the southern district of Florida disposed of 493 cases in 1913; 391 in 1914; 347 in 1915; and 391 in 1916—1,622.

The United States courts for the eastern district of Louisiana disposed of cases as follows: 1913, 227; 1914, 397; 1915, 180; and 1916, 252—1,056.

The United States courts for the western district of Louisiana disposed of 109 cases in 1913; 130 in 1914; 166 in 1915; and 107 in 1916—512.

The United States courts for the northern district of Mississippi disposed of 242 cases in 1913; 357 in 1914; 226 in 1915; and 85 in 1916—910.

The United States courts for the southern district of the State of Mississippi disposed of 242 cases in 1913; 84 in 1914; 140 in 1915; and 125 in 1916—591.

The United States courts for the district comprhended by the State of Montana disposed of 300 cases in the year 1913; 276 in 1914; 312 in 1915; and 270 in 1916—1,158.

The United States courts for the district comprehended by the State of Nevada disposed of 96 cases in 1913; 109 in 1914; 221 in 1915; and 132 in 1916—558.

The United States court for the district comprehended by the State of New Jersey disposed of 409 cases in 1913; 380 in 1914; 591 in 1915; and 490 in 1916 (additional judge recently provided for)—1,870.

The United States courts for the district comprehended by the State of Utah disposed of 114 cases in 1913; 126 in 1914; 101 in 1915; and 91 in 1916—432.

The United States courts for the district comprehended by the State of Wyoming disposed of 142 cases in 1913; 85 in 1914; 98 in 1915; and 85 in 1916—410.

EXPENSES.

The costs of conducting said courts for the years mentioned were as follows:

District.	1913	1914	1915	1916
Arizona	$48,429.71	$56,321.02	$56,600.02	$57,526.66
Florida:				
Northern	15,472.17	21,003.60	26,327.01	26,117.73
Southern	25,844.98	32,370.51	33,274.79	38,037.83
Louisiana:				
Eastern	39,149.27	37,129.87	38,847.08	41,817.61
Western	17,345.16	20,850.34	21,006.82	24,775.32
Mississippi:				
Northern	29,878.10	28,852.43	25,051.72	22,393.02
Southern	28,904.98	31,734.28	29,222.79	25,694.22
Montana	54,006.17	52,121.99	45,743.61	43,745.85
Nevada	17,534.94	19,880.72	24,797.78	21,076.97
New Jersey	22,414.74	24,308.34	31,472.62	28,854.54
Utah	17,622.13	20,651.87	28,883.70	19,491.57
Wyoming	23,561.65	21,063.67	26,230.51	24,801.74

In explanation of the higher expense involved in the administration of the Federal courts in Arizona, as compared with other States, the provision for and the care of prisoners involves more expenditure for the upkeep and maintenance of prisoners, involves greater outlay for mileage of jurors, witnesses, and officers, because the distances are greater and the travel is more expensive. The main lines of railroad charge 3 cents and branch lines not less than 4 cents per mile. The transport of prisoners convicted of felony to Atlanta and Leavenworth Penitentiaries covers a distance of thousands of miles, in some cases reaching several hundred dollars per prisoner. Many Chinese deportation cases are also tried, as the border protected by this jurisdiction is seveal hundred miles. The actual distance covered by the southern boundary line of Arizona bordering upon Mexico, from Ogdens Landing, in the southwestern corner of the State, to the Guadalupe Mountains, in the southeastern corner, is approximately 400 miles, a longer distance than is covered by any other division of the United States courts, whether in Texas or New Mexico, bordering upon the Republic of Mexico. The character of the country giving views of the border monuments marking the international boundary and characteristic scenes along that border are shown in Senate Document No. 247, Fifty-fifth Congress, sec-

ond session, which covers the report of the International Boundary Commission fixing the boundary between the United States and the Republic of Mexico west of the Rio Grande River.

COMPARATIVE AREAS.

The area of the State of Arizona, comprising the district of Arizona, is equal to the approximate areas of Connecticut, Massachusetts, New Hampshire, Vermont, Maine, and New York. Its area is greater than all of New York, Pennsylvania, Maryland, and Delaware; or Illinois, Indiana, New Hampshire, and New Jersey combined. The figures which bear out this statement are shown in the following tables:

		Area in square miles.
Arizona		113,956
Connecticut	4,965	
Massachusetts	8,266	
New Hampshire	9,341	
Vermont	9,564	
Maine	33,040	
New York	49,204	
	114,380	
Total		113,956
New York	49,204	
Pennsylvania	45,126	
Maryland	12,327	
Delaware	2,370	
	109,027	
Total		113,956
Illinois	56,665	
Indiana	36,354	
New Hampshire	9,341	
New Jersey	8,224	
	110,588	
Total		113,956

CLASSIFICATION OF BUSINESS TRANSACTED.

A complete synopsis of all cases which were commenced, terminated, and pending, whether civil, criminal, or equity, is shown in the next table following. This includes cases both civil and criminal to which the Government is not a party, and is for the four years from 1913 to 1916, both included. The percentages of each class of cases instituted of the total are shown in the last three columns. The statement is as follows:

District.	United States civil.	United States criminal.	Cases to which United States is not a party.	Per cent of total.		
				United States civil.	United States criminal.	Other.
Arizona	73	997	227	0.057	0.763	0.18
Florida:						
Northern	45	437	269	.06	.58	.36
Southern	567	439	891	.298	.23	.472
Louisiana:						
Eastern	132	351	809	.102	.272	.626
Western	129	199	226	.232	.36	.408
Mississippi:						
Northern	82	470	121	.02	.69	.39
Southern	64	339	331	.087	.46	.453
Montana	189	656	270	.17	.58	.25
Nevada	30	405	151	.06	.77	.17
New Jersey	347	631	1,244	.156	.283	.561
Utah	67	142	221	.156	.33	.514
Wyoming	66	170	152	.17	.43	.40

The above statement shows that Arizona Federal courts disposed of more criminal cases than any other division of the United States courts shown in the above table, and that a larger percentage of the cases were criminal prosecutions than in any other division of the courts enumerated, excepting the Federal courts for the State of Nevada, viz, Nevada, 77 per cent, and Arizona, 76.3 per cent. The major portion of the business transacted on the criminal dockets is for violation of the laws of the Government against contraband smuggling, in the protection of a border 400 miles in extent marked by few natural and no artificial barriers; and also cases involving the introduction of whisky into the Indian, military, or other Government reservations. The largest proportion of cases involving the introduction of whisky into the State and the reservations lies against nonresidents of the State who seek to introduce the liquor for the great profit involved, the State of Arizona now being prohibition territory, "bone dry." The smuggling of arms out of and the introduction of contraband into the jurisdiction give rise to many cases on the criminal docket, and these are against nonresidents almost exclusively.

In obedience to statute, court is held twice a year in four places, namely, Prescott, Phoenix, Tucson, and Globe. The distance by rail from Prescott to Globe is 497 miles. It will thus be observed that the distance between Prescott and Globe is about the distance from Washington to Cincinnati or from Washington to Portland, Me. Litigants and witnesses are frequently required to traverse the entire distance (497 miles) to reach the place where court is held, and court is held as directed by statute. In some instances a term is suspended at one place while the judge travels to another place upon its business, after dispatching which he returns to the former place, completes the business there, and then returns to the latter place and dispatches the business there. In this connection it should be remembered that a grand jury must be assembled in each place twice a year. Thus it will be observed that the present judge convenes eight grand juries each year.

An inquiry was made by the Department of Justice, addressed to the United States judge and the United States attorney for the district of Arizona, as to the advisability of the proposed legislation. The recommendations of the judge and the United States attorney were strongly in favor of the enactment of this measure into law. Copies of their letters are hereto attached.

One-third of the copper produced in the United States is mined and smelted in the State of Arizona; its Indian population is greater than that of any other State excepting Oklahoma; and the area which is included within forest, Indian, and other reservations exclusively under the jurisdiction of the United States courts is larger than in any other State.

The necessity for the speedy passage of the bill (S. 714) is manifest.

The following letters and statistics, from the Department of Justice, are submitted to the committee:

DEPARTMENT OF JUSTICE,
OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., April 17, 1917.

Hon. CHARLES A. CULBERSON,
Chairman Committee on the Judiciary, United States Senate.

MY DEAR SENATOR: Permit me to acknowledge receipt of your request of the 10th instant for information tending to show the desirability, or otherwise, of the legislation proposed in the bill (S. 714) providing for an additional judge for the district of Arizona.

In order to expedite this matter as much as possible I am inclosing herewith copies of letters received from the judge and district attorney for the district of Arizona, dated December 29, 1916, and January 12, 1917, respectively, expressing their views in connection with S. 7484, which provided for the division of the State of Arizona into two judicial districts. The information contained in these letters will indicate to your committee the business that is being transacted in the present district.

There are also inclosed herewith for further information copies of comparative statements made from the records of this department showing in detail the number of cases commenced and terminated in the district of Arizona during the last four years, the number of cases pending at the close of each fiscal year, and the relative increase or decrease in the number of cases terminated and commenced. In addition, the statements show the expense of conducting the court during said periods.

It is hoped that the information submitted will meet the requirements of your inquiry.

Very respectfully,

T. W. GREGORY,
Attorney General.

DEPARTMENT OF JUSTICE,
OFFICE OF UNITED STATES ATTORNEY,
DISTRICT OF ARIZONA,
Globe, Ariz., January 12, 1917.

The ATTORNEY GENERAL,
Washington, D. C.

SIR: I received your wire of December 29, 1916, directing me to furnish my opinion as to the desirableness, or otherwise, of proposed legislation to divide Arizona into two judicial districts, reply to which has been delayed by preparation for the present term now convening here.

The proposed legislation is, in my judgment, most desirable from many viewpoints. An examination of our monthly and term reports will readily disclose the amount of criminal business transacted by this court, but the full value of the work entailed can not be gathered from a mere inspection of these reports. Add to the criminal business the civil cases in which the United States is a party and the calendar of private civil litigation and it can be seen without serious question that the burden which Judge Sawtelle has to carry is inordinately heavy. That he has been able to dispatch the work, as indicated by the cases closed, can be accounted for only by a just tribute to his excessive application, entailing few days of rest and recreation, with the consequent inroad on his mental and physical vitality.

Withal he has not been able to give to many important matters the attention needed to dispose of them promptly and to the satisfaction of litigants. We have had several very important suits by the Government submitted during the past year and have only recently been able to obtain decrees in them. They involved intricate legal questions, to which the court, on account of the many terms intervening, could not with promptness address itself. That sufficient time was not available for consideration of cases submitted, as indicated by the fact that notwithstanding only eight terms a year are provided for in this district, the other months being, no doubt, intended for preparation and deliberation, we have had sessions of court in every one of the months of the past year—here at Globe in January, in February at Tucson, regular terms at Prescott, Phoenix, and Tucson in March, April, and May, respectively; the May term at Tucson was continued far into the month of June, necessitating the postponement of the regular June term here at Globe.

In July and August an adjourned term was held at Prescott to try equity cases, and September, October, November, and December were occupied with the regular terms at Prescott, Phoenix, and Tucson, the term at Tucson occupying nearly all of December and again necessitating the postponement of the regular term here until this month. An adjourned term is already called at Tucson for next month; the four regular terms will follow at the four places for holding court, with splendid chances for another summer session at Prescott to consider equity cases, which are invariably set at the foot of the calendar and the terms wholly occupied with jury cases.

On the question of the effect of the proposed legislation on the work of this office, it goes without argument that it would be appreciably lightened. I recognize the proneness of some officials to continually remind others of the awful pressure of official duties, and it is with some reluctance that I mention our own work. It is quite true, though, that since assuming office about three years ago I have been compelled, in order to give proper attention to the work, to practically abandon all private practice, and never during my term have I had the satisfaction of feeling that I could leave the work for more than an occasional off day. In the three years I have taken but one vacation, which was last summer, when I was granted 12 days' leave and spent just one week on the coast.

Night work is the invariable rule during court sessions, being absolutely indispensable if the work is to be kept up to date, and, as has been noted, the sessions are not often intermittent. What I say in this connection applies equally to the assistants of the office, whose official work leaves them little time for private practice, and who are most faithful, devoted, and interested in their labors.

The State of Arizona is rapidly growing in population and in business enterprises; litigation of every description is increasing and will continue to increase, and the jurisdiction of the Federal court is sought on every conceivable occasion. While it is true that the work of this office could be distributed by the addition of several assistants and more clerical help, which has become a necessity, this would not solve the burdens of the court in any respect. Primarily, therefore, for the amelioration of his increasing labors, do I recommend the division, and I feel also that, because of the great area of Arizona and the great distance to be covered in attending to the business of the court, the best solution would be the creation of another district. The work of

each district would then be more centralized and accomplished with greater dispatch than now prevails. Most of the above reasons, together with others, are set forth in the resolution of the Arizona Bar Association, passed January 8, 1917, at Phoenix, Ariz., a copy of which I herewith inclose. I shall be pleased to furnish further specific data disclosed by our records if you desire, and shall be pleased to answer any specific questions which you may send to me.

Very sincerely, yours,

THOMAS A. FLYNN,
United States Attorney.

UNITED STATES DISTRICT COURT,
DISTRICT OF ARIZONA,
JUDGE'S CHAMBERS,
Tucson, Ariz., December 29, 1916.

The ATTORNEY GENERAL,
Washington, D. C.

SIR: Replying to your telegram of this date, in which you state, "Bill has been introduced to divide Arizona into two judicial districts. Please furnish your opinion as to desirableness or otherwise proposed legislation in as much detail as convenience will permit, stating facts on which same is based," will say it is my opinion that such legislation is not only desirable but absolutely necessary. It is utterly impossible for one judge properly to handle the business of the district. Notwithstanding the fact that I have held long sessions and rarely observed holidays, Sundays excepted, I have been unable to keep up with the constantly increasing calendars. I have taken just two weeks' vacation during the past three and one-third years.

Practically all of my time is occupied in the trial of causes, and written opinions are prepared only in rare instances. When prepared, I am compelled to remain in my chambers until late in the night. The number of cases removed from the State courts is constantly increasing. On account of the great number of criminal and civil jury cases, equity and bankruptcy cases can not within a reasonable time be heard and determined.

I have not available data which would enable me to give you the number of cases filed at each of the four places of holding terms of court in the district during the year 1916. More cases are disposed of at Tucson than at any other one place in the district. An examination of the calendar for the May term, 1916, at Tucson shows that there were then pending 119 criminal cases, 54 equity and law cases, and 18 bankruptcy cases, 95 of which were disposed of at said term; the calendar for the November term, 1916, at Tucson shows 109 criminal cases, 73 equity and law cases, and 13 bankruptcy cases; to date 73 of said cases have been disposed of, and the November term, 1916, is still in session, the Globe term having been postponed.

There are located within the State of Arizona a number of Indian reservations, national forests and national monuments, and a large military reservation. All suits or proceedings affecting the same or any thereof, and all crimes committed upon or within the boundaries thereof, are, of course, triable only in the Federal court. Many of these cases involve new questions which can not or should not be hastily determined. There is a great number of criminal cases arising under the internal revenue, immigration, and neutrality laws, particularly along the international line. The mining and smelting companies, railroad companies, public-service corporations, and other foreign corporations invariably invoke the jurisdiction of the Federal court.

I herewith inclose for your inspection copies of calendars for the May and November terms, respectively. As above stated, Tucson is only one of four of the places where terms of court are held.

In this connection I might add that the act of Congress approved October 3, 1913, provides that terms of court shall be held at Prescott on the first Monday in March and September, at Phoenix on the first Monday in April and October, at Tucson on the first Monday in May and November, and at Globe on the first Monday in June and December. The distance by rail from Prescott to Phoenix is 137 miles; from Phoenix to Tucson, 122 miles; from Tucson to Globe, 238 miles; and from Globe to Prescott, 497 miles.

In conclusion I wish to state that in my judgment the Government would save money by dividing the district. The Government now provides suitable accommodations for holding court at Prescott and Globe and no additional outlay therefor would be required.

The United States marshal for this district informs me that between December 1, 1915, and December 1, 1916, he paid for the feeding and maintaining of Federal prisoners the sum of $13,701.82. If the district court could hold monthly adjournments of the regular terms for the trial of criminal and civil causes, approximately 50 per cent of said amount—and perhaps an equal amount now paid to witnesses who are compelled to remain in attendance upon the court for days at a time awaiting call—could be saved.

The division of the district would not only save the Government money but would enable the court to administer justice without unnecessary delay.

Respectfully,

WM. H. SAWTELLE, *Judge.*

District of Arizona.

FISCAL YEAR 1916.

Cases.	Commenced.	Terminated.	Pending close of June 30, 1916.	Increase (+) or decrease (−) from preceding year. Commenced.	Increase (+) or decrease (−) from preceding year. Terminated.
United States civil cases	19	28	16	− 9	+11
United States criminal cases	167	193	59	−93	−15
Cases to which United States is not a party	99	78	94	+28	+ 4
Total	285	299	169	−74	0

Expenses conducting courts:	
Departmental	$46,869.26
Courts	57,526.66
Total	104,395.92

District of Arizona—Continued.

FISCAL YEAR 1915.

Cases.	Commenced.	Terminated.	Pending close of June 30, 1915.	Increase (+) or decrease (−) from preceding year. Commenced.	Increase (+) or decrease (−) from preceding year. Terminated.
United States civil cases	28	17	25	+20	+11
United States criminal cases	260	208	85	−44	−95
Cases to which United States is not a party	71	44	74	+14	+ 4
Total	359	269	184	−10	−80

Expenses conducting courts:	
Departmental	$68,688.34
Courts	56,690.62
Total	125,378.96

FISCAL YEAR 1914.

Cases.	Commenced.	Terminated.	Pending close of June 30, 1914.	Increase (+) or decrease (−) from preceding year. Commenced.	Increase (+) or decrease (−) from preceding year. Terminated.
United States civil cases	8	6	14	−10	−14
United States criminal cases	304	303	32	+38	+38
Cases to which United States is not a party	57	40	47	+57	+39
Total	369	349	93	+85	+63

Expenses conducting courts:	
Departmental	$88,667.79
Courts	56,321.02
Total	144,988.81

FISCAL YEAR 1913.

Cases.	Commenced.	Terminated.	Pending close of June 30, 1913.	Increase (+) or decrease (−) from preceding year. Commenced.	Increase (+) or decrease (−) from preceding year. Terminated.
United States civil cases	18	20	14	+ 2	+ 1
United States criminal cases	266	265	31	+45	+24
Cases to which the United States is not a party	.....	1	.....	− 1	+ 1
Total	284	286	45	+46	+26

Expenses conducting courts:	
Departmental	$89,054.12
Courts	48,429.71
Total	137,483.83

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arizona.

Mr. THOMAS. Mr. President, I shall not detain the Senate more than a very short time if it desires to vote on the question. If I thought the enactment of this measure would imperil the bill, it might be an argument in favor of my vote for the amendment. I merely want to say that in my judgment we have plenty of judges now and we need no more.

Mr. ASHURST. May I interrupt my friend?

Mr. THOMAS. In just a moment.

The PRESIDING OFFICER. The Senator from Colorado declines to yield.

Mr. THOMAS. When we consider that in the island of Great Britain there are fewer judges to attend to the business of 45,000,000 people than there are in the single American State of Illinois, we at once perceive that the difficulty is not with the judges and with the number of courts, but with their manner of transacting business. If we could follow, as we ought to follow, the expeditious way in which legal business is transacted in the Kingdom of Great Britain we could afford to pay our judges a great deal more than we do, and we would transact more business, and the question of salary would not be so important. I yield now to the Senator from Arizona.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arizona [Mr. ASHURST].

On a division, the amendment was rejected.

Mr. SMITH of Georgia. There are two amendments, verbal in their nature, which are still to be made. On page 7, line 17, the Senator from Iowa [Mr. CUMMINS] calls my attention to the fact that the language as used in one place is not clear. Therefore, after the word "so," in line 17, I move to strike out the words "entitled to resign or retire" and to substitute "retiring voluntarily, or whose mental or physical condition caused the President to appoint an additional judge."

Mr. CUMMINS. I ask that the Secretary state the amendment.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 7, line 17, after the word "so," it is proposed to strike out the words "entitled to resign or retire" and insert "retiring voluntarily, or whose mental or physical condition caused the President to appoint an additional judge."

Mr. SMITH of Georgia. So that it will read:

And the judge so retiring voluntarily, or whose mental or physical condition caused the President to appoint an additional judge, shall be held and treated as junior in commission.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Georgia.

The amendment was agreed to.

Mr. SMITH of Georgia. There are two other verbal amendments reported by the committee.

The PRESIDING OFFICER. The next amendment reported by the committee will be stated.

The SECRETARY. On page 7, line 24, after the word "court," it is proposed to insert the words "to be appointed by such judges."

The amendment was agreed to.

The next amendment reported by the Committee on the Judiciary was, on page 8, line 5, after the word "as," to strike out "herein," and in the same line, after the word "provided," to insert "in this section," so as to read:

Upon the death, resignation, or retirement of any circuit or district judge, so entitled to resign, following the appointment of any additional judge as provided in this section, the vacancy caused by such death, resignation, or retirement of the said judge so entitled to resign shall not be filled.

The amendment was agreed to.

The next amendment was, on page 8, to change the number of section 5 to section 6.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still in the Senate as in Committee of the Whole and open to amendment.

Mr. ASHURST. Mr. President, the vote was so close on the amendment offered by me—being only 17 to 18—and so many Senators have importuned me to reserve the amendment, that I desire to give notice that I will ask for a separate vote on the amendment when the bill gets out of the Committee of the Whole into the Senate.

The PRESIDING OFFICER. The Senator from Arizona reserves the right to a separate vote on his amendment when the bill gets into the Senate.

Mr. CUMMINS. Mr. President, unless the Senator in charge of the bill does so, I wish to reserve for a separate vote in the Senate the amendment which proposes to advance the salaries of district judges to $9.000 and of circuit judges to $10,000. I think those figures are too high.

The PRESIDING OFFICER. The Senator from Iowa gives notice that the question of raising the salaries of the district and circuit judges will be reserved by him to be voted upon separately in the Senate.

The bill is before the Senate as in Committee of the Whole, and is still open to amendment.

Mr. JONES of Washington. Mr. President, may I ask the Senator in charge of the bill how long he expects to run this evening?

Mr. SMITH of Georgia. No longer, if Senators prefer to stop. If we wish a quorum to vote upon the amendments reserved it will be useless to go on to-night unless Senators are sent for. I move, Mr. President——

Mr. ASHURST and Mr. GRONNA addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Georgia yield; and if so, to whom?

Mr. SMITH of Georgia. I yield to the Senator from Arizona.

SENATOR FROM MICHIGAN.

Mr. ASHURST. At the request of the senior Senator from Ohio [Mr. POMERENE], chairman of the Committee on Privileges and Elections, who has just been called from the Chamber, and on his behalf, I offer the resolution which I send to the desk and ask that it be referred to the Committee on Privileges and Elections.

Mr. FRELINGHUYSEN. I ask that the resolution just submitted be read by title.

The PRESIDING OFFICER. Without objection, the resolution will be read.

The Secretary read the resolution (S. Res. 415), as follows:

Whereas a petition has been filed with the Senate of the United States by Mr. Henry Ford, of Michigan, contesting the election of Mr. Truman H. Newberry, of Michigan, as a Senator from the said State, and asking for the preservation and recount of the ballots, and the investigation of the unlawful expenditures of money alleged to have been made by and on behalf of the said Mr. Truman H. Newberry, and notice thereof has been given; and

Whereas information has been received to the effect that in certain localities within the State some of the ballots are being destroyed, and that others are likely to be destroyed unless they are taken possession of by the Senate for the purpose of preserving and recounting the same: Therefore be it

Resolved, That the said petition, and the papers and the documents accompanying the same, be, and they are hereby, referred to the Committee on Privileges and Elections for investigation and report thereon; and be it

Resolved further, That the said Committee on Privileges and Elections of the Senate, or any subcommittee thereof, be, and it is hereby, authorized and empowered to take possession of the ballots, poll books, tally sheets, and all other documents and records relating to the said election held for United States Senator in the State of Michigan on the 5th day of November, 1918, and that the Sergeant at Arms of the Senate be, and he is hereby, instructed to carry out the directions of the said Committee on Privileges and Elections, or any subcommittee thereof, in that behalf, and that the said committee on Privileges and Elections, or any subcommittee thereof, be, and it is hereby, directed to proceed with all convenient speed to take all necessary steps for the preservation of the said ballots, poll books, tally sheets, and other documents, and to recount the said ballots, and to take and preserve all evidence as to the various matters alleged in the said petition and notice, and of any alleged fraud, irregularity, and unlawful expenditure of money in the said election and primaries, and to the intimidation of voters, or other facts affecting the result of said election; and be it

Resolved further, That the Committee on Privileges and Elections, or any subcommittee thereof, be authorized to sit during the sessions of the Senate, and during any recess of the Senate, or of the Congress, to hold its sessions at such place or places as it shall deem most convenient for the purposes of the investigation; and to have full power to subpœna parties and witnesses, and to require the production of all papers, books, and documents, and other evidence relating to the said investigation; and to employ clerks and stenographers, at a cost not to exceed $1 per printed page, to take and make a record of all evidence taken and received by the committee; and to keep a record of its proceedings; and to have such evidence, records, and other matter required by the committee printed; and be it

Resolved further, That the Sergeant at Arms of the Senate and his deputy are hereby required to attend the said Committee on Privileges and Elections, or any subcommittee thereof, and to execute its directions; that the chairman or any member of the committee be, and is hereby, empowered to administer oaths; that each of the parties to said contest be entitled to representatives and attorneys at the recount and the taking of evidence; that all disputed ballots or records be preserved, so that final action may be had thereon by the full committee and the Senate; that the committee may appoint subcommittees of one or more members to represent the committee at the various places in the making of the recount and the taking of evidence, and the committee may appoint such supervisors of the recount as it may deem best; and that the committee may adopt and enforce such rules and regulations for the conduct of the recount and the taking of evidence as it may deem wise, not inconsistent with this resolution; and that the committee shall report to the Senate as early as may be, and from time to time, if it deems best, submit all the testimony and the result of the recount; and be it

Resolved further, That the expenses incurred in the carrying out of these resolutions shall be paid from the contingent fund of the Senate upon vouchers ordered by the committee, or any subcommittee thereof, and approved by the chairman of the committee.

WOMAN SUFFRAGE.

Mr. GRONNA. I ask to have printed in the RECORD a concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
STATE OF NORTH DAKOTA,

To all to whom these presents shall come:

I, Thomas Hall, secretary of state for the State of North Dakota, do hereby set forth and certify, that the following is the full text and the whole thereof, of a certain concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota, on the 11th day of January, A. D. 1919.

Dated at the capitol in Bismarck, N. Dak., this 14th day of January, 1919.

THOMAS HALL,
Secretary of State.

Be it resolved by the Senate of the State of North Dakota, the House of Representatives concurring:

Whereas there is now pending before the Senate of the United States an amendment to the Federal Constitution, known as the Susan B. Anthony national suffrage amendment; and

Whereas the Legislative Assembly of the State of North Dakota believe that the same should be submitted to the States of this Union as an amendment to our Federal Constitution: Now, therefore, be it

Resolved, That the State of North Dakota, through its legislative assembly, does herewith respectfully petition and urge the National Senate of the United States to favorably consider and early approve the said Susan B. Anthony national suffrage amendment; and be it

Resolved, That the secretary of state be instructed to send a copy of these resolutions to the Senators and Representatives of the State of North Dakota in Congress.

RECESS.

Mr. SMITH of Georgia. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess until to-morrow, Saturday, January 18, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 17, 1919.*

The House, under its previous order, met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We wait upon Thee, O God, our Heavenly Father, for that light that never shone on sea or shore but which illumines the mind and purifies the heart. Help us to receive it now, that we may walk worthy of the vocation wherewith we are called this day and all the days of our life. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2021. An act providing for the addition of certain lands to the Sequoia National Park, Cal., and designating it the Roosevelt National Park, in honor of the late President Roosevelt.

The message also announced that the Vice President had appointed Mr. WEEKS and Mr. HOLLIS members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of Commerce.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2021. An act to add certain lands to the Sequoia National Park, Cal., and to change the name of said park to Roosevelt National Park; to the Committee on the Public Lands.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14078, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14078, with Mr. ALEXANDER in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For expenses of assessing and collecting the internal-revenue taxes, as provided by the "Revenue act of 1918," including the employment of the necessary officers, attorneys, experts, agents, accountants, inspectors, deputy collectors, clerks, janitors, and messengers in the District of Columbia and the several collections districts, to be appointed as provided by law, telegraph and telephone service, rental of quarters outside the District of Columbia, postage, freight, express, and other necessary miscellaneous expenses, and the purchase of such supplies, equipment, furniture, mechanical devices, printing, stationery, law books and books of reference, and such other articles as may be necessary for use in the District of Columbia and the several collection districts, $21,000,000: *Provided*, That not more than $500,000 of the total amount appropriated herein may be expended by the Commissioner of Internal Revenue for detecting and bringing to trial persons guilty of violating the internal-revenue laws or conniving at the same, including payments for information and detection of such violation.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I direct the attention of the chairman to the description of the revenue act, for which $21,000,000 is appropriated to collect the various revenues arising therefrom. It is described as the "Revenue act of 1918." I question whether that is the proper designation of the bill that is now pending in conference.

Mr. BYRNS of Tennessee. I understand that that act provides that the act may be referred to as the "Revenue act of 1918." That is the reason it so appears in this bill.

Mr. STAFFORD. If that act itself provides for its designation by this terminology, of course, it is a proper description.

Mr. BYRNS of Tennessee. The clerk of the committee informs me that that is the case.

Mr. STAFFORD. Then, I will withdraw the pro forma amendment.

The Clerk read as follows:

Restricting the sale of opium, etc.: For expenses to enforce the provisions of the act approved December 17, 1914, entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon, all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or cocoa leaves, their salts, derivatives, or preparations, and for other purposes," as amended by the "Revenue act of 1918," including the employment of agents, deputy collectors, inspectors, chemists, assistant chemists, clerks, and messengers in the field and in the Bureau of Internal Revenue in the District of Columbia, to be appointed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, and for the purchase of such supplies, equipment, mechanical devices, and other articles as may be necessary for use in the District of Columbia and the several collection districts, including not to exceed $4 per diem in lieu of subsistence, $750,000.

Mr. ROWE. Mr. Chairman, I move to strike out the last word. I would like to ask, Mr. Chairman, unanimous consent for 10 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to speak for 10 minutes.

Mr. STAFFORD. Reserving the right to object, does the gentleman intend to discuss some matter connected with the bill?

Mr. ROWE. Not strictly connected with the bill, but connected with the appropriations we are making. I have not asked for any extra time on this bill or any other bill recently, and I would like 8 or 10 minutes.

Mr. BYRNS of Tennessee. I hesitate very much to enter an objection, but I want to call the attention of the gentleman to the fact that if we can finish this bill to-day or early to-morrow there will be another appropriation bill which will come on immediately, the Diplomatic and Consular appropriation bill, on which there will be considerable debate. If anyone now wishes to speak on this bill concerning matters extraneous to it, of course others will want the same opportunity.

Mr. EMERSON. Let the gentleman have the five minutes to which he is entitled, anyway.

Mr. MANN. I hope the gentleman from Tennessee will not make objection.

Mr. BYRNS of Tennessee. If it will not be treated as a precedent——

Mr. MANN. It will not be.

Mr. ROWE. I do not expect to be here to-morrow.

Mr. BYRNS of Tennessee. Very well. I did not understand that.

The CHAIRMAN. The gentleman from New York [Mr. ROWE] is recognized.

Mr. ROWE. Mr. Chairman and gentlemen, I feel that I should call the attention of the Members of the House to a matter which is not likely to come regularly before this body owing to the fact that the Merchant Marine and Fisheries Committee by unanimous action yesterday tabled House resolution 13159, a bill to authorize the purchase of all the high-power radio stations in the United States by the Secretary of the Navy and authorizing that department to carry on regular commercial business.

In the last session of Congress there was introduced a bill known as House resolution 19350, to regulate radio communications and to authorize the Secretary of the Navy to purchase a part of the radio stations belonging to private companies and situated within the United States. The bill was referred to the Merchant Marine and Fisheries Committee and extensive hearings were held during the month of January, 1917, when the Secretary of War, Commander Todd, and many of the representatives of the Navy and experts in radio appeared before the committee in favor of the bill and a large number appeared in opposition.

Among the members there was decided opposition, and the committee did not act on the measure.

About a month or six weeks ago there appeared reports in the papers that the Secretary of the Navy had purchased from the Marconi Co. their ship-to-shore business, including a large number of low-power stations on the Atlantic coast and the apparatus used on the ships equipped by the Marconi Co. When the bill 13159 introduced in this session was brought on for hearing before the Merchant Marine and Fisheries Committee, on December 12, the first witness in behalf of the measure was

the Secretary of the Navy, and he stated, in answer to interrogatories, that he has purchased the ship-to-shore business of the Marconi Co. and had paid therefor $1,450,000; and that he had purchased the Federal Telegraph Co. system, chiefly located on the Pacific coast, paying $1,600,000. On being questioned as to where he got the money and the authority for making these purchases, the Secretary of the Navy stated it was in the "naval appropriation bill," under the title of the "Bureau of Engineers"; and in answer to a further question, he said, "I do not think it was itemized; it has always been a general lump appropriation."

Mr. Chairman and gentleman of the House, many bills have been introduced in Congress during the past year intended to bring about Government ownership of some public utilities. So far as I know, not a single one of these bills has received favorable consideration in the House. When I voted at the last session for the naval appropriation bill I did not intend to authorize the Secretary of the Navy or anyone else to put this Government into the commercial radio business other than during the period of the war and for a reasonable time thereafter. The very fact that the bill advocated by the Secretary of the Navy in the last session of Congress looking to Government ownership of radio was not favorably reported from the committee having charge of it should, I believe, have been sufficient notice to the Secretary that the House was not favorable to such a proposition. I should not have spoken at this time except that I fear that the Secretary of the Navy may make further purchases unless the House gives positive notice that they do not intend to hand over the legislative branch of the Government to the executive department.

Mr. BURROUGHS. Would the gentleman permit a question?

Mr. ROWE. Certainly.

Mr. BURROUGHS. Does the gentleman hold that the Secretary of the Navy had no authority to purchase the ship-to-shore business of the Marconi Co.?

Mr. ROWE. I certainly do.

Mr. BURROUGHS. I agree with you. I am very much interested in what the gentleman has been saying. Inasmuch as he is a good lawyer, I will ask, Can the gentleman suggest a remedy?

Mr. ROWE. Yes; I think that this matter should be referred to the Attorney General to recover and put back in the Treasury of the United States the money paid to the Marconi Co. and the Federal Co.

When the United States declared war against Germany all the companies doing a wireless business in the United States and on shipboard turned their plants over to the Secretary of the Navy and he has been operating them ever since. There is no excuse that can be offered for the purchasing of these stations without the full authority of Congress.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The item under consideration is to authorize the Commissioner of Internal Revenue to enforce the act for the prevention of the sale and use of habit-forming drugs. In the act of this year $325,000 is appropriated for that service. The committee believed that it was necessary, in view of the many instances called to its attention of the increase in the number of addicts, to provide more than double the amount of the appropriation, so that the growing use of these habit-forming drugs could be checked and curtailed.

In this bill we vote two lump-sum appropriations—one of $21,000,000 and another of $4,288,000, or a total of all three appropriations of more than $26,000,000—to the Commissioner of Internal Revenue for the enforcement of the internal-revenue laws and the Harrison Antidrug Act.

Yesterday it was announced by the gentleman from California [Mr. RANDALL], and the papers of this morning and of last evening carry in bold headlines, that the national prohibitory amendment had been ratified by three-fourths of the States. It means that the National Government is going to be the police officer of the Nation; that instead of localities, small and large, seeking to enforce the State regulatory systems as to the sale of liquor that burden is to be thrown upon the National Government. Instances have been called to my attention where manufacturers are already advertising small stills for the private use of individuals in the making of alcoholic drinks for their individual use.

Mr. LAZARO. Mr. Chairman, will the gentleman yield for a question right now?

Mr. STAFFORD. I yield.

Mr. LAZARO. Has the gentleman any information that he could give the House on the results of the Harrison law—the difference between the number who used these drugs before and the number who are using them now?

Mr. STAFFORD. The gentleman from Illinois [Mr. HENRY T. RAINEY] has made that his special study, and I recall at the past session an occasion when he gave the House full information as to the growing number of addicts in the use of habit-forming drugs. The Commissioner of Internal Revenue, in the brief hearing had on this item, also testified that the tendency throughout the country is for habit-forming drugs to be more greatly used. But I am calling attention to the fact that if the national prohibition law is to be enforced the United States Government will become the police officer of the Nation.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield in that connection?

Mr. STAFFORD. Yes.

Mr. BANKHEAD. How does the gentleman draw the conclusion that the exclusive burden of enforcing the intrastate legislation would be upon the Federal Government?

Mr. STAFFORD. I draw that conclusion by reason of the condition existing in many of the Southern States, where they have had so-called prohibitory legislation. They have had their private stills there. There have been instances galore where the State laws have not been lived up to, but where the burden has been thrown upon the National Government to have the law enforced. The Commissioner of Internal Revenue in his testimony before our committee stated that even as to the enforcement of the prohibitory law in the District of Columbia the great burden of that work was thrown upon his office, not upon the local police officers or those connected with the administration of local affairs. This fact, judged by the history of the attempted prohibitory legislation in the several States where they have had feigned prohibition, shows that this work is to be imposed upon the National Government.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Just one word more. No one can tell how large an appropriation will be required if the national prohibition law is to be enforced in communities where the sentiment is strongly opposed to that strict character of legislation.

Mr. HOLLINGSWORTH. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last two words.

Mr. HOLLINGSWORTH. Mr. Chairman, apropos of the statement of the gentleman from Wisconsin that the announcement in the morning papers that on yesterday, January 16, 1919, the national prohibition amendment to the Constitution of the United States was formally ratified by the State of Nebraska, the thirty-sixth State required to complete its adoption as part of the organic law of the country, marks an epoch-making period in the life of the Republic and must take rank in history along with the Declaration of Independence, Lincoln's proclamation of freedom, the surrender at Appomattox, and the recent world victory of the American and allied armies over autocracy and absolutism in the world.

It is a moral triumph of immeasurable importance to future generations.

This House may well, therefore, to-day pause for a moment to congratulate itself on the vote of just one year and one month ago of 282 for and 128 against submitting the proposed amendment to the several States for ratification under the orderly forms provided by law.

With conscious pride, but wholly without personal prejudice against those who do not agree with me, I add to my remarks a brief quotation from the remarks I made in the House on that occasion:

I shall vote for the resolution. Therefore I only deem it necessary to explain to those friends who do not agree with me.

On the general subject of prohibition there is a decided difference of opinion in Ohio. The recent State vote on the subject was not decisive—at least was not sufficiently so to deter its friends from bringing up the subject again. But in the congressional district which for a time I have the honor of representing the majority for prohibition was large, as it was also at the previous election when the question was submitted to the voters, so that it might be said to be an instruction on this point to the district Congressman, even if he did not personally agree in sentiment.

Besides, while I have always tried to deal squarely and treat every law-abiding citizen with due respect, respecting the individual judgment of all men in my district, my own home environment, personal thought, and feelings have always been practically opposed to the use of intoxicants in any form.

Over 6,000,000 people have petitioned Congress for its submission, more than have ever before petitioned Congress on any subject.

What fair answer can be given for refusing their request for a vote on the subject? Can we say that the citizenship of the Republic is not to be trusted?

Besides, for me to refuse to so vote would be to stultify a long personal political and official record. As early as 1881, when a member of the Ohio Senate, as the journal of that year will show, I voted to submit the question of State-wide prohibition to the people of the State. The next year, 1882, as chairman of the Republican State convention at Columbus, in my opening address I personally favored prohibition,

although it was not then as popular as it is now. Freely recognizing during the thirty-odd years intervening since I thus began voting on the subject the right of everyone to exercise his own individual judgment in a political way, I have never sought to hide under a bushel my own record or views, public or private.

It is too late now to begin, if I wished; too late to dissemble even if a candidate for reelection, which I am not.

[Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Commissioner of Internal Revenue shall submit to Congress on the first day of its next regular session a detailed statement showing the number, designation, and annual rate of compensation of the persons employed and the amounts expended for rent and other authorized purposes in the District of Columbia from the foregoing appropriations for the collection of internal revenue.

Mr. SEARS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Florida moves to strike out the last word.

Mr. SEARS. Mr. Chairman, in my time I would like to have a letter read, which I send to the Clerk's desk, and to offer an amendment, which will be pending, when we reach page 101, line 1, relating to the Bureau of Education.

Mr. STAFFORD. Of course, Mr. Chairman, I object to any request to have an amendment pending, for the future amendment of the bill.

Mr. SEARS. I trust that the gentleman from Wisconsin will not object. I am leaving to-day on the 2.25 train on account of sickness in the family, and I shall not be here at that time.

Mr. STAFFORD. Of course, under the circumstances, I will withdraw any objection that I might otherwise make.

The CHAIRMAN. Without objection, the Clerk will read the letter.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
BUREAU OF EDUCATION,
Washington, January 14, 1919.

Hon. J. W. SEARS,
House of Representatives, Washington, D. C.

MY DEAR MR. SEARS: In response to your request for information in regard to needs of added appropriation for the work of health promotion and physical education in the Bureau of Education, I would say the facts are as follows:

1. At present there is only one man (myself) to handle this important and rapidly expanding work. I took charge of this work last February (1917). In 11 months the requests for advice and assistance, coming from all parts of the country, have more than tripled. These are now far beyond the physical ability of one man.

Two classes of requests are predominant and indicate clearly the lines of expansion.

(1) Requests for assistance in organizing health supervision of schools—field work.

(2) Requests for advice and, to a smaller extent, for practical assistance in organizing physical training in the schools—largely office work with some field work.

A third very urgent need is for a competent secretary-stenographer.

A fourth is a travel fund especially for this work.

2. The items would stack up as follows:

Salaries:	
Field organizer of school health supervision	$3,500
Organizer for physical training	3,500
Secretary-stenographer ($1,600)	1,800
Travel expenses	2,500
	11,300

3. The item in the appropriation bill involved is:

"For investigation and promotion of rural education, industrial education, physical education, and school hygiene, including personal services in the District of Columbia and elsewhere."

4. The $11,300 itemized above should be added to the amount of the current appropriation. It might be well to specify that this additional amount is to be used for physical education and school hygiene over and above the amount used this year for that purpose; and also that not less than $6,000 of this amount shall be used for personal services and expenses outside of the District of Columbia.

With this additional amount I can guarantee the effective operation of the plans for next year that we have discussed recently.

Yours, very truly,

W. S. SMALL,
In charge Division of School Hygiene and Physical Education, Bureau of Education.

Mr. SEARS. Mr. Chairman, I ask unanimous consent that the amendment be considered as pending when we reach page 101, line 1. I have requested the gentleman from Alabama [Mr. BANKHEAD] and the gentleman from Iowa [Mr. TOWNER] to try to be present and look after this amendment when we reach it.

Mr. MANN. What is the amendment?

Mr. SEARS. It provides for $11,300 additional.

Mr. MANN. An amendment in order to be pending must be offered.

Mr. SEARS. I ask that the amendment may be read.

The CHAIRMAN. Does the gentleman desire to have it considered as pending?

Mr. SEARS. Yes. In compliance with the suggestion of the gentleman from Illinois, I will ask that the amendment be read, and then I will make the request that it be considered as pending.

The CHAIRMAN. The Clerk will read the proposed amendment.

The Clerk read as follows:

Substitute for paragraph, page 101, lines 1 to 5:

"For investigation and promotion of rural education, industrial education, physical education, and school hygiene, including personal services in the District of Columbia and elsewhere, $61,300: *Provided*, That the increase, $11,300, shall be expended for physical education and school hygiene, over and above the amount of the current appropriation used for that purpose: *And provided further*, That not less than $6,000 of this additional appropriation shall be used for personal services and expenses outside of the District of Columbia, $61,300."

Mr. MANN. Now, where is the amendment to come in?

Mr. SEARS. On page 101, as a substitute for the first paragraph. It simply changes the appropriation from $50,000 to $61,300.

Mr. STAFFORD. What is the request of the gentleman?

Mr. SEARS. That that amendment be considered as pending when that page in the bill is reached.

Mr. STAFFORD. I have no objection, Mr. Chairman, to the request that the amendment shall be considered as pending, subject to a reservation of a point of order.

The CHAIRMAN. Reservation of a point of order is made by the gentleman from Wisconsin.

Mr. FOSTER. Does the gentleman expect to talk on this amendment when we reach it again?

Mr. SEARS. No. I shall not be here. I dislike to take up the time of the House, but I think I can truthfully say that no Member of the House has taken up less of the time than I.

Mr. STAFFORD. So say we all.

Mr. SEARS. Since I have been chairman of the Committee on Education I have tried to advance the best interests of the young people of my country. I must confess that I have found it hard to secure the passage of legislation along educational lines. When the new majority come in I sincerely trust that they will take a broader view of this question.

For 10 years before coming to Congress I was actively engaged in educational work, and I have yet to find one man, whether he is married and a father or whether he is a bachelor, who has objected to a single dollar appropriated for the purpose of bettering the conditions of the children of the United States. This small appropriation of $11,300 is asked for the great cause of child-welfare work. In my State much has been accomplished. There is much more to be done. The appropriation carried in this bill for the Bureau of Education is approximately $185,000. Yet I turn to the preceding page and find appropriated in this bill for the Patent Office $1,413,300 for the purpose of assisting the people of this country to secure patents. It is possible that when this amendment of a little over $11,000 is reached in the consideration of the bill some Member of the House may make a point of order, and perhaps the point of order may be sustained. But I sincerely trust that no Member of the House will make a point of order.

I believe the time is coming when, in addition to the Secretary of State, the Secretary of Labor, and the other members of the President's Cabinet, there will be created a great secretary of education, and that the education of the children of this country will take the place in national affairs to which it is entitled. Large appropriations and necessary appropriations are passed in this House—$500,000 for my own State—to eradicate citrus canker. Hundreds of thousands of dollars are spent annually for the purpose of controlling the gypsy moth, and thousands of dollars are spent to try to control the boll weevil and to protect the pig and raise it to the age when it can be called a hog. It is easy to get appropriations of hundreds of thousands of dollars for such purposes as these; but when it comes to the children of the United States Congress seems to take the attitude that we owe them nothing and that nothing should be appropriated. I sincerely trust that when this amendment comes up no Member of the House will raise the point of order, and that the amendment may be incorporated into the law.

Mr. BANKHEAD. Will the gentleman yield for a moment?

Mr. SEARS. I will.

Mr. BANKHEAD. I think it will be well for the gentleman to explain briefly the purpose for which this additional appropriation is to be used.

Mr. SEARS. The purpose is fully explained in the letter. The expenditure will be under the direction of Dr. Small, who has done and is doing a wonderful work. The main purpose is to improve the health of the children in the schools, and in that way make them more able to prosecute their studies regularly, and so more effectually to become useful citizens.

I wish I could be here when this amendment comes up, but perhaps I could add nothing to what I have already said. I will not take up the time of the House further, except to urge

sincerely that this amendment of only $11,000, for the benefit of the children of the country, may be incorporated in the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Secretary of the Treasury is authorized and directed to discontinue the offices of the assistant treasurers at Baltimore, Boston, Chicago, Cincinnati, New Orleans, New York, Philadelphia, St. Louis, and San Francisco from and after July 1, 1919; and section 3595 of the Revised Statutes and all laws or parts of laws so far as they authorize the establishment and maintenance of offices of assistant treasurers in the cities enumerated are repealed from and after the said date.

Mr. RAKER. Mr. Chairman, I offer the following amendment.

Mr. DYER. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Missouri makes the point of order that there is no quorum present. The Chair will count. [After counting.] Thirty-five Members present, not a quorum. The Clerk will call the roll.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Ashbrook	Dunn	Key, Ohio	Ramseyer
Austin	Eagan	Kiess, Pa.	Reavis
Bacharach	Eagle	Knutson	Riordan
Beakes	Estopinal	Kreider	Robbins
Black	Fairchild, B. L.	LaGuardia	Roberts
Blackmon	Fairchild, G. W.	Langley	Rouse
Booher	Farr	Lee, Ga.	Rowland
Borland	Ferris	Lehlbach	Rubey
Bowers	Fess	Lesher	Russell
Brand	Flynn	Lever	Sabath
Britten	Focht	Littlepage	Sanders, Ind.
Brodbeck	Francis	London	Sanford
Browne	Fuller, Mass.	Lundeen	Saunders, Va.
Brumbaugh	Gallivan	Lunn	Schall
Buchanan	Garland	McClintic	Scully
Butler	Godwin, N. C.	McCormick	Sells
Byrnes, S. C.	Graham, Pa.	McCulloch	Shackleford
Caldwell	Gray, N. J.	McKenzie	Sherley
Campbell, Pa.	Gregg	McLaughlin, Mich.	Siegel
Candler, Miss.	Griffin	McLaughlin, Pa.	Slayden
Cantrill	Hamill	Maher	Slemp
Carew	Hamilton, N. Y.	Miller, Minn.	Small
Carlin	Haskell	Mondell	Smith, C. B.
Carter, Mass.	Haugen	Morin	Smith, T. F.
Chandler, N. Y.	Heaton	Mott	Snell
Church	Heintz	Neely	Strong
Clark, Fla.	Helm	Nelson, J. M.	Sullivan
Claypool	Helvering	Nicholls, S. C.	Swift
Cleary	Hood	Norton	Templeton
Costello	Houston	Oliver, N. Y.	Thomas
Cox	Howard	O'Shaunessy	Vare
Crago	Husted	Padgett	Vestal
Curry, Cal.	Hutchinson	Park	Volgt
Davey	James	Parker, N. Y.	Waldow
Davis	Johnson, Ky.	Peters	Walker
Delaney	Johnson, S. Dak.	Platt	Walsh
Dempsey	Jones	Pou	Ward
Donovan	Kahn	Powers	Webb
Dooling	Kelley, Mich.	Pratt	White, Ohio
Drane	Kelly, Pa.	Price	Zihlman
Drukker	Kennedy, R. I.	Ramsey	

The committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14078, and finding itself without a quorum he had directed the roll to be called, when 267 Members answered to their names, a quorum, and he handed in the names of the absentees for printing in the Journal and RECORD.

The committee resumed its session.

The CHAIRMAN. The gentleman from California [Mr. RAKER] offers an amendment, which the Clerk will report.

Mr. LINTHICUM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LINTHICUM. I did not make a point of order against the paragraph read on page 62, and I desire to do so, and also against the next paragraph, beginning with line 11.

Mr. BYRNS of Tennessee. Mr. Chairman, I submit that the gentleman is too late.

Mr. LINTHICUM. Mr. Chairman, surely I am not too late to make a point of order against the paragraph which has not yet been read, that beginning on line 11, page 62.

The CHAIRMAN. Under the rules the bill is being considered by paragraphs.

Mr. LINTHICUM. The point of order that no quorum was present was made, and the Chair sustained the point, and it was not possible for me to make the point of order.

The CHAIRMAN. The gentleman can not make the point of order against a paragraph which has not yet been read.

Mr. LINTHICUM. That is the parliamentary inquiry which I make. I want to make the point of order against the paragraph that has been read and also against that which has not been read, and I want to find out whether this is the time to make the point against the second paragraph.

The CHAIRMAN. The gentleman can make the point of order against the paragraph that has been read, but not against a paragraph that has not been read.

Mr. LINTHICUM. Then I make the point of order against the paragraph that has just been read.

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order that the point of order comes too late. The paragraph was read and the gentleman from California [Mr. RAKER] was recognized to offer an amendment, and his amendment was actually sent to the Clerk's desk when the point of no quorum was made.

Mr. LINTHICUM. Mr. Chairman, I call the Chair's attention to the fact that the gentleman from California rose and offered his amendment immediately upon the conclusion of the reading of the paragraph, when the gentleman from Missouri [Mr. DYER] made the point of no quorum, and the Chair found that the committee was without a quorum.

The CHAIRMAN. That is correct.

Mr. LINTHICUM. Being without a quorum, I had no opportunity to make a point of order and no business has been transacted since that time.

Mr. BYRNS of Tennessee. The gentleman should have made his point of order before the amendment was offered.

Mr. LINTHICUM. I could not, because the gentleman from California was on his feet too quickly.

The CHAIRMAN. The Chair will recognize the gentleman from Maryland to make the point of order under the circumstances. The gentleman will state his point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. With respect to the Chair's recognition of the gentleman from Maryland to make the point of order, as a matter of fact did the Chair recognize the gentleman from California to make the motion to strike out?

The CHAIRMAN. The facts are these: The gentleman from California was recognized to offer an amendment to the first paragraph. At that point the gentleman from Missouri [Mr. DYER] made the point of order that there was no quorum present. The Chair ascertained that there was no quorum present, and ordered the roll to be called. Strictly speaking, perhaps the point of order may be held to come too late, but under the circumstances the Chair is not inclined to deny the gentleman from Maryland the privilege of making the point of order.

Mr. LINTHICUM. Mr. Chairman, the paragraph on page 62, which has been read, endeavors to do away with Subtreasuries in the various cities of this country, and it authorizes the Secretary of the Treasury to discontinue them. It also repeals section 3595 of the Revised Statutes of the United States. I know the claim will be made that this is in order under the Holman rule, because it reduces expenses. This paragraph, however, goes further and repeals the law under which these Subtreasuries are established. It authorizes the Secretary of the Treasury to create new offices, for which there is no law. He is not only authorized to create new officers with specific salaries, is authorized to appoint these respective officers, but legislation is also enacted for the discontinuance of these Subtreasuries. It will be noticed that it creates offices in the Treasury of the United States at Washington and that it creates offices in the Subtreasuries in the various cities; provides for bonds for these officers. A line of legislation is provided in this paragraph and the succeeding one. It may be said that this decreases this appropriation, but certainly a long line of legislation should not be enacted under the guise of coming within the Holman rule, where you decrease an appropriation and lessen expenses. It seems to me that the paragraph is clearly subject to the point of order because it creates new legislation, and they are endeavoring to hang it on the fact that appropriations are somewhat decreased. I make the point of order.

The CHAIRMAN. This whole question was thoroughly considered at the last session of Congress when this provision was up for consideration in Committee of the Whole, and the gentleman from Virginia, Judge SAUNDERS, was in the chair and made a ruling upon it.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the Chair indulge me for a moment.

The CHAIRMAN. Yes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I am familiar with the ruling made last year, and assumed that the Chair would probably follow that decision, but before he rules upon the point made by the gentleman from Maryland, I would direct his attention to that feature of the second paragraph on page 62, which provides for an appropriation of $75,000 for certain purposes, which, if added to the expenses of making a transference of the existing offices, would mean an increase in expenditures rather than a decrease. The decision of the gentleman from Virginia [Mr. SAUNDERS] was based wholly upon the fact that there was an apparent reduction of expenditures, which would bring the paragraph within the Holman rule.

That does not appear to apply as pointedly at the present time as it did then.

Mr. LINTHICUM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LINTHICUM. I want to say in reference to the argument made before the gentleman from Virginia [Mr. SAUNDERS] last year that it was in reference to the paragraph down to line 10, embracing that subject, but it did not include from line 10 on, the balance of page 62, and the two lines on page 63, and for that reason I argued the whole question.

The CHAIRMAN. The Chair can only consider the paragraph under consideration, and is clearly of opinion that under paragraph 2 of rule 21 it shall be in order to amend when an amendment is germane to the subject matter of the bill and shall *retrench* expenditures—the amendment is in order. The attention of the Chair has been called to the ruling made by the Chairman of the Committee of the Whole House on the state of the Union, Judge SAUNDERS of Virginia, when this bill was under consideration at the last session of Congress—Sixty-fifth Congress, second session, page 3226—and is of the opinion that that decision was sound, and, therefore, overrules the point of order.

The Clerk will report the amendment offered by the gentleman from California.

The Clerk read as follows:

Page 62, lines 2 to 10, strike out all of lines 2 to 10, both included, and insert in lieu thereof the following:

"Baltimore, office of assistant treasurer: Assistant treasurer, $4,500; cashier, $2,500; paying teller, $2,000; receiving teller, $1,900; exchange teller, $1,800; vault clerk, $1,800; clerks—2 at $1,600 each, 3 at $1,400 each, 3 at $1,200 each, 3 at 1,000 each; messenger, $840; 3 watchmen, at $720 each; in all, $31,500.

"Boston, office of assistant treasurer: Assistant treasurer, $5,000; cashier, $2,500; paying teller, $2,500; vault clerk, $2,000; receiving teller, $2,000; redemption teller, $1,800; clerks—1 $2,200, 5 at $1,600 each, 1 $1,500, 1 $1,400, 2 at $1,200 each, 3 at $1,100 each, 4 at $1,000 each; chief guard, $1,100; 3 watchmen at $850 each; laborer and guard, $720; 4 money counters and handlers for money-laundry machines, at $900 each; in all, $46,570.

"Chicago, office of assistant treasurer: Assistant treasurer, $5,000; cashier, $3,000; assistant cashier, $2,000; vault clerk, $2,250; paying teller, $2,500; assorting teller, $2,000; redemption teller, $2,000; change teller, $2,000; receiving teller, $2,000; 2 bookkeepers, at $1,500 each; clerks—1 $1,750, 1 $1,600, 9 at $1,500 each, 13 at $1,200 each; attendant for money-laundry machines, $1,200; hall man, $1,100; messenger, $840; 3 watchmen, at $720 each; janitor, $720; 8 money counters and handlers for money-laundry machines, at $900 each; in all, $71,420.

"Cincinnati, office of assistant treasurer: Assistant treasurer, $4,500; cashier, $2,250; paying teller, $2,000; receiving teller, $1,800; vault clerk, $1,600; clerks—2 at $1,300 each, 4 at $1,200 each, 2 at $1,000 each; clerk and stenographer, $1,000; chief watchman, $840; 2 watchmen, at $720 each; in all, $24,830.

"New Orleans, office of assistant treasurer: Assistant treasurer, $4,500; cashier, $2,250; paying teller, $2,000; receiving teller, $2,000; vault clerk, $1,800; assorting teller, $1,200; clerks—1 $1,500, 5 at $1,200 each, 1 $1,000; typewriter and stenographer, $1,000; day watchman, $720; night watchman, $720; messenger, $600; 4 guards, at $720 each; in all, $28,170.

"New York, office of assistant treasurer: Assistant treasurer, $8,000; cashier, $4,200; assistant cashier, $3,600; chief clerk, $3,000; check pay division—chief $3,000, assistant chief, $2,000, bond clerk and assistant vault clerk $2,800, paying teller $3,000, assistant paying teller $2,250, receiving teller $2,800; redemption division—chief $2,700, assistant chief $2,250, vault and authorities clerk, $2,500; coin division—chief $2,700, assistant chief $2,000, paying teller $2,100; bookkeepers—chief $2,400, 2 at $2,000 each; clerks—1 $2,300, 2 at $2,000 each, 1 $1,900, 1 $1,800, 1 $1,700, 4 at $1,600 each, 7 at $1,500 each, 9 at $1,400 each, 5 at $1,300 each, 8 at $1,200 each, 1 $1,000; messengers—2 at $1,200 each, 5 at $900 each, 2 at $800 each; guards—chief $1,500, 1 $1,200, 4 at $1,000 each; superintendent of building, $1,800; engineers—chief $1,200, 2 at $1,050 each; 8 watchmen, at $720 each; 12 money counters and handlers for money laundry machines, at $900 each; in all, $150,460.

"Philadelphia, office of assistant treasurer: Assistant treasurer, $5,000; cashier, $2,500; paying teller, $2,250; coin teller, $2,000; vault clerk, $1,900; bookkeeper, $1,800; assorting teller, $1,800; receiving teller, $1,700; redemption teller, $1,600; clerks—1 $1,600, 2 at $1,500 each, 2 at $1,400 each, 1 $1,300, 5 at $1,200 each, 1 $1,000; chief guard, $1,100; 5 counters, at $900 each; 6 watchmen, at $720 each; 4 money counters and handlers for money laundry machines, at $900 each; in all, $49,770.

"St. Louis, office of assistant treasurer: Assistant treasurer, $4,500; cashier, $2,500; paying teller, $2,000; receiving teller, $1,800; change teller, $1,600; coin teller, $1,200; clerks—2 at $1,500 each, 5 at $1,200 each, 2 at $1,100 each, 3 at $1,000 each, 3 at $900 each; 2 watchmen, at $720 each; 2 janitors, at $600 each; guard, $720; in all, $33,860.

"San Francisco, office of assistant treasurer: Assistant treasurer, $4,500; cashier, who also acts as vault clerk, $2,800; bookkeeper, $2,000; paying teller, $2,400; receiving teller, $2,000; clerks—1 $2,000, 2 at $1,800 each, one $1,500; stenographer and typewriter, $1,200; messenger, $840; 4 watchmen, at $720 each; 2 guards, at $720 each; in all, $27,160."

Mr. STAFFORD. Mr. Chairman, I make the point of order that the amendment is not germane to the paragraph under consideration. The paragraph under consideration, which the Chair has held to be in order, provides merely for the discontinuance of the office of assistant treasurer at these respective places and refers to the section of the Revised Statutes which provides for the appointment of assistant treasurers at these respective places. I will not contend, Mr. Chairman, that it would not be in order, after action is had upon this amendment providing for the discontinuance of these respective offices, to offer as a separate paragraph that which is now offered by the gentleman from California, but to say that to a paragraph which seeks to abolish the office of assistant treasurers and refers to the section of the Revised Statute which merely provides for the appointment of assistant treasurers, it is possible to add an amendment providing for all the machinery for the administration of those respective offices, the Chair will see is not germane to the matter under consideration.

Mr. MOORE of Pennsylvania. Mr. Chairman, if the gentleman from Wisconsin is correct, which I think he is not, the law-making body would be put in this position, that whereas it enacts legislation which under the rules becomes existing law where parliamentary points are concerned, all that it would be necessary for any committee of the House to do would be to bring in an amendment that is germane to the Holman rule and thus prevent the law-making body from sustaining existing law. The situation here is this, that we are now operating under law made by Congress; that is to say, the existing law is literally that contained in the amendment offered by the gentleman from California. The Committee on Appropriations brings in an amendment which proposes to overthrow that law. Under a point of order debate is prevented on the question of retaining existing law, because the Holman rule is invoked. There is no way of sustaining existing law under this practice except it be that the Committee of the Whole have the privilege of discussing the merits of the proposition which the gentleman from California presents. What he has offered in lieu of the committee's tender is existing law. The gentleman from Wisconsin, if his point of order should be sustained, would prevent the House from standing by its own enactment.

Mr. MANN. Mr. Chairman, while I have personally been in favor of the abolishment of these offices, still as a matter of parliamentary law it seems to me the amendment offered by the gentleman from California is germane to the paragraph. Here is the question: Shall we continue or discontinue the Subtreasuries? Now, the House has the right to vote upon that proposition, whether we shall continue the Subtreasuries or whether we shall discontinue them. It is true the gentleman might have moved to strike out the word "dis" in "discontinue" and then strike out the latter part of the paragraph so that would continue; but after all, whether we shall continue is germane or whether we shall discontinue. Now, the gentleman offers an amendment to take the place of the discontinuance of the Subtreasuries, substantially providing that they shall be continued and providing for salaries for them. I do not see how it can be claimed that it is not germane for the House, if it prefers to continue the Subtreasuries, to vote directly upon the point whether it shall continue or discontinue in one vote instead of requiring the House to vote twice upon the proposition.

Mr. STAFFORD. If the Chair will indulge me further, Mr. Chairman, I respectfully contend that the question for decision by the Chair is whether in a separate bill brought into the House from the proper committee providing for the discontinuance of these offices of assistant treasurers in the language as found in this paragraph under consideration it would be in order to provide for all the machinery of the offices, which are in existence or which may not be in existence, for the management of those offices. If the Chair will observe closely, this paragraph provides only for offices of the assistant treasurer, and the section of the statute referred to provides for those officers only. May I be permitted to read that statute:

That there shall be assistant treasurers of the United States appointed from time to time by the President, by and with the advice and consent of the Senate, to serve for the term of four years, as follows—

Then giving the names of the places. It would not be in order, I contend, for any Member to arise and provide for a large number of officers other than of assistant treasurer and substitute that for the bill which is now under consideration before this committee as proposed in the amendment of the gentleman from California.

The CHAIRMAN. Right at that point. Does the amendment offered by the gentleman from California [Mr. RAKER] include any other appropriations than those authorized under existing law?

Mr. STAFFORD. It does not, Mr. Chairman.

The CHAIRMAN. Another thing. Does his amendment include anything else than in existing law?

Mr. STAFFORD. It is the same phrascology as the existing law. The question now is whether the assistant treasurers shall be continued, for the very reason that in the next paragraph there is provision made for the continuation of some of the officers, clerical and subclerical positions, as provided for

in the amendment of the gentleman from California. You reach the desired end by submitting to the House the question as to whether the office of the assistant treasurer shall be continued or not. It is within the privilege of any man here to move to strike out this paragraph. If that motion prevails, as I said in the beginning, it would be in order, then, for the gentleman from California [Mr. RAKER] to offer his amendment, either as one or separately, to provide for the continuance of these respective assistant treasurers. The question before the Chair is this, if a separate bill providing alone for the discontinuance of the office of assistant treasurer, whether it would be in order to provide for the continuation of all the machinery whereby those offices are conducted. I direct the Chair's attention to the fact that the subsequent section, section 3596, provides for the salaries of these assistant treasurers and the subsequent section provides for other authorizations for these assistant treasurers.

The one question that is before the committee under the paragraph under consideration is the continuance of the office of the assistant treasurers and not, Mr. Chairman, the help, clerical, and subclerical, that is connected with those offices. It is merely a question of abolishing the offices of the assistant treasurers as referred to in section 3595.

Mr. IGOE. Will the gentleman yield? Does not the paragraph also provide for the repeal of the law which authorizes the establishment and maintenance of offices of assistant treasurers?

Mr. STAFFORD. It does not.

Mr. IGOE. It certainly does.

Mr. STAFFORD. The section referred to merely provides for these assistant treasurers. I have the statute, and I have read it.

Mr. IGOE. The paragraph as you have reported it mentions the establishment and maintenance of the offices of the assistant treasurers.

Mr. STAFFORD. The question referred to, Mr. Chairman, the only question before the committee, is whether the offices of assistant treasurers shall be discontinued or not. The House may take a direct expression on that question on a motion to strike out, and, if it is striken out, then I will say it will be in order for the gentleman from California [Mr. RAKER] to offer his amendment.

Mr. FOSTER. If the gentleman will permit, I am not for these Subtreasuries, but the gentleman states there is no authorization except for the subtreasurers. It has been only a few years ago when Congress, by an amendment from the Committee on Appropriations, legalized the salaries as then existing.

Mr. STAFFORD. If the gentleman will permit, I did not make that statement.

Mr. FOSTER. The gentleman talked about these subordinate offices. The next year they legalized all the offices then in existence, so that there was the machinery of the offices and the clerks, and a point of order would not be good on that.

Mr. STAFFORD. I have already stated three times in my argument that it would be in order to offer it as a separate item, not as a substitute for this provision. It is not germane to the paragraph under consideration.

Mr. MANN. As I understand my friend from Wisconsin [Mr. STAFFORD], his position is that it might be in order now to move to strike out the paragraph and insert the salaries of the subtreasurers. It is not in order to include with that amendment a provision for the salaries of the other officials of the Subtreasuries—clerks, accountants, counters, and so forth. It would be in order, in my judgment, if there was a legislative bill on the floor of the House, with a paragraph similar to the paragraph under consideration, to move to substitute for that provision a provision for salaries for the various officers of the Subtreasuries. This is not a legislative bill. This is an appropriation bill. It would not be in order on a legislative bill to make provision for the appropriations for these offices where it merely provided for the discontinuance of the subtreasurers. But this is an appropriation bill, where it is in order to make appropriations for the subtreasurers. And if we can provide the salaries for the subtreasurers in the amendment, it seems to me that we can go ahead and in the same provision provide for the salaries of the officers necessary to maintain the Subtreasuries.

Mr. FOSTER. I call my colleague's attention to the act of March 4, 1915, which says that the officers and employees of the United States whose salaries are therein appropriated for are established and shall continue from year to year to the extent that they shall be appropriated for by Congress. So we have made them permanent.

Mr. STAFFORD. There have been some additional ones added since that. I am not making that point. I wish to say that the Chair should be guided by the position that this is a legislative provision. If we are going to have any continuity of decision, it should be the same whether it is a legislative provision on an appropriation bill or if it is offered as a separate bill.

The CHAIRMAN. The Chair is ready to rule. The paragraph in question provides that—

> The Secretary of the Treasury is authorized and directed to discontinue the offices of the assistant treasurers at Baltimore, Boston, Chicago, Cincinnati, New Orleans, New York, Philadelphia, St. Louis, and San Francisco from and after July 1, 1919; and section 3595 of the Revised Statutes and all laws or parts of laws, so far as they authorize the establishment and maintenance of offices of assistant treasurers in the cities enumerated, are repealed from and after the said date.

That provision or paragraph would be subject to a point of order as new legislation if it were not for the Holman rule, which provides that legislation may be incorporated in appropriation bills where it retrenches expenditures or decreases the whole amount covered by the bill. Manifestly, if these Subtreasuries are abolished, it would diminish expenditure. For that reason, under the Holman rule the paragraph is in order.

Now, the gentleman from California [Mr. RAKER] offers an amendment, the purport of which is to restore provisions for the subtreasurers and the other officers and employees in Subtreasuries, all now authorized by law.

We have on the one hand the proposition to abolish the Subtreasuries and on the other hand the proposition to make provision by appropriation for the continuance of the various offices named in this paragraph of the bill. It seems to the Chair that the amendment offered by the gentleman from California is germane to the subject matter of the paragraph. On the one hand the proposition is to abolish the Subtreasuries; on the other hand to make appropriations for the Subtreasuries now authorized by law. The point of order is overruled.

Mr. RAKER. Mr. Chairman, I want to suggest to the gentleman from Tennessee [Mr. BYRNS] that Messrs. LINTHICUM, COADY, GARD, IGOE, DUPRÉ, BENSON, and NOLAN each desires five minutes, and others.

Mr. MADDEN. I would like to have 10 minutes.

Mr. MOORE of Pennsylvania. I want 10 minutes.

Mr. RAKER. And the gentleman from Ohio [Mr. LONGWORTH] desires five minutes.

Mr. DUPRÉ. Is the gentleman including those who favor the proposition or only those against it?

Mr. RAKER. Both. I ask unanimous consent, Mr. Chairman, that we have an hour's debate on this amendment.

Mr. BYRNS of Tennessee. I would like to make it less if we can. I will say to the gentleman that this matter has been so thoroughly discussed heretofore that we should not take an hour now.

Mr. DUPRÉ. That is one of the reasons why I am surprised that the committee brought it in.

Mr. BYRNS of Tennessee. That may be so, but we should not take so much time on it now.

Mr. DUPRÉ. I am wondering why the committee did not bring in its old mileage proposition and add that to the bill. [Laughter.]

Mr. LINTHICUM. I would like to have 10 minutes.

Mr. BYRNS of Tennessee. The gentleman from California suggests an hour, and I assume that the gentleman from California will agree that that time be allotted by the chairman among those for and against the proposition.

Mr. LINTHICUM. I am not willing to consent to that.

Mr. MADDEN. I do not want gentlemen to understand that I am for this proposition.

Mr. RAKER. I ask, Mr. Chairman, that the time on this amendment be limited to an hour, the Chair to recognize alternately those for and against the amendment and divide the time equally.

Mr. LINTHICUM. That might be all right, but if we have got to divide the time equally between those for and against we might not get any time. I would like to know whether I can get some time.

Mr. MADDEN. Why not, if it is to be equally divided?

Mr. LINTHICUM. There may be more for the bill, and that would diminish our time.

Mr. BYRNS of Tennessee. Mr. Chairman, if the gentleman from Maryland has such a good proposition he ought certainly to be willing to submit it to the House without extended debate.

Mr. RAKER. I think it is fair, Mr. Chairman, to have the time equally divided.

Mr. LINTHICUM. I object.

The CHAIRMAN. The gentleman from Maryland objects.

Mr. RAKER. You will get cut out entirely if you do that.

Mr. BYRNS of Tennessee. If we can not agree to this proposition it is up to the House to decide.

Mr. MANN. I think we ought to proceed with this debate, if we are to be required to stay here until 10 o'clock to-night.

Mr. LINTHICUM. Mr. Chairman, I will withdraw my objection, so far as I am concerned.

The CHAIRMAN. The gentleman from California [Mr. RAKER] asks unanimous consent that the debate on this paragraph be limited to an hour, to be equally controlled by those for and against the amendment.

Mr. MANN. Recognition to be made by the Chair. The Member does not control any of the time.

The CHAIRMAN. One-half of the time to be used by those in favor of the bill and one-half by those opposed to the bill, and the time to be equally apportioned between them. Is there objection?

Mr. DYER. Mr. Chairman, may I ask a question? I want to reserve the right to object. I understand the Chair is to recognize gentlemen. I take it, of course, that the gentleman from Tennessee and the gentleman from California will make suggestions to the Chair.

Mr. MANN. No. The Chair will make his own suggestions.

Mr. RAKER. No. The Chair will do that himself.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Chair would suggest that those for and those against get together and apportion the time and submit requests to the Chair.

Mr. RAKER. I want to state to the committee, Mr. Chairman, that it is moved to strike out all of the paragraphs on page 62 and the first two lines of page 63.

Mr. MOORE of Pennsylvania. The suggestion just made by the Chair was so unusual a one that I would like to ask if it is in accordance with the rule.

The CHAIRMAN. Oh, no. The Chair will guess. [Laughter.]

Mr. MOORE of Pennsylvania. I would like to inquire who the gentlemen are who are to get together to suggest this list to the Chair?

Mr. BURNETT. Mr. Chairman, I suggest that a caucus could be held in the elevator.

Mr. JUUL. Mr. Chairman, something might transpire here that would be of interest to the Members, and I would like to know what is going on. I can not hear what is going on.

The CHAIRMAN. One hour has been given to the discussion of this amendment. The Chair would like to have some suggestion about the time each Member will occupy.

Mr. IGOE. I will state that I will relieve the Chair of five minutes.

Mr. RAKER. I suggest that when the Chair recognizes a man in favor of the amendment he recognize him for five minutes and no longer.

Mr. MANN. That is all he can recognize him for.

Mr. RAKER. I think that is right.

The CHAIRMAN. The gentleman from California [Mr. RAKER] is recognized for five minutes.

Mr. RAKER. Mr. Chairman, the amendment is the language of the present law, No. 188, Sixty-fifth Congress. The purpose of the amendment is to reestablish or to keep these Subtreasuries in operation as they now are.

I want to call the attention of the committee to the hearings on this subject of the independent Treasury, held on Wednesday, November 2, 1918, before the Committee on Appropriations, found at pages 411 to 415 of the hearings. As I read those hearings the only possible intimation is as to the reducing of the clerical force. That is found on page 411, and this significant statement appears, being found on page 415:

Mr. BYRNS. In the San Francisco office there is no change.

Mr. HUDDLESON. No, sir.

Mr. BYRNS. Have you any information which would enable the committee to reduce that force?

Mr. HUDDLESON. San Francisco asked for additional help, and for a time I think it was intended to recommend two additional clerks there, but upon further consideration the Secretary decided not to recommend an increase at this time.

The only evidence before the committee is that they need more assistance to do the actual, legitimate, necessary work in that office, and there is nothing to show that the force should be reduced.

Mr. BYRNS. Suppose the committee should decide to reduce the number of employees in some of these Subtreasuries, the work could be performed, could it not, by other agencies of the Government if it was reduced to such an extent as to interfere with the duties now being performed?

Mr. HUDDLESON. If it was reduced to such an extent that the assistant treasurer would find it impossible to keep the work current, it would be necessary to have a portion of it transferred to Washington, if it were of a character which could not be performed by a Federal reserve bank, provided the Subtreasury and the Federal reserve bank were in the same cities.

Now, the reduction of the force would transfer the work to Washington, where the Treasury is already overburdened because of so much activity, so much need for space, so much need for help, where the clerks can not be properly housed and provided for. The building in San Francisco cost the Government over $500,000. It is well equipped, well provided for. I have here a statement that shows that if this work should be attempted to be transferred to the Federal reserve bank, it would cost 20 per cent more to perform it in the Federal reserve bank than it does in the Subtreasuries; and if they could not do it there, they would have to transfer it to the city of Washington. Now, there is no evidence taken before the committee that this should be reduced, but the man who appeared before the committee stated that the work would have to be transferred to Washington if that were done. Therefore it is evident that had there been any lack of necessity, if there had been any objection to any of these Subtreasuries, the committee would have heard it, and it would have been presented, and we would have it before the House now. But, to the contrary, the only evidence is affirmative that they should not even reduce the force; that the department had been of the opinion that they should increase it, but because of present conditions they thought they would house them a little closer and do a little more work by those who are there.

This is a statement in regard to the San Francisco Subtreasury:

TREASURY DEPARTMENT,
UNITED STATES SUBTREASURY,
San Francisco, Cal., January 11, 1919.

Hon. JOHN E. RAKER,
House Office Building, Washington, D. C.

DEAR FRIEND: According to the morning papers the appropriation bill reported to the House by the committee on yesterday made no provision for the maintenance of the nine Subtreasuries, other than the one in New York, so, as I take it, if the bill is finally passed in its present form there will be no appropriation for the Subtreasuries, other than the one in New York, for the next fiscal year.

It seems that this is the same old way by which it is hoped to abolish the Subtreasuries without direct legislation to that effect. I understand it is claimed by those opposed to the Subtreasuries that the work of the Subtreasuries can be performed by the Federal reserve banks. While this is true, it will require much remedial legislation before the Federal reserve banks are authorized to take over the work of the Subtreasuries, and it will cost the Government more to do the Subtreasury work in the Federal reserve banks than it now does to do it in the Subtreasuries, for the reason that the Federal reserve banks pay their employees much higher salaries.

During the past year I have held our little working force with a great deal of difficulty, because of higher wages held out to a portion of it by the Federal reserve bank here, and finally one of our best clerks resigned and accepted employment at the Federal reserve bank at an increase in wages of about 20 per cent; I then took the matter up with the directors of the Federal reserve bank, and asked them not to take any more of our employees, as we were working under fixed appropriation and could not compete with it or the other banks in the way of salaries.

In 1916 the San Francisco Subtreasury did the largest business in its history up to that time, but in 1917 and 1918 this business was more than doubled and discharged with practically the same working force.

The only two Subtreasuries that are housed in buildings owned by the Government are the ones located in New York and in San Francisco; this building cost with its vaults and lot, over one-half million dollars, and is suitable only for Subtreasury purposes. The Federal reserve bank here has acquired its own banking building; it has over 300 employees, and there is not enough floor space in this building for over 100 employees, if they were crowded as close together as possible, as you know it is only one story, with an alcove for the surveyor general's office.

Again, San Francisco is 3,000 miles from Washington, and this Subtreasury often represents the Comptroller of the Currency, the Treasurer of the United States, and the Secretary of the Treasury, as a matter of convenience, and because of the long distance and time required for transmission by mail.

Mr. SIMS, of Tennessee, who fought the Subtreasuries last session, wrote a friend of mine here that he thought an exception ought to be made of the San Francisco Subtreasury, because it was so far from Washington and the only one west of the Mississippi River.

I wish you would kindly take up this matter with the California Congressmen; also, kindly have sent me a copy of the appropriation bill as reported.

Very sincerely, yours,

WM. J. MCGEE.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. DYER. Mr. Chairman and gentlemen of the Committee, the distinguished gentleman from California [Mr. RAKER] was unable to find anything in the hearings upon the present bill pertaining to the Subtreasuries for the reason that no such hearings were had. This matter was considered in the hearings upon the bill a year ago, at which time it was very extensively considered. In those hearings, beginning at page 448, very complete statements are found, and they show that there is no necessity at this time for these Subtreasuries. It shows that there is every facility for doing the work in the Federal reserve banks.

Mr. BENSON. Will the gentleman yield?

Mr. DYER. No; I can not. I have only five minutes. In that session of Congress the bill went to the Senate with the Subtreasuries eliminated. In the Senate they were put back, and while I do not want to criticize the other body, yet I believe they were put back largely for the reason that the Senators of the dominent party make the recommendations of the subtreasurers. In other words, this is nothing more or less than a desire on the part of certain Senators and others to keep certain men in office. We are expending for the Subtreasuries over $600,000, and I know, and you who have given any consideration to this question know, that it is purely a waste of the public money; and when we are putting extraordinarily high taxes upon the people is it not time that we do something in defense of the people who pay the taxes? Simply because there are people who want to be upon the pay roll, shall we continue to vote for these useless and worthless offices? The present Secretary of the Treasury has been, and I am sure to-day is, in favor of abolishing these Subtreasuries. He has voted in this House upon more than one occasion to abolish these Subtreasuries as useless and needless, and in justice to ourselves we ought to vote to get rid of them.

I take this position, Mr. Chairman, notwithstanding the fact that my city and the district that I represent has in it one of these Subtreasuries. We have it there, and I know the situation. I have talked with bankers and business people in my city, and I know personally there is no need, there is no demand upon the part of the banking and business interests for the continuation of these Subtreasuries. We ought to determine now to put ourselves on record, as we have done before, in favor of abolishing some of the useless offices, and help to relieve the people of these unjust and burdensome taxes. The Committee on Appropriations last year considered this matter most thoroughly and completely. The situation was examined by men who understand these things, and they went into it. They considered it from every standpoint. They considered it from the standpoint of what part of this work the Treasury Department itself could do and what part the Federal reserve banks could do, and they recommended that they be abolished, and now that we have the opportunity again I hope we will do it by such a decisive vote that even those at the other end of the Capitol will not dare to again put back these offices purely, in my judgment, for the purpose of keeping some distinguished Democrats upon the pay roll. I hope we will concur with the recommendations of the committee.

Mr. IGOE. Mr. Chairman, if my colleague had read the hearings of last year before the Committee on Appropriations, he would have found that the department at that time recommended that these Subtreasuries be continued. Of course he himself claims that it is purely for the purpose of keeping somebody in office. I do not make any plea for that purpose, but I do say that an important agency of the Government like a Subtreasury should not be abolished without the recommendation of the department under which it comes. I do not know what the present Secretary of the Treasury would say, now that he is in office in the Treasury Department. I do know that last year the Assistant Secretary of the Treasury stated to the committee that the department is not ready to recommend that any of these Subtreasuries be abolished, and said that "to-day the position is that the Subtreasuries are performing more work than they have in recent years," and that "those in cities where the Federal reserve banks are located are being called upon to perform more work just because the Federal reserve banks are there." He added that nowhere in the world are Government funds turned over to a private institution, and that the Federal reserve banks are private institutions. I want to call the attention of the House, and especially of my good friend from Illinois [Mr. MADDEN] to the fact that the recommendation for the abolishment of these Subtreasuries does not come from the department, but comes from the Bureau of Efficiency, headed by Mr. Brown. He made the claim that it would result in a great saving. The strange thing about it is that the men who have been running the Treasury Department, after investigating that report, are unable to find that it will result in any saving whatever, and for the information of my friend from Illinois, who will assail this item in a few minutes, I desire to quote as follows from the Assistant Secretary of the Treasury:

> I think that the estimate which the bureau makes, and which, by the way, it makes by way of estimate merely, as it says "we hazard a guess," or "we think it is possible," that a saving of $75,000 can be made is unsupported, so far as this report is concerned, by figures. I feel that the estimate is unwarranted. The best opinion that the Secretary is able to obtain is that the functions which the Subtreasuries are performing are being performed economically.

If the House wants to take the recommendation of the Efficiency Board, of course these will be abolished; and if they want to take the recommendations of the men who actually know something about the wants of the financial system of the country they will continue them. No proposition is submitted by the committee to take the place of these institutions, and there has not been presented in the hearings of this year the testimony of a single person connected either with the Government or with private business recommending that they be abolished. I submit that there will not be a saving of a single penny, because to provide vault space alone for the money that is contained in these treasuries would cost more than it costs now to pay the salaries of these people. Until the Treasury Department has worked out a careful plan and recommends that these Subtreasuries are to be abolished, I submit that this House ought to allow them to remain and appropriate for them for the coming year.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. IGOE. Yes.

Mr. MADDEN. Would the gentleman be willing to abolish them all except the vaults? He seems to think the vault space is all that is needed.

Mr. IGOE. No; there is other work necessary. Until the Government provides for taking over this work, I do not think this House ought to act. When the Treasury says they ought to be abolished, let us do it.

Mr. MADDEN. Mr. Chairman, when the Federal reserve act was passed it was distinctly understood that the Subtreasuries throughout the United States would be abolished. Everybody realized that the Federal reserve banks throughout the country were to be equipped to perform the functions of the Subtreasuries, and, as a matter of fact, the Subtreasuries, since the organization of the Federal reserve banks, have been an additional expense to the Government, which ought not to be continued. The mere fact that we organized the Federal reserve banks to perform all of the financial functions of the Government, and the organized banks in most of the places where we have Subtreasuries, should be sufficient argument in favor of abolishing the Subtreasuries. When an office is once created, it is the most difficult thing in the world to set it aside, and even though we now approve the report of this committee and abolish the Subtreasuries, I feel certain that when the bill goes to the Senate the Subtreasuries will be inserted again, because this is senatorial patronage, and a Senator never by any chance will let go of a job, if he can help it. There ought to be some means by which we can make the Government function along reasonable, decent business lines, and the abolishment of the Subtreasuries will certainly be a movement in that direction. We have one of these Subtreasuries in Chicago, but I have heard no one in Chicago say that it is necessary as a part of the Government activities, and even if some one did say so, I have long since reached the conclusion that the maintenance of these institutions is largely for the purpose of continuing patronage where some one has the power to appoint.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. LONGWORTH. The gentleman then realizes, however, as suggested by the gentleman from Missouri, that the real author of this proposition is the gentleman whom he so vigorously criticized yesterday, the head of the Bureau of Efficiency?

Mr. MADDEN. I do not know about that, I shall say something about him a little later in the day.

Mr. LONGWORTH. I gathered from what the gentleman said yesterday that no recommendation he could make would be followed by the gentleman from Illinois, and he is the author of this proposition.

Mr. MADDEN. The gentleman does not quote me correctly on that; but, regardless of the recommendation made by Mr. Brown—in spite of the recommendation—I am in favor of the abolition of the Subtreasuries, and I am going to pay my respects to Mr. Brown on another topic later in the day.

Mr. RUCKER. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. RUCKER. I suggest to the gentleman from Ohio I do not understand Mr. Brown predicated his act of the suggestion of the removal of the Subtreasury from Chicago on account of the immorality of that city, or St. Louis, either?

Mr. MADDEN. Of course, I can not tell what his purpose was in making the recommendation; but in spite of the recommendation I am for the discontinuance of the Subtreasury in Chicago and in every other city in the United States, for I maintain we have all the equipment in the local Federal reserve banks to do the work that is necessary to be done for the Government of the United States.

Mr. LINTHICUM. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. LINTHICUM. But have you the legislation by which these reserve banks can take over this Subtreasury business?

Mr. MADDEN. Yes; we have the legislation, but we do not need the legislation. All we need to do is to close these places that are now performing an unnecessary function.

Mr. LINTHICUM. Is the gentleman positive about that?

Mr. MADDEN. And under the Federal reserve law we will find a way to do the thing that is necessary to be done to make this saving. The Federal reserve act is clear, and it was the intention when it was passed to include in its activities the work that is being done by these institutions that are an incubus on the body politic. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I have no interest in the politics of this situation, if there is any politics in it. The Subtreasury in the city of Philadelphia is an ancient and time-honored institution, which our business people would like to retain. I assume that reason holds with other gentlemen here defending the Subtreasuries in other cities. Last year it was proposed we should concentrate the Subtreasury business in one city. I opposed that proposition, and I oppose the proposition to-day of concentrating the business of the Subtreasuries at the Capital City. Last year it was New York City; this year it is Washington.

Mr. WALSH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. WALSH. Is not it within the power of the President under existing law to discontinue them, if he sees fit, under the so-called Overman bill?

Mr. MOORE of Pennsylvania. It might be.

Mr. BARKLEY. That bill only applied to the period of the war.

Mr. MOORE of Pennsylvania. If the President agrees with the quondam Secretary of the Treasury, he would not be for the abolition of these Subtreasuries. I think the best witness we have had on this entire question was Mr. McAdoo, former Secretary of the Treasury. Last year when the question was up I read from the letter written by Mr. McAdoo, December 6, to the Speaker of the House of Representatives, in which he said what I would like gentlemen who are opposed to Subtreasuries to-day to bear in mind. I am quoting Mr. McAdoo:

> It will be seen that the cost of maintaining these institutions, treating the Subtreasury system as a whole, is only one one-hundredth of 1 per cent, approximately, on the total transactions involved, an insignificant sum compared with the business done, the importance of the service performed, and the convenience afforded to the public. Aside from New York, the cost of maintaining the other eight Subtreasuries is $247,416.88, which is a comparatively small sum to pay for the service and convenience they provide. If these institutions were abolished, the total cost of operating them would not be saved, as a counter expenditure by the office of the Treasurer in Washington resulting from the increased work that would be thrown upon that office would be entailed.

There you have it in a nutshell. Talk about the Holman rule, talk about retrenchment, talk about economy, and urge these reasons for the abolition of the Subtreasuries, and your Secretary of the Treasury tells you they are unfounded; that you simply transfer the expense from the maintenance of the Subtreasuries that exist to the maintenance of what will be equivalent to Subtreasuries somewhere else. Where? In New York or in Washington? Heaven forbid we should concentrate them in the city of Washington. We have had enough of concentration in the city of Washington. We have had enough of centralization of official life in Washington. I am for bringing no more clerks to Washington. I am not for creating any more offices with headquarters in Washington. I am for distributing what we now have. The business men of my city insist that the Subtreasury has been a useful institution, the banks insist that it has been useful, and the Federal reserve officers of my city have testified to the value of this Government agency.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. Mr. Chairman, I believe I was to be recognized for five minutes, and the gentleman from Pennsylvania is making a very forceful speech; we are in exact agreement, and I ask that I may yield him my time of five minutes.

The CHAIRMAN. The gentleman's time will be extended for four minutes.

Mr. MOORE of Pennsylvania. I thank the gentleman from Ohio.

Here is a question which we are bound to consider sooner or later. It applies in this case. Take the war-risk insurance. What did we do? In the haste of war legislation we provided an establishment that was small at the beginning but that grew to such enormous proportions, with headquarters in Washington, that to-day no Member of Congress can intelligently and satisfactorily do business with that bureau. Its clerks overlap, its correspondence is lost, its records are missing, and great suffering results to the dependents of this Government through our soldier activities in every section of the country. Would it not have been better if, sitting deliberately as we are now, we had provided that this business be distributed where we could have facilitated the work of caring for the business of our more than 4,000,000 soldiers? Yet we have concentrated it all here in the Capital; and we would like to unscramble it, every one of us. We may yet be obliged to unscramble it. It may be necessary before we get through that the complaints that come from soldiers' families all over the United States, due to governmental incompetence here in Washington, shall be answered nearer home—in Chicago, in San Francisco, in St. Louis, in New Orleans, in St. Paul, in Philadelphia, in Baltimore, in New York, or a dozen other different cities, after the method of the Federal reserve districts.

You say that this is a matter of expense; that you are going to save the Government by abolishing these Subtreasuries. How are you going to do it? By increasing the power of the Federal reserve banks? Or are you going to bring these Subtreasury agents in these various cities down here to Washington and dump them along with the rest for whom we will have to provide housing accommodations? Is that the plan? I would rather have the views of the Secretary of the Treasury upon this subject. He has been for the retention of these agencies. The one voice, except those that may be political, that we have heard urging the abolition of these agencies comes from an Efficiency Bureau, which was denounced upon this floor yesterday in unmeasured terms by the gentleman from Illinois [Mr. MADDEN], who speaks to-day, unwittingly, I assume, in support of the head of the bureau whom he denounced yesterday.

Some one has taken the RECORD that I had upon my desk, and which I had marked. I desired to quote certain extracts from the statement of the Secretary of the Treasury, in which he insisted that there would be no economy in this proposition, in which he said there would be a great inconvenience to the public, and in which he urged the retention of the Subtreasuries in spite of the fact that he was at the head of the Federal reserve. I am compelled to make this quotation from memory, but I have not overstated it.

Mr. SISSON. Mr. Chairman, this proposition has been before us heretofore and has passed the House of Representatives. In the first place, as has been stated to the committee, when the Federal reserve bank bill was pending in this House, one of the reasons urged for the establishment of the Federal Reserve Banking System was that as soon as the system was established the Subtreasuries could be abolished, and that the money which is now tied up in the Subtreasuries could be put in the respective Federal reserve banks and there become a part of the United States deposits. When the matter was first presented to the former Secretary of the Treasury he stated that he did not have time to investigate it. And then, after he made some investigation, the Secretary of the Treasury stated that he did not want the Subtreasuries at that time abolished. We then asked the Efficiency Bureau in the next bill to investigate the matter and ascertain what real purpose, what real benefit, what real service the Subtreasuries were performing, and the report to us was that they were performing no function that could not be performed by the Federal reserve banks, and that the Federal reserve banks could perform it with but little expense to the Government.

Mr. LINTHICUM. Will the gentleman yield?

Mr. SISSON. I have but five minutes.

The fact is it would be handled by the Federal reserve banks as they would handle any other deposits, and the Federal reserve banks would always be glad to get the deposits, as other banks are glad to get deposits. For whatever may be said to you, gentlemen, about its not saving money is said without knowledge of the facts. It costs $463,000 to maintain these Subtreasuries. These Subtreasuries, as a rule, are located in cities where we already have a Federal reserve bank, and it seems to me a very bad and a very poor policy to keep locked up in the Subtreasury the money which could be available for use in the country if you placed it in a Federal reserve bank. Now, that is a stronger reason for abolishing the Subtreasury than even the expense. And yet you do not only save the $463,000 by abolishing the Subtreasuries. In getting money from the Subtreasuries for the Federal reserve banks it requires additional bookkeeping; that is, bookkeeping in addition to that of the Subtreasury in the Treasurer's office here in Washington. All of those employees could be dispensed with, and if you add that to the $463,000 it will make a net saving of

something more than $500,000 a year to the Treasury by abolishing the Subtreasuries. And no man has been able yet to mention any service the Subtreasury has been able to render that could not be rendered by the Federal reserve bank. When the present Secretary of the Treasury was chairman of the Committee on Banking and Currency, in presenting the bill, he urged that one reason for it was that it could serve a public purpose, in addition to the other services, in being able to deposit the money that was now in the Subtreasuries.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. I ask unanimous consent to proceed——

The CHAIRMAN. The time has been fixed.

Mr. BYRNS of Tennessee. I am perfectly willing to give the gentleman one minute of my time.

Mr. SISSON. The House has heretofore taken the position that it now takes, but when the matter was first presented by the committee the committee did not have all of the report and all of the facts as they now have them. And the committee again recommended to the House the abolishment of the Subtreasuries for two reasons: First, the saving of the $500,000, and, second, that it makes available without any additional expense or without any additional transfer the funds available as a deposit in the Federal reserve banks that are now locked up in the Subtreasuries throughout the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COADY. Mr. Chairman, the gentlemen on the Committee on Appropriations could not possibly have selected a more inopportune time to bring in this provision abolishing the Subtreasuries of the United States. Since the signing of the armistice and the cessation of hostilities there has been a great curtailment in the munition factories and in the other factories engaged in war work, and as a consequence of it there are thousands of men walking the streets of our big cities out of work. In addition to that, Mr. Chairman, every day men in the Army and Navy are being demobilized, and although some of them are absorbed in the industries of the country, numbers of them are walking the streets of our cities and are idle in the country districts.

Why, then, Mr. Chairman, add to this great growing army of unemployed at this time by throwing out of employment 500 or 600 men now working in the Subtreasuries of this country—men who have grown gray in the service, men who have given the best years of their lives to the Federal service?

Now, I hear these gentlemen say that the Federal reserve banks have taken the place, or, rather, have taken over the functions, or should, rather, take over the functions of the Subtreasuries. They can not do it, Mr. Chairman. They have not the men to do it. They have not the equipment to do it. They have not the quarters in which to do it. In my own city of Baltimore, adjoining my own office, is located a branch of the Federal reserve bank. I frequently pass there in the evening, late in the evening, and I find the large force of clerks employed there working late in the night. They have not the time to take over the functions of these Subtreasuries.

Now, Mr. Chairman, some time ago I communicated with Mr. Leffingwell, one of the Assistant Secretaries of the Treasury, and he said to me it would be a calamity at this time to abolish these Subtreasuries. That has been the policy of the Treasury Department ever since I have been a Member of this House, and I know that that policy has not been changed.

Now, Mr. Chairman, this bill appropriates about half a million dollars——

The CHAIRMAN. The gentleman has occupied three minutes. His colleague expected to yield one minute of his time.

Mr. DUPRÉ. Mr. Chairman, I yield the two minutes allotted to me to the gentleman.

Mr. COADY. I thank the gentleman very much.

Now, Mr. Chairman, this bill contains a provision appropriating half a million dollars or more for the Department of Labor. That is as it should be. That money will be wisely and judiciously expended. A little later on we will have here for our consideration the Agricultural appropriation bill, which will carry millions of dollars for the benefit of the farmers of this country. That money, too, will be wisely and judiciously spent, and those appropriations should be made, and that bill will pass this House, very likely, without a dissenting vote.

Now, Mr. Chairman, the business and financial interests of the big cities, the men who have put millions of dollars into war work and charitable work, ask this body to continue the Subtreasury in the city of Baltimore and to appropriate for its continuance the sum of $31,500, not for their personal benefit, but to enable them to serve their customers, who furnish the money that makes the wheels of industry revolve and which gives employment to thousands of mechanics and laborers.

The work of the Baltimore Subtreasury has increased greatly in the past three years. In 1916 the receipts and disbursements there were over $227,000,000; in 1917 they were $314,308,732; and in 1918 they were $694,953,610.50. This vast volume of business was done at the small cost of $31,500, or less than one two-hundredths of 1 per cent.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. COADY. I ask unanimous consent, Mr. Chairman, to extend and revise my remarks.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. DUPRÉ. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DUPRÉ. In that connection, did that include the two minutes I yielded to the gentleman, and the minute which his colleague yielded?

The CHAIRMAN. He had used a minute over, and the gentleman from Louisiana yielded two minutes.

Mr. DUPRÉ. I think the Chair is a very rapid calculator. [Laughter.]

Mr. GOOD. Mr. Chairman, this matter involves half a million dollars, and there are only about a dozen Members present in the House. I make the point of no quorum.

The CHAIRMAN. The gentleman from Iowa makes the point of no quorum. The Chair will count. [After counting.] Fifty Members are present—not a quorum.

Mr. DUPRÉ. Mr. Chairman, I ask for tellers.

The CHAIRMAN. Tellers are not in order. Under the rules it is the duty of the Chair to call the roll.

Mr. DUPRÉ. I move that the committee do now rise.

The CHAIRMAN. The gentleman from Louisiana moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the "noes" appeared to have it.

Mr. FOSTER. I demand tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois demands tellers. Those in favor of taking this vote by tellers will rise and stand until they are counted. [After counting.] Evidently a sufficient number have risen.

Tellers were ordered; and the Chair appointed Mr. BYRNS of Tennessee and Mr. DUPRÉ to act as tellers.

The CHAIRMAN. The question is on the motion of the gentleman from Louisiana that the committee rise.

The committee again divided; and the tellers reported—ayes 2, noes 60.

The CHAIRMAN. The committee declines to rise. A quorum is not present, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ashbrook	Fairchild, G. W.	Kelly, Pa.	Reavis
Austin	Farr	Kennedy, R. I.	Riordan
Bacharach	Ferris	Key, Ohio	Robbins
Bankhead	Fess	Kiess, Pa.	Roberts
Blackmon	Flynn	Kincheloe	Rodenberg
Booher	Francis	Kinkaid	Rose
Borland	Fuller, Mass.	Knutson	Rouse
Bowers	Gallivan	Kreider	Rowland
Brand	Garland	LaGuardia	Russell
Britten	Glynn	Larsen	Sabath
Browne	Godwin, N. C.	Lee, Ga.	Sanders, Ind.
Browning	Goodall	Lehlbach	Sanders, N. Y.
Brumbaugh	Gordon	Lever	Sanford
Burroughs	Graham, Pa.	Little	Saunders, Va.
Butler	Gray, N. J.	Littlepage	Scully
Caldwell	Green, Iowa	London	Sears
Campbell, Kans.	Gregg	Lundeen	Shackleford
Candler, Miss.	Griest	Lunn	Sherley
Cannon	Griffin	McClintic	Sherwood
Carew	Hamill	McCormick	Siegel
Carter, Mass.	Hamilton, Mich.	McCulloch	Sinnott
Chandler, N. Y.	Hamilton, N. Y.	McLaughlin, Pa.	Slemp
Classon	Hamlin	Maher	Smith, Idaho
Cleary	Harrison, Miss.	Mondell	Smith, C. B.
Copley	Haskell	Morin	Smith, T. F.
Costello	Heflin	Mott	Snell
Cox	Heintz	Mudd	Snyder
Curry, Cal.	Helm	Neely	Stedman
Davey	Helvering	Nicholls, S. C.	Stephens, Nebr.
Davis	Hood	Norton	Sterling
Delaney	Huddleston	Oliver, Ala.	Strong
Dempsey	Husted	Oliver, N. Y.	Sullivan
Donovan	Hutchinson	Park	Sumners
Dooling	Jacoway	Parker, N. Y.	Swift
Drane	James	Peters	Taylor, Ark.
Drukker	Johnson, Ky	Powers	Taylor, Colo.
Dunn	Johnson, S. Dak.	Pratt	Templeton
Eagan	Kahn	Price	Thomas
Elliott	Kearns	Ramsey	Tinkham
Estopinal	Kelley, Mich.	Randall	Vare

Vestal	Wason	White, Ohio.	Zihlman
Waldow	Webb	Winslow	
Ward	Wheeler	Woods, Iowa	

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee having under consideration the legislative, executive, and judicial appropriation bill, H. R. 14078, found itself without a quorum, whereupon he caused the roll to be called, when 260 Members, a quorum, answered to their names, and he reported the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER. A quorum is present. The committee will resume its session.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill H. R. 14078, with Mr. ALEXANDER in the chair.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. How does the time now stand between the two sides?

The CHAIRMAN. There are 13 minutes remaining to the gentleman, and 9 minutes remaining to the other side.

Mr. BENSON. Mr. Chairman and gentlemen of the committee, I have not taken part in these debates that have been going on here for several years. I have understood that the argument was largely in favor of doing away with the Subtreasuries; but with due respect to the arguments that have been made here to-day, I do not think sufficient reason has been shown for doing away with the Subtreasuries of the United States at this time.

In the first place, the Secretary of the Treasury, in his last report, stated that he did not advise it. Secondly, the conditions brought about by the war have shown that the work of these Subtreasuries has increased tremendously.

Take, for instance, the Subtreasury in Baltimore. The daily reports show that whereas that Subtreasury had done a business of a million dollars a day the business of that Subtreasury has reached $10,000,000 in one day, and for the last six months it has averaged $5,000,000 a day. I submit seriously that an institution costing the United States Government $32,000 annually and handling a business of $5,000,000 a day would not be handling that money if it was not performing a useful function to the business of the United States, and particularly of that locality, and I understand the same condition exists with reference to the other Subtreasuries.

Gentlemen, I appreciate the argument that the Federal reserve banks might take over this work, but I respectfully submit that while it might have been understood and intended that the Federal reserve banks should do this work when the Federal reserve banks were organized, conditions at the present time, when the work of the Federal reserve banks has tremendously increased and when the work of these Subtreasuries has tremendously increased, make it at least doubtful whether we should do away with these Subtreasuries, unless we have some good reason stated by some one who can speak authoritatively, who can say that we will not be upsetting business and banking conditions by transferring all that business to the Federal reserve banks. While consolidation is frequently a good thing, I am inclined to believe you will find that you can carry it to a point where it ceases to be economy, and I believe in this case you will find that if you do away with the Subtreasuries of the United States you will increase expenditures in other departments and at the same time deprive the people of the local communities of the benefits of this privilege to which they have been accustomed for so many years.

Mr. EMERSON. Will the gentleman yield?

Mr. BENSON. I yield to the gentleman.

Mr. EMERSON. Just what functions do these Subtreasuries perform?

Mr. BENSON. The functions of the Subtreasuries are to take over the customs receipts, the money belonging to the United States Government. In addition, they exchange worn-out currency for good currency and they deliver to banks and individuals pay-roll money in large quantities. They carry part of the money that would otherwise have to be shipped to Washington, to be held in the Treasury of the United States in one locality. Instead of that, by the existence of these Subtreasuries it is scattered over the United States in these nine different cities. I do not pretend to be completely posted on the matter, but I do know that the people of our community use this institution and use it to an increasing extent; and the fact that it is used to an increasing extent shows that there is no other agency now available that suits the people quite so well as this suits them. If there were, this would not be used.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask for recognition, and if I may do so I will yield two minutes of that time to the gentleman from New York [Mr. PLATT].

The CHAIRMAN. The Chair allotted five minutes to the gentleman from Wisconsin.

Mr. STAFFORD. I yield two minutes of that time to the gentleman from New York [Mr. PLATT].

Mr. PLATT. Mr. Chairman, when the Federal reserve act was passed in 1913 and the Federal reserve banks were organized in 1914 it was expected that they would do the business now done by the Subtreasuries. There is clearly no good reason why they should not, and, in fact, we had last year a very able report from the Bureau of Efficiency showing that the Subtreasuries have long outlived their real usefulness, that most of their original functions have been taken over already by the national banks and by the Federal reserve banks. Long ago they ceased to be the exclusive depositaries of the funds of the United States Government. We have been all of this time abolishing the Subtreasuries, chiefly because of the difficulty of abolishing a position or job once created. I spent last Monday three hours going through the Federal reserve bank in New York City. It is an enormous institution, located in the Equitable Building, spread up and down through the 36 floors of that great building. Its different departments are not on continuous floors, but wherever they could get space. An excellent location has been purchased on which, in time, the Federal reserve bank will have its own building. The Subtreasury of New York is in a fine old building where Washington took the oath of office as the first President of the United States. Perhaps it ought to be preserved as a monument of old days, but it is not serving any useful purpose to-day. That is to say, it is doing nothing that can not be done at much less expense by the Federal reserve bank. I made some definite inquiries on this subject and was entirely satisfied. Of course, in these days of liberty bonds and thrift stamps they are making such use of the Subtreasury as they can, and it is handling more business than usual, but its function as a part of the machinery of the Government is no longer necessary. In large measure it is simply a place of storage. Furthermore, to some extent the Subtreasuries are a detriment to the business of the country, because they are not banks. They take in coin and bullion and lock it up in their vaults, and nobody can borrow it. If that cash were in the Federal reserve banks it would become a basis of credit. The Subtreasuries are actually hampering business. They are out of date—long since out of date—and they ought to be abolished. Even without the Federal reserve banks we could get along without them; but with the Federal reserve banks, which were organized to take over their duties in part, there is no reason why we should keep them going. Anyone who will take the time to go through the Federal reserve banks and see what they are doing will be convinced of this in a very short time.

Mr. GARD. Mr. Chairman, it seems to me that the question of abolishing these Subtreasuries should be determined not by the possibly ill-considered report of an efficiency expert but by the men who have actual knowledge of conditions. Therefore, for the information of this committee, I read that which, to my mind, should be the controlling evidence regarding the use of these Subtreasuries. Secretary McAdoo, Secretary of the Treasury, the man who had these things in charge, said:

> It has been suggested that the Subtreasuries are merely conveniences and not necessities, and that their duties might well be performed entirely by the Treasury at Washington. This is in a sense true, but the cost of handling all the business from a common center in a country so extensive as the United States might be greater than the expense of the Subtreasury system, whereas the delay and inconvenience which the public would have to suffer might prove a very serious handicap upon business.

That is the statement of the man who had these Subtreasuries in charge and who had in charge the management of the general financial interests of the country. It has been said that at the time of the passage of the Federal reserve act there was in contemplation the abolition of the Subtreasuries and caring for their duties under the Federal reserve act. Clearly there was no action by the Secretary of the Treasury at that time—nor since—confirming that idea. In fact, the Treasury Department says this, and I take this from the testimony of Mr. Leffingwell:

> I have had a great deal to do with the Federal reserve banks, because they have been so active in conducting the fiscal agency operations of the Government in connection with the liberty loans, and I am sure they would expect to be reimbursed for this additional expense [subtreasury work]. Nor can I see any reason why they should not be.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by incorporating therein the statement of the Subtreasury at Cincinnati, Ohio.

The CHAIRMAN. Is there objection?

There was no objection.

The statement is as follows:

Statement for fiscal year ending June 30, 1918.

Balance on hand June 30, 1917		$35,930,027.43
Receipts on account of—		
New currency from Washington	$20,008,000.00	
New Federal reserve notes	7,680,000.00	
Transfer of funds	34,117,447.68	
Coin shipments	4,828,195.31	
Surplus postal funds	8,000,087.23	
Transfer of money-order funds	819,000.00	
Five per cent redemption fund	9,790,591.64	
Postal-savings fund	856,316.62	
Miscellaneous receipts	820,973.46	
Disbursing officers' accounts	4,544,826.71	
New coin from mints	2,397,160.00	
Gold certificates, series 1900, issued	120,000.00	
Railway Mail Service	1,131,820.47	
Federal Reserve Board gold settlement fund	34,985,150.00	
War-savings stamps	19,878,195.36	
Redemptions—		
Currency	15,445,096.00	
Gold coin	5,185,715.00	
Silver and minor coin	4,794,356.81	
Exchanges	9,488,810.75	
Total receipts		184,891,734.04
		220,821,770.47
Disbursements on account of—		
Clearing-house balances transferred to Federal Reserve Bank of Cleveland	10,854,425.15	
Treasury checks and warrants paid	42,554,611.65	
Disbursing officers' checks paid	4,749,045.65	
Interest checks and coupons paid	1,132,788.73	
War-risk insurance checks paid	973,834.59	
Postal-savings transfer draft	6,163.00	
Telegraphic transfers to banks	9,711,000.00	
Gold certificates, series 1900, redeemed	860,000.00	
War-savings stamps redeemed	201,277.16	
Miscellaneous	55.00	
Uncurrent coins and lightweight gold returned to mints	2,349,461.95	
Coin shipments to various banks	4,898,935.31	
Unfit national bank notes shipped to Washington	19,588,200.00	
Unfit United States currency shipped to Washington	40,129,000.00	
Redemptions	28,221,357.81	
Exchanges	9,488,810.75	
Total disbursements		175,718,966.75
		45,102,803.72
Gold certificates, series 1900, transferred to treasurer's general account		10,000.00
Balance on hand June 30, 1918		45,112,803.72
Total receipts		184,891,743.04
Total disbursements		175,718,966.75
Total business, 1917–18		360,610,709.79
Total business, 1916–17		247,876,236.85
Gain, 1917–18		112,734,472.94
Federal reserve notes received from comptroller to be held in trust for Federal Reserve Bank of Cleveland		29,400,000.00
Released to Federal Reserve Bank of Cleveland		17,880,000.00
Balance in custody		11,520,000.00
Combined total of debit and credit clearings		83,499,389.10
Total counterfeits detected		589.30

Statement for December, 1918.

Balance Nov. 30, 1918		$46,261,666.55
Receipts on account of—		
New currency from Washington	$1,388,000.00	
Transfer of funds	12,941,134.58	
Coin shipments	346,310.00	
Surplus postal funds	827,600.00	
Transfer of money-order funds	107,000.00	
5 per cent redemption fund	388,450.00	
Miscellaneous receipts	191,985.26	
Disbursing officers' receipts	553,578.45	
New coin from mints	335,500.00	
Gold-settlement fund	762,780.00	
War-savings stamps	4,147,000.00	
Railway Mail Service	239,900.00	
Redemptions:		
Currency	984,051.00	
Gold coin	503,277.50	
Silver and minor coin	331,325.00	
Exchanges	601,683.00	
Total receipts		24,649,574.79
		70,911,241.34
Disbursements on account of—		
Clearing-house balances transferred to Federal Reserve Bank of Cleveland	$6,842,076.62	
Treasury checks and warrants paid	5,965,595.80	
Interest checks and coupons paid	528,795.53	
War-risk insurance checks paid	172,363.80	
Disbursing officers' checks	538,323.77	
Telegraphic transfers to banks	67,000.00	
Unfit national-bank notes shipped to Washington	1,226,000.00	
Unfit Federal reserve notes shipped to Washington	2,348,000.00	
Unfit currency shipped to Washington	1,501,000.00	
War-savings certificates redeemed	708,633.48	
Gold certificates, series 1900, redeemed	60,000.00	
Coin shipped to banks	351,748.00	
Redemptions	1,720,378.50	
Exchanges	601,683.00	
Total disbursements		$22,631,598.50
Balance Dec. 31, 1918		48,279,642.84
Total receipts		24,649,574.79
Total disbursements		22,631,598.50
Total volume business December, 1918		47,281,173.29
Total volume business December, 1917		29,887,236.87
Gain December, 1918		17,393,936.42
Combined total of debit and credit clearings		18,962,479.14
Counterfeits detected:		
United States note		5.00
Gold $2.50		2.50
Silver dollars		12.00
Halves		1.00
Quarters		.75
Nickel		.05

Gain over preceding year.

Business fiscal year—	
1915, $175,524,563.28	$13,168,072.14
1916, $182,447,999.61	6,923,436.33
1917, $247,876,236.85	65,428,237.24
1918, $360,610,709.79	112,734,472.94
Total business December, 1918	47,281,173.29
Total business December 1917	29,887,236.87
Gain December, 1918	17,393,936.42

Mr. STAFFORD. Mr. Chairman, the advocates of this ancient and obsolete system are driven as an excuse for its existence to point out that they were of use in the sale of liberty bonds, while every person knows that the whole burden of that campaign was thrown upon the Federal reserve banks, and there is not a particle of evidence that these Subtreasuries perform any useful function, except to the banks in the locality and vicinity where they are located.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. No.

Mr. GARD. I just want to say that I just read that.

Mr. STAFFORD. They performed no useful purpose in the sale of these liberty bonds. Every other activity of the Subtreasuries referred to—the deposit of Government funds and the payment of checks and drafts and warrants, and they are about the only fiscal functions they are performing—is performed either by national banks or can be performed by the Federal reserve banks. Since we have established the Federal reserve system there is no warrant whatsoever for the continuance of certain of these Subtreasuries, except as is admitted by the advocates of them, that they are a convenience to the local banks. There is no question but they are a convenience to the banks where they are established for one purpose alone. It enables them to redeem their old bank notes, whereas banks situated at a distance from these Subtreasuries are obliged to pay the expressage. Here we have an institution that has grown hoary with age, and the only general purpose it serves is as a depository for some funds of the Government. The Federal reserve banks and the mints, the testimony before the committee shows, could take charge of these deposits.

Not only is there a saving of several hundred thousand dollars purposed by this amendment, but if we abolish them we rid ourselves of the demand from these centers where they are established coming to Congress for the establishment of new buildings.

It is admitted that in some of these cities the Subtreasuries are housed in buildings very old, and that they need new quarters. So that this means ultimately the saving of millions and millions of dollars. No argument has been advanced why the Subtreasury at Baltimore, 40 miles distant from Washington, should be continued, except that it is a convenience to the bankers of that locality. No argument is advanced why the Subtreasury at Philadelphia should be continued, except that it saves the banks of that city the expense of having their worn-out currency redeemed by saving the express charges. No one

can justify the continuance of the Subtreasury at Cincinnati. The objection of this whole system is that you are playing favorites for the benefit of the banks of certain localities. If you are going to continue them they should be established in larger centers, like Detroit, Cleveland, Pittsburgh, Minneapolis, but we not only have Federal reserve banks in the 12 regional cities, but we have established Federal reserve branch banks in the cities that I have named. There is no urgent need whatsoever why these Subtreasuries should be continued. It is a waste of public funds.

The CHAIRMAN. The gentleman from Massachusetts is recognized for two minutes.

Mr. TAGUE. Mr. Chairman, I realize that in two minutes it will be impossible to answer any of the statements made by those who are advocating the abolition of the Subtreasuries, and I hesitate, Mr. Chairman, to get into this debate other than to enter my protest on behalf of the business interests of my community against the abolishment of these Subtreasuries. I have listened to what the last speaker has said and I venture to predict, Mr. Chairman, that the Members of this House are willing to take the say-so of the men who control the Treasury of this country in preference to the gentleman from Wisconsin. There has been no word from the Secretary of the Treasury advocating the abolishment of the Subtreasuries of the country. There has been no demand from the Federal reserve banks of the country that they should take over this function of the financial business of the country. There has been no demand for the abolishment of these Subtreasuries except from one or two sources, and one especially that has been so severely criticized upon the floor of this House during the past two days. I am willing, Mr. Chairman, with my limited knowledge of the functions that they perform to take my word from those who know the existing conditions, namely, the Secretary of the Treasury and his representatives and the business men of the communities who are to-day protesting from every city in the country where these Subtreasuries are now established.

Mr. PLATT. Will the gentleman yield?

Mr. TAGUE. I do.

Mr. PLATT. Is not Boston so large a town that nobody cares whether the Subtreasury is kept there or abolished? I do not hear anybody in New York say anything about keeping the Subtreasury there.

Mr. TAGUE. I have yet to hear one voice——

Mr. PLATT. It is only small towns like Boston and Baltimore that are saying anything.

Mr. TAGUE. Well, if Boston were to spread out and take in all of the cites and towns within 25 miles of its center in the way the city of New York has, it would also show a population up in the millions.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, the functions of the Subtreasuries are three in number: First, to receive deposits; second, to pay Government checks; and, third, to sell Government bonds. Those are the functions of the Subtreasuries of the United States. There are nine of them, only two west of the Mississippi River. When Mr. Glass, the present Secretary of the Treasury, was a Member of this House and brought in a bill that was finally enacted into law creating the great Federal Reserve System he said that the Federal Reserve System would perform all of the functions of the Subtreasuries, and that, if adopted, the Subtreasuries could all be abolished, and Mr. Glass is now the Secretary of the Treasury. Why do not you quote him instead of quoting Mr. McAdoo, who has ceased to have anything to do with that office? When these matters were before the House in former years Mr. Glass voted to abolish the Subtreasuries. I am surprised at my friend from Baltimore——

Mr. DUPRÉ. Will the gentleman yield for a question?

Mr. GOOD. No; I will not have the time.

Mr. DUPRÉ. I wish the gentleman would.

Mr. GOOD. I am surprised at the gentleman from Baltimore, representing a city only 40 miles distant, demanding the retention of their Subtreasury.

Mr. LINTHICUM. I want to know how the gentleman knows where it is?

Mr. GOOD. When the gentleman from Maryland [Mr. LINTHICUM] came before the Committee on Appropriations a year ago he was asked this question:

> Mr. GOOD. If Baltimore had a Federal reserve bank, would the gentleman then think they should still have a Subtreasury?
>
> Mr. LINTHICUM. I want to say this: That if Baltimore has a Federal reserve bank, and you are going to do away with the Subtreasuries and give the power which the Subtreasury now has to the Federal reserve banks, and do it in all the cities that have Federal reserve banks, I do not know that we would object.

And that is just what this bill does. Baltimore has a branch Federal reserve bank to-day, a big institution, performing all the functions of a Subtreasury, and now here the Representatives from Baltimore object. They object to what a year ago they said would be satisfactory. Why? They object on the same ground that they objected before the Committee on Appropriations two years ago, that the banks of Baltimore would have to pay the freight or the express on their subsidiary coin used by the business men of Baltimore in case the Subtreasury there was abolished. I make the suggestion to this House that if Baltimore is to have its coin sent free, then every city in the United States is entitled to the same privilege, and I want to commend to the House the statement made by the gentleman from Illinois, the minority leader, when Chicago was under fire two years ago and we attempted then to eliminate the Subtreasury at Chicago. This is what Mr. MANN said:

> We ought to find nerve enough to abolish some of the useless offices now maintained by the Government, especially when we have created other offices to do the work which they now do.

If the Subtreasuries are to be retained, I hope this side of the House will not vote to retain them. Let that side of the House that went before the people on the proposition to do away with useless offices, the salaries of which they said drain the substance of the people—let that side of the House retain these useless offices. It has been admitted by the present Secretary of the Treasury that the Subtreasuries are useless. It has been admitted by every man who has studied the question that they are useless; and just as a few years ago we abolished a great many pension offices throughout the country and consolidated them at Washington—and since that time there has been no complaint, so far as the pensioner is concerned, in receiving his pension check in due time—which resulted in saving the Treasury a great deal of money, so now we will do the same thing here. Nobody deposits money in a Subtreasury to-day; nobody goes to the Subtreasury to-day to cash a check; no one purchased liberty bonds there. All of that is done by the national banks and the Federal reserve banks.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman has four minutes, and all the time has expired on the other side.

Mr. BYRNS of Tennessee. Mr. Chairman and gentlemen of the committee, I do not care to take up the time of the committee in discussing the amendment now offered. It has been so thoroughly and fully discussed before this Congress at the last session that I am quite sure Members are prepared to vote upon the proposition.

Mr. DUPRÉ. Will the gentleman yield for a question?

Mr. BYRNS of Tennessee. Yes.

Mr. DUPRÉ. Was not there a difference between the proposition which was tendered to the last Congress and that tendered here in regard to the date of abolition?

Mr. BYRNS of Tennessee. I will answer the gentleman. When the Federal Reserve System was established every possible excuse for the existence of the Subtreasuries was taken away. There is not any question about that, gentlemen, and no man can read the hearings and reports that have been made and not satisfy himself as to the truth of that statement. Last year the committee recommended that these Subtreasuries be abolished, and, as the gentlemen from Louisiana [Mr. DUPRÉ] suggests, proposed to abolish them within a period of six months after the war had come to a close. But I submit, gentlemen, that that proposition was presented to the House simply to meet the objection of Assistant Secretary Leffingwell; and if you will read his testimony in the hearings at the last session of Congress you will find that the only real insistence that he made and the only real argument that he presented for the maintenance and continuance of these Subtreasuries was that they might be needed during the continuance of the war. The war is now over, to all intents and purposes.

Now, what is the reason for the existence of these Subtreasuries? You have heard these gentlemen from the cities where they are located, all diligent, capable, and able men; and, gentlemen, after all, the only real reason they have been able to present for the continuance of these Subtreasuries is that they will render some local convenience to the cities in which they are located.

That may be a good reason for those gentlemen who so ably represent these nine cities, but you who come from other sections of the country certainly are not under the same sort of obligation to vote out of the Treasury $500,000 simply to afford a convenience to these particular nine cities. That is the proposition, the plain proposition, that is presented to this committee.

Gentlemen, I submit there can be no good reason presented as to why these Subtreasuries should be continued any longer.

Mr. DUPRÉ. Why did the House yield, then, on the proposition?

Mr. BYRNS of Tennessee. The House yielded only after a continued and repeated session with the Senate, and only at the last moment, when it became evident that the entire legislative bill might fail unless the House did yield. There was another proposition which forced the conferees to yield. That was the fact that this House by a record vote had insisted and instructed the conferees to stand by the Borland amendment, and in order to carry out the will of the House as expressed by that record vote it was necessary for us to yield on this proposition.

Mr. DUPRÉ. Was there logrolling then?

Mr. BYRNS of Tennessee. No conference was ever held that there was not a spirit of give and take. Otherwise the two Houses never could get together on disputed propositions.

The CHAIRMAN. The time of the gentleman has expired. All debate on this amendment is now closed. The question is on the amendment offered by the gentleman from California [Mr. RAKER].

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. LINTHICUM and Mr. DYER demanded a division.

The committee divided; and there were—ayes 36, noes 91.

So the amendment was rejected.

The Clerk read as follows:

For such expenses as the Secretary of the Treasury may authorize in connection with the discontinuance of the offices of assistant treasurers, including clerks and counters in the office of the Treasurer in the District of Columbia at rates of compensation not exceeding $1,800 per annum, salaries of custodians and other employees (at rates of compensation not exceeding $2,500 per annum) at such of the Subtreasury offices as the Secretary of the Treasury may deem necessary for the safekeeping of currency, coin, bullion, bonds, and other securities of the United States, $75,000: *Provided*, That the Secretary of the Treasury shall require the custodians or other responsible employees to give bond in such amount and with such surety as he shall deem adequate for the protection of the United States: *Provided further*, That no person employed under a statutory position on June 30, 1919, shall be paid a salary hereunder greater than the amount of such statutory compensation on the said date.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the paragraph.

Mr. MOORE of Pennsylvania. I make this motion for the purpose of vindicating the rights of the Committee of the Whole. If the point of order made by the gentleman from Wisconsin [Mr. STAFFORD] had been sustained a while ago, the point of order to the amendment of the gentleman from California, there would have been no possible way, except to strike out, for this main body of the House to have protected itself against the repeal of the existing law. If the Chair held, as he did hold when the point of order was made against the new paragraph, that the point of order was well taken, and then the Chair should rule in answer to the point of order made by the gentleman from Wisconsin [Mr. STAFFORD] that the amendment which proposed to reinstate existing law was not in order, there would have been no place to go with a proposition affecting existing law. All that would be necessary under such circumstances to override existing law would be for any committee of the House to decide in the secrecy of its committee room that the Holman rule justified it and bring in a bill to put the change into effect. The gentleman from Wisconsin made the point that there was a place to go and that a Member could move to strike out. And since no one made the point of order against the motion I now ask for a vote on the motion to strike out, since it is the last recourse in the Committee of the Whole.

The CHAIRMAN. The question is on the motion made by the gentleman from Pennsylvania to strike out the paragraph.

The question was taken, and the motion was rejected.

The Clerk read as follows:

For incidental and contingent expenses, including new machinery and repairs, wastage in the melting and refining department and in the coining department, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coin, $75,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Tennessee whether there is any information before the committee as to the purpose of the Government to establish a mint in Mexico?

Mr. BYRNS of Tennessee. No; we have received no such information.

Mr. MOORE of Pennsylvania. No suggestion that any mint should be established in our neighboring country?

Mr. BYRNS of Tennessee. No.

Mr. MOORE of Pennsylvania. I asked the question because it seems to me pertinent in view of the interest that is being taken by the Bureau of Information as to Mexico. Members of Congress, I presume, are favored, as some other citizens are, with communications from the Bureau of Information which show an unusual interest in Mexico. Yesterday some reference was made to the quality of paper on which the CONGRESSIONAL RECORD is printed. I took occasion to say that the paper upon which the RECORD is printed and sent out to those recipients of it who are on the lists of Members of Congress was a disgrace to the body and that the excuse that the cost of paper was high was a poor excuse in view of the fact that the Bureau of Information was sending out literature of all sorts in great volume on glazed paper superior to that upon which the CONGRESSIONAL RECORD was printed.

Now, the Bureau of Information has a good deal of influence at the White House. We have been told that it did not intend to come to Congress for any more money. The supposition is that it depends upon that $100,000,000 fund which Congress dedicated to the President some time ago for such use as he might see fit to make. But just why the Bureau of Information should publish a weekly news bulletin in Mexico has not yet been made clear. It may be another step toward creating a world democracy.

We have information that much literature, some of it commendatory of the administration, was dropped over the German lines during the war with a view to informing the democracy of Germany of American intentions. Now comes a "Weekly News Bulletin" from Mexico, under date of January 9, 1919, issued by George Creel, chairman, from the headquarters of the "Mexico section, Robert H. Murray, director; office, Filomeno Mata, 17 Apartado Postal 128 Ris," which indicates we have established a publication office down there.

Can anyone tell—can the chairman of the committee tell—why we are spending American money in this way, especially when there is such a fierce demand for economy, for the abolition of Subtreasuries, for the throwing of people out of employment in one section and concentrating them in another section? Can anyone tell why we are using a part of the President's $100,000,000 fund for the purpose of conducting a publicity service in Mexico? What sort of a propaganda is this? To what lengths do we go with the money of the people?

I thought possibly the chairman might tell us that this was the forerunner of the establishment of a Subtreasury in Mexico, or of a mint in Mexico, or an assay office in Mexico, or of some oil company's headquarters in Mexico. What is behind it?

Mr. MADDEN. There might be war in Mexico. You can not tell. [Laughter.]

Mr. MOORE of Pennsylvania. If the purpose is to stop a war with Mexico, well and good. We spent a lot of energy and money in marching into Mexico and out again, and then the President came in and asked us to appropriate $125,000,000 to pay the bill, and we appropriated it.

What kind of a proceeding is this new one? Why is it necessary for us to print a daily report of the proceedings of the legislative assembly in Mexico? Why is it necessary for us to print information respecting the operation of oil wells in Mexico? Why should the money of the people of the United States be spent printing a paper in Mexico when paper is so scarce in the United States that we have got to print the CONGRESSIONAL RECORD on stuff that falls to pieces when you pick it up?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I simply ask the question, Mr. Chairman. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For incidental and contingent expenses, including rent of building, $5,700.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MADDEN. I want to ask unanimous consent to proceed for 10 minutes out of order.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 10 minutes out of order. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, I think I owe to the House an explanation of the case that was called to the attention of the Committee on Appropriations by Mr. Brown, in which he said there was some doubt as to the morality of the location in which the woman resided, and I looked up the record on

file in my office in that case, and I find these to be the facts: The case referred to by Mr. Brown was that of Mrs. Amazonia Franklin, whose allotment matter I have been trying to get adjusted for months. After her husband went to the war she had to leave the place where they were living on account of the expense and the further fact that the Bureau of Insurance had not sent her any money. The allotment case was mixed up, on account of some technicality, and was referred to Chicago for special investigation. The investigators went to the address given in the papers relating to Mrs. Franklin's case, and they could not find her. They reported to the Bureau of War Risk Insurance that the house was a disorderly house. The fact of the matter is that it was a boarding house. This was merely a supposition on the part of the inspector who made the report. There was no proof that this house was disorderly, and absolutely nothing has ever been proved against Mrs. Franklin.

Mrs. Franklin later left this address, and, as far as I know, has ever since that time been the subject of charity on account of the negligence or failure of the Bureau of War Risk Insurance to adjust her claim, although I have a letter from them which I received several months ago, stating that Mrs. Franklin could look for a check from the Government within a week or 10 days, but up to this time she is still waiting, and has not had a dollar.

But aspersions have been cast upon her character by the Government investigators who ought, instead of doing that, to have furnished her with the funds necessary to keep her from starving and being the object of charity.

Now, Mr. Brown seemed to go a good distance out of his way to call this case to the attention of the Subcommittee on Appropriations in executive session, and incidentally to call attention to the fact that this was one of the cases for the settlement of which I was pleading, intending it to be inferred, I assume, that there was something wrong about the case. I happened to look Mr. Brown up since I spoke to the House yesterday, and I find that the Department of Justice has a good deal of information about Mr. Brown that would make very interesting reading. And in connection with that I may say that I may feel called upon to get the evidence which the Department of Justice has on file one of these days and present it to the House. But in the meantime, so as not to take up too much of the time of the House, I think I will give the House one of the first installments of the information I have and which is on file.

Mr. Brown is employing a woman by the name of Mrs. Johanna Schoenfeld, the wife of Dr. Schoenfeld, of the George Washington University, who is a pro-German from his toes to the top of his head. This woman is employed at a salary of $1,200 a year as assistant cook to help in the kitchen of the War Trade Board. Now, Mr. Brown, of course, has jurisdiction over the efficiency of the War Trade Board. This is the way he helps to make it efficient. She is using a Government automobile that comes up to her house about 10 o'clock every morning and takes her to her work, and takes her back about 4 o'clock and waits around until 5 or a little after and takes her back. This is the way he helps to make it efficient. The people in the neighborhood where she lives—at Thirty-fourth and Ordway Street—all understand this situation. I am not telling anything in executive session. I am not telling anything that the people in her neighborhood do not understand. This woman, before she got her house back from the occupants who had it, was living at Mr. Brown's house. Brown had a daughter in Germany at the outbreak of the war studying, and he used all kinds of means to get her back, and a man who came over on the same ship that she came on expressed the opinion that he would like to throw her overboard on account of the various pro-German expressions which she uttered.

The Department of Justice has a record of the activities of Dr. and Mrs. Schoenfeld. Mrs. Schoenfeld has two sons in the Consular Service who were never called for military duty. This is the woman who is employed through the influence of Mr. Brown as an assistant cook in the War Trade Board, at a salary of $1,200 a year, and the use of a Government automobile that comes after her to her house, takes her down to the War Trade Board, where she remains about an hour, and then takes her back, and then waits for her for another hour and takes her back again.

Mr. BARKLEY. Can the gentleman tell us whether the War Trade Board is running a boarding house?

Mr. MADDEN. They have some kind of a cafeteria, I believe, at which they supply food to those who are employed there.

There was a housewarming at the Schoenfeld house last night, and at 10 o'clock p. m. an official Government car was standing in front of the house, and a man in uniform is said to have been working in the kitchen. Mr. Brown, I understand, is the sponsor through whom Mrs. Schoenfeld is employed; and if the statements that I have made are thought by Mr. Brown not to be true I want Mr. Brown to invite me to produce the evidence, which is on file in the Department of Justice, not only in connection with this case but in connection with other activities of Mr. Brown during the war.

Mr. Brown is the last man who ought to be kept on the Government pay roll. He not only has proved himself by his actions as a citizen during the war to be unworthy, but by his work as a so-called efficiency expert to be unworthy.

Mr. McKENZIE. Will my colleague yield?

Mr. MADDEN. Yes.

Mr. McKENZIE. I desire to ask my colleague a question, not pertaining to this particular case, but there has been so much said about it that I think there ought to be a statement put in the RECORD. I want to ask my colleague if he understands the law to be that a wife or mother must have a certain standing of moral character to be passed upon by any official in the United States Government before she is entitled to an allotment or allowance under this law passed for her benefit?

Mr. MADDEN. My understanding is that the only thing that is required of them is that there shall be a soldier in the service of the country; that the soldier shall have made an allotment of his pay, that the allotment shall be in proper form, that it shall be made to the wife, or to the mother, or to some other relative; that if it is made to the wife under the law it is obligatory upon the Government to pay the allotment, and also to accord the allowance, and that it is not the function of Mr. Brown or anyone else to discredit those who wear the uniform of their country, who defend the flag, that it is not the function of Mr. Brown or anyone else to disgrace or discredit the wife of a man wearing the uniform of his country; that it is no part of the business of Mr. Brown or anyone else connected with the Bureau of War Risk Insurance to discredit a mother who has given her boy to her country. If Mr. Brown had been one-half as patriotic as the man whose wife has been charged with living in a house the character of which he said was to say the least shady, there would be no such statement made by him. I maintain that everything Mr. Brown has done from the opening to the close of the war has been more pro-German than anything else, and that all his associates have been pro-German, and he above all men is the last who should come behind closed doors to a committee of this House and make any statement about the character of the wife of an American soldier.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, the gentleman from Illinois has made a very serious and a very severe attack on Mr. Brown.

Mr. MADDEN. I will make some more of them.

Mr. BYRNS of Tennessee. I hold no brief for Mr. Brown, but I do feel that we ought to be very careful before we take occasion upon the floor of this House to attack any citizen of this country who has not the privilege of appearing here and making his own defense. The gentleman takes umbrage because the War Risk Bureau has seen fit to make inquiries concerning the moral character of persons to whom allowance checks are sent. There are more than 4,000,000 on the rolls. These investigations are necessary under the law, and for my part I would not be willing to have the United States Government pay any amount out of the Treasury to any immoral woman as a contribution toward her support.

Mr. MADDEN. The gentleman is assuming that the case is one in which immorality has been shown. I maintain that it has not.

Mr. BYRNS of Tennessee. Oh, the gentleman is commenting on the case to which he refers. I am speaking generally. I know nothing of that case. I never heard the woman's name until the gentleman from Illinois read it here a moment ago, and if any publicity has been given to an attack made upon the woman to whom he has referred then it comes from the gentleman from Illinois, because there is no record of it in the committee, and her name has never been mentioned upon the floor of this House until the gentleman from Illinois mentioned it.

I repeat, I do not know the name of the woman; I do not know whether the gentleman from Illinois is mistaken or not in his reference to that particular case, although I am sure he thinks he is certain about it. But, as I was about to say, the Pension Bureau has always made an investigation concerning the moral character of the people who receive pensions at the hands of the Pension Bureau. I say that it is a correct policy. The War Risk Bureau has done nothing more than its duty in making investigations in this regard.

Mr. FIELDS. But the allotment part of this fund is not a pension; it is a part of the soldier's pay.

Mr. BYRNS of Tennessee. Oh, I am not referring to the allotment. If the gentleman had listened to me, he would know that I said allowance. Of course, a soldier has a right to do what he pleases with his own money.

Mr. MADDEN. I just want to ask the gentleman if he thinks there can be any justification for keeping a woman in a starving condition for months by failure to deliver the money they have collected out of the pay of her husband, the soldier.

Mr. BYRNS of Tennessee. I do not think there ought to be any greater delay than is absolutely necessary, and I am willing to state there have been a great many delays in a great many cases we have not been able to understand; and I dare say that if we are fair, if we would look into it, we would find that in many cases there is a good reason for at least a part of the delay. As was said yesterday, here are 4,000,000 cases in the hands of this War Risk Bureau, cases that came up not gradually, as in the case of insurance companies, but business that was dumped upon the bureau all at once. It was a stupendous job, and it is not surprising that in some of these cases possibly there have been delays.

The gentleman from Illinois [Mr. MADDEN] refers to some employee in the War Trade Board, and he seeks to hold Mr. Brown responsible for that. Mr. Brown has no connection with the War Trade Board. He has absolutely no authority there, either to put anybody on the rolls or to take anyone off the rolls. The Bureau of Efficiency has never been called in to investigate the War Trade Board; and even if it had been that fact would have given Mr. Brown no authority to employ anyone there. I suspect that the gentleman from Illinois has mixed up the Mr. Brown to whom he refers with some other Brown, possibly down there in the War Trade Board.

Mr. DUPRÉ. Then I take it Brown is in town. He seems to be.

Mr. BYRNS of Tennessee. He seems to be, from what has been said on the floor of this House in the last few days.

The CHAIRMAN. The time of the gentlemen from Tennessee has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. The gentleman refers to the fact that an automobile has been used to transport this employee, whose name I can not recall, to and from her home to the War Trade Board. Mr. Brown is not responsible for that. If that be true, and I am not questioning the fact that the gentleman from Illinois has received the information—though how true the information is I do not know—then some official ought to be held responsible for it. If the statement made as to the use of an automobile on yesterday evening is true, the fact ought to be shown and the official who is responsible for permitting the Government automobiles to be used for purposes of that kind ought to be exposed and such action taken as is proper in the case. But I submit, in all sincerity and in all kindness, to the gentleman from Illinois [Mr. MADDEN] that he ought not to permit his evident antipathy to Mr. Brown to impel him to make statements on the floor of the House which may and, I think, clearly do Mr. Brown a very grave injustice.

Mr. GOOD. As I recall, we have never given the Bureau of Efficiency an automobile, and that bureau has no automobile.

Mr. BYRNS of Tennessee. The gentleman is correct. The Bureau of Efficiency has no automobile, never has had one, and can not purchase one out of the appropriation carried in this bill. They have never asked for an automobile.

The Clerk read as follows:

Office of the Secretary: Secretary of War, $12,000; Assistant Secretary, $5,000; Second Assistant Secretary, $4,500; assistant and chief clerk, who shall sign such official papers and documents as the Secretary may direct, $4,000; private secretary to the Secretary, $2,500; clerk to the Secretary, $2,000; stenographer to the Secretary, $2,000; clerk to the Assistant Secretary, $2,400; assistant chief clerk, $2,400; disbursing clerk, $2,750; appointment clerk, $2,250; 4 chiefs of divisions, at $2,000 each; superintendent of buildings outside of State, War, and Navy Department Building, in addition to compensation as chief of division, $500; chief telegrapher, $1,800; clerks—6 of class 4, 7 of class 3, 15 of class 2, 20 of class 1, 5 at $1,000 each, 2 at $900 each; foreman, $1,200; carpenters—1 $1,200, 1 $1,080; chief messenger, $1,000; skilled laborer, $1,080; 6 messengers; 9 assistant messengers; 2 telephone switchboard operators; 8 laborers; 2 chauffeurs, at $840 each; in all, $151,380.

Mr. TILSON. Mr. Chairman, I move to strike out the last word for the purpose of getting some information from the gentleman in charge of the bill. Prior to April 6, 1918, there was provision made by law for a Secretary of War and an Assistant Secretary of War. In an act approved April 6, 1918, a Second Assistant Secretary of War and a Third Assistant Secretary of War were authorized. Yesterday the Secretary of War appeared before the committee, of which I am a member, and asked for the passage of a bill which contains, among other things, the following provision:

So much of an act of Congress approved April 6, 1918, as provides for the office of Second Assistant Secretary of War and Third Assistant Secretary of War is hereby repealed.

In the gentleman's bill to-day we find appropriations being made for the Secretary of War, an Assistant Secretary of War, and a Second Assistant Secretary of War. My query is, What is the basis that the gentleman used for his appropriation? If he used the old law, he should have included only a Secretary and an Assistant Secretary. If he used the present law, he should have put in a Secretary, an Assistant Secretary, a Second Assistant and a Third Assistant. If it is anticipated that the bill proposed by the Secretary of War on yesterday be passed, then he would not need to appropriate for the Second Assistant Secretary.

Mr. BYRNS of Tennessee. As the gentleman knows, the Committee on Appropriations in making these recommendations for appropriations tries to follow the law. The law provided for a Second and a Third Assistant Secretary of War, and the committee, following the law, was prepared to make that recommendation, but upon inquiry of the Secretary of War or of his office it was stated to the committee that they did not desire an appropriation for the Third Assistant Secretary of War, but that they did want an appropriation for the Second Assistant Secretary of War. That was the reason the committee dropped the Third Assistant.

Mr. TILSON. So the gentleman did not follow the law in the case?

Mr. BYRNS of Tennessee. No. We would have done so had we not been notified that they did not need a Third Assistant Secretary of War. Since they themselves said they did not need such an official, of course we did not recommend it. We did recommend a Second Assistant, because the law provides for him, and they told the committee they needed him. If they have stated to the gentleman's committee and have requested the passage of a bill abolishing the office of the Second Assistant Secretary, I shall offer no objection to an amendment which strikes that out of this bill.

Mr. TILSON. I hold in my hand a bill introduced on yesterday by Mr. DENT, by request—and by request in this case means by request of the War Department—the bill from which I read, which abolishes both the Second Assistant Secretary of War and Third Assistant Secretary of War.

Mr. BYRNS of Tennessee. Is that asked for at once or after a certain date, or is that based upon some reorganization of the Army?

Mr. TILSON. It is based upon the reorganization of the Army, but I am frank to say to the gentleman that there does not seem to be an immediate prospect of the bill becoming a law. Therefore I do not propose to strike out the provision that the gentleman has made in this bill, and I would be more inclined to move that he insert an appropriation for a Third Assistant Secretary of War, so as to comply with the law as it now stands.

Mr. BYRNS of Tennessee. This bill would have carried a provision for the Third Assistant Secretary of War, in accordance with the law, had not the committee been informed by the Secretary of War's office that they did not need such an official during the next fiscal year.

Mr. TILSON. Undoubtedly that statement is correct, and if they do not need such an official during the coming year, on the gentleman's statement, I think he would be justified in leaving it out.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

Mr. MASON. Mr. Chairman, I rise to move an amendment to the section under consideration by striking out the words "chief telegrapher," in line 21, page 67.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MASON: Page 67, line 21, strike out the words "chief telegrapher, $1,800."

Mr. MASON. Mr. Chairman, it would seem from the news we get from the peace conference that we will have but little use for telegraphers. It seems that the main points demanded by the President of the United States, accepted by our allies and approved by our enemies, whereby we were to have open treaties made in an open way, has been abandoned in some way; and it has occurred to me that, a majority of the House belonging to the same political party of the President, and, in fact, every Member of Congress, either in the House or the Senate, standing back of him on that proposition, it would be wise for those in power to present a resolution to let these people know that the American people and the American Congress are backing the President in demanding no secret negotiations as

to our treaties of peace. [Applause.] As a matter of fact, the very first and strongest point made by the President, and made wisely, was to demand that if this war was won, and we sacrificed the blood of our sons, not only that he would stand for a permanent peace—and he is doing it—but that he would fight that thing which has brought war ever since war was invented; that the secret negotiations of kings, queens, emperors, and politicians all over the world should cease. The President of the United States has demanded it, we have accepted it, and to-day the people, the 100,000,000 of American people, are shocked with the idea of secrecy. We believe and the people know that if that is left open, so that the people can hear from day to day and hour to hour what our allies are demanding and what we are demanding, that there will not be so much of selfishness, that they will not make propositions each to the other that shall give them the right to govern people without their consent.

Now, Mr. Chairman, I suggest this in good faith: That if some one upon the majority side will give us an opportunity to stand back of the President I believe it will strengthen his hand so he can say to them that he has stood for these open negotiations; that it is the first point necessary that his constituents, 100,000,000 of people, are back of him in this demand; that we are going to put aside partisanship; and that we are going to stand on the threshold of the greatest opportunity that has come to us in all of this generation. If they will propose a resolution saying that the American people, who went into this war willingly and made these sacrifices, want to know what is being demanded, they want to know that the blood of their sons has been spent, not to put the flag of one nation over another, not that one empire may boast of having changed colonies from one empire to another, with a new master and a new flag—I say, if they will give us the chance to vote for a resolution, I do not believe there is a man in either branch of this Congress but who will stand back of the President and vote for the passage of such a resolution.

Mr. Chairman, I withdraw the formal amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Temporary employees: For the temporary employment of such additional force of clerks and other employees as in the judgment of the Secretary of War may be proper and necessary to the prompt, efficient, and accurate dispatch of official business in the War Department and its bureaus, to be allotted by the Secretary of War to such bureaus and offices as the exigencies of the existing situation may demand, $4,000,000: *Provided*, That the Secretary of War shall submit to Congress on the first day of its next regular session a statement showing by bureaus or offices the number and designation of the persons employed hereunder and the annual rate of compensation paid to each: *Provided further*, That no person shall be employed hereunder at a rate of compensation in excess of $5,000 per annum, not more than 5 persons shall be employed hereunder at a rate of compensation in excess of $2,400 per annum each, and not more than 25 persons shall be employed at a rate of compensation in excess of $1,800 per annum each: *Provided further*, That detailed estimates shall be submitted by the War Department in the annual Book of Estimates for the fiscal year 1921 for necessary services of the character provided for in this paragraph.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman in charge of the bill, and I would like to be brief about it, what is the special occasion of the increase of $6,000,000, an increase of 150 per cent in the allowance for temporary employees in the War Department. I believe the deficiency estimate, if I recall rightly, is $6,000,000 for the current year.

Mr. BYRNS of Tennessee. This is a reduction of some 75 per cent.

Mr. MANN. This is a reduction. I said increase. I meant reduction. What is the occasion of that, in view of the fact that you can not get anything done by the War Department, and they seem to be behind on everything?

Mr. BYRNS of Tennessee. Well, I do not think some of the bureaus are very far behind, or at least I have not found that to be the case. I have always found pretty prompt action in the office of The Adjutant General, for instance, and other bureaus.

Mr. MANN. I occasionally get a communication from The Adjutant General, generally a form letter, telling me to apply somewhere else for the information. Of course it is not very difficult to take care of correspondence on that basis.

Mr. BYRNS of Tennessee. There has been no delay of any great extent of which I am aware unless possibly it be in the payment of some of the allotments by the Quartermaster's office, and which is due, I take it, largely to the conditions which arose on account of the transfer from the Bureau of War Risk Insurance. I might say that the recommendation of $4,000,000 is based upon the estimate of $5,940,000 which was submitted by the Secretary of War in his revised estimate.

Mr. MANN. Did not the Secretary of War recently submit an estimate for $6,000,000 deficiency appropriation?

Mr. BYRNS of Tennessee. Yes.

Mr. MANN. In addition to the $10,000,000 that was carried last year?

Mr. BYRNS of Tennessee. Yes; and if that is granted it will make more than $16,000,000 that will be expended during the present fiscal year.

Mr. MANN. That is what I am trying to get at. Here is the Secretary of War who has an appropriation of over $10,000,000 now for temporary employment. He has asked for $6,000,000 more between now and June 30, and yet the gentlemen of the committee propose to reduce the entire allowance for the next fiscal year to $4,000,000. If the Secretary of War needs $6,000,000 between now and June 30, in addition to half of $10,000,000 already allowed, I should think that he would need more than $4,000,000 in the 12 months following June 30.

Mr. BYRNS of Tennessee. I may say to the gentleman that the revised estimates which were submitted to the committee were submitted on the basis of an army of 500,000 men, which officers who appeared before the committee stated it was hoped would be authorized by Congress.

Now, The Adjutant General has put on a great many additional employees recently. He has put on a thousand employees in the casualty division alone, and he is asking for another thousand employees in the casualty division. I understand there are about 3,500 employees in The Adjutant General's office at the present time, and he is asking for more in order to get out this information to which the gentleman refers as promptly as possible.

Mr. MANN. I have noticed there has been no great exodus of Government clerks from Washington such as we contemplated would happen when we passed the bill providing for their transportation expenses. We get printed reports every day or two from some department as to the number of men who have been employed and discharged within a recent period. I think the one I saw this morning came from the Department of Labor, which had over 10,000 employees, and the number employed during the last 30 days prior to the making of that report exceeded the number discharged. There have not been very many discharged from the Government service yet.

Mr. BYRNS of Tennessee. I confess I have been very much disappointed myself in the fact that there has not been any greater reduction in the force. I understand the War Department has reduced its force about 2,500 persons, and about a thousand of them have been reemployed in The Adjutant General's Office in the casualty division, to which I have just referred. There has been an increased demand for clerks in connection with the division of loans and currency in the Treasury Department and in the registrar's office, and possibly other bureaus which have to do with the auditing of accounts, and so forth.

Mr. MANN. Does the gentleman happen to know who has charge of the distribution of bonds subscribed for and paid for by soldiers in the Army?

Mr. BYRNS of Tennessee. The division of finance in the Quartermaster's office.

Mr. MANN. The gentleman knows there is very bitter complaint that bonds can not be obtained—bonds which have been fully paid for?

Mr. BYRNS of Tennessee. Yes. There has been some delay in sending some of those bonds out. I have had some cases called to my attention.

Mr. MANN. Mr. Chairman, I withdraw the pro forma amendment.

Mr. FOCHT. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the discussion as to the salaries and the provision for their payment brings us to the revenue question, and I would like to call the attention of this committee to a communication I received from an important manufacturer in my district, and I hope, if there are members of the Ways and Means Committee present, that they will take note of what I am about to read. In fact, I take it for granted in pursuance of their duties and in their alertness and activities that they are familiar with this question, but it has seemed new to me, at least this later phase, and I hope the country also may take note. This is in reference to the leather trade. It says:

Some mail advices from England are not very encouraging regarding the possibility of the import embargo for leather being lifted there in the near future, and some parties state that it may be six months before this occurs, or possibly longer, but the general opinion here is that the embargo will continue until the British buying commission completes, which it is expected will be made before long.

Now, it seems that notwithstanding Uncle Sam has been the world's great benefactor, the great helper, with a mighty heart

that has poured out lavishly to the oppressed of the world the resources of this country, that we see here before the war is scarcely over, before the treaty of peace is signed, England preparing to take care of her trade. This is what my correspondent thinks about it. This is the voice of a layman. It is the voice of a man who has built up a great business under the encouragement of the beneficent laws of this country. You will have a great opportunity, my young friends [referring to Congressmen CAMPBELL and LONGWORTH], to display your talents in correcting this great evil, and seeing to it that the embargo is withdrawn. This is what the young gentleman thinks about it:

> You will see from the inclosed underlined market letter that the English are putting their "silent tariff"—

Silent tariff! In these days of publicity so loudly proclaimed by our distinguished President that there is to be no more secrecy in the relations between the nations, that all cards must be upon the table, that there must be justice and equality everywhere, we see England putting on a "silent tariff" against American leather producers. They have a trust in the shape of a buying institution there, evidently. He says, further:

> Their buying commission purchases collectively and unless one sells to them it is impossible to get a permit from the British Government to ship. It looks gloomy enough for leather-export business there at a profit.

It looks gloomy enough for the leather-export business, indeed, and our leather manufacturers may be compelled to finally close up and surrender to the alert Britishers.

Mr. MOORE of Pennsylvania. Does not the gentleman know that we have a War Trade Board in Washington that is supposed to take care of American interests in leather?

Mr. FOCHT. I have not found that they have accomplished anything, excepting that one of these boards put out of business hundreds of prosperous newspapers in the country, uselessly spent a lot of money, and tyrannized over those that survived.

Mr. MOORE of Pennsylvania. I will say to the gentleman that we do have a War Trade Board, whose chairman is now in Europe, probably in close juxtaposition to what is going on. The statement was made on the floor the other day that by reason of the activities of the United States to extend our trade in Russia a corporation had been formed——

Mr. FOCHT. That is Mr. McCormick.

Mr. MOORE of Pennsylvania. I mention no names.

Mr. FOCHT. Let us mention names. Let us have it all wide open, with "the cards on the table." That would be the right way and the popular way. [Laughter.]

Mr. MOORE of Pennsylvania. This gentleman is the head of the War Trade Board, and the War Trade Board, as I understand, has been working in cooperation with the British consuls in the United States.

Mr. FOCHT. Yes; and we should find out what those fellows have done with all this money while Great Britain built up her foreign trade and shut out American leather under her foxy "silent tariff" embargo policy.

Mr. MOORE of Pennsylvania. And they do not permit the people who contemplate shipping goods abroad to export goods or to get in touch with the world's markets without the consent of the War Trade Board.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FOCHT. I have another matter relating to a different phase of the situation which I wish to refer to if the House will give me another minute or two or five.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask that the gentleman be permitted to proceed for five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent that his colleague may proceed for five minutes more. Is there objection? There was no objection.

Mr. FOCHT. I thank my colleague. The gentleman from Illinois [Mr. MASON] has just amplified some questions here, and he always illuminates every subject he discusses. It should be remembered that there were some of us at least on the floor of this House who approached the war in what we thought was a statesmanlike way, and that was with caution, but we voted for war and sustained it throughout, and the war was won. The question has often been asked, Why did you vote for war? I will tell you why I voted for war. I believed then that there would be brought about a wider extension of human liberty in the world and a guaranty of future peace. That is the reason why I voted for war, and I hope I may not be disappointed.

Now, then, presuming that we are to have no more war, if we are going to abandon that method of settling disputes, then how is it to be brought about unless we disarm? Disarmament would at least indicate good intentions on the part of the nation. Another thought I wish to briefly call your attention to. Here I have a direct contradiction of that whole program of future peace. We may extend human liberty; it may become wide flung throughout the world; but, as to this much-vaunted guaranty of peace, does it look as if we were preparing for peace? Not only has the Secretary of the Navy called for the largest navy ever known in the world—and that does not look like approaching peace—but when we see a condition and a situation in Pennsylvania, such as the one I will describe here in the short time I have, it is evident that it is time for Congress, and for this Congress, to take note. I want to read this to you from a correspondent of mine. This letter is written from the progressive and booming town of Mount Union, Pa., where great munition works are located. My correspondent writes:

> So long as war explosives are based on nitrates, I believe it would be a good thing for the United States to own some of the powder plants, to hold the equipment together. The Aetna plant here has a lot of very valuable, intricate equipment which I understand must be sold for scrap. The Japs had four men here a week ago to look over the plant, and offered some of the foremen enormous salaries for a two-year contract to erect this plant in Japan, provided they bought it.

That is all. You may draw your own conclusions. Those who are in a position to act should do so, if we are going to have peace in the future. But it does not look to me as though it was going to be guaranteed by Japan, since they come here and want to buy this munition plant and erect it in their own country—not to make stockings, not to make shirts, but to make the things that kill people; and that makes, of course, for more war.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman state who is the writer of the letter?

Mr. FOCHT. Yes; Mr. E. M. Greene. He is a patriot and one of the best and most prominent business men in central Pennsylvania.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. FOCHT. Yes.

Mr. SLOAN. Has not the Government boosted the leather business enough by buying a million saddles when it has only 130,000 horses to put them on? Why do the leather men complain?

Mr. FOCHT. Because they have not had the opportunity to sell their leather or to export it, simply because England has monopolized the trade. If anything has been expended for that purpose it is up to those in charge of the department to explain what has become of the money. And possibly the saddles were bought and made in England, while American leather remained here on account of Great Britain's "silent" embargo against us.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. FOCHT. Yes.

Mr. GREENE of Vermont. Does the gentleman think a million and some odd saddles are enough to permit the putting of one saddle on the back of every hobby that this administration has been riding? [Laughter.]

Mr. FOCHT. Yes, possibly; but riding on to further party destruction. [Laughter.]

INTERESTING COMMENTARY ON POLITICAL METHODS.

[By A. Boyd Hamilton, in the Harrisburg Telegraph, Jan. 15, 1919.]

Publication of the table of the official vote of 1918 for congressional honors in the seventeenth, or "shoestring," district, as compiled by the return judges at Lewistown, affords an interesting commentary on the way the voters of the eight counties of the district regarded the war by Democratic National Chairman Vance C. McCormick, his newspapers, and his partisans and the horde of Federal officeholders against Congressman BEN FOCHT. In 1916 Congressman FOCHT, in a campaign marked by straight fighting on both sides, won over George A. Harris, the Fulton County cog of the Democratic machine, by 1,255. In 1918 Congressman FOCHT was assailed by McCormick with all the poison gas that could be assembled and opposed by Senator Scott S. Leiby, the personal hand-picked candidate of McCormick, to show the President that if the national chairman could not muster up a candidate for Congress in his "home" district he could elect one in the district "across the Susquehanna." The result was that FOCHT won by 5,414. This, too, in face of the fact that Leiby, in addition to having the McCormick nomination, was also the candidate of the Prohibitionists. In spite of the strenuous efforts of McCormick and his crew FOCHT carried every county except Fulton, and only lost that by 20 votes. FOCHT's total vote was 16,762 and Leiby's 11,348.

Another interesting fact in connection with McCormick's fight against FOCHT is that every one of the eight counties in the seventeenth elected a Republican legislator, even Fulton choosing an out-and-out Republican for the first time in years and the Democratic seat in Juniata being lost. In the whole seventeenth district the only surviving Democratic legislator is Leiby, who was elected by an accident in 1916.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last two words.

Mr. MOORE of Pennsylvania. Mr. Chairman, the gentleman from Illinois interrogated the gentleman from Tennessee [Mr. BYRNS] a while ago in regard to these temporary employees, for

whom $4,000,000 is requested. I rise to support the gentleman from Tennessee, who recommends this appropriation, because I am inclined to think the War Department needs more help. It needs help for various branches of the service—for ordnance, for aviation, and for one other department that we do not often discuss on this floor, namely, the Judge Advocate's Department.

A few days ago, when another bill was under discussion and the question of appropriation was up, I called attention to the fact that the report made by the Hon. Charles E. Hughes at the instance of the President, in the matter of the aircraft appropriation of $640,000,000, had contained a recommendation that one Col. Deeds be court-martialed for offenses against the proprieties in the matter of his connection with business concerns and business partners while he was holding the office of colonel and was in a position to get information in regard to contracts that were gradually using up the $640,000,000 for the expenditure of which a Senate committee reported that we had not secured a single fighting plane for use in the war upon the other side of the water.

The report of the Senate committee was an indictment of those who had in charge the expenditures of this $640,000,000 which we so cheerfully appropriated to further the war and to put our boys on the other side in a position to fight. The Senate committee said that the $640,000,000—enough to run this Government for a whole year before the war—had not produced a single fighting plane in France, and therefore our boys over there waiting to use these planes were twiddling their thumbs or swelling the casualty lists while gentlemen like Col. Deeds and others were testing the qualities of the Liberty motor, erecting plants, buying land, experimenting, and doing all sorts of things with our $640,000,000. The Hughes report, prepared at the instance of the President, who had appointed Justice Hughes when a great scandal was brewing with regard to the expenditure of this $640,000,000, suggested that Col. Deeds be court-martialed.

I referred to that the other day and also called attention to the report of the Attorney General, to whom the Hughes report had been referred, and said what was the fact, that the Attorney General, who is about to resign his office, backed up the Hughes report as to Col. Deeds and recommended his court-martial by the War Department. So that we had these representatives of the United States insisting that Col. Deeds be court-martialed for his participation in the use of that $640,000,000. That put it up to the War Department.

Mr. BYRNS of Tennessee. Did I understand the gentleman to say that we had no battle planes or aeroplanes in France?

Mr. MOORE of Pennsylvania. That was the report of the Senate committee that we had not one single fighting plane in France as the result of our expenditure of this $640,000,000.

Mr. BYRNS of Tennessee. What was the date of that report?

Mr. MOORE of Pennsylvania. That report was made by the Senate committee, headed by Senator THOMAS. Of course, I mean American-made fighting planes, or what the committee called "planes of attack." We had bought planes from France and England, and we are paying for them in the contracts that we validated the other day; but we did not have one single American-made fighting plane in France, according to this Senate report, although we had expended $640,000,000. I quoted from the report of January 8.

Mr. BYRNS of Tennessee. Then, there must be a later report, showing that we had aeroplanes there.

Mr. MOORE of Pennsylvania. This is an economical Government, and we are saving money now by abolishing Subtreasuries and things of that kind. I may have done Col. Deeds an injustice in calling attention to this matter and I may have done the War Department an injustice in referring to these reports, made at the instance of the President of the United States, who is now in France, but Mr. Justice Hughes and the Attorney General, now about to retire, certainly recommended that the derelictions, or at least, the improprieties, of Col. Deeds were such as to warrant his court-martial. We had appropriated the money and he had helped to spend it, and we had no American-made fighting planes in France, and these official appointees of the President insisted that Col. Deeds be court-martialed. The whole matter was referred to the Secretary of War, who now comes to us for more money for clerks to help out——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks that his time be extended two minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. I think I ought to complete this statement in justice to the War Department, for I have undertaken to defend this appropriation of $4,000,000 to help the Secretary of War and the Judge Advocate General, who is sponsor for sending a great many young fellows to jail for 25 years for going home to see their mothers or something of that kind. The Judge Advocate General may need more clerks to help out, especially when men inclined to "pernicious activity," like Justice Hughes and the Attorney General, insist that some representative or agent or favorite of the Secretary of War be court-martialed. The very idea of Justice Hughes, at the instance of President Wilson, having the impertinence to bring in a report suggesting that one little colonel be court-martialed invites support for additional clerk hire in the Judge Advocate General's office. Why, when these reports went in and this court-martial was demanded, instead of the Secretary of War or the Judge Advocate General, who is the law officer down there, taking Col. Deeds by the neck, what did they do? For one thing, they or somebody else got up a dinner at which Col. Deeds was the chief guest of honor and at which they sang "For he's a jolly good fellow." And although we had spent $640,000,000 and had no American-made fighting planes in France in time for service, Col. Deeds said he did not think the American people, who will have to pay this $640,000,000, understood, as France and England understand, the "spiritual advantages" of the kind of work he had been doing.

Mr. BYRNS of Tennessee. Can the gentleman state who got up that dinner?

Mr. MOORE of Pennsylvania. I do not know who got up the dinner; but Assistant Secretary of War Crowell was there, Gen. Squier was there, and a number of Army officers were there, and they all appear to have been spellbound as Col. Deeds told them of "the spiritual advantages" of spending money the way it had been spent. He seemed to think we did not appreciate the value of the services of men of his kind.

Mr. MADDEN. European officers here refused to go to the dinner, did they not?

Mr. MOORE of Pennsylvania. I think some of them were there. But that is not the point. The Judge Advocate General has found Col. Deeds not guilty, and the Secretary of War has just made announcement of that fact, despite the report of Justice Hughes and the views of the Attorney General. So there is to be no court-martial.

Mr. FIELDS. Mr. Chairman, the report of the statistics branch of the General Staff of the Army shows that on November 11, 1918, the United States had manufactured, of the style DH–4 plane, 3,227, of which 1,885 had been shipped overseas. [Applause.] Of the combat Handley-Pages——

Mr. MOORE of Pennsylvania. That was the day the armistice was signed.

Mr. FIELDS. It does not mean that they were all shipped on that day.

Mr. MOORE of Pennsylvania. That does not controvert the statement that I have made.

Mr. FIELDS. This is the report of the number of planes that had been shipped at the time the armistice was signed.

Mr. MOORE of Pennsylvania. After the war had ended.

Mr. FIELDS. The report shows that we had shipped these planes prior to the signing of the armistice, the statement of the gentleman from Pennsylvania to the contrary notwithstanding.

Mr. MOORE of Pennsylvania. That was after the armistice had been signed.

Mr. FIELDS. Of course they were shipped before the armistice was signed.

Mr. MOORE of Pennsylvania. Were they bombing planes or battle planes, so called, or is this one of the reports made by our distinguished colleague from New York [Mr. CALDWELL], who kept us all so well informed about the progress of aircraft construction?

Mr. FIELDS. Now, I must proceed with the report. Of the combat Handley-Pages, 101, and 100 had been shipped overseas, making a total shipment overseas of 1,985.

Mr. MOORE of Pennsylvania. At what date?

Mr. FIELDS. The 11th of November.

Mr. MOORE of Pennsylvania. That was the day the armistice was signed.

Mr. FIELDS. Yes. That covers all shipments made by the department up to that time.

Mr. MOORE of Pennsylvania. Those were training planes, to prepare for the next war.

Mr. FIELDS. Now, taking the engines, of the combat Liberty engine, 13,574 were manufactured, of which 4,383 had been shipped overseas. Of the combat Hispano, we produced 469, and

245 of these were shipped overseas. Of the training, elementary, 10,586 were produced, none of which were shipped overseas. Of the training, advanced, 5,221 were produced, of which 200 had been shipped overseas, making the total shipment overseas of engines 4,828. [Applause.] This does not include 1,025 consigned to the allied governments.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. And, in addition to that, we secured 2,676 combat planes, equipped with engines, from all of the allied governments.

Mr. MOORE of Pennsylvania. Now, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. MOORE of Pennsylvania. Were those planes built under the $640,000,000 appropriation or the subsequent appropriation of $800,000,000 which was passed to bolster up the $640,000,000?

Mr. FIELDS. I did not look into that phase of the question, but the figures that are disturbing the gentleman from Pennsylvania probably, and that have disturbed a good many others on that side of the House, are contained here in the fact that we did buy some planes from foreign manufacturers. While that is true, we shipped, as I stated, from this country 1,985 planes and 4,828 engines.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. We appropriated another $800,000,000 to accomplish that work.

Mr. FIELDS. And, in addition to that, the balance of the great amount we did manufacture, the figures of which I gave a moment ago, were in service training men in this country.

Mr. MOORE of Pennsylvania. How many of those got up to the fighting line?

Mr. FIELDS. The report does not show that.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. LONGWORTH. Will the gentleman state, of his own knowledge or from any report that he has, that a single German aeroplane was destroyed by an American fighting aeroplane?

Mr. FIELDS. I think I can give the gentleman that right here.

Mr. BYRNS of Tennessee. Oh, I can state that. I have seen repeated statements in the newspapers, and one very distinguished officer from my home town of Nashville, Tenn.—Capt. Buford—has several to his credit.

Mr. LONGWORTH. Was his plane an American machine?

Mr. BYRNS of Tennessee. Capt. Buford was serving in the American Aviation Service.

Mr. LONGWORTH. Oh, yes; but was he in an American machine?

Mr. BYRNS of Tennessee. I, of course, can not tell that.

Mr. LONGWORTH. But that is the question that I asked.

Mr. BYRNS of Tennessee. I can not tell what kind of a machine he was driving, but he was driving a machine as an American soldier, and a splendid one at that.

Mr. LONGWORTH. Precisely, and so were many other brave soldiers; but if it is permitted under the rules of the House I will now wager a large red apple with either the gentleman from Tennessee [Mr. BYRNS] or the distinguished gentleman from Alabama [Mr. HEFLIN], the cheer leader on the Democratic side, that they can not prove that one single German plane was ever downed by an American fighter in an American plane.

Mr. BYRNS of Tennessee. Of course the gentleman is safe in making that bet now, if he expects it to be determined now, because I have not the facts.

Mr. LONGWORTH. I am asking for the facts.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. FIELDS. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, and I shall not object, I would ask the gentleman from Tennessee [Mr. BYRNS] whether he expects the House to stay here discussing these matters outside of the bill and then endeavor to keep the House in session until toward midnight to consider the bill itself?

Mr. BYRNS of Tennessee. Mr. Chairman, I submit to the gentleman that practically all of the talk, with the exception of this speech, that has been made here to-day outside of the bill has come from the gentleman's side of the Chamber.

Mr. MANN. Oh, not at all. Most of the talk has been on the other side of the Chamber. Of course most of it has been useless, but most of it has been on that side.

Mr. BYRNS of Tennessee. My memory is not that way.

Mr. MANN. Oh, it was the gentleman's side of the Chamber that precipitated an hour of debate here in which the gentleman agreed.

Mr. BYRNS of Tennessee. That was a matter in connection with the bill—the question of the Subtreasuries. I was speaking of matter that is not contained in this bill. I think the talk should be confined to the bill, and I have hesitated to make points of order on gentlemen, but if the House is willing I now serve notice that I am going to request gentlemen to confine themselves strictly to the paragraphs under consideration.

Mr. MANN. I asked the gentleman a question. He has not yet answered that, and he indulges in a tirade against this side of the House, which is unjustifiable, and that is whether he expects to keep the committee here to-night?

Mr. BYRNS of Tennessee. I expect to ask the committee to stay up into the evening if they will consent to do so because we have made very little progress with this bill, and I hope the gentleman will take that into consideration hereafter so we may make some progress.

Mr. FIELDS. Mr. Chairman, I have submitted a request for two additional minutes.

The CHAIRMAN. And that was granted.

Mr. FIELDS. The report also shows that the United States planes lost to the enemy number 271; enemy planes lost to the United States, 491, confirmed; and, in addition to that, 354 unconfirmed.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. FIELDS. Not just now. Which means there were not three persons able to make an affidavit that they knew of their own personal knowledge that these enemy planes were lost to the United States. The report therefore shows that there were 845 enemy planes lost to the United States, confirmed and unconfirmed, as against 271 lost by the United States, which shows a decided gain in favor of the United States.

Mr. GRAHAM of Illinois. Will the gentleman now yield?

Mr. FIELDS. Yes; I yield.

Mr. GRAHAM of Illinois. Does the gentleman know whether there were any American-bought planes ever delivered at the battle front?

Mr. FIELDS. I will yield to the gentleman from Virginia, Judge HARRISON.

Mr. HARRISON of Virginia. Mr. Chairman, I am prepared to say there was a statement made before the Committee on War Affairs by the War Council that there were a number of American-made planes manned by American fliers at the front at the time the armistice was signed.

Mr. GRAHAM of Illinois. Will the gentleman yield for a statement? I, myself, was at the American air base in France about the 16th of October. Up to that time about a thousand Liberty motors had been delivered adapted for bombing planes, but up to that time not a single combat plane had been delivered to the American base in France in the middle of October—not a single fighting plane. I was there and found that out myself.

Mr. HARRISON of Virginia. I have only the statement made before the Committee on Military Affairs by the War Council, at which were present the Secretary of War, or his Assistant Secretary of War, and somebody representing——

Mr. GRAHAM of Illinois. A thousand engines had been delivered at the time I was there which were adapted for bombing planes but not for pursuit planes.

Mr. FIELDS. But the main proposition is there were planes there belonging to America, paid for by American money, manned by American men; and there were nearly four times as many enemy planes lost to the United States as there were American planes lost to the enemy.

Mr. HARRISON of Virginia. That is, out of the $640,000,000 all the planes necessary for the protection of American troops were brought from the French and English manufacturers.

Mr. TILSON. Mr. Chairman, I ask unanimous consent for two minutes, as I think I can clear up this situation and stop the discussion.

Mr. BRYNS of Tennessee. I am not going to object to the two minutes, but I shall object to any further extension of time unless the discussion is confined to this bill.

Mr. TILSON. Mr. Chairman, there is some confusion here in regard to what a fighting plane is. Every plane that carries bombs or any other weapons that goes over the lines into enemy territory to participate in the fighting in any manner is a fighting plane in one sense of the word. We had a number of large planes, called bombing planes, made in America, that got up to the front before the end of the war.

Mr. HUMPHREYS. What does the gentleman call a number?

Mr. TILSON. Well, a small number; it will be only a guess, but as there were about 1,800 shipped from this country, my guess would be that about one-third of them reached the war zone, and some of our boys went over the line in our own planes. [Applause.] These were bombing planes, and not pursuit planes or what the French call chasse planes. My opinion is that if there were any German planes brought down by an American-made plane it was because some American bombing plane happened to get above the German plane and dropped a bomb on it. We had no planes of American make there that were suitable or able to contest with the swift-flying planes of Germany. All the planes that our fliers used in bringing down German planes were European-made combat or pursuit planes. The planes of this kind used most by our fliers were the French S. P. A. D. and Nieuport. Possibly some of the British Bristols were used.

Mr. LONGWORTH. In other words, there was never an American ace in an American plane?

Mr. TILSON. Not in an American-made aeroplane. We bought those planes abroad and our men flew them. Our men fought, so far as they fought in the air, in the speedy planes bought from France and Great Britain. This is where the confusion arises. There were American-made planes, but there were no pursuit planes, those planes with which one flier would go after another and bring him down with machine-gun fire.

Mr. HEFLIN. Those planes were bought and paid for out of American money.

Mr. TILSON. Yes. Not out of the $640,000,000, necessarily. Most of that sum was spent in this country in the attempt to develop the Liberty engine and the planes made in this country. A large amount, something over a billion, all told, in addition to the original $640,000,000, was spent in this country and abroad in connection with airplanes. The $640,000,000 that we first appropriated was largely expended in this country in trying to find out what engine and planes to build. These are the facts, so far as they go, which I believe can not be successfully challenged.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

Adjutant General's Office: Chief clerk, $2,500; 10 chiefs of divisions, at $2,000 each; clerks—58 of class 4, 74 of class 3, 116 of class 2, 231 of class 1, 93 at $1,000 each; engineer, $1,400; assistant engineer, $900; 2 firemen; skilled mechanic, $1,000; 11 messengers; 61 assistant messengers; 4 watchmen; 21 laborers; in all, $852,540; all employees provided for by this paragraph for The Adjutant General's Office of the War Department shall be exclusively engaged on the work of this office for the fiscal year 1920.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee where he provides the sum for the temporary employees in the War Department located in Washington?

Mr. BYRNS of Tennessee. That is on page 68 of the bill.

Mr. MADDEN. Well, how much of this does it amount to?

Mr. BYRNS of Tennessee. Four million dollars.

Mr. MADDEN. That covers all employees?

Mr. BYRNS of Tennessee. That covers all the temporary employees.

Mr. MADDEN. That is what I want to know.

Mr. BYRNS of Tennessee. Of course the bill carries an appropriation for all the statutory, regular, permanent force.

Mr. MADDEN. I understand that. I was just wondering whether they were reducing the number of employees or not.

Mr. BYRNS of Tennessee. They are considerably reducing them. As explained before, they had a regular appropriation of $10,250,000, in round numbers. They are back now asking for a deficiency of something like $6,000,000, which, if allowed, would mean the expenditure of over $16,000,000 this fiscal year for these temporary employees. This recommendation is for only $4,000,000 during the next fiscal year. I will say to the gentleman I do not know whether it is going to be sufficient or not. Gen. Lord, who, by the way, is one of the most competent gentlemen I have ever listened to in a hearing, and who served as secretary to the Dingley Ways and Means Committee years ago, submitted this estimate. He does not think $4,000,000 is enough.

Mr. MADDEN. We had about 98,000 employees here due to the war; sixty thousand and odd employees more than we had during the time of peace. The understanding was that these additional people were going to be dismissed rather rapidly, but the last report I saw, two or three days ago, indicates that only 2,500 people have been dismissed so far; that is, the force has been reduced only 2,500. Now, does not the gentleman think that is rather slow?

Mr. BYRNS of Tennessee. I do not know. I admit very frankly it is not near so many as I had expected would have been released by this time. I had hoped they would make a greater reduction.

Mr. MADDEN. Well, I hope they will get into action and dispense with the unnecessary employees. I think it may be fairly said that you can go into any department of the Government at any hour of any day and can walk through from end to end and you will not find more than one person out of every hundred doing anything. And it seems to me that if there is no work for them to do they ought not to be kept on the pay roll. And I think notice should be served on the executive branches of the Government that we expect them to reduce the forces that were called here on account of the war, and that 2,500 dismissals or resignations since the signing of the armistice is not anything like the proportion of extra employees on the pay roll that ought to have been dispensed with.

Mr. HUMPHREYS. May I ask the gentleman a question about these extra employees?

Mr. BYRNS of Tennessee. Certainly.

Mr. HUMPHREYS. Are the young men who were at work in the departments here and when the war came on were given commissions as lieutenants and captains and what not, and continued in the departments, carried in this bill, or provision for them carried in this bill, or are they paid out of the military appropriation?

Mr. BYRNS of Tennessee. They are paid for out of the pay for the Army, carried in the military appropriation bill.

Mr. HUMPHREYS. Then this $4,000,000 does not refer to them?

Mr. BYRNS of Tennessee. No. This applies to civilian employees.

The Clerk read as follows:

Office of Surgeon General: Chief clerk, $2,250; principal assistant librarian, $2,250; principal clerk, $2,000; chemist, $2,100; assistant chemist, $1,600; pathologist, $1,800; microscopist, $1,800; assistant librarian, $1,800; anatomist, $1,600; entomologist, $1,600; photographer, $1,500; 2 translators, at $1,800 each; clerks—14 of class 4, 13 of class 3, 26 of class 2, 36 of class 1, 13 at $1,000 each, 2 at $900 each; engineer, $1,400; skilled mechanic, $1,000; 2 messengers; 11 assistant messengers; 3 firemen; 3 watchmen; superintendent of building (Army Medical Museum and Library), $200; 6 laborers; 4 charwomen; in all, $185,740.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I was much surprised to receive a letter from the War Department that was not a form letter. I have a communication from the Surgeon General giving information to the House in reference to discharges from the Medical Corps that I would like to have read. It is a very courteous and informing letter.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, January 15, 1919.

Hon. JAMES R. MANN,
House of Representatives, Washington, D. C.

MY DEAR MR. MANN: I am very glad, through the opportunity given in your letter of January 11, to explain to you the difficulties the Medical Department is having in the demobilization of the Army on account of the very great number of requests for the release from service of personnel now attached to the department.

Just as soon as the armistice was signed the Medical Department laid out a plan of demobilization, which it has carried out in a perfectly consistent manner. The problems before the department are most difficult to handle and hard to explain to those not familiar with the facts.

While the troops in the United States are being demobilized as rapidly as possible, the sick are being returned from France in great numbers; 44,000 have been returned altogether and 33,000 of this number have been returned since the armistice was signed. Over 23,000 were returned in December, and we are informed that the December rate will be continued for at least the next three months. From that time on only sick and wounded will be returned incident to the command which may be held in France. To meet the obligations of the Medical Department to care for the sick it is absolutely necessary for us to keep in service a sufficient personnel to man our hospitals. It is also necessary for us to keep certain surplus officers for special service, for they will certainly be required before the sick and wounded are cared for, and if the necessary provision is not made in advance the department will surely be criticized for not giving the soldier the treatment to which he is entitled and which the people have a right to demand. Under the circumstances enumerated above it is perfectly possible for an officer to say that he is not busy at present and to believe his services can be dispensed with, but his retention in the service is for good and sufficient reasons, which I am sure you will approve.

I think you ought to know that since the armistice was signed the Medical Department has discharged and returned to civil life 9,336 officers. Of this number 7,350 were medical officers, 1,124 dental surgeons, 383 veterinary surgeons, and 477 Sanitary Corps officers; 2,500 members of the Army Nurse Corps have also been discharged and returned to their occupations in civil life.

With these statements, I sincerely trust the Medical Department will be held in your mind as having laid out a sane and sensible plan of demobilization.

I desire to assure you that letters such as you have written to the department will never be used to the injury of the officer involved.

With cordial regards,
Very sincerely, yours,
M. W. IRELAND,
Surgeon General United States Army.

The CHAIRMAN. Without objection, the Clerk will report the spelling of the word "Museum," page 71, line 12. In the bill as printed it is spelled "Musuem."

There was no objection.

Mr. GREEN of Iowa. Mr. Chairman, I wish to add just a word to what the gentleman from Illinois [Mr. MANN] has said with reference to the courtesy with which Members are treated by the Surgeon General and the personnel of his office. I think the universal testimony would be from the Members of the House that we have had no occasion to complain of any lack of courtesy there; and not only that, but the information which they have received was of the character which has just been described by the gentleman from Illinois [Mr. MANN], informing, instructive, and useful. That does not mean that Members always were able to obtain what they desired. On the contrary, they have often come away without obtaining it, but they have always been furnished with good reasons why the order could not be made. And this has extended, I think, clear down through the Surgeon General's Department, with some occasional lapses perhaps, owing to the fact that in so large an organization it would be impossible for perfect service to be rendered everywhere.

Mr. PLATT. If the gentleman will yield, I wish to say that the Surgeon General's office, in connection with the demobilization, made an order a while ago that men in the service over 50 years of age should be released. Apparently the theory on which that order was issued was that men over 50 would have more difficulty in reestablishing themselves in their practice at home than the younger men. Just exactly the opposite was true, I think. One or two cases came under my notice of men over 50 who wanted to stay in the service, but were not allowed to stay. They were rather enjoying the varied experience and new life they were leading in the service, and wanted to stay a while longer. But they were all let out. There, it seems to me, is one place where the Surgeon General's office rather overreached itself by acting on the wrong theory.

Mr. GREEN of Iowa. I will have to confess that when the Surgeon General's office made that order I thought it was an excellent one, founded on very substantial reasons. It may not have worked out perfectly in all cases. I think that is true with respect to most orders. Indeed, no order could be expected to work out perfectly in all cases.

Mr. PLATT. There may be cases where men over 50 did not want to stay, but if so, those were exceptional. I think they could reestablish themselves more easily in their home towns than could younger men, who had not got their practice so well together.

The CHAIRMAN. The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Public buildings and grounds.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GREEN of Iowa. May I ask the chairman of the committee a question, in reference to the item of War Department expenses on page 72, that I overlooked? It is at the top of page 72, covering expenditures in the drafting department. It says that the amount shall not exceed $400,000. Can the gentleman tell us what the expenditures of this department were ordinarily in peace times, before the war? I was under the impression that it was not to exceed half of this, and I was in hope we would get somewhat nearer back to a peace basis with reference to such matters.

Mr. BYRNS of Tennessee. In 1917 the authorization was $140,000.

Mr. GREEN of Iowa. Of course, that was in war times.

Mr. BYRNS of Tennessee. That was the year beginning July 1, 1916, and extending up to July 1, 1917.

Mr. STAFFORD. We were not in the war in 1916.

Mr. BYRNS of Tennessee. One hundred and forty thousand dollars was the amount of the authorization.

Mr. GREEN of Iowa. The gentleman is right. That was an oversight of mine. This appropriation, of course, was made before the declaration of war, and was not made in view of the war. That escaped me for the moment.

Mr. TILSON. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Connecticut moves to strike out the last two words.

Mr. TILSON. I wish to ask a question of the chairman about the Militia Bureau. There seems to be the usual large appropriation for this bureau, which I had supposed to be now practically out of business. While the National Guard, formerly under the bureau, is all in the service and not under the bureau at all, what is the situation?

Mr. BYRNS of Tennessee. There have been a good many companies raised in the various States which have not participated in the war.

Mr. TILSON. There are only eight States in the Union that have any organizations of the National Guard left.

Mr. BYRNS of Tennessee. I think my State is one of them.

Mr. TILSON. Yes. The gentleman's State is one of them; but I repeat, that there are only eight States in the Union that have a remnant of the National Guard left.

Mr. BYRNS of Tennessee. It is expected by the Chief of Militia Affairs that there will be an increase in the National Guard in the various States.

Mr. TILSON. That is just the interesting point that I wished to bring out, the anticipations of the powers that be as to the activities that will take place under this bureau in the next fiscal year.

The CHAIRMAN. The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Navy Department Annex, near New York Avenue near Seventeenth Street NW.: Engineer, $1,200; 6 firemen; 5 elevator conductors, at $720 each; 7 watchmen; skilled laborer, $840; 7 laborers; attendant, $480; in all, $20,100.

Mr. BYRNS of Tennessee. Mr. Chairman, on page 76, line 15, after the word "annex," appears the word "near." That word has no business there, and I move that it be stricken from the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BYRNS of Tennessee:

Page 76, line 15, after the word "annex," strike out the word "near."

The amendment was agreed to.

The Clerk read as follows:

Naval Observatory: Astronomer, $2,800; assistant astronomers—1 $2,400, 1 $2,000, 1 $1,800; assistant in department of nautical instruments, $1,600; clerks—1 of class 4, 1 of class 3, 2 of class 2, 2 of class 1; instrument maker, $1,500; electrician, $1,500; librarian, $1,800; assistants—3 at $1,600 each, 3 at $1,400 each, 2 at $1,200 each; stenographer and typewriter, $900; foreman and captain of the watch, $1,000; carpenter, $1,000; engineer, $1,200; 3 firemen; 6 watchmen; mechanic, $900; 9 laborers; in all, $52,820.

For miscellaneous computations, $5,000.

Mr. HUMPHREYS. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman of the committee a question. I notice that about $100,000 is appropriated for the Naval Observatory, including the Nautical Almanac Office. Does the gentleman know what amount was appropriated last year?

Mr. BYRNS of Tennessee. I think it was about the same amount. I do not think there has been any increase. I will give the gentleman the exact figures.

Mr. HUMPHREYS. That is sufficient—about the same amount?

Mr. BYRNS of Tennessee. Yes.

Mr. HUMPHREYS. Several years ago there was a very interesting hearing before the gentleman's committee on the subject of the Naval Observatory. I think letters and statements were presented to the committee from the most noted astronomers throughout the country, as I recall, from all of the professors of astronomy in the various leading educational institutions in the ccuntry, all of them insisting that this bureau should be taken from under the Navy Department, and the fact was cited that more money is spent in maintaining this Naval Observatory than is expended on any other naval observatory in all the world, and that the observations of the astronomers, the scientific work of the astronomical observatory, aside from the mere timing, repairing, etc., of chronometers, had resulted in very little if any contribution to astronomical knowledge. A year ago I called attention to it again, and assuming that that would call the attention of the officials of the Naval Observatory to the fact, I read into the RECORD many of those same criticisms. After the first hearing no statement from the Naval Observatory or from the naval authorities was incorporated in the hearings to contradict or controvert either the statements or the positions taken by these scientific gentlemen. So far as I have been able to learn the Navy Department said nothing. I was wondering if this year the naval authorities undertook to give any justification or defense, or attempted to controvert the opinions that had been incorporated in the RECORD, from these scientific men throughout the country, all to the effect that this observatory ought to be taken out from under the Navy Department and placed under the Smithsonian Institution, in order that science might get the benefit of this very large expenditure of money.

Mr. BYRNS of Tennessee. I will say to the gentleman that the subject was not referred to in the hearings this year. I

recall the statement made by the gentleman a year ago when this bill was under consideration. The hearings to which the gentleman has referred were had some years ago, I think, and I am not familiar with them.

Mr. HUMPHREYS. They were held some years ago; and last year I again called the attention of the committee and of the Navy Department, and of such others as might chance to read the record, to the subject by reincorporating some of these statements, hoping that perhaps the Navy Department would give some reason why the observatory should be retained under that department.

Mr. GARNER. The way to attract their attention is to move to strike out the paragraph.

Mr. HUMPHREYS. I would not move to do that. I do not think it ought to be stricken out, though I did introduce a bill to have the observatory transferred to the Smithsonian Institution, where it belongs.

Mr. GARNER. I was not suggesting to the gentleman that he move to strike it out for any other purpose than to attract their attention. In that way I am sure he would attract the attention of those who are going to get the pay.

Mr. HUMPHREYS. I introduced a bill to have it transferred to the Smithsonian; but, of course, under the rules of the House that bill was referred to the Naval Affairs Committee; and thereby hangs a tale.

Mr. BYRNS of Tennessee. The gentleman understands that this Naval Observatory is engaged in timing, testing, and repairing chronometers?

Mr. HUMPHREYS. I understand that there are two small stations, one at Mare Island, Cal., and the other one in Washington. The one in Washington ought to be on the seacoast, because after they have adjusted these very delicate instruments they must be put on board a train and transported to a seaport in order to be placed on vessels. But that is a very small part of the expense of maintaining this observatory.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

For investigation of rural education, industrial education, physical education, and school hygiene, including personal services in the District of Columbia and elsewhere, and no salary shall be paid hereunder in excess of $3,500 per annum, $50,000.

Mr. BYRNS of Tennessee. I think there is an amendment pending to this paragraph, offered by the gentleman from Florida [Mr. SEARS] earlier in the day.

The CHAIRMAN. The gentleman from Florida [Mr. SEARS] by unanimous consent offered the amendment, which was to be considered pending at this point. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. SEARS: Page 101, substitute for the paragraph, lines 1 to 5, inclusive, the following:

"For investigation and promotion of rural education, industrial education, physical education, and school hygiene, including personal services in the District of Columbia and elsewhere, $61,300: *Provided*, That the increase ($11,300) shall be expended for physical education and school hygiene over and above the amount of the current appropriation used for that purpose: *And provided further*, That not less than $6,000 of this additional appropriation shall be used for personal services and expenses outside of the District of Columbia, $61,300.

Mr. STAFFORD. Mr. Chairman, I make a point of order on the amendment, becaue it provides for activities not authorized by existing law.

For many years past the head of the Bureau of Education has been seeking to have the language changed so as to provide for the promotion of various activities. That would confer upon him official authority for work which he is not now authorized to perform.

I direct the attention of the Chairman to the fact that under existing law the phraseology is as carried in the bill, for investigation of rural education, industrial education, physical education. I have reserved the point of order on the paragraph as carried by the bill also, but there is no authorization whatsoever for promotion purposes. That is something outside of and distinct from any activity that the commissioner has heretofore performed.

The CHAIRMAN. The provision carried in the appropriation bill for the current fiscal year is for investigation of rural education, industrial education, school hygiene, including personal services in the District of Columbia and elsewhere. The Chair understands that the purposes for which the appropriation is carried in the appropriation for the current fiscal year are authoized by law.

Mr. STAFFORD. The item under consideration, if the Chair would permit, provides for investigational work, and it does not authorize promotional work. The chief of the bureau has been seeking for years to obtain authorization to provide for promotion, whereby he may be able to expend money in other lines than investigational work. The committee has not authorized that character of work, and the amendment now submitted carries that authorization. I make the point of order for that reason.

The CHAIRMAN. The point of order is sustained.

Mr. STAFFORD. I withdraw the reservation of the point of order on the paragraph in the bill.

The Clerk read as follows:

For investigation of kindergarten education, including personal services in the District of Columbia and elsewhere, $6,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $2,500 per annum.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 102, after line 13, insert the following new paragraph:

"For promoting the work of the home education division, $13,500."

Mr. STAFFORD. Mr. Chairman, on that I reserve the point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, I inquire of the gentleman from Tennessee [Mr. BYRNS] whether the Bureau of Education did not estimate for an appropriation for this purpose?

Mr. BYRNS of Tennessee. Yes; they submitted an estimate of $13,500.

Mr. MOORE of Pennsylvania. The estimate was submitted by the Commissioner of Education?

Mr. BYRNS of Tennessee. Yes.

Mr. MOORE of Pennsylvania. Mr. Chairman, there are a number of good women in this country who are interested in this work, and they have been cheerfully cooperating with the Commissioner of Education for a number of years, I think since 1913, in the distribution of helpful literature to mothers of the country, and particularly in the matter of home reorganization work. They have been laboring amongst the foreign born and with the less erudite of our American population, believing that it was necessary to aid the mothers of the land who may not otherwise be given that assistance in the care of children that would make for good citizenship. I have been impressed by the stories of the accomplishment of the Bureau of Education, cooperating with these volunteers. I think the work has been inspired very largely by what is known as the Mothers' Congress, an organization of women who meet annually and who have been dedicating their services to mothers through the instrumentality of the organization over which the Commissioner of Education presides. They have been distributing literature, especially with respect to child-welfare work and the care of babies. They have been doing what they could to place in the hands of mothers material for making the home better and for developing children.

They have issued pamphlets and delivered addresses in the matter of home study for boys and girls. They have done what they could to help bring children up right, and have given instruction in respect to the care of the homestead and matters particularly interesting to new settlers, who are at a loss for literature and information with regard to home economics. They have had home courses for the study of children, have distributed books suitable to children, and have aided them in their common-school courses.

My understanding was that the chairman of the subcommittee on appropriations was inclined to look with favor upon this proposition, more especially as these ladies during the first year of their activities, cooperating with the Commissioner of Education, were of direct aid to as many as 10,500 mothers in the United States who had children under 3 years of age, and many more each year since. In view of the voluntary services of these ladies, some of whom have been on the roll at a dollar a year to obtain a status to make their work more effective, I had hoped the point of order would not be pressed. The appropriation called for in the amendment is the amount recommended by the Commissioner of Education for this purpose.

The CHAIRMAN. Is it the gentleman's contention that this is authorized by law?

Mr. MOORE of Pennsylvania. No; it is new matter.

Mr. STAFFORD. Mr. Chairman, it was not my privilege to be present when the bill was marked up providing for the various appropriations for the Bureau of Education. Undoubtedly the Members who were then present had very good reason for not approving of the recommendation. Therefore I feel constrained to make the point of order, because it is a new activity.

The CHAIRMAN. The point of order is sustained.

Mr. MOORE of Pennsylvania. Mr. Chairman, by permission of the committee, I append herewith certain data with regard to this work:

ACTIVITIES AND ACCOMPLISHMENTS OF THE HOME EDUCATION DIVISION, SEPTEMBER 15, 1913–MAY 15, 1918.

ORGANIZATION.

During the 56 months of its existence there have been employed 1 secretary continuously at work, 6 stenographers at different periods, and 8 clerks temporarily, besides 2 volunteer workers.

The division has had 42 months of stenographic and 30 months of clerks' service. It was without stenographic service 10 months. The Bureau of Education furnished stenographic service 1½ months.

During this period the stenographer was shared with the office of the National Congress of Mothers for 9 months, at which time 428 dictated letters were written for that office and some addressing of envelopes.

CORRESPONDENCE.

The following statement gives number of letters received and the number of dictated and form letters sent. A large number of book summaries are received daily, read, and acknowledged. Much correspondence is required in connection with these. This does not appear on this report. It requires most of the time of 1 clerk to read and send material requested daily.

Number of letters received—	
Sept. 15, 1913–July 1, 1914	3,366
July 1, 1914–July 1, 1915	14,280
July 1, 1915–July 1, 1916	13,743
July 1, 1916–July 1, 1917	22,238
July 1, 1917–May 1, 1918	6,909
Total letters received	50,536
Number of letters sent:	
Sept. 15, 1913–July 1, 1914	27,914
July 1, 1914–July 1, 1915—	
Typed	1,826
Form	41,000
July 1, 1915–July 1, 1916—	
Typed	3,902
Form	11,074
July 1, 1916–July 1, 1917—	
Typed	3,503
Form	66,075
July 1, 1917–May 1, 1918—	
Typed	4,357
Form	26,635
Total number of letters sent	186,286

CHILD-WELFARE WORK.

Of first importance is the effort to place in the hands of mothers material on the care and training of their children, especially the babies. The work began by securing names of cooperators from county superintendents. In 1913 there were sent in the names of 24,000 women; of these, 16,000, or 68 per cent of these women expressed themselves as willing to cooperate. Upon first request, 949 county superintendents responded with lists. At that time there were 2,700 county superintendents; 35 per cent answered. The second year 510 responded to a second request.

During the first year 10,500 mothers of children under 3 years of age received the bulletin on Care of the Baby.

During the first year the following requests were made:

Bulletins on home matters.
Literature for a population of Swedes, Cornish, German, Dutch, and Irish.
Material to better the home.
On home making and child nurture.
Home study for boys and girls.
Something to help them bring their children up right.
Literature on moral training.
Care of stock and homestead matters.
Care of sick.
Home courses of study for children.
Books suitable to children who have completed common-school course.
Literature on the beautifying of school inside and out.
Helps for bringing together the home and school.
Reading matter on plays and games.
Literature on care and training of children.
Outlines for programs of child study for child welfare.
Literature for formation of parent-teacher associations where there is no church, no society of any kind.

PUBLICATIONS SENT OUT FOR CHILD-WELFARE WORK.

Care of the Baby, Public Health Service.
Save the Babies, American Medical Association.
Care of the Baby, Normal and Industrial College, South Carolina.
Duty of Parents in Regard to Sex, National Congress of Mothers and Parent-Teacher Associations.
Care of the Baby in Hot Weather, National Congress of Mothers and Parent-Teacher Associations.
Reprint chapter on Home Education, commissioner's annual report, 1916.
Reading Course for Parents.
Circular letter No. 1, 1916, Problem of the Boy and Girl in the Home.
Circular letter No. 3, Problems of the Foreign Mother in the Home.
How to Select Food.
One Thousand Good Books for Children.

Statement of number of bulletins and publications sent.

Sept. 1, 1913–July 1, 1914 (Care of the Baby)	6,626
July 1, 1914–July 1, 1915	12,381
Reading courses	26,568
July 1, 1915–July, 1916	8,234
Reading courses	107,182
July 1, 1916–July 1, 1917	36,645
Reading courses	98,938
July 1, 1917–May 1, 1918	23,742
Reading courses	31,786
Total number of publications sent	352,102

HOME EDUCATION TOURS.

During the 1916 itinerary, three tours were made and meetings arranged by the division and three special collaborators visited one or more of the following cities: Leesburg, Fredericksburg, Danville, Bristol, and Abingdon, Va.; Asheville, Lincolnton, Wadesboro, and Greensboro, N. C.; Rock Hill, Florence, Columbia, Lancaster, and Charleston, S. C.; Augusta, Savannah, Atlanta, Macon, Milledgeville, Dallas, Marietta, and Fairy, Ga.; Tallahassee, Tampa, Miami, Eustis, Tavares, Avon Park, Clearwater, Clermont, St. Petersburg, Haines City, Montvarde, Fort Pierce, and West Palm Beach, Fla.; Montgomery and Birmingham, Ala.; Columbus, Miss.; Chattanooga and Nashville, Tenn.

READING COURSES.

Ten reading courses have been issued. There is an enrollment of over 7,000 readers. One hundred and fifty-six have finished one or more courses and received the certificate. Several reprints of all the courses have been made. In the Cleveland High School 144 boys and girls have recently enrolled in the miscellaneous courses for boys and girls.

Reading circles have been formed and are alive, the most active of these is the Parents' Reading Circle, in Glendale, Cal.

Complete sets of reading courses have been sent to all libraries in the United States. Courses 1 and 2 were sent to all high schools.

In preparing these courses the following committees assisted: Courses 1, 2, 6, and 8, Prof. W. L. Phelps, Prof. C. Alphonso Smith, Prof. Charles F. Smith, and Prof. Richard Burton; course 10, Prof. W. H. Mace and Drs. Wilbur F. Gordy, Franklin L. Riley, and William Starr Myers; courses 7 and 9, Miss Mary R. Parkman.

Preparation of test questions has been by one or more of these assistants, with the addition of Miss Lucy Wheelock and Miss Mabel Thomas.

PROMOTION OF CLOSER COOPERATION OF HOME AND SCHOOL.

How to Organize Parent-Teacher Associations, sent to 2,703 school districts, National Congress of Mothers and Parent-Teacher Associations.

How the Parent-Teacher Associations Helps the Home, the School, and the Community, Mrs. Higgins, National Congress of Mothers and Parent-Teacher Associations.

Suggestions for a program.
Circular letter No. 1, A Unique School Fair.
Keeping the Children in School.
Suggestions for War-time Activities of Parent-Teacher Associations.
Circular letter No. 1, 1918, Suggestions for Leisure Hours of Children.
Circular letter No. 3, 1918, the Des Moines Plan of Parent-Teacher Association.
Aims and Purposes of Education.
Study of Parent-Teacher Associations now being made.

QUESTIONNAIRES AND ADDRESSOGRAPH LIST OF PARENT-TEACHER ASSOCIATIONS.

Ten questionnaires have been sent out, largely in the effort to get lists of organizations. This has been difficult. An addressograph list of associations has been made, including about 4,000.

Through cooperation of National Council of Defense another effort is being made to get complete lists of organizations.

PUBLICITY GIVEN TO THE WORK AND READING COURSES.

Through the bureau's agency, through periodicals, newspapers, State and local librarians, high schools and teachers.

COOPERATION OF STATE AND LOCAL LIBRARIES.

All States having State or traveling libraries have cooperated to the fullest extent by arrangement with the division to furnish books to readers when necessary. Every library in the United States has received sets of all the reading courses.

ACTIVITIES OF DIVISION NOT ALREADY MENTIONED.

Preparation of charts for Pan-Pacific Exposition, monthly reports submitted to the commissioner and Mrs. Schoff, annual statements, home-education chapter in report of commissioner each year.

RECORD OF COOPERATION BY STATES.

There are 7,008 readers enrolled in the national reading circle, 2,120 counties cooperating, 77,185 cooperators' names sent by superintendents, 82,115 school districts reached through these women, 69,320 mothers of children under 3 years of age reached, 4,025 women willing to try to organize parent-teacher associations, 2,703 "How to organize" sent to cooperators, and 69,320 "Care of the baby" sent.

RECORD OF READERS IN THE NATIONAL READING CIRCLE.

Alabama, 67; Alaska, 2; Arizona, 37; Arkansas, 72; California, 477; Canada, 41; Colorado, 125; Canal Zone, 4; Connecticut, 114; China, 1; Delaware, 16; District of Columbia, 115; Florida, 57; France, 1; Georgia, 120; Hawaii, 7; Idaho, 49; Illinois, 205; Indiana, 144; Iowa, 244; Kansas, 176; Kentucky, 88; Louisiana, 91; Maine, 76; Maryland, 104; Massachusetts, 413; Michigan, 122; Minnesota, 169; Mississippi, 68; Missouri, 275; Montana, 81; Nebraska, 172; New Hampshire, 23; New Jersey, 346; New Mexico, 29; New York, 720; North Carolina, 72; North Dakota, 51; Ohio, 440; Oklahoma, 89; Oregon, 286; Pennsylvania, 522; Philippine Islands, 5; Rhode Island, 23; Porto Rico, 8; South Carolina, 39; South Dakota, 29; Tennessee, 69; Texas, 175; Utah, 20; Vermont, 19; Virginia, 125; Washington, 112; West Virginia, 67; Wisconsin, 93; Wyoming, 16; Nevada, 9.

The Clerk read as follows:

For judges of circuit courts, at $4,000 each, so much as may be necessary, for the fiscal year 1920.

Mr. TREADWAY. Mr. Chairman, I would like to inquire in reference to the judges of the circuit court of Hawaii why there is no number designated? It says, "at $4,000 each, so much as may be necessary for the fiscal year 1920." It seems to me to be a very indefinite item. I recall on visiting the islands some year and a half ago meeting a very large number of very agreeable gentlemen who were judges. I was wondering whether the number was unlimited who can be designated to serve in the Island of Hawaii.

Mr. BYRNS of Tennessee. They are limited in number by law, but there is no specific amount named here by way of appropriation. I understand that those judges where they are holding court away from their usual place of residence are entitled possibly to some per diem in lieu of subsistence and traveling expenses and that, of course, is an indefinite amount, depending upon the length of the term of the court, and so forth.

Mr. TREADWAY. I do not see if, as the gentleman says, the number is specified by law, why it would not be perfectly feasible to state in the item here what the appropriation is to be. This is a very indefinite item, and there is nothing similar to it in the bill, as far as I have seen.

Mr. BYRNS of Tennessee. I am frank to say to the gentleman that I can not tell him why the number has never been designated. All I can say is that they never have been named as to number in the appropriation bill.

Mr. STAFFORD. If the gentleman will permit, is not the explanation to be found in the fact that the Legislature of the Territory of Hawaii has authority to determine the number of these circuit judges, and if the legislature provides an additional number, of course that burden is thrown upon our Government and has to be paid?

Mr. TREADWAY. Let me ask the gentleman from Wisconsin whether or not these judges are not Federal judges and nominated and chosen from here? In other words, the item at the bottom of page 107 designates that there shall be a chief justice, two associate justices, in all, $28,000. That is a perfectly correct item. Then the next item reads:

For judges of circuit courts, at $4,000 each, so much as may be necessary, for the fiscal year 1920.

Now, is not there some provision of law under which the number of these circuit judges is specified? They are certainly appointed from this country, because I met gentlemen from various sections of this country there serving as judges—ex-Members of Congress and others.

Mr. STAFFORD. Did the gentleman mean those designated in the paragraph at the bottom of page 107—chief justice and two associate justices? Did he mean them?

Mr. TREADWAY. I think I did.

Mr. STAFFORD. I am not certain, but are they nominated by the President?

Mr. BYRNS of Tennessee. They are.

Mr. TREADWAY. I think it will be found they are nominated from this country and are residents of this country and sent to Hawaii to serve, and therefore it seems to me perfectly proper, if that statement is correct, that the number should be designated in the bill and the item carried as a specific amount.

Mr. BYRNS of Tennessee. They are named by the President and they are required to have had a certain amount of residence in Hawaii before they are eligible for appointment.

Mr. TREADWAY. I beg to differ with the gentleman on that score, because I was there and had the pleasure of meeting some of them who had recently come from the mainland.

Mr. LONGWORTH. Will the gentleman yield?

Mr. TREADWAY. I will.

Mr. LONGWORTH. I happen to know there was a gentleman there, a resident of Hawaii, who held one position——

Mr. TREADWAY. That is true; but others came from here.

Mr. BYRNS of Tennessee. I know an assistant district attorney was appointed from this country and sent from here, and subsequently there was a vacancy in the position of circuit judge, and he became an applicant, and the question arose as to whether or not he had been there a sufficient length of time, and whether he had really taken up his permanent residence there during the time he had served as assistant district attorney.

Mr. TREADWAY. Mr. Chairman, in view of the uncertainty, does not the chairman think it is proper to pass this item over and make further inquiry of the department to see whether or not a specific amount can not be carried in the bill?

Mr. BYRNS of Tennessee. I am perfectly willing to pass it over in order to get the facts.

Mr. TREADWAY. It seems to me we ought to have a little more information.

Mr. BYRNS of Tennessee. Perhaps the gentleman from Illinois could furnish light on the subject.

Mr. MANN. Mr. Chairman, I do not know the reason why the number should not be specified if anybody knows the number of the circuit judges. I think about the only place we carry the provision "so much as may be necessary," as the amount is entirely uncertain, is we make an appropriation for the retired Federal judges in that language, "so much as may be necessary." The law fixes the pay but does not fix the number, and, as they are rather elderly gentlemen to the young men of the House, and some of them pass away during the year, it has never been the custom to fix a specific amount of appropriation. How this came about originally, as to this particular item to which the gentleman from Massachusetts referred, I do not know, but I assume there was some question as to the number of judges who would be paid out there, and, as the law fixes the pay and, I think, now fixes the number of judges, it ought to be an easy matter to ascertain the amount, and, whichever way the appropriation is made, the amount that will be paid out will be the same.

Mr. TREADWAY. I think the suggestion of the chairman of the committee is advisable, that the matter be passed over for further information.

The CHAIRMAN. Without objection, it will be passed over without prejudice.

There was no objection.

The Clerk read as follows:

Office Postmaster General: Postmaster General, $12,000; chief clerk, including $500 as superintendent of buildings, $4,000; private secretary, $2,500; disbursing clerk, $2,250; appointment clerk, assistant to chief clerk, confidential clerk to Postmaster General, and chairman board of inspection, at $2,000 each; chief inspector, $4,000; chief clerk to chief inspector, $2,000; purchasing agent, $4,000; chief clerk to purchasing agent, $2,000; assistant attorneys—1 $2,750, 1 $2,500; 3 at $2,000 each; bond examiner, $2,500; law clerk, $1,800; clerks—110 of class 4, 166 of class 3, 259 of class 2, 297 of class 1, 138 at $1,000 each, 26 at $900 each; skilled draftsmen—1 $2,000, 3 at $1,800 each, 8 at $1,600 each, five at $1,400 each, 7 at $1,200 each; map mounter, $1,200; assistant map mounter, $1,000; blue printer, $900; assistant blue printer, $840; telegrapher, $1,400; typewriter repairer, $1,200; 3 telephone switchboard operators; 2 messengers in charge of mails, at $900 each; 29 messengers; 32 assistant messengers; captain of the watch, $1,200; additional to 3 watchmen acting as lieutenants of watchmen, at $120 each; 34 watchmen; 2 engineers, at $1,200 each; 9 assistant engineers, at $1,000 each; 2 blacksmiths or steam fitters, at $1,000 each; 3 oilers, at $840 each; 15 firemen; 20 elevator conductors, at $720 each; chief engineer, $1,600; assistant electricians—2 at $1,200 each, 3 at $1,000 each; 2 dynamo tenders, at $900 each; carpenters—1 $1,400, 3 at $1,000 each; awning maker, painter, and plumber, at $1,000 each; assistant plumber, $900; laborers—foreman $900, assistant foreman $840, 2 at $840 each, 76 at $720 each, 4 at $660 each; female laborers—1 $540, 3 at $500 each, 8 at $480 each; 58 charwomen; actual and necessary expenses of the purchasing agent while traveling on business of the department, $500; in all, $1,659,140.

Mr. WALSH. I would like to ask the chairman of the committee what is the need of the increase in the number of clerks here in the early part of this paragraph?

Mr. BYRNS of Tennessee. That represents an increase, I think, of about $30,000.

Mr. WALSH. It is quite an increase in the number of clerks, I take it, in one or two of the items.

Mr. BYRNS of Tennessee. Increased work has fallen on that department.

Mr. WALSH. Is that department here in Washington?

Mr. BYRNS of Tennessee. Yes.

Mr. WALSH. Is that due to taking over the cables or telegraphs?

Mr. BYRNS of Tennessee. It has no relation to the cables. But there has been a great increase in the work of the department here. As a matter of fact, there may be some question as to whether or not the department was really justified in having reduced the number of its employees so largely heretofore. But owing to the activities of the war and other reasons the work of the department has increased, in the Dead Letter Office, for one thing.

Mr. WALSH. That is on account of the return of letters from abroad?

Mr. BYRNS of Tennessee. And then in the work incident to thrift stamps and other activities.

Mr. WALSH. That is the reason for giving them extra clerks now——

Mr. BYRNS of Tennessee. Extra clerks.

Mr. WALSH (continuing). That possibly it was not good judgment to have dispensed with heretofore?

Mr. BYRNS of Tennessee. I think it is entirely possible that they were not altogether wise in reducing their clerical force to the extent it has been reduced. Of course, the gentleman will understand they have reduced the expenses of this department for clerical services something over $200,000, if my memory serves me correctly, and this only restores a small portion of the clerks that have been dropped heretofore.

Mr. WALSH. To the detriment of the service.

Mr. JUUL. Mr. Chairman, I desire to ask the chairman of the committee what is the duty of the captain of the watch, and lieutenants, and 34 watchmen? Where are they placed and what are they doing?

Mr. BYRNS of Tennessee. They are here in the Post Office Department Building, on Pennsylvania Avenue, and also in this general supply depot. I take it that some of them are located there, but largely they are in the main department building on Pennsylvania Avenue. They serve in three shifts.

Mr. JUUL. The gentleman thinks that 34 of them are not too many?

Mr. BYRNS of Tennessee. No; they are not. The gentleman will understand that these watchmen serve in three shifts, a watchman on duty all the time during the 24 hours, and it is necessary to maintain three shifts for that purpose.

Mr. JUUL. That is what I wanted to know.

The Clerk read as follows:

For publication of copies of the Official Postal Guide, $33,000; and the amounts received during the fiscal year 1920 from sales of the Official Postal Guide to the public may be used as a further appropriation for the publication of copies of such guide.

Mr. WALSH and Mr. STEENERSON rose.

Mr. STEENERSON. I was not going to inquire about that paragraph, but about the next one.

Mr. WALSH. I move to strike out the last word for the purpose of making an inquiry of the chairman of the committee as to why the Official Postal Guide is published in other than the Government Printing Office.

Mr. STAFFORD. Perhaps I might be able to give the gentleman the information by reason of my service on the Committee on the Post Office and Post Roads. For years the Official Postal Guide was printed under contract by a printer at Albany, N. Y.—Lyon by name, I believe. The Government had a very favorable contract with the printer, but the printer recouped himself for the very low price at which he furnished the guides for the use of the Government by the high price he charged the public. So the Postmaster General two or three years ago came before the Committee on the Post Office and Post Roads and asked that he be privileged to sell these guides to the public. As a result the public, instead of paying two or three dollars for the guides, are now receiving them for a much less amount—a little more than a dollar, I think. It is a relic of the old system of letting contracts for printing to outside agencies.

Mr. WALSH. Does the gentleman know whether or not the Government Printing Office is equipped to publish this guide?

Mr. STAFFORD. There is no question whatsoever that the Government Printing Office has the machinery to print it, but it is something more than that. The publisher, as I understand it, compiles the various data and also publishes throughout the year a monthly supplement, which at the end of the year is compiled into the next yearly Official Guide.

Mr. WALSH. I understood so. The inquiry I made was as to why it was published by an outside firm, a private establishment, instead of being published in the Government Printing Office.

Mr. STAFFORD. Just like the Gulf Stream. It got started that way and kept on going, and nothing has ever interfered to check the practice, so far as legislation is concerned.

Mr. WALSH. Does the gentleman know from his experience whether the Government is paying more than it would cost to publish this in the Government Printing Office?

Mr. STAFFORD. I would say the Government is paying much less, according to the testimony, as I recall it, of the Postmaster General before the Committee on the Post Office and Post Roads—much less.

Mr. WALSH. If is having published by outside publishers a public document which is costing the Government less than if it were printed in the Government Printing Office?

Mr. STAFFORD. That was the testimony before the Committee on the Post Office and Post Roads when this question was under consideration some years ago, when this new method of disposition to the public was decided upon.

Mr. WALSH. Does the gentleman know how many of these guides are available for free distribution under this arrangement?

Mr. STAFFORD. The Post Office Department receives so many copies, which are distributed one to every postmaster in the country, and also copies for distribution to the executive departments and their various agencies. But there are none, as I recall, for free distribution to the public. They are on sale to the public at the price of a little over a dollar.

Mr. WALSH. I want to thank the gentleman for the information.

The CHAIRMAN. The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

For reimbursement of the Government Printing Office for the cost of furnishing steam for heating and electric current for lighting and power to the Post Office Department Building at Massachusetts Avenue and North Capitol Street, District of Columbia, $40,000, or so much thereof as may be necessary.

Mr. STEENERSON. Mr. Chairman, I reserve a point of order on that. I want to inquire of the gentleman in charge of the bill why that item is in this bill?

Mr. BYRNS of Tennessee. For this reason, I will say to the gentleman: The Government Printing Office has been furnishing the heat and light to the city post office up here near the Union Station, and no charge has been made on the Post Office Department for the expense so incurred. The Government Printing Office now insists that they ought to have some pay for this extra expense, and it is estimated to be about $40,000.

Mr. STEENERSON. But the post office of the city of Washington is a part of the Postal Service just as much as is the post office in Chicago, and the expense of lighting that post office is a part of the expense of the Postal Service generally. It is not a departmental expense. As I understand it, it is just as chargeable to the postal revenues as the expense of heating post offices in any other city, and therefore it ought to be appropriated for by the Committee on the Post Office and Post Roads.

Mr. STAFFORD. Does the gentleman maintain that the cost of maintenance, heating, and lighting of our Government buildings throughout the country is chargeable and paid out of the postal revenues of the Government?

Mr. STEENERSON. I believe it is as to most of them.

Mr. STAFFORD. Oh, no.

Mr. STEENERSON. We make an appropriation for the small offices, I know.

Mr. STAFFORD. We do not provide for the heating and lighting of any Government-owned building out of the postal revenues, but we do make an appropriation, such as I believe the gentleman from Minnesota refers to, for heating and lighting the smaller offices of the country, where they are in rented quarters.

Mr. STEENERSON. The gentleman is mistaken that they do not include some Government buildings, because that appropriation for rent and fuel and light is applicable to the second and third class post offices.

Mr. STAFFORD. Yes; where the offices are not in Government buildings, because, as the gentleman will find when he investigates, that item of appropriation is an allowance to the postmaster. It is not based at all on audited bills as to the amount of expenditures for light and heat. In fact, that appropriation, as the gentleman will recall, limits the amount that can be paid to any post office of the smaller class.

Now, the fact is, Mr. Chairman, the maintenance, heat, and light of all our Government-owned buildings is carried in the sundry civil appropriation bill. Here in the District of Columbia, where we had a joint post-office building and a department building, like the one that is down on Pennsylvania Avenue, the upkeep of that building is carried in this legislative appropriation bill, because it is a departmental building. So far as the new city post office is concerned, to which this item refers, it is not only a building for field purposes but also for departmental activities. It is a building used for combined field activity and departmental activity. But regardless of whether or not it is exclusively used for departmental purposes or for purposes of a field character, nevertheless the pay for the upkeep would have to come from the appropriations reported from the Committee on Appropriations. They are carried either in the sundry civil bill or in the legislative bill.

Mr. STEENERSON. The point I make is that it does not belong in this legislative bill.

Mr. STAFFORD. I am very glad to have the gentleman's later thought, but it does belong in this bill. It is rather late for the gentleman to make a point of order at this stage.

Mr. STEENERSON. I said I reserved a point of order.

Mr. STAFFORD. It is as pertinent to be carried in this bill as is the appropriation providing for the upkeep, maintenance, and heating and lighting of the Post Office Building on Pennsylvania Avenue, inasmuch as it is used for both postal and departmental purposes.

Mr. STEENERSON. I would say to the gentleman that it is my understanding that this is the city post office, and the department building is located down on Pennsylvania Avenue. I was unaware, until the gentleman from Wisconsin enlightened me, that this new building that was built for use as a city post office was used in any degree for departmental post-office purposes. I am surprised to hear that it is used in part for departmental purposes. I have not been down there for some time, and I did not know it.

Mr. STAFFORD. There are some divisions of the Railway Mail Service that are housed there which were formerly housed in the building on Pennsylvania Avenue.

Mr. STEENERSON. I formally stated I had reserved a point of order. Is that correct, Mr. Chairman?

The CHAIRMAN. The Chair did not understand that the gentleman reserved a point of order.

Mr. STEENERSON. Well, I simply wanted the information that the gentleman from Wisconsin has so generously contributed; and it seems to me, notwithstanding that information, the item ought not to be in this bill. We can not understand what the expense of keeping up our public buildings is when that expense is scattered in all these bills.

Mr. BYRNS of Tennessee. Suppose the gentleman is correct. I do not concede that for a moment. But suppose the gentleman is correct and we do not make this appropriation here and the Government Printing Office should stop furnishing heat and light to the city post-office building, what would happen?

Mr. STEENERSON. That would be a very cold and dark situation.

Mr. STAFFORD. We would have to use matches, as we did here the other night, and adjourn and stop business when the lights went out.

Mr. STEENERSON. I do not care anything about it, but I do not think it is properly in this bill. I do not think it ought to be here.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Office of the Secretary: Secretary of Commerce, $12,000; Assistant Secretary, $5,000; assistant to the Secretary, $2,750; private secretary to the Secretary, $2,500; confidential clerk to the Secretary, $1,800; private secretary to Assistant Secretary, $2,100; chief clerk and superintendent, $3,000; disbursing clerk, $3,000; chiefs of divisions—appointments $2,500, publications $2,500, supplies $2,100; assistant chief, division of publications, $2,000; clerks—10 of class 4, 9 of class 3, 13 of class 2, 20 of class 1, 14 at $1,000 each, 13 at $900 each; 2 telephone operators, at $720 each; messenger to the Secretary, $1,000; 5 messengers; 5 assistant messengers; 9 messenger boys, at $480 each; chief engineer and electrician, $1,400; assistant engineer, $1,000; skilled laborers—1, $1,000; 1, $900; 2 at $840 each; 5 at $720 each; 3 elevator conductors, at $720 each; 3 firemen; 16 laborers; cabinetmaker, $1,200; carpenter, $900; chief watchman, $900; 9 watchmen; 25 charwomen; in all, $196,050.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. I notice that this provides for a Secretary, an Assistant Secretary, an assistant to the Secretary, a private secretary to the Secretary, a confidential clerk to the Secretary, a private secretary to the Assistant Secretary, and a messenger to the Secretary. This assistant to the Secretary seems to be a new position. What authority of law is there for that?

Mr. BYRNS of Tennessee. The gentleman knows that the Secretary of Commerce is a very busy man.

Mr. WALSH. If he is going to have many more assistants he will have to be a pretty busy man.

Mr. BYRNS of Tennessee. He submitted an estimate for an assistant at $3,500. The committee heard him very fully on the subject, and became convinced that he ought to have an assistant, and recommended an assistant's place at $2,750. This is to assist him in taking care of the work of the office and permitting him to give less attention to certain details that can be attended to by an assistant, so that he may give more of his attention to some of the larger matters which pertain to the office of the Secretary of Commerce.

Mr. WALSH. I know; but the Secretary of the Navy is a very busy man, and the Secretary of Agriculture is a very busy man.

Mr. BYRNS of Tennessee. The gentleman will find that he has quite a number of assistants, too.

Mr. WALSH. Who?

Mr. BYRNS of Tennessee. The Secretary of Agriculture.

Mr. WALSH. Yes; we provided for those by special legislation.

Mr. BYRNS of Tennessee. And the Secretary of the Navy has quite a number of assistants.

Mr. WALSH. Yes; he is given an Assistant Secretary and a private secretary, but apparently he has not a messenger. The Secretary of the Interior has an Assistant Secretary and a First Assistant Secretary. Now, the Secretary of Commerce is, as the gentleman says, a very busy man. He has many important bureaus under his jurisdiction; but in view of the sort of retrenchment that is pleasant to talk about sometimes, and to read about, it sems to me, unless there is some further reason than the gentleman has given for the necessity to create this position, that the Assistant Secretary, the private secretary to the Secretary, the confidential clerk to the Secretary, and the private secretary to the Assistant Secretary ought to be sufficient.

Mr. BYRNS of Tennessee. Let me read to the gentleman what the Secretary of Commerce had to say on this subject, because, of course, he can present his reasons much better than I can.

Mr. WALSH. I shall be glad to have the gentleman read it again. I have glanced over it.

Mr. BYRNS of Tennessee. Before I do that, the gentleman referred to the Secretary of the Interior. The Secretary of the Interior has a First Assistant and an Assistant Secretary.

Mr. WALSH. Yes.

Mr. BYRNS of Tennessee. There is only one Assistant Secretary in the Department of Commerce. Here is what the Secretary of Commerce had to say:

I think you must be aware, Mr. Chairman, that the pressure of work which has been on the War, Navy, and Treasury Departments is now falling on us. It is coming upon us so hard that I am obliged to keep four stenographers busy myself with my own personal mail. The assistant to the secretary, who is mentioned in the second line, is already at work, and has been at work for months. He was borrowed because we had no appropriation for him, and we were overwhelmed with work. We are pressed now beyond our power, and the work is getting greater all the time. With the aid of four or five assistants this morning I have had to still leave two-thirds of my mail untouched. I can only say that this assistant is to-day at work, borrowed from the Bureau of Foreign and Domestic Commerce, and he is most urgently required with the increasing and growing demand for his services. I do not know what I could do without him. In fact, I can not do the work without him at all. As to the clerical force, I may say that my force is working every night until 6 o'clock. I rarely leave my own office before that time, and I frequently have to carry my papers home with me in order to read them.

There are papers now on my desk at home that I have not been able to read at all. If I am called out of town I esteem it a blessing, since it affords me an opportunity to catch up with the reading of papers.

So I think, and the committee thought, that in view of the extra amount of work devolving upon the Secretary of Commerce, he ought to have an assistant to look after the details of his office and assist him with some of his correspondence.

Mr. WALSH. Still further reserving the point of order, did the committee make any inquiry as to the nature of this extra work that is piling in on the Department of Commerce at this particular time?

Mr. BYRNS of Tennessee. It is work that comes through the Bureau of Standards and work that comes through the Bureau of Foreign and Domestic Commerce. Then, again, during the next two or three years we are going to be taking the census.

Mr. WALSH. And we are going to make an appropriation for that, are we not?

Mr. BYRNS of Tennessee. Yes; but that will require a good deal of the time and attention of the Secretary of Commerce, because he is at the head of that department, and in the end is responsible for the taking of the census, although, of course, the work will be done by the Director of the Census. So that will increase his work necessarily to some extent. Then, of course, the gentleman knows that the Bureau of Foreign and Domestic Commerce is spreading out, and there is quite an increased appropriation carried in this bill for that bureau. Then the Bureau of Standards has increased wonderfully in the last few years.

Mr. WALSH. That increase of late years has been due very much to war activities.

Mr. BYRNS of Tennessee. A great deal of this activity has been in connection with the War and Navy Departments, but not altogether confined to that, I will say to the gentleman.

Mr. WALSH. I know the present Secretary of Commerce is a very competent, efficient, and hard-working official, and that he probably would not make this recommendation unless he felt that the efficiency of his department would be affected by the absence of an extra assistant. Having that knowledge, and being persuaded by the convincing statement of the gentleman from Tennessee, I will withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

Bureau of Census: For salaries and necessary expenses for preparing for, taking, compiling, and publishing the Fourteenth Census of the United States; for rent of office quarters outside the District of Columbia, alterations and repairs to buildings, construction of fireproof vaults, and for carrying on during the decennial census period all other work authorized and directed by law, including purchase, construction, and repair of card-punching, card-sorting, and card-tabulating machinery; experimental work in developing, improving, and constructing an integrating counter for use in statistical work; repairs to such machinery and other mechanical appliances; technical and mechanical services in connection therewith, and purchase, rental, construction, repair, and exchange of equipment and mechanical appliances; and including personal services in the District of Columbia and in the field, $15,000,000, to continue available until June 30, 1922: *Provided*, That the Secretary of Commerce is authorized, in his discretion, to suspend during the decennial census period such work of the Census Office, other than the Fourteenth Census, as he may deem advisable.

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph, and I think I shall make it. I do not quite understand why this provision should have been incorporated in this bill, striking out the personnel that has been heretofore carried in the legislative bill, and appropriating a lump sum, particularly when the legislation for the Fourteenth Census has just been sent to conference by the other branch of the Congress to-day.

Mr. BYRNS of Tennessee. Mr. Chairman, I do not think the point of order is well taken, because there is a law now on the statute books authorizing the taking of the census. The law passed 10 years ago provided for the taking of that census and of subsequent censuses.

Mr. WALSH. That is true; but there is no law on the statute books authorizing the wiping out of this personnel that

has been fixed by law and has been heretofore carried in the legislative bill, and appropriating a lump sum in this language, permitting the expenditure in this manner.

Mr. BYRNS of Tennessee. This does not undertake to eliminate the permanent force of the Census Bureau. I will say to the gentleman that in making this recommendation the committee has followed the course pursued 10 years ago, when $10,000,000 was appropriated in a lump sum, out of which the permanent employees were to be paid and also the temporary employees.

Mr. WALSH. I think the gentleman will find that 10 years ago the legislation was carried in the bill after the census bill proper had been enacted.

Mr. BYRNS of Tennessee. I am not so certain about that; but if that be true, it was probably due to the fact that perhaps there was no law at that time authorizing it. As I said to the gentleman, there is a law now on the statute books which not only authorizes the taking of the census but absolutely requires it.

Mr. WALSH. If that is so, what is the need of passing this Fourteenth Decennial Census bill that we spent days on and which has just passed the other body and has been by it sent to conference? If there is a law, what was the necessity of our passing another law?

Mr. BYRNS of Tennessee. I am not able to advise the gentleman, particularly as I am not on the Census Committee, but I take it that it was for the purpose of adding other activities.

Mr. WALSH. That could be done by amending the other law instead of passing a new census law in toto. If this paragraph is enacted and substituted in the legislative bill for the language carried last year, will the gentleman state what will become of the Director of the Census at $6,000 a year, 5 chief statisticians, and 20 clerks of class 4, and so forth.

Mr. BYRNS of Tennessee. If the bill now pending in conference——

Mr. FOSTER. It has not been sent to conference.

Mr. WALSH. The Senate has asked for a conference.

Mr. BYRNS of Tennessee. If that bill does not pass, then the Director of the Census would get $7,000 instead of $6,000 under the law that is now on the statute books, which provides that the Director of the Census shall receive $7,000, the private secretary to the director, $2,250, the assistant director, $5,000, the chief statisticians $3,000 each, the chief clerk $2,500, and so on. Of course when the bill that recently passed the Senate becomes a law it will supersede this, and I do not recall just what the salaries fixed in that are. I think the House fixed the same salary for the Director of the Census in that bill.

Mr. WALSH. Yes; we increased his salary.

Mr. BYRNS of Tennessee. No; we did not increase it; we left it at just what it was 10 years ago.

Mr. WALSH. But the gentleman will remember that the bill which has recently been passed by the other branch and on which they have asked for a conference was a bill providing for the Fourteenth Decennial Census, outlining the topics which should be included in that census. This is the permanent establishment that the legislative bill provides for—for the work of the bureau—when they are not engaged in the decennial census, and you are substituting a lump sum of $15,000.000 in the legislative bill for the personnel of a bureau which is now included in another bill, providing for the Fourteenth Decennial Census, which is not yet a law, and you are leaving the personnel, provided for in the last year's legislative bill, out of the question entirely, the number of clerks, and so forth, substituting something that is not authorized by law, because we have not yet passed the bill.

Mr. BYRNS of Tennessee. I beg the gentleman's pardon, it is authorized by law.

Mr. WALSH. I can not agree with the gentleman. There is no legislation authorizing the taking of the Fourteenth Decennial Census and authorizing the technical and mechanical services in connection therewith, the exchange of equipment, the construction of fireproof vaults, and for the repair of card-punching, card-sorting, card-tabulating machinery, experimental work, repairs to such machinery, and personal services in the District of Columbia and in the field. The law for the Thirteenth Census simply required that at the end of 10 years another census should be taken, but it did not restrict that department to the method or to the personnel used 10 years ago. We have provided for that in the bill which passed here weeks ago.

Mr. ASWELL. The Constitution requires it.

Mr. WALSH. The gentleman suggests that the Constitution requires it. Of course the Constitution requires it, but the Constitution does not provide for a director at $7,000 a year. The Constitution merely requires that the Congress shall enact legislation under which a census can be taken, and we are engaged upon that now, and yet when that legislation has not been enacted you wipe out the personnel of this office that has been carried in the legislative bill for years and substitute for that a lump-sum appropriation of $15,000,000, carrying various other authorizations.

Mr. BYRNS of Tennessee. The act of July 2, 1909, which I hold in my hand, provides that a census of the population, agriculture, manufacture, mines, and quarries of the United States shall be taken by the Director of the Census in the year 1910 and every 10 years thereafter. That is clearly authority for making the appropriation.

Mr. WALSH. It is not authority for building fireproof vaults and the other things contained in this paragraph.

Mr. STAFFORD. The gentleman will recall that in the committee I had difficulty in understanding the position taken by the chairman that if we voted this lump-sum appropriation that would not supersede the statutory roll that is provided under existing law. I have not been able to become convinced that if we appropriate a fund of $15,000,000 for taking the decennial census the statutory roll will not virtually be obliterated and that the Director of the Census will not have the privilege of placing in the various classes of clerks all whom he may see fit to appoint.

Mr. WALSH. At any salary.

Mr. STAFFORD. And at any salary. I really think if this provision is going to be retained we should provide the statutory roll as it exists in the present law and then provide the additional amount for the Fourteenth Decennial Census, otherwise there will be no statutory roll at the conclusion of the decennial period. I know that it is the purpose of the chairman to retain the present statutory roll, and if we wipe it out in this bill, as we do by making this lump-sum appropriation, there will be no statutory roll at the end of the present fiscal year.

Mr. BYRNS of Tennessee. Why, the gentleman knows that exactly this form of appropriation was made 10 years ago.

Mr. STAFFORD. By a separate act independent of the legislative, executive, and judicial appropriation bill.

Mr. BYRNS of Tennessee. The same act I hold in my hand, the same act obtains in reference to this census as the other.

Mr. STAFFORD. If the gentleman will permit, the legislative, executive, and judicial appropriation bill carried a statutory roll then. That act was supplemental to it and had to be taken in conjunction with it. That was a special act passed June 29, 1909, which provided for an appropriation of $10,000,000. I am in sympathy with the idea of appropriating a lump sum at the present time, but I do not think it is necessary, if we are going to retain the present statutory roll, to provide it in this bill, otherwise it is wiped out.

Mr. BYRNS of Tennessee. I differ with the gentleman in that respect. As a matter of fact I think that it was the desire of the committee that this special work that is being done by the census should be eliminated as far as possible during the decennial period and that those on the permanent roll should be employed in the conduct of the census.

Mr. STAFFORD. That was the idea; I was strongly in favor of that position.

Mr. BYRNS of Tennessee. And it seems now——

Mr. STAFFORD. But I do not believe that provision for these clerks should be abolished, and we are abolishing them now if we appropriate the lump sum for that purpose.

Mr. BYRNS of Tennessee. I submit to the gentleman they are not abolished by any means.

Mr. WALSH. Where is there any law continuing—where will there be any law continuing—these?

Mr. BYRNS of Tennessee. The law to which I have just referred.

Mr. WALSH. That does not set out any roll.

Mr. BYRNS of Tennessee. It says in addition to the force employed in the Census Office there shall be certain positions and then sets out those positions. Now, that is the law that is now on the statute books, and it will be the law until it is superseded or repealed by some other law. That law says that in addition to the force now employed in the Census Office there shall be the following additional positions.

Mr. WALSH. Yes; but if the gentleman will make inquiry will not he find that the——

Mr. ASWELL. Will the gentleman yield——

Mr. WALSH. Will the gentleman permit me to finish this question—that law of 10 years ago was passed before the act requiring these additional employees was passed.

Mr. BYRNS of Tennessee. I beg the gentleman's pardon.

Mr. WALSH. Was not the legislative, executive, and judicial bill of 10 years ago passed before the census bill was passed,

and did not the legislative bill of 10 years ago carry substantially this very paragraph which was in the legislative bill of last year but which is eliminated this year? It carried the statutory roll, but we passed the census bill and said in addition to the employees on the statutory roll contained in the legislative bill which was passed they should have these other employees and we appropriated $10,000,000 in a lump sum. Now, you are trying to pass the legislative bill first, as I think it ought to be, and I submit that we ought to carry the statutory roll, and then in passing the census bill it will say in addition to those carried in the legislative, executive, and judicial bill these other employees shall be——

Mr. BYRNS of Tennessee. Here is the effect of the gentleman's contention. If we were to do that——

Mr. WALSH. That is what we did 10 years ago.

Mr. BYRNS of Tennessee. What we are trying to do here by making this lump-sum appropriation is to get a force for the Director of the Census which will be mobile or elastic.

Mr. WALSH. That should be done in the census bill.

Mr. BYRNS of Tennessee. So that he can devote the services of those employed thereunder to the activities that he thinks most important. Now, if we undertake here to carry a force on our permanent roll and then to make a lump-sum appropriation, gentlemen will find that a great deal of work will be done in the Census Bureau in the next few years that might be eliminated while we are taking this census——

Mr. WALSH. No; that is the very thing——

Mr. ASWELL. Will the gentleman yield?

Mr. WALSH. I will.

Mr. ASWELL. Does the gentleman believe that it is clear that this bill provides for the decennial period only, and when that period expires the permanent law takes up the permanent roll again?

Mr. WALSH. The decennial period never expires. They will be working on the Fourteenth Census 15 years after we take it.

Mr. ASWELL. I call attention to this suggestion, too: If you include the roll as it has passed this House and the other branch already you would have to increase the appropriation $20,500,000 instead of $15,000,000.

Mr. WALSH. I appreciate the point the gentleman from Louisiana [Mr. ASWELL] makes, and I know he has given a great deal of thought to this matter, because the census bill came out of his committee and he had charge of it when it was under consideration here a month ago. But I would like to ask the gentleman from Tennessee [Mr. BYRNS] how matters would be complicated, and if they would not be in a way safeguarded if we inserted the paragraph in the legislative bill of last year in here under the Bureau of the Census and then followed it up by this language to which I am reserving the point of order?

Mr. BYRNS of Tennessee. I will say to the gentleman that I can not see the necessity of appropriating for the permanent roll specifically, and I am fearful if that was done there might be work that would be done in the Census Bureau during the next fiscal year that could very properly be eliminated and the entire force put upon this census work, so as to get results as quickly as possible. And certainly, in view of the act I have referred to and the additional act of March 6, 1902, which I hold in my hand, there can be no necessity for it.

Mr. WALSH. But if the gentleman will look at the legislative, executive, and judicial appropriation bill for 1909, the year the last census bill was passed, he will find, I think, that it carried the statutory roll.

Mr. STAFFORD. Will the gentleman yield?

Mr. BYRNS of Tennessee. But I want to direct the gentleman's attention to the fact that the language of the provision carrying the lump-sum appropriation of $15,000,000 carries a proviso that they shall not do any other work except as connected with the Fourteenth Decennial Census. So, if you incorporate the statutory roll there and then follow it up by this language you will see that they could not do extraneous work.

Mr. STAFFORD. Will the gentleman permit me, so that I may correct an error?

Mr. BYRNS of Tennessee. Yes.

Mr. STAFFORD. I think the chairman of the committee is correct in the position he took in the subcommittee that the statutory roll would remain intact at the end of the decennial period as it exists in the present legislative bill. Since I first took the floor I have sent for a copy of the bill as it passed the House. I wish to direct the attention of the committee to the following language, which rather corroborates that position.

Mr. WALSH. Before the gentleman proceeds, what would happen if we passed this and the bill the gentleman has in his hands fails and does not get out of conference? Where would you be then?

Mr. STAFFORD. Then the census would be taken under the act of 1909, providing for the last decennial census.

Mr. WALSH. Where would the statutory roll be?

Mr. STAFFORD. The statutory roll would be in the same position at the end of the decennial period as far as the bill is concerned that is pending at present in the two Houses, there is no question. May I read it?

SEC. 3. That during the decennial census period, and no longer, there may be employed in the Census Office, in addition to the force provided for by the legislative, executive, and judicial appropriation act for the fiscal year immediately preceding the decennial census, an assistant director.

It enumerates certain employees. Section 6 has this language:

That in addition to the force hereinbefore provided for and to that authorized by the legislative, executive, and judicial appropriation act for the fiscal year immediately preceding the decennial census period, there may be employed in the Census Office during the decennial census period, and no longer, as many clerks with salaries at the rates of $1,800—

And so forth.

Mr. WALSH. Does the gentleman know if that is in the bill the conference on which has been asked for?

Mr. STAFFORD. I have only a copy of the bill as it was reported to the Senate.

Mr. BYRNS of Tennessee. That provision will not be in conference, because there was no change made in that by the Senate.

The CHAIRMAN. The Chair sends to the gentleman a copy of the act under which the last census was taken. It might clear this matter up.

Mr. BYRNS of Tennessee. I will say to the gentleman that we are following exactly the practice that was followed 10 years ago. There is absolutely no difference in what this bill proposes to do and what was done 10 years ago.

Mr. WALSH. Ten years ago it was not carried in the legislative, executive, and judicial bill.

Mr. BYRNS of Tennessee. It was in a bill presented by the Appropriations Committee in a special act, dated June 29, after the legislative bill had probably been prepared. It was carried the next year, and the next year, in the legislative bill. The first act was passed in the Sixty-first Congress and was approved June 20, 1909, and it was a separate act, and was not a substitute for the statutory roll. The legislative, executive, and judicial appropriation bill for that year carried the employees, specifying the salaries and number of clerks, and so forth.

Mr. WALSH. Has the gentleman any objection to passing this paragraph over temporarily?

Mr. BYRNS of Tennessee. There was nothing in the legislative bill providing for the permanent roll for 1910.

Mr. WALSH. No; but it carried the usual number of employees specified, as it had for several years previous. Will the gentleman have any objection to passing this paragraph temporarily?

Mr. BYRNS of Tennessee. Well, I am willing to let it go if we can read the bill and get along some.

The CHAIRMAN. Without objection, this paragraph will be passed over temporarily. The Clerk will read.

The Clerk read as follows:

For all necessary expenses, including field investigations in the United States and abroad, purchase of documents, plans, specifications, manuscripts, and all other publications for the promotion of the commercial interests of the United States, exchange on official checks, and rent outside the District of Columbia, to further promote and develop the foreign and domestic commerce of the United States, $325,000, to be expended under the direction of the Secretary of Commerce: *Provided*, That not more than $50,000 of the foregoing sum shall be used for the expenses of branch offices: *Provided further*, That all moneys hereafter received by the Bureau of Foreign and Domestic Commerce in payment of photographic and other mechanical reproduction of special statistical compilations from its records shall be covered into the Treasury as a miscellaneous receipt.

Mr. WALSH. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee why this large increase in this item? It is $150,000 or $200,000.

Mr. BYRNS of Tennessee. That increase was recommended by the committee because the committee feels that there is absolutely nothing more important confronting the United States at this time than the extension of its foreign and domestic commerce. We felt that that was really a very slight increase when you take into consideration just what the conditions are at the present time and the necessity and importance of this Government doing just what other countries are doing.

Mr. WALSH. I agree thoroughly with the gentleman; and if that is the purpose of it I submit that it is not a sufficiently large increase. I am going to withdraw my pro forma amendment and move to strike out "$325,000" and insert "$500,000."

Mr. BYRNS of Tennessee. That is more than the Secretary of Commerce asked for.

Mr. WALSH. Then I will make it $400,000.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 119, line 4, strike out "$325,000" and insert "$400,000."

Mr. WALSH. Mr. Chairman, as the gentleman from Tennessee has indicated, the purpose of this appropriation is to seek to increase our foreign trade and to develop new markets, something which every one of the belligerent nations, I think, without exception, has already undertaken, and vast strides are being made on the part of France and Great Britain especially to develop markets in parts of the world where heretofore they have not had a very large commerce, although there are very few places where one of those nations has not heretofore had its agents.

Now, I submit that to increase this amount to half a million dollars, or to $400,000, the director having asked for $435,000, would not be money ill spent, and in the face of the cry for retrenchment it would be a wise thing to increase that appropriation, and to that extent hold out some encouragement to the business interests of the country that when peace comes we shall have made investigations and studies and surveys of the situations abroad whereby our industries and these men who are coming back to take part in the work of production may find markets for their goods and products. I trust you gentlemen will accept this slight increase of $75,000 which I offered as an amendment.

Mr. BYRNS of Tennessee. Mr. Chairman, I certainly concur with the gentleman as to the very great importance of this work, but I want to call the attention of the gentleman and also of the committee to the fact that we have increased the appropriation for this bureau possibly more by way of comparison than any other bureau in the Government. In other words, for the current year this bureau has had an appropriation of $554,120. We have recommended in this bill $910,510, or an increase of more than $376,000.

That is a very substantial increase, and I think it evidences the interest of the committee and of the House and their desire to see everything done that is possible to promote and develop our foreign commerce. This in itself is an increase from $125,000 to $325,000, or an increase of $200,000, a great deal more than double what this particular appropriation has been during the past. And the gentleman will observe that there are other appropriations in the bill for use by this Bureau of Foreign and Domestic Commerce. They have money for the Orient; they have money for South and Central America, and then they have commercial attachés.

Mr. WALSH. Yes. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. WALSH. Of course, the gentleman will admit that we could do more work and derive more benefit from the expenditure of $400,000 than we could from the expenditure of $125,000. This is not confined to the Orient or to South America, evidently, because those two places are mentioned in other paragraphs of the bill. This fund would be used in seeking information in other sections of the globe.

Now, it would seem to me, in view of conditions as we hope they may be after peace shall have come, that Congress ought at this time to say to the Nation: "We want to give you all the information we can get within reasonable bounds, and we are willing to appropriate generously for procuring information whereby we can provide means of stimulating our business and commercial activities and whereby we can furnish to the people who are producing things and who are going to make use of this vast merchant marine which we hope to have information as to what ports that merchant marine shall go to and carry the goods and engage in the commerce with parts of the world in which now the commercial interests of the United States are strangers." I trust the gentleman will see that $75,000 is not an extravagant increase in the appropriation.

Mr. STAFFORD. Mr. Chairman, will the gentleman permit an interruption?

Mr. WALSH. I yield to the gentleman.

Mr. STAFFORD. The estimate for this item is $435,000. Out of this item are paid eight district offices in this country which disseminate the information to be collected from the commercial agents who are traveling in foreign countries and from the commercial attachés. It was the intention and purpose of the Secretary of Commerce to establish 15 additional local offices in this country. We thought that there was no pressing need for the establishment of merely paid agencies in 15 cities additional to those already established at the principal commercial centers, and accordingly we placed a limitation on the expenditure of $50,000 that could be used in this country for the existing agencies. If we had provided for the establishment of these 15 agencies it would have required, perhaps, an appropriation of maybe $100,000 additional; but we have granted virtually the estimate of the Secretary of Commerce, as far as activities in foreign countries are concerned, by granting this appropriation of $325,000, when we placed that limitation of $50,000 that could be expended in this country for the maintenance of branch agencies. We have granted the department virtually every cent it asked for its activities in foreign fields. We did not grant the estimate for the establishment of 15 branch offices to be located throughout the country.

Mr. WALSH. Mr. Chairman, will the gentleman permit an interruption?

Mr. STAFFORD. Yes.

Mr. WALSH. Does the gentleman think that it would be a national calamity if in this one important respect you gave the department a little more than it asked for, as an indication of our interest and our generosity toward the commerce of this country in the event that peace shall have returned?

Mr. STAFFORD. Well, Mr. Chairman, after the gentleman has served on an appropriations committee he may realize that the department usually estimates for the full amount that it can possibly expend, and in this particular instance we have virtually granted their estimate for their activities outside of this country.

Mr. WALSH. I can not agree with that statement. They asked for $435,000, and you have given them $325,000, and you have said that only $50,000 of that can be expended for branch offices.

Mr. STAFFORD. At present there are eight branch offices located in this country.

Mr. WALSH. How about branch offices abroad?

Mr. STAFFORD. There is no limit on them.

Mr. WALSH. Not more than $50,000 shall be used for the expenses of branch offices. It does not say in this country. It says for branch offices. It might include branch offices abroad, and limit the expenditure for that. We ought to have 200 branch offices abroad, and we ought to have them established by this time.

Mr. STAFFORD. I think that was an oversight on the part of the committee. It was intended that that proviso should limit the expenditure for branch offices in the United States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The question being taken; on a division (demanded by Mr. WALSH) there were—ayes 2, noes 8.

Accordingly the amendment was rejected.

The clerk read as follows:

For technical investigations in cooperation with the industries upon fundamental problems involved in industrial development following the war, with a view to assisting in the permanent establishment of the new American industries developed during the war, including personal services in the District of Columbia and elsewhere, $50,000, to be available immediately.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the legislative, executive, and judicial appropriation bill, H. R. 14078, had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted—

To Mr. SEARS, indefinitely, on account of illness in his family (at the request of Mr. CLARK of Florida).

To Mr. SANDERS of Indiana, indefinitely, on account of illness (at the request of Mr. PURNELL).

To Mr. ROBBINS, for three days, on account of important business (at the request of Mr. ROSE).

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 4554. An act for the sale of isolated tracts of the public domain in Minnesota; to the Committee on the Public Lands.

HOUR OF MEETING TO-MORROW.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. WALSH. Reserving the right to object, does the gentleman feel that it is necessary to meet at 11 o'clock to-morrow in order to conclude the consideration of this bill?

Mr. BYRNS of Tennessee. I do, Mr. Speaker. I think it is certainly best to do that, for this reason: The gentleman knows that the Census Bureau has been passed over. The gentleman from Colorado came to me this evening and asked that we might have liberal debate upon the salary proposition. Then there is provision for a joint commission that is going to create some discussion.

Mr. WALSH. A point of order will be made on that.

Mr. BYRNS of Tennessee. If a point of order is made it will go out, because it is clearly subject to a point of order; but if no point of order is made we may be here for several hours, and I think that the gentleman should agree to meet at 11 o'clock. Then we would be certain to get through with this bill in time to get a decent hot dinner, which we have not been able to do for several days.

Mr. WALSH. If we do meet at 11 o'clock, is it intended to take up anything else besides this bill?

Mr. BYRNS of Tennessee. I can not say.

Mr. WALSH. I think the House ought to know that.

The SPEAKER. The Chair will state that he will not recognize anybody for anything unless it is of pressing necessity.

Mr. WALSH. With that understanding, I will not object to meeting at 11 o'clock.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. BYRNS of Tennessee. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 46 minutes p. m.) the House adjourned until Saturday, January 18, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, submitting supplemental estimates of appropriation required by the War Department for the fiscal year 1920 (H. Doc. No. 1695); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting estimates of claims for the relief of officers of the Engineer Corps of the Army, and for other purposes (H. Doc. No. 1696); to the Committee on Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Miss RANKIN, from the Committee on the Public Lands, to which was referred the bill (S. 2715) to authorize an exchange of lands with the State of Montana in connection with Muddy Creek Reservoir site, Sun River project, and Nelson Reservoir site, Milk River project, and for other purposes, reported the same without amendment, accompanied by a report (No. 939), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TILLMAN, from the Committee on Indian Affairs, to which was referred the bill (S. 4404) repealing that portion of the Indian appropriation act of March 1, 1907 (37 Stat. L., 1015, 1035), which relates to the disposal of the surplus unallotted lands within the Blackfeet Reservation, in Montana, reported the same with amendment, accompanied by a report (No. 940), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SUMNERS, from the Committee on the Judiciary, to which was referred the bill (S. 1590) providing for an increase of salary for the United States marshal and district attorney for the western district and for the United States district attorney for the eastern district of Louisiana, reported the same without amendment, accompanied by a report (No. 942), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PHELAN, from the Committee on Banking and Currency, to which was referred the bill (H. R. 13560) to amend sections 7, 10, 11, and 25 of the Federal reserve act, and section 5172 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 944), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 5102) to authorize the change of name of the steamer *Charlotte Graveraet Breitung* to *T. K. Maher*, reported the same without amendment, accompanied by a report (No. 941), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BLACKMON: A bill (H. R. 14585) authorizing the Secretary of War to donate to the city of Sylacauga, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14586) authorizing the Secretary of War to donate to the city of Clanton, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14587) authorizing the Secretary of War to donate to the city of Montevallo, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14588) authorizing the Secretary of War to donate to the city of Columbiana, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14589) authorizing the Secretary of War to donate to the city of Verbena, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14590) authorizing the Secretary of War to donate to the city of Marion Junction, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14591) authorizing the Secretary of War to donate to the city of Calera, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 14592) granting a gratuity to members of the United States Army; to the Committee on Military Affairs.

Also, a bill (H. R. 14593) to donate two cannons of obsolete pattern to the city of Bemidji, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14594) to donate two captured cannon or guns to the city of St. Cloud, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14595) to donate two captured cannon or guns to the village of Long Prairie, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14596) to donate two captured cannon or guns to the city of Little Falls, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14597) to donate two captured cannon or guns to the village of Walker, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14598) granting a gratuity to members of the United States Navy and Marine Corps; to the Committee on Naval Affairs.

By Mr. STINESS: A bill (H. R. 14599) authorizing the Secretary of War to donate to the town of Warwick, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14600) authorizing the Secretary of War to donate to the Varnum Continentals of East Greenwich, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLACK: A bill (H. R. 14601) authorizing the Secretary of War to donate to John C. Burks Camp, United Confederate Veterans, Clarksville, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14602) to repeal section 7 of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917; to the Committee on the Judiciary.

By Mr. O'SHAUNESSY: A bill (H. R. 14603) authorizing the Secretary of War to donate to the city of Newport, R. I., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 14604) to secure and protect the rights of women citizens of the United States to vote for

Senators and Representatives in the Congress of the United States of America; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 14605) authorizing the Secretary of War to donate to the city of Holtville, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 14606) authorizing the Secretary of War to deliver to the village of Elizabethtown, N. Y., one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14607) authorizing the Secretary of War to deliver to the village of Ticonderoga, for the use of old Fort Ticonderoga, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14608) authorizing the Secretary of War to deliver to the village of Chateaugay, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 14609) authorizing the Secretary of War to donate to the village of Winnebago, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14610) authorizing the Secretary of War to donate to the village of Roscoe, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14611) authorizing the Secretary of War to donate to the village of Kingston, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14612) authorizing the Secretary of War to donate to the village of Capron, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CHANDLER of Oklahoma: A bill (H. R. 14613) authorizing the Secretary of War to donate to the city of Miami, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14614) authorizing the Secretary of War to donate to the city of Pryor, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14615) authorizing the Secretary of War to donate to the city of Vinita, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14616) authorizing the Secretary of War to donate to the city of Nowata, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14617) authorizing the Secretary of War to donate to the city of Claremore, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14618) authorizing the Secretary of War to donate to the city of Bartlesville, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14619) authorizing the Secretary of War to donate to the city of Tulsa, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14620) authorizing the Secretary of War to donate to the city of Pawhuska, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14621) authorizing the Secretary of War to donate to the city of Pawnee, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14622) authorizing the Secretary of War to donate to the city of Delaware, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 14623) to expel and exclude from the United States aliens who, to escape military service, have withdrawn their declaration of intention to become citizens; to the Committee on Immigration and Naturalization.

By Mr. ELSTON: A bill (H. R. 14624) to eliminate private land holdings from General Grant National Park; to the Committee on the Public Lands.

By Mr. CHARLES B. SMITH: A bill (H. R. 14625) granting the consent of Congress to Oliver Cabana, jr.; Myron S. Hall; E. G. Connette; William F. MacGlashan; John H. Bradley; and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14626) to create an aircraft board; to the Committee on Interstate and Foreign Commerce.

By Mr. LESHER: A bill (H. R. 14627) authorizing the Secretary of War to donate to the borough of Catawissa, county of Columbia, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 14628) authorizing the Secretary of War to donate to the borough of Berwick, county of Columbia, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 14629) authorizing the Secretary of War to donate to the borough of Northumberland, county of Northumberland, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 14630) authorizing the Secretary of War to donate to the borough of Watsontown, county of Northumberland, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 14631) authorizing the Secretary of War to donate to the borough of Mount Carmel, county of Northumberland, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 14632) authorizing the Secretary of War to donate to the borough of Milton, county of Northumberland, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 14633) authorizing the Secretary of War to donate to the borough of Shamokin, county of Northumberland, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 14634) authorizing the Secretary of War to donate to the borough of Dushore, county of Sullivan, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 14635) to authorize an exchange of lands within the Montezuma National Forest in the State of Colorado; to the Committee on the Public Lands.

By Mr. RAKER: A bill (H. R. 14636) authorizing the Secretary of War to donate to the city of Alturas, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14637) authorizing the Secretary of War to donate to the city of Westwood, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14638) authorizing the Secretary of War to donate to the city of Redding, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14639) authorizing the Secretary of War to donate to the city of Red Bluff, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14640) authorizing the Secretary of War to donate to the city of Yreka, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14641) authorizing the Secretary of War to donate to the city of Nevada City, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14642) authorizing the Secretary of War to donate to the city of Grass Valley, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14643) authorizing the Secretary of War to donate to the city of Placerville, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14644) authorizing the Secretary of War to donate to the city of Quincy, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14645) authorizing the Secretary of War to donate to the city of Mariposa, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14646) authorizing the Secretary of War to donate to the city of Susanville, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14647) authorizing the Secretary of War to donate to the city of Jackson, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14648) authorizing the Secretary of War to donate to the city of San Andreas, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14649) authorizing the Secretary of War to donate to the city of Sonora, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

By Mr. HOLLINGSWORTH: A bill (H. R. 14650) authorizing the Secretary of War to donate to the city of East Liverpool, Ohio, one German cannon or fieldpiece and one machine gun; to the Committee on Military Affairs.

By Mr. KRAUS: A bill (H. R. 14651) authorizing the Secretary of War to donate to the city of North Manchester, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14652) authorizing the Secretary of War to donate to the county of Miami, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 14653) authorizing the Secretary of War to donate to the town of New Richmond, county of Montgomery, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 14654) authorizing the Secretary of War to donate to the cities and towns of Selmer, Henderson, Jackson, Lexington, Decaturville, Linden, Camden, Huntingdon, Paris, and Savannah, Tenn., each one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 14655) authorizing the Secretary of War to donate to the city of Alva, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14656) authorizing the Secretary of War to donate to the city of Woodward, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 14657) authorizing the Secretary of War to donate to the city of McKee, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14658) authorizing the Secretary of War to donate to the city of Booneville, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14659) authorizing the Secretary of War to donate to the city of Whitesburg, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14660) authorizing the Secretary of War to donate to the city of Hazard, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14661) authorizing the Secretary of War to donate to the city of Hindman, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14662) authorizing the Secretary of War to donate to the city of Paintsville, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14663) authorizing the Secretary of War to donate to the city of Salyersville, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14664) authorizing the Secretary of War to donate to the city of Prestonsburg, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14665) authorizing the Secretary of War to donate to the city of Inez, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14666) authorizing the Secretary of War to donate to the city of Pikeville, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOODWIN of Arkansas: Resolution (H. Res. 506) providing increased compensation to the official reporters of debates and to the assistant to the official reporters of debates; to the Committee on Accounts.

By Mr. EMERSON: Joint resolution (H. J. Res. 388) authorizing the Secretary of War to donate a large cannon to the city of Cleveland, Ohio; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 14667) granting an increase of pension to George W. Lampkins; to the Committee on Invalid Pensions.

By Mr. DALLINGER: A bill (H. R. 14668) granting a pension to Maria Rice; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 14669) granting an increase of pension to Benjamin F. McKee; to the Committee on Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 14670) granting a pension to Mary A. Brace; to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 14671) granting a pension to Martha C. Eggers; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of citizens of Milwaukee, Wis., relative to converting portion of T. N. T. plant at Ives, Wis., into a zoological garden; to the Committee on Ways and Means.

Also, resolutions unanimously adopted by 900 delegates in convention assembled on Saturday evening, January 11, 1919, at Baltimore, Md., with governor of Maryland presiding, supporting and approving President Wilson's high aims to secure a league of nations; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Resolution by the Lithuanian Women's Progressive Alliance of America, second district of Massachusetts, demanding release of all political and war prisoners; to the Committee on Military Affairs.

By Mr. KETTNER: Resolutions by Redlands Chamber of Commerce, Redlands, Cal., favoring the nationalization of highways; to the Committee on Roads.

By Mr. McKEOWN: Resolutions adopted by Kickapoo Lodge, No. 293, Brotherhood of Boiler Makers and Iron Ship Builders, of Shawnee, Okla., relating to Government control of railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, *January 18, 1919.*

(Legislative day of Tuesday, January 14, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

PETITIONS AND MEMORIALS.

Mr. CURTIS presented petitions of the Southern Railway Federated Trades Council, of Kansas City; of Dewey Lodge, No. 9, International Brotherhood of Boiler Makers, Iron Ship Builders, and Helpers of America, of Horton; of Prairie Lodge, No. 404, International Brotherhood of Boiler Makers, Iron Ship Builders, and Helpers of America, of Newton; of Local Lodge No. 751, Brotherhood of Railway Carmen, of Topeka; of the Industrial Council of Topeka; and of sundry citizens of Chanute, all in the State of Kansas, praying for the proposed extension of Federal control of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Grovier Produce Co., of Hutchinson, Kans., and a petition of sundry citizens of McPherson County, Kans., praying for the return to private ownership of the railroads of the country, which were referred to the Committee on Interstate Commerce.

Mr. TOWNSEND presented a petition of Local Grange No. 1566, Patrons of Husbandry, of Ann Arbor, Mich., and a petition of Celery City Lodge, No. 1087, Brotherhood of Railway Carmen of America, of Kalamazoo, Mich., praying for the proposed extension of Federal control of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a memorial of sundry retail jewelers of Pontiac, Mich., remonstrating against the proposed increase of tax on jewelry in the pending revenue bill, which was ordered to lie on the table.

He also presented petitions of the Kiwanis Club, of Muskegon; of the Board of Education of Gladstone; and of the Study Club, of East Jordan, all in the State of Michigan, praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

He also presented a petition of the Michigan Business Woman's Association, of Bay City, Mich., praying for the enactment of legislation granting commissions to nurses, which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEE ON PUBLIC LANDS.

Mr. CHAMBERLAIN, from the Committee on Public Lands, to which was referred the bill (H. R. 8625) to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State, commonly known as the Coos Bay wagon-road grant, to provide for the disposition of said lands, and for other purposes," reported it without amendment and submitted a report (No. 650) thereon.

Mr. McNARY, from the Committee on Public Lands, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 12579. An act to grant to citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricul-

tural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg. (Rept. No. 649); and

H. R. 13042. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act (Rept. No. 648).

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS:

A bill (S. 5372) donating captured cannon and cannon balls to the city of Ottawa, Kans.;

A bill (S. 5373) donating captured cannon and cannon balls to the city of Atchison, Kans.; and

A bill (S. 5374) donating captured cannon and cannon balls to the city of Newton, Kans.; to the Committee on Military Affairs.

A bill (S. 5375) granting a pension to Lydia J. Willis (with accompanying papers); to the Committee on Pensions.

By Mr. KENDRICK:

A bill (S. 5376) granting a pension to Edward S. Seay; to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 5377) authorizing the Secretary of War to donate to the city of New Orleans, La., to be installed in the old historic Washington Artillery Hall, one German cannon or fieldpiece; and

A bill (S. 5378) authorizing the Secretary of War to donate to the city of Monroe, La., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SMITH of Arizona:

A bill (S. 5379) granting an increase of pension to Carrier Thompson (with accompanying papers); and

A bill (S. 5380) granting an increase of pension to James F. Duncan (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 5381) granting an increase of pension to Floyd E. Driskel (with accompanying papers); and

A bill (S. 5382) granting a pension to John C. Cleveland (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 5383) granting a pension to Arabella Roberts;

A bill (S. 5384) granting an increase of pension to William Russell; and

A bill (S. 5385) granting an increase of pension to Bernard Krebs; to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 5386) granting a pension to Augustus M. Brown (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 5387) granting an increase of pension to Alonzo J. Finch (with accompanying papers); to the Committee on Pensions.

By Mr. KING (by request):

A bill (S. 5388) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916; to the Committee on Post Offices and Post Roads.

By Mr. JONES of New Mexico (for Mr. KENDRICK):

A joint resolution (S. J. Res. 213) relating to the fuel supply of the city of Casper, Wyo.; to the Committee on Public Lands.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SHEPPARD submitted two amendments intended to be proposed by him to the river and harbor appropriation bill, which were referred to the Committee on Commerce and ordered to be printed.

Mr. McNARY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

EMPLOYEES OF WAR DEPARTMENT.

Mr. JONES of Washington submitted the following resolution (S. Res. 416), which was read, considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be, and he is hereby, directed to report to the Senate the names of all former civil-service employees of the War Department in the District of Columbia who resigned and volunteered or were drafted into the Army and who have been discharged therefrom and applied for reinstatement to their former positions and not reinstated, and to state why they have not been reinstated under authority of the order of the President issued July 18, 1918.

COMMITTEE SERVICE.

On motion of Mr. WARREN, it was

Ordered, That the Senator from West Virginia [Mr. GOFF] be relieved from further service as a member of the Committee on Conservation of Natural Resources, and that the Senator from Rhode Island [Mr. COLT] be assigned as chairman thereof; and

That the Senator from Michigan [Mr. SMITH] be relieved from further service as a member of the Committee on Industrial Expositions, and that the Senator from West Virginia [Mr. GOFF] be assigned as chairman thereof.

SPEECH OF GOV. ALLEN, OF KANSAS.

Mr. CURTIS. Mr. President, I have a copy of the speech of Gov. Allen, of Kansas, in regard to the Thirty-fifth Division going into the Battle of the Argonne Forest with a lack of supplies and without adequate support by artillery and airplanes. I ask that it be noted in the RECORD and referred to the Committee on Military Affairs.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kansas?

Mr. REED. Mr. President, before that goes in the RECORD I should like to know what is in that speech.

Mr. CURTIS. Mr. President, it is the speech of Gov. Allen, of Kansas, with reference to the Battle of the Argonne Forest and the fact that the men of the Thirty-fifth Division were sent into that battle unprepared and without supplies. I wish to have the speech referred to the Committee on Military Affairs, hoping that the committee will give some consideration to and investigate the charges made by Gov. Allen.

Mr. REED. Mr. President, I think it is all right to refer this matter to the Committee on Military Affairs, and after the committee have passed upon it, if they think it is a matter that ought to go into the RECORD, well and good; but it is now proposed to put in the RECORD the speech of a man who is not a Member of this body and not a Member of the other body.

Mr. CURTIS. I did not ask that it be printed in the RECORD; I asked that it be noted in the RECORD and referred to the Committee on Military Affairs.

Mr. REED. I misunderstood the request of the Senator. I have no objection in the world to that being done.

The VICE PRESIDENT. Without objection, the matter will be referred to the Committee on Military Affairs.

SALARIES OF JUDGES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

Mr. SAULSBURY. Mr. President, yesterday afternoon in the consideration of the pending bill, which was then before the Senate, an amendment was adopted on the motion of the Senator from Minnesota [Mr. KELLOGG] increasing the salaries of the judges as provided in the bill by the House from $7,500 for district judges and $8,500 for circuit judges to $9,000 and $10,000, respectively. I voted for that amendment, because I think our judges, of all the people in Government service, should be well paid, and I know how insufficient, in my part of the country at least, the present salaries are.

I have consulted, however, with a number of friends of the bill who think as I do that the increase proposed by the amendment might be injurious to the passage of the bill and endanger its passage. For that reason I move to reconsider the vote by which the amendment offered by the Senator from Minnesota was agreed to.

Mr. KELLOGG. Mr. President, since that amendment was adopted the consensus of opinion of the Senate has been taken, and while I do not believe the amount is too high I think Senators generally feel that the amendment should be reconsidered. Under those circumstances rather than imperil the passage of the bill I have no objection to its reconsideration.

The VICE PRESIDENT. The question is on the motion to reconsider the vote by which the amendment was agreed to.

The motion to reconsider was agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. SAULSBURY. Mr. President, I think there is some question as to whether we should leave the amounts named in the bill as sent from the House or whether they might be increased to $8,000 and $9,000, respectively, for district and circuit judges. I should like to have the chairman of the committee state whether he would object to increasing the salaries or whether he deems it advisable to increase the salaries to $8,000 and $9,000, respectively.

Mr. SMITH of Georgia. Personally, I would be glad to see the salaries increased to $8,000 and $9,000, but there is a dif-

ference of opinion whether, as a matter of policy with reference to the passage of the legislation, it would be best to retain the House figures or whether we ought to fix the salaries at $8,000 and $9,000. I am unable to give an opinion that would be of much value on that point. I am perfectly willing myself to vote for salaries of $8,000 and $9,000 and take it into conference, or I am willing to leave the salaries at $7,500 and $8,500 and send the bill back to the House without amendment in that respect.

Mr. SAULSBURY. I am inclined to yield my judgment in this matter to the Senator from Minnesota and the Senator from Georgia and therefore make no motion for an increase. If the Senator from Minnesota thinks it well to make a motion to increase the salaries to $8,000 and $9,000, I shall vote for that amendment.

Mr. KELLOGG. Mr. President, a parliamentary inquiry. Can that amendment be moved when the bill is in the Senate?

The VICE PRESIDENT. It can be.

Mr. KELLOGG. I do not wish to take the responsibility to advise the Senate what it should do in that regard. I made the other motion and I am willing that it should be taken up in the Senate.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Myers	Smith, Md.
Bankhead	Johnson, S. Dak.	Nelson	Smith, Mich.
Calder	Jones, N. Mex.	New	Smith, S. C.
Chamberlain	Jones, Wash.	Nugent	Smoot
Colt	Kellogg	Overman	Sutherland
Culberson	Kenyon	Page	Swanson
Cummins	King	Pittman	Thomas
Curtis	Kirby	Poindexter	Townsend
Fernald	Knox	Pollock	Trammell
Frelinghuysen	La Follette	Pomerene	Underwood
Gay	Lenroot	Reed	Wadsworth
Hale	McKellar	Saulsbury	Walsh
Harding	McLean	Shafroth	Warren
Henderson	McNary	Sheppard	Watson
Hitchcock	Martin, Va.	Smith, Ariz.	Weeks
Hollis	Moses	Smith, Ga.	Williams

Mr. McKELLAR. I desire to announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness. I will let this announcement stand for the day.

Mr. KIRBY. I wish to announce the absence of the senior Senator from Arkansas [Mr. ROBINSON], who is detained on account of illness.

Mr. PITTMAN. I desire to announce that the Senator from Mississippi [Mr. VARDAMAN], the Senator from California [Mr. PHELAN], the Senator from Wyoming [Mr. KENDRICK], the Senator from Rhode Island [Mr. GERRY], and the Senator from Illinois [Mr. LEWIS] are detained on official business.

Mr. CURTIS. I wish to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness, and also of the Senator from South Dakota [Mr. STERLING] on account of a death in his family.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present. If there be no further amendment as in Committee of the Whole the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. ASHURST. Mr. President, yesterday evening before adjournment I presented an amendment to the bill. I do not believe it has been printed in bill form, but it appears on page 1661 of the CONGRESSIONAL RECORD. There was no yea-and-nay vote, but the vote, on a division, was so close, and so many Senators have importuned me to renew the amendment in the Senate that I do so. I now ask that the amendment be read, and I desire to have a vote on the amendment.

The VICE PRESIDENT. Is there any objection to concurring in the amendments made as in Committee of the Whole?

Mr. ASHURST. I have no objection to concurring in those amendments.

Mr. JONES of Washington. My recollection is that there was an amendment placing the judges of Hawaii and Porto Rico on the same basis as the district judges in this country. I understand the provision as it now stands gives these judges a higher salary than the present United States judges of Alaska get. If that is true then I want to have the Alaskan judges put on the same basis as the others, because to my mind there is much more reason why they should get a higher salary than the judges of Porto Rico and Hawaii.

Mr. SMITH of Georgia. I did not hear to what judges the Senator refers.

Mr. JONES of Washington. My recollection is that an amendment was adopted placing the United States judges of Hawaii and Porto Rico on the same basis as the other judges. I wish to add an amendment to that amendment placing the judges of the Territory of Alaska on the same basis.

Mr. SMITH of Georgia. The amendment extended only to district judges, not to general judges.

Mr. JONES of Washington. That is all I want.

Mr. SMITH of Georgia. It was stated at the time that the judges in Alaska already receive $7,500.

Mr. JONES of Washington. No; I think the Senator is mistaken. I understand they receive $7,000.

Mr. MYERS rose.

Mr. JONES of Washington. The Senator from Montana, I think, can state what they receive.

Mr. MYERS. My information from authentic sources is that the United States district judges for the Territory of Alaska receive each a salary of $7,500 per year. I can not vouch for that statement, but I have been so informed. If, as the Senator from Washington says, the salary is $7,000 a year, then they are already on a pay basis where they will receive the minimum salary that the bill provides.

Mr. JONES of Washington. The minimum is $7,500, is it not?

Mr. MYERS. I must retract that statement because the Senate committee amendment to the bill was defeated yesterday. I overlooked that fact. The sum of $7,000 for the Alaskan judges is on a par with what would have been the minimum salary provision of the bill if the amendment of the Senate Committee on the Judiciary had been adopted, but it was defeated. Therefore, I withdraw my statement. I do not know how a salary of $7,500 per year would compare with the minimum salary provided by the bill in its present form.

Mr. JONES of Washington. I understand the minimum now in the bill is $7,500. I am not sure whether the judges of Alaska get $7,000 or $7,500; I have not had an opportunity to look it up; but I think they ought to be put on the same basis as the other judges.

Mr. MYERS. I can not speak with positive authority, and therefore I do not make a positive statement about the salaries of the Alaskan Federal judges.

Mr. JONES of Washington. I ask the Chair if it is in order at this time to propose an amendment to the amendment adopted in Committee of the Whole, or whether after the amendments made as in Committee of the Whole have been concurred in I can offer a new amendment?

The VICE PRESIDENT. In the opinion of the Chair, this is so muddled the bill had better go back to the Committee of the Whole.

Mr. CUMMINS. It is also an amendment to the House provision.

Mr. JONES of Washington. The Senator from Iowa suggests to me that the amendments, with reference to Porto Rico and Hawaii, was also made to the text of the bill, and so they are now a part of the House provision if it is adopted by the Senate.

The VICE PRESIDENT. Without objection, we will take the bill back to the Committee of the Whole, and it is now in order to insert "Alaska."

Mr. JONES of Washington. I move to insert "Alaska" after "Porto Rico and Hawaii."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. The bill now reads as agreed to in Committee of the Whole.

SEC. 2. Each of the district judges, including the judges in Porto Rico and Hawaii, exercising Federal jurisdiction, shall receive a salary of $7,500 a year, to be paid in monthly installments.

It is now proposed to strike out the word "and," between "Porto Rico" and "Hawaii," and insert a comma, and after "Hawaii" to insert "and Alaska," so that it will read:

Each of the district judges, including the judges in Porto Rico, Hawaii, and Alaska, exercising Federal jurisdiction, shall receive a salary of $7,500 a year, to be paid in monthly installments.

Mr. SMITH of Georgia. The Senate has determined that Hawaii and Porto Rico should be included on the same basis as the other district judges. I think it no more than fair that Alaska should be included as well.

The VICE PRESIDENT. Without objection, the amendment of the Senator from Washington is agreed to. Are there further amendments to be offered as in Committee of the Whole?

Mr. CALDER. Mr. President, I voted yesterday for the amendment to the House text, and I believe that is the best solution of this problem.

The question has been raised here as to the salaries paid judges in different parts of the country. In my State the supreme court

judges residing and holding court in the city of New York are paid $17,500 a year, while the judges in that part of the State outside of the city of New York performing the same sort of service and with the same jurisdiction receive the sum of $10,000 a year. When the judges from districts outside of New York City sit in that city, as they do very often, they receive the same compensation that the city of New York judges do.

Mr. President, the difference in the pay of these judges comes from the fact that it costs a great deal more to live in the city of New York than in other parts of the State. In the city of New York we pay our police magistrates $8,000 a year, $2,000 a year more than we pay the United States district judges. We pay our municipal court judges, the judges who pass upon landlord and tenant cases and upon cases involving less than a thousand dollars, the sum of $8,000 a year. We pay our county judges, who pass on criminal cases almost entirely, $10,000 a year.

When a United States district judge comes to New York from another State to hold court, and we have them there nearly all the time, we allow them $10 a day additional and traveling expenses. So their pay while they are holding court in the city of New York is really more than it would be if they were at home, for at home they must take care of their own living expenses.

Why should compensation be higher in New York? There are many reasons, and the same idea is carried out in all sorts of business. I happened the other day to look up the wages paid carpenters in that city. I find that in that city a carpenter working eight hours receives $6.50 a day, while a carpenter in some other cities of New York State receives $5 a day, and in the smaller cities to the South and West they receive as low as $3 and $4 a day. These are the rates fixed by the labor union, all of these unions being attached to the American Federation.

So the labor unions of the country recognize the difference in cost of living in the larger cities.

I believe also that it is a fact, although I have not the record before me, that the judges in the larger cities, where they are constantly engaged, do more work than do the judges in the small communities, and that ought to entitle them to a larger compensation. But we get back, Mr. President, always to the fact that it costs more to live in the large cities; that is universally recognized throughout the land in every sort of business. For my part, I believe the Senate committee amendment should be agreed to.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from New York a question. Why not apply the same rule to Members of the Senate?

Mr. CALDER. Of course, representing in part the most populous State in the Union, I would hardly want to suggest that my pay should be more than that of the distinguished Senator from Michigan; but I will say to him, Mr. President, that, in a sense, that rule ought to apply, because, by reason of the fact that I represent a larger State, I have a great deal more business to attend to than have many other Senators, and I am compelled to-day, as do many judges in the larger communities, to pay out of my own pocket considerable money to provide for my own office force and to take care of the business of my State.

Mr. SMITH of Michigan. That would apply equally to Senators coming from smaller States; but I want to suggest to the Senator from New York that United States district judges from Michigan sit in the district courts of New York State. They are called there because of their ability, because of their fitness for those posts; and under the plan the Senator proposes one district judge would sit beside another district judge who was getting more pay, and for no reason in the world except that there was a greater population surrounding him than there happened to be surrounding the district judge from Michigan. How can the Senator reconcile such a distinction, when both judges are performing exactly the same service much of the time?

Mr. CALDER. There is much in what the Senator from Michigan says, Mr. President, but I would remind him that when the judges from Michigan come to New York—and we welcome them; the judges of his State are great judges and they perform their services very satisfactorily—the Government allows them $10 a day extra. That takes care of their living expenses while they are in New York; and it is a very attractive opportunity for them; they delight to come, and we are very glad to have them.

Mr. SMITH of Michigan. Mr. President, of course New York is a very attractive city, one of the green spots in the desert of Sahara; people like to go there, and in the next few months probably many people will go there who have not been in the habit of going there often, for various reasons; but, nevertheless, to make that kind of a distinction among jurists who are performing solemn duties and passing upon cases of very great importance—and the litigation in my State is of equal importance with the litigation which confronts the courts in New York; many of the questions are of the utmost importance, and we have on the bench in Michigan men of eminence and character—I think is very unfair, indeed. It is a false basis to make the compensation for judges depend upon the State or the district from which they come.

Mr. CALDER. Mr. President, I should have no objection to amending this bill so as to provide that when judges from Michigan or any other part of the country come to communities where the pay is higher that they should receive that higher pay. I have pointed out that we make the same distinction in my own State between judges living in different parts of that State. The supreme court judges in the rural sections receive $7,500 a year less than in New York City, but when they come to New York City to hold court they are allowed the same compensation as are judges who reside in New York City.

Mr. SMITH of Michigan. I want to say further, if the Vice President and the Senator from New York will permit me, that I have been in very great sympathy with the disposition of the State of New York to pay their jurists good salaries; I believe in that; they should be made independent of every other consideration in the performance of such duties as fall to their lot; but I can not agree with the Senator from New York and I am unable to view the situation as he does, that judges holding equally responsible positions in other sections of the country should be paid less than those who happen to live in the more populous regions.

Mr. CALDER. Mr. President, I regret exceedingly that I can not agree with the Senator from Michigan. But, aside from the Senate committee amendment, I hope that some legislation on this subject will be enacted. If the Senate amendment shall not be passed, then let us pass the House provision. That would be a step in the right direction. We are having a great deal of trouble in New York in securing good men for these places, though that condition may not exist in other parts of the country. Only last year one of the United States district judges in my own district resigned, and within the last four years two of the judges in the southern district of New York, which includes the old city of New York, resigned their places, and in these cases we had great difficulty in getting the right sort of men to fill the vacancies. When we pay a police magistrate in the city of New York $8,000, the municipal court judge $8,000, a county judge $10,000, a supreme court judge $17,500, and the United States district judge only $6,000, he having even a more important place than has the New York supreme court judge, then, indeed, you can understand the feeling on this subject in that city.

Mr. President, our State pays into the Federal Treasury very nearly one-third of all the taxes which are collected in the country. We are perfectly willing to contribute a little more toward what we believe to be the very excellent plan proposed in this measure, and I trust it will meet with the approval of the Senate.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole and is still open to amendment.

Mr. ASHURST. Mr. President, the Senator in charge of the bill requests that I withhold my amendment at this time.

Mr. SMITH of Georgia. The Senator from Arizona has reserved his amendment in the Senate, and I have suggested to him that he might raise the question involved in his amendment after the bill has passed into the Senate.

Mr. ASHURST. That is correct.

Mr. HITCHCOCK. Mr. President, I want to ask a question for information from some member of the committee who can give it. There seems to be some doubt about it as the bill now stands. Does the chief justice of the Court of Claims receive more than do the members of that court?

Mr. SMITH of Georgia. I do not think he does.

The VICE PRESIDENT. The Chair understands the parliamentary situation to be that, so far as the Senator from Arizona is concerned, his amendment was defeated as in Committee of the Whole.

Mr. ASHURST. That is true; but I reserved the amendment so that there might be a separate vote on it.

The VICE PRESIDENT. There can be no reservation made. The Senator's amendment was defeated as in Committee of the Whole.

Mr. ASHURST. But not in the Senate.

The VICE PRESIDENT. The Senator can again offer the amendment when the bill gets into the Senate.

Mr. ASHURST. I thank the Chair.

Mr. SMITH of Georgia. What the Senator from Arizona did was to call attention to the fact that he desired to reserve the amendment in the Senate; and when the Senate concurs in all of the other amendments, that by unanimous consent his amendment should be voted on separately.

The VICE PRESIDENT. But when an amendment is defeated as in Committee of the Whole it ought to be understood that a vote can not be reserved on it in the Senate, for there is nothing on which to vote. The Senator may reoffer the amendment in the Senate, if he chooses to do so. The Senate has had the bill under consideration as in Committee of the Whole, and has made certain amendments thereto. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. HITCHCOCK. Before that is done I want to ask why it is that no additional salary is given to the presiding judge in the Court of Appeals of the District of Columbia?

Mr. SMITH of Georgia. No additional salary is given to the presiding judge of any circuit court of appeals of the United States.

Mr. HITCHCOCK. There is no presiding judge in those courts.

Mr. SMITH of Georgia. Yes; there is a presiding judge. The senior judge is the presiding judge, and acts always as the presiding judge when present. We reached the conclusion that the Court of Appeals of the District of Columbia should be classified with the circuit courts of appeals throughout the United States; we are giving them the same treatment in connection with the increase of salary, and as there is no distinction between the presiding judge and the other judges of the circuit courts of appeals of the United States we saw no reason why a difference should exist between the chief justice and the other judges of the Court of Appeals of the District of Columbia.

Mr. HITCHCOCK. As I understand, there is no office called the "chief justice of the circuit court of appeals"; there is a practice under which the senior judge present at any time presides, but there is no chief justice.

Mr. SMITH of Georgia. No.

Mr. HITCHCOCK. In the Court of Appeals of the District of Columbia there is a chief justice. Furthermore, I understand that in the bill as it came from the House the chief justice of the Court of Claims was given $500 additional salary.

Mr. SMITH of Georgia. We have put that court also in the status of the circuit courts of appeals. As I understand, we have classified the judges of the Court of Claims with the judges of the circuit courts of appeals of the United States; we have classified the judges of the Court of Appeals of the District of Columbia with the circuit courts of appeals of the United States; we have classified the judges of the Supreme Court of the District of Columbia with the judges of the district courts of the United States; and, having taken that course, we have followed the practice throughout the United States of not discriminating as to the salaries between the presiding judge and the other members of the court.

Mr. HITCHCOCK. It is the intention, then, to harmonize the plan so as to equalize the salaries of the judges of the various courts?

Mr. SMITH of Georgia. That is correct.

Mr. HITCHCOCK. That is satisfactory to me. If it is done in one case, it should be done in all.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

The VICE PRESIDENT. The bill is in the Senate and open to amendment.

Mr. ASHURST. Mr. President, it will be remembered that on last evening I offered an amendment, which does not appear to have been printed, except in the RECORD, where it will be found on page 1602. I will not ask that it be read; I believe I can make a statement that will be shorter and consume less time. Moreover, I feel that my argument or statement last night had more heat than light. So, if the Senate will be indulgent for two or three minutes, I will simply state the amendment.

Various bills have been introduced by different Senators proposing to provide for additional judges in States where the work was beyond the capacity of one particular judge. The first case that came before the Judiciary Committee was one from the State of New Jersey. The bill was referred to the Judiciary Committee; a favorable report was made; the bill passed the Senate, passed the House, and became a law. I was on the subcommittee that considered the New Jersey case and I recall distinctly that the courts of New Jersey were working far beyond the capacity that any man could work effectively, especially where serene thought is required.

Then came other bills of a similar character before the committee. One was a bill proposing to create an additional district judge in the State of Montana. The distinguished junior Senator from that State [Mr. WALSH] filed a very illuminating brief showing the necessity for an additional judge there. For the northern district of the State of California likewise an additional judge was provided; for the southern district of Florida an additional judge was provided, the judge of the court there being very much overworked by reason of the proximity of that district to Cuba, and hence frequent cases growing out of infractions of the customs laws—frequent cases of smuggling. In the case of Illinois two additional judges were provided for the northern district. In the case of Arizona there was also provided an additional judge. I will pause long enough to repeat what I said yesterday and what my colleague [Mr. SMITH of Arizona] said, that, with our 300 miles of Mexican border and many smuggling cases, 30,000 square miles of Indian reservations, and 18,000 square miles of forest reservations, the Federal court has many cases before it.

With reference to the State of North Carolina the western judicial district was found by the committee to require an additional judge. In the middle district of the State of Tennessee it was found that an additional judge was necessary; and in the State of Mississippi it was found that an additional judge was necessary.

So, Mr. President, each and every one of those bills passed the Senate, and my amendment is nothing more than a composition or gathering together of those bills which passed the Senate in the Sixty-fifth Congress providing for these additional judges. As I have said, the Judiciary Committee of the Senate considered all those bills. I was on one or two of the subcommittees, and I recall that in one of the cases—I have forgotten which one—the distinguished Senator from Connecticut [Mr. BRANDEGEE] was a member of the subcommittee, and the argument had not proceeded 50 minutes when the Senator said, "I am entirely convinced, and I will agree readily to a favorable report on this bill. The present judge should be afforded relief." That was substantially the situation with reference to all of the cases—in the Montana case, in the California case, the Arizona case, the Florida case, and all of them.

If this amendment imperils the bill seriously or jeopardizes the bill in any way, I do not expect it to be insisted upon; but I submit that the people of this country have a right to have speedy adjudication of their litigation, and if Federal judges are needed here or needed there the Senate should grant them.

I said yesterday—I do not know that it is entirely parliamentary, but I will repeat it—that owing to the cluttered condition of legislation in another branch of Congress, I very much fear that this needed legislation covering these eight individual cases will not be acted upon favorably unless they are included as an amendment to this bill. That implies no reflection upon any other branch of Congress, but it is a situation that is always before us at the close of Congress. That is all I have to say upon the subject, and I yield the floor.

Mr. MCKELLAR. Mr. President, I am very much in favor of the amendment offered by the Senator from Arizona. The middle district of Tennessee is at present without a judge. Tennessee is divided into three grand divisions—the eastern, the middle, and the western divisions. The eastern district has a judge and the western district has a judge, but the middle district does not have a judge, the Federal court in that district being presided over by a judge of the eastern district—Judge Sanford. This is the largest district in the State. The judge of the western district is Judge McCall, who has more than he can do now, as was shown by the evidence before the committee.

The Federal business in the middle district of Tennessee has increased over 100 per cent since 1913. The court is away behind in its docket. The judge can not possibly do the work, and at the same time perform the judicial work in the eastern district, according to all the facts as they have been adduced before the Judiciary Committee of both branches of Congress.

The bill creating a new judge for the middle district of Tennessee was introduced by my colleague [Mr. SHIELDS] and brought before the committee of the Senate, which recommended its passage, and later on the Senate passed the bill. At the same time a like bill was introduced in the House. That bill was favorably recommended by the committee, and is now on the calendar of the House; but, in the press of business in the House, it is very doubtful whether it will be reached on the calendar. Most Senators probably will realize the parliamentary situation in the House from having served in that body, and they will know that at this late day it is almost impossible to get a bill of this kind through. The only reasonable opportunity that these bills have to become laws is for

them to be put on a bill of this kind. The Senate having passed all of the bills, I hope that it will agree that they may be placed as an amendment upon this bill, so that they may become laws at this session.

The only cost to the Government will be the salary of the judge. The court room is there. The district attorney, the marshal, and all the other officers of the court are already existing. There will be no expense except the salary of the judge.

In connection with the Tennessee case, Mr. President, there is a very excellent report filed by Mr. NEELY, an able and distinguished member of the Judiciary Committee of the House, which report I ask to have inserted as part of my remarks. I repeat that I hope the amendment of the Senator from Arizona will be agreed to.

The VICE PRESIDENT. Without objection, the report referred to by the Senator from Tennessee will be printed in the RECORD.

The report referred to is as follows:

The Committee on the Judiciary, to whom was referred the bill (S. 1836) to provide for the appointment of a district judge in the middle judicial district of the State of Tennessee, and for other purposes, having considered the same, report it to the House with the recommendation that it do pass.

The State of Tennessee is divided into the eastern, western, and middle judicial districts. The eastern and western districts each has a judge. The middle district being without a judge, court is therein held by Judge Sanford, of the eastern district. The last annual report of the Attorney General shows that, for the fiscal year 1917, there were in the middle district of Tennessee 102 cases pending, 191 commenced, and 159 terminated. During the fiscal year 1916 there were 51 cases pending in this district, and for several years immediately prior to 1916 there were pending an average of 50 to 60 cases per year. It thus appears that during the year 1917 there was an increase of almost 100 per cent in the number of pending cases over any year recently preceding 1917, and that the docket in the middle district is becoming congested at a rapid rate.

The following letter, written to Hon. JOSEPH W. BYRNS from Hon. Lee Douglass, United States attorney for the middle district of Tennessee (found at p. 9 of the record of the hearings in this matter), concisely sets forth the more material facts upon which the committee bases its recommendations in the premises:

COMMITTEE ON THE TERRITORIES,
HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, January 23, 1918.

Hon. JOSEPH W. BYRNS,
Washington, D. C.

DEAR SIR: I acknowledge your letter of January 3, in which you ask me to write you, giving information as to the present amount of business in the district court at Nashville and Cookeville, etc.

I am very glad, indeed, to give you this information, but before making any use of this letter I wish you would kindly get the permission of my superior, the Attorney General, which I am quite sure he would be glad to give.

On the occasion of the former attempted passage of the act to create a new judgeship for the middle district of Tennessee, I wrote a letter to the Attorney General which I understand was filed with the Judiciary Committee, and, inasmuch as portions of same were published in dispatches from Washington, I feel I am not violating any etiquette in inclosing you herewith a copy of this letter. You will notice that this letter is quite comprehensive and covers the matter fully up to June 23, 1916.

On page 2 of that letter you will notice that I inserted statistics from the published annual reports of the Attorney General showing the number of cases pending, commenced, and terminated in this district for the fiscal years 1913 and 1914, when my predecessor was in office, and for the fiscal years 1915 and 1916, during my administration. These statistics were as follows:

Fiscal year—	Pending.	Commenced.	Terminated.
1913	69	88	102
1914	55	117	124
1915	48	165	162
1916	51	264	213

You will note the increase in business in the fiscal years 1915 and 1916.

There has recently been published the Annual Report of the Attorney General for the year 1917. The statistics, as shown by this report for the fiscal year 1917 in the middle district of Tennessee, are as follows: Pending, 102; commenced, 191; terminated, 159.

You will see from this that the volume of business for the year ending June 30, 1917 (which was the fiscal year covered by the above), is substantially the same as the two preceding fiscal years, with this significant fact, that there were pending in 1917, 102 cases, whereas there were pending in 1916, 51 cases, and for the preceding years practically between 50 and 60 cases. In other words, the number of cases pending, due to continuances, etc., is over 100 per cent more than any preceding year.

I may say also that as the Attorney General's report was for the year ended June 30, 1917, it included but one term of court since the declaration of war, and that term was at Cookeville, and so shortly after the declaration of war that practically no cases growing out of a violation of the war statutes were ready for submission to the grand jury.

The espionage act, the selective-service act, the food-control bill, etc., have all been passed since the last term of court embraced in the Attorney General's report, and, of course, this report gives no record in the prosecutions under these various acts. These acts have served to largely increase the criminal business of the district court, which, as I said in my letter of June 23, and which was shown by the record, had steadily increased theretofore. While there was noticeable at the last term of court a small falling off in the number of prosecutions for bootlegging cases (carrying on the business of a retail liquor dealer without Government stamp), nevertheless this was more than offset by the number of prosecutions for violation of the Reed amendment. There were 23 cases at the last term for violation of this last-mentioned statute, and considerable time was consumed in the trial of these cases. As long as Kentucky is wet and Tennessee is dry these prosecutions are going to be inevitable, for the profit in the illicit transportation of whisky is so great as to tempt many people to violate the law.

At the Cookeville term last April we found it necessary to hold court for the same time as that referred to in my letter of June 23, 1916, and in addition it was necessary for Judge Sanford to hold night sessions.

Of course I do not know, except by reference to the Attorney General's report, of the volume of business that devolves upon Judge Sanford in holding his terms of court in the eastern district at Chattanooga, Knoxville, and Greenville. However, I think I can safely say, from what he has told me, that there has been no decrease in the volume of business at any of these places. An examination of the Attorney General's report shows, however, that my statement in my letter of June 23 still applies when applied to the present. The statement was that there were more criminal prosecutions pending, commenced, and terminated in either the middle or eastern district, presided over by Judge Sanford, than in the western district, presided over by Judge McCall. In other words, Judge Sanford, in his court, actually has more criminal business to dispose of in either one of his two districts than Judge McCall has in his entire district. The Attorney General's report for 1917 shows that in the eastern district there were pending 135 cases, there were commenced 153 cases, and there were terminated 170 cases. I have already shown the record of cases in the middle district. The Attorney General's report for 1917 shows that in the western district, presided over by Judge McCall, there were pending 47 cases, commenced 97 cases, and terminated 84 cases.

In regard to the civil business, I am only in position to speak authoritatively in regard to such civil cases as concern the Government. I believe this character of business is on the increase.

It is true, as you state, that Judge Sanford is a most conscientious judge in the performance of his duty and gives what might be called unusual time and attention to his duties, and I repeat what I said in my letter of June 23, that no one but a judge of his splendid ability and energy could have kept up the work of these two districts in anything like a satisfactory manner during the past two years.

Of course, Judge Sanford would wish to make his own statement about this matter, but I feel at liberty in saying that I have observed the strain which this work is putting upon him and know that it is almost a human impossibility for one man to do what he is trying to do, and I feel that he should have some relief. He has recently written me as follows:

"I can only say that I have been reluctantly driven to the conclusion, by the logic of the situation and the increased volume of business in the Federal courts, that it is impossible for one judge to keep up the work in the two districts with the promptness and thoroughness which the due administration of justice requires, and that, in my judgment, some measure of assistance in this work is required in the public interest."

With kindest regards, I am,
Very truly, yours,

LEE DOUGLAS,
United States Attorney.

It is a matter of common knowledge that, as a result of the war legislation recently enacted by Congress, the duties of every district judge have been multiplied and his labors enormously increased. While the facts as to the increase of business in the middle district of Tennessee by reason of the legislation last referred to are not available, it is nevertheless unquestionably true that the necessity for the appointment of a judge in this district is even more urgent than it was at the time the hearings in the premises were concluded, to wit, March 16, 1918.

Mr. WALSH. Mr. President, there is a great deal of merit in what has been said by the Senator from Tennessee [Mr. MCKELLAR] and by the Senator from Arizona [Mr. ASHURST]. I should like to say a word with respect to the Montana bill. It has twice passed this body and has never had consideration from the other branch of Congress. Not only is the court entirely overburdened with work, but there is in the report which was made to this body a letter sent here by the judge of the district court, who, by the way, was not appointed during this administration and is not politically in harmony with the party now in power, who sets out that the bill, if enacted into law, would operate to save to the Government of the United States $50,000 a year in the administration of justice in the State of Montana. Accompanying the report there is a statement showing that it costs more to run the United States district court in the State of Montana than in any other State in the Union. It costs almost as much as it does in the largest district in the Territory of Alaska, and the plain reason is that witnesses and jurors and marshals have to travel enormous distances in order to make service of process and to reach the court; so that really that bill is a measure of economy. It does not involve an additional expenditure upon the part of the Government of the United States. It will result in a saving of money to the United States, estimated by the judge of the court to amount to at least $50,000 a year.

These considerations have usually been persuasive in this body, but we have never been able in the other branch of Congress to get the matter on the floor, for some reason or other—just exactly why, I have never been able very well to ascertain. It occurs to me that this body might very appropriately again express its earnest desire to have these additional judges appointed in the districts in which they seem so very necessary.

Mr. SMITH of Arizona. Mr. President, the only doubt I have about the amendment—having none on earth about its

merits—is the apprehension I entertain as to the effect its adoption might have on the ultimate passage of the bill.

I do not know the condition in the other States; but I am glad that the Senator from Montana [Mr. WALSH], as he usually does in any case, gets at the very bottom of it in a very short time. He has stated a condition in Montana that appeals to me, as it does to him, because exactly the same condition surrounds the court in my own State. It travels thousands of miles in holding court at four separate places. The marshal, with his writs, travels thousands of miles, and the same is true of the selection of jurors, and so forth; and we made the four districts in order to help out the Federal Government in the discharge of the duties of that court.

I have no doubt that in my State on an average there are 200 prisoners in jail at a time for violating some Federal law, on account, as was suggested by my colleague, of our proximity to Mexico, with 300 miles or more of border line—you know exactly what that means without further statement—thousands, yes, millions on millions of acres of land in Government reserves and in Indian reservations, every one of them with Federal jurisdiction, and that crowds the court to such an extent that I have no fear in saying that we have an average of 200 prisoners in jail all the time. That at $2 a day would be $400 a day; and as a matter of simple economy—not only of justice to those poor wretches who are in the jails, but as a matter of economy on the part of the Congress—there ought to be some relief given by the appointment of another judge in that State. It is not a question of the district or of its machinery, but it could afford that when the Government saves thousands of dollars a year by it. So that while my whole sympathy is in favor of the amendment, my only fear is, as is known to all of us who are interested in these different bills, in regard to the effect that its adoption might have upon the bill in the other House, where, unfortunately, they have mixed up mere partisan questions with it that are natural, but are very regrettable under such conditions as these.

Therefore I feel something like my colleague has suggested. I should like to see the amendment agreed to, and I should like to see the Senate keep the amendment on the bill if it can, and I should like the Senate conferees to do their best to keep it on the bill; but, in spite of my fears as to the result, I can not refuse my assent to the amendment.

Mr. KELLOGG. Mr. President, I hope the Senate will not adopt this amendment. The object is evident. It is said here that various separate bills have been passed by the Senate creating certain judges in various districts of the country, and they are pending in the House of Representatives. Now, in order to force the House of Representatives to pass those bills, we propose to tack them onto a bill fixing the salaries of the circuit and district judges in the District of Columbia, Alaska, Hawaii, and Porto Rico.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. KELLOGG. Yes.

Mr. McKELLAR. The Senator speaks of forcing the House to pass those bills. I think that is not exactly correct, for this reason: Those bills have all been reported favorably by the House committee, and no doubt will pass the House if, under the rules, they can come up. It is just a question of getting them up, and in this way they will be gotten up.

Mr. KELLOGG. That is forcing the House, then, to take them up.

I think these bills ought to be considered in the House of Representatives and in this Chamber on their own foundation. The practice of lumping a lot of bills together and tacking them onto some other bill is a bad practice, and it is not fair. This bill ought to pass on its merits and ought not to be connected up with the bill creating additional judgeships in various circuits and districts in the United States. That is not the way to legislate, and it will endanger the passage of this bill, and I hope the Senate will not start in on any such practice as that.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. KELLOGG. I yield.

Mr. LENROOT. I wish to correct the statement made by the Senator from Tennessee. I wish to assure the Senator that I know that there is determined opposition to some of these bills in the House.

Mr. McKELLAR. I do not mean to say that there is not opposition. There has been opposition to the bills all the time. I said that they had been favorably reported by the committee to the House.

Mr. KELLOGG. It might be that there should be a judge appointed in California and that there should not be a judge in some other district. It might be that there should be a judge in Pennsylvania and not in Minnesota. I do not think, however, that there is any claim for an additional judge in the latter State. But it is proposed here to take the whole, irrespective of the merits, and put them on this bill regulating the salaries of district and circuit judges of the United States and of Alaska, Porto Rico, and the District of Columbia.

Mr. McKELLAR. Mr. President, will the Senator yield again?

Mr. KELLOGG. I yield.

Mr. McKELLAR. Did not the Senator vote for these very bills that have passed the Senate?

Mr. KELLOGG. I do not remember whether I did or not. It does not make any difference. If I voted for every one of them and advocated every one of them, I would not put them on this bill, and I do not think it is good practice.

Mr. JOHNSON of South Dakota. Mr. President, I have been on my feet two or three times trying to ask a question that may guide me in my vote on this amendment.

I am not posted on judicial matters, but I should like to ask the Senator who introduced the amendment, or some one who knows, whether the establishment of these eight judges—I believe there are eight—in the different places will require an additional number of United States district attorneys and marshals and an entirely new set of machinery to handle the courts after the judges are appointed in case they should be? In other words, will these States be redistricted?

Mr. McKELLAR. If the Senator will permit me just to call attention to the condition of the Tennessee court—and I assume the condition is probably the same in other States, but I know this is true of Tennessee—there is a district attorney, a district court, a marshal, and all of the other clerks and employees of the court already in existence there. The only effect of the passage of this bill will be the appointment of the additional judge.

Mr. ASHURST. Mr. President, will the Senator yield to me? I need not say anything further, except to say that in answer to the question the Senator from Tennessee has given correct data. The bills do not create, nor intend nor propose to create, any additional marshals, clerks, or district attorneys.

Mr. SMITH of Arizona. And they create no new districts.

Mr. ASHURST. They create no new districts and no new officials except the judges—no new marshals, no new district attorneys, no new clerks.

Mr. McKELLAR. And the courts are already existing. The courthouse, the place of meeting of the court, is already in existence, and there will be no additional expense on account of it except for the judge.

Mr. JOHNSON of South Dakota. The purpose I had in asking the question was to ascertain whether these things would not naturally follow.

Mr. President, with that assurance I shall vote for the amendment, because from the showing made it seems to be a needed addition to the bill, but not with any intention of voting for the bill in its present form.

Mr. ASHURST. No, Mr. President, because, as has been stated, no new place, no new machinery, is proposed to be created; simply an additional judge.

Mr. McKELLAR. All the rest is in existence now. They have all the rest; it is just simply a judge from another district who sits in the court.

Mr. HOLLIS. Mr. President, I confess that I am always partial to any proposition that is put forward by my friend from Arizona. I believe I have always voted for every proposition he has presented to the Senate before this. I think he is always right on his fundamentals, and I have no doubt they need a new judge in Arizona, and I am glad the Senate has passed a bill providing for that; but we are interested in a bill to increase the salaries of the Federal judges throughout the United States and the Territories. I am afraid it would defeat the bill if this amendment were adopted, and in spite of my entire sympathy with the vigilant and intelligent Senator from Arizona on this very proposition, I feel obliged to vote against the amendment, and I hope it will fail.

Mr. SMITH of Georgia. Mr. President, I think I have supported in the Judiciary Committee all but one of these bills, and I was absent from the Judiciary Committee when that one was favorably acted upon. I think they are all right; but we passed upon each one separately, and the House is entitled to investigate each one of them separately, and pass upon it separately.

I am afraid that the adoption of this amendment would seriously endanger this bill, and for that reason I shall vote against it.

Mr. HITCHCOCK. Mr. President, I should like to ask the members of the committee how the bill can be endangered. It has to go to conference; and if there is danger of the defeat of the bill, that matter can be settled in conference. There is no reason why the Senate should not express its opinion on the bill.

Mr. SMITH of Georgia. Of course, if the Senate does not expect the conferees to stand out for this amendment, it would do no harm; but if we are going to go to conference and really insist upon it, I have not any real hope that the House would accept it.

Mr. McKELLAR. I think the Senator is mistaken in that. I think there will be a real hope of the House accepting the amendment. Their committees have passed upon all these bills favorably, and I do not see how it could possibly endanger the bills in any way whatsoever.

Mr. THOMAS. Mr. President, the Senator thinks, then, that the House would accept the amendment?

Mr. McKELLAR. I do.

Mr. THOMAS. Then I shall vote against it. [Laughter.]

Mr. LENROOT. Mr. President, knowing as I do something of the situation in the other body with reference to some of the bills that are included in this amendment, I feel that I ought to say that, in my judgment, if this amendment is adopted it will very seriously endanger the passage of this bill. There has always been a very considerable opposition in the other body to any increase at all in the salaries of Federal judges; and, in my judgment, if this amendment is adopted, even though it may be agreed upon by the conferees, the House will reject the conference report and the entire legislation will fail.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arizona [Mr. ASHURST].

Mr. ASHURST. I respectfully request the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK], which I transfer to the junior Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In his absence I withhold my vote.

Mr. HENDERSON (when Mr. PHELAN'S name was called). I desire to announce the absence of the Senator from California [Mr. PHELAN] on account of illness. If present he would vote "yea."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. In his absence I withhold my vote.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING]. He is not present, and not knowing how he would vote I will withhold my vote.

Mr. TOWNSEND (when his name was called). I transfer my pair with the senior Senator from Arkansas [Mr. ROBINSON] to the junior Senator from Missouri [Mr. SPENCER] and vote "nay."

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. I am informed that if he were present he would vote as I shall vote, and therefore I vote. I vote "nay."

The roll call was concluded.

Mr. SMITH of South Carolina. I transfer my pair with the Senator from South Dakota [Mr. STERLING] to the Senator from California [Mr. PHELAN] and vote "yea."

Mr. MYERS (after having voted in the affirmative). Has the Senator from Connecticut [Mr. McLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. McLEAN], which I transfer to the Senator from Louisiana [Mr. GAY] and allow my vote to stand.

Mr. CALDER (after having voted in the negative). Has the Senator from Rhode Island [Mr. GERRY] voted?

The VICE PRESIDENT. He has not.

Mr. CALDER. I have a general pair with that Senator and therefore withdraw my vote.

Mr. HOLLIS. I desire to announce that the Senator from Illinois [Mr. LEWIS] and the Senator from Louisiana [Mr. GAY] are detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON]; and

The Senator from South Dakota [Mr. STERLING] with the Senator from South Carolina [Mr. SMITH].

The result was announced—yeas 26, nays 42, as follows:

YEAS—26.

Ashurst	Hitchcock	Myers	Smith, Ariz.
Beckham	Johnson, Cal.	Overman	Smith, S. C.
Chamberlain	Johnson, S. Dak.	Pollock	Trammell
Culberson	Jones, N. Mex.	Ransdell	Walsh
Cummins	Kirby	Reed	Williams
Fletcher	McKellar	Shafroth	
Henderson	McNary	Sheppard	

NAYS—42.

Bankhead	Jones, Wash.	New	Swanson
Borah	Kellogg	Nugent	Thomas
Colt	Kenyon	Page	Townsend
Curtis	King	Penrose	Underwood
Fernald	Knox	Poindexter	Vardaman
France	La Follette	Pomerene	Wadsworth
Gore	Lenroot	Saulsbury	Warren
Gronna	Lodge	Smith, Ga.	Watson
Hale	McCumber	Smith, Mich.	Weeks
Harding	Martin, Va.	Smoot	
Hollis	Nelson	Sutherland	

NOT VOTING—28.

Baird	Gerry	Moses	Shields
Brandegee	Goff	Norris	Simmons
Calder	Hardwick	Owen	Smith, Md.
Dillingham	Kendrick	Phelan	Spencer
Fall	Lewis	Pittman	Sterling
Frelinghuysen	McLean	Robinson	Thompson
Gay	Martin, Ky.	Sherman	Wolcott

So Mr. ASHURST'S amendment was rejected.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. Shall the bill pass?

Mr. TRAMMELL and Mr. NUGENT. I ask for the yeas and nays on the passage of the bill.

Mr. MARTIN of Virginia. Mr. President, I shall not detain the Senate five minutes. I simply desire to enter my protest against the passage of this bill. We have passed through a terrible war, and the resources of the country are taxed to the utmost. The cost of living has gone up so that almost every salaried man in the United States feels the trouble. In the distress which prevails, which has been brought about by the war, it does seem to me most unfortunate to undertake now to increase salaries.

But, Mr. President, if we are to increase salaries in the United States I appeal to Senators to begin at the bottom. There are people, as we all know, in this city and throughout the United States in the employment of the United States Government who find it almost impossible to get food and raiment with the salaries now paid them by the Government. They have all been appealing to the Congress for increases in salaries. The appeals come to me every day, and they are most touching in many instances. With due regard for the true interest of the entire country, I have been compelled, with rare exceptions, to turn a deaf ear to those appeals, but nobody will rise here in his seat and say that the judges of the United States are in any trouble about getting food and raiment with the salaries that are being paid them.

The judicial offices of the United States are more sought after, more desired, and more valuable than any other offices in the gift of the American people. There are few Members of Congress who would not resign the seat they hold to get a judicial appointment under the Federal Government. We have had many instances in recent years where able men in Congress have resigned to accept judicial appointments under the Federal Government. I say, without fear of successful contradiction, that the judicial offices of the United States are the most valuable, the most desirable, the most sought after that the Government can bestow upon any of its citizens.

In the name of reason, Senators, if you are going to increase salaries, is it right to begin at the top? You have not heard of any of the Federal judges resigning because the pay was not big enough, and you are not likely to do so. In my own State the judges of the supreme court get $4,500 a year. They are very able men. There is hardly one of them who would not be an ornament to the Supreme Court of the United States, and they are working for $4,500 a year, and do more work, in my opinion, than the average judge of a Federal court. In my own State I know the judges of our supreme court do many times the work that is done by the district and circuit judges.

I believe in a well-paid judiciary; if circumstances permitted, I would be willing to see their salaries increased, but I feel that they are the best-paid men in the employment of the United States Government, without a single exception, and it is a position more sought after than any other position that can be bestowed by the Government of the United States.

If we are going to increase salaries, is it right to commence with those who are most favored now by the Government, who do not know what the pinch of want is, who can enjoy every luxury, every comfort, and every pleasure without any serious difficulty? Do you not think we had better commence with those people who are feeling the sting of want, who find it difficult to live on the meager salaries now paid them by the Government of the United States?

I am amazed that the Senate of the United States should be disposed to add to the salaries of the most favored class of people in the United States, without a single exception, and that is what this bill does. I am absolutely opposed to commencing at the top. If we are going to raise salaries, in God's name let us begin at the bottom and begin where there is real want. Let us begin where there is real necessity for an increase and not begin by piling up additional salaries for the best-paid officials that the Government of the United States employs.

That is all I desire to say, Mr. President.

Mr. WILLIAMS. Mr. President, I am glad to hear the clarion voice of the Senator from Virginia, who happens at the same time to be the leader of the Democratic Party upon this floor, in such unmistakable terms as I have just heard. The excuse made for all this is the increase in the cost of living. Do Senators forget that the increase in the cost of living bears chiefly upon the taxpayer and not upon the Federal judge, not upon a Senator or Representative in Congress or governor? The increased cost of living renders the taxpayer less able to pay taxes, and war emergencies and the peace reconstruction emergencies render it all the more necessary that he should pay taxes. This is the time of all times that is the wrong time, and yet the time of all times when everybody comes up wanting to pull at the breast of the Treasury of the country in order to get something added to what he hitherto has been receiving.

The Senator from Virginia is exactly right. This bill with these provisions in it ought not to pass this body. This body can not go before the American people with a feeble increase of 10 per cent for the people who are getting $780 and $900 a year while it grants these increases to the men who are receiving not only enough to get food and raiment, as the Senator from Virginia says, but, in addition, sufficient to educate their children. When King Henry IV entered the capital of France he said that he wanted to see the day come when every peasant in France should have a fowl in his pot. The utmost any man looks for in this world is the day when everybody can buy food and raiment and educate his children in a respectable way.

Why should you increase the immense financial distances between men? There is not a man in the United States who would not rather be a Federal judge at $3,000 a year than to be a hod carrier at $6,000, if the hod carrier could get $6,000.

This is not demagogy. I do not think I have ever been a demagogue; I do not think I could be if I tried to cultivate the art. But you all know that men's compensation for their work in this world consists partly in money and partly in honor. Would I, for example, have been a Senator of the United States for the sake of the salary? A whole lot of you never would have been, although the salary was a big thing to me. What appealed to you to come here? It was the idea that your children and your children's children might point to the record and say you had been here in this august body representing a part of the legislative authority of this United States. A man takes pride in the fact that from the Continental Congress down to the present time his family has been represented upon the floor of the legislative body of the United States. Could you get any better men if you paid them $20,000 a year than you are getting now? No; you would get worse men. You would get men who would come here for the money, and the man who goes anywhere in the front line of battle or in the ranks of honor in this world for money is a bad representative of the American people.

You can not build up a good judiciary of men whose chief aspiration is an increase in salary. If that is a man's chief wish, then he ought to get off the bench at once and go to making money somewhere else without the honor. But if he prefers honor to money, he will stay where he is. If he prefers money to honor, he will resign, as so many have done from the State benches and some few from the Federal benches.

I tell you this whole idea that you can create ability by paying in cash is a lie. You could not have created John Marshall by giving him $20,000 a year, nor Judge Story, nor Chancellor Kent, nor Chief Justice Sharkey, of the State of Mississippi. There was not a day in the life of either one of those men when they would not rather have had the office with just enough to furnish them food and raiment than not to have had it at all. It was an honor to them, an honor to their children, an honor to their grandchildren, and an honor to their family all the time. The true aristocracy of the world consists in being able to point back to ancestors who performed public service. These Federal judges are members of the American aristocracy, as is every man who performs a high public service.

It is just as foolish to tell me you can get better judges by paying more money as it is to tell me you can get better Senators by paying more money. You would merely tempt every selfish moneygrubber in the world to run for the Senate, whether he was fit for it or not. If you pay him more money than he could make in his present occupation, he would give up that occupation because he could make more money by holding a seat in the United States Senate. You do not want to tempt men to public service merely with money. You want to give them enough money to carry off the dignity of the situation, and it does not require so awfully much dignity. You want to give them enough money so that out of the salary they can carry themselves and their families respectably in society. But it does not take so awfully much money to do that. John Marshall used to carry his paper parcels through the streets of the city and never considered it a disgrace. Such a thing would be considered a great disgrace in these days; at least it is in many cities, and I suppose it is here. As to carrying a basket or parcel with fish and chickens and oysters in it for the family to eat, that is beneath the dignity of any man now serving in a public place anywhere. He would rather be shot at than be seen performing that duty on the public streets. You can not create legal ability by paying cash for it. It has got to be there; and then, if it chooses to exploit itself as a lawyer, it can sell itself for cash, but you can not create it by giving it cash. How do you create judges? If you create them right, you find a man who has made the best lawyer in his district and you try to make a judge of him. He did not make the best lawyer in his district because some one had paid him money. Let me give you an example. I have gone out of the back door many a day to escape a client coming in the front door, because the practice of law bored me and the money did not interest me. It did, too; but I mean it did not interest me sufficiently to make me stay in.

Here is another man who loves the law. Take the Senator from Idaho [Mr. BORAH], for example. He loves a law point as I love a logical syllogism or a mathematical problem. It does not bore him; it interests him. The consequence has been that he has made a great lawyer. Do you suppose, if you were going to put him on the bench to-day, you could make him any better lawyer by giving him $10,000 a year instead of $7,500? I imagine you would make a worse lawyer of him, for you might give him a whole lot of luxurious habits that he now has not, and the luxury might lead to laziness, and laziness might lead to intellectual indolence, and intellectual indolence might finally lead to legal inefficiency. I am glad that the Senator from Virginia [Mr. MARTIN] made that little talk. It was the best thing I have heard in this Congress.

Mr. BORAH. Mr. President, I trust I have a sufficient and proper appreciation of the position of the judiciary in our Federal system. I have many times on this floor and elsewhere expressed my views in regard to it, and I have not in any sense modified those views. I also realize that all of the Federal judiciary is insufficiently paid, but I do not believe that it is so insufficiently paid as to justify this bill at this time, when we take into consideration the conditions which now confront us. I realize, of course, that there are men upon the bench who are making a sacrifice, who are not receiving what they would receive if they were in private practice; but if there is anyone in this country who is not making a sacrifice now in a financial way, I do not know who it is.

Business is embarrassed and business men are embarrassed; business men are suffering and business men will go to the wall, owing to the exceedingly great burden which has necessarily been laid upon us by reason of this war; and I do not believe that the Federal judiciary ought to be singled out and have their salaries increased, and I do not believe that the judges of the Federal judiciary, as a whole, expect it. I think that the great body of them are perfectly willing to submit to the situation which now confronts them until they, in common with all their countrymen, can enjoy a better condition of affairs.

I do not see, Mr. President, how it is possible for us to raise these salaries without raising salaries all along the line below these. I do not see what possible answer we can make to the requests which will come to us to raise salaries below this amount, for it comes right down to the question of what is necessary to sustain life and to clothe and to feed a family. There are any number of men in this country who are now serving the public at very much lower salaries than are being paid to the Federal judiciary, and if it is a question of living, if it is a question of clothing and of food and of the education of the family, what possible answer can we make to these men

when they ask for an increase of salary and point to the fact that we have increased the salaries of judges?

You are greatly in error, Senators, if you suppose that the request will not come. It will be here upon short notice; it is here now in a potential way, and we must face it. Are we in a position, therefore, to set the precedent and to establish the example of increasing salaries at this particular time, when everyone is sorely pressed by reason of financial conditions and by reason of heavy taxes? I do not think that we ought to do it, though I have just as high an appreciation of the Federal judiciary, I presume, as anyone could have, and I have just as high an appreciation of the character of the judges who occupy these places. I believe they are willing, and I believe they ought to be, to suffer with the rest until a better condition of affairs arises.

I have been in the Senate, Mr. President, for nearly 12 years. One of the first activities in which I was engaged in the Senate was in opposition to the raising of salaries. I have watched the program ever since. If we raise the salary of a class of officers to-day, to-morrow they point with full justification to the fact that that salary is unfair as compared with the salaries which we are paying to others, and there is no answer to it. Every man wants to be equitable; every man wants to be fair; and when some employees point to the fact that we have raised salaries here and there, and we refuse to raise their salaries, it is an argument which a Senator can not answer. The result of it is that this becomes a law of perpetual motion, and we are constantly increasing salaries regardless of circumstances and conditions which confront us. When employees come here with their $1,200, $1,500, $2,000, and $3,000 a year salaries and ask for an increase, and say, "We can not live on what we are now getting," what answer will we make when we have raised the salaries of those now receiving $6,000 and $7,000 because the officers receiving those salaries can not live upon them?

So, Mr. President, we are entering at this critical time, when people are being taxed beyond any conception of previous years, upon a program of raising salaries all along the line, if we are going to do justice to the entire situation. I know that the Federal judiciary is able; I know that it is patriotic; I know that it is devoted to the interests of this country; I know the judges are men of character and they will understand the situation. We should not ask that this precedent be established at this particular juncture of critical affairs.

Mr. SMITH of Georgia. Mr. President, I shall detain the Senate very briefly in saying a few words with reference to this bill. The district and circuit court judges of the United States are receiving the same salaries they have received for many years. Instead of this bill being a precedent for raising salaries, the precedent all along the line is that the salaries of others in similar positions have been raised, while the salaries of these officers have not. The salaries of the judges of the Supreme Court of the United States have been raised; the salaries of Cabinet officers have been raised; the salaries of assistant attorneys in the Department of Justice have been increased; and, all around, men engaged in the same class of work have had their salaries increased, while the Federal judges have not.

Mr. SMITH of Arizona. The Senator might also include Members of Congress.

Mr. SMITH of Georgia. Yes; and, as the Senator says, Members of Congress have had their salaries increased.

Mr. President, I am not generally in favor of increasing salaries; I believe in economy; but there is no class of men in the United States who carry more completely the lives, the liberties, and the property of the people than do our Federal judges. They are of the utmost importance to the people of this country. I believe that a United States court judge should be separated from the ordinary affairs of life even more than a Representative or a Senator, more than a Cabinet officer, more than a district attorney, or an assistant district attorney. The Federal judge can not practice law, no; he can not engage in business, no; he can not engage in trade, no; he can not form business associations without complicating his relations to the litigants in his court. He is put in the position where he must lay the making of money behind him and rely solely on his salary and such little savings as he may make from his salary and invest.

For a number of years past there has been a recognized view that the salaries of Federal judges ought to be increased, but no general plan was adopted. The Judiciary Committee of the House worked out with great care a plan and the House finally adopted one embodying an increase, but not an extravagant one. We were on the point in the Senate of doubling the increase given by the House; but, I am glad to say, this morning the Senate reconsidered its action and went back to the conservative figures given us by the House of Representatives. There was a very close vote in the House as to whether $7,500 and $8,500 or $8,000 and $9,000 should be the figures; but the almost overwhelming sentiment was that some increase was essential, and this bill finally passed by an overwhelming majority.

There are two other provisions in the bill of substantial importance. We have had district and circuit judges under our present system who passed the age of 70, but did not retire, because they felt that they were able to do something and that retirement and abandonment of all work meant mental and physical collapse. In this bill they are given the opportunity to retire, not to resign, but to continue to serve in judicial life to the extent of their physical capacity. I think that is a most valuable provision.

The bill also provides that if any judge, on account of physical or mental disability of a permanent character, can not perform efficiently all the duties of the office, then the President can appoint an additional judge. We have been embarrassed by this condition frequently heretofore, and this part of the bill perfects, in my opinion, our judicial system.

I trust that, as we have reached such progress in this proposed legislation, it will receive the indorsement of the Senate; and I submit the matter, so far as I am concerned, to your consideration.

Mr. FERNALD. Mr. President, I trust that I have sufficient respect for the dignity of the courts of the United States, and I do not presume to speak for any State save my own, but I realize that we are about to establish a precedent here that will be troublesome to the Senate in the future, and not the remote future—not next week or next year—but right now. We have selected a body of public servants who are receiving reasonable salaries, who are to-day receiving sufficient to care for themselves and their families and to educate their children, and are ignoring a large number of public officials who are not receiving sufficient to take care of their families and themselves. I consider it, sir, an outrage to take men occupying high position in the Government, now receiving reasonable compensation, and increase their salaries unless we go the whole length of the line.

In my State we have never been troubled to find men to fill the office of district judge, and I am frank to say, sir, that we have not a lawyer, to my knowledge, in the State of Maine who would not be glad to receive such an appointment to-day and now. I assume that the same condition exists all over New England and, perhaps, all over these United States.

I am opposed to this proposition. Now is a most inopportune time to begin to advance the salaries of high-paid officials. If we must begin, let us begin at the other end of the line. There is not a Senator here, I assume, who is not making some sacrifice. I know of many Senators on this floor who have left salaries much higher than they are receiving here in order that they may have the honor of a position in the United States Senate.

I am very much opposed to this proposition beginning at this end of the line. I can not understand by what legerdemain these officials have been selected, unless we go the whole length and increase the salaries of every other public official. I am of the firm conviction that there are many public officials who ought to have their salaries increased, who are receiving from $1,600 to $2,000, which is entirely inadequate to support their families; but if any class of people are to receive an increase in salaries, such increase should begin in a different class than those covered by this bill; and I wish to register my protest, as a business man and as a Senator from Maine, against this proposed increase.

Mr. REED. Mr. President, I have never been an advocate of high salaries when applied to what we ordinarily term "salaries," but I think I can show a consistent record in favor of the advocacy of pretty liberal wages to be paid to wage earners; but there have been some things said in opposition to this bill which lead me to ask the attention of the Senate for a few minutes.

In the first place, it is said that a good salary will not make a poor judge a good judge. Everybody in the world knows that. The statement was made that a good salary would not make a poor lawyer a good lawyer. The Senate of the United States did not need to be informed of that fact; but it is nevertheless true that, taken first and last, salaries have something to do with the question of whether good lawyers can be induced to leave their practices and devote their lives to the bench. Salaries may become so meager that the bench suffers in the quality

of its membership, or if it does not suffer the occupants of the bench are put to disadvantages that are unfair.

My friend from Maine [Mr. FERNALD]—who, I am sorry to see, has left the Chamber, and who is a business man—states that he can not see any business sense in this proposition to raise the salaries of Federal judges. If this were a business proposition pure and simple, we would not get the men who are on the Federal bench to serve for two or three times their salaries. This is not a business proposition. It is a proposition of what is fair and right and just and what is best for the people of the United States.

To begin with, no man ever ought to be appointed to the Federal bench unless he is a ripe and seasoned lawyer, a man who enjoys and who has been enjoying a large practice, because the only way we can really test out the ability of a lawyer to be a good judge is by his record made for many years in the courts of the land. If a man is an experienced lawyer and an able lawyer and a lawyer with a large practice, then when he enters upon the duties of the Federal bench he must make a very large financial sacrifice, for there are very few lawyers engaged in good practice in the cities of the land to-day who possess the abilities which ought to go upon the Federal bench but who are making a great deal more money than the salaries proposed. Indeed, they frequently make more money in one case than the salaries proposed.

So much for that phase of the question. There is another phase of it.

It of course is true that there are men who have such high regard for the judicial honor that they will make very great financial sacrifices and subject themselves to many great hardships in order to hold such a position; but I believe it to be true that, first and last, taking the whole question and looking at the years together, it will be found that the character of the new appointees upon the Federal bench will begin to disintegrate if we place the salary of a judge at a point where the occupant of the bench can not support his family, educate his family, and have a little money left for his wife and children to live upon when he ceases to occupy the bench.

If the salaries which are now paid were just salaries at the time they were fixed, then the proposed salary is certainly not excessive at this time, because the value of a dollar then was fully twice the value of a dollar to-day. Its purchasing power was fully twice as great at the time these salaries were fixed as that purchasing power is to-day. These Federal courts are becoming more and more important. Their jurisdiction has been vastly enlarged. Their influence upon the national life, because of this enlarged jurisdiction, is much greater than it was a few years ago; and in deciding this question nothing of the demagogic argument ought to considered. Justice should be done to the occupants of these high positions, and only justice.

Mr. President, I have in mind a case which perhaps may have influenced my judgment a good deal. A few months ago I got a $1,200 clerkship for the widow of a man who for nearly 20 years sat upon the supreme bench of one of the great Central States of the Union. He was paid a salary of $5,000. He was expected to maintain a respectable home and to perform those duties—social, public, or otherwise—which fall upon a judge; and they are many. He lived moderately, he had no bad habits, but he kept up the sort of a home which the people would like to have one of the justices of their supreme court keep up, and his little wife spent money moderately; and yet at the end of the year the $5,000 was gone. It does not go very far when men have to live on a certain plane; and this man, who served his State with distinction and was one of the greatest of the judges of that State, who practically devoted his life to public service—all the ripe years of his life—when he could have made from $50,000 to $100,000 a year in his practice, died and left his widow practically without anything. He had expended money in educating some children, which had been a heavy draft upon him; and his widow is here in Washington working for $1,200 a year at a position that she is not physically capable of holding.

It is all right to talk about sacrifice, and it is all right to talk about economy; but you can go too far in your cry for economy, and you can demand sacrifices to such an extent that you become unjust; you may injure the fiber and character of the men who will hereafter be appointed to these great positions. There are not many of them in the United States, after all. The draft upon the Public Treasury through this will not be great.

We are told that we are about to pass a bill appropriating $100,000,000 to be expended in foreign lands in charitable acts among people whom we do not even know, and we do not even know in what nations and countries it is to be expended. The interest on that $100,000,000, at the rate the United States has to pay, would be $4,500,000 a year. It would many times over pay these salaries and pay this increase. We shall probably pass that bill. I do not urge that as an argument, further than to call your attention to the fact that sometimes we open the bunghole with great liberality and at the same time put our thumb upon the spigot with a great deal of parsimony.

Mr. President, I believe that this bill as now drawn is a fair bill. I believe it ought to be passed. It is a poor time to demagogue a case.

Mr. McCUMBER. Mr. President, I think there is one suggestion that ought to be made here before the vote is cast upon this bill, and that is this, and it is simply in addition to the reasons that have been given against the raising of the judges' salaries:

First, in the Swayne trial here it was demonstrated that 50 per cent of the judges of the United States courts charged considerably more than the law actually allowed them when sitting in courts other than at their places of residence. For instance, the law provides that when a judge of a Federal court is called to sit in another court away from his home place or his own district he may charge as expenses the actual expenses, not exceeding $10 per day. In that case the fact developed that more than 50 per cent, as I remember, put in all their bills for $10 a day expenses, even though they might not have been more than three or four dollars per day; and there is considerable of this transferring from one point to another done in the country. I do not know whether or not that system is followed now as it was then, but I think it is. I know that it is followed in some courts, because I have looked over the reports that have been sent in, and have been informed that they have followed the rule, no matter what the expenses were, of charging $10 per day; so whatever profit of that kind there may be is in addition to their salary.

That is not the only way in which the judges have been favored. In the present revenue bill we relieve judges of the Federal courts of any payment of taxes whatever upon their salaries. Senators must pay their proportion of the taxes according to their incomes, whether upon their salaries alone or salaries combined with incomes from outside sources; but no judge of a Federal court, Supreme or district court, is compelled to pay one penny of taxes under the bill as it is now in conference, and, of course, there will be no change in that respect. It may not amount to more than $400 a year, but that is something of an addition, while everyone else must pay his full taxes. I have never agreed, and I do not agree to-day, with the constitutional objection that is urged that these salaries are not taxable, because I think they are taxable as income, and I have never agreed to the doctrine that levying a tax upon the salary of either the President or a Federal judge was diminishing his income during his incumbency in office.

Take into consideration, also, the fact that after reaching the age of 70 years the ordinary individual must still perform services for the support of his family, while the judge, after having reached that age, may withdraw from any work and his salary will go on during life.

Taking into consideration all of these matters, Mr. President, it does seem to me that it is decidedly unjust to the taxpayer, who must go down into his own pockets to meet these additional salaries, to ask him to pay not only the taxes from which you relieve the judges, but, in addition to that, to increase their salaries beyond what they are at the present time, which amount shall also be nontaxable.

Mr. JONES of Washington. Mr. President, it was suggested by the Senator in charge of the bill a short time ago that the salaries of others had been increased, including judges of the Supreme Court and other officials in high positions, and that these officers have not received any increase in salary. I may be mistaken, but I have a very distinct recollection that Congress has increased the salaries of these judges within the last 15 years. As I say, I may be mistaken in that, but I do not think I am; but, be that as it may, I do not believe that this is the time to increase these salaries. In normal times and under normal conditions I would vote for an increase in these salaries. But this is the time when everybody is called upon to make sacrifices; everybody is compelled to do it. I am sure that the judges of these courts will not object, in fact I am certain they will be glad to do their part in bearing the burden which this country must bear at this time as a result of the war.

As has been suggested by the Senator from North Dakota [Mr. MCCUMBER], they have a life position. Not only that, but after service of a certain length of time or when they reach a certain age—and it is not a very great age either—they can retire and continue to draw the salary which the law has provided. Many of them prefer to stay on the bench and render service for the Government, but they are not compelled to do so. They do not have to worry anything about the future, so far as ample provision for a comfortable living is concerned, for

themselves and their families. That is a very important thing. I have no doubt it appeals to a great many when positions of this kind are to be filled.

Mr. President, we are having demands presented to the Government for increases of salaries upon the part of almost all the employees of the Government. There are a great many employees of the Government who, in my judgment, are not even reasonably well paid. There are employees in the District of Columbia who have appealed and are appealing to Congress for increases in their salaries. It is true they do not hold the high and responsible positions which these judges hold, but they are entitled to the reasonable comforts of life; they are entitled to have reasonably warm and reasonably good clothing; they are entitled to have a reasonable supply of food; and yet it is really a wonder to me, though it may not be to anybody else, how many of these people actually exist upon the salaries which they get.

If we are going to begin increasing salaries, I think we ought to begin where it is most needed; that is, where the actual necessities of existence require and demand it. If there were anything which at this time under these present conditions would induce me to vote for the passage of this bill, it would be that I would vote for it in the hope that if the Senate did pass it when these other requests came up it could not reject them or refuse them.

We provided an increase during the past year, under conditions everybody is familiar with, of $120 a year. It is common knowledge that it is proposed to continue this increase for another year and hold down other increases of salary. Of course, Mr. President, that is something, but it is not much. It is suggested here that the purchasing power of the dollar which is paid to these judges is not worth more than 50 per cent of what it was when they were appointed and when the salary was fixed. Grant that, Mr. President. The purchasing power of the dollar of the school-teacher in the District of Columbia who gets $750 a year is no greater than the purchasing power of the dollar which any judge or any other official receives. We do not propose to increase the salaries of the school-teachers—at least there does not seem to be very much prospect of it—and until we can take care of the actual necessities of those in the Government employ whose salary is not really sufficient to furnish them with the actual necessities and comforts of life I can not get the consent of my judgment to vote to increase the salaries of men who are now receiving that which certainly brings them a comfortable living and assures them a comfortable living during their entire lifetime.

I freely concede the important duties which these judges must perform and the responsibilities of the positions which they occupy, as well as the high standing, character, and ability which they should have, and I think it is entirely out of place to suggest in this argument that there is any Senator who does not appreciate that. We know that we want judges of the highest integrity and of the highest ability, but there is no suggestion here, there is no charge here that we have not that kind of a judiciary now.

It was suggested a moment ago that the judiciary might deteriorate. There is no charge that it is deteriorating.

These salaries have been in existence quite a good many years, and we have practically completed the war; it is practically over, and we hope that in the no distant future conditions will become normal. There has not been thus far any complaint; in fact, I have not heard any complaint by these judges, and as has already been said I do not think they would make any complaint. They are not asking for this increase now. In my judgment it really is an insult to them for us to propose to urge this increase under present conditions.

Mr. SMITH of Georgia. Will the Senator yield?

Mr. JONES of Washington. I yield.

Mr. SMITH of Georgia. A committee for the judges presented the matter very fully before the House Judiciary Committee, and the evidence is printed showing the necessity, as they see it, of these increases.

Mr. JONES of Washington. I am sorry to know that the judges have been working for this increase of salary.

Mr. SMITH of Georgia. I do not say that they have been working for it, and I hope the Senator will not oppose the bill on that ground.

Mr. JONES of Washington. I hope the judges have not done this. I hope I would have no justification to oppose it on that ground. I did not know they had sent a committee here to urge it. I am sorry if they have. I think that is one of the most reprehensible things that the judiciary could do, and I am satisfied that if that committee came here for the purpose of lobbying for this bill it does not reflect the sentiment, sense of propriety, and the patriotism of the great mass of the judiciary of this country.

Mr. SMITH of Georgia. I did not say a committee of judges was sent here.

Mr. JONES of Washington. I understood the Senator to say so.

Mr. SMITH of Georgia. Perhaps some of the judges were called, but the committee was a committee of the Bar Association. There was evidence, I think, from the judges, however, as to their financial condition and their expenses.

Mr. JONES of Washington. That makes it a little better. Of course, I knew that some of the Bar Association were urging this legislation. I am sorry they have done so at this time, but I am glad that the judiciary is exonerated from it. I hope that none of the judges have been down here talking to anybody with reference to an increase of salary during these times. I hope there is not a single judge occupying the bench who could so forget the real requirements of his position as to come to Congress or induce anybody to come to Congress to urge the increase of his salary at this time and under these conditions. I hope no judge has tacitly or openly approved the appearance here of any committee on his behalf. I wish they had openly opposed this bill at this time. They would be more highly thought of by the people had they done so.

As I said, I do not believe that the judiciary of the country would indorse anything of this kind or encourage anything of the kind.

I believe they would, in fact, repudiate it if it were brought to their attention. It may be that committees from bar associations and attorneys have come urging it. To do so, in my judgment, places the judiciary in a false light. They are just as patriotic men as there are in the country. They are just as loyal men as we have in the country. They are of the highest character, and they recognize the conditions that confront the people of this country. They are perfectly willing to bear their burdens in this hour of stress and trial. In my judgment they do not ask for this increased salary. They do not seek it, and we are but reflecting upon them when, in the face of all the demands from others throughout the country who need it much more, we propose to increase their salaries and not take care of those who are actually suffering for the necessities and comforts of life.

We fear Bolshevikism. We are warned against its growth and development, and ways and means are sought to stop it. Mr. President, things like this promote and foster Bolshevikism more than anything else in this or any other country. You will never stop the growth of Bolshevikism till you destroy the sense of injustice and discrimination that acts like this arouse.

Mr. JONES of New Mexico. Mr. President, a parliamentary inquiry. I should like to know whether it is possible at this parliamentary stage of the bill to move to srike out sections 2 and 3—I think they are—to strike out the sections increasing the salaries of the present judges?

The PRESIDING OFFICER (Mr. KNOX in the chair). The present occupant of the chair thinks, the bill having been read the third time and being on its passage, it is not open to amendment at this stage.

Mr. JONES of New Mexico. I was of that view myself, but I did not know whether it was the opinion of the Chair or not. I wish simply to say, then, that I am sorry the bill has reached this parliamentary stage. If a vote is taken on the bill as it now stands, I shall vote against it. I am not going to enter into a discussion at any length as to the reasons why, but I have been giving some little attention, in the last few days especially, to this question of the increase of wages. I am a member of a subcommittee that has under consideration now a bill to fix a minimum wage of $3 a day for Federal employees. Whether such a bill shall become a law or not of course I can not say, but I am greatly impressed with the necessity for some relief to those who receive only small compensation. If anything is to be done in that direction, I agree with various Senators who have expressed their views upon this bill that that is the place to begin.

I do not believe that we should increase these salaries now, and if the bill comes to a vote as it is now presented to the Senate I shall vote against it.

There are other provisions in the bill which seem to me to be very meritorious. The other provisions in the bill I have given some attention to for several years. In various districts in the United States there are conditions existing which will require and the public business demands that there shall be some relief, and such relief would be given by the other provisions of the bill. I would like very much to see those provisions become law. But if the question is put up to me whether I shall accept the bill as a whole or not, I shall vote against it. I do not know whether the Senator in charge of the bill desires to put it back into a parliamentary stage where the sole question of an increase in salaries shall be the issue or not, but in the present situation I shall vote against the bill.

Mr. NEW. Mr. President, I find myself in somewhat of an embarrassing position with reference to this bill. As a matter of fact, I have not only expected to vote for it but I have said in more than one instance that I intended to do so. I did fully expect to do so until within the last very few days.

I believe, as has been very well said by a number of Senators who favored this measure during the discussion of it, that the Federal judiciary is as a class underpaid. I think it has performed very great service for the country in the last few years, that we are beholden to it for great things in the not very distant past, and that we must look to it for perhaps still greater things in the days that are to come. I think the hope of this country lies very largely with the Federal judiciary. I believe that the salaries attached to it should be commensurate with the character and services and the position at the bar of the men who are going to occupy those places. I believe that none but the best of the profession should be appointed to the Federal bench, and as a rule I think that practice has been followed by the Presidents of both parties who have been charged with the responsibility of making these appointments.

As I said at the outset, I believe that as a class the Federal judges are underpaid. When I contemplate the situation in my own State and think of the man who occupies the Federal district bench there I am very sure that that is the case. He is a man who could earn several times in the practice of the law the salary he is now receiving as a judge of the Federal court. But financially he is a poor man, comparatively speaking, and he is making a great pecuniary sacrifice in staying where he is. I have recognized that fact. I realize if that is the case with him it is probably the case with many others.

But, Mr. President, within the last few days I have been impressed with the demands and the righteousness and justice of the demands that are made upon all of us here by many other classes of Federal employees. For instance, of the clerks and secretaries who represent the Senators in this body there is not one who is not underpaid, in so far as the Government is concerned. Every one of us knows that. There is more than one Senator on this floor who goes down into his private pocket, those who are happily able to do so, to piece out the inadequate salaries that are paid to those efficient secretaries and clerks by the Government of the United States.

We have increased the salaries of some by a pittance and only a pittance, and they are living here from hand to mouth, so to speak. Two girls came to my office yesterday afternoon who work in the Library here. They were respectable, nice-looking girls. One of them is receiving a salary of $50 a month, the other a salary of $60 a month. How they live here now in the city of Washington respectably, as their appearance indicated they certainly do, is just a little beyond my comprehension. I do not know how it is possible for them to do it.

Let me add, I have here on my desk a request in behalf of the Federal food and drug inspectors of the United States, something that has just been handed me. They want an increase of salary. I have letters this morning from half a dozen classes of public employees, post-office clerks, letter carriers, rural-route carriers, all asking for an increase, and so far as my opinion goes they are all of them deserving of it. The high cost of living and all that sort of thing has borne down most heavily upon the salaried men and women to-day. There has been no opportunity to increase their income, and their expenses have been added to to such an extent that it is most burdensome and oppressive, and I do not see how they get along at all. The whole business public is protesting against the enormous burden of taxation we are now inflicting upon them, and there is a general demand for conservatism in expenditures, and there is great reason for it. We can not reduce expenditures by raising salaries.

So, Mr. President, it becomes to my mind not a question of the deserts or merits of the case with reference to the Federal judiciary but the opportuneness of this request. At another time I would not only be willing to vote to increase the salaries of the Federal judiciary, but I would gladly do so. At this moment, Mr. President, I hesitate to do it, and I shall decline to do so solely because I feel that the time for it is inopportune.

The PRESIDING OFFICER. The question is on the passage of the bill.

Mr. JONES of Washington. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Chamberlain	Curtis	Gay
Beckham	Colt	Fernald	Gronna
Borah	Culberson	France	Hale
Calder	Cummins	Frelinghuysen	Harding
Henderson	Lodge	Penrose	Smith, S. C.
Hitchcock	McCumber	Poindexter	Smoot
Hollis	McKellar	Pollock	Sutherland
Johnson, Cal.	McLean	Pomerene	Swanson
Johnson, S. Dak.	McNary	Ransdell	Thomas
Jones, N. Mex.	Martin, Ky.	Reed	Trammell
Jones, Wash.	Martin, Va.	Saulsbury	Underwood
Kellogg	Moses	Shafroth	Vardaman
Kirby	Myers	Sheppard	Wadsworth
Knox	New	Simmons	Warren
La Follette	Nugent	Smith, Ariz.	
Lenroot	Overman	Smith, Ga.	
Lewis	Page	Smith, Md.	

The PRESIDING OFFICER. Sixty-five Senators have answered to their names. A quorum is present. The Senator from Florida [Mr. TRAMMELL] has demanded a yea-and-nay vote on the passage of the bill.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK] and withhold my vote.

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. He is not present in the Chamber, and I therefore withhold my vote.

Mr. MCKELLAR (when his name was called). On this question I have a pair with the junior Senator from Utah [Mr. KING]. If I were at liberty to vote, I should vote "yea."

Mr. SMITH of Maryland (when his name was called). As I stated on the last vote taken, I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. In his absence, I withhold my vote.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING]. I transfer that pair to the Senator from California [Mr. PHELAN], and vote "nay."

Mr. TOWNSEND (when his name was called). Transferring the pair which I have with the senior Senator from Arkansas [Mr. ROBINSON] to the junior Senator from Missouri [Mr. SPENCER], I vote "yea."

The roll call was concluded.

Mr. HENDERSON. I desire to announce the temporary absence of the Senior Senator from Nevada [Mr. PITTMAN].

Mr. CALDER (after having voted in the affirmative). I have a general pair with the junior Senator from Rhode Island [Mr. GERRY], but upon this question I am permitted to vote. Therefore, I let my vote stand.

Mr. FRELINGHUYSEN. I have a general paid with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to my colleague, the junior Senator from New Jersey [Mr. BAIRD], and vote "yea."

Mr. WATSON (after having voted in the negative). I have voted, but I find that my pair, the junior Senator from Delaware [Mr. WOLCOTT] is absent. Being unable to obtain a transfer of that pair, I withdraw my vote.

Mr. WARREN. I wish to announce the unavoidable absence of my colleague [Mr. KENDRICK]. He is paired with the Senator from New Mexico [Mr. FALL].

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS].

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON].

Mr. LEWIS. I wish to announce that the Senator from Montana [Mr. WALSH], the Senator from Rhode Island [Mr. GERRY], and the Senator from Nevada [Mr. PITTMAN] are detained on official business.

Mr. SUTHERLAND. I desire to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is detained from the Senate by illness.

The result was announced—yeas 37, nays 32, as follows:

YEAS—37.

Ashurst	Hollis	Page	Smith, Mich.
Bankhead	Johnson, Cal.	Penrose	Sutherland
Calder	Kellogg	Poindexter	Townsend
Colt	Knox	Pomerene	Underwood
Culberson	Lewis	Ransdell	Wadsworth
Cummins	Lodge	Reed	Warren
Fletcher	McLean	Saulsbury	Weeks
Frelinghuysen	Martin, Ky.	Simmons	
Gay	Nelson	Smith, Ariz.	
Henderson	Overman	Smith, Ga.	

NAYS—32.

Beckham	Gronna	Jones, Wash.	McNary
Borah	Harding	Kirby	Martin, Va.
Chamberlain	Hitchcock	La Follette	Moses
Fernald	Johnson, S. Dak.	Lenroot	Myers
France	Jones, N. Mex.	McCumber	New

Norris	Shafroth	Smoot	Trammell
Nugent	Sheppard	Swanson	Vardaman
Pollock	Smith, S. C.	Thomas	Williams

NOT VOTING—27.

Baird	Gore	Owen	Spencer
Brandegee	Hale	Phelan	Sterling
Curtis	Hardwick	Pittman	Thompson
Dillingham	Kendrick	Robinson	Walsh
Fall	Kenyon	Sherman	Watson
Gerry	King	Shields	Wolcott
Goff	McKellar	Smith, Md.	

So the bill was passed.

Mr. SMITH of Georgia. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. SMITH of Georgia, Mr. KING, Mr. WOLCOTT, Mr. BRANDEGEE, and Mr. COLT conferees upon the part of the Senate.

CONVEYANCE OF LAND TO PRINCETON, IND.

Mr. NEW. Mr. President, I move that the Senate proceed to the consideration of the bill (H. R. 10663) to convey a strip of land on the site of the Federal building at Princeton, Ind. I should like to say merely that this is a bill which it will not take one moment to consider. The bill is purely local in its character, and is to enable the city of Princeton, Ind., to open an alley in the rear of the post office. The passage of the bill is desired by the Government as well as by the city of Princeton.

The PRESIDING OFFICER. The question is on the motion of the Senator from Indiana.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to authorize the Secretary of the Treasury to convey, by quit-claim deed, to the city of Princeton, Ind., for the purpose of a public alley, and for no other purpose, all the right, title, and interest of the United States of America in and to a strip of land off the rear of the Federal building site in that city 5 feet in width to provide, in connection with land adjacent thereto, a 10-foot alley, and provides that the city of Princeton shall open the alley and improve and maintain it as other public alleys of the city are improved and maintained.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FOOD SUPPLIES FOR EUROPE.

Mr. MARTIN of Virginia. I ask unanimous consent for the present consideration of House bill 13708, making an appropriation for food relief in Europe.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The Senator from Virginia asks unanimous consent for the present consideration of House bill 13708. Is there objection?

Mr. WATSON. What is the bill, Mr. President.

Mr. MARTIN of Virginia. It is a bill proposing to appropriate $100,000,000 for food for the suffering people in the famine districts of Europe.

The PRESIDING OFFICER. Is there objection?

Mr. WADSWORTH. Mr. President, I do not intend to interpose an objection to the request of the Senator from Virginia. I anticipate, however, that it will, perhaps, take a little time to dispose of the measure which he has in mind, and I was about to ask recognition of the Chair—in fact, I did rise when the Senator from Virginia rose—that I might ask unanimous consent to have taken up for consideration House joint resolution 289, which I am certain can be passed in one or two minutes.

Mr. MARTIN of Virginia. I yield for that purpose.

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

Mr. WADSWORTH. I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 289) for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

The PRESIDING OFFICER. The Senator from New York asks unanimous consent for the present consideration of the joint resolution named by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Military Affairs with amendments on page 1, line 3, after the word "That," to strike out the name "M. T. Dwyer" and to insert "George S. Wood"; and at the beginning of line 5 to strike out the name "Henry Hase" and to insert "Menander Dennett," so as to make the joint resolution read:

Resolved, etc., That George S. Wood, of Ohio; James S. Catherwood, of Illinois; John C. Nelson, of Indiana; and Menander Dennett, of Wisconsin, be, and they are hereby, appointed members of the Board of Managers of the National Home for Disabled Volunteer Soldiers of the United States, to succeed George H. Wood, of Ohio; James S. Catherwood, of Illinois; John C. Nelson, of Indiana; and John W. West, of Maine, whose terms of office expired April 21, 1918.

The amendments were agreed to.

Mr. WADSWORTH. Mr. President, one error has been made in the printing of the joint resolution, and I therefore move, in line 5, to strike out the name "Wisconsin" and to insert "Maine."

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

CALLING OF THE ROLL.

Mr. MARTIN of Virginia obtained the floor.

Mr. POINDEXTER. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The Senator from Washington suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	McLean	Shafroth
Chamberlain	Jones, N. Mex.	Martin, Ky.	Sheppard
Colt	Jones, Wash.	Martin, Va.	Smoot
Culberson	Kellogg	Myers	Swanson
Cummins	Kenyon	Nelson	Thomas
Curtis	King	Nugent	Townsend
Fletcher	Kirby	Overman	Trammell
Frelinghuysen	Knox	Page	Underwood
Gay	La Follette	Poindexter	Wadsworth
Henderson	Lenroot	Pollock	Watson
Hitchcock	Lodge	Pomerene	Williams
Hollis	McCumber	Saulsbury	

Mr. KIRBY. I announce the absence of the senior Senator from Arkansas [Mr. ROBINSON] on account of illness, and will ask that this announcement stand for the day.

Mr. CHAMBERLAIN. I desire to announce the absence of my colleague [Mr. MCNARY] on account of official business.

The PRESIDING OFFICER. Forty-seven Senators only have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Secretary called the names of the absent Senators, and Mr. LEWIS, Mr. MCKELLAR, Mr. SMITH of Arizona, Mr. SMITH of Michigan, and Mr. WARREN answered to their names when called.

Mr. BANKHEAD, Mr. NEW, and Mr. SUTHERLAND entered the Chamber and answered to their names.

Mr. HENDERSON. I desire to announce the necessary absence of the senior Senator from Nevada [Mr. PITTMAN].

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. There is a quorum present.

FOOD SUPPLIES FOR EUROPE.

Mr. MARTIN of Virginia. Mr. President, I renew my request for unanimous consent that the Senate proceed to the consideration of House bill 13708.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent that the Senate proceed to the consideration of House bill 13708. Is there objection?

Mr. POINDEXTER. I object.

Mr. MARTIN of Virginia. I move that the Senate proceed to the consideration of the bill notwithstanding the objection.

The PRESIDING OFFICER. The question is on the motion of the Senator from Virginia that the Senate proceed to the consideration of House bill 13708, notwithstanding the objection.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary; which had been reported from the Committee on Appropriations with amendments on page 2, line 2, after the word "audited," to strike out the words "where practicable"; in line 3, after the word "Government," to strike out the words "are audited"; in line 7, after the word "receipts," to strike out the word "and"; and in the same line, after the word "expenditures," to insert "and an itemized statement for which expended," so as to make the bill read:

Be it enacted, etc., That for the participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration thereof to such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President from time to time as necessary, and for each and every purpose connected therewith, in the discretion of the President, there is appropriated out of any money in the Treasury not otherwise appropriated, $100,000,000, which may be used as a revolving fund until June 30, 1919, and which shall be audited in the same manner as other expenditures of the Government: *Provided*, That expenditures hereunder shall be reimbursed so far as possible by the Governments or subdivisions thereof or the peoples to whom relief is furnished: *Provided further*, That a report of

the receipts, expenditures, and an itemized statement for which expended under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. JONES of Washington and Mr. KENYON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington first addressed the Chair.

Mr. JONES of Washington. I was simply going to say that the Senator from Idaho [Mr. BORAH] I know is very much interested in this measure. I sent for him awhile ago, but he is not here. I had supposed there would be some discussion of the measure.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Iowa?

Mr. JONES of Washington. Yes.

Mr. KENYON. I will say to the Senator from Washington that there will be some discussion. I understood that the Senator from Virginia was going to explain the bill. I wish to make some few remarks against the bill, and I will make them now or after the Senator from Virginia concludes, as he may desire.

Mr. MARTIN of Virginia. It is a rather late hour in the afternoon now, and my idea was not to consume any time unless it was absolutely necessary. I was under the impression that this matter was of such public notoriety and of such great importance that every Senator understood it, but, in view of the suggestion made, while I am not going into details, I will, in a very few words, explain the purposes of the bill.

Mr. MYERS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Montana?

Mr. MARTIN of Virginia. I yield.

Mr. MYERS. I should like to ask the Senator a question. Under what section of the Constitution does the Senator contend that Congress has authority to raise money by taxation and give it away, practically as a gift, to foreign peoples?

Mr. MARTIN of Virginia. Mr. President, I do not think it is necessary to go into a constitutional argument this afternoon on this matter.

Mr. MYERS. If the Senator will pardon me, if there is any section of the Constitution authorizing it, I should like to have it cited to me.

Mr. MARTIN of Virginia. Similar action by the Government has been taken many, many times. I have a list of the precedents here.

Mr. MYERS. Where money has been appropriated to the people of foreign nations?

Mr. MARTIN of Virginia. To the people of foreign nations; yes.

Mr. MYERS. Have they not been loans to foreign nations?

Mr. MARTIN of Virginia. No; they have been donations to relieve the sufferings of citizens of foreign nations.

Mr. MYERS. I should like to hear some of the precedents.

Mr. MARTIN of Virginia. Mr. President, I have a list here; it is a long one, but I will read a few of the precedents, although I confess that I can hardly see that, in the presence of the starvation of millions of our friends in European countries, the Senate will be very much interested in hearing a constitutional argument. I have no doubt about the constitutional power of Congress to afford relief to these sufferers, and I have no doubt that Congress will do it. As I have said, it has been done many, many times. The last time was in 1909, when $800,000 was appropriated to relieve the sufferings of destitute people in Italy. The act making that appropriation provided:

That to enable the President of the United States to procure and distribute among the suffering and destitute people of Italy such provisions, clothing, medicines, and other necessary articles, and to take such other steps as he shall deem advisable for the purpose of rescuing and succoring the people who are in peril and threatened with starvation, the sum of $800,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated.

In the execution of this act the President is requested to ask and obtain the approval of the Italian Government, and he is hereby authorized to employ any vessels of the United States Navy and to charter and employ any other suitable steamship or vessels.

That was the last precedent, having been made in 1909, appropriating $800,000, not to any government, but to relieve the suffering of destitute people in Italy.

The first precedent was in 1812, when $50,000 was appropriated for the relief of citizens of Venezuela who had suffered by an earthquake.

Again, in 1847, relief was given in an act from which I quote the following:

The Secretary of the Navy be, and he is hereby, authorized to place at the disposal of Capt. George C. De Kay, of New Jersey, the U. S. S. *Macedonian*, for the purpose of transporting to the famishing poor of Ireland and Scotland such contributions as may be made for their relief.

Again in 1871, again in 1880, again in 1897, and again in 1898, in the case of Cuba, similar action was taken by Congress.

Mr. ASHURST. Mr. President, will the Senator yield for an interruption?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Arizona?

Mr. MARTIN of Virginia. I yield.

Mr. ASHURST. I notice that the bill, in line 7, refers to "populations in Europe, and countries contiguous thereto, outside of Germany." Is it intended that the money or any part of it appropriated by this proposed act shall be used in feeding our enemies in Turkey, Bulgaria, and Austria-Hungary?

Mr. MARTIN of Virginia. It is not intended to use a dollar of this money for our enemies.

Mr. REED. Mr. President, may I ask in what countries it is to be used?

Mr. MARTIN of Virginia. The President's first telegram states the countries in which it will be used; but it is distinctly understood that it is not to be used for the relief of our enemies. If any food goes to Germany, it will go there by their purchasing it, not by any donation from the United States. We make no provision for Germany or for German citizens in this bill.

Mr. ASHURST. Mr. President. I am very much opposed to the appropriation of a single dollar for anybody in Germany, Turkey, Bulgaria, or Austria-Hungary; and if the statement is made that they are hungry or that they are suffering, our reply should be, "If there is a shortage of food supplies, your infamous warfare sank the food supplies to the bottom of the sea."

Mr. MARTIN of Virginia. The only question that would arise would be about Austria-Hungary, and the senior Senator from Massachusetts [Mr. LODGE] has an amendment which he will offer to make that clear. I am as much opposed as the Senator from Arizona can be to anything going to Germany or her allies or cobelligerents.

Mr. KING, Mr. WILLIAMS, and Mr. McKELLAR addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Virginia yield; and if so, to whom?

Mr. MARTIN of Virginia. I believe the Senator from Utah first addressed the Chair.

Mr. KING. I just want to suggest to the Senator from Arizona that he certainly did not mean that he would not support a proposition that involved expenditures in Turkey; that is, in Turkish territory. The Armenians are there, and hundreds of thousands of Greeks are there, many of whom are starving.

Mr. ASHURST. If the Senator will let me answer, of course I may not have been very fortunate in my expression. I meant subjects of Turkey, our late antagonist. I think, instead of feeding the Turk, the Ottoman Turk should have been put to the sword for his long list of crimes about a thousand years in length.

Mr. WATSON and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Virginia yield; and if so, to whom?

Mr. MARTIN of Virginia. I think the Senator from Indiana first addressed the Chair.

Mr. WATSON. I simply wanted to suggest, in reply to what was said by the Senator from Arizona, that we have never been at war with Turkey, nor have we ever been at war with Bulgaria.

Mr. ASHURST. Mr. President, let me answer that, if the Senator pleases.

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Arizona?

Mr. WILLIAMS. Mr. President——

Mr. ASHURST. Just let me answer that one question. We may not technically have been at war with Turkey, but civilization has been at war with Turkey for about a thousand years.

Mr. KING. And we ought to have been.

Mr. ASHURST. And we ought to have been.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Mississippi?

Mr. MARTIN of Virginia. I do.

Mr. WILLIAMS. Mr. President, the line of demarcation seems to me to be very clear. It was expressed in the President's telegram, "The liberated peoples of Europe." That means northern France; it means Belgium; it means Serbia; and, although they were Turkish subjects, it also means Armenians, and Palestinians, and Syrians, and Poles, and Jugo-Slavs, if they need it, and Czecho-Slavs, if they need it. The

language of the President was "the liberated peoples"—the peoples that we, with our allies, together liberated.

The Senator from Indiana is perfectly right in saying that even tecfnically we have never been at war with Turkey nor with Bulgaria; and, although technically, if we had been at war with either it might have included all of their subjects, yet it ought not morally to include those subjects who have been rebelling against Turkey and Bulgaria all the time—the Macedonians, for example, who have been trying to get rid of Bulgaria; the Jews in Palestine; the Arabs in Syria; the Greeks in Asia Minor and the Aegean Islands; the Armenians, who have been cruelly outraged in every way in the world in their mountains, over half of them killed, and the other half left starving. So that the language "the liberated peoples of Europe" seems to me to cover the whole situation. We can trust the men who are going to dispense this fund to see that it does not go to our enemies.

Mr. MARTIN of Virginia. There is absolutely no purpose to use any of this fund for the relief of our enemies.

Mr. WATSON. Mr. President, will the Senator yield to me for a question on the merits of the proposition?

Mr. MARTIN of Virginia. I yield.

Mr. WATSON. This is a gift, as I understand it.

Mr. MARTIN of Virginia. It is not. It is to be used, as far as possible, as a revolving fund. They are to take obligations and securities from all of the governments where it is used where they can possibly be gotten. There may be some few very distressing cases where it may have to go as charity, but they are very few. In the main, it is to be used as a revolving fund, and it is expected that it will ultimately be repaid to the United States.

Mr. WATSON. I should like to ask whether or not either England or France is contributing a like sum, or any other sum, to the same purpose?

Mr. MARTIN of Virginia. I will say to the Senator that England and France have been contributing already, liberally, in advance of this arrangement.

Mr. WATSON. To this purpose?

Mr. MARTIN of Virginia. To this purpose. In one instance there was a shipment of $3,000,000 worth of flour to those starving countries. The governments of each of the four leading countries—England, France, Italy, and the United States—appointed two members of what they call a supreme council of supplies and distribution, I think—that is near enough, anyhow—to take charge of this matter. They took up the matter and determined that it was urgently necessary to have $300,000,000 for this purpose. We are called on to contribute $100,000,000, and that is to be the basis of the fund to which these other nations are to contribute. Italy is not able to do her full proportion, but France and England and Italy will all do something to make up the $300,000,000 and add $200,000,000 to the $100,000,000 contributed by the United States.

Mr. WATSON. And is it understood that Mr. Hoover is to be in charge of the distribution of all of this fund?

Mr. MARTIN of Virginia. Mr. Hoover and Mr. Davis are at the head of this supreme council.

Mr. WILLIAMS. They represent America on it.

Mr. MARTIN of Virginia. No; they are at the head of the whole business.

Mr. WILLIAMS. I know it; but the other countries have representatives, too.

Mr. MARTIN of Virginia. Oh, the other countries each have representatives.

Mr. MYERS. Mr. President, may I ask the Senator from Virginia one other question?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Montana?

Mr. MARTIN of Virginia. I yield.

Mr. MYERS. The Senator has cited some instances where money has been voted by Congress to the people of other nations. Was any obligation accepted from those nations in those instances for the repayment of the money, and was any of it repaid, or was it a donation?

Mr. MARTIN of Virginia. We could not well exact an obligation when we had not done anything. America has not contributed a dollar as yet.

Mr. MYERS. I say, in these previous instances, historical instances, years ago?

Mr. MARTIN of Virginia. Oh, no. Those sums were donated for the relief of those people.

Mr. MYERS. Was any obligation accepted from the foreign nations?

Mr. MARTIN of Virginia. None whatever.

Mr. MYERS. The money was never repaid?

Mr. MARTIN of Virginia. No. It was a donation to relieve starvation in those countries.

Mr. MYERS. The Senator has cited a number of instances of Congress giving away the people's money to the people of foreign countries, but he cites no section of the Constitution which gives authority for doing so.

I just want to say in this connection, if the Senator will permit me, in response to some questions that have been asked as to whom this money is to go to, that the cablegram from the President says that it is to go to the liberated peoples of Austria, Turkey, Poland, and western Russia, and I think in one of the other cablegrams that was exchanged Bulgaria was mentioned. Now, I do not know whom the President may mean by "the liberated peoples of Austria and Turkey." By "the liberated peoples of Turkey" he may mean the masses of the Turkish people. The Turkish Sultan has abdicated, as I understand, and the President may consider that the people of Turkey are thereby liberated. The Emperors of Austria and Germany have abdicated their thrones, and some people may consider that all the people of those two Empires are liberated from autocratic rule.

Mr. MARTIN of Virginia. The Senator may speculate as to what may be, but I tell him that we have the assurance of the President that none of this money is to go to the enemies of the United States or the allies.

Mr. MYERS. I do not see it anywhere.

Mr. MARTIN of Virginia. Oh, there are a great many cablegrams. I did not bring here every one of them that has come from the President. There is a file of them that high. [Indicating.] I did not think it was necessary.

Mr. MYERS. I should think that in a matter of this kind, where hearings were had, the committee would set forth in the printed report of the hearings all of the light on the subject and all of the communications on the subject.

Mr. MARTIN of Virginia. If the Senator will take the trouble to read the hearings he will find ample justification for the request.

Mr. MYERS. I have read the most of them, and I think it is not only a matter worthy of speculation but a matter worthy of the most specific and definite information, and I think the information contained in the hearings is very vague and unsatisfactory.

Mr. MARTIN of Virginia. Well, it may be my fault; but I say very frankly that I do not feel like being ingenious in trying to find a way not to relieve the suffering and death of millions of people who are our allies in Europe. They are dying by the thousands and by the tens of thousands, almost by the millions.

Mr. MYERS. Mr. President, will the Senator permit me just a minute? I agree with him if they are our allies.

Mr. MARTIN of Virginia. They are. I have assured the Senator of that. Not a dollar of this money will go to any people that have not been our allies.

Mr. MYERS. I can not find anything in the President's cablegrams to assure us of that.

Mr. MARTIN of Virginia. There is plenty of it there.

Mr. WILLIAMS. It says "the liberated peoples."

Mr. MYERS. But whom would he consider "the liberated peoples"?

Mr. WILLIAMS. Those that we have liberated.

Mr. MYERS. Does the Senator consider the people of Turkey liberated because the Sultan has abdicated?

Mr. WILLIAMS. I should speak of the Armenians and Syrians as being liberated from the rule of Turkey.

Mr. MARTIN of Virginia. Mr. President, the President's cablegram specifically states that not a dollar of this money is to go to our enemies. It is to relieve the suffering and starvation of those who have been fighting this battle in Europe with us and with our allies. Nobody contemplates using one dollar of it for any other purpose than purely to relieve the suffering and death of those who have stood in the battle line with us.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Utah?

Mr. MARTIN of Virginia. I do.

Mr. SMOOT. I want to call the Senator's attention to the fact that the object is to feed the poor, starving people, not only of those countries that were in the battle line, but in other countries also, as I understood the request. In other words, this relief is supposed to quiet the people in the countries in which bolshevism is rampant.

Mr. MYERS. Mr. President, may I ask the Senator a question?

Mr. SMOOT. Just wait until I get through.

Mr. MYERS. I should like to ask a question at this point.

Mr. SMOOT. The Senator from Virginia yielded to me, and I am making this statement in his time. I think part of this relief is to be used in Austria.

Mr. MARTIN of Virginia. Undoubtedly. The President says so in the cablegram I have in my hand.

Mr. SMOOT. Well, they were not fighting for us in the battle line.

Mr. MARTIN of Virginia. No; but they were allied with us. They were with us.

Mr. MYERS. I should like to know what people in Austria were allied with us in this war.

Mr. HITCHCOCK. Why, Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Nebraska?

Mr. MARTIN of Virginia. I do.

Mr. HITCHCOCK. The Bohemians contributed in large measure to the victory that has been won. The Czecho-Slovaks were technically Austrian subjects, but we went to all lengths to recognize them, and yet they were part of Austria, and so were the Poles part of Austria.

Mr. MYERS. They are not in Austria now. They have seceded from Austria.

Mr. HITCHCOCK. They are technically part of Austria until the peace conference remakes the map of Europe. They are the liberated peoples of Austria. The Czechs are, and so are the Poles. They are liberated from Germany, they are liberated from Austria, and they are liberated from Russia; and they have been known all through the correspondence and the discussion as "the liberated peoples."

Mr. MYERS. Mr. President, I will ask the Senator what people who were our allies have been liberated from Turkey and Bulgaria?

Mr. HITCHCOCK. The Armenians are technically liberated, and so are some of the Greeks.

Mr. MYERS. Are they liberated? When were they liberated?

Mr. HITCHCOCK. They are liberated in the sense that they are under some protection whereby the Turks have been compelled to stop their persecution of the Armenians; and under the terms of the armistice and undoubtedly at the peace table protection will be given for the Armenians as well as for the Poles and the Czecho-Slovaks and the Jugo-Slavs. They are known as the liberated peoples of those countries, and they have to some extent already a government of their own. The Polish Government has been established; the Czecho-Slovak Government has been established; and each of those Governments will be able to give to the United States either its securities, or possibly even money, to reimburse in part this revolving fund.

It seems to me that it is very clear that the money provided in this bill is intended to be used for the relief of those people who are now struggling into national existence.

Mr. VARDAMAN. Mr. President, will the Senator yield to me?

Mr. HITCHCOCK. I was only taking the time of the Senator from Virginia.

Mr. MARTIN of Virginia. I yield to the Senator.

Mr. VARDAMAN. I want to ask the Senator how long we are to keep this feeding going in order to preserve peace in Europe? War may break out again. If so, are we expected to continue to feed these people?

Mr. HITCHCOCK. We are not expected to do it at all; but we are now in the act of concluding the war, and as a measure of concluding the war it is important to give an element of permanency to the new governments of the liberated peoples, and food is more important at the present time than bullets. Food will do more than anything else to bring about order and bring about hope and bring about confidence in these struggling peoples who are trying to get upon their feet. I believe it is the cheapest possible expenditure of the war measures; and I certainly think there can be no criticism of the President for having adopted not only a humane but a wise measure to promote peace.

Mr. MARTIN of Virginia. Mr. President, Mr. SHERLEY, the chairman of the House Committee on Appropriations, and myself united in a cablegram to the President for information about this matter, and I will read his reply:

I can not too earnestly or solemnly urge upon the Congress the appropriation for which Mr. Hoover has asked for the administration of food relief. Food relief is now the key to the whole European situation and to the solution of peace. Bolshevism is steadily advancing westward, has overwhelmed Poland, and is poisoning Germany. It can not be stopped by force, but it can be stopped by food, and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance. The money will not be spent for food for Germany itself, because Germany can buy its food, but it will be spent for financing the movement of food to our real friends in Poland and to the people of the liberated units of the Austro-Hungarian Empire, and to our associates in the Balkans. I beg that you will present this matter with all possible urgency and force to the Congress. I do not see how we can find definite powers with whom to conclude peace unless this means of stemming the tide of anarchism be employed.

I have another cablegram, which was sent to the Secretary of State and sent to me by him:

Extended investigation and consideration of the food situation in certain parts of Europe disclose that especially the urban populations in certain areas are not only faced with absolute starvation during the coming winter, but that many of these populations are unable to find immediate resources with which to purchase their food. These regions have been so subjected to destruction by war, not only of their foodstuffs but of their financial resources and their power of production and export, that they are utterly incapable of finding any resources that can be converted into international exchange for food purchases. While the Secretary of the Treasury can accept obligations of certain Governments, and through these measures their situations can be cared for temporarily, there are still other areas through eastern and southern Europe where such arrangements can not be made. This applies more particularly to the liberated peoples of Austria, Turkey, Poland, and western Russia. In these countries freedom and government will slowly emerge from chaos, and require our every assistance.

The total shipments of foodstuffs from the United States to all parts of Europe during the next seven months will be likely to exceed one and one-half billion dollars, and from our abundance we can surely afford to offer succor to these countries destitute of resources or credit. The minimum sum upon which this work can be carried on for the next six months in the countries above mentioned will amount to at least $100,000,000 for such services and supplies as we can render, and even this sum contemplates the finding of resources by so much of the populations as can do so and so much assistance as can be given by the allied Governments. The high mission of the American people to find a remedy for starvation and absolute anarchy renders it necessary that we should undertake the most liberal assistance to these destitute regions.

The situation is one of extreme urgency, for foodstuffs must be placed in certain localities within the next 15 or 30 days if human life and order are to be preserved. I therefore request that you should ask Congress to make available to me an immediate appropriation of $100,000,000 for the broad purpose of providing foodstuffs and other urgent supplies, for the transportation, distribution, and administration thereof to such populations in Europe, outside of Germany, as may be determined upon by me from time to time as necessary. I wish to appeal to the great sense of charity and good will of the American people toward the suffering and to place this act upon a primarily humanitarian basis of the first magnitude. While the sum of money is in itself large, it is so small compared to the expenditures we have undertaken in the hope of bettering the world that it becomes a mere pittance compared to the results that will be obtained from it and the lasting effect that will remain in the United States through an act of such broad humanity and statesmanlike influence.

There are many other communications here from Mr. Hoover and from the President; but the sum and substance of it all is that a large part of the people of those countries in Europe which have been friendly and are still friendly to the United States are in a destitute condition. They are without food. They are starving. The men and women, and particularly the children, are dying from starvation; and we are asked to contribute $100,000,000, which is to be used as far as possible as a revolving fund, and most of it, it is believed, will be returned to the United States ultimately. Doubtless there will have to be an extended credit in some of the countries involved. The question is simply whether or not the people of the United States are willing to advance this $100,000,000, and, if need be, give a reasonable part of it. Some of it will have to go as charity; but most of it will be returned and will be used as a revolving fund.

The President has presented this matter very strongly, and I have numerous cablegrams here from him, from Mr. Hoover, and from the American mission. I suppose that means our peace representatives. The cablegrams are signed "American mission."

The fact is that anarchy is prevailing there. In many places there is nobody to treat with. There is a practical necessity to rehabilitate these European countries with whom we must soon make a treaty, so that something may be done to stem the wave of bolshevism and anarchy that is following the path of war in Europe. The question is simply whether the United States is willing to make this contribution, with the expectation that almost all of it will ultimately be returned to this country.

Mr. TOWNSEND. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Michigan?

Mr. MARTIN of Virginia. I do.

Mr. TOWNSEND. Perhaps the Senator has explained this, and I did not hear it on account of the confusion. Do I understand that other nations in Europe are cooperating with the United States in this benefaction?

Mr. MARTIN of Virginia. They are. England, France, Italy, and the United States have each appointed two commissioners to take charge of this matter. They are cooperating in providing this fund and distributing it to the suffering communities. They do not say exactly what the basis is, but the distinct ar-

rangement is that they are to contribute along with the United States.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Utah?

Mr. MARTIN of Virginia. I do.

Mr. SMOOT. The first cablegram by the State Department states that it will take $350,000,000.

Mr. MARTIN of Virginia. Then they got it down to $300,000,000.

Mr. SMOOT. Then the last cablegram that came reduced that amount to $300,000,000. Upon that basis America is to contribute one-third and England and France and Italy are to divide the other two-thirds among themselves.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Idaho?

Mr. MARTIN of Virginia. I do.

Mr. BORAH. So far as these statements are concerned that it will take $300,000,000 or $350,000,000, it is just as much speculation on the part of those who sign the cablegram as it is upon our part who vote for this bill. This is just the beginning; that is all.

Mr. MARTIN of Virginia. Mr. President, I think the Senator is entirely mistaken. Men who went into these various countries made an estimate as to the amount that would be required. It is not such a guess as we would make here, but it is an estimate carefully prepared by experts who have been sent into all of these countries to get us information; and I am sure this will be the end of it. There is no expectation that we shall be called upon for any further sum. I have not the slightest idea that we shall be.

Mr. TOWNSEND. Mr. President, let me ask the Senator another question. He may have answered it before I came in. Is this money to be expended through a commission?

Mr. MARTIN of Virginia. It is.

Mr. TOWNSEND. And that is the commission of which Mr. Hoover is the head?

Mr. MARTIN of Virginia. He and Mr. Davis, from this country, are the head of that joint commission from the four allied countries.

Mr. TOWNSEND. And they have absolute authority as to its distribution?

Mr. MARTIN of Virginia. They will have absolute authority, under the direction of the President. The President is responsible for it. It is put under his authority. He delegates it to others, but he is responsible for it to the Congress. This bill provides that he shall account to Congress for it, and he ought to.

I will read another telegram:

The British are already furnishing from Army stocks food and clothing relief to Serbia and Syria; the Italians to south Austria; the British and French are advancing the money for transport Belgian relief. Allies are willing and anxious to do all they can, and have and will contribute to the full extent of their resources, but must be borne in mind that most of the food must be purchased in the United States, and American money would be used for such purchase and transportation.

Your 107 as to using this revolving fund. It would in effect be such a fund, but it must be borne in mind that it would ultimately be absorbed in giving credits possibly over long periods, to such peoples and institutions as our Treasury could not properly advance under the law, and some of it would be lost in sheer charity. This is not to replace Treasury advances to England, Belgium, France, Italy, Serbia, and Roumania Governments for the purchase of American food. The proposed appropriation would be entirely insufficient for these purposes. Might, however, later on be used to partially replace loans to Serbia and Roumania, but their urgent needs must in any event be cared for by the Treasury pending this appropriation. The matter is most urgent, and forms the foundation for any complete arrangement with the allies fixing their participation.

You see the exact per cent which these other countries are to furnish could not be gone into until it was known what we were going to appropriate. If we appropriate $100,000,000, it is a basis for determination as to what the others will contribute, but they are to make up $300,000,000.

There needs be great emphasis to all American officials and Congress that the armistice has left us large surplus of food, that if we are to dispose of it we are to give credits, and that as the Nation trying to put peace on high-level ideas on which we went into war, we can not be niggardly in the world's greatest problem to-day; that is, how to get food. I need not repeat that strong liberal relief is to-day the only hope of stemming the tide of bolshevism without the expenditure of lives and vast sums for military action. While it is urgently necessary to dispose of our surplus foods in order to relieve congestion and protect the producers from disaster and the consequent chaotic results, it is most fortunate for the saving of human lives that we have this surplus, and our country can not afford to fail to meet both emergencies.

Mr. KENYON. Mr. President, I stated yesterday when the chairman of the committee made his report that there would be a minority report filed in the matter. I expected then that it would be filed, but the Senator from Georgia [Mr. HARDWICK] has been confined to his home by sickness and the minority report has not been prepared. He and I had discussed the question of filing such report. I think having made that statement I perhaps owe a duty to the Senate to present the views at least partially that would have been presented in a minority report.

Mr. President, I know how unpopular it is to oppose any appeal for humanity. I think I am moved as much as anyone by appeals to aid suffering and distress, and there is suffering and distress in Europe. I have observed heretofore with what cheerful alacrity we are willing to vote charity out of other people's pockets. The fundamental objection to this whole matter is that we are compelling people in this country through taxation or bonds to give their money to a charity abroad. I say it is unpopular to oppose it. I know it is. I know it is unpopular in portions of my State, but I feel that the matter should be thoroughly discussed, so Congress may be fully advised in voting money for foreign charity.

We may as well be perfectly frank about these appropriation bills. Personally I shall be glad if we do not have to have an extra session, but I am not going to be a party to hurriedly passing appropriation bills through this body as we shall have to do in order to avoid an extra session. These appropriation bills will come over, I suppose, about the middle of February and that will necessitate that they must be immediately passed in order to avoid an extra session, but I serve notice now, as far as I am concerned, as a member of the Appropriations Committee, that the appropriation bills are going to have a very thorough investigation. I know no reason why the appropriation bills should originate in the House. There is no provision of the Constitution providing for that. We have been adjourning here from day to day and when we have been in session it has been chiefly listening to speeches. I do not know why we could not be working on the appropriation bills now. So much for that.

While there is hunger and dissatisfaction abroad and suffering, there is also suffering in this country. There are over 270,000 men out of employment in certain large centers in this country at this moment; and while I believe in aiding the suffering and distress abroad, I think we are rapidly approaching the time when we shall have to pay a little attention to our own country.

The reasons for this appropriation are indefinite. There are a number of telegrams—some from the President, I think one from Mr. Hoover, of the Food Administration, and one from the American mission. Coupling these with the testimony of Mr. Glasgow before the House committee and the Senate committee, it is difficult to get at the real reason for this appropriation. I shall, in my discussion, accept the President's reason for it. No study of the situation in Europe has come to us. They are all indefinite statements. Men who have visited different parts of Europe report to Mr. Hoover and Mr. Hoover in return must report to the President, and the President only knows of this as he gets it from Mr. Hoover.

This, perhaps, is a result of that secret diplomacy that is going on across the sea, which I believe the American people are strongly against and the sentiment of the Senate is strongly against. If I had my way about secret diplomacy I would wish that the President of the United States might serve notice upon those nations there that if they insist in their secret diplomacy against his point for open covenants he with his staff will return to this country and withdraw our Army from Europe and let Europe go ahead and take care of their business through their methods of secret diplomacy. I think that would end secret diplomacy. Strength to the President in his fight against secret diplomacy!

Under these telegrams we may well inquire, Is this money needed because of famine? Is it needed to assist in bringing about peace? Is it to assist in maintaining the prices of surplus products? I do not say that the latter is correct, but I do want to know. Mr. Hoover gets down in his telegram to the proposition that here is a great surplus of products. One telegram mentions pork products in the hands of the packers; further, that the people must be fed, and that we can maintain these steady standards of prices of pork products and at the same time feed those people, a consummation perhaps devoutly to be wished.

I only refer to that because I say this record calls upon us to expend $100,000,000, which when spent is gone. Do not let us think it is ever coming back. Let us not deceive ourselves about revolving funds. The bill merely provides that it may be a revolving fund. This amount is but a drop in the bucket if we are going to undertake to feed the people of Europe. How long are we to feed them? If we are going to keep on feeding them for months, well and good; let us face it and not deceive ourselves. When the next $100,000,000 comes along in 60 or 90

days let us not object to that if we are going to set this precedent now. If the world understands that this country is to feed all peoples, whether they work or not, we shall have a very busy time.

There is no arrangement shown by these dispatches with the allies, but there is some reference in the late telegrams which the Senator from Virginia has read of some $300,000,000 to be divided in some way. One of the other telegrams said: "It is believed that France and England and possibly Italy will unite in this work." They are just as much interested in this work as we are. Why should they not do their share. There ought to be before we appropriate this money, which the taxpayers of this country have to pay, some understanding, if it be appropriated, as to what we are going to do and what the other nations are going to do. Let us get out of the clouds and down to bedrock on this.

There was a statement in the Washington Times a few days ago, which appears in the committee hearings, which has not been denied, as to the real purpose of this appropriation, namely, that England has repudiated her contracts as to buying pork and has secured her meats from Argentina, and consequently there are great products of pork over there that can not be used, and, if lost, would very seriously interfere with the packers' profits as well as be a serious thing for those who need them.

There is no commission provided for the expenditure of this money. There is the organization of the Red Cross, with 5,000 agents in Europe, which has been diligent in feeding those people. They might be able to handle this fund. But, no, it is put in the hands, practically, of Mr. Hoover. I do not join for one instant in the onslaught upon Mr. Hoover. I think he has done a great work. The expenses of his bureau have been enormous—some $6,000,000 or $7,000,000. The expense of handling this fund in this way will be enormous. A commission would be far better than one man.

Gentlemen are already in Europe with retinues, stenographers, and complete office forces, arranging to take charge of these matters. It may be a good deal like the expenditure of missionary funds, where the cost is so great to get aid to the poor heathen. These are preliminary matters to my main objection.

The basis upon which I place my objection is that Congress has no right to take the money of the people by taxation and give it away in charity outside of this country. I do not feel at all certain that they can do so in this country, though an argument was made in the House in the Russian relief situation away back 18 years ago that while we could not do that for a situation in our own country, where the Constitution applied, we could do it as to a foreign country, because the Constitution did not apply there. That proposition was seriously urged by a very prominent lawyer in the House.

There has never been an appeal to the American people for any charity relating to this war to which they have not responded. If there had been an appeal to the American people for charity and they had not responded and people were starving over there, I think I should be willing to go beyond what I believe is our right under the doctrine that necessity knows no law, because it is pretty hard when there is a surplus of wheat or food in this world to think that people are starving. When we do that, however, and take property in taxes we are engaged in Bolshviki legislation.

But if this matter were made an appeal to the American people there would not be any question about raising this money, and raising it very quickly, by private donations. There is an appeal now for Armenia of $40,000,000. That will be raised in this country speedily. Under this bill money can be used out of this fund for Armenia, and people who have been patriotic and liberal in raising that money for Armenia will be taxed again just the same.

If the Government is to do these things, why have any funds like the one for the relief of Armenia? Why not levy taxes for the Red Cross and the Young Men's Christian Association and the Knights of Columbus and the Jewish institutions, and every other matter of that sort? Why submit these appeals to the people? In fact, if we start taxation for any of these purposes, why not taxation for all? If it is urgent in one case, it is in the others.

The Senator from Virginia has cited some precedents. It is true we appropriated money to Italy. There may be other instances. I want to call his attention to another precedent. The people of this country raised a large amount of corn and oats in the Middle West in 1892 to send across to Russia. Russia was starving. The Senate passed a joint resolution appropriating $100,000 for the Government to charter boats and take these grains to the starving people of Russia. That resolution went to the House. The matter is very interesting as to the position taken by the Democrats of the House, on the fundamental democratic doctrine as there enunciated—that we had no right to tax the people of this country and give away what was secured in taxes to charity.

I am merely referring to this as an historic incident and not in any partisan way. I am not much of a partisan. If Senators had time to follow that debate in the House, and what little there was of debate in the Senate, they would find it, I think, of great interest. In the Senate, Senator HARRISON of Tennessee said:

> I shall not object to the present consideration of the joint resolution. It is a charity that is bound to command the respect of all intelligent and charitable people, but believing as I do that I, as a Senator, have no right to tax the people to put money in the Treasury to appropriate to this or any other charity, I shall feel bound to vote against the joint resolution.

There were only nine Senators who voted against it, but when the matter came to the House it received more consideration. Several times there was an attempt to secure unanimous consent for its consideration. It never was secured. The appeal of President Harrison to Congress for the relief of the starving people of Russia was placed in the RECORD. It was just as intense an appeal as is now made by the President.

Mr. Bryan, who is known as a Democrat of standing, made a speech on that question calling attention to the fact that on this same Democratic doctrine, when an effort was made to furnish food to the drought-stricken people of Nebraska, Congress denied it. Mr. Blount, of Georgia, discussed the legal phases of the matter, and Mr. Kilgore, of Texas, remarked that as we seemed to be trying to take care of all the people of the world we had better begin taking care of the people at home. A pertinent suggestion now.

A motion was made to strike out the appropriation of $100,000. Mind you, the Government was not paying for the grain. That had been donated by the people of Iowa, Nebraska, Illinois, and Minnesota, and all that was asked was $100,000 of public money to charter ships to take those grains to the starving people in Russia. Senators now in this body who were Members of the House at that time voted to strike out that $100,000, and it went out, and not one cent was appropriated by Congress for that purpose.

So in my contention that we have no right to do this I am supported by very distinguished precedents of the House of Representatives and almost the unanimous Democratic vote of that body. These matters will all be found in the CONGRESSIONAL RECORD, volume 23, Part I, pages 110 to 207.

Mr. President, there is another embarrassing thing about this beside the question of being against the appeals of humanity. I will go into my own pocket in proportion to what I have in this world just as deeply as any other Senator to give to any kind of a charity for humanity, and if my brother in the world is starving and women are hungry and little children are in distress they can have all I possess; but I am not willing to compel somebody else who may have a different view of his rights to give to charity if he does not want to do it.

Mr. KING. Mr. President, will the Senator yield?

Mr. KENYON. I yield to the Senator from Utah.

Mr. KING. May not the illustration or precedent to which the Senator invited our attention, where $100,000 was asked for the purpose of carrying foodstuffs to Russia, be distinguished from the case at bar? May not the present appropriation rest upon a sounder basis than that of mere charity, if you say that it is necessary and proper as a war measure? To illustrate, we have been at war with Austria-Hungary. Austria-Hungary is now disintegrated, and upon the ruins of that empire there are being erected two or perhaps four independent governments. Unquestionably the prolongation of difficulties there depends largely upon whether or not the people have sufficient for their maintenance. If they are starving there will be unrest, internecine strife, revolution, and warfare. There might be a recrudescence upon the part of the people of that land against the allied Governments, all of which would necessitate our Government retaining troops in Europe for a longer period of time. The same may be true in a measure of Poland. There will be erected, it is to be hoped, a republic, the Republic of Poland. If there shall be war in Poland, if there shall be controversy between Germany and Poland or between the Bolsheviki and Poland, unquestionably that will require American troops to remain longer in Europe.

I suggest for the consideration of the Senator, without expressing any opinion one way or the other, may we not rest this appropriation upon the foundation that it is a war measure, that it conduces to peace and to facilitate the withdrawal of American troops from the Continent of Europe?

Mr. KENYON. Of course, the Senator knows we have loaned to the Czecho-Slovak Government, I think, $7,000,000. We have

made no such loan to the Jugo-Slavs, because that government has not yet been established. We have loaned to Serbia $15,000,000, I think. If we loan to these Governments carrying on this work that is a different proposition. What the Senator says is true with reference to the Jugo-Slavs and Poland. Roumania has a Government, and we have loaned to Roumania. We have loaned to those nations as if there were no limit to our pocketbook. I have found no fault with it. It seems to be essential. It is time now to be sure of what we are doing, and the taxpayers of the country have a right to insist that we do know. It is easy to be generous with other people's money.

Mr. THOMAS. Does not the argument of the Senator tend to establish the proposition that those loans were beyond our power to make?

Mr. KENYON. I have thought a good deal about that. Those loans were made strictly during the time of war. The war is now over, according to the President's messages to Congress.

Mr. THOMAS. The armistice has been signed, but the war is technically still in existence.

Mr KENYON. Yes; the war is technically still existing; that is true. Those loans were for strictly purposes of the war. This donation can not be in any way for the purposes of the war. I might ask the Senator from Colorado if he believes these loans were legal?

Mr. THOMAS. I have had some question about it.

Mr. KENYON. So have I; but it has been one of those things during war times which we were not going to question.

I started to say that in addition to this there is another embarrassment in opposing this measure. It is not a pleasant pursuit. I know it is not going to get anywhere. I suppose there will be very few votes against it. But the charge has been made that it is embarrassing to the President. I have tried to stand behind the President during this war and have realized that he was President and would be for the next two years. I have indulged in a good many eulogies of the wisdom and farsightedness of the President. I do not want to be placed in a position, and will not be, of embarrassing him in any way; but I do retain the right to speak my views on a matter of this kind, and I am willing to be lectured for not following the President by anyone except those who have voted against woman suffrage, when he stood up here and insisted that he needed that to make the war a success. I draw the line of criticism at any gentleman who did that.

The President in one of his messages speaks of stopping bolshevism. "This is necessary to stop bolshevism." I do not know whether if you feed them they can fight better or whether that is going to stop it, but I like his plan of stopping it by feeding them better than the plan of a distinguished Republican, who would stop it by shooting them. You will stop bolshevism not by feeding them, you will stop it by removing injustices, and that is the way you will stop it in this country. Make no mistake about that.

I want to know further how the other funds which we have been voting here with such cheerful alacrity have been expended. That is a reasonable request. The Fuel Administration has been paying out expenses at the rate of something like $58,000 a month. The Food Administration has had enormous expenses. The Creel bureau sends us in some kind of a statement from which nobody can figure out what has been expended or to whom. I say we have a right, if we are not going to be told just how this money is to be spent, to inquire how other funds which we have voted here have been spent.

I want to call attention to one thing that was brought up in the House the other day showing how some of it has been spent.

A very interesting corporation was organized in the State of Connecticut, called the War Trade Board of the United States Russian Bureau, Incorporated. I have here the articles of incorporation and a certificate of its incorporation. This was organized to help to feed and to help to transport food in Russia. The chairman of the Democratic National Committee was president of this corporation. I do not refer to that in any partisan sense nor do I attach any importance to the fact that the nephew of the Secretary of State was secretary and treasurer of this corporation. It is a wonderful corporation. Here are some of the things it can do. The name of the corporation is the War Trade Board of the United States Russian Bureau, Incorporated. I will only say in this connection that $5,000,000 of the funds which we voted to the President were set aside as available to this corporation.

The corporation is to be located in the town of Hartford, Conn.

The nature of the business to be transacted and the purposes to be promoted or carried out by said corporation are as follows:

1. To engage in the business of buying, selling, importing, and exporting goods, wares, and merchandise of every description, and any and all kinds of personal property, and to carry on a general mercantile and commercial business in any part of the world.

2. To engage in any and all kinds of manufacturing, and to acquire, hold, lease, and sell all lands, buildings, machinery and equipment, and all raw materials and supplies necessary to or useful in the conduct of any such business in any part of the world.

3. To search for, prospect, explore, purchase, lease, or otherwise acquire, own, develop, work, operate, sell, lease, mortgage, or otherwise dispose of any and all agricultural, grazing, timber, or other lands, mineral deposits, mines, mining properties, collieries, and quarries, and the products and by-products thereof, all in any part of the world.

Some corporation, this, to relieve Russia.

4. To cultivate, cut, mine, crush, smelt, concentrate, refine, treat, prepare for market, buy, sell, exchange, export, import, trade and deal in any and all agricultural products, timber and timber products, oil, petroleum, coal, iron, metals, phosphates, nitrates, minerals, precious stones, and materials and products and by-products of all kinds, all in any part of the world.

5. To build, construct, complete, equip, purchase, lease, or otherwise acquire, hold, own, manage, operate, maintain, mortgage, sell, or otherwise dispose of hotels, apartment houses, boarding and lodging houses, restaurants, stores, shops, and places of public entertainment or amusement, all in any part of the world outside of the State of Connecticut.

The only thing they can not do is to operate barber shops, which is the greatest necessity among the Bolsheviki of Russia.

6. To build, construct, complete, equip, purchase, lease, or otherwise acquire, hold, own, manage, operate, maintain, mortgage, sell, or otherwise dispose of railways, telephone and telegraph systems, gas and electric light and power works, plants, and systems, and any other plants, machinery, or works for the production, manufacture, transmission, and distribution of light or energy of every nature and description, and to furnish and sell gas, electricity, steam, and any other kind of substance or energy used for lighting, heating, or power purposes, all in any part of the world outside of the State of Connecticut.

7. To build, construct, complete, equip, purchase, lease, or otherwise acquire, hold, own, maintain, operate, mortgage, sell, or otherwise dispose of, or turn to account, reservoirs, water powers, dams, flumes, watercourses, aqueducts, water rights, canals, irrigation systems, sewage, drainage and sanitary works, waterworks, and to furnish and sell water and water power, all in any part of the world outside of the State of Connecticut.

8. To promote, finance, build, construct, complete, equip, purchase, lease, or otherwise acquire, hold, own, operate, maintain, mortgage, sell, or otherwise dispose of wharves, piers, docks, bulkheads, dry docks, basins, tugs, floats, lighters, storehouses, warehouses, elevators, oil tanks, and other terminal facilities of all kinds, all in any part of the world outside of the State of Connecticut.

9. To build, equip, buy, own, lease, operate, and sell steamships, sailing vessels, and any and all other kinds of craft or instrumentalities used or to be used in the business of transporting freight or passengers upon water, and, in any part of the world outside of the State of Connecticut, to operate the same and engage in the transportation of or in the business of transporting freight or passengers.

What is the use of the Interstate Commerce Committee spending any time on the railroad question? This corporation can handle that except in Connecticut—

10. To take and receive upon deposit, as bailee, for safe-keeping and storage, jewelry, plate, money—

To help Russia—

specie, bullion, stocks, bonds, securities and valuable papers of any kind, and other valuable personal property, and to guarantee their safety, upon such terms and for such compensation as may be agreed upon by it and the respective bailors thereof, and to let out vaults, safes, and other receptacles, all in any part of the world outside of the State of Connecticut.

To help Russia.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. KENYON. I yield.

Mr. REED. If Connecticut is going to discriminate in this matter, I think we ought to serve notice on the Senators from that State to come to the Chamber.

Mr. KENYON. They probably know about this. This document continues:

11. To make loans or advances, either ordinary or privileged, either with or without security, at such rates of interest as may be agreed upon between the corporation and the borrower, either for ordinary banking or commercial purposes or for the special purpose of facilitating mining, agricultural, and industrial operations and public utilities, all in any part of the world outside of the State of Connecticut.

12. Outside of the State of Connecticut, to act as fiscal or transfer agent of any Government, municipality, or body politic, or corporation, and in such capacity to receive and disburse money, transfer, register, and countersign certificates of stock, bonds, or other evidences of indebtedness.

Mr. LA FOLLETTE. In that connection I should like again to inquire how much of the money which has been appropriated by Congress has been turned over to this corporation?

Mr. KENYON. Five million dollars of the funds that we voted the President have been made available for this corporation. I do not mean to say that it has been spent, though some of it has been.

Mr. LA FOLLETTE. I should not think that that would be nearly enough to do all of those things.

Mr. KENYON. I do not think it will be enough. I think, perhaps, they may be anticipating more.

Mr. HITCHCOCK. Mr. President, does not the Senator from Iowa know, as a matter of fact, that the money will not be spent? I am rather amazed to have the Senator criticize this effort which was planned for a peaceful penetration of Russia, having for its purpose the bringing to the Russian people the

commodities they needed and were in dire distress for lack of, when the sole purpose of the corporation was simply to carry out a beneficent purpose of the Government to do those things.

Mr. KENYON. If that be true, I wonder why these articles of incorporation had to apply to any part of the world?

Mr. HITCHCOCK. Well, the Senator knows very well that lawyers drawing up articles of incorporation are sure to make them comprehensive enough to contemplate everything.

Mr. KENYON. I am sure that they did so in this case.

Mr. HITCHCOCK. What possible harm has come from that and what possible harm could come from it? It seems to me that the Senator is making a very unfair attack upon an administration which is confronted with the most stupendous difficulties. Some citizens of this country are objecting to a military penetration of Russia, and the Senator stands here now and criticizes the administration for having planned at one time, under the instruction of the President, a commercial penetration of Russia for the purpose of bringing relief to a country that was fairly weltering in distress and misery, many of whose social and political crimes were growing out of that misery, and that misery being availed of by the German enemy to organize the country against the United States and the allied nations. What possible good can come from taking up the time when this bill is before the Senate in criticizing that effort, which finally had to be abandoned?

Mr. KENYON. What relief did this corporation bring to Russia?

Mr. HITCHCOCK. The Senator from Iowa is very well aware of the strong sentiment in this country that if only the United States could become the instrument of bringing relief to the people of Russia—bringing them shoes and food and clothes and the things that they were without—it would be possible to bring the Russian people to sanity, and that it would be possible to save the Russian people from German domination. Now, the Senator from Iowa stands here and criticizes the Government for making the effort. What does the Senator propose? What has he proposed? One Senator on the other side of the Chamber criticizes the administration for resorting to military force of the mildest sort, and the Senator now stands here and criticizes the administration for resorting to peaceful means in an endeavor to save Russia.

Mr. KENYON. There is no use of getting excited about it. The Senator from Nebraska is throwing more light on this Russian corporation than we have heretofore had. It is very interesting to know why they did not carry out their plans when the money was put at their disposal. Why did they not save Russia, as the Senator has suggested? Why did they not get shoes to Russia? Why did they not get food to Russia? They had plenty of money to do it, but evidently they did not accomplish very much.

Perhaps it may be called criticizing, but I was simply reading the articles of incorporation, if that was a criticism. I do think the articles themselves are a criticism of any board standing for them.

Mr. THOMAS rose.

Mr. KENYON. Just a moment. I am saying that we have the right to an accounting of the way this money goes, and I shall stand here and urge that whenever I feel like doing so.

Mr. THOMAS. Mr. President, will the Senator from Iowa state the date of the articles of incorporation?

Mr. KENYON. The articles of incorporation are dated on the 6th day of November, 1918.

Mr. THOMAS. Just a few days before the armistice.

Mr. KENYON. Yes; that is true. The names of the incorporators are in the document, three men who it was stated before the committee were clerks and dummies.

Mr. FRANCE. Mr. President, I should like to ask the Senator from Iowa if he knows whether or not in the formation of this corporation the laws of Connecticut were violated, as the laws of the State of New York were violated very clearly, as the evidence before the subcommittee of the Public Buildings and Grounds showed, by the United States Housing Corporation in the manner in which it was incorporated?

Mr. KENYON. I do not know about violating the laws of the State of Connecticut; but I do believe, as a lawyer, that public funds appropriated for the use of the President can not be turned over to a private corporation.

Mr. THOMAS. Mr. President——

Mr. KENYON. I yield to the Senator from Colorado.

Mr. THOMAS. If the Senator from Iowa will permit me, I desire to say I think that these articles of incorporation were made under the laws of the State of Connecticut.

Mr. KENYON. They were.

Mr. THOMAS. And those laws provide those exceptions for general corporations which apply to the State of Connecticut.

Mr. KENYON. Yes.

Mr. THOMAS. Generally speaking, as to the corporations created under the laws of the State of New Jersey, under the statutes of the State it is provided that no railroads shall be built within the limits of the State under the provisions of incorporation; so there seems to be a compliance with the laws of the particular Commonwealth in both instances, the exceptions being due to the law and not to the intention or desire of the incorporators.

Mr. KENYON. The corporation was evidently incorporated under the laws of Connecticut, because of the broader power granted by the State of Connecticut, just as many corporations are incorporated in New Jersey.

Mr. THOMAS. What I am speaking about particularly is that corporations created under modern statutes in some of the States may comprise every pursuit on the face of the earth——

Mr. KENYON. I think that is true.

Mr. THOMAS. But for the protection of local corporations it is required that the exceptions be expressly stated.

Mr. KENYON. I think that is true; but the Senator does not understand, does he, that the statutes of Connecticut require that all of these things shall be put into the articles of incorporation?

Mr. THOMAS. They do not require that, no; but they permit it.

Mr. KENYON. They permit it, yes; but I see no reason for permitting it if nothing was to be done in this instance except as to Russia.

Mr. THOMAS. I see no reason for permitting it in any event.

Mr. KENYON. No.

Mr. REED. Mr. President, if the Senator from Iowa will pardon me, the question was raised that this incorporation was brought into being for the purpose of keeping down discontent in Russia. The articles of incorporation were filed in the month of November. Of course, there has been no substantial change in the Russian situation since the month of November, for, while the armistice was signed after the date of these articles of incorporation, nevertheless that armistice had very little to do with the Russian situation. If it was necessary to get relief into Russia at the time these articles were filed, it would seem to me the same physical conditions now exist there. What I am anxious to know is whether this incorporation is going on to meet the conditions and to supply the necessities or whether the corporation has been substantially abandoned, if the Senator from Iowa knows?

Mr. KENYON. I do not know. I have heard the chairman of the committee state that the corporation would be dissolved. That is all I know about it.

Mr. REED. Was the reason stated, if I may inquire?

Mr. KENYON. No; I think not. Perhaps the chairman of the committee can say why.

Mr. HITCHCOCK. Mr. President, a little history of the affair will clarify that very easily.

Mr. KENYON. Of course, I am perfectly willing that the Senator from Nebraska shall interrupt me for a question or for reasonable remarks, but——

Mr. HITCHCOCK. I will not impose on the Senator's time.

Mr. KENYON. I am about to conclude.

Mr. HITCHCOCK. The plan was initiated on the 5th of October, when the President issued an Executive order in which he said:

> By virtue of the authority vested in me by an act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, approved July 1, 1918, appropriating the sum of $50,000,000 for the national security and defense, and for each and every purpose connected therewith, to be expended at the discretion of the President, I hereby set aside $5,000,000—

For this purpose. So that the act of the President took place when we were at war with Germany, and it was done under his power, given in the act of national defense for war purposes, that he sought to use this money for the commercial penetration of Russia, for the purpose of quieting Russia, and for the purpose of turning Russia into an ally in the war against Germany. It is very obvious that that purpose ceased when the armistice was signed a short time thereafter.

Mr. REED. Mr. President, if the Senator from Iowa will pardon a further interruption——

Mr. KENYON. Yes.

Mr. REED. Do I understand the Senator from Nebraska to mean—I am not asking this in any controversial manner at all; I want to get at the facts—that the real purpose here was to afford relief to suffering in Russia or was the real purpose to use this money so that the Russians would cease to be an ally of Germany?

Mr. HITCHCOCK. I take it it was to use the money for the purpose of converting Russia into friendly territory as against Germany. Germany was making use of the distress of Russia, which bred the Bolsheviki idea, and the Bolsheviki idea was

working for Germany's interests. The purpose was by this friendly penetration, by the sending of American products into Russia and the bringing of Russian products out of Russia in exchange for them, to promote trade and create a prosperity that could not come about from natural causes.

Mr. REED. And it was proposed to do that with $5,000,000?

Mr. HITCHCOCK. The work was to start with a fund of $5,000,000, which was to be a revolving fund.

Mr. REED. I do not speak by the card, and I do not believe that anybody does, unless it may be the Senator from Nebraska. All the statements I have ever heard made about the purpose of this corporation were to the effect that there was great suffering in Russia and that it was intended to relieve that suffering. That is the reason I asked the question a few moments ago whether the same physical conditions did not exist to-day in Russia substantially that existed when these articles of incorporation were filed?

Mr. HITCHCOCK. But we have come to the end of the war, substantially.

Mr. REED. Yes; but people are starving there; and is it not proposed to use a part of the $100,000,000 now proposed to be appropriated in parts of Russia, I should like to ask?

Mr. KENYON. It is; yes.

Mr. REED. So that it will not do to say that the necessity for this corporation has ceased if it ever existed. I am not complaining about it, however.

Mr. HITCHCOCK. The point I am making is that the President legitimately allocated this $5,000,000 out of the fund with which Congress provided him for the national defense. He felt that $5,000,000 used in Russia for the purpose of bringing relief and creating order and converting Russia to friendly territory would be well expended, better expended than if it were put into cannon and other purposes.

Mr. KENYON. I have not reflected at all upon the action of the President.

Mr. HITCHCOCK. I think the Senator has——

Mr. KENYON. I am simply showing how our money goes.

Mr. HITCHCOCK. The money has not gone.

Mr. KENYON. It is available for this corporation, and some of it has gone.

Mr. HITCHCOCK. I will say to the Senator that it has not been expended, because the armistice put a stop to the work.

Mr. KENYON. Will the Senator say that none of it has been expended?

Mr. MARTIN of Virginia. Mr. President, I will say to the Senator that $2,500 has been expended, and it is proposed now to dissolve the corporation.

Mr. KENYON. Why do they not go on in Russia and cure the troubles?

Mr. MARTIN of Virginia. They do not propose doing it through this agency. They have expended $2,500, and that is all they expect to expend, and they propose now to dissolve the corporation.

Mr. KENYON. Mr. President, I think I have said in relation to this Russian bureau as much as I wish to say, except that I ask to put into the RECORD the certificate of organization, showing the officers and directors.

The VICE PRESIDENT. Without objection, the certificate will be inserted into the RECORD.

The certificate referred to is as follows:

STATE OF CONNECTICUT,
OFFICE OF THE SECRETARY.

THE WAR TRADE BOARD OF UNITED STATES RUSSIAN BUREAU (INC.).

CERTIFICATE OF ORGANIZATION.

The undersigned, a majority of the directors of the War Trade Board of United States Russian Bureau (Inc.), located in the town of Hartford, hereby certify as follows:

First. That the amount of the authorized capital stock of said corporation subscribed for is 50,000 shares, being shares of capital stock amounting to $5,000,000, and being not less than the full amount of $5,000,000 with which the incorporators in the certificate of incorporation stated the company would begin business.

Second. That the amount paid thereon in cash is $5,000,000.

Third. That the amount paid thereon in property other than cash is nothing.

Fourth. That $100 has been paid upon each share subscribed for, excepting no shares.

Fifth. That the name, residence, and address of each of the original subscribers to said stock, with the number of shares subscribed for by each, are as follows:

NAME, RESIDENCE, POST-OFFICE ADDRESS, AND NUMBER OF SHARES.

Vance C. McCormick, Harrisburg, Pa	1
J. Beaver White, Washington, D. C	1
Edwin F. Gay, Cambridge, Mass	1
Clarence M. Woolley, Washington, D. C	1
Albert Strauss, New York, N. Y	1
Alonzo E. Taylor, Washington, D. C	1
Thomas L. Chadbourne, jr., New York	1
H. Starr Giddings, Bronxville, N. Y	1
Stoddard M. Stevens, jr., Hackensack, N. J	1
Ralph Royall, New York, N. Y	1
Vance C. McCormick, chairman War Trade Board, Washington, D. C	49,990

Sixth. That the directors and officers of said corporation have been duly elected and that its by-laws have been adopted.

Seventh. The name, residence, and post-office address of each of the officers and directors of said corporation are as follows:

OFFICERS.

Name, residence, and post-office address:
President, Vance C. McCormick, Harrisburg, Pa.
Treasurer, John Foster Dulles, Washington, D. C.
Secretary, John Foster Dulles, Washington, D. C.

DIRECTORS.

Name, residence, and post-office address:
Vance C. McCormick, Harrisburg, Pa.
Thomas L. Chadbourne, jr., New York, N. Y.
Albert Strauss, New York, N. Y.
Alonzo E. Taylor, Washington, D. C.
Clarence M. Woolley, Washington, D. C.
J. Beaver White, Washington, D. C.
Edwin F. Gay, Cambridge, Mass.

Eighth. The location of its principal office in this State is No. 11 Central Row, Hartford, and the name of the agent or person in charge thereof on whom process against it may be served is Lucius F. Robinson.

Dated at Washington, D. C., this 13th day of November, 1918.

EDWIN F. GAY,
J. BEAVER WHITE,
ALBERT STRAUSS,
ALONZO E. TAYLOR,
A Majority of the Directors.

DISTRICT OF COLUMBIA,
City of Washington, ss:

On November 13, 1918, personally appeared Edwin F. Gay, J. Beaver White, Albert Strauss, and Alonzo E. Taylor, signers of the foregoing certificate of organization, a majority of the directors of the War Trade Board of United States Russian Bureau (Inc.), and made oath to the truth of the same before me.

[SEAL.] H. MCHUGH,
Notary Public, District of Columbia.

My commission expires August 9, 1923.

Approved December 2, 1918.

FREDERICK L. PERRY, *Secretary,*
By ELMER H. LOUNSBURY.

Mr. KENYON. I do not intend if matters of this character are brought to my attention in the future concerning methods in which money which we vote is being expended to hesitate at all in calling the attention of the Senate and of the country to them. I regard this corporation as nothing less than a scandal.

Under one of the dispatches of the President the question arises, which the Senator from Montana [Mr. MYERS] suggested, as to the use of this money to feed the liberated people of Austria, Turkey, Poland, and western Russia. I suppose the reference to the liberated people of Austria means the Czecho-Slovaks and the Jugo-Slavs.

A fund is now being raised in this country for Armenia. I have not very much enthusiasm for voting a tax upon the people of our country to keep alive at least that portion of Turkey which has massacred the Christians of Armenia and made the hills and plains of Armenia red with their blood. Of course, as to children and women, that is a different question. Nor am I so much concerned about Austria proper, except as to women and children. If there has to be any starving done in this world, I prefer to see Turkey and Germany and Austria and Bulgaria do the starving before the rest of the world has to starve. Would it not be well, Mr. President, to get around pretty soon to the question of taking care of our own country, or at least paying some attention to our own country. In our affection for the world let us not forget the people of the United States.

There are in this country at this time over 200,000 men out of employment; they will need help. And what of our soldiers? You can go to a hospital within the shadow almost of the Dome of this Capitol and find soldier boys who have been across the sea and who are back here now who have not had a cent of pay for seven or eight months. You can go to St. Elizabeths, a hospital for the insane, and find soldiers suffering from shell shock there in rooms with insane people because we have not money to provide, or at least have not provided, places for those soldiers. If you are going to do this humanitarian work throughout the world, I want us at least to begin at home on something that is not so much a humanitarian work as a work of justice, and not turn these soldiers out, as they are being turned out, with scarcely anything, and some of them without their pay. I want some of this money at least to go to the allotments of the mothers of this country who are being forgotten now the war is over. I have a letter from Sioux City, in my State, from the mother of a wounded boy brought back from France and now in the East who has not had any pay for seven or eight months, and she had to go around and peddle the vegetables she had accumulated in her cellar to get some money to send to him. In this great humanitarian cause of taking care of the whole world, let us pay some attention to getting things straightened out at home. Bolshevism abroad! Yes; if we can stop it let us stop it, and stop it by food if we must, but let us get at some of the causes in our own country that are creating discontent because of injustices.

Mr. President, I did not intend to take this much time, but I have been drawn from one thing to another. The main point I was making was that we do not have the right—though, of course, we can go ahead and act as is proposed regardless of law—to tax the people of this country for charity abroad; and, out of this confusion of telegrams, I accept the statement of the President that this is practically for the purposes of charity, at least a large portion of it. If it is for peace, then it must be that we are to take care of in some way or are to assist Germany with food. We want no peace by tribute. That is an unsettled question, and I do not know about it; the record before us does not show clearly.

Mr. HITCHCOCK rose.

Mr. KENYON. Does the Senator desire to interrupt me?

Mr. HITCHCOCK. I wish to ask the Senator whether he has changed his views on that subject?

Mr. KENYON. What subject?

Mr. HITCHCOCK. The expenditure of American money abroad.

Mr. KENYON. I suppose the Senator refers, or is about to refer, to a resolution introduced by me as to France?

Mr. HITCHCOCK. I remember hearing the Senator say on the floor of the Senate that he was in favor of giving to France all the money we had loaned to her.

Mr. KENYON. Yes.

Mr. HITCHCOCK. Which means hundreds of millions of dollars or thousands of millions of dollars.

Mr. KENYON. Yes; I introduced a resolution to that effect.

Mr. HITCHCOCK. And now the Senator objects to this expenditure that the President proposes.

Mr. KENYON. I introduced that resolution and spoke on it. If we should go back in the case of France to the time that France loaned us some money, part of which we never repaid, and figure the interest on that money down to this time, it would amount to an enormous sum, not so much, probably, as we have loaned to France, but at least to a considerable portion of it. That was in my mind, although I will say very frankly that, full of enthusiasm for France for what it had done for us in the past and what it had done in this war, I did favor cancelling that debt. That may seem inconsistent with my present position——

Mr. HITCHCOCK. I think the Senator's language was somewhat different from that. He did not qualify it as he does now.

Mr. KENYON. No; I think I did not.

Mr. HITCHCOCK. Or give any reason of that sort. Will the Senator permit me to quote what he said?

Mr. KENYON. Yes; it was a very good speech, I thought, at the time.

Mr. HITCHCOCK. The Senator then said:

> It is a great thing, Mr. President, to have part in saving a nation like France. I do not mean by that to have any part in getting back any territory to France. I do not believe we are carrying on war for that purpose; but, as a part of saving civilization, we are saving those poor people of France, and they look up to us as a poor, weak sister to a great, strong brother coming to save her. When this war is over, I have said before, and I reiterate it, I hope this great, rich Nation will say to poor, bleeding France: "Keep all of the money we have loaned you. We ask not for the return of a single dollar."

That was the view of the Senator in January a year ago.

Mr. KENYON. That is the way I felt at that time, and I think I probably gave the same figures that I have given here as to the amount of money that France had loaned to us. I still feel that way.

Mr. HITCHCOCK. Now, will the Senator tell us the difference between the proposal which he thought advisable then and the one he denounces now?

Mr. KENYON. It is not the same. The obligations that we owe to France are different from the obligations we owe to any nation on the face of the earth. I do not think we would have had a nation had it not been for France. That money loaned was for war—ammunition and guns to shoot the foes of America.

Mr. HITCHCOCK. The Senator did not base his position a year ago on the ground of obligation; he based it on the ground of saving civilization, saving the poor nation of France?

Mr. KENYON. Yes.

Mr. HITCHCOCK. What is the difference between saving those people and saving the starving people to whom the President refers?

Mr. BORAH. Turkey, for instance.

Mr. KENYON. I have given my reasons as best I can give them. I may appear inconsistent; but I feel entirely different about France than I do about the people of Turkey or the people of Austria, and I might, in any event, stretch my conscience more for the people of France than I would for the murderous Turks.

Mr. WARREN. May I ask the Senator a question?

Mr. KENYON. Yes.

Mr. WARREN. In connection with the proposal to present to France a cancellation of her indebtedness to us, did the Senator propose, first, to offset it by the very large amounts of money, many millions, that we owe to France, to take that out, and give them the balance, or did he propose to remit their entire indebtedness to us and that we pay them some hundreds of millions of dollars we owe them in addition?

Mr. KENYON. I am really surprised, Mr. President, that my speech attracted so much attention.

Mr. WARREN. The Senator's speeches always do.

Mr. KENYON. I thought at the time it was made there were not over one or two Senators in the Chamber. But I will say about France what I have heretofore said and stand by that proposition. I wish we could do it; I do not know that we can; and, if we make any appropriations of this kind, of course we can not. I have said before that the situation was different. That will not convince unwilling minds.

Mr. WARREN. Still the Senator does not answer the question that I asked him, namely, whether he thinks we should remit to France all that she owes us and still have to pay France many millions of dollars that we owe to her?

Mr. KENYON. No; I do not. I think I figured at that time that, including interest from the date of the loan on the part that we had not returned, it would amount at that time to nearly as much as France owed to us then. Now, what we owe to France arising out of this war I do not know, but I have heard it stated that it would nearly balance the debt she owes us; but as to that I have no specific information.

Mr. LODGE rose.

Mr. KENYON. I will say to the Senator from Massachusetts that I am through.

Mr. LODGE. I do not desire to interrupt the Senator.

Mr. KENYON. I would have concluded earlier had it not been for the questions asked me. I now yield the floor.

Mr. LODGE. Mr. President, I desire to offer two amendments in the same line. They are really one amendment in intent. I send them to the desk and ask to have them stated.

The VICE PRESIDENT. The Secretary will state the amendments.

The SECRETARY. On page 1, in line 7, after the word "thereto," it is proposed to insert the words "including the Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor, now subjects of Turkey."

Also, on page 1, line 7, after the word "Germany," it is proposed to insert "German Austria, Hungary, Bulgaria, and Turkey."

Mr. LODGE. Mr. President, the purpose of that amendment is simply to define a little more closely the populations to whom this relief is to be extended.

I do not myself believe in extending aid to those countries which brought all of this misery on the world. I think we ought to save and help the people whom they have brought to this condition. As the bill stands, there is nothing to prevent this money being spent for the maintenance of the Turks. In that, I confess, even at the risk of seeming hard-hearted, I feel but slight interest. But I do want to see the Armenians, the Syrians, and the Greeks, who have all suffered from the Turkish rule, and suffered horribly, aided, and the Jewish and Christian populations of Palestine. I have worded the amendments so as to cover those two points, and also German Austria, Hungary, and Bulgaria, who stand in precisely the same position toward us that Germany does.

Mr. MARTIN of Virginia. Mr. President, I shall be glad to see the amendments adopted. I think they improve the bill.

The VICE PRESIDENT. The question is on the amendments offered by the Senator from Massachusetts.

The amendments were agreed to.

Mr. LODGE. Mr. President, I only want to say in conclusion that, of course, my object in seeking to have this amendment added to the bill is to improve, as I think, a measure for which I shall vote and which I think is absolutely necessary as a part of the work of carrying out the conclusion of this war.

Mr. BORAH. Mr. President, it is a thankless, and doubtless many will think a thoughtless, task to oppose the passage of this bill, but there are reasons why the bill in its present form and with the information which we have before us can not receive my support. I do not care to have the RECORD stand without some remarks of explanation.

There may be facts in existence which justify the passage of this bill, but this Congress has not got them. There may be the machinery and the plans by which this money can be carried effectively to Europe, so as to bring about a better condition of affairs in Europe and to stabilize Europe, but this Congress has not got them. There may be a sufficient and conclusive reason as to why this money should be appropriated, as a

part, as the Senator from Massachusetts [Mr. LODGE] says, of the program of finishing up this war, but the Congress has not any such facts before it.

No one is responsible for the expenditure of this money and for the burden which will be placed upon the people of this country in gathering this money in the way of taxes save and except the Congress of the United States, which is wholly without the facts. We can not hold Mr. Hoover responsible, and neither can the people of this country hold Mr. Hoover responsible in any way for the expenditure of this money under the terms of this bill. It is a wide, latitudinous power given to him to expend $100,000,000 in what is said to be the regenerating of an entire Continent. We are entirely without information as to how it is to be made effective. We are wholly without facts as to where it is to go, except in a most general way—so general that it furnishes no information at all to you and to me; and yet we are the only people in this entire movement who are responsible to the taxpayers of this country.

I venture to say, Mr. President, that if a man stood at the head of a vast business institution that was authorized to take trust money and had trust funds in its possession and should be asked to transfer them to the use of a cause, however humanitarian and just it might be, with no more protection and no other safeguards than are authorized by this bill, when he was called upon to report upon these trust funds his defense would not be heard in a court of justice. The thing of which I complain, sir, is placing me, as a humble Member of this body, in a position where I must answer, as a Member of this body, to the taxpayers of the country, without giving me any information by which and by means whereof I can report to them at any time in my public career.

This fund is not ours, and there can be no more serious duty devolving upon the Congress of the United States right now than that of adding a further burden to the already harried and overburdened people of this country. The time has passed, Mr. President, when it is no longer a serious matter to appropriate large sums of money in this country. It may be that we are compelled, by reason of the circumstances which surround us and the environments which envelop us, to appropriate these sums of money, but we can only do it, sir, after the most thorough and complete investigation and after the fullest and most complete facts are before us so as to justify us not only in the law but in the court of conscience for having done so.

What reason could we assign if this money should be expended in a profitless way, in a fruitless way, or in territory of which we did not approve? What would be our remedy, and what response would we give to those whose money we had expended?

There is another reason which makes it impossible for me to support this bill. It is an unpleasant one to mention; nevertheless, it is here.

I recognize in Mr. Hoover a man of great ability. It is not my purpose, by anything which I shall say, to challenge his personal integrity; but his viewpoint of things is such that it makes it impossible for me to turn over a hundred million dollars to him to expend in Europe. For the last four weeks I have been making a pretty thorough study of the relationship of the Food Administration to the vast concerns of this country which control and dominate the food supply of this country; and I say here upon the floor, and I challenge successful contradiction, that three of the vast monopolies which control food in this country have, with relation to their commodities, directed and controlled the Food Administration since its organization. I do not mean by that to say, sir, that Mr. Hoover himself has received any personal or individual benefit by reason of that. I simply mean to say that his viewpoint is such that he permits those people to, in effect, fix their own prices and to arrange their own affairs to such an extent that it is a case of an individual dealing with himself in the transactions. I have been utterly amazed at the facts which show how these combines have influenced and controlled the situation.

It is well known, sir, that the meat packers of this country have been one of the great, powerful units in this matter of furnishing food. Now, sir, at a time when the people of this country are hungry, when our own people are suffering, when, according to the Associated Press dispatches a few days ago, hundreds of thousands of children in New York and Chicago and other great cities are not only kept out of school for want of clothes but are actually dying for want of food, when mothers are committing suicide because they can not respond to the lips that are begging for food, it is a fact, demonstrated over the signature of the meat packers themselves, that their profits under Mr. Hoover amounted to all the way from 20 to 40 per cent for the last two years. Shall I be called upon, under my oath as a Senator here, to turn over a hundred million dollars to feed the poor of Europe, when I am notified that out of that $100,000,000 those that control the food products of this country will ask, and probably receive, from 25 to 40 per cent profit on their investments?

They say "This is to be turned over to the President." Now, let us be honest and eliminate the President. We know that it is absolutely impossible for the President to know anything about the details of this expenditure. With the stupendous burdens resting upon his shoulders which are now there, with the difficulties which confront him, with the fearful task which is his, do we suppose for a moment that he will be familiar with a single detail in regard to this matter?

It is unfair to the situation and unjust to us to say that the President is responsible. He is not responsible. He will know nothing about it from the beginning to the end. We are responsible. We are the only ones who have the fearful power of drawing this money out of the pockets of the people. If I had the time, sir, I would undertake to show you that the facts are here which make you and me accomplices to the transaction which, if we vote this appropriation, will enable these vast concerns to get a very large portion of the taxes which we are voting.

Mr. WEEKS. Mr. President——

Mr. BORAH. Just a moment.

Now, Mr. President, I want my position to be understood. It may be necessary for us to feed the people of Europe. If the humanitarian call comes to us from Macedonia we can not refuse to listen; but, as a Senator, I am under obligations to know that those upon whom that task devolves are men who have such a viewpoint that they will not only save the starving people of Europe but that they will protect the taxpayers of the United States, because while we are a strong Government and a well-poised people do not forget that bolshevism is not confined to any nation.

I yield to the Senator from Massachusetts.

Mr. WEEKS. Mr. President, I wish to call the attention of the Senator from Idaho, in connection with the references he has just made to profits on capital and profits on food, to the fact that there is a vast difference between profits on capitalization and profits on the turnover of business. I do not think anybody contemplates or believes that 47 per cent, or 25 per cent, or 10 per cent profit has been made on the food to which the Senator has been referring. It may have been made on the capital of the corporations conducting that industry.

Mr. BORAH. Mr. President, there is a mysterious feature about the "turnover," which I confess the Senator from Massachusetts understands better than I do, and he may be correct; but I want it understood that these corporations which deal in nothing but food supplies, which have nothing to do with anything except that, which is an indispensable part of feeding the people of Europe and of this country, have realized under the administration of Mr. Hoover vaster profits than they have ever realized before in the history of their concerns. I will incorporate some figures later which will satisfy the Senator of the scandalous extortions of these companies from the people of this country. I do not want any man to operate a trust fund by my vote who thinks that those figures represent decency or honesty.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. KENYON. I call the Senator's attention to the testimony now being taken before the Agricultural Committee on this question, in which Mr. Heney stated that Mr. Cotton, the eminent Wall Street lawyer, who had charge of the meat end of the packing bureau of Mr. Hoover, stated to him that the profits of the packers for 1917 had been nothing less than a scandal.

Mr. WADSWORTH. Mr. President, was not that before Mr. Hoover took charge?

Mr. KENYON. Mr. Hoover took charge, as I understand, in August of 1917. It was not limited to the time before that. He said for the year.

Mr. WADSWORTH. Was not the inference very clearly drawn that the profits were decreased after Mr. Hoover took charge?

Mr. KENYON. I think not.

Mr. WADSWORTH. I think that will be borne out by an examination of the record.

Mr. BORAH. Mr. President, I have here, and will ask to insert in the RECORD without reading, a portion of the reports of these concerns, taken from their own records, which seem to me a sufficient basis upon which men may reasonably argue as to what they received.

The VICE PRESIDENT. In the absence of objection, that order will be made.

Mr. BORAH. Mr. President, if the profits to which Mr. Heney referred have reference to a period prior to the actual entry of this country into the war, these reports show, and the statements are made, that those profits, instead of being decreased, have been augmented and enlarged. So, Mr. President, we need not stop here now to discuss the details of this matter as to the shades of profits, or as to when or how the profits are made. The sum total of the fact is that they have been realized during this time in a way that they have never been realized before.

A distinguished member of the Peace Commission, Mr. White, cabled to this country that we had on hand a large store of undistributed foods of different kinds, and that this would enable us to work off the supply at a stabilizing price. I wonder if Mr. White was familiar with the fact that the food supply to which he refers as being on hand and undistributed in this country is now in urgent demand by not thousands but by hundreds of thousands of people in our own country? It is not available, Mr. President, to introduce that kind of an argument in order to move the Congress, because the Congress knows that if any such supplies are on hand there is a ready demand for them in the United States.

But that is not a matter which is controlling with me. I know that $100,000,000 is just the beginning if we are going to stabilize Europe from the standpoint of feeding the people. The press dispatches already carry the information that not less than $350,000,000 or $400,000,000 will be necessary to make a reasonable start. Assuming that England and France do their portion, the three hundred and fifty million or four hundred million, we are already advised, is the beginning. Therefore I ask that the President put the distribution of this fund in the hands of those who have not only the ability but the viewpoint which will compel those who sell the food to share the sacrifice with those who pay the taxes.

Whatever may be the great ability of Mr. Hoover, there is one individual whom he does not know exists in this country, and that is the taxpayer. He seems to think that money comes like manna to the children of Israel from Heaven and not from the sweat and toil and sacrifice of the people. He has no conception of the existence of the taxpayer, and his distribution of foods is utterly regardless of his existence.

For these reasons, Mr. President, under the present circumstances, with no information, no restrictions, no safeguards, no directions, no limitations, we are turning over a hundred million dollars to be distributed and I can not indorse it. In the name of common honesty, of common fairness with those whom we represent, in the name of those who are now positively discouraged by reason of the taxes imposed upon them, to wit, the business men of this country, in the name of the poor, the prices of whose food will be raised by this bill, let us throw around the undertaking the ordinary safeguards of a sane transaction.

Mr. President, I have not argued the constitutional power. I do not think we have the power to appropriate money for any such use. But I have been here too long to hope to succeed in interposing a mere constitutional inhibition against a chance to appropriate $100,000,000. The odds against the Constitution are too great.

The packers' profits (five companies), as shown by the testimony of a Government expert who testified before the Committee on Agriculture.

1912	$18,715,000
1913	20,217,000
1914	22,108,000
1915	40,052,000
1916	60,759,000
1917	95,639,000

Armour & Co.'s profits taken from the same testimony.

(The percentage is based upon capital and surplus.)

		Per cent.
1912	$5,702,000	6
1913	6,158,000	6.1
1914	7,640,000	7.3
1915	11,156,000	10.2
1916	22,849,000	19.2
1917	27,137,000	19.8

[Article from Christian Science Monitor.]

CHICAGO, ILL.

The earning power of the smallest of the American meat packers in the present period appears a subject of interest, for one thing because the greatest food distributors in the world to-day are, naturally, more than ever before in the public eye; and then, again, because this packer, the Cudahy Packing Co., is the first of the "big five" to report on the first year under Government profit regulation. By earning power is taken to mean the total earnings of the company, that figure which the Food Administration regulation was set to limit, that amount on which the Federal war tax will be levied. By earning power, in short, is meant, in this connection, the total profit the company made in its dealings with the public.

This earning power of the smallest of the packers was shown in a previous article on the Cudahy annual report in these columns (Dec. 20, 1918) to be larger for 1918 than ever before. Sales of the company also were much larger than in the previous history of the Cudahy Co.

Now, it may be of interest to measure this earning power of the smallest packer against the capital stock, to show what this earning power is equivalent to in terms of the common stock.

The total Cudahy profits, as represented in the term "earning power" as here used, may be assumed to have been $6,000,000 in 1918. The company's net profit of $3,376,808.58, plus its big reserve of $2,785,412.78, set aside for "Federal income and war-profits taxes and contingencies," amounts to more than $6,000,000, but that round figure may well be taken as representative of the year's total profits or the company's earning power. The capitalization is $20,000,000, divided into $2,000,000 of 6 per cent preferred, $6,550,500 of 7 per cent preferred, and $11,449,500 of common stock. After paying the regular dividends on the preferred stock the $6,000,000 profit would represent an earning power of 47.4 per cent on the common stock.

Now, there were two stock dividends declared by the Cudahy Co. in the last three years prior to the end of the 1918 year. The first of these was in November of 1915, amounting to $2,000,000. The second came a year later, amounting to $2,724,750. Together they amounted to $4,724,750. If these two stock dividends be subtracted from the total of the capital stock, which, of course, they helped to bring to its present figure, this leaves a balance of common stock of $6,724,750. If the 1918 earning power of the company, namely, at the rate of $6,000,000, were to be computed on the common stock remaining after that portion representative of stock dividends were deducted, it would be equivalent to an earning power of 80 per cent.

Should it be remarked that it is unusual to compute earning power in the sense used against the common stock, because the common stock does not share in such earning power, but only in what remains after Federal taxes are paid, which makes a large deduction from gross earnings, it may be said that this is perfectly true as far as the stockholders are concerned, but the public may nevertheless be interested in such a comparison. Up to the last few years there were no large Federal taxes to make such deductions, and it is possible that within a few years more Federal taxes may be much smaller, in which case that much more of the total profits will go to the stockholders. The public, so students of the packing industry here pointed out, is naturally interested in the total profits packers make and what they may represent as measures against the ownership of the company, because the public makes those profits possible; because, one of these students has put it, "the consuming power of the public is the vital breath of this and every other great corporation."

As to what stockholders do get, after the big tax reserve has been subtracted from profits, leaving net profits of $3,376,808.58 to be computed against the capital stock, the rate of earning on the common stock is 24.44 per cent.

Then, again, as to the deduction of the amount of stock dividends from the total of common stock and the calculation of rate of return on the remainder, stock dividends have been a favorite device of big corporations to make their profit look small, and a word in general about the usual packer stock dividends will perhaps not be amiss.

A stock dividend represents capitalized profits. It represents money made by the company, over and above cash dividends paid, which remains in the business in the form of surplus, and of which stockholders are given ownership through the issue of so much new stock free to them. This new stock, of course, increases the company capitalization by that much. Since a concern's rate of earning is based on the company's capitalization, particularly on its common stock, given a fixed amount of profits, the rate of earning will appear high or low, according as the amount of the common stock is small or great. For instance, Morris & Co., another of the packers, still retains a capitalization of $3,000,000, though the business is worth many millions more than that and the company is considerably larger than the Cudahy company. If Morris & Co. made no more profit than Cudahy did in 1918, still it would show more than 100 per cent profit on its capital stock, though the smaller Cudahy company, with a larger capital stock, evidences a very much smaller rate of earning. Hence a stock dividend, by enlarging the amount of the divisor in the fraction, to wit, the capitalization, may have a decided influence on the aspect of profits.

If the two stock dividends of the Cudahy Co. previously referred to be deducted from the common stock, and the rate of return to stockholders be calculated on the basis of the 1918 "net profits"—that is to say, $3,376,808.58, the amount available for dividends and surplus after provision was made for war taxes, etc.—it is noted to be 41 per cent. The rate of return on the common, without the stock dividend deduction, has already been observed as 24.44 per cent.

Not every stock dividend may be subject to criticism, as, for instance, where a concern has been making reasonable profits and turning back a portion of them into the business, eventually to set up this portion of past reasonable profits into common stock. In the case of several of the meat-packer stock dividends and of the Standard Oil stock dividends, there has been a suspicion on the part of the public that the profit there reposing represented, in the aggregate, an undue amount.

The Cudahy Co. in 1918 showed the largest earning power, as heretofore defined, in its history. Its net profits were larger than in any previous year with the exception of 1917. The company has had some hard sledding in several past years. The Cudahy profit figures are of interest, now and for the future, in the view of local students of the industry, in regard to the Cudahy Co., and more particularly in regard to the earnings of the leaders of the "big five," whose sales and profits run much higher, indeed, than those of the last of the quintet.

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TESTIMONY GIVEN BY FRANCIS J. HENEY BEFORE THE COMMITTEE, AN ATTORNEY SELECTED BY THE PRESIDENT TO MAKE AN EXAMINATION OF THE BUSINESS AFFAIRS OF THE PACKERS.

Mr. HENEY. I can summarize it by saying that the evidence gathered by the Federal Trade Commission convinced me that five large packers—Armour & Co., Swift & Co., Morris & Co., Wilson & Co. (Inc.), and Cudahy & Co.—have what is, in effect, a monopoly of the meat business of the United States, and have it so intrenched by similar control over other meat-producing countries that are tributary to the United States—I refer particularly to South America—that they are able to absolutely overturn the natural law of supply and demand in fixing the prices to the producers as well as in fixing the prices to the consumers.

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Senator GRONNA. I want to be pardoned for interrupting you, but we had hearings last year and the question of stock came up. The Federal Government, as you know, had taken control of the packing interests, and Mr. Cotton, of New York, a very able lawyer, was for us and he was asked the question how he arranged the profits for these concerns, and he made the broad statement that he based their

earnings upon the money borrowed; and I think it is very significant that we should understand all these things, because the consumers will know why meat is high.

Mr. HENEY. Senator, the regulation of the packers by Mr. Cotton is a joke. They made more money under the regulations than they made in 1917, and Mr. Cotton told me himself on two occasions that their profits in 1917 could only be described by the word "scandalous."

Senator GRONNA. I am very glad to hear you say that, Mr. Heney, because that was my belief, and I practically said it last winter.

Mr. HENEY. I proceeded in the beginning——

Senator KENYON. How did he happen to be appointed?

Mr. HENEY. I do not know, Senator, but he was selected by Mr. Hoover.

Mr. MYERS. Mr. President, I believe the pending bill has been so amended as to exclude from participation in the benefits of this proposed appropriation all of the people of Germany, German-Austria, Hungary, Bulgaria, and Turkey, and so as to make it specific that Armenia, the Czecho-Slavs, the Jugo-Slavs, and certain other peoples, may participate in the benefits thereof.

I am glad the bill has been so amended. Before it was amended I was bitterly and unspeakably opposed to its passage. Having been so amended, I do not regard it as so objectionable as it would be otherwise, but still I can not see my way clear to vote for it, and I shall vote against it, and I will give what I trust may be a brief statement of my reasons for so doing.

Before the bill was amended undoubtedly it was so worded that the money proposed to be appropriated might be spent for the benefit of the people of any nation on earth except the people of Germany. As the bill was originally worded the money, if appropriated, might be expended for the benefit of murderous Turks, Bulgarians, and Austrians—people who are murderers, thieves, rapists, cutthroats, fiends, and who waged a wicked, criminal, infamous warfare against civilization. There was nothing that I could find in the printed report of the hearings on the bill which would show either how the money was to be expended or to whom it was to go. Of course, it has been wisely restricted by the amendment which was offered by the Senator from Massachusetts [Mr. LODGE] and which has been adopted; but still I know of no constitutional authority for making this appropriation—for taxing the people of this country to raise money and giving it as a gift to the people of foreign countries—and I speak of this as a proposed gift, because I firmly believe at least nine-tenths of it will be a gift—an act of charity. I do not believe we will ever get the one-tenth part of it back. I think it is recognized that by far the greater part of it is intended to be a gift, and I know of no constitutional authority for taking hard-earned tax money, wrung from the struggling people of this country, and giving it away with a lavish hand to the people of foreign countries.

I subscribe very heartily to the doctrine enunciated on this floor last year by the very able and distinguished Senator from Pennsylvania [Mr. KNOX], who is deservedly recognized as high constitutional authority, when he said that, the Constitution having given Congress the power to declare war, Congress undoubtedly had the implied power to do anything necessary to win the war; that it would be an idle thing to give Congress the power to declare war without giving it also all power necessary to win that war. That is my belief, and I have acted on that theory during the entire period of our participation in the European war. I have had that theory in mind and supported it in every vote I have cast in voting on measures for the prosecution of the European war.

But the President has told us that the war has ended. On the 11th day of November the President appeared before Congress and said "the war thus comes to an end," and we know that so far as hostilities are concerned war is at an end; so I do not feel this can be considered as a war measure. I do not consider it a war measure. I do not believe there is a Senator in this presence who considers it a war measure.

We were never at war with Turkey. We were never at war with Bulgaria. We only declared war upon Germany and Austria. Theoretically, that war is in existence, because permanent peace has not been declared, but is there a Senator here who will arise now and say that the appropriation of this money is necessary for the winning of the war against Austria? Is there a Senator here who will arise and say that the enactment of this measure is necessary for the winning of the war against Germany? Is there a Senator here who will arise and say that unless we enact this measure there is danger that Austria will win this war against the United States? Is there a Senator here who will arise and say that unless we appropriate this money there is danger that Germany will defeat us in this war? No; there is not one who will do so. Then, if those are not facts, this is not a necessary war measure.

I can not find it in me; I can not find it in my conscience, my convictions, or my judgment to vote $100,000,000 of the money of the people of this country for the benefit of the people of foreign countries, when there is no apparent constitutional warrant for it, while the cost of comfortable living in this country is far beyond the reach of thousands of our own people, and when every hundred million dollars' worth of food that is taken out of this country and sent to the peoples of foreign countries, we all know, enhances the cost of living and makes the price of food rise still further in this country and puts the necessities of life still further beyond the reach of some of our own people.

A few days ago I read an article in a newspaper which stated that a poor woman in New York City, the mother of two children, found the price of milk was beyond her means and that she was unable to buy milk for her children. The poor woman, discouraged and disheartened, in the agony of her soul at the thought of her children suffering for the want of milk hurled herself out of a second-story window to the pavement beneath and killed herself. That is only an instance. It is only one instance of dire poverty and distress of thousands that exist in this country due to the high cost of living.

There will soon be great unemployment in this country, I believe. I am informed that in Butte, Mont., there are now 8,000 unemployed men and they know not where to go to obtain employment. There are thousands upon thousands of unemployed in other sections of the country and the list of unemployed is mounting higher every day. I believe we owe something to our own people. I believe we should consider our own to some extent. If the time comes in the near future when there are many thousands of people in this country out of employment and out of means, what are we going to do? Shall we turn loose the Federal Treasury for their benefit and make appropriations out of the Federal Treasury to support everybody who can not make a living in this country and in all the world? If we are going to stretch the Constitution at all, I believe in doing it in behalf of our own people first. Attend to our own first, and when there is no suffering here, when everybody's wants here have been supplied, then let us see to supplying the wants of needy peoples in Europe.

I suppose this bill will pass, but if so, it will set a precedent which will be bad. I believe it will rise to plague us in the future. I believe this is only the beginning, and the end is not anywhere in sight. I believe it will only be a short time until we will be called upon to appropriate another hundred million dollars for people in Europe. I believe in the near future we will be called upon to appropriate money for people in Germany, Austria, Hungary, Bulgaria, and Turkey—our enemies—in our undertaking to save the civilization of the world.

If I were to vote for this bill, I would consider that I was violating my oath of office and my duty to the people of America, and I can not conscientiously do it. I have very clear, conscientious objections against it.

There are other reasons why I can not see my way clear to vote for the bill. In the cablegrams which have been laid before the Senate committee and before the Senate in support of the appropriation provided for in the bill it is stated with emphasis that one of the objects of the bill, I may say the principal object, is to stem the tide of bolshevism in Europe; to keep the people of Austria, Bulgaria, Turkey, and Poland from becoming Bolshevists. Are we to hire people, with criminality in their hearts, to abstain from criminal acts? Are we to hire people to abstain from assaults upon organized society? Are we to hire people to abstain from assaulting civilization? Are we to hire people to be law-abiding? Are we to hire people not to be criminals? Are we with food to buy people to be good and not to commit crime? Are we to take the taxpayers' money and use it in buying the peace of the world? Is peace so dear that we must buy it? If so, the world has come to a sorry plight. The idea is repugnant to me and to my sense of right and fairness. I do not believe in yielding to the clamor of people that unless we feed them they will commit depredations, upset law and order. If we do it this year, we may have it to do next year.

If we are to do that, then we have thousands and thousands of I. W. W.'s, Bolshevists, and other anarchists in this country whom we might as well begin to hire to be good. We do not have to go away from home to do it. We might as well turn loose Debs and Mooney, Alexander Berkman and Emma Goldman. We might as well liberate the 100 I. W. W.'s who were convicted at Chicago a few weeks ago and put in the penitentiary. We might as well turn loose and free the 46 I. W. W.'s who were convicted a few days ago in a Federal court in California and sentenced to the penitentiary. We might as well say to all of them, "You do not need to go to the penitentiary; we will hire you to be good; we will keep you in idleness; we will give you food; we will give you everything you want."

That may be one way to stop I. W. W.ism. It may be one way to stop bolshevism. It may be one way to stop anarchy. But is it the proper and right way? Is it right to do it? Is it just to do it? Would it be justice to law-abiding, upright people, who stand for organized society and civilization, to tax them and take their money away from them by force and give it to the criminal minded to keep the latter from acts of criminal violence against organized society?

If we are going to embark on this then we might as well appropriate $100,000,000 to give to Lenine and Trotzky in Russia. I suppose we could for a short time stop bolshevism in Russia by giving them millions of dollars, by taking a shovel and scooping out to them millions of dollars of our taxpayers' money and saying, "We will support you in idleness; we will give you food." Suppose we could stop bolshevism in Russia that way. Would it be just and right to do it? Would it be just to the people who maintain organized society, who uphold civilization, who stand for law and order, and who pay the taxes, to take their money away from them by force and give it to the criminally minded who wave aloft the torch of incendiarism and hold a bowie knife at the throat of civilization?

I do not like the grounds upon which the proposed appropriation is asked. I decline to have the highwayman's dagger put at my heart to make me give up. I decline to have the murderer's bowie knife put at my throat to make me vote other people's money in order to keep them from indulging in criminal assaults upon the civilization of Europe. It is a wrong principle in my opinion. It is not founded on justice and right. I earnestly and sincerely protest against it.

In opposing this bill from a sense of duty I do so with all respect to the President of the United States. I know the President has asked for this appropriation, but I do not believe the Congress has been given sufficient specific, definite information to justify the Congress in making the appropriation. It is, at least, not sufficiently enlightening to me. I feel we should be very careful in such matters.

In all that I say I speak with the highest respect for the President of the United States, for whom I have warm regard, and in whose motives and good intentions I have every confidence. I know his high-minded ideals and the generous impulses of his heart. I know his intentions are good and in this matter I differ from him, with my present light, with the greatest respect. However, in this matter I have firm convictions of my own.

In the prosecution of this war it has been my fortune and honor to stand without exception, invariably and unwaveringly, behind the President of the United States in support of his measures. Not one thing for which he has ever asked in the prosecution of the war have I declined to vote for. With almost no exception of great consequence, it has been my pleasure to support all the policies of the President of the United States in time of peace, as well as war, up to this time. In peace and war almost invariably it has been my good fortune to view the issues which were presented to us as he viewed them. However, the President tells us the war has ended, and we all know it has practically ended. It is finally ended unless it should be renewed, and at this time I see no prospect of that. I know of none of our foes who have the power or the resources to renew the war and wage it afresh.

I have some very fixed, firm, and settled convictions about the policy to be pursued by us toward the people of the nations that waged a wicked, infamous, criminal warfare against civilization. I have some fixed, firm, and settled convictions about the policy to be pursued toward European peoples, now that peace has come. I have some fixed, firm, and settled convictions about my duty toward the American people, now that peace has come to the people of this country.

I know that we spent money with reckless prodigality during the prosecution of the war. Millions of dollars of money were doubtless spent in lavish, even extravagant, ways where they could have been expended more economically had there been no need for haste, but I had no serious objection to that. With me, it was anything to win the war. Winning the war was the paramount object with me in the dark days during which civilization trembled in the balance. The liberty of the world was at stake. With me, winning the war was above economy and above every other consideration. Now, however, that the days of actual, if not theoretical, peace have returned, I believe we ought to be rigidly careful about the expenditure of the people's money. I believe we ought to be seriously careful and thoughtful about the constitutionality of our appropriations. I believe we ought to be careful to remain within the bounds of prudence and constitutional safety, and that we ought to think first of the American people above all other peoples of the earth. I do not say that if it were properly, specifically, and definitely shown to the Congress that people of foreign lands who befriended us in this war, who stood steadfastly by our side in waging warfare for the preservation of civilization, who were our allies and our friends, were suffering for the necessities of life, starving, dying, I would not under any circumstances vote to appropriate money for them. But I am not willing to do it when confronted with the threat of a highwayman that "unless you feed us we will turn Bolsheviki and set the world afire." I will not do it under compulsion of any highwayman's threat. I will not do it to prevent bolshevism in Europe or in this country or in any other country on the face of the earth. I will not do it to hire people to desist from crime. When I do so it will be because I am convinced of the necessity, constitutionality, justice, and humanity thereof; not to keep people who have criminal instincts restrained from venting them.

Against this threat that unless the people of Europe are fed they will turn Bolshevists and make assaults upon the civilization of the world I simply stand by my ideals of right and civilization. I take my stand upon the side of law and order, and if right and civilization must go down before the assaults of criminals, anarchists, Bolshevists, I say let us go down standing for the right, standing by our colors, and with colors flying.

If the time ever comes in this country when there is room for only two political parties—one that stands for organized society and one that stands for anarchy—I shall take my stand with the one that stands for organized society and stay with it. I do not believe in compromise with crime. I will not yield to threats of people who have criminality in their hearts, who say that unless they have their way they will turn Bolshevists.

For these reasons I can not see my way clear to vote for this appropriation. I make this statement in order to make clear my views on the matter. I am a long way yet from being convinced of the necessity for and justification of this proposed appropriation. I think it is merely a beginning, that we will be called upon for other hundreds of millions of dollars, and that we should know more about what kind of a beginning we are making before we make the beginning, and should know more about where the end is to be. I must have more impelling and what I consider better reasons for the proposed appropriation before I can conscientiously give it my sanction.

MEMORIAL ADDRESSES ON THE LATE SENATOR HUGHES.

Mr. FRELINGHUYSEN. Mr. President, I give the following notice, which I ask the Secretary to read.

The Secretary read as follows:

That on Sunday, January 26 next, following the exercises in memory of the life, character, and public service of the late Senator BROUSSARD, the Senate will consider resolutions upon the life, character, and public service of WILLIAM HUGHES, late a Senator from the State of New Jersey.

The VICE PRESIDENT. The notice will be entered.

RECESS.

Mr. HOLLIS. Mr. President, notice has been given for memorial exercises in honor of the late Senator GALLINGER, of New Hampshire, and the late Senator BRADY, of Idaho, on to-morrow at 11 o'clock. I move that the Senate take a recess until that hour.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Sunday, January 19, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 18, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, for this moment in the day's proceedings; since the human heart is like that of a musical instrument, touched by a master hand it brings forth sweet melodies, rich, deep harmonies.

Touch our hearts, we beseech Thee, with the Holy Spirit, that they may respond in deep, full harmony to life and its far-reaching purposes, unperturbed by the discordant sounds around us; that we may fulfill our appointed mission, to the honor and glory of Thy Holy Name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendments the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, had requested a conference with the

House on the bill and amendments, and had appointed Mr. SHEPPARD, Mr. ASHURST, and Mr. LA FOLLETTE as the conferees on the part of the Senate.

THE LATE THEODORE ROOSEVELT.

The SPEAKER laid before the House the following communications:

DEPARTMENT OF STATE,
Washington, January 16, 1919.

The Hon. CHAMP CLARK,
Speaker of the House of Representatives.

SIR: I have the honor to inclose for the information of the House of Representatives a translation of a telegram addressed by the president of the House of Representatives of Cuba to the President of the House of Representatives of the United States, quoting a resolution adopted by the Cuban House of Representatives expressing its sympathy in view of the death of the late Theodore Roosevelt, former President of the United States. A copy of the telegram has been communicated to this department by the Cuban minister at this Capital.

I have the honor to be, sir,
Your obedient servant,

FRANK L. POLK,
Acting Secretary of State.

[Translation.]

HABANA.

To the PRESIDENT OF THE HOUSE OF REPRESENTATIVES,
Washington:

The House of Representatives, assembled in solemn and extraordinary session, has to-day unanimously agreed to enter in its journal the profound sorrow of the Cuban people on account of the death of Theodore Roosevelt, the best friend of Cuban independence and one of the greatest figures of modern times.

The house also voted to express to you that it shares with your illustrious body this immense misfortune, and in order to associate itself with the feeling of sadness of the noble American people it expresses the wish that the memory of the illustrious Roosevelt may serve to cement more, if possible, the fraternal bonds which have united in glorious days the two peoples.

MIGUEL COYULA, *President.*

UNEMPLOYMENT.

Mr. COOPER of Ohio. Mr. Speaker, I ask unanimous consent to address the House for two minutes, in order that I may have a telegram read.

The SPEAKER. The gentleman from Ohio asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. COOPER of Ohio. Mr. Speaker, in the edition of the Washington Post of yesterday, January 17, 1919, we see the headline "Bread line by May 1." Then follows a report of a statement made by Mr. Frank Morrison, secretary of the American Federation of Labor, in which he names various cities in the United States where there is a large list of unemployed men. Youngstown, Ohio, my home city, was one of those in which he said there were 5,000 unemployed men. I desire to have the following telegram read which I send to the desk.

The SPEAKER. Without objection, the Clerk will read the telegram in the time of the gentleman from Ohio.

There was no objection.

The Clerk read as follows:

YOUNGSTOWN, OHIO, *January 17, 1919.*

Hon. JOHN G. COOPER: Five thousand unemployed men would represent practically 10 per cent of working population, and such a condition positively does not exist in Youngstown, Ohio. Absolutely no foundation for statement of Morrison regarding this community. Fact of the matter is there was a temporary lay off by a local industry of about 2,500 men for a few days so as to readjust an operating division during transition from war to peace basis. All industries working practically on normal basis. Discharged soldiers, sailors, and marines being absorbed by industries and commercial organizations as fast as they return, according to applications. Urgently recommend this denial be referred to House Committee on Immigration.

FRED A. LABELLE,
Secretary Youngstown Chamber of Commerce.

Mr. COOPER of Ohio. Mr. Speaker, I am requested by the Youngstown Chamber of Commerce to present these facts to the House, as they believe the statement of Mr. Morrison has attracted a great deal of uncomplimentary comment regarding the industrial conditions at present in the city of Youngstown, Ohio.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14078, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill, with Mr. ALEXANDER in the chair.

The Clerk reported the title of the bill.

The Clerk read as follows:

Hereafter section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered for the Department of Commerce when the aggregate amount involved does not exceed the sum of $25.

Mr. EMERSON. Mr. Speaker, I move to strike out the last word. This bill carries something like $100,000,000. While it seems to be the tendency of legislative bodies to look after the interests of the tax spender more than the taxpayer, I desire to congratulate the chairman of this committee, Mr. BYRNS of Tennessee, and the ranking Republican on the committee, Mr. STAFFORD, both of whom are very amiable and agreeable and hard-working gentlemen, for the efforts they have made, and the efforts the entire committee have made, in holding down the appropriations in this bill.

The lack of food caused the bolshevism in Europe, but can not cause it in America, as we have the food.

Two things, however, may cause bolshevism here.

First. The high cost of living, which is caused partly by profiteering.

Second. Lack of employment.

Congress and the entire Government must devote its utmost energies to prevent this.

Frank Morrison, secretary of the American Federation of Labor, states that we will have bread lines in this country by May 1.

I think and hope he is wrong, but he may be right.

In time of opportunities we should prepare against bolshevism.

I will read the statement of Mr. Morrison:

BREAD LINES BY MAY 1—FRANK MORRISON GIVES LABOR SURVEY TO HOUSE COMMITTEE—OPPOSES MORE IMMIGRATION—WANTS IT PROHIBITED FOUR YEARS—LIST OF CITIES WHERE LARGE NUMBERS ARE UNEMPLOYED IS GIVEN—HOPES BUILDING WILL PICK UP IN THE SPRING AND TAKE SOME MEN.

"When the men in the Army are demobilized," said Frank Morrison, secretary of the American Federation of Labor, yesterday before the House Immigration Committee, "we are going to have bread lines in every industrial center by May 1. After that date it is hoped that building will pick up and take some of the men."

Surveys of industrial conditions in many cities showing unemployment were presented by Mr. Morrison in urging legislation prohibiting immigration for four years. Labor leaders, he said, made the survey Tuesday at his request.

The estimated number of unemployed given by the survey included:

LIST OF THE CITIES.

Los Angeles, 8,000; New Britain, Conn., 2,000; Chicago, 75,000; Louisville, Ky., 2,900; New Orleans, 20,000; Boston, 20,000; Grand Rapids, 5,000; St. Paul, 8,000; St. Louis, 15,000; Kansas City, 2,000; Trenton, 2,500; New York City, 20,000; Cincinnati, 5,000; Cleveland, 40,000; Portland, Oreg., 9,000; Toledo, 17,000; Youngstown, 5,000; Aberdeen, Wash., 3,000; Milwaukee, 7,000.

Charleston, S. C., and Wilmington, Del., reported no unemployment; Jersey City said there was "no notable distress because of unemployment"; Newark, N. J., reports "five men for every job"; Duluth, Minn., reported a fair demand, and Jacksonville, Fla., that supply and demand were equal.

Millions of men were unemployed before the war, Mr. Morrison said, and the demand did not equal the supply until 3,000,000 had been called into the Army. Steel companies and packers, he declared, caused the oversupply by importing men to get cheap labor.

We must practice economy in all public expenditures, for I find that all legislative bodies pay too much attention to the tax spender and too little to the taxpayer.

The taxpayer seems to have no friend at court.

No one seems to consider that the taxpayer finally has to pay for all these bonds and taxes.

The idea seems to be spend, spend, spend, and let the taxpayer foot the bill.

The time has come when we must consider the rights of the taxpayer. It seems to be a standing joke that it costs the Government more to do anything than it would cost private parties.

There should be developed in this country a tendency toward economy, not toward extravagance; toward efficiency, not toward inefficiency; toward care and caution in the expenditure of public money, not toward shiftlessness.

The greatest question now confronting this country is reconstruction, and the most important feature of that reconstruction is the readjustment of industry, the discharge of soldiers in the Army, the employment of labor, the control of the food supply and the control of food prices, the handling of the transportation situation, so that we may prevent disorganization and depression.

We must demobilize the Army in such a way that we will assist industry as much as possible and disturb it as little as possible.

We must build up American trade abroad, extend American commerce, and, above all, not interfere with American industries that desire to extend their trade abroad.

We must devote more time to this country and conditions here and less to countries abroad. We must teach and practice Americanism. American ideas must always prevail here. We should as much as possible use American goods, and "Made in America" should be on everything we use.

It is estimated that before the United States entered this war there were not more than 300,000 bondholders in the country. The four liberty loan campaigns added nearly 30,000,000 more to that list; or, in other words, just so many more people in the United States have been taught the habit of saving.

We must protect these bondholders. We took 100 cents on the dollar from these bondholders for the bonds they purchased, but if they wanted to sell most of these issues they would have to sell them at less than par.

The last loan is now selling at about 95 cents on a dollar, and there should be some legislation of some kind that would bring these bonds to par, especially as we expect more liberty loans to be made and floated.

I will insert for the benefit of the House a statement concerning the price of liberty bonds:

LIBERTY BONDS.

[Quoted by Otis & Co.]

There are seven classes of liberty bonds on the stock exchange. When a higher rate liberty bond is issued in exchange for a lower, the bond issued in exchange has the same maturity and interest dates as the bond turned in.

In the table below first 4s are 4s which have been issued in exchange for 3½s. First 4¼s are 4¼s issued in exchange for 3½s or for first 4s. Second 4s are the original bonds of the second loan. Second 4¼s are 4¼s issued in exchange for second loan 4s. Third 4¼s are the third loan original bonds. Fourth 4¼ bonds are the fourth loan original bonds.

Accrued interest to time of sale or purchase in addition to these prices.

January 15.

		High.	Low.	Close.	Net change.
Liberty 3½s	$495,000	99.32	99.16	99.16	—.14
Liberty 1st 4s	49,000	92.70	92.60	92.70	+.10
Liberty 2d 4s	410,000	92.48	92.20	92.30	+.10
Liberty 1st 4¼s	59,000	96.30	96.10	96.10	—.18
Liberty 2d 4¼s	1,053,000	95.10	95.00	95.10	.....
Liberty 3d 4¼s	1,510,000	96.06	96.00	96.04	—.03
Liberty 4th 4¼s	2,390,000	95.08	95.00	95.04	—.03

	Callable.	Due.
Liberty 3½s	June 15, 1932	June 15, 1947
Liberty 1st 4s	.....do.....	Do.
Liberty 2d 4s	Nov. 15, 1927	Nov. 15, 1942
Liberty 1st 4¼s	June 15, 1932	June 15, 1947
Liberty 2d 4¼s	Nov. 15, 1927	Nov. 15, 1942
Liberty 3d 4¼s	(1)	Sept. 15, 1928
Liberty 4th 4¼s	Oct. 15, 1933	Oct. 15, 1938

[1] Not callable.

We should establish a merchant marine in some form in order that the ships we have built may be utilized to help build up American trade abroad.

We must give pensions to the soldiers who have fought the battles of the Republic in this war with Germany and take care of their widows, orphans, and dependents.

The soldiers who have been injured in battle or in the line of duty must be treated honorably and justly by this Government.

We must see to it that preference is given our soldiers in the matter of employment, especially as against those alien slackers who refused to do their bit toward the preservation of democracy and humanity. I would go as far as to make it a crime for any person, firm, or corporation to give preference of employment to an alien slacker as against a patriotic son of America.

Likewise, all aliens who served this country should be made citizens immediately upon being honorably discharged from the Army or Navy.

We finally will find that there can be no great success here industrially or internationally without a strong, healthy, and well-developed national life.

We do not compare our workmen with those of any other country. They are better paid, better fed, better clothed, better housed, better educated, and demand more for their families than the workmen of any other country in the world, and they do not ask these things as a matter of charity but they do ask the right to work and earn them.

Simply feeding an American workman does not satisfy him; he demands something more.

One of the most important things this Congress should do is to punish profiteering, which is the main cause of high prices in the matter of foodstuffs.

There may have been some small justification for high food prices during the war, but there is none now.

We produce more foodstuffs than we consume, and they should cost less because of that fact.

I will insert as a part of my remarks tables furnished by the Bureau of Markets, Department of Agriculture, which show that there is much more meat in cold storage than there was a year ago.

This is also true of other food products.

Congress can prevent this hoarding of food products in the cold-storage warehouses by legislation.

I introduced at the last session of Congress a bill fixing the price of cotton, and it caused a panic in the southern cotton market, because there was no justification of the high price of cotton at that time.

If Congress would show a disposition to regulate these cold-storage plants, the price of meat would drop instantly.

With the large number of people now out of employment, which will be augmented as spring approaches, there will have to be a great reduction in the prices of food products or many people in this country will be up against starvation.

Hunger and starvation have been the cause of the Bolshevism in Europe. Let us see to it that they do not cause it here.

We have set an example for the world in the matter of free government. We have set an example for the world in the matter of civilization. We have set an example for the world in the matter of charity. Let us now set an example for the world along the lines of industrial achievements.

I will now read from the Ohio Republican:

THE H. C. OF L.

The National Industrial Conference has reported that the cost of living between July, 1914, and November, 1918, has gone up from 65 to 70 per cent. The increase in the cost of food has been placed at 83 per cent; shelter, 20 per cent; clothing, 93 per cent; fuel and light, 55 per cent; sundries, 55 per cent.

For example, increases in the cost of woolen yarn goods ranged from 96.4 per cent for poplin to 131.5 per cent for serge. Then cotton ranged from 87.9 per cent for voile to 264.4 per cent for percale.

Men's and women's coats selling for $10 in 1914 cost from $19 to $20 in November, 1918, and suits retailing at $15 in 1914 showed an increase of about 75 per cent. Hosiery went up 90 to 95 per cent. Men's shoes at $3.50 in 1914 were frequently selling for $6 in 1918. Women's $3 shoes brought $5.75. Children's shoes doubtless advanced in similar proportion, although the report does not specify.

Such abnormal increases in cost must of necessity work hardships on all families save those which have shared largely in the prosperities of the war. It must be kept in mind that unless this war is different from all others, the period of inflated prosperity will be in time succeeded by a period of reaction and depression, which may or not reach panic conditions. Such periods will again affect the average family, and thus we find it being whipsawed by the high prices of a war prosperity in which it may or may not have shared, or by the hard-times reaction in which it seldom avoids sharing.

The happiness and welfare of the American family is one of the basic objects of our Government. Unfortunately the average home is commonplace. It lacks all the glamour of great issues. It lacks all the enchantment which comes from distance. Its simple necessities secure no councils of the great, no royal banquets, no regal processions.

Yet it is apparent that the conditions of living in the United States call for the gravest, wisest, and most immediate consideration by the Government. The happiness and even the welfare of a nation may depend upon such prosaic things as the price of a beefsteak, the cost of a pair of children's shoes, the amount asked for a ton of coal. For a people to be happy they must be well nourished, reasonably clad, sheltered from the elements. * * *

The present Congress has lifted its voice affirmatively and patriotically, and properly so, to the requisitions of the President and Cabinet heads of the executive branch of our Government when called upon to furnish appropriations of money in unprecedented amounts never before heard of in the history of nations.

The American people likewise have responded patriotically to the flotations of liberty loans and have responded cheerfully, readily, and enthusiastically to the purchase of an amount aggregating $17,000,000,000, not because of any inducement for investment, but absolutely for the purpose of showing their determination to do all required of them to win the war. It can also be said that the same motive can be applied to the cashing into the Federal Treasury a sum reaching close to a billion more for war-savings certificates and thrift stamps.

The American people have been called upon to support the Red Cross and numerous other sources of donations, and where within the territorial limits of our great Republic has there not been a ready and most generous response?

We are a wealthy Nation; our people are the wealthiest in the world. Our great wealth is not brought to us in ships or any other process of transportation from foreign lands. Our leaders of industry and all those under their direction correctly contend, as we must all contend, that our great wealth is produced by the application of labor and capital to all the forces and resources which God and nature have so abundantly placed within our territorial limits.

The past 50 years of our existence has been one of industrial development exceeding all the previous years of our national life, and yet not until we became involved in the present European conflict did we fully realize the uncovered resources of the public domain. Neither did we realize the accomplishment of industrial activity to turn out in so short a time the vast amount of munitions of war, food, and inestimable supplies, not only for our own national defense but also to supply the needs of all our allies.

Captains of industry, backed up by the ready response of labor, produced these American-made goods from American products by American labor in American workshops over which flew the American flag, and the sustenance of this vast industrial army was produced by the American farmer from American soil.

The splendid teamwork of the manufacturers and their employees, brushing aside self-interest, and even in the whirl of many concessions to be made by the employer as to high remuneration and responded to by concessions of workmen, this magnificent cooperation demonstrated to the entire world the ability, intelligence, and the productiveness of our industrial institutions.

During the months of our active participation in the war our industrial activities have been strained, caused by the great haste with which results were to be accomplished, yet by confidence and unselfish cooperation, the elimination of conflict, our goods were produced and produced with such astonishing rapidity as to be almost beyond conception.

It is our duty to keep a friendly understanding between employer and employee, and thus prevent any friction unnecessarily between them.

This conflict has had a tendency of bringing men of all walks of life closer together. It has been the means of opening up and the development of many of our national resources.

It should bring to a larger extent a more equitable distribution of wealth and a higher wage scale for our workmen.

Congress has ungrudgingly opened up the public exchequer and allowed the executive branches to have their will.

Whether it has been wisely expended or not must be determined when the people through their Representatives in Congress demand an accounting.

However, I am at the moment more impressed with the difficulties arising by the imposition of the heavy burden of taxes to be levied for lifting the burden.

We have created the debt, now we must create the way to pay it. Do not lose sight of the burdens imposed upon the American people since this war began. We must consistently use and occupy every avenue of revenue that will relieve the taxpayer.

Our industries must keep their wheels and trip hammers in motion, and labor must keep up the high standard it has been capable of maintaining since the war commenced.

Our products must be marketed, but we must produce the products to be marketed.

It is evident during the days, weeks, months, and probably years of reconstruction our markets will supply the wants of the nations of Europe now undergoing reconstruction.

To meet the demands of our consumption and to encourage production, not only of long-established industries, but likewise those which have sprung into existence since the declaration of war against Germany, this Congress must build suitable barriers of protection. As has been well said, "When we have turned our backs to the sea and our faces to the land we have come into our own true inheritance and built up this great and fabulous wealth," and it can be said doubling itself every five years.

One of the channels for the production of revenue is the revision of the tariff that will consistently and reasonably protect, not only for the protection of industry but as a source of revenue income to assist in liquidating the debt incurred during the successful prosecution of this war.

I here insert as a part of my remarks a report from the United States Bureau of Markets.

Stocks of frozen poultry and frozen and cured meats on Jan. 1, 1919, with comparisons of the stocks on Jan. 1, 1919, and Jan. 1, 1918, by sections.

Section.	Reported for Jan. 1, 1919.		Comparison of stocks (includes totals of all storages reporting) for both dates.			
	Storages reporting.	Pounds.	Storages reporting.	Jan. 1, 1918.	Jan. 1, 1919.	Increase (+) or decrease (−).
				Pounds.	*Pounds.*	*Per ct.*
Fowls:						
New England	26	2,579,629	23	553,172	667,401	+ 20.6
Middle Atlantic	55	5,645,206	51	2,332,507	5,462,624	+134.2
South Atlantic	14	435,385	13	113,287	310,660	+174.2
N. Central (E)	42	10,074,335	35	8,060,994	9,719,790	+ 20.6
N. Central (W)	46	5,118,957	44	1,922,235	5,017,106	+161.0
South Central	19	694,299	18	501,343	694,299	+ 38.5
Western (N)	18	470,994	14	130,233	308,277	+136.7
Western (S)	19	713,107	14	284,783	394,709	+ 38.5
Total	239	25,732,892	212	13,898,559	22,574,866	+ 62.4

Stocks of frozen poultry and frozen and cured meats, etc.—Continued.

Section.	Reported for Jan. 1, 1919.		Comparison of stocks (includes totals of all storages reporting) for both dates.			
	Storages reporting.	Pounds.	Storages reporting.	Jan. 1, 1918.	Jan. 1, 1919.	Increase (+) or decrease (−).
				Pounds.	*Pounds.*	*Per ct.*
Turkeys:						
New England	23	1,443,683	21	91,944	431,818	+369.7
Middle Atlantic	52	2,486,495	49	900,351	2,404,338	+167.0
South Atlantic	17	153,078	16	87,432	129,530	+ 48.1
N. Central (E)	42	2,318,982	36	2,200,102	2,225,363	+ 1.1
N. Central (W)	41	1,057,579	39	665,765	1,037,964	+ 55.9
South Central	23	790,205	23	463,292	790,206	+ 70.6
Western (N)	21	155,632	15	86,931	138,660	+ 59.5
Western (S)	27	471,819	21	248,415	331,229	+ 33.3
Total	243	8,877,474	220	4,744,233	7,489,108	+ 57.9
Miscellaneous poultry:						
New England	26	1,293,072	24	214,101	290,604	+ 35.7
Middle Atlantic	59	8,441,519	57	6,075,034	8,018,032	+ 32.0
South Atlantic	12	283,564	11	64,391	276,377	+329.2
N. Central (E)	50	11,424,505	42	6,566,422	10,827,319	+ 64.9
N. Central (W)	54	5,211,465	52	1,566,974	5,167,084	+229.7
South Central	24	576,263	23	496,618	570,013	+ 14.8
Western (N)	21	372,065	15	271,932	336,477	+ 23.7
Western (S)	25	331,916	22	142,527	267,690	+ 87.8
Total	271	27,934,369	246	15,397,999	25,753,596	+ 67.3
Total frozen poultry:						
New England	35	10,015,487	32	1,313,931	2,532,522	+ 92.7
Middle Atlantic	72	27,575,993	68	16,154,057	26,849,238	+ 66.2
South Atlantic	22	1,102,799	20	433,906	934,288	+115.3
N. Central (E)	54	41,602,412	49	30,886,647	40,037,038	+ 29.6
N. Central (W)	57	19,375,732	54	7,606,477	18,415,192	+142.1
South Central	30	3,416,032	30	1,962,020	3,409,782	+ 73.8
Western (N)	31	1,367,115	23	625,249	1,048,165	+ 67.6
Western (S)	33	2,461,720	27	923,279	1,463,324	+ 58.5
Total	334	106,917,290	303	59,905,563	94,689,529	+ 58.1
Broilers:						
New England	17	774,524	16	123,359	166,179	+ 34.7
Middle Atlantic	53	3,931,023	51	2,585,077	3,920,161	+ 51.6
South Atlantic	10	119,411	8	93,677	107,320	+ 14.6
N. Central (E)	39	6,081,544	32	4,722,777	5,862,869	+ 24.1
N. Central (W)	42	2,441,951	41	1,085,724	2,213,153	+103.8
South Central	17	955,631	17	362,379	955,631	+163.7
Western (N)	11	165,939	8	41,420	141,016	+240.5
Western (S)	21	610,513	17	191,627	310,955	+ 62.3
Total	210	15,080,535	190	9,206,040	13,677,287	+ 48.6
Roasters:						
New England	23	3,924,579	22	331,355	976,520	+194.7
Middle Atlantic	53	7,071,750	49	4,261,088	7,044,080	+ 65.3
South Atlantic	6	119,381	5	75,119	110,381	+ 46.9
N. Central (E)	40	11,703,046	34	9,333,352	11,401,697	+ 22.1
N. Central (W)	45	5,545,780	44	2,365,779	4,979,885	+110.5
South Central	13	399,631	13	138,383	399,631	+188.8
Western (N)	13	202,485	9	94,733	123,735	+ 30.6
Western (S)	29	334,395	16	55,926	158,740	+183.8
Total	213	29,292,020	192	16,658,735	25,194,672	+ 51.2
Frozen lamb and mutton:						
New England	21	1,326,818	21	998,025	1,326,818	+ 32.9
Middle Atlantic	57	4,129,637	51	2,418,814	3,713,295	+ 53.5
South Atlantic	12	189,655	12	86,125	189,655	+120.2
N. Central (E)	35	3,478,352	30	1,350,900	3,309,052	+144.9
N. Central (W)	36	2,081,623	30	706,388	1,972,829	+179.3
South Central	16	332,217	13	42,570	318,550	+648.3
Western (N)	26	188,257	22	377,763	174,274	− 53.9
Western (S)	23	538,949	21	238,623	532,629	+123.2
Total	226	12,254,508	200	6,219,298	11,537,112	+ 85.5
Frozen pork:						
New England	35	4,217,362	32	2,824,593	4,014,703	+ 42.1
Middle Atlantic	81	10,777,544	75	3,738,797	10,595,218	+183.4
South Atlantic	20	1,570,745	19	645,657	1,568,745	+143.0
N. Central (E)	65	19,702,858	59	9,896,224	17,019,784	+ 72.0
N. Central (W)	55	16,662,915	50	5,930,991	10,710,297	+ 79.7
South Central	29	3,306,682	26	1,509,676	2,496,887	+ 66.4
Western (N)	27	1,900,617	27	3,261,600	1,900,617	− 41.7
Western (S)	28	1,716,032	26	2,363,565	1,547,639	− 34.5
Total	340	59,854,765	314	30,192,103	49,853,890	+ 65.1
Dry salt pork:						
New England	20	16,806,093	20	8,901,957	16,806,093	+ 88.8
Middle Atlantic	75	11,144,226	70	8,296,149	10,946,320	+ 31.9
South Atlantic	52	5,254,232	51	4,201,883	5,029,644	+ 19.7
N. Central (E)	111	138,814,616	104	99,976,956	123,736,435	+ 23.8
N. Central (W)	70	161,698,759	67	101,343,163	160,687,233	+ 58.6
South Central	43	11,675,451	39	7,638,374	9,972,742	+ 30.6
Western (N)	29	1,629,247	29	1,489,615	1,629,247	+ 9.4
Western (S)	37	3,861,817	34	2,207,495	3,058,903	+ 38.6
Total	437	350,884,441	414	234,055,592	331,866,617	+ 41.8

Stocks of frozen poultry and frozen and cured meats, etc.—Continued.

Section	Reported for Jan. 1, 1919.		Comparison of stocks (includes totals of all storages reporting) for both dates.			
	Storages reporting.	Pounds.	Storages reporting.	Jan. 1, 1918.	Jan. 1, 1919.	Increase (+) or decrease (−).
				Pounds.	*Pounds.*	*Per ct.*
Pickled pork:						
New England...	32	17,885,163	31	20,465,461	17,885,163	− 12.6
Middle Atlantic.	120	26,048,566	115	18,646,220	26,010,916	+ 39.5
South Atlantic..	44	6,488,361	42	5,493,348	6,453,535	+ 17.5
N. Central (E)....	143	120,862,028	132	88,300,574	98,491,181	+ 11.5
N. Central (W)..	75	103,245,223	70	90,223,364	103,165,208	+ 14.3
South Central...	28	9,910,244	25	6,438,330	7,062,786	+ 9.7
Western (N).....	32	7,112,214	32	5,533,493	7,112,214	+ 28.5
Western (S).....	36	6,857,962	35	7,194,611	5,825,523	− 19.0
Total.....	510	298,409,761	482	242,295,401	272,006,526	+ 12.3
Lard:						
New England....	31	10,056,231	30	6,398,198	9,823,671	+ 53.5
Middle Atlantic..	121	8,590,230	116	3,620,851	8,470,898	+ 33.9
South Atlantic...	49	1,584,564	46	962,948	1,497,360	+ 55.5
North Central(E)	147	44,463,039	140	22,197,312	44,372,304	+ 99.9
N. Central (W)..	80	29,294,781	77	13,664,293	27,746,351	+103.1
South Central...	41	3,016,505	35	1,628,389	2,635,104	+ 61.8
Western (N).....	32	1,434,027	31	1,671,519	1,373,475	− 17.8
Western (S).....	40	2,311,063	37	1,730,296	2,114,371	+ 22.2
Total.....	541	100,755,440	512	51,873,806	98,033,534	+ 89.0
Miscellaneous meats:						
New England...	28	6,183,760	13	1,352,349	3,398,353	+151.3
Middle Atlantic.	89	10,068,140	44	3,232,296	6,302,453	+ 95.0
South Atlantic..	35	2,627,050	15	537,139	745,928	+ 38.9
N. Central (E)...	103	52,214,238	67	14,265,184	23,066,163	+ 61.7
N. Central (W)..	65	43,894,205	41	13,293,283	21,843,574	+ 64.3
South Central...	33	5,475,113	19	932,883	1,769,749	+ 89.7
Western (N).....	26	2,452,206	10	375,616	2,029,925	+440.4
Western (S).....	33	5,027,777	17	977,202	2,839,449	+190.6
Total.....	412	127,942,489	226	34,965,952	61,995,595	+ 77.3

The Clerk read as follows:

For rent of buildings in the District of Columbia, $66,500: *Provided*, That the Secretary of Commerce is authorized, in his discretion, to enter into a contract for the lease for a period not to exceed five years with an option for a perion of five additional years, of the Commerce Building, now occupied by the Department of Commerce, at an annual rental not to exceed $65,500.

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph. Is it necessary, in view of the many buildings that have been erected for war purposes during the past months, to authorize the rental of a building for this department at $65,000 per year, when some of these other buildings will presumably be vacated by war bureaus in the near future?

Mr. BYRNS of Tennessee. I will say to the gentleman that it is not absolutely necessary, in so far as actual space is concerned, for I am satisfied from the statement made to the committee by the gentleman who was appointed to look into the question of space, that there will be available space, but the gentleman from Massachusetts knows that these buildings are temporary in character, and it is not expected that they will be occupied for an extended period of time. Here is the great Department of Commerce that is occupying a splendid office building on the corner of Nineteenth Street and Pennsylvania Avenue. The lease expires on June 30 of this year. Some disposition has to be made of that department, and the committee thought in view of the importance of the department and the fact that other departments of the Government are placed in buildings of a permanent character that it would hardly be in keeping with the dignity and importance of the department to place it in one of the temporary buildings.

Mr. WALSH. The gentleman would not urge that the dignity of a department would warrant——

Mr. BYRNS of Tennessee. I shall place it upon the ground of the very great importance of the department.

Mr. WALSH. Is the department any more important than the War Department and its various bureaus have been during the past two years?

Mr. BYRNS of Tennessee. By no means.

Mr. WALSH. Does the gentleman think any of those temporary buildings that have been erected for the War Department and the War Trade Board, and these other bureaus conducting war activities, will be torn down within the next five years?

Mr. BYRNS of Tennessee. I will say to the gentleman that the War Department and the Navy Department are now located in two new buildings on Potomac Park, but those buildings are not in the class to which I refer. Those buildings, as the gentleman knows, are of a permanent character.

Mr. WALSH. Erected temporarily?

Mr. BYRNS. As to just when they will be disposed of I do not know, but those are really up-to-date office buildings.

Mr. WALSH. How about the Munitions Building?

Mr. BYRNS of Tennessee. The War Trade Building is located down on Fifteenth Street on Government land, and that is a building of more or less durable character.

But the buildings to which I referred are such buildings as are located in Henry Park and Seaton Park and one or two buildings located on leased land near Potomac Park. Those buildings will last 5 or probably 10 years, but they are not of a permanent character.

Mr. WALSH. We have several permanent housing buildings for the activities of the Government during the last two years.

Mr. BYRNS of Tennessee. Yes; that is true, and it is expected that these buildings which are more permanent and more suitable will be used during the coming fiscal year, and this bill does not carry any appropriation for rent save this and two or three other items which apply to leases of the Government extending over a period of two or three years.

Mr. WALSH. If that is the case, some of these buildings which were erected for the war activities are of such character that they can be used by other departments of the Government when the need for them on the part of the war activities ceases. Why is it necessary to enter into a lease of five years; why can not you just continue this lease for one year, and perhaps during that time you will find one of these buildings which will be suitable and will come up to the requirements of the dignity and importance of this department?

Mr. BYRNS of Tennessee. The reason is I fear that it is very likely that the Secretary of Commerce could not possibly enter into his present arrangements for rent for that building if limited to a period of one year. I will say to the gentleman that when this building was first occupied by the Department of Commerce a more favorable lease was secured than had ever been secured for any up-to-date office building. The rent is about 39 cents a square foot. That is much less than is being paid for other buildings in Washington.

Mr. WALSH. That was before the profiteers were getting in their deadly work in the District. [Applause.]

Mr. BYRNS of Tennessee. Yes; that lease was made five years ago.

Mr. WALSH. Yes; and the profiteer did not begin to run amuck until after we declared war, and then the rents both for business purposes and dwelling purposes began to climb up.

Mr. BYRNS of Tennessee. But there were no special conditions five years ago which put rents up here in the city of Washington, and, I say to the gentleman, at that time a lease was entered into by the Secretary of Commerce which was more reasonable than any other lease made by the Government, so far as I know, for a building of this character and description.

Mr. WALSH. But in view of the fact and notwithstanding the fact that the Government has erected many buildings for war activities, some of which are of substantial character and sufficient to house this department, because it secured a very favorable lease five years ago we will disregard the facilities that the Government has erected, and give the owner or owners of this property a renewal of their lease for five years.

Mr. BYRNS of Tennessee. If this authority is not given to the Secretary of Commerce the best he can do will be to get one of these temporary wooden buildings here in the city of Washington. Now, I am told in the case of one or two of these buildings it has been necessary to shore them up and to make repairs of doors and windows, and I submit to the gentleman that a department of the importance of the Department of Commerce should not be placed in one of those buildings which necessarily are temporary in character. I may say to the gentleman that there is a strong sentiment in some quarters now that some of these buildings ought not to be occupied at all and that they ought to be torn down at once. I do not subscribe to that. I think they should be continued for a period of several years, or at least until the Government can make some other arrangement, because, in my judgment, the Government ought to house its own employees, but I believe in housing its own employees it ought to provide suitable office accommodations. Now, if this department, merely because its lease has expired, is required to take one of these temporary buildings of the character which I have described, why, then, we will do something for this department that we have not done with reference to any other department of the Government. This department occupies now in this building, I am informed, about 175,000 square feet. Now, I do not know whether they could get that much space in any one particular building or not. In addition, these buildings are liable to fire, they are not fireproof, and there are valuable records, for instance, of the Bureau of Foreign and Domestic Com-

merce, Steamboat Inspection, Navigation, and so forth, in the Department of Commerce, and it seems to me it would be very unwise to transfer those bureaus with those records into a building of that character.

Mr. WALSH. Well, we have had other important departments with valuable records—the War Risk Bureau, scattered around in 13 buildings, the Food Administration and Fuel Administration, and many bureaus of the War Department in those buildings, some of which are more than mere temporary buildings, some of them are on Government land, some of them in the near future, I think, will be likely to be vacated, will be standing idle. I do not know whether any of these will be required to be shored up or not; there are a lot of them it will be necessary, probably, to shore down and destroy. I think the gentleman will find upon inquiry there are some buildings out in the vicinity of the new War and Navy buildings that are of sufficient permanence in their construction which would be suitable for this very important department, and which have facilities for the storage of records and preserving them against fire and other dangers, and it seems to me we ought not to continue this policy of leasing these buildings when the Government has constructed buildings which are sufficiently large and convenient to house the other departments of the Government.

They answer for war purposes, and they were sufficiently permanent in character to house the War Department bureaus and other important bureaus, and it seems to me we ought to make use of them. And it would be cheaper, in my opinion, to continue these buildings and make repairs on them from time to time to add to their permanency of character and construction where they are on Government land and to have them as departmental buildings. I do not believe it is necessary to erect an ornamental structure for any particular department, such as has been done in the case of the Treasury Annex. Now, the Navy Building, we were given to understand, would be a temporary building, but it is more than temporary in its character of construction and it is a very plain building. There are no vast pillars of granite. It is a plain structure, with plenty of light, and I believe there will be plenty of room even in that building.

Mr. BYRNS of Tennessee. I am informed it is one of the most desirable Government office buildings in the city. But those two buildings to which the gentleman refers are occupied now entirely by the Navy Department and the War Department. The Navy Department has moved out of the War, State, and Navy Building altogether, with the exception of the office of the Secretary, the Assistant Secretary, and the library.

Mr. WALSH. They have gotten into that new building, and it requires eighteen guides to find them.

Mr. BYRNS of Tennessee. That building will be required for the most part by the Navy Department, but the building adjoining is used by the War Department, which will need additional space, and it is proposed to use such portion of the other building not needed by the Navy Department to take care of this additional space for the War Department. Mr. Dorr stated that he had had requests for 760,000 square feet.

Mr. WALSH. Who is he?

Mr. BYRNS of Tennessee. He is assistant director of munitions. I think that is his position, and he was especially selected by the Secretary of War to take under consideration the question of space in these various buildings which are under the jurisdiction of the War Department. Those requests not only came from the bureaus of the War Department now in rented buildings, but bureaus of the Treasury and other departments. He has allotted some of that space, and he will have an additional amount of space for further allotment. The Bureau of the Census will need a considerable amount of space. It is not proposed to rent a building for the Bureau of the Census, but to place it in one of the buildings down in Seaton Park.

Mr. WALSH. Where is that?

Mr. BYRNS of Tennessee. It is off of Sixth Street.

Mr. WALSH. Is that a fireproof building?

Mr. BYRNS of Tennessee. It is not a fireproof building, and the Director of the Census says that he will have to build a fireproof vault for the important census records, because the gentleman can realize that it would be very poor business to collect these records at great expense over the country and bring them here and put them in an inflammable building and have them destroyed overnight.

Mr. WALSH. Is it the gentleman's understanding from the information he has acquired that the activities of the War Department and the Navy Department in the future are to be such as to require the utilization of all the space in this new building that has been erected down on Potomac Park?

Mr. BYRNS of Tennessee. Both of those buildings; yes.

Mr. WALSH. And while we are going to demobilize the Army, we are not going to demobilize the clerical force of these two departments?

Mr. BYRNS of Tennessee. This bill reduces the rent of the Government more than $600,000. We absolutely cut out that large amount in the next fiscal year.

Mr. STAFFORD. Will the gentleman permit?

Mr. WALSH. Yes.

Mr. STAFFORD. I really believe it would be false economy in the administration of the Department of Commerce to compel them to remove from their present quarters at Nineteenth and Pennsylvania Avenue, a building that was designed especially for the activities of the department, and require them to be moved into various temporary buildings throughout the District.

As the chairman of the committee has said, the concrete buildings in Potomac Park will be utilized and will continue to be needed for the War and Navy Departments. The estimates in this bill for clerical services in the War Department are predicated upon the idea of a standing Army of 500,000 men. We read in the newspapers yesterday where Secretary of War Baker stated before the Committee on Military Affairs that at the present time he would not request the Congress to act upon a permanent policy as to the size of the standing Army during this term of Congress.

But in this bill the authorizations for clerks is predicated upon the idea of a standing Army of 500,000 men. With that as a basis, with a Navy that is going to surpass that of Great Britain, and with an Army of 500,000 men, the clerical force necessary to maintain those activities will need all the space in the concrete buildings in Potomac Park. Now, where is the Department of Commerce, which is now housed in a fireproof building, going to be housed? There are a lot of temporary buildings that sooner or later will have to be removed. I think the policy of the Government should be, as to those temporary buildings, to utilize them during their serviceable life—10 years perhaps—and when they reach that stage of depreciation that the cost of repair is greater than it is advisable to continue, then to discontinue them, and in the meantime provide for permanent modern office buildings, not ornate Government buildings.

To remove the activities of the Department of Commerce to these temporary buildings would cost the Government perhaps $60,000 to $75,000; but the damage to the service that would be wrought could only be estimated in hundreds of thousands of dollars. Now, as to this lease, the landlord here is not seeking to increase the rate, which was regarded as a reasonable rate five years ago, when this lease was first negotiated. When the war started and the Government was confronted with the necessity of getting additional buildings an attempt was made to have buildings erected by private contractors, but the rental asked by the backers of these projects was double what the Government had been paying for such character of buildings, such as those occupied by the Department of Justice, the Department of Labor, and the Department of Commerce. If the landlord had attempted to increase the rate on the plea that these buildings had actually gone up in value by reason of the increased cost of construction there might be some ground for the complaint now made; but with the landlord willing to enter into a lease for five years, with the option in the Government for a further lease for five years at the old rate, I can not see where there is any criticism justified in the department remaining in a structure exactly suited to its needs.

Mr. SHERWOOD. The gentleman says it was based on the idea that we should have an Army of 500,000 men. Who has authorized an Army of 500,000 men?

Mr. STAFFORD. There has been no congressional authorization of an Army of 500,000, but the War Department officials came before the committee and said that these estimates were based on the idea of a standing Army of 500,000 men.

Mr. WALSH. Oh, that is only temporary.

Mr. STAFFORD. The idea was that that was to be the permanent force. But that is a matter to be determined in the future. I say these estimates were predicated on the idea of having a force of 500,000 men in the next fiscal year.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. LITTLE. Are they certain that that will give privates enough so that all the officers will have a job?

Mr. STAFFORD. I am not going into a discussion of the need of a standing Army of 500,000 men nor into the discussion of the tendency to have a large number of officers here in Washington, which has the effect of keeping a large number of clerks constantly on the pay roll of the Government.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. WALSH. I understand the gentleman says he did not want to discuss the proposition of an Army of 500,000 men, but, nevertheless, he is doing it. The gentleman is a hard-working member of the Committee on Appropriations——

Mr. STAFFORD. I decline to admit it.

Mr. WALSH. Does the gentleman contend that the Government has not now buildings which it has erected upon its own land of sufficient permanence and character which in the near future will probably be vacated because of the cessation of activities on the part of the bureaus and departments which now occupy them, which will not afford sufficient floor space and protection for the records of the Department of Commerce and its various bureaus?

Mr. STAFFORD. I do. The testimony before the committee shows that the President has appointed the Assistant Director of Munitions to make a survey of all the available space in Government-owned, temporary Government-owned buildings, and buildings erected by the Government on leased land, and he testifies that all that space will be called for by the present activities of the Government during the next fiscal year, without giving any consideration to the Department of Commerce in the housing of its present force other than the Bureau of the Census.

Mr. WALSH. The gentleman is familiar with the new War and Navy Building on Potomac Park and the Munitions Building, so called, is he not?

Mr. STAFFORD. Quite well.

Mr. WALSH. The gentleman has been in them, has he not?

Mr. STAFFORD. I have.

Mr. WALSH. And having his familiarity with those buildings in mind, will the gentleman state that during the next five years the Navy Department and the War Department in their activities will require the use and occupancy of each and every one of these entire buildings?

Mr. STAFFORD. I am very guarded in making a statement on this floor, because I do not wish to mislead any Member, much less the astute Member from Massachusetts.

Mr. WALSH. If the gentleman is going to answer my question, I will be satisfied to accept that adjective. [Laughter.]

Mr. STAFFORD. And in the next fiscal year all the Government buildings will be needed for activities other than those of the Department of Commerce, except those of the Bureau of the Census under that department.

Mr. WALSH. The gentleman from Wisconsin is fully aware that because of the war emergency the Government has erected a great number of buildings, some of them more permanent in character than others, and some of them will not be required for the activities for which they were erected, and they will either stand vacant or they will be used by some of these departments that will still want to continue their activities after the necessity for them has passed. Here is an opportunity to house the Department of Commerce in one of these buildings on Government land, which would save to the Government in the next five years some $300,000; and yet the gentleman states that because five years ago there was a landlord fair and just enough to make a reasonable rental rate to the Government, which he has sought to advance for a renewal of his lease, we should continue to lease that building for five years further. I think the truth is that the lease we made five years ago contained a clause giving the Government the option to renew it for five years at the same rental.

Mr. STAFFORD. If the gentleman will permit, two or three years ago, as I recall, the legislative bill carried an authorization for the Attorney General to enter into a contract for a lease of five years, and the Department of Labor for a similar lease, and it was my suggestion that there should be incorporated a provision giving the Government an option to extend it for another term of five years. That was after we had entered into a lease for the Department of Commerce. But the term of the Department of Commerce was, I believe, for a stated period of five years, without the option of a renewal. At my suggestion in the committee, the option was further incorporated in this authorization.

Permit me to say to the gentleman that these temporary buildings down on New York Avenue, just to the north of the concrete buildings in Potomac Park, are on leased land. I believe that by the terms the lease expires six months after the termination of the war. Certainly there is no provision there for renewal if the landlord does not wish to extend that privilege. Now, for us to move in a haphazard way and say to the Department of Commerce, "You shall find quarters in these temporary buildings, where the whole floor space is all preoccupied by various activities of the Government," would indeed be a short-sighted policy, would be a policy ruinous to the activities of the Department of Commerce.

Mr. WALSH. Mr. Chairman, still further reserving the point of order, it seems to me this is an unwise policy to pursue with reference to the utilization of buildings that have been erected by the Government upon its own land, and that here is a chance to make a reasonable saving——

Mr. STAFFORD. The gentleman is mistaken.

Mr. WALSH. In the removal of the Department of Commerce into one of these buildings. They are going to be compelled to use one of these buildings apparently for the Census Bureau, and they are going to put that bureau into a building that is apparently not fireproof, and that bureau will have to occupy that building for a considerable length of time. Now, you have erected a number of buildings on Government land, buildings of a sufficiently permanent character, and which can be made fireproof by the addition of fire guards and the installation of fireproof vaults, buildings which will not be removed probably within the next five years, because the gentleman intimates that they could very well remain there for 10 years, and during that time we could repair them and make them available; and if we are going to continue the policy of renting buildings year after year, when we have buildings of our own upon our own land, we might just as well consider that what we have expended for Government buildings has been an utter and sheer waste, outside of the temporary occupancy of those buildings for war bureaus in the conduct of their activities; and I submit that this is not the time to establish the precedent of renewing leases for privately owned buildings for a term of five years, with an option to renew them further for five additional years, no matter how important the department, because we have buildings at present which were erected for war purposes which can be vacated by the 1st of July, and the transfer could be effected by that time. I express serious doubt, whether we have the largest Navy in the world or whether we have a standing Army of 500,000 men, as has been outlined by the War Department officials to the Committee on Military Affairs during the last few years—whether they can in the proper conduct of these departments utilize the entire space of those two new buildings down on Potomac Park. What is going to be the need of the War Department to use the new Munitions Building, so called, simply because we have a standing Army of 500,000 men? Why, we had an Army of over 2,000,000 men on the other side of the water, and even then they did not use all the space in the buildings that they have and they vacated many rooms in the State, War, and Navy Building to which some of these bureaus can very well return. If we are going to keep this immense clerical force here in Washington to carry on these activities during the next five years, then, instead of using the temporary buildings, we will have to increase the rentals and you will have to build more temporary buildings. I submit that here is an opportunity where the Congress ought to indicate a desire on the part of these departments to make use of the Government's own property.

Mr. STAFFORD. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. STAFFORD. The legislative act of this year makes provision for rental of the Mills Building, the Lemon Building, and various other privately owned buildings. The committee this year absolutely withdrew the authorizations for these buildings, with the desire to force the activities now housed in those buildings to go into these temporary buildings. I believe there is only one instance where we have made provision for rental of private quarters, other than for the three privately owned buildings exclusively used by the three departments. It has been the policy of the committee to force the activities of the Government, so far as possible and practicable, into these temporary buildings. A survey is being made at the present time. That survey shows that it is absolutely impossible to house the Department of Commerce in the available space in the temporary buildings. Now, if in spite of that testimony the gentleman wishes to make a point of order and not to provide any housing for the Department of Commerce, it is his privilege so to do. If the committee had not given very careful consideration to this subject, we would be open to criticism, but we gave it as thorough consideration as was possible and adopted this policy.

Mr. WALSH. I see there is also a provision for rent of quarters for the Department of Justice of $7,000.

Mr. STAFFORD. That is where there is a lease in existence, where we are obligated to pay the rental, and the same for the Department of Labor. There are two cases where we have leases for five years, where we are obligated to pay. But in every instance where we could force the activities of any department into these Government-owned buildings, we did so by

cutting out the appropriation for the rental. Now that is the judgment of the subcommittee after a thorough consideration.

Mr. WALSH. Mr. Chairman, I withdraw the reservation of the point of order and offer an amendment: Page 135, line 6, strike out the word "five" and insert in place thereof the word "two," and strike out the words "with an option for a period of five additional years."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 135, line 6, strike out the word "five" and insert the word "two"; and in lines 6 and 7 strike out the following: "with an option for a period of five additional years."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was rejected.

Mr. CAMPBELL of Kansas. Mr. Chairman, I move to strike out the last word, and I do it for the purpose of asking the chairman a question about the Bureau of Foreign and Domestic Commerce. I am informed that in that bureau there is maintained a quasi civil-service commission, well organized and officered, and at a great expense; that tney hold examinations, or alleged examinations, frequently; and without giving information to the applicants as to the monetary qualifications that every representative as a commercial agent must have before receiving the appointment; that to hold these examinations they invite men to come from all over the country, at great expense, have the result of the examination pigeonholed and do nothing more about it. The appointments are said to be made from men who have the financial qualifications prescribed by the secretary; that it is stated by the secretary that men must have private means to be appointed, and that men without private means of from $5,000 to $10,000 a year of their own are not appointed. If this is so, why is a highly organized and expensive civil-service bureau maintained in that department for the purpose of holding these mock examinations? Is the sole purpose that of giving positions to this body of examiners?

Mr. MADDEN. Why, the use of any kind of a regulation, the gentleman must know, is to prevent the fellow from getting the job that they do not want to have it.

Mr. CAMPBELL of Kansas. Men are invited from all over the country to take these examinations, without having it first stated to them that they must have an income of from $5,000 to $10,000 a year, even though they be otherwise qualified.

Mr. BYRNS of Tennessee. Mr. Chairman, the commercial attachés and agents who are appointed for foreign service receive salaries, as I remember it, ranging from $3,500 to $8,000 a year. In addition to that they are given a subsistence of $5 a day. I agree that in some cases the amount allowed for subsistence may not be entirely sufficient, but I fail to understand that it is necessary for one to have a private income in order to accept one of these positions. I do not understand that is necessary, because the salaries range from $3,500 to $8,000 a year, outside of their subsistence.

Mr. CAMPBELL of Kansas. I have here a letter from a responsible man with respect to these examinations. He says:

In the case of the position of commercial agents, I have not only been reliably informed that the chief of the bureau has stated that men are required for this position who could draw on their private income to the extent of five or ten thousand dollars a year in order to maintain their positions, but I have a letter to this effect signed by Secretary Redfield.

That seems to be rather definite and conclusive upon the matter of requiring a financial qualification.

Mr. BYRNS of Tennessee. Mr. Chairman, I should be very much surprised if the information of the gentleman from Kansas is correct, because it has never been called to the attention of the committee. The Secretary of Commerce has insisted that the committee should raise the per diem for subsistence from $5 to $8 a day upon the ground that it is impossible for some of these agents in foreign fields to provide subsistence for $5. The committee has declined to do that, but it has never been stated in support of that proposition by the Secretary of Commerce that it had become necessary for him to choose from those who have private incomes.

Mr. CAMPBELL of Kansas. That question aside, is it necessary to maintain a bureau in the Department of Commerce for the purpose of making these examinations, a highly expensive bureau? Why not make these examinations through the regular Civil Service Commission?

Mr. BYRNS of Tennessee. That I would say to the gentleman would be impractical for the reason that these foreign agents are required to have peculiar qualifications. It was for that reason that the law was enacted that the Department of Commerce should appoint these agents after conducting an examination to determine their fitness and qualifications. These men have to be well versed in the language of the country to which they are assigned. They have to have the necessary business experience and training in order to enable them properly to perform the duties.

Mr. CAMPBELL of Kansas. The writer of this letter refers to a case of this kind:

In the case of one man who took the examination for special agent, who had studied the trade relations in certain South American countries, a man who has a wide knowledge of affairs in those countries, and speaks the language of those countries fluently, he was informed that, in the opinion of one of the officials of the bureau, his personal appearance did not measure up to the standards set by the bureau. In this connection I might mention that some of the men who have been selected and sent abroad to fill these positions, and probably selected without ever having been required to take the examination for the position as announced have been the butt of ridicule for travelers abroad, as, for example, one whose ability was evidently measured by the amount of whisky he could drink and another one who appeared immediately after his arrival in the Orient in the garb of a native.

These are the men who are passed by this examining commission in the Department of Commerce.

Mr. BYRNS of Tennessee. The gentleman does not think that a civil-service examination would necessarily prevent anything like that.

Mr. CAMPBELL of Kansas. But the gentleman stated that the idea was to select men peculiarly fitted for those positions.

Mr. BYRNS of Tennessee. That is the idea.

Mr. CAMPBELL of Kansas. And I am now calling attention to the peculiarly well-fitted men who have been selected by this highly organized commission.

Mr. BYRNS of Tennessee. That is the idea, I will say to the gentleman; and the Secretary of Commerce conducts an examination more rigid than any that could be possibly conducted by the Civil Service Commission.

Mr. CAMPBELL of Kansas. Why more rigid?

Mr. BYRNS of Tennessee. And the same policy is pursued in the State Department. Consular agents are not selected after a civil-service examination, but after an examination held by the department in order to determine their qualifications and fitness for the positions.

Mr. CAMPBELL of Kansas. Does the gentleman know the expense of maintaining this examining commission in the Department of Commerce?

Mr. BYRNS of Tennessee. There is none.

Mr. CAMPBELL of Kansas. I see that the paragraph is not itemized.

Mr. BYRNS of Tennessee. I do not think there is any expense, because these examinations are held, as the gentleman has stated, both orally and written, and under the direct supervision of the Secretary of Commerce. In fact, he conducts the examination. There is no expense involved.

Mr. ROGERS. Mr. Chairman, replying to the suggestion of the gentleman from Tennessee [Mr. BYRNS], is it not a fact that the State Department must select consuls without the aid of the Civil Service Commission, because under the Constitution Congress would not have the power to direct the selection of consuls by civil-service examination, whereas in the Department of Commerce it is perfectly competent for us to direct that the selection be made under the Civil Service Commission?

Mr. BYRNS of Tennessee. I do not question the fact that Congress can dictate just how these appointments shall be made.

Mr. CAMPBELL of Kansas. Well, does not the gentleman from Tennessee think, in the interest of economy, we should provide that the consular agents and attachés should be examined by the Civil Service Commission rather than by an organization of men maintained in the Department of Commerce?

Mr. BYRNS of Tennessee. No; I do not, for two reasons: In the first place, there is no expense involved, and therefore the question of economy does not arise.

Mr. CAMPBELL of Kansas. I am informed there is expense.

Mr. BYRNS of Tennessee. And, in the second place, I am earnestly of the opinion that the examination which is now being conducted by the Department of Commerce in reference to those appointed to this service is one that is much more rigid and much more calculated to bring out the question of whether or not one is fitted properly to represent our Government in foreign countries, because, the gentleman will understand, particular care and attention should be given to the selection of these commercial agents in foreign countries, for much depends upon their tact and diplomacy——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee (continuing). As well as upon their business qualifications.

Mr. CAMPBELL of Kansas. Mr. Chairman, I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FLOOD. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I will.

Mr. FLOOD. Is it not a fact that in the written examination of these applicants for commercial attachés the Civil Service Commission has representatives upon the board?

Mr. CAMPBELL of Kansas. I have no information on that. I am asking what information the Committee on Appropriations has with reference to these examinations, which I am informed are conducted by the Department of Commerce at great expense.

Mr. FLOOD. They have similar examinations in the State Department.

Mr. BYRNS of Tennessee. I know, I will say to the gentleman from Virginia, since he has brought the question up, that the Civil Service Commission does have a representative who is on the examining board with the Secretary of Commerce and others.

Mr. CAMPBELL of Kansas. Will the gentleman have an inquiry made of the Secretary by telephone before we get through with this bill?

Mr. BYRNS of Tennessee. I shall be very glad to inform the gentleman later.

Mr. GOOD. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I do not believe that very much is expended in the matter to which the gentleman from Kansas has called attention. I think, however, that there is a lack of coordination between these two great departments, and that lack of coordination is costing the Government a great deal of money. For example, in 1915 the Secretary of Commerce received for the Bureau of Foreign and Domestic Commerce $225,000, and the State Department had for that purpose—that is, for clerk hire here in Washington as carried in the legislative bill—$352,260, making a combined appropriation of $577,260 for the same purpose. This year the State Department asks for $1,577,140 for clerks here in Washington as compared with a quarter of a million five years ago, and the Bureau of Foreign and Domestic Commerce asked for $1,324,000. Now, officials in the State Department came before the committee and said they could do all the work they are now doing and also that the Bureau of Foreign and Domestic Commerce were doing, and we asked why they did not get together and economize, and why the President did not enforce the provisions of the Overman Act and cut out this duplication. They gave us no real information and furnished no suggestions to aid the committee in any way to work out some economy.

Mr. CAMPBELL of Kansas. Then, why did not the committee force the consolidation?

Mr. GOOD. Well, the committee can not do that very well.

Mr. CAMPBELL of Kansas. Why not?

Mr. GOOD. It is easier said than done.

Mr. CAMPBELL of Kansas. Cut off the appropriation.

Mr. GOOD. That is still easier said than done. This is an executive function; it is not a legislative function. We can not do that without doing some harm perhaps to commerce.

Mr. CAMPBELL of Kansas. Simply order the transfer from one to the other and stop this duplication.

Mr. ROGERS. Will the gentleman yield?

Mr. GOOD. I will.

Mr. ROGERS. The Acting Secretary of State, when he appeared before the Committee on Foreign Affairs last month, said that he realized that there was this difficulty between the Department of Commerce and the Department of State and that the Department of Commerce and the Department of State ought to get together and that he proposed to see that they did get together, and his suggestion was that representatives of the two departments should come before the gentleman's own committee, the Committee on Appropriations, and thrash the thing out right then and there. Now, this does not look like the way to get at it. Does the gentleman know whether or not that is to be done?

Mr. GOOD. No; it has not been done, and I do not think it will be done, and it ought not to be done that way. We can not, in the nature of things, get all the information necessary so as not to do some injustice; but I took the floor simply to say that if the President did not do it and this department did not do it, that when they came before the House next year I proposed to oppose an appropriation in both instances until they did do it. I do not know who is right, but I know these departments ought to get together. We passed a law giving the President the power to coordinate and cut out these duplications of service, and if they do not get together the commercial interests can then point their finger to those two great departments and to the Executive as the reason why their appropriations may be in danger.

Mr. FLOOD. Will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. FLOOD. Did not Congress by its act create the commercial attachés?

Mr. GOOD. Yes.

Mr. FLOOD. And has not Congress——

Mr. GOOD. And Secretary of State Bryan came before us and said it was a pretty good thing. It was done with his acquiescence and consent, and, if I mistake not, at his request.

Mr. FLOOD. It was done by Congress and it has been carried by Congress every year, notwithstanding it is subject to the point of order, and the gentleman can not blame the Executive and can not blame the State Department; he has simply to blame the Committee on Appropriations for carrying this appropriation year after year—an item which is increased from year to year for these commercial attachés—which is subject to the point of order and which has not been made.

Mr. BYRNS of Tennessee. To perform a great service in the interests of commerce.

Mr. GOOD. The Secretary of State came before the committee and the Secretary of Commerce also came before the committee and asked for the legislation. These departments got what they asked for. Of course, Congress did not know these departments would, if given the new places they ask for, duplicate the work of each.

Mr. FLOOD. And the Secretary of State has not been before the committee for two or three years, has he?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Virginia whether the appropriation is increased in this bill over that in the current law for the commercial attachés or the foreign-commerce work?

Mr. BYRNS of Tennessee. It is. I will say to the gentleman it is increased in the case of commercial attachés about $40,000, and in the case of the extension and promotion of our commerce generally about $300,000 or more. In other words, the total appropriation for this bureau carries something like $900,000. The appropriation for the current bill is about $550,000.

Mr. FLOOD. The appropriation for this bureau is merely the appropriation for the State Department.

Mr. BYRNS of Tennessee. No. How much does this bill carry?

Mr. FLOOD. For foreign service?

Mr. BYRNS of Tennessee. This is for foreign service distinctly.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] has the floor.

Mr. MANN. I have no objection to the gentlemen proceeding, but I would like to use my time just for a moment.

I made the inquiry because of an incident that recently occurred. A friend of mine in Chicago, a man of high reputation, was going, with his wife, to make a trip to Panama, and wanted to go on to South America; not directly in the interests of commerce, but any information that he would acquire would probably have been for the benefit of commerce. The State Department informed me that it would not grant him a passport unless a physician would certify that he wanted to make the trip to South America for his health. I replied to the department that doubtless he could get a certificate from a physician to that effect, but if he did we would all know it was false, because no man would go down through the Torrid Zone in South America for his health, from Chicago especially. And a passport was refused him. Now, upon what theory do we largely increase the appropriation in order to extend our commerce with South America, in one department, and then have another department of the Government refuse to permit a man to go there? It seems an oddity. And I make the inquiry so that the distinguished chairman of the Committee on Foreign Affairs may, if he will and has the opportunity, give us the information as to what the regulation is and why it is, when the Diplomatic appropriation bill comes before the House. It seems to me utterly incongruous to largely increase the appropriations for foreign commerce and then refuse passports to reputable, high-charactered citizens to make a trip to South America, where there is no question involved about the war.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For rent of storage space outside the Commerce Building, $2,000.

Mr. LITTLE. Mr. Chairman, reserving the point of order that this is new legislation, I would like to ask a question or two of the chairman. What is it that is to be stored outside?

Mr. BYRNS of Tennessee. These are some records that have accumulated in the department. There is no place in which to store them. They are important, and it is very inadvisable to destroy them or permit them to become lost, and for that reason this provision is carried for $2,000 to provide a building where they may be stored.

Mr. LITTLE. In view of the fact that we have buildings around here to burn and that we are threatening to tear down, and which would required a great deal of money to tear down, does not the gentleman think it would be better if we would put this stuff in some building of the Government for which we would not have to pay rent?

Mr. BYRNS of Tennessee. That is one trouble with some of these buildings—they might burn; and, besides, those buildings are to be used for office purposes.

Mr. LITTLE. If I would undertake to find a vacant but useless building that is already belonging to the Government, would the committee be satisfied with that?

Mr. BYRNS of Tennessee. Here is the statement made with reference to this, which shows that it is a matter of economy to rent this space:

At the present time—

Says Dr. Havenner, who is chief clerk of the department—

we are very much congested in the Commerce Building. We have in there what might be called a good deal of dead storage, much of which is taking up office room, room for which we pay, including upkeep, probably 50 cents a foot. If we were given this item of $2,000, we could move a great part of this storage out to other places, and it would give us room in the Commerce Building for at least 75 additional clerks.

Then I asked him just what the records were, and he stated:

It consists of files and documents for all of the bureaus housed in the building, duplicate registers and enrollments for the Bureau of Navigation, census schedules from the First Census down to the last, Census Office cards that we can not destroy at this time, etc.

Then he was asked:

Have you any building in view?

He said:

No, sir; we have nothing in view at this time, but the limitation placed by statute upon the rent we will pay would be not to exceed 25 cents a foot for storage space. We are figuring that with $2,000 we ought to be able to get probably 10,000 square feet outside.

That is what they have done. They now have this building and these important records are stored in it.

Mr. LITTLE. I notice he speaks of it as "dead storage." Whose building is it into which this goes?

Mr. BYRNS of Tennessee. It is located at Twenty-sixth and E Streets NW.

Mr. LITTLE. It is the old brewery building, is it not?

Mr. BYRNS of Tennessee. It is called the Heurich Brewing Co.'s stables.

Mr. LITTLE. Is not most of this stuff, in fact, placed in practically fireproof boxes?

Mr. BYRNS of Tennessee. No.

Mr. LITTLE. Most of that stuff is.

I think, Mr. Chairman, in view of the fact that we have so much vacant space in these buildings of which we are going to tear a lot down, I feel it is my duty to make the point of order that this is new legislation.

The CHAIRMAN. What is the point of order?

Mr. LITTLE. That this is new legislation.

The CHAIRMAN. That it is not provided for by law?

Mr. BYRNS of Tennessee. Mr. Chairman, I will state that it is not subject to a point of order any more than the previous provision.

Mr. LITTLE. That would have been subject to a point of order if the point of order had been made.

Mr. BYRNS of Tennessee. The proviso, I submit, would have been subject to a point of order authorizing a lease of five years, but not for five years additional. But certainly there is every authority for Congress to make an appropriation to house one of the Government departments. Clearly that authority exists.

The CHAIRMAN. Has the Department of Commerce the authority under existing law to rent buildings for departmental purposes?

Mr. BYRNS of Tennessee. I was just saying, Mr. Chairman, that clearly there is a right on the part of Congress and authority under the law to make provision for the housing of the Government departments. Otherwise, we would be at the mercy of any Member who chose to make a point of order. If we have the right to provide for Government clerks, a right to provide for the personnel of the departments, certainly we have the right to provide a place for them to do their work and a place where the documents of the department can be stored.

Mr. LITTLE. I am not familiar with any statute that the Congress has enacted that authorizes us to rent a brewery to put some waste paper "dead storage" in. If the gentleman can put his finger on such a statute, that will be satisfactory to me. If not, I would like to have a ruling on the point of order.

The CHAIRMAN. The Chair would suggest that the Department of Commerce has been created by law and ought to have the right to provide for the housing of its employees and the storage of its papers; that is implied.

Mr. LITTLE. Yes; but you provide that there shall be a Committee on Woman Suffrage, and that implies the power to keep a clerk, but in fact it does not, according to the Chair's rulings. If you can imply a power of this kind from a statute such as you speak of, there is not a thing in the world you can not hitch on to this appropriation. There either is a law authorizing this or there is not, and I am going to put the Chair on record about it. The Chair can rule as he pleases, of course, but the facts remain.

The CHAIRMAN. It is the duty of the Chairman to follow the rules of the House.

Section 9 of the act establishing the Department of Commerce and Labor, approved February 14, 1903, provides that the Secretary shall be authorized to expend for the rental of appropriate quarters for accommodation of the department as Congress may from time to time provide. The Chair overrules the point of order.

Mr. BYRNS of Tennessee. Mr. Chairman, the gentleman from Massachusetts [Mr. TREADWAY] raised a question yesterday with reference to Hawaiian circuit court judges, and we passed over the item in order that some information might be secured with reference to it. I ask unanimous consent that we return to that item now.

Mr. WINGO. Before the gentleman does that, I want to ask the gentleman what effort has been made and what is the program with reference to getting out of these apartment houses and high-class places into vacant buildings that we now have?

Mr. BYRNS of Tennessee. The Secretary of War has selected, in cooperation with the heads of other departments, Mr. Darr, to take into consideration the allotment of space in the temporary buildings that come under the jurisdiction of the War Department. This bill now under consideration cuts out more than $600,000 for rent paid this year for buildings in which Government departments are housed.

Mr. WINGO. How many apartment houses does this cut out?

Mr. BYRNS of Tennessee. I do not know that it cuts out any apartment houses, because I understand that those apartment houses were paid for out of lump sums carried in some of these Army appropriations.

Mr. WINGO. The gentleman thinks these apartment houses come within that classification?

Mr. BYRNS of Tennessee. Yes.

Mr. WINGO. They have had a great deal of space down there ever since this munitions building was first occupied—a great deal of vacant space.

Mr. BYRNS of Tennessee. Mr. Darr says he has requests for 761,000 square feet of space. This bill, if adopted as recommended by the committee, will provide that all of the governmental activities of the departments shall be housed in these temporary buildings so far as it is possible to do it, and we give the President the right to allot this space.

Mr. WINGO. They have had enough space at the munitions building to take care of all the activities they have and those of some other departments, too. There has never been a time when the munitions building has been full or anywhere near full, and it is a very fine building. You may call it a temporary building, but I do not think it is of a very temporary character.

Mr. BYRNS of Tennessee. What building is that?

Mr. WINGO. I mean the new War Department building. They have never filled up their space down there. One room down there has very nearly as much available space as this Chamber affords, about half as wide and about as long, and I noticed that only five persons were occupying it the other day, and they were not at all busy. There are vacant rooms all over that building. The War Department can not use all of it. Why not make some provision whereby some of these offices of the Treasury can go in there?

Mr. BYRNS of Tennessee. We did make provision for those activities. The department has had space in a great many private buildings in Washington, in the old Geological Survey Building on F Street, and in other places occupied by various bureaus, and those forces are now being transferred to the building to which the gentleman refers.

Mr. WINGO. That is the reason I am complaining. I have known all the time, upon personal investigation, that there has been space wasted in the munitions buildings, and yet they were paying high and exorbitant rents for other quarters, and it ought to be stopped. Our committee has said, "Hands off; leave that to the Committee on Appropriations." I would like to know what the Committee on Appropriations has done.

Mr. BYRNS of Tennessee. This bill does not go into effect until July 1 this year. The committee has absolutely cut off all rent which is being paid here by the Government in the city of Washington which heretofore has been carried in this bill,

with the exception of certain buildings that are now under lease by the Government for a period of years.

Mr. WINGO. Why does not the Government get a release, which they can do under the contract? There is a demand for all these buildings. The Government could utilize the vacant space in its own buildings.

Mr. BYRNS of Tennessee. I do not think these leases provide for cancellation simply because one party may not desire to continue the use of the building.

Mr. WINGO. But other people have found persons who are glad to take the leases over. Take the Southern Building, for example. There never was any excuse for the Government going into that building. Three or four different tenants have been in there in the past year or two. They can sell their lease at a premium in a lot of these high-class buildings.

Mr. BYRNS of Tennessee. I think where that is true it ought to be done, undoubtedly. I think the gentleman is clearly correct. But the gentleman will understand that on this bill, which goes into effect next July, we can not handle that situation.

Mr. WINGO. If you can not handle it, why can you not? You say to the Expenditures Committee that they must not butt in, that the Committee on Appropriations can do that; but when we ask the Appropriations Committee to do it on this bill they say, "This is for the next fiscal year, and we can not do anything."

Mr. BYRNS of Tennessee. Oh, no; if the gentleman will read the hearings this year he will find that the committee went into it very fully.

Mr. WINGO. I do not find where they have cured the evil I am complaining of.

Mr. BYRNS of Tennessee. I refer the gentleman to section 9 of this bill.

Mr. WINGO. I have read that section.

Mr. LITTLE. Mr. Chairman, I have an amendment which I wish to offer.

Mr. BYRNS of Tennessee. I have a request for unanimous consent to return to page 108.

Mr. CRISP. Will the gentleman from Tennessee yield to me for a question?

Mr. BYRNS of Tennessee. Yes.

The CHAIRMAN. Let the Chairman first state the request of the gentleman from Tennessee. He asks unanimous consent to return to the first paragraph on page 108. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. I want to state to the gentleman from Massachusetts that I have investigated the matter, and I find that the Hawaiian Territorial law provides that the Territorial legislature may designate the number of courts in Hawaii and also the number of judges to administer those courts. There are now five circuit courts in Hawaii, three judges who preside in the first circuit and one each in the other four circuits, making a total of seven circuit judges. The act specifically names the number who shall constitute the supreme court, and for that reason they are specially set forth here in this bill; but inasmuch as the act leaves it to the Territorial legislature to designate the number of circuit judges this bill has never sought to carry the exact number. The appropriation, of course, can be utilized only for the purpose of paying those who are legally appointed.

Mr. TREADWAY. Then I understand the gentleman to say that this is the same phraseology that has been carried year after year for this appropriation?

Mr. BYRNS of Tennessee. Exactly the same.

Mr. TREADWAY. And that the only uncertainty is the number of judges who may be designated by the Legislature of Hawaii to fill the various circuits.

Mr. BYRNS of Tennessee. That is correct. These circuit judges are appointed by the President, and the laws require that they shall be citizens of the Territory when appointed.

Mr. CRISP. Will the gentleman from Tennessee yield for a question?

Mr. BYRNS of Tennessee. Yes.

Mr. CRISP. The gentleman stated a moment ago, in answer to the gentleman from Arkansas [Mr. WINGO], that this bill saved $600,000 rent. I would like to know how much the bill carries now for rent in the District of Columbia.

Mr. BYRNS of Tennessee. Something over $200,000. I will tell the gentleman exactly in a moment.

Mr. TREADWAY. May I ask the chairman of the Committee on Appropriations one more question in relation to the judges in Hawaii?

Mr. BYRNS of Tennessee. If I may answer the question of the gentleman from Georgia first, then I will yield to the gentleman. This bill eliminates in rent here in the District of Columbia $613,620.88. It carries for rent the sum of $208,004.12.

Mr. WINGO. Will the gentleman yield for another question in that connection?

Mr. BYRNS of Tennessee. Yes.

Mr. WINGO. The provision of section 9 to which the gentleman refers contains this provision:

> Appropriations for rent of office space, contained in this or any other act, for the fiscal year 1920, except for space under lease for a term of years expiring after June 30, 1919, shall be available only for obligation for rental of such office space in the District of Columbia as may be determined by the President to be necessary in addition to the space available in Government-owned buildings.

The exception contained in that provision lets through the very abuses that I want to stop. I do not know how the language could be framed, but the committee ought to be able to devise some way by which they can compel these departments to cancel the leases they have in expensive office buildings at a time when they can find plenty of persons to take the leases off their hands, and when the owners of the buildings would be glad to cancel their leases because they can get a higher rental, and these different bureaus ought to be put into the office buildings that the Government owns.

Mr. BYRNS of Tennessee. If the gentleman can offer any more specific language, we would be glad to have the gentleman offer an amendment to that effect. This leaves the proposition with the President of the United States.

Mr. WINGO. For everything except what you have got under lease.

Mr. BYRNS of Tennessee. Certainly the United States Government, merely because Congress has the power to do it, ought not to abrogate a contract that it has made.

Mr. WINGO. I am not advocating the abrogating of contracts.

Mr. BYRNS of Tennessee. When we have leases upon buildings here in the District of Columbia which extend to 1921, 1922, and 1923, in some instances, certainly the United States Government should in good faith carry out its contracts.

Mr. WINGO. Nobody has proposed that it shall abrogate those contracts. I move to strike out the last word.

Mr. LITTLE. Mr. Chairman, it seems to be hard for me to get the floor here to offer my amendment.

Mr. WINGO. I yield to the gentleman from Kansas.

The CHAIRMAN. The gentleman from Kansas is recognized.

Mr. LITTLE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Amendment offered by Mr. LITTLE: Page 135, strike out lines 10 and 11.

Mr. BYRNS of Tennessee. I make the point of order that we have passed that paragraph.

Mr. LITTLE. No; we have not.

The CHAIRMAN. The point of order is overruled. Does the gentleman from Kansas desire to debate his amendment?

Mr. LITTLE. Certainly.

The CHAIRMAN. The gentleman from Kansas is recognized for five minutes.

Mr. LITTLE. Mr. Chairman, here is a splendid chance for Congress to save a little of the people's money. An immense amount of money is allowed to dribble away by just such small items as this. Here is an appropriation of $2,000 for the rent of storage space outside the Commerce Building. Every man on this floor knows perfectly well that the Government has ample room in this town to store away any documents that it has anywhere.

Mr. DYER. Will the gentleman yield?

Mr. LITTLE. Not now.

Mr. DYER. The gentleman makes the statement that everybody knows this. I do not know it.

Mr. LITTLE. Mr. Chairman, I will take the gentleman by the hand and lead him to them, if it will help him. Everyone knows that you have plenty of empty buildings, and the gentleman from Arkansas [Mr. WINGO] has given the example of the Munitions Building. What excuse is there for spending $2,000 for putting away a lot of dead stuff, as they said themselves in their report, when you can save that money and put it in people's pockets, where it belongs, and put the stuff in some building you threaten to tear down because you do not need it? If such a thing should happen in private business, the man who did it would, of course, be discharged. The Military Committee knocked in the head of the barrel and asked everybody to help themselves and now the Appropriations Committee want it to dribble out at the spigot, a little $2,000 stream. There is no sense or justice or equity in it. There are buildings around here to burn, places crying for somebody to fill them, and yet you want to spend $2,000 taking care of some old brewery.

Mr. DYER. Oh!

Mr. LITTLE. The gentleman from Missouri says "Oh!" I can well understand why he says that, but I could show him buildings where all this stuff could be stored. This is a plain, ordinary matter. The only question is whether you want to waste $2,000 or whether you want to save $2,000 to the taxpayers. This money does not grow on trees. People have to pay it and have to work hard to pay it.

Mr. BYRNS of Tennessee. Does the gentleman know just how much it would cost the Government to move this stored material?

Mr. LITTLE. I expect that it would cost $50.

Mr. BYRNS of Tennessee. I expect that it would cost the full amount of this appropriation.

Mr. LITTLE. Then $2,000 would cover it and that would be the end of the rent.

Mr. BYRNS of Tennessee. Is it the gentleman's idea that these buildings in Seaton and Henry Parks, and on privately owned land down here in Potomac Park, are going to be maintained indefinitely for a great period of years in the future, or that in the course of a very few years they will be torn down?

Mr. LITTLE. I suppose such of these buildings as are fit for storage will be maintained as long as we have the stuff like this to put in them, and as far as spending $2,000 to move the papers is concerned, it could only be spent on the theory of and by the same men who suggested this $2,000. Nobody else would spend that much money on it. These files never will be used. Put them in some Government building you threaten to tear down and save the cost of dismantling them and save $2,000 a year indefinitely. There is enough of spending without this. It will come in handy some pay day.

Mr. STAFFORD. Mr. Chairman, I fear that my good, dry friend from Kansas——

Mr. LITTLE. Not any drier than you are now.

Mr. STAFFORD. Oh, but I have a stock in store, and I do not think the gentleman will publicly announce that he has any. [Laughter.] I fear, as I was about to say, that he has some prejudice to this building that was formerly utilized for the brewing of beer, and is now utilized by the Department of Commerce for storing its old useless files and papers. Anyone who is acquainted with the character of the construction of the temporary buildings in Henry Park and on the leased land to the north of the concrete buildings in Potomac Park that the War and Navy Departments occupy, knows that that character of construction is not suited for storage purposes. In fact, the testimony shows that many of these buildings will have to be repaired because they were erected with green lumber under the exigency of war.

Mr. WINGO. The gentleman does not say that the Munitions Building is erected out of green lumber.

Mr. STAFFORD. Oh, that is a concrete building; but all of the other buildings in Henry Park have been erected out of green lumber, from the first $2,000,000 that was appropriated for the construction of buildings in Henry Park, in October following the declaration of war.

Mr. WINGO. How long do these experts figure it will take for the defects to appear by reason of green lumber construction?

Mr. STAFFORD. Whether green lumber or seasoned lumber was used the fact is that they are temporary buildings in Henry Park, other than the Munitions Building, which is erected of concrete, and they are unsuitable for storage purposes. As a matter of fact, the Census Office is contemplating taking possession of the Munitions Building, and even there they will have to put in some solid foundations to provide for the machinery that will be needed in operating the various punching and registering machines.

As was suggested by the chairman of the committee, it would be indeed false economy not to continue $2,000 as rental for storage in a building that can support heavy weights of paper, the removal of which would result in the cost of many thousand dollars. Certainly the Secretary of Commerce, who is asking for the space, would not go to these quarters for storage purpose unless he thought it was an economical proposition. We pay only 25 cents a square foot for the use of this abandoned brewery, and the gentleman's proposition is to utilize space in a modern concrete building worth 50 to 75 cents, and where the Government is paying in private office buildings as high as $1.25 a square foot. It is false economy that is being advocated by the gentleman from Kansas.

Mr. LITTLE. How does it happen that this end of the Committee on Appropriations says this is a very valuable concrete building and that the other gentleman on the Appropriations Committee tells us that there are not any buildings fit to put this stuff into? The gentlemen ought to get together.

Mr. STAFFORD. If the gentleman had read the hearings and was acquainted with the character of construction of the respective buildings he would not ask that question, because there are temporary buildings of wooden construction and there are so-called temporary buildings of concrete construction. Those of concrete construction are admittedly strong enough for storage purposes, but they are designed especially for office purposes and their space is worth to the Government to-day from 50 cents to 75 cents and $1 a square foot, and the gentleman wishes to utilize that for storage purposes instead of paying 25 cents a square foot for this.

Mr. LITTLE. How did the gentleman from Tennessee get the idea that the Government had no space to put it in that was fit to hold it? Why did not the gentleman give the information before?

Mr. STAFFORD. I have now given the gentleman information, if he sees fits to withdraw the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Commissioners of conciliation: To enable the Secretary of Labor to exercise the authority vested in him by section 8 of the act creating the Department of Labor, and to appoint commissioners of conciliation, for per diem in lieu of subsistence at not exceeding $4, traveling expenses, and not to exceed $12,000 for personal services in the District of Columbia, $175,000.

Mr. DYER. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Tennessee a question. In lines 9 and 10, where it provides for the appointment of commissioners of conciliation, for per diem in lieu of subsistence at not exceeding $4, and so forth, can the gentleman tell me what these commissioners receive outside of the $4?

Mr. BYRNS of Tennessee. They receive a per diem salary which amounts to from $8 to $15 per day—between those figures.

Mr. DYER. In other words, the Secretary can make it $8 or $15?

Mr. BYRNS of Tennessee. Yes.

Mr. DYER. My understanding is that he makes it $15, and they get $4 besides, which makes it $19. Is that correct?

Mr. BYRNS of Tennessee. Yes; they get $4 for subsistence; but I will say to the gentleman that most of them receive between $8 and $10 a day. There are only two who have received $15 a day. There are 14 receiving $11—I am speaking for the fiscal year 1918—17 who receive $10 a day, and 2 who receive $8.

Mr. DYER. And they get $4 in addition to that?

Mr. BYRNS of Tennessee. For subsistence.

Mr. DYER. Does the gentleman know how much will be expended in the current law for this class of work?

Mr. BYRNS of Tennessee. Well, there was expended for the fiscal year 1918 a total of $173,584.52.

Mr. DYER. That was the appropriation, practically?

Mr. BYRNS of Tennessee. Yes. Now, the estimate for the next fiscal year was $250,000, and the committee has cut it down to $175,000.

Mr. DYER. I think, Mr. Chairman, the committee has acted very wisely in cutting it down; in fact, it ought to be cut down considerably yet. My understanding is that these commissioners at the present time and probably for the last two years have been selected without much regard to their qualifications or their knowledge of labor questions or of settling labor disputes. In the main, as I understand it, they have been men who have held public office in the past, including ex-Members of Congress, who when they have been retired by the people have gone to the Department of Labor and been put on the pay roll to receive all the way from $11 up to $19, as stated by the gentleman from Tennessee—men some of whom in private life can earn about $2.50 to $3 or $4 a day. Those are the class of men that in some instances the Department of Labor has been appointing to these positions. What they have accomplished, if the records and facts could be laid before the House, in settling disputes shows that they have not even earned $2.50 a day, whereas the department pays these exorbitant salaries for no other purpose, as a general thing, than to put upon the pay roll men who have been relieved by the people.

Mr. MANN. Will the gentleman yield for a question?

Mr. DYER. I will.

Mr. MANN. Does not the gentleman from Missouri think that the appropriation ought to be largely increased in view of the fact there will be so many retired Members from the Democratic side of the House, in order to do in the future as they have done in the past—take care of those retired Members in this department?

Mr. DYER. I will say to the gentleman that is evident from the recent election and from what will probably happen from time to time. There ought to be something, Mr. Chairman, by

which this committee could check up these expenses. The people are being taxed up to the very limit. The new revenue bill which will become a law shortly is increasing the taxes and burdens upon the people to keep in office men that have been appointed to soft jobs by this Bureau of Conciliation. They do not know how to settle any disputes; very few of them know anything about labor conditions. They have been in Congress, some of them, and have held other offices in various places, but they have not any knowledge, as a general proposition, of labor. They do not settle labor disputes, but, in the main, these men have been appointed because they have been recommended by Democratic politicians and not by labor organizations of repute or by capital and business interests. Both sides are entitled to have competent men act as conciliators, not only capital and business interests but the labor interests as well.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. May I submit a request for unanimous consent to close debate?

Mr. NOLAN. I would like to have a few minutes on this; I have not taken up the time of the committee on this bill, and I would like to be recognized for five minutes.

Mr. LITTLE. I would like to have five minutes on this, as this matter is important to my district.

Mr. BYRNS of Tennessee. On this bill?

Mr. LITTLE. Yes.

Mr. FAIRFIELD, Mr. KEATING, and Mr. SNYDER also rose.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that all debate upon the pending paragraph and all amendments thereto close in 27 minutes, 2 minutes for myself and the rest to be distributed among the gentlemen who have arisen.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate on this paragraph and amendments thereto close in 27 minutes, 2 minutes for himself and the other 25 minutes to be distributed between the gentlemen who have arisen—Mr. NOLAN, Mr. SNYDER, Mr. LITTLE, Mr. KEATING, and Mr. FAIRFIELD. Is there objection? [After a pause.] The Chair hears none.

Mr. NOLAN. Mr. Chairman, I am very much surprised at the lack of information displayed by the gentleman from Missouri [Mr. DYER] regarding the activities of the Division of Conciliation in the Department of Labor. I think the work of this bureau is of too much importance to the people of this country, both capital and labor, to make it a partisan question. Now, the gentleman, in the first place, did not know a thing about the compensation of these men or he would not make this statement here.

Mr. DYER. Does the gentleman know?

Mr. NOLAN. I do, and I am going to say what I know.

Mr. DYER. Did not the gentleman from Tennessee state the fact?

Mr. NOLAN. I am going to state what are the facts.

Mr. DYER. The chairman has already stated them.

Mr. NOLAN. The general pay of conciliators is $10 per diem and $4 for expenses, railroad fare and berths.

They get $14 a day; in other words, for traveling from one end of this country to the other and settling industrial disputes, and it is the only agency we have here in connection with the Government that has been successful during the war in curbing industrial disputes and troubles. The War Labor Board requires months to take up an individual case, but prior to their taking it up the Department of Labor is compelled to do it, and the machinery of the Division of Conciliation is put into motion; and it is only where they can not settle a dispute that the War Labor Board has been asked to act, both during the war and since the armistice has been signed.

I do not know how many ex-Members of Congress are employed, but I know one or two ex-Members of Congress that have done some very important work in connection with our war activities in this very Division of Conciliation. And I know this, that all the men that are employed are not Democrats by any means. If there is one division under the present administration where Democrats and Republicans and Progressives and others are treated alike, it is in the Division of Conciliation of the Department of Labor, and they have done more to prevent industrial disputes and industrial strife and they have settled more disputes in an industrial way than any other agency we have had either in our National or State Governments.

This is a very useful bureau. If you want to center your attack in a partisan way and do it successfully, pick out some other division or bureau. I want to see this bureau made effective, and more effective. It is one of the best agencies we have to bring about industrial peace between employer and employee.

And, Mr. Chairman, I think this bureau, instead of being criticized, ought to be given all the credit which is due it. It has settled thousands and thousands of disputes both before they took place and after they had gotten started. I think it is ill-timed, especially now when we have a situation in this country that borders on bolshevism, that shows a period of industrial unrest, possibly a period of unemployment coming upon us, to criticize and pick out for our abuse the one agency that is doing more to curb bolshevism and I. W. W.ism than any other agency we have in this Federal Government.

The CHAIRMAN. The gentleman from Indiana [Mr. FAIRFIELD] is recognized.

Mr. FAIRFIELD. Mr. Chairman, I know of no function at this time that is more important than the function of a conciliation bureau. I was interested in the arraignment of the bureau by the gentleman from Missouri [Mr. DYER]. I confess that I should be very glad if we had more definite knowledge of the personnel of the bureau. I should be very glad, too, if we had a more accurate knowledge with regard to what the bureau has accomplished. But whether or not it has been as effective as it ought to be, my own judgment is that where a conciliation bureau is maintained, so that immediately when there is difficulty in a district and men who are acquainted with the conditions sent there, without waiting for the formality of the gathering of a commission and going through all of the delay that is incident to the bringing together of a commission, there is no more economical way in which to do it than by giving the Department of Labor this power.

If it has not been done honestly, it ought to be done honestly; and I do not know that just because a man has been in Congress he is therefore necessarily incapacitated for any effective service in matters of this kind if he has had experience along those lines. Anyone looking forward to the congestion in the labor market is concerned as to what may arise within the next year. I confess that I am apprehensive of the conditions that may arise in this country, and being apprehensive I think it would be unwise for us without full knowledge, without having investigated the personnel of the men who are engaged in this work, without any knowledge as to how effective they have been, except from general statements, it would be very unwise for us to assail this department by cutting down this appropriation.

Ordinarily it is wise in stress of circumstances such as we have to reduce at every point unnecessary expenses. But I do not believe that this item is an item that should be picked out, unless some man can stand here and show definitely and absolutely that it has been purely a partisan organization, not run with efficiency, but run in the interest of the Democratic Party. I confess until I should be convinced of that fact I would be loath to assail it.

Mr. SNYDER. Mr. Chairman and gentlemen of the committee, if there is one division of the Department of Labor that has done what you might call excellent work in the last year and a half, it is this conciliation section. I am not familiar with the amount of money that is paid per diem to these conciliators, but on several occasions I have come in personal contact with them, and in each case the matter in question has been handled promptly; and usually when it seemed that a great difficulty would take place in a few days it has been overcome without a strike, which is the most important element in anticipated labor trouble at any time. So, in my judgment, in view of conditions that may arise in this country within the next year or two, and judging from the experience of the past, instead of reducing we ought to maintain what they ask for and, if necessary, give them more. So I favor leaving this item just as it is, without regard to who is employed, whether he might be an ex-Congressman or somebody else, so long as work is performed that is equal to that which has been done by this section in the last 18 months.

What I want to speak about particularly does not seem to be covered by this section. That is the employment bureaus that have been started throughout the country by the Labor Department. These bureaus can do excellent work at this time if they will. There is serious complaint being made to me with regard to their management, however. Of course, it is to be expected that the employment agent in such bureau would be a labor man, but it is also to be expected that he will mete out absolute justice to the men who make application for work, whether they may be union men or whether they may be nonunion men.

One of my experiences is that complaints are being made that the agent will say to the applicant, "Have you got a card?" and if he has not a card the agent has no use for him. So concerns in a community that have had a strike, say, and have gone up against labor organizations and have what they call won out by having beaten the union, and have continued to exist, are being militated against by reason of the fact I have mentioned. And while I am in favor of continuing these bureaus

throughout the country at this time, I think that the Labor Department ought to be more careful in the selection of their men and they ought to be very particular in the orders they send out, so that any man who goes to one of those bureaus should have at least the same kind of treatment; that is, each man should have exactly the same kind of treatment, whether he belongs to a union or whether he does not.

Mr. NOLAN. Will the gentleman yield?

Mr. SNYDER. Yes.

Mr. NOLAN. Is the gentleman aware of the fact that for some months past the Employment Service of the United States has turned over to the various State councils of defense or State employment bureaus the conduct of the employment service in the various States?

Mr. SNYDER. I am not aware of that, but I am aware of the fact that——

Mr. NOLAN. And that in the State of New York the New York authorities are cooperating with their own agencies and the Federal Government in sharing in the expense, but all the employment agents in the State of New York are under the control of the State government directly.

Mr. SNYDER. All I want to warn the Labor Department about here at this time is that, without regard to whether a man is union or nonunion, the Government or the State is paying for this service, and every man in the State should have exactly the same treatment when he is looking for a job. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. KEATING. Mr. Chairman, the attack made upon this bureau of the Department of Labor by the gentleman from Missouri [Mr. DYER] is a most amazing one. He tells the House that the Bureau of Conciliation is maintained for the purpose of affording a refuge for Democrats who lose out in races for Congress. One would imagine that before a responsible and distinguished Member of this House made that assertion concerning the management of an important bureau of the Government he would endeavor to verify his facts.

Mr. DYER. If the gentleman will yield, I will give him some facts.

Mr. KEATING. The gentleman could very readily have secured the facts.

Mr. DYER. I have them now.

Mr. KEATING. All that would have been necessary would have been to consult the hearings before the Committee on Appropriations. On page 977 is a complete list of the commissioners employed by the bureau, with a statement of their former activities, and out of the 37 just 2 are ex-Members of Congress. One is a Republican, a distinguished Republican, the friend of James G. Blaine, minister to Ecuador by virtue of an appointment received from James G. Blaine. The other is a Democrat from the gentleman's own district, and the only thing I know of that can be brought against that gentleman is that he had the temerity to bring a contest on the floor of this House against the gentleman from Missouri.

Mr. DYER. Mr. Chairman, will the gentleman yield there?

Mr. KEATING. Yes.

Mr. DYER. The gentleman is mistaken. There is no truth in that statement. The gentleman refers to Mr. Patrick F. Gill.

Mr. KEATING. This is the same Gill.

Mr. DYER. No, sir. He is a personal friend of mine.

Mr. KEATING. It is my mistake. I accept the gentleman's statement. Those are the only two Members of Congress who appear on this list. If the gentleman knows of any other ex-Members of Congress, he should submit their names or else withdraw the charge he has made.

Now, as to the work of this bureau, Mr. Kerwin appeared before the Committee on Appropriations and testified—and there is not anything to contradict this assertion—that between April 6, 1917, up to and including the day of the signing of the armistice, November 11, the Division of Conciliation handled 2,439 cases, involving 4,000,000 workers. That is the work that this Bureau of Conciliation has performed, and it is a most important work, perhaps the most important work performed by the Department of Labor.

Now, as to the qualifications of the men who have acted as conciliators, I have had some experience in my home State. We had a great industrial disturbance there. The Department of Labor selected as one of the conciliators Verner Z. Reed, one of the most substantial business men in our State, and a Republican, and Mr. Reed gave his time to the work.

As another conciliator they selected Judge Musser, the former chief justice of the supreme court of the State, a Democrat, and he gave his services. I do not know how much they received, but if they received $15 a day and $4 for subsistence they would not have been properly compensated. They settled a great strike in Colorado, and the settlement of that strike was worth hundreds of thousands, if not millions, of dollars to the people of Colorado.

Upon the pay roll of this department there are just two men drawing $15 a day. One was the former president of the Kentucky Coal Operators' Association, who probably would not enter private employment for $50,000 a year, and the other is the labor commissioner of the State of Texas, and those two men are charged with the important work of maintaining industrial peace in the State of Arizona, sent there representing the President's Mediation Commission; and they are not only charged with that task, but they have performed that task, and during all the period of the war you had no trouble in Arizona, largely because of the efforts of those two gentlemen.

Yet the gentleman from Missouri charges that this bureau was made a refuge for ex-Members of Congress. I think the gentleman owes it to himself, and I am sure he owes it to this House and to the Department of Labor, to withdraw a charge which is without foundation.

Mr. LITTLE. Mr. Chairman, an ancient maxim says—

> For forms of government let fools contest;
> That which is best administered is best.

There is some truth in that, and I think it might apply to this very matter. The theory upon which it is founded is beyond question admirable. We ought to sustain it and improve it. I think possibly it might be improved a little by careful selection. I think I know personally of one instance where a trouble of importance was very materially assisted in its determination by these conciliators. I never was involved in the matter, but I understand that that was the fact.

On the other hand, I regret to say that my attention was challenged to another instance in which a gentleman from this bureau or from some similar institution—at this lapse of time I can not exactly be sure—was concerned, but just before the campaign he appeared and went from factory to factory, I am told, taking an active part in the election. The results were such that I had no cause to complain, but I do not think the idea would be a good one to follow out. Of course I know that it is not the intention of the law that should be done, but is there anything in the law that would tend to prevent that?

Mr. BYRNS of Tennessee. I would say to the gentleman that these conciliators are appointed without respect to what party they belong to.

Mr. LITTLE. Is there anything in the statute in regard to that?

Mr. BYRNS of Tennessee. There is nothing of that kind. There is nothing partisan in the service rendered by these men as conciliators.

Mr. LITTLE. Well, there was something partisan in the case I mention.

Mr. BYRNS of Tennessee. I am quite sure if it were called to the attention of the Secretary of Labor it would have been stopped.

Mr. LITTLE. That is what I rose to inquire about. The Secretary of Labor is the proper person to request attention to such a matter, is he?

Mr. BYRNS of Tennessee. Yes.

Mr. LITTLE. It was not my purpose to call attention to it now. The results in that case were perfectly satisfactory to me. If they kept on in that way and we had the same results, I would not object. [Laughter.]

But since I have the question answered, I trust that there may be some way of impressing upon the department the advisability of explaining to all these gentlemen that their labors are not of a political character, and that they are not sent into districts to interfere with the local situation. The people in most of the districts are quite competent to get along without outside advice, anyway; I know they are in the district I have the honor to represent. I am sure of that. But I want to add this word, that I am highly impressed with the utility of this commission, and I am sure everybody wants to secure the results that it attempts to reach. I think it should be encouraged and upheld, and I hope that in the meantime the Secretary fully understands that it is not a political matter at all, and instructs his representatives accordingly.

Mr. BYRNS of Tennessee. I want to consume the two minutes of my time in order to furnish the gentleman from Kansas some information that he called for a moment ago with reference to the examinations that were held for commercial attachés and special agents. These officials are required first to pass a written examination. Then those who pass that competitive written examination are called to Washington for the purpose of standing an oral examination before a board consist-

ing of the Secretary of State, the Secretary of Commerce, the Chief of the Bureau of Foreign and Domestic Commerce, and two chiefs of division of the Bureau of Foreign and Domestic Commerce, and also a representative from the Civil Service Commission. If they pass the oral examination, then they are appointed in the order of their percentage; in other words, those who make the highest percentage are appointed. There is first a competitive written examination.

Mr. CAMPBELL of Kansas. Held by whom?

Mr. BYRNS of Tennessee. That is not necessarily held here in Washington. It is held under the auspices of the Civil Service Commission.

Mr. CAMPBELL of Kansas. The Civil Service Commission holds that examination?

Mr. BYRNS of Tennessee. Yes. If they pass that, they are called here to Washington for the purpose of standing this oral examination.

Mr. CAMPBELL of Kansas. What does the gentleman say with respect to the requirements of appointees to these positions?

Mr. BYRNS of Tennessee. I understand that there are no financial requirements whatever. There is no question or inquiry made as to whether those appointed have a private income, nor is there any necessity for it, since they get salaries ranging from $3,500 to $8,000 a year and are also provided $4 a day for subsistence when traveling. Then I want to say in addition that there is no expense incurred whatever in so far as these examinations are concerned, because the members of the board serve without compensation. That is the only method by which a commercial attaché or a special commercial agent can be appointed.

Mr. CAMPBELL of Kansas. Are consular agents appointed through a similar examination?

Mr. BYRNS of Tennessee. They are appointed under an examination held by the State Department which is similar to this. I understand the Secretary of Commerce has adopted the same policy with reference to his foreign appointments that has been followed for many years by the State Department in the appointment of consular agents.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. FAIRFIELD. Do I understand that these men receive pay throughout the year, whether engaged in conciliation work or not?

Mr. BYRNS of Tennessee. The gentleman is now referring to the Board of Conciliation.

Mr. FAIRFIELD. Yes.

Mr. BYRNS of Tennessee. No; they do not. They are paid only for such time as they actually serve.

The Clerk read as follows:

For per diem in lieu of subsistence of special agents and employees, and for their transportation; experts and temporary assistance for field service outside of the District of Columbia, to be paid at the rate of not exceeding $8 per day; temporary statistical clerks, stenographers, and typewriters in the District of Columbia, to be selected from civil-service registers and to be paid at the rate of not exceeding $100 per month, the same person to be employed for not more than six consecutive months, the total expenditure for such temporary clerical assistance in the District of Columbia not to exceed $6,000; traveling expenses of officers and employees, purchase of reports and materials for reports and bulletins of the Bureau of Labor Statistics, and for subvention to "International Association for Labor Legislation," and necessary expenses connected with representation of the United States Government therein, $80,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word in order to ask the gentleman from Tennessee why the committee took the lid off the subsistence per diem in this item? In the items for commissioners of conciliation you put the lid on at $4 a day for subsistence, but in the item for special agents and employees you take the lid off entirely.

Mr. BYRNS of Tennessee. That is covered, I will say, by the general law.

Mr. MANN. It is in the current appropriation law. Why is it required in one case and not in the other? Certainly the commissioners of conciliation are entitled to as high a rate for subsistence as special agents and employees.

Mr. BYRNS of Tennessee. I do not think that it is required to be stated in this bill in any case. It is mere surplusage wherever it has occurred, because the general law on the subject provides for a per diem rate of allowance not exceeding $4 in lieu of subsistence, and they can not exceed that in any event.

Mr. MANN. That is what I understood. Why do you put it in at one place and take it out in the other?

Mr. BYRNS of Tennessee. As I stated to the gentleman, I do not think it is necessary to carry it in this bill. It is surplusage wherever it occurs. It could very properly and safely be stricken out.

The Clerk read as follows:

Children's Bureau: Chief, $5,000; assistant chief, $2,400; experts—one on sanitation, $2,800, industrial $2,000, social service $2,000, statistical $2,000; administrative clerk, $2,000; editor, $2,000; special agents—1 $1,800, 4 at $1,600 each, 10 at $1,400 each, 12 at $1,200 each; private secretary to chief of bureau, $1,500; clerks—2 of class 4, 4 of class 3, 4 of class 2, 17 of class 1, 10 at $1,000 each; copyist; messenger; in all, $106,040.

Miss RANKIN. Mr. Chairman, I want to ask the chairman of the committee why it is that the editor in the Bureau of Labor Statistics is paid $2,500 a year, and the editor in the Children's Bureau $2,000, and why the secretary to the commissioner in the Bureau of Immigration is paid $1,800 a year, while the secretary in the Children's Bureau is paid $1,500?

Mr. BYRNS of Tennessee. Mr. Chairman, the lady from Montana will find those inequalities of salaries running entirely through this bill, and I may say that is one reason that influenced the committee in recommending in this bill the creation of a joint commission to take into consideration the reclassification and readjustment of salaries, so as to place them upon a more uniform basis. Of course, I do not know, but I assume that the editor in the Bureau of Labor Statistics has possibly a great deal more to do than has the editor under the Children's Bureau, because it is a much larger bureau and covers a much larger range of subjects. Their publications are decidedly more numerous, and I fancy that the work performed by one is much greater than the work performed by the other.

Miss RANKIN. Was that taken into consideration when these items were inserted?

Mr. BYRNS of Tennessee. No; that was not taken into consideration. If the lady from Montana will examine the law, I think she will find that the law fixes the salary of the editor in the Children's Bureau at the sum named, and we have allowed for these salaries exactly what was asked by the Chief of the Children's Bureau.

Miss RANKIN. Does it fix the salary for the secretary to the Chief of the Bureau of Immigration? That salary is fixed at $1,800.

Mr. BYRNS of Tennessee. That has been fixed heretofore in appropriation bills, and has been carried for a great many years.

Miss RANKIN. The secretary to the Chief of the Children's Bureau has a salary of $1,500.

Mr. BYRNS of Tennessee. That is true, but the Bureau of Immigration is also a much larger bureau than is the Children's Bureau. This bill carries for the salary of the private secretary exactly what was asked.

Miss RANKIN. How does the gentleman mean?

Mr. BYRNS of Tennessee. If the lady from Montana will look at other provisions in the bill, she will find that there are a great number of private secretaries to chiefs of bureaus who receive no more than $1,500 and some of them receive less, and I have in mind one position of a private secretary, carried for the first time in this bill, the secretary to the Chief of the Steamboat-Inspection Service. That was fixed at $1,500, and that is a very important and a very busy bureau also, particularly at this time.

Mr. STAFFORD. Mr. Chairman, I do not know whether the chairman directed the attention of the lady from Montana to the fact that the salaries paid the editor and the private secretary in the Children's Bureau, as carried in the bill, are the amounts recommended by the head of the bureau. Of course, our committee had nothing to do except to grant her request. We did not seek to reduce those amounts. The position of editor is new, and we carried it at exactly the same salary as the head of the bureau requested to be paid to the person filling that position.

Miss RANKIN. Well, I just asked for information, as there seemed to be a discrepancy.

Mr. STAFFORD. I did not want to have the impression go abroad that we were discriminating against the fair ladies who comprise the personnel of the Children's Bureau.

Miss RANKIN. I thank you.

The Clerk read as follows:

Hereafter section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered for the Department of Labor when the aggregate amount involved does not exceed the sum of $25.

Mr. MANN. Mr. Chairman, I reserve a point of order. I had intended to raise the question when the same item appeared under the Department of Commerce, but my attention was diverted at that time. Why is it proposed to put into the permanent statute a provision that as to those two departments of the Government they are entirely outside of the law in reference to the purchase of supplies by advertisement where the purchase amounts to only $25 in a particular case? In other words,

here is a department that may purchase $10,000 worth of stuff in $25 items, if it wishes to do so, without advertising. Now, the law as it stands authorizes the purchase without advertising whenever an emergency exists. Why should we grant to these departments the right to purchase without advertising as a matter of permanent law, which right, so far as I know, does not apply to the other departments, although I might be mistaken about that?

Mr. BYRNS of Tennessee. My understanding is most all of the other departments have authority to purchase without the necessity of taking bids, some of them to an amount as high as $50.

Mr. MANN. There are some provisions as to various branches of the service. The Lighthouse Service—and I think the Revenue-Marine Service, probably—which has boats and has to purchase very quickly at times certain things, is authorized to purchase within a certain limit and then required to make a thorough report to Congress of every purchase which it makes; but this is absolutely taking the lid off, because if a man wants to—I do not think the head of a department would want to do so—but if some man wants to purchase without advertising, all he needs to do is to buy something every day in the amount of $25; that is a complete transaction and would apply to all small things.

Mr. BYRNS of Tennessee. Well, the Geological Survey and the Reclamation Service have that authority now, and I understand the Department of Agriculture has that authority also.

Mr. MANN. Very likely some of these departments with branches where they are off in the country at some place where they work and not very available to the market have the authority to make purchases without advertising. They frequently have to telegraph for something, and while they could do that under the general law it is a little more convenient to have the power not to have to make a statement that it is an emergency in each case, but this department is not of that character so far as I know.

Mr. BYRNS of Tennessee. The District government has the same authority, and this department has some large bureaus, like the Bureau of Naturalization, the Bureau of Immigration, where it is necessary to make these small purchases from time to time, and the committee felt it was requiring a needless waste of time and frequently a very great inconvenience and some expense where these small amounts of supplies are necessary to require them to go through the regular formula of making advertisements.

Mr. MANN. Well, the bulk of these supplies are purchased through this supply committee, or does that still exist; I was away for a while?

Mr. BYRNS of Tennessee. That still exists, yes; and most of them are purchased through the General Supply Committee.

Mr. MANN. Well, Mr. Chairman, I have great hesitation about it and a good deal of doubt, but I will withdraw the point of order.

The CHAIRMAN. The gentleman withdraws the point of order.

The Clerk read as follows:

Rent: For rent of buildings and parts of buildings in the District of Columbia for the use of the Department of Labor, $24,000.

Mr. BYRNS of Tennessee. Mr. Chairman, on yesterday we passed over the item relating to the Bureau of the Census, and I ask unanimous consent to return to that item, which is found on pages 117 and 118. The gentleman from Massachusetts has reserved the point of order.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, before the gentleman from Massachusetts was called out of the Chamber to attend a hearing in the investigation of the Security League of America he authorized me to say that when this paragraph was returned to that I would withdraw the point of order. The reason why he asked to have the paragraph passed over last evening was to examine the legislative appropriation act for the years 1910 and 1911, to see whether any provision was carried for the statutory roll for those years. It appears that in the appropriation acts following the decennial period for the taking of the Thirteenth Census that no statutory roll was carried, and therefore he desired me to withdraw the reservation of the point of order.

Mr. MANN. Will the gentleman yield?

Mr. STAFFORD. I will.

Mr. MANN. Does the gentleman know whether the expenses of the previous census were carried in the legislative bill or in the sundry civil appropriation bill?

Mr. STAFFORD. The large appropriation of $10,000,000 was carried in a special act. The gentleman will recall that President Roosevelt vetoed the first act Congress passed providing for the taking of the Thirteenth decennial census, and it was during the special session of Congress, convened at the instance of President Taft, that in the latter days of the fiscal year a bill was passed carrying $10,000,000 of appropriations, reported, I believe, from the Committee on Appropriations.

Mr. MANN. Well, really, on first blush, I should think the extraordinary expenses of the Bureau of the Census would naturally be carried in the sundry civil bill.

Mr. STAFFORD. No; if the gentleman will permit, in addition to the $10,000,000 which was authorized by that act in the legislative appropriation act for 1911, an appropriation of $2,000,000 was carried for this purpose, and again in the legislative appropriation act for the year 1912 an appropriation of two and a half million was carried, so the appropriations have been heretofore carried in the legislative, executive, and judicial appropriation acts.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

Retired judges: For salaries of judges retired under section 260 of the Judicial Code (36 Stat. L., 1161), so much as may be necesary for the fiscal year 1920.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to ask a question or make a remark. I notice the other day that the Senate passed a bill to change the name of a great national park to "Roosevelt National Park." Similar bills have been introduced in the House. At the same time along comes a committee which abolishes, as far as the statute is concerned, a reference to the city named after the Father of his Country. I had supposed I lived in the city of Washington while I attended Congress. Whether there is a legal description of the city or not I do not undertake to say. The post office is "Washington" and the city is "Washington," but the Committee on Appropriations has forgotten "Washington" and abolished the "city of Washington," although they found no difficulty for many years in expending an appropriation providing for personal help in or at the "city of Washington, in the District of Columbia." The Committee on Appropriations found a newspaper article somewhere or acquired information in some other way that there was no legal description of the city of Washington, and they leave it out everywhere in this bill and simply put in "District of Columbia." I think that is a reflection upon the country. Here is the Capital of the Nation, named after the first President, the Father of his Country, and without having said a word to the House in explanation of it the committee eliminates "Washington," apparently forgetful of the history of the country. And I do not know, but I suppose some day some sort of a committee might exist that will forget that there was such a thing as the "Roosevelt National Park."

Mr. BYRNS of Tennessee. The gentleman will recall that the question was first raised by the distinguished chairman of the Committee on the District of Columbia, the gentleman from Kentucky [Mr. JOHNSON], who insisted that under the law there is really no city of Washington. He insisted that the law designated the seat of Government in the District of Columbia and not in the city of Washington.

Mr. MANN. That does not make any difference. That is no reason why the Committee on Appropriations should follow that course.

Mr. BYRNS of Tennessee. And he called it to the attention of the President, and the President dates his proclamations from the District of Columbia.

Mr. MANN. I think he dates them at the White House. If he leaves out "the city of Washington" he makes a mistake. I think it is a disgrace to the legislators and the Executive to undertake to say that they can not describe anything as being done at the city of Washington, when all the mail they get is addressed to the city of Washington; when they maintain a post office in charge of the mail for the city of Washington; when everyone in the world, nearly, knows where the city of Washington is, except it may be legislators who are living in Washington, and the President, who just at present is absent from Washington, but cables to it every day.

Mr. BYRNS of Tennessee. The gentleman knows that the law provides that clerks can not be detailed from the outside to serve here in the District of Columbia. In other words, it is necessary for the appropriation bill to specifically provide for the employment of these clerks "within the District of Columbia" in order to comply with the law.

Mr. MANN. I know that the appropriation laws for years had carried the language "in Washington, the District of Columbia," and nobody has ever had any trouble about the expenditure

of that money. No payment has even been stopped on the ground that that did not correctly describe a locality, because it does correctly describe a locality. Everybody knows it except this distinguished Subcommittee on Appropriations.

Mr. HUMPHREYS. Mr. Chairman, may I ask the gentleman a question?

The CHAIRMAN. The time of the gentleman from Illinois [Mr. MANN] has expired.

Mr. HUMPHREYS. I move to strike out the last word.

I understand the President does not date his proclamations from Washington City, but they are dated "The White House."

Mr. BYRNS of Tennessee. "White House, District of Columbia."

Mr. HUMPHREYS. My understanding is that the house in which the President lives is commonly called the "White House." It was always officially designated as the "Executive Mansion" until President Roosevelt became President, and he then called it the "White House," and had stationery printed with "White House" on it, although there was no act of Congress calling it the "White House." Is that correct?

Mr. BYRNS of Tennessee. I know of none.

Mr. HUMPHREYS. Well, there does not seem to be very much more law for calling it "White House" than there would be for "Washington City."

Mr. BYRNS of Tennessee. I think the gentleman is correct in his statement that the law calls it "Executive Mansion."

Mr. MANN. There was no act of Congress.

Mr. HUMPHREYS. Mr. Roosevelt said when he was President that he refused to call it the "Executive Mansion" because there are 48 other executive mansions in the United States, and therefore he called it "White House" and had it so put on his stationery. I am glad that official designation of it is accepted, even if it is not in the statute, and even if we do drop "Washington," although it is in the statute.

Mr. LONGWORTH. How long has the name Washington been dropped?

Mr. HUMPHREYS. I did not know it had been dropped at all until the gentleman from Illinois [Mr. MANN] mentioned the fact.

Mr. LONGWORTH. It has been very recent, has it not?

Mr. HUMPHREYS. I do not know. I refer the gentleman from Ohio to the gentleman from Illinois.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. KEARNS. About a year ago, I remember, in a discussion on the floor of the House here the gentleman from Kentucky [Mr. JOHNSON] stated that he had taken up the matter with the President and informed him that there was no such thing in the law as the "city of Washington," but it was the "District of Columbia," and the President said he would use the words "White House, District of Columbia."

Mr. HUMPHREYS. There is just as much authority of law for saying "city of Washington" as there is for saying "The White House."

Mr. LONGWORTH. I know that the President has abolished many other institutions, but I did not know that he had abolished the city of Washington. [Laughter.]

Mr. BYRNS of Tennessee. Gentlemen, of course, may indulge in such pleasant criticism as they see fit, but the subcommittee was following the House, which, on the motion of the gentleman from Kentucky, in a number of instances, in the last legislative appropriation, where the words "city of Washington" occurred, struck out the words "city of Washington" and inserted "District of Columbia."

Mr. MANN. The law in many cases specifically names the city of Washington.

Mr. BYRNS of Tennessee. Perhaps not in all, but in a number of cases the gentleman from Kentucky moved to strike out "city of Washington" and insert "District of Columbia," and the House adopted the motion, so that the committee was simply following the instructions of the House, given at the last session.

Mr. MANN. I was not here. I did not know. I suppose there was nobody else in the Chamber when it was done, probably. [Laughter.] Certainly it is a disgrace to Congress to say that we can not refer to the city of Washington as the "city of Washington." We all know that it is here. The Post Office Department can tell you that, although they do not know much about location, unless you put on "District of Columbia" or the State. I think it is disgraceful for our country to say that in the lapse of years we have forgotten the name of George Washington. I know that we have forgotten a great many of his precepts, or discarded them, but, in addition, to forget his name, I think, is going too far.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Court of Customs Appeals: Presiding judge and 4 associate judges, at $7,000 each; marshal, $3,000; clerk, $3,500; assistant clerk, $2,000; 5 stenographic clerks, at $1,600 each; stenographic reporter, $2,500; messenger, $840; in all, $54,840.

Mr. LONGWORTH. Mr. Chairman, it may be improper nowadays to use the designation "Washington" as the city where Members of Congress are to be addressed, but I received a letter this morning directed to me at Washington, and the trouble in it seems to be not that it is difficult to receive letters at Washington but that it is difficult to receive letters at Philadelphia. I ask that this letter be read in my time.

The Clerk read as follows:

CINCINNATI, OHIO, *January 14, 1919.*

Congressman NICHOLAS LONGWORTH,
Washington, D. C.

DEAR SIR: It was with interest I read the article in Saturday's issue of the Cincinnati Commercial Tribune with regard to the "mountains of undelivered mail for the soldiers," etc., and showing an effort on the part of the American postal authorities to fix the blame on the people "over there." But the question which I should like to see agitated is the fixing of the blame for the almost criminal inefficiency in the delivery of mail to sailors in our home ports. Let me state my case:

On July 2 my son, E. P. Romaine, was assigned to a ship, the U. S. S. *Merauke*, in Philadelphia Harbor. Some days later the ship was sent to New York to await convoy. There it lay until July 13 or 14, so I have since learned; then went overseas to St. Naziere; remained there a short time, probably 10 days or more, and returned to Philadelphia about the middle of September. From the day my son went on shipboard, July 2, although the ship lay in port many days, until he returned to Philadelphia in September not one letter of all those I wrote him reached him. On the last of September he again went abroad, returning on November 19. The conditions with regard to mail were as bad as before, nay worse. For upon returning to harbor he failed to receive a number of my letters, and those he did receive came dribbling in a few at a time in anything but the logical order, as No. 13, then 6, then 15, 7, 8, 14, 5, etc.

All of the above is bad enough, but the worst is what follows: On December 2 I mailed a Christmas box and package to my son. As a matter of fact, it takes 18 hours to go to Philadelphia from Cincinnati on the train. At the time of his sailing, December 6, he had not received either of those packages. Both packages had been insured. I wrote on December 10 to the postmaster at Philadelphia, inclosing 60 cents in stamps and asked him to please return the packages, as I did not want them to lie around the post office awaiting the return of the ship for two reasons: One was, the foodstuffs were perishable, and the other was that one package contained a watch which would be safer here than there. On December 12 Mr. John Thornton replied that he would investigate. I wrote again on December 18 asking that he at least return the 60 cents. I received a letter from him on December 20 stating that he had been unable to trace the packages and advising me to write to the Cincinnati post office, but not returning the aforesaid money. I had already written the full particulars to the Cincinnati postmaster on December 18, and up to date, January 14, I have received no answer.

I am a widow. I have cheerfully and gladly given two sons to the service of my country just at the time when they were getting able to provide for me. They were not dragged off to war, but enlisted. They went not from a spirit of adventure, but with a high and noble ideal of service in their hearts, and the gratitude of the Government they serve is manifested by such indifference and inefficiency as this.

Trusting that Congress may succeed in "fixing the blame," I am, my dear sir,

Most respectfully, CORA M. ROMAINE.

Mr. LONGWORTH. Mr. Chairman, I submit that for the RECORD without comment.

Mr. CAMPBELL of Kansas. Mr. Chairman, I rise in opposition to the motion of the gentleman from Ohio, and in reply ask the Clerk to read the letter which I now send to the Clerk's desk.

The CHAIRMAN. The Clerk will read.

Mr. BLACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLACK. Does it require unanimous consent to have letters of this sort read at this time?

The CHAIRMAN. It does to have them read by the Clerk.

Mr. CAMPBELL of Kansas. I ask that it be read in my time.

Mr. BLACK. I make the point of order that it is out of order on this bill.

The CHAIRMAN. The gentleman from Texas objects to its being read by the Clerk.

Mr. CAMPBELL of Kansas. Can I not read it in my own time?

Mr. CRISP. Mr. Chairman, I think the rule provides that no paper can be read at the Clerk's desk, except one that the House is called upon to vote on, when objection is made, unless the House requires it by a vote.

Mr. BLACK. I wish to change my objection to a reservation of objection and I will not press my objection at this time, but I want to make this statement: I do not think the reading of individual complaints of this kind during the discussion of a bill which has no relevancy to the subject accomplishes any useful purpose. Of course, instances of bad mail delivery to our soldiers and sailors are deeply to be regretted. We will all agree to that. My experience is that the Post Office Department is always ready and willing to investigate complaints of the kind

that can properly be charged to its jurisdiction. The mail delivery of our soldiers in France has been under the control of the military authorities, and complaints along that line can be properly addressed to them. Members who do not agree to much of the criticism that is frequently voiced on the other side of the House could just as equitably take the time of the House in making a reply; at least could as well afford to do it from the standpoint of justice and fair play, and much of the time of the House would be spent in discussing matters extraneous to the bill under consideration. These instances are, of course, to be regretted, but I think there is a better way to reach whatever trouble there is. I do not object in this instance.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MOLINE, KANS., *January 13, 1919.*

Hon. P. P. CAMPBELL,
House of Representatives, Washington, D. C.

DEAR SIR: Believing that you have the interest of the people at heart, and especially the boys who fought and suffered in the great war, I am appealing to you in behalf of my son, Corpl. Glen R. Sawyer, Company I, One hundred and thirty-seventh Infantry, Thirty-fifth Division.

Shortly after war was declared on Germany, at the age of 20, he enlisted in the National Guard at Manhattan, where he was attending college. This company was afterwards drafted into Regular service and his company was thrown with the Wichita company and labeled Company I of the now famous One hundred and thirty-seventh, an all-Kansas regiment, which has been cited for their bravery and deeds of valor at the bloody and nerve-racking battle of the Argonne forest.

On the morning of September 29 my boy was wounded in his left foot by a machine-gun bullet and his right leg by a piece of shrapnel, and about an hour afterwards, while he was trying to crawl back to the first-aid station, he was gassed. After he was wounded and ordered one of his men to take his squad and lead them on he has never (up to December 15, when his last letter was written) seen a familiar face nor learned the fate of the rest of his comrades, nor had a single message from loved ones at home. To add to his misery, his lonesomeness, and the very pleasant thought that he will always be a cripple is the fact that he is also without money—has not been paid but once since last March, and most of that had been taken up by payments on liberty bonds and his insurance—and I know of no way that I can send him money, letter, or cable, and am appealing to you for help. One lady here paid $14 for a cable to her wounded boy in France, but he never received the message. The people throughout the country have given up all the money, all the food, and all the men the Government has asked for, and I know that any Kansas farmer has ingenuity enough about him, if he had plenty of men and money at his command, to perfect a system whereby wounded soldiers could get their mail with very little delay. My boy did not enter this war for money considerations, but for home, for country, and for our old flag, and if the Government will send him home we will be glad to relieve it from all responsibility and take care of our boy ourselves, but we don't want him to die in France because he feels that Government and friends alike have forsaken him. Our last letter from him was written December 15, at Base Hospital No. 119, at St. Nazaire, France, where he had been nearly a month waiting to be sent home, and if the President and his wife have not been shopping lately, nor if some of his colored servants haven't been saying some cute things, so that you can get a cablegram through, I want you to find out if my boy is still there; and if he is, get him word that all is well at home and cable him some money; also wire Miss Harriet E. Stanley, No. 257 West Seventy-third Street, New York, if he has arrived there yet, as she is watching for him, and he has had plenty of time to arrive since his last letter.

Now, Mr. CAMPBELL, I know that you haven't the time to bother with this yourself, but for the love of humanity have some one to look after this under your direction and draw on me for all expenses through the Moline National Bank. I am not rich, neither am I what you would call well to do, but, if necessary, I will give a thousand dollars to relieve my boy's mind. He says that he feels just like Robinson Crusoe did when cast on an uninhabited island with no knowledge of what became of friends and home. My boy has given up his education, home, love, and money for his country. He has never complained, found fault, or written a single discouraging or blue letter home, but that shows the kind of stuff the Thirty-fifth Division is composed of.

Thanking you from the bottom of my heart and assuring you that I will do my very best to repay you in the future for any and all your efforts for my boy, I am,

Yours, truly,

E. E. SAWYER.

Mr. CAMPBELL of Kansas. Mr. Chairman, I could get no information whatever from the War Department. I then went to the Red Cross, and this morning through their assistance have cabled this young man $60 and the news that his parents were still thinking of him. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That the pay of telephone-switchboard operators, assistant messengers, firemen, watchmen, laborers, and charwomen provided for in this act, except those employed in mints and assay offices, unless otherwise specially stated, shall be as follows: For telephone-switchboard operators, assistant messengers, firemen, and watchmen, at the rate of $720 per annum each; for laborers, at the rate of $660 per annum each; assistant telephone-switchboard operators, at the rate of $600 each, and for charwomen, at the rate of $240 per annum each.

Mr. DYER. Mr. Chairman, I move to strike out the last word. I should like to ask the gentleman from Tennessee [Mr. BYRNS] if the $120 increase proposed in this bill will apply to those employees mentioned in section 2 which has just been read?

Mr. BYRNS of Tennessee. Yes.

Mr. DYER. Does it include the charwomen?

Mr. BYRNS of Tennessee. They get the increase up to 30 per cent of the salary which they receive.

Mr. DYER. The telephone operators and others will get the full amount?

Mr. BYRNS of Tennessee. They will get the full amount.

The Clerk read as follows:

SEC. 6. That all civilian employees of the Governments of the United States and the District of Columbia who receive a total of compensation at the rate of $2,500 per annum or less, except as otherwise provided in this section shall receive, during the fiscal year ending June 30, 1920, additional compensation at the rate of $120 per annum: *Provided*, That such employees as receive a total of annual compensation at a rate more than $2,500 and less than $2,620 shall receive additional compensation at such rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate of $2,620 per annum, and no employee shall receive additional compensation under this section at a rate which is more than 30 per cent of the rate of the total annual compensation received by such employee: *Provided further*, That the increased compensation at the rate of $120 per annum for the fiscal year ending June 30, 1919, shall not be computed as salary in construing this section: *Provided further*, That where an employee in the service on June 30, 1918, has received during the fiscal year 1919, or shall receive during the fiscal year 1920 an increase of salary at a rate in excess of $200 per annum, or where an employee whether previously in the service or not has entered the service since June 30, 1918, whether such employee has received an increase in salary or not, such employees shall be granted the increased compensation provided herein only when and upon the certification of the person in the legislative branch or the head of the department or establishment employing such persons of the ability and qualifications personal to such employees as would justify such increased compensation: *Provided further*, That the increased compensation provided in this section to employees whose pay is adjusted from time to time through wage boards or similar authority shall be taken into consideration by such wage boards or similar authority in adjusting the pay of such employees.

The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916; employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; persons employed by or through corporations, firms, or individuals acting for or on behalf of or as agents of the United States or any department or independent establishment of the Government of the United States in connection with construction work or the operation of plants; employees who receive a part of their pay from any outside sources under cooperative arrangements with the Government of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation, and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads as employees of the United States.

Section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916, as amended by the naval appropriation act approved August 29, 1916, shall not operate to prevent anyone from receiving the additional compensation provided in this section who otherwise is entitled to receive the same.

Such employees as are engaged on piecework, by the hour, or at per diem rates, if otherwise entitled to receive the additional compensation shall receive the same at the rate to which they are entitled in this section when their fixed rate of pay for the regular working hours and on the basis of 313 days in the said fiscal year would amount to $2,500 or less: *Provided*, That this method of computation shall not apply to any per diem employees regularly paid a per diem for every day in the year.

So much as may be necessary to pay the additional compensation provided in this section to employees of the Government of the United States is appropriated out of any money in the Treasury not otherwise appropriated.

So much as may be necessary to pay the increased compensation provided in this section to employees of the government of the District of Columbia is appropriated, one-half out of any money in the Treasury not otherwise appropriated and one-half out of the revenues of the District of Columbia, except to employees of the Washington Aqueduct and the water department, which shall be paid entirely from the revenues of the water department.

So much as may be necessary to pay the increased compensation provided in this section to persons employed under trust funds who may be construed to be employees of the Government of the United States or of the District of Columbia is authorized to be paid, respectively, from such trust funds.

Reports shall be submitted to Congress on the first day of the next regular session showing for the first four months of the fiscal year the average number of employees in each department, bureau, office, or establishment receiving the increased compensation at the rate of $120 per annum and the average number by grades receiving the same at each other rate.

During the reading of the foregoing—

Mr. KEATING. Mr. Chairman, I have an amendment which I desire to offer.

Mr. BYRNS of Tennessee. As we are now reading section 6, I ask if amendments should not be withheld until we complete the section?

The CHAIRMAN. This is a general appropriation bill, and is being read by paragraphs.

Mr. BYRNS of Tennessee. Then I ask unanimous consent that the entire section be read, and that it be then in order to offer amendments or to make any points of order.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the paragraph may be read, after which

amendments or points of order may be made to any part of the section. Is there objection?

There was no objection.

The Clerk resumed and completed the reading of the foregoing.

Mr. KEATING. Mr. Chairman, on page 146, line 18, I move to strike out "$120" and insert "$360."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. KEATING: Page 146, line 18, strike out "$120" and insert "$360."

Mr. KEATING. Mr. Chairman, several gentlemen have expressed a desire to speak on this amendment. I am wondering if it would not save time to make some sort of an arrangement now.

Mr. BYRNS of Tennessee. I was just going to ask the gentleman from Colorado if we could not agree upon, say, 30 minutes' discussion?

Mr. MASON. I would like 10 minutes, and I would not want to agree to any time which would not give me that opportunity.

Mr. BYRNS of Tennessee. I think the gentleman can get his time under an agreement. It seems to me it would be more in line with what the Members generally desire if we could come to some agreement now, limiting the debate, and I hope we can agree upon some reasonable time.

Mr. KEATING. Say half an hour for our side of the proposition.

Mr. BYRNS of Tennessee. It seems to me we ought to close this debate in less than an hour. I would suggest to the gentleman 20 minutes on a side. I do not know how many desire to oppose the amendment.

Mr. BLACK. I should like to have five minutes in opposition.

Mr. BYRNS of Tennessee. I think the time ought to be equally divided between those who are for and those who are against the amendment.

Mr. MASON. I do not want to consent to any agreement unless I can have 10 minutes.

Mr. DYER. Unless there is some agreement arrived at, any Member can move to close the debate after 10 minutes.

Mr. MADDEN. Why not submit it as a part of the request that my colleague [Mr. MASON] shall have 10 minutes?

Mr. BYRNS of Tennessee. I think this is practically the only remaining contested portion of the bill, and the gentleman from Colorado has suggested that 30 minutes will be sufficient for those who favor his amendment. I therefore ask unanimous consent that all debate upon this section and all amendments thereto close in one hour, the time to be allotted by the Chair evenly between those who are for and those who are against the amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. MASON] desires 10 minutes.

Mr. BYRNS of Tennessee. I do not object to that.

Mr. MADDEN. I ask that out of the hour the gentleman from Illinois [Mr. MASON] be given 10 minutes.

Mr. HUMPHREYS. On which side?

Mr. MASON. I am in favor of the amendment.

The CHAIRMAN. The gentleman from Tennessee [Mr. BYRNS] asks unanimous consent that debate on this section and all amendments thereto close in one hour, one-half the time to be given to those who are in favor of the pending amendment and one-half the time to those who are opposed, and that the gentleman from Illinois [Mr. MASON] have 10 minutes of that time.

Mr. BYRNS of Tennessee. And the debate to be confined to the subject matter of the amendment.

Mr. GALLAGHER. Reserving the right to object, I should like to have five minutes.

Mr. MADDEN. The gentleman can get the Chair to put his name down.

Mr. BLACK. I do not know whether my name is on the list or not, but I hope it is.

Mr. GALLAGHER. I should like to have the Chair put my name down for five minutes.

Mr. NOLAN. I should like to be recognized for five minutes in favor of the amendment.

Mr. BYRNS of Tennessee. Let us have the request submitted, Mr. Chairman.

The CHAIRMAN. Can not gentlemen indicate to the Chair who is to have the time? The Chair thinks an hour will cover all the allowances, but he is not sure.

Mr. AUSTIN. Reserving the right to object, I suggest that we make it an hour and a half.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee which has been stated by the Chair?

There was no objection.

Mr. MASON rose.

The CHAIRMAN. The gentleman from Colorado [Mr. KEATING] is entitled to recognition.

Mr. KEATING. Mr. Chairman, I yield the floor to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I desire to speak of the particular locality where I live and the amount of money that is paid to Federal employees there. The pay of the charwomen and the laborers, the elevator men and watchmen in the Federal building in the city of Chicago is so low as to amount to an absolute disgrace to the Government of the United States. Case after case of charity is found among the people who are employed by the United States Government. The assistant custodian of the building has been obliged to advertise, and to do it at his own expense, for help, so many of the employees have left. Sometimes 15 or 20 people reply, but none will take the employment. The charwomen are getting as low as about $27 a month. Let me call your attention to one case, that of Estelle Austin, who died in an infirmary from tuberculosis one year ago. One of the internes called at the custodian's office afterwards and informed the assistant that the woman contracted the disease because of not receiving proper nourishment, stating that it was a crime to have anyone work for the wages the Government was paying. She had herself and her father to support. Her pay I think was about $27 a month.

I have here before me a petition, which with the permission of the committee I shall insert at this point in my remarks:

To the United States Senate and House of Representatives:

We, the undersigned, desire to call the attention of your honorable body to the condition of salaries in the custodian service of the Federal Building, Chicago.

Elevator men are receiving only a paltry $60 per month, and as a result most of the former reliable force has left and now the personnel is constantly changing, a dangerous and annoying condition. For $60 a month watchmen guarding the building are expected to work seven days a week and buy their uniforms. The laborers and charwomen are in a similar, deplorable condition.

There is now a resolution before the House to grant an increase of $1 per day to these employees pending the reorganization of the Federal service, and it is our earnest plea that such increase be given, in order to meet in part the very great increase in the cost of necessities, and that Federal employees may enjoy at least a "living wage."

Respectfully submitted.

Kenesaw M. Landis, Arthur L. Sanborn, Geo. A. Carpenter, judges of the district court; Peter Newton, secretary Civil Service Commission; Chas. Schirmer, examiner Railway Mail Service; J. E. Mansfield, examiner Railway Mail Service; Ed. M. Hodgetts, inspector railway mail cars; C. H. Otis, chief examiner Railway Mail Service; Thomas I. Porter, chief United States Secret Service; Read Hanna, chief pension examiner; Frank Shoenfield, chief clerk Railway Mail Service; Benj. F. Carle, chief clerk Railway Mail Service; W. H. Wagner, chief examiner naturalization service; Frederick W. Weber, assistant chief examiner naturalization service; Jno. M. Hubbard, jr., superintendent money-order division (post office); Julius A. Smitanka, collector internal revenue; Walter Greenwood, boiler inspector; Peter Larson, boiler inspector; William Nicholas, chief boiler inspector; Paul Hermes, Treasury agent; Henry J. Cox, weather forecaster; Lewis F. Maser, United States commissioner; Joseph F. Ryan, chief deputy marshal; Charles L. Mitchell, assistant weather forecaster; Arthur E. Claussen, clerk United States court; John H. R. Jamar, clerk United States court; J. V. Shoemaker, clerk United States court; J. E. Fay, clerk United States court; John Felker, clerk United States court; Thomas I. Sell, clerk United States court; C. B. Morrison, master in chancery; P. J. Barry, acting superintendent bureau of investigation; James P. Rooney, special agent bureau of investigation; D. F. Crowly, assistant superintendent Railway Mail Service; D. H. Galbraith, superintendent of mails; Jno. M. Hubbard, assistant postmaster; Frank Boswell, assistant United States attorney; John H. Lally, assistant United States attorney; E. J. Whitty, assistant United States attorney; John B. Boddie, assistant United States attorney; Charles F. Clyne, United States attorney; Joseph D. Flemming, United States attorney.

Think of a man having to support a family, buying his own uniform, trying to educate a family on $60 a month! The condition of that building is simply a disgrace to the Government of the United States because of niggardly, miserable salaries that are being paid there. A comparison with the pay for the same sort of labor in the City Hall in Chicago would show a very great difference in the wages paid by the city and those paid by the Government. I do not want to encumber the RECORD by inserting all of the letters which I hold in my hand, but my colleagues can see what a number I have. They are letters of men who have resigned from the work simply because they could not live upon the wages paid. To be an employee of the Government of the United States should add some dignity to the employment; but just think of the conditions, when in some cases they are dependent upon the county agents to eke out a living, while doing service for the Government of the United States.

Mr. Chairman, I reserve the remainder of my time.

The CHAIRMAN. The gentleman from Illinois has consumed five minutes.

Mr. MASON. Mr. Chairman, I hold in my hands 150 letters addressed to Rivers McNeill, custodian, most of them resigning their positions, each one giving as a reason that they could not live on their pay, some of them saying they declined the appointment, and in every case do so on account of poor pay. I insert here rates paid by the custodian of the City Hall, Chicago, and a resolution showing pay of some work in Government building:

Rates of pay prevailing in the custodian service of the city hall, Chicago, Ill.

Designation.	Compensation per month.	Number of hours worked.	Remarks.
Charwomen	$80.00	5½	No Sunday work.
Laborers or janitors:			
First year	80.00	7	Do.
After 2 years	85.00	7	Do.
Window washers	90.00	8	Do.
Elevator conductors	100.00	8	And are furnished 2 suits and 2 shirts every year.
Elevator starters	125.00	8	Also furnished suits.
Coal passers	105.60		
Firemen	120.00		
Assistant engineers, 2d class	150.00		

Whereas Delegates Charles F. Nagl, Luther C. Steward, and E. J. Newmyer, of the National Federation of Federal Employees, have introduced resolution No. 87 at the convention of the American Federation of Labor held at St. Paul, Minn.; and

Whereas said resolution was prompted by the extremely poor wages now being paid to employees in the Custodian Service in the 1,200 Federal buildings all over the country as shown by the following table:

	Per month.
Charwomen	$27.08
Laborers	55.00
Window washers	55.00
Elevator conductors	60.00
Marble cleaners	60.00
Watchmen	60.00
Cabinetmakers	65.00
Oilers	70.00
Stenographers	75.00
Engineer helpers	83.33
Foremen	83.33

Plus a monthly increase of $8.12 to charwomen and $10 to all other employees granted by Congress for the fiscal year beginning July 1, 1918, and ending June 30, 1919; and

Whereas readjustments in wages have been made in practically every other department in the Government service except in the Custodian Service, where no heed is given to the appeal of those employees for some aid to meet the ever-increasing high cost of living; and

Whereas this discrimination results in inconsistencies in the rates of pay for employees in the Government service doing the same kind of work and working side by side, and fosters dissatisfaction and inefficiency on the part of the lower-paid employees; for instance, laborers in the post office receive $1,038 per annum, while the compensation for laborers in the Custodian Service, whose work is harder and more hazardous, is only $780 per annum; and

Whereas said resolution No. 87 was referred to the committee on executive council's report, who concurred in the cause prompting that resolution and approved the object desired and recommended that the executive council of the American Federation of Labor use all methods and means deemed advisable by them to accomplish that purpose, and this report by the committee was adopted; and

Whereas in view of the lack of results and no report of their actions being submitted by the said executive council, it seems that no action was yet taken by them to obtain relief for the underpaid employees in the Custodian Service of the United States, who find it harder every day to support their families decently and to provide for them comforts necessary to life on the meager wages now being paid to them.

Mr. AUSTIN. Mr. Chairman, for 10 years I have been an advocate in this House for readjustment, reclassification, and equalization of salaries. I had hoped to see the time come before my departure when these inequalities which have stood for half a century or more would be removed. In the last appropriation bill an increase of $10 a month was added. The Committee on Appropriation's proposition now is to continue for another year the $120 and create a commission to study the question and report legislation to the next Congress. I know that the membership of the House has an open mind upon this question. All seek and desire to do right and justice, not only to the Government but to every employee from the humblest to the highest. In no section of the Republic are living conditions more trying or more expensive than they are in the city of Washington. We require and expect of the Government officials that they will be a credit, not only to themselves but to the great Government they are serving so well and so faithfully.

In the daily Times of this city two days ago appeared an editorial carrying a letter from a mother whose husband is an employee of this Government. I desire to have the Clerk read that letter in my time. It is an appeal which ought to reach the heart and conscience of every man who sits on the floor of this House. All that I ask of my colleagues in the consideration of this proposition and in casting this vote is to place themselves in the position of the Government employee in the city of Washington. This is an appeal from those who render the highest possible clerical service in all this country. Every one of us is a daily witness to the creditable and efficient manner in which the public business is transacted. It is done so thoroughly, so efficiently, it is certainly worthy of the most careful consideration when we are to pass upon a just and fair compensation for those who perform it.

Mr. Chairman, I ask the Clerk to read the letter carried in the editorial which I send to the desk.

The Clerk read as follows:

I am the wife of a Federal employee who receives the large sum of $720 per annum, and also the mother of seven dependent children.

I would like to rear my children to be honest and respectable citizens, but how in the name of God can I do it with such starvation wages? As a rule, the poor man has a large family, and it is the poor man that contributes the majority of soldiers and sailors to his country. Uncle Sam expects his soldiers to be strong and brave, but I would like to ask some of those Congressmen how they expect the future soldiers and sailors to be strong and brave when in their infancy they are underfed and deprived of the necessities of life.

Mr. BLACK. Mr. Chairman, I expect to support the recommendation of the committee, as it is already written in this bill to grant salary increases of $120 to all of those Government employees who receive $2,500 or less, except certain enumerated exceptions which have been provided for in other bills, such as postal employees. I think my record of votes in the House on these propositions of salary increase is reasonably consistent. Wherever I have thought the increases proposed were reasonable and justified by the services to be performed, I have supported them. Wherever I have thought the increases were unreasonable and not justified, I have voted against them. At the present session I voted against the proposition to increase the salaries of the Federal judges. I did not do so because of any lack of respect for the Federal judiciary, nor because of any undervaluing of their work, but I voted against the proposed increases because I believed the salary which they now receive is a good one and is ample to support themselves and their families in comfort. And I want to pause right here long enough to speak about a matter of criticism which I have recently observed in the press and elsewhere with reference to the salary of $12,000 paid to our Cabinet officers. Most of the printed discussion which I have seen in the papers was in advocacy of increasing the amount.

I do not agree to that proposition. I think that one of the things most needed in the United States to-day among our rich and well to do is to get back to the old-fashioned simplicity of living which used to be the rule to a much greater extent than it is to-day. I do not know of anything in our modern life which I think is more productive of much of the discontent which exists in the world to-day than the luxury and extravagance which has grown up in the mode of living among some of our rich and well to do. We need to get back to the simple life. The United States, least of all nations in the world, can afford to tolerate caste or class distinction, and I know of nothing that will remove it more quickly and more effectually than simple and modest standards of living among all classes of our people. I merely say this in passing with reference to a condition which may well arrest our thoughtful attention.

Now, back to the question of this salary-increase proposition. It is one of the laws of economics that in a period of war inflation that prices of commodities rise much more rapidly than do wages and salaries, and when that period of war inflation has passed the reverse is true and the prices of commodities fall more rapidly than wages and salaries. Of course, there are some exceptions, but this is undoubtedly the rule. It is well that it should be so, because it is one of nature's evening-up processes of adjusting the equities between the different classes of workers. Now, every sensible man knows that we have been passing through a period of unprecedented war inflation. The prices of commodities have risen rapidly and many of them to very high figures. But it is also undoubtedly true that the period of war inflation has reached its crest, and that there will be a fall in the prices of commodities, and this fall will increase the purchasing power of the dollar and thereby increase the value of the wage. This will within itself amount to an increase in wages in so far as its effect is concerned. Therefore, in view of the facts, present and prospective, and in view of the need for at least a reasonable amount of economy in Government expenditures, I will support the recommendation of the committee to increase these salaries $120 per annum rather than the amendment now proposed to make the increase $360 per annum.

Mr. LAZARO. Will the gentleman yield?

Mr. BLACK. Yes; I will yield.

Mr. LAZARO. In view of the fact that so much territory that was devoted to production has been converted into——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK. My time has expired, and I regret that I will be unable to answer the question which the gentleman was about to propound.

Mr. NOLAN. Mr. Chairman, my colleague from Idaho [Mr. SMITH], if he were here, would be in favor of this amendment. Unfortunately he has been sick for the last two days, and he asked me to have incorporated in the RECORD a letter received from the president of the United States Civil Service Commission and some statistics which he received from the Housing and Health Division of the War Department regarding the appointments and separations from the civil service from the month of March, 1918, to the month of December, inclusive, showing a total of 75,588 appointments and 40,718 separations. Out of the 75,588 employees who came here, 40,718 were dissatisfied and returned to their homes, or approximately that number, figuring those who had been here prior to March of last year, who had separated themselves also. I desire to have that incorporated in the RECORD along with the letter to Mr. SMITH, who would have supported this amendment.

The letter and statement referred to are as follows:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., January 15, 1919.

Hon. ADDISON T. SMITH,
House of Representatives.

MY DEAR MR. SMITH: I inclose herewith a statement showing by months the number of appointments to and separations from the Government service in Washington from March to December, 1918, inclusive. This information was prepared by the Housing and Health Division of the War Department from reports of the several departments and independent establishments. The information was not prepared for the earlier months of the year.

There has been much discussion of the inadequacy of salaries paid by the Government, but dissatisfaction with pay received is only one of a number of reasons for resignation from the Government service.

Very respectfully,

JOHN A. MCILHENNY, *President.*

Statement of appointments to and separations from the Government service, by months, from March to December, 1918, inclusive, prepared by the Housing and Health Division of the War Department.

Month.	Appointments.	Separations.	Increase.	Decrease.
March	6,567	2,450	4,117	
April	7,529	3,046	4,483	
May	6,272	3,251	3,021	
June	8,233	3,908	4,325	
July	8,736	3,099	5,637	
August	8,075	3,736	4,339	
September	10,943	5,291	5,652	
October	10,432	6,189	4,243	
November	5,525	4,755	770	
December	3,276	4,993		1,717
	75,588	40,718		

Mr. NOLAN. Now, Mr. Chairman, I want to call the attention of the Congress to the way we have been treating the employees under our care compared with the way that the employees of the Government under the care and jurisdiction of the various boards created by Congress who have jurisdiction over wages and salaries are treated. The Railroad Wage Board, the Wage Adjustment Board, and the War Labor Board have been active in taking up the question of wages of the employees of the Government of the United States and those employed by contractors on contracts with the Government of the United States, and in many instances the War Labor Board has adjudicated disputes between the employer and the employee in private industry. Now, take the case of the Railroad Wage Board. The Railroad Wage Board gave exhaustive study to the condition of the railroad wages of this country and gave an increase to every man in the employ of the railroads of this country receiving $3,000 a year and less, giving the largest increase to the poorest-paid employee. The Wage Adjustment Board, the Emergency Fleet Corporation, adjusted wages, and in this instance and in the case of the War Labor Board they based their findings upon the increased cost of living. Now look at the difference between the boards, the institutions created by Congress to deal with employees, and Congress itself. You give a flat increase of $10 per month to both the lowest-paid employee and those receiving salaries up to and including $2,500 per annum.

This committee has given no consideration whatever to the actual increase in cost of living of Government employees, whereas the increases allowed by the Wage Adjustment Board, the Railroad Wage Board, and the War Labor Board have been based on increased prices. This is the only fair way to treat this wage and salary question, and if we were as just as our wage boards and commissioners we would be paying a great deal more money to the Government workers than the amendment of the gentleman from Colorado provides for.

Mr. SISSON. Mr. Chairman——

The CHAIRMAN. The gentleman from Mississippi is recognized for four minutes.

Mr. SISSON. Mr. Chairman, I wish the members of the committee would stop and consider one minute what this amendment means. This bill carries in round figures about $90,000,000. This amendment will add in the neighborhood of $40,000,000 to this bill.

Mr. MOORE of Pennsylvania. What?

Mr. SISSON. About $40,000,000, making the legislative, executive, and judicial appropriation bill about $136,000,000 instead of $90,000,000. Now, the next session you gentleman are going to have control of the House. This is a most radical increase in salaries. The purpose of the committee a year ago in putting the $120 increase into the bill was for the purpose of taking care of the physical increase in the cost of food.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SISSON. I have only four minutes.

Mr. MOORE of Pennsylvania. I only wanted to know if the gentleman referred to the $120 amendment or the $360 amendment.

Mr. SISSON. The $360 amendment.

Mr. MOORE of Pennsylvania. And that carried $40,000,000 increase?

Mr. SISSON. Yes; more than the present bill. Now, there is objection made to the fact that everybody gets the $120 increase, but the percentage of the increase on the lower-paid salaries is very much greater than on the higher-paid salaries. Now, it is a most difficult matter to adjust salaries. If you were to undertake to adjust salaries in all the departments of the Government you have got a man's job for at least a year; and the great difficulty in adjusting salaries is, first, to determine the character of the work done by the employee, and even then you ought to know something about the efficiency of the employee. We have no proper efficiency system in this Government. Now, this $120 is a gratuity.

I am going to call your attention to one fact: This bill will carry $360 increase for the teachers of the District of Columbia, and yet the basic salary of the teachers' pay in the bill that just passed the House is higher—the basic salary of the teachers in the graded school—than in any other city in the United States; and, when you add to it the longevity pay, they are the best paid school-teachers in the United States, irrespective of whether you complain about low-paid or high-paid teachers. I have now in my office reports on 20 or 30 cities and from the State superintendents in which they give the basic salary. The city of Philadelphia, in the high-school grades, pays a little better salary than the District of Columbia. In the city of Chicago, in the higher grades, they pay a little better salary than in the District of Columbia; but in what is the graded-school districts the higher salary, irrespective of the regular longevity increase, is paid in the District of Columbia; and if you take the employees in the District of Columbia and compare them with like employees of all the city governments in the United States the average pay and the base pay are higher for like work than in any city in the United States. You may take the clerk hire here and the clerk hire in the city of New York, and in the city of Philadelphia, and in the city of Chicago, and for like work we are paying a higher wage in the District of Columbia now than they pay there; and this committee, in view of the fact that there was a congested condition of population here, in view of the fact that there was a condition here which did not prevail in other cities, notwithstanding the fact that they were getting a higher average pay than other cities, added $120, which would cost some $17,000,000 for the employees of this Government. Gentlemen, you had best think before you thoughtlessly adopt the $360. I hope you will vote it down.

Mr. GALLAGHER. Mr. Chairman, before it is decided that what the gentleman says is a fact I think it would be well to look up a few of the statistics regarding not only the pay of teachers but the pay of Government employees everywhere——

Mr. SISSON. I have.

Mr. GALLAGHER. Of Government employees particularly. Now, we were very charitably disposed in the early part of this week, and we voted $100,000,000 to take care of the poor in the Old World, and I was in favor of it. Now, I am one of those who believe that charity should begin at home just the same, and if it is anywhere necessary to do charity I think it is among the poorly paid Government employees of the United States, regardless of what they get or what you propose to give them.

My colleague from Illinois [Mr. MASON] referred to a condition in Chicago. How can a man in a big city who has a family and gets only $60 a month live upon that amount and support his family? And I would like to know by what kind of reasoning they can be said to be getting good pay. Now, I have a copy of

the petition that the gentleman from Illinois [Mr. MASON] called your attention to, and I wish to say that they are having the most difficult time to retain people in the Government service in order to do the work that is necessary in the Federal Building at Chicago. It is one of the greatest Government buildings in the country—not the kind of a building that it ought to be; it is a makeshift. The conditions in that building under which these people work are simply deplorable. Now, I am in favor of being half decent, at least, with the employees of the Government. We passed a bill here the other day for $27,000,000 for the improvement of rivers and harbors—rivers where there is no commerce at all. I did not hear any very great amount of opposition to that bill. That is a waste of money. But whenever there is a proposition here to raise the pay of an employee I have noticed ever since I have been a Member of Congress, when we want to raise wages, there are always people anxious for the time to oppose any such proposition. I hope the amendment will pass.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, Governments, as a rule, rarely pay high salaries, and ought not to do so. The pay is certain. There is no danger of bankruptcy. But while the Government ought not to pay high salaries, a Government which can exist at all ought to be able to do justice to its employees, to the men who work for it. We have been lavish in expenditures of money in many directions, frequently when I was in opposition to the proposition. Can we now afford not to increase the salary, but to refuse to do justice, to the employees of the Government? Everywhere throughout the land in private employment men and women have received an advance in pay much more in proportion than is proposed by the pending amendment—a demand that came and a demand that was conceded because of the great increase in the cost of actual living. It would not perhaps be the best time now to fix permanent salaries of Government employees, because we all hope that the cost of living will be reduced, though I do not apprehend that it will go back to where it was before the war in years to come, if it ever does. We can afford, inasmuch as we are a great Government, to pay living wages to the men and women who work for the Government. We can not afford to pay starving wages to them. It is not right to ask it. It is not right to expect it. It is no answer to say that these men can leave the employ of the Government. The question is, Can the Government itself afford to be just in its dealings with those who work for it? I think the Government can afford to be just, as I think private employers are forced and compelled by circumstances to be just. These people will not lay up great supplies of money even with the increase that is proposed here. But they ought to receive pay enough to give them decent living, allow them to have children, and provide some education for their children. I think we can afford to be economical in many directions, but not by starvation wages to those who work for and really maintain the work of the Government itself. [Applause.]

Mr. WOOD of Indiana. Mr. Chairman and gentlemen, the gentleman from Texas [Mr. BLACK] said the thing to do was to go back to the simple life. I dare say, the Government employees that are receiving $60 or $75 a month would like to see the gentleman from Texas or some one else with mighty power wave his magic wand and bring them back to the simple life. Bring them back to the days——

Mr. BLACK. Mr. Chairman, will the gentleman yield for a question?

Mr. WOOD of Indiana. I have only two minutes. I wish I could yield, but I can not. Take the things that the poor man has to buy—the man who is working for the Government at $60 or $75 a month—to keep his soul and body together and to keep the soul and body of his family together. He has to pay 85 cents a dozen for eggs. All character of vegetables have increased in price from 200 to 400 per cent. Take the case of a family such as that spoken of by the gentleman from Tennessee, consisting of a wife with seven little children, where the wife can not get enough for one day's wage of her husband to enable her to give to each of her children a bite of meat.

That is the condition that is confronting us now, a condition not brought about by these men and women working for these wages, which would seem ample in ordinary times when we were back in the simple life. Yet we see this spectacle to-day in the case of people working on salary, clerks and people under Government employ, who are the poorest paid people in all the United States. The average section hand on a railroad to-day is getting $90 a month. A car knocker, whose business it is to sound the wheels when the train rolls into the station to see whether the wheels are safe or not, gets $150 a month. The average jack-leg carpenter gets $8 a day. Your Government clerks get only $60 a month—the same as they got before we entered into this war and before the present high prices of commodities obtained. Something must be done in common justice, in common humanity, to relieve this situation. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. MASON. Mr. Chairman, I have remaining of my time five minutes. I yield one-half of that to the gentleman from New York [Mr. SNYDER].

Mr. GOOD. Mr. Chairman, I ask unanimous consent that the time allotted for the debate be extended 30 minutes, one-half for and one-half against.

Mr. NOLAN. Mr. Chairman, reserving the right to object, I was very much interested in this amendment, yet I had to keep my time down to three minutes.

The CHAIRMAN. Is there objection?

Mr. BARKLEY. I object.

The CHAIRMAN. The gentleman from Kentucky objects. The gentleman from New York [Mr. SNYDER] is recognized for two minutes and a half.

Mr. SNYDER. Mr. Chairman, in my judgment there is justification for this increase from $120 to $360 which has been asked for. I have in mind an increase that has taken place in a manufactory which manufactured during the war period a semiessential. The average wage rate in that factory, including men, women, and children, during April, 1917, was $17.71 per week, some getting more and some less, or $930.92 per annum, whereas in December last, December 28 of last year, 1918, the average weekly rate for every man, woman, and child was $27.61, or $1,425.72, or an average increase per annum of $494.80.

This proposed increase here, in my judgment, is not more than any employee of the Government should have had to compensate for the difference between the high cost of living at this time and the cost of living previous to the war.

Of course, I am in hope, as every one else is, that during the period that we are now legislating for the necessities will decrease in cost to some extent, and while I shall support the $360 proposition, yet, in view of the great possibility, in my judgment, of a decrease in the cost of living during the period that we are legislating for, I would prefer to vote for an amendment that would provide for an increase of $240 instead of $360.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. STAFFORD. Mr. Chairman, there is no question but that there are some inequalities in the pay of some of our Government employees, but a survey had a year ago as to the comparative salaries of those in civil employment with those in public employment, so far as the clerical force was concerned, showed that, notwithstanding the shortage of labor and the mounting prices in civil employment, which were at the peak, yet the Government salaries were greater than those paid in private employment. Yet on top of that the committee came in here and recommended an appropriation of $120. Now it is sought, because of this organized effort on the part of Federal employees throughout the country, to raise that to $360.

The Commissioner of Internal Revenue has at his disposal in this bill $21,000,000 for the collection of internal revenue. In the last year, under the authority vested in him, he has revised the pay of all those officials, ranging from $1,400 up to $2,500 and above. You plan to give the stenographers in the District here, who are receiving $1,200 or $1,400, more than is being paid in private employment, where they are obliged to work with greater intensity and where they are not allowed 30 days' leave, an increase of salary of $360, amounting to a total drain on the Treasury of $28,000,000.

Oh, it is easy enough to come and ask for this great increase, but if you vote it you will never withdraw from it, because it will be there always to haunt you.

Now, we are providing for a commission here to equalize salaries. For years in the Committee on Appropriations I have been seeking to raise the salaries of the lower-paid officials, those receiving $720 and $840, but my efforts have been unavailing. This year the effort failed by a tie vote. I want to see those salaries raised, but I protest against the unfair method that is being adopted by the organized employees of the country in trying to raid the Treasury now by asking for a higher allowance, when it is admitted that the cost of living will go down. No one who has studied this question can deny but that the Government is a better employer than private employers. No one can deny that in these clerical positions we pay more than private employers.

Oh, true, we pay the charwomen $240 or $320 for two hours' work a day. They have other employment. True, we voted to the postal employees $200 increase. Those employees are persons employed out in the field, who are, in most cases, married; but the great majority of the employees provided for in

this bill are single persons, receiving on an average $1,200 a year, and now you propose in one fell swoop to raid the Treasury to the extent of $28,000,000 just because they have become organized. If we are going into Government ownership of railroads and other public utilities, let us here and now establish the record that we will not be stampeded by raids on the Treasury by organizations of Federal employees merely writing to us and asking increased salaries when they are being paid more than private employees, and who are only too glad to retain their Government positions because they are easier and better paid than those in private employment. They do not resign from the Government service, and there is no better proof of the fact that their salaries are better than those in private employment, when there were plenty of opportunities for employment under private employment, than the fact that they did not resign.

Mr. MASON. Mr. Chairman, how much time have I?

The CHAIRMAN. Two minutes and a half.

Mr. MASON. I want to say to the gentleman that he is mistaken and that these Government employees do resign, and that I hold in my hand here a pile of letters written by men working for $60 a month who left those places to get $5 and $6 a day. They do resign; and their resignations impair not only the credit and good standing of your Government, but they impair the service; they impair the sanitation; they impair the care of the public buildings of this country.

Mr. STAFFORD. Will the gentleman yield? Is there an official who states that they impair the Government efficiency? Can the gentleman cite one instance where any Government official makes that charge?

Mr. MASON. I can if you will give me the time; I can not in a minute and a half. But I say that in the city of Chicago the Federal building there is not being properly cared for. I do not intend to burden the RECORD with all these letters of resignation, but I ask leave to make a synopsis of them. It is not true that for the same service the Government is paying as much as private employers in the city of Chicago. Elevator men there in private employment are getting from 50 to 75 and 100 per cent more than they are getting from the Government of the United States and they do resign, and in a way that throws discredit upon the Government of the United States. I understood that the charwomen worked more than two hours a day for $27 a month; but in the great city of Chicago they have got to pay their car fare, they have got to go at a particular time to do that work, and it is a fact that we are impairing the service and discrediting the good name of the Government of the United States.

PERSONAL EXPERIENCE LETTERS, CUSTODIAN SERVICE.

[Extracts.]

"I am employed at a salary of $55 per month. I have a wife and two children dependent upon me for support and am compelled to deprive myself and family of all amusements or recreation. My wife is compelled to work in order to make both ends meet."

—

"I have a wife, three children, and a mother to support. I have to work after office hours, because $60 per month is not enough to keep my family in health. When I think of what we passed through last winter, I could wish that God would take my children out of their suffering rather than stand by helpless."

—

"The salary which I am receiving as charwoman does not bear my expenses, and therefore I am compelled to do other work to support myself and three children."

—

"I am employed at a salary of $660 per annum. I am compelled to seek work on the outside in order to make both ends meet. Amusements are out of the question. Should I become ill I do not know what would become of my family, because it is absolutely impossible for me to lay aside one cent for any contingency."

—

"I am employed at a salary of $60.60 per month and have to do outside work in order to meet my expenses, and they are getting worse. And my wife has to work in order that she may help clothe herself and our child."

—

"I am a single man endeavoring to take care of my parents, who are becoming feeble with age, and I am unable to live off my present salary of $60 per month. I am, therefore, forced to seek evening employment, which prevents me from taking rest after the completion of one job."

—

"I only get $60.50 a month and have five in the family. My wife has to do laundry work to help when she is able, and after putting in a day's work at the post office I have to hunt other work in order to get by."

—

"My small salary of $840 per annum is not sufficient to support my family. In order to make both ends meet, I have been compelled to work from 4.30 a. m. to 8.30 p. m. I am compelled to live in the country at a disadvantage in order to cultivate a few acres of land and raise some chickens. This all means hardship, and even using these means it is a struggle to live. I never know what a day's pleasure or holiday is, for it is work all the time to meet the necessities of life."

—

"During the last three years I have rented a small farm and begin the day at 4.30 and work until about 7 a. m. and then leave my home for the city, and on returning home in the evening I begin again and work until about 9 o'clock and sometimes 10 o'clock at night, and take all of my 14 days' holiday to work on the farm."

—

"Employed as messenger at $840 per annum. I have a wife and five little children, and find the compensation inadequate for the support of my family, even with the utmost economy, and am obliged to seek work at night. Our compensation has not been increased for many years."

—

"My salary as charwoman is $25 a month. I have to seek employment outside in order to take care of myself and blind daughter."

—

(Another employee in the same service writes that his salary being insufficient to support himself and his wife and children, he is obliged to gather rags after office hours when he should be resting.)

—

"I am employed in the United States public stores, and have not only been forced to do outside work at night in order to live but I have been compelled to take my 15-year-old boy out of school in an effort to keep up, and then I am unable to do so on my present salary of $70 per month, with a bonus of $10 for this year only. I have a wife and three children under 16 years of age, and in keeping with American citizenship it is necessary that I keep my children looking decent and respectable, have a comfortable home, keep them comfortably clad during the winter, and give them an education, if for no other purpose than becoming good American citizens, that they may not of necessity become a burden on us or our country. Could you do this with the above salary? Furthermore, I was compelled to utilize the 14 days given me this year as annual leave to work in a packing house at $4 per day. Is it possible that an individual who works for the United States Government has to go outside to take extra work because of the inadequate salary paid by the Government, and also keep his children out of school (which in itself is a disgrace to the Government) in order to earn the necessaries of life?

"Gentlemen, can you tell me how the standard of American citizenship can be attained at the present cost of commodities on a wage of $70 per month? And how I am to call in a doctor in case of necessity at $3 or $5 a visit?"

Mr. LANGLEY. Mr. Chairman, I am glad to have the privilege of casting my vote for such a just and righteous measure as this is. I know from my own experience as a former employee of the executive branch of the Government what conditions in the departments have been and what they are to-day. I would gladly vote to make the increase even larger than this amendment proposes in——

Mr. GORDON. Will the gentleman yield?

Mr. LANGLEY. No; I can not, as I only have a moment or two.

Mr. GORDON. How much does he think this increase ought to be, if it is too small?

Mr. LANGLEY. I had not finished the sentence. What I had in mind to say was that I would vote even for a larger increase than is proposed in the cases of persons who are in the lower salary grades. There is where the privation really exists. I wish I had time, Mr. Chairman, to state my views more elaborately on these matters to the committee, but since I have not I ask unanimous consent that I may extend my remarks in the RECORD for that purpose.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Chairman and gentlemen of the House, I think it is well not to be swept off our feet touching certain conditions that may need pronounced remedying, to which the gentleman from Illinois [Mr. MASON] has referred, and in order to deal with such a situation we ought not to deal with a great many others that do not present anything like the equities that may exist in regard to the cases he speaks of. Now, if you want to increase the compensation of the employees of public buildings over the country the place to do that is in the sundry civil bill when you get to the item that makes provision for the care and maintenance of those buildings; but a desire to deal with that situation is no reason why you should now vote to increase the pay of a great many clerical people who are getting more money than is being paid for the same sort of work out in civil life; and it is not wise for us here to be swept off our feet at the expense of the Treasury to the extent of something like $30,000,000 or more by these special pleas. [Applause.]

Mr. KEATING. Mr. Chairman, I am sure the Members of the House will not be swept off their feet either by the arguments for or against this amendment. They will not be swept off their feet by the charge that these Government positions are so desirable that no one ever resigns a Government job, when the gentleman from California [Mr. NOLAN] has just quoted figures to show that here in the city of Washington there were 75,000 appointments and 40,000 resignations in the period of a year.

Mr. NOLAN. In less than a year.

Mr. KEATING. In less than a year. That shows how desirable these Government jobs are considered. And yet gentlemen tell you that there is a great scramble for these places.

Mr. STAFFORD. Will the gentleman yield?

Mr. KEATING. No. The gentleman could have quoted these figures when he had the floor. He is perfectly familiar with them.

Now, my friends, this bonus is asked to compensate Government employees for a condition that we know exists, to wit, an increase in the cost of living. It is not necessary to submit statistics. Every man within the sound of my voice knows that since the beginning of the European war there has been an increase in the cost of the necessaries of life of at least 100 per cent, and that the Government clerk who was getting $1,200 a year at the beginning of the European war is now, so far as purchasing power is concerned, receiving only $600 a year. Within the last year there has been an increase of 18 per cent in the cost of living and prices are still going up.

It is also true that the Government of the United States, dealing with other employees, with those who are on the railroads of this country and in the shipyards of the country, through the War Labor Board, has granted awards on account of the increase in the cost of living that make this proposal seem small indeed. All we are asking you to do is to treat the clerical employees of this Government with the same generosity and the same justice that has been accorded to other employees of the Government.

I hope, Mr. Chairman, that the amendment will be adopted, because it only does substantial justice to the employees of this Government, and it will add immeasurably to the efficiency of our service.

Mr. GOOD. Mr. Chairman, I am sure we do not want to do injustice to the men and women who are engaged in the Government service. Neither do we want to do injustice to the Treasury of the United States. Let us stop a minute and see what it is contemplated to do. We have passed an appropriation bill for the Post Office Department, and in that have given an increase of $200 to the men who work outside of the city of Washington, but for the 90,000 Government employees in Washington you propose to give an increase of $360 a year. The statute fixes the pay of common laborers at $660 a year. We give them 7 legal holidays with pay. We give them 60 days vacation every year with pay. In addition to Sundays and these vacations, you propose now to fix the standard here for common laborers, the commonest laborer, at $1,020 a year. I say that any man who votes for that and then hires a man in his own employment and pays less than that is a different kind of individual than I think sits on the floor of the House. You propose to pay charwomen by this measure $440 a year for three hours' work, at a maximum, per day; and any Member of the House who will vote for this proposition and then employ in his own home one of these same charwomen and pay her less than that is unworthy to sit here on the floor of the House. Let us be fair. Let us treat the Treasury with the same consideration that we treat our own pocketbooks. The standard we fix to-day must be the standard that the business men of the country must adopt. When the committee was considering this matter a girl from one of the congressional districts represented by one of the members of the subcommittee, who came here at $1,200 a year, paid out of a lump-sum appropriation in the War Department, and whose salary was increased to $1,400 a year, was notified that her services were no longer necessary. She came and asked this Member to get her a job in Washington, and said she would take $1,000 a year, for that was more than she was getting at home; and yet this amendment would give her and thousands similarly situated $1,750 per year. Let us think of the Treasury. The Agriculture Department says that next year the guaranteed price on wheat will cost the Treasury $1,000,000,000, which means, if they are to be relied upon, that the price of all food must come down during the period for which we are making this appropriation. Let us make this appropriation in fairness to the employee, but for God's sake let us think something of the Treasury of the United States at the same time, and let us remember that you and your constituents will be called upon to supply with funds, to buy bonds, to make good the amount that you are voting out to-day. Let us be fair to all of them. I wish we could go into this matter; I wish we might take the time to consider it, so that we could see that the committee has been fair, absolutely fair, to these employees of the Government; and in order to be sure that we were fair we provided for a commission that would go into this whole question and then in a broad way, without taking dictation from any source, determine what was a fair wage for all of these employees in the various departments, and upon that report base legislation that would be absolutely fair to all of our people, both the Government and those who work for it.

Mr. GORDON. When does the increase provided for in this bill go into effect?

Mr. GOOD. It is for the fiscal year beginning July 1 next.

Mr. GORDON. Ending July 1, 1920.

Mr. GOOD. Yes.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I hope we will look at the proposition presented to the committee in a fair way, with regard not only to the employees of the Federal Government but also the taxpayers who have to foot the bills. I have noticed that in the remarks of these gentlemen who have appeared in support of this amendment not a single reference has been made to the taxpayer whom they represent on the floor of this House. Here is a proposition that contemplates adding $50,000,000 to the expenses of the Government by way of a bonus to the Federal employees at a time when the people of this country are being taxed billions of dollars to pay the expenses of the war in which we have been engaged, and the interest upon the bonds which have been issued during that war. We are asked to add $50,000,000 to this bill as a bonus at a time when the revenue bill is now pending in conference, which proposes to tax the people $6,000,000,000 for the next fiscal year in order to meet the expenses of your Government, and in addition to that we are confronted with the necessity of issuing four or five billion dollars in bonds to make up the deficiency. It is time to call a halt; it is time to take into consideration those back home, who will be required to pay the appropriation you are proposing to make. The question is going to be asked of you when you get back home whether or not you gave them due consideration in these matters.

What are the facts? A year ago this proposition was before the House. It was given a thorough consideration. There was thorough argument made upon the proposition, and the House by vote during war times fixed the bonus at $120 a year. That, I repeat, was during war times, at a time when the expense of living was certainly higher than it can possibly be during the next fiscal year. You are now asked to fix the bonus at $360 a year, or three times the former amount, in peace times, during the fiscal year 1920, during which no man on the floor of this House will say the cost of living will be greater than it has been during the present year.

What are you going to tell the people you represent back home when you are confronted with the proposition that you voted to increase that bonus during peace times? How can you explain such a position when you declined to make any such increase during war times? How, under such circumstances, can you justify your action in increasing the Government expenditures $50,000,000? Now, gentlemen have referred to the fact and they have commented upon the small amount paid to certain employees of the Federal Government. I am in favor of this Government giving a fair compensation and a living wage to everyone whom it employs. I want the United States Government to be a model employer, and I believe the facts will show that in many respects it is a model employer, although, as stated, some of the lower-paid employees——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. I understood the gentleman from Kentucky yielded me his time.

Mr. BARKLEY. I yielded to the gentleman the time which was allotted to me.

Mr. GARRETT of Texas. Mr. Chairman, I will also yield the gentleman what time I have.

The CHAIRMAN. The gentleman is recognized for eight additional minutes.

Mr. BYRNS of Tennessee. Gentlemen have spoken of the $60 and $70 employee. I want to say to you that this amendment offered by the gentleman from Colorado does not take care of him. It takes care of the man who gets $1,200 and more, for he is the only employee under this amendment who will draw the whole $360. The man who gets $2,500 will get $2,860 if this amendment be adopted; the man who gets $1,800 will get $2,160; but the little man, the man whom you and I would like to see helped, does not get the $360 under this amendment offered by the gentleman from Colorado.

Mr. MASON. Will the gentleman yield?

Mr. BYRNS of Tennessee. I do.

Mr. MASON. I ask for information. It does include charwomen who get $27 a month now?

Mr. BYRNS of Tennessee. They do not get the whole amount of $360 under this amendment that is before the committee.

Mr. MADDEN. Will the gentleman yield? Does not this bill provide that no person under this clause shall get more than 30 per cent in addition to their present salary?

Mr. BYRNS of Tennessee. That is the provision to which I alluded.

Mr. MADDEN. So that a charwoman who gets $240 now will only get 30 per cent of that $240, or $72 additional?

Mr. BYRNS of Tennessee. Or $6 a month, just what she is getting to-day and will continue to get during the next fiscal year.

Mr. MASON. Then it does include charwomen?

Mr. MANN. Will the gentleman yield?

Mr. BYRNS of Tennessee. I do.

Mr. MANN. Under the form of the bill would it not be necessary to make first an amendment to the amendment offered by the gentleman from Colorado before amending the other provision?

Mr. BYRNS of Tennessee. I do not know what is in the mind of the gentleman from Colorado; I only know what he has offered here to this committee, and I know that he could have included charwomen and the man getting $60 or $70 a month in the same amendment if he had desired to do so; but what I am calling attention now to is——

Mr. KEATING. Will the gentleman yield?

Mr. BYRNS of Tennessee (continuing). Is the fact that if we adopt this amendment you are voting to give the man who gets $2,000 and $2,500 $360 extra and you are not taking care of the smaller paid employee to whom the gentleman from Tennessee and others have alluded.

Mr. MANN. Will the gentleman yield again——

Mr. BYRNS of Tennessee. No; I can not yield. I want to say, Mr. Chairman, that your committee gave this matter very serious consideration. We had hearings upon it, we considered it from every angle, and we felt for the reasons which have been stated here upon this floor, and the fact that during the next fiscal year the cost of living can not possibly be more than it has been during war times, that we would not be justified in reporting to this House a flat provision greater than that which has been carried in war times and which would increase the expenditure of the people $50,000,000. Now, your committee realize that salaries here in the city of Washington are in many respects——

Mr. AUSTIN. Will the gentleman yield?

Mr. BYRNS of Tennessee. I can not yield. Just let me get through. I do not wish to be discourteous but I will be through in a few minutes. Your committee realize that there are many inequalities in the salaries paid by the Federal Government. Your committee realize that some of these salaries may be too small, but I want to ask whether you are going to give this proposed increase and raise those who are getting the larger salaries on the plea that you are trying to help the little fellow. What your committee propose, and what I hope will be adopted by this House, is a joint commission which will take into consideration this whole proposition and after giving it full consideration report to the House as to what salaries should be allowed these employees, not only to those getting these larger sums, but particularly to those who are getting the smaller amounts.

Mr. AUSTIN. May I ask my colleague a question now?

Mr. BYRNS of Tennessee. I yield.

Mr. AUSTIN. Does not the gentleman think in all fairness that a Member of this House who voted to increase his own secretary's salary $1,200 should vote for this amendment?

Mr. BYRNS of Tennessee. I can only say to the gentleman I did not vote to increase my secretary——

Mr. AUSTIN. The gentleman did not answer my question.

Mr. BYRNS of Tennessee. And more than that, I want to say that those gentlemen who voted to increase the compensation for clerk hire did not do so, as I understand it, with a view of increasing the secretary they have now, but they did so with a view of providing for an additional stenographer. And they say that $1,200 a year is sufficient for a stenographer, and if $1,200 is sufficient to pay for a busy stenographer, who works all hours of the day here at the Capitol, then I want to ask the gentlemen why they think stenographers in the departments, who get, as the gentleman from Iowa said, 7 days holiday, 60 days leave on full pay, and Sundays, are entitled to more. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. O'SHAUNESSY. Mr. Chairman, I desire to offer an amendment to the amendment, if it is now in order.

The CHAIRMAN. Very well.

Mr. O'SHAUNESSY. By substituting the figures "$240" for "$360."

The CHAIRMAN. The gentleman from Rhode Island offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment to the amendment offered by Mr. O'SHAUNESSY: Strike out the figures "$360" and insert in lieu thereof "$240."

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. If this amendment to the amendment should be defeated and the original amendment should be defeated, would it then be in order to offer as an amendment to the original text of the bill to strike out and insert $240?

The CHAIRMAN. In the opinion of the Chair it would be.

Mr. GARRETT of Tennessee. Mr. Chairman——

The CHAIRMAN. The question is on the amendment to the amendment.

Mr. GARRETT of Tennessee. Mr. Chairman, upon the proposition of the parliamentary inquiry just submitted by the gentleman from Illinois [Mr. MANN] I understood——

The CHAIRMAN. The proposition submitted, as understood by the Chair, is that the amendment offered by the gentleman from Colorado [Mr. KEATING] increases the amount from $120 to $360. The gentleman from Rhode Island [Mr. O'SHAUNESSY] offers an amendment reducing that sum to $240—an amendment to the amendment. The inquiry of the gentleman from Illinois [Mr. MANN] was if the amendment and the amendment to the amendment were defeated would it be in order to offer an amendment fixing the amount at $240.

Mr. MANN. The Chair was right.

Mr. GARRETT of Tennessee. If the $240 proposition is defeated, and then the $360 proposition is defeated, will it be in order to again offer the $240 proposition?

The CHAIRMAN. In the opinion of the Chair it would be in order.

Mr. GARRETT of Tennessee. Although it has been voted on one time?

Mr. MANN. But under different conditions.

The CHAIRMAN. The Chair thinks it would be in order. The question is on the amendment to the amendment, offered by the gentleman from Rhode Island [Mr. O'SHAUNESSY].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. O'SHAUNESSY. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 33, noes 91.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is now on the amendment offered by the gentleman from Colorado [Mr. KEATING].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. KEATING. Division, Mr. Chairman.

The committee divided; and there were—ayes 60, noes 78.

Mr. KEATING. Mr. Chairman, I ask for tellers.

Tellers were ordered, and Mr. BYRNS of Tennessee and Mr. KEATING took their places as tellers.

The committee again divided; and there were—ayes 67, noes 93.

So the amendment was rejected.

Mr. NOLAN. Mr. Chairman, I move to strike out "$120," on line 18, and insert "$240."

The CHAIRMAN. The Clerk will report the amendment.

Mr. MADDEN. Mr. Chairman, I would like to have five minutes on that amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 146, line 18, strike out "$120" and insert "$240."

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order against that amendment on the ground that the committee has already voted on it and rejected it.

Mr. DUPRÉ. The answer of the Chairman to the parliamentary inquiry was exactly to the contrary.

Mr. BYRNS of Tennessee. Mr. Chairman, if this amendment is in order, there is no limit as to the number of times it can be offered.

Mr. DUPRÉ. The Chair has already held that it would be in order.

Mr. BYRNS of Tennessee. I am not asking my good friend from Louisiana.

Mr. DUPRÉ. The Chair could not mislead the House in that way.

Mr. MANN. The gentleman from Tennessee [Mr. BYRNS] is one of the ablest men on appropriations who ever sat in the House, but when it comes to parliamentary law he is not so great. The proposition was not whether you would substitute $240 for $120, but whether you would substitute $240 for $360. Now, the House might have a very different idea between substituting $240 for $360 and substituting $240 for $120.

The two propositions are entirely distinct. And if the gentleman's point of order is well taken the result would be that the committee would be given no opportunity of voting directly on the particular proposition if it wanted to vote $240 in preference to $360.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] propounded the inquiry to the Chair, if it would be in order if the amendment offered by the gentleman from Rhode Island [Mr. O'SHAUNESSY] to the amendment offered by the gentleman from Colorado [Mr. KEATING] were defeated, and the amendment offered by the gentleman from Colorado [Mr. KEATING] were defeated, to offer an amendment to the original text of the bill, increasing the rate of compensation from $120 to $240. The Chair answered it would be in order to do so. The amendment offered by Mr. O'SHAUNESSY was to substitute $240 for $360, and the sense of the committee was taken on the proposition substituting $240 for $360, and the latter proposition was defeated, but the sense of the committee on the direct proposition, to increase the pay of Government employees $240 instead of $120, as proposed in the bill, has not been taken, hence the Chair is of opinion that the amendment offered by the gentleman from California [Mr. NOLAN] is in order.

Mr. MADDEN. Mr. Chairman, I would like to be heard for five minutes on that. I ask unanimous consent.

The CHAIRMAN. All time on the pending amendment and all amendments to this section was limited to one hour, and the time is exhausted.

Mr. MADDEN. I ask unanimous consent for five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for five minutes. Is there objection?

Mr. BARKLEY. I dislike to do so, but I will have to object.

The CHAIRMAN. The gentleman from Kentucky objects.

The question is on the amendment offered by the gentleman from California [Mr. NOLAN].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. NOLAN and Mr. O'SHAUNESSY demanded a division.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 87, noes 73.

Mr. BYRNS of Tennessee. I ask for tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from Tennessee demands tellers.

Tellers were ordered, and the Chairman appointed Mr. BYRNS of Tennessee and Mr. NOLAN to act as tellers.

The CHAIRMAN. The question is on agreeing to the Nolan amendment.

The committee again divided; and the tellers reported—ayes 94, noes 79.

So the amendment was agreed to.

Mr. NOLAN. Mr. Chairman, I have another amendment.

Mr. SHERLEY rose.

The CHAIRMAN. The gentleman from Kentucky is recognized.

Mr. SHERLEY. Mr. Chairman, I move to amend line 25, page 146, by striking out the word "thirty" and substituting the word "sixty." I want to speak to the amendment after it is reported.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: On line 25, page 146, strike out the word "thirty" and insert the word "sixty."

Mr. SHERLEY. Mr. Chairman, with the permission of the committee, I wish to say that the effect of this amendment is simply to make consistent the paragraph so as not to penalize the poorer-paid employees. The committee has just voted to give to the employees a bonus of $240, speaking by and large. As the act was presented by the committee it would have prohibited any bonus that was in excess of 30 per cent, so that although the total amount for the higher-paid employees had been doubled, the effect for the lower-paid employees would be to leave them in just the same situation as they were in. I believe the House, if it wants to increase the pay, wants particularly to increase the pay of the poorer and lower-paid people. Therefore I offer this amendment.

Mr. MANN. I am glad the committee has waked up.

Mr. NOLAN. Would it not have suited better if you had inserted on line 24 the words "who is receiving in excess of $1,000"?

Mr. SHERLEY. No; because there are some instances in which you would not want to make the total increase $240, due to the fact that the employees do not devote their entire time to the work. If this is agreed to, in order not to break the curve, where the figures "$2,620" occur I wish to offer an amendment to make it appear "$2,740."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. KINCHELOE. Mr. Chairman, might I ask a question of the chairman, if he will permit me?

Mr. SHERLEY. Very well.

Mr. KINCHELOE. Suppose the House would adopt the original $120 raise. What shape would that leave the language in?

Mr. SHERLEY. If the House wanted to be consistent, it would vote down the second amendment which has been offered and put the bill back to its former situation. There is no difficulty in the House dealing with the matter, but I take it that the Committee of the Whole having expressed its opinion, it is the duty of those in charge of the bill to undertake to perfect it in accordance with the will of the Committee of the Whole, and that is what I am trying to do. [Applause.]

I offer on page 146, line 20, to strike out the figures "$2,620" and substitute "$2,740," and with the permission of the House I will make at the same time the same amendment in line 23.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: On page 146, line 20, strike out the figures "$2,620" and insert "$2,740," and in line 23, same page, strike out "$2,620" and insert "$2,740."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

Mr. SHERLEY. On page 150, in line 13, I move to strike out the figures "$120" and insert "$240."

Mr. MANN. Page 147?

Mr. SHERLEY. No; that page relates to the $120 compensation in the previous act, the existing law, and ought not to be changed. But the one on page 150, line 13, I move to strike out "$120" and insert "$240."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 150, line 13, strike out the figures "$120" and insert "$240."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MANN. Mr. Chairman, how about line 9, on page 127?

Mr. SHERLEY. That $200 relates to a different proposition entirely. It is not a question of rate of compensation, but it applies to persons who shall receive the compensation.

Mr. MANN. Very well.

Mr. BLACK. Mr. Chairman, I have an amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 148, line 21, after the word "railroads," insert the following language: "telegraph, telephone, marine cable, or radio system or systems," and on line 23 of the same page after the word "railroads," insert the following language "telegraph, telephone, marine cable, or radio system or systems," so that the provision as amended will read:

"The provisions of this section shall not apply to the employees of the railroads, telegraph, telephone, marine cable, or radio system or systems taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads, telegraphs, telephone, marine cable, or radio system or systems as employees of the United States."

Mr. BLACK. Mr. Chairman, I ask unanimous consent to modify that amendment by adding the words "express companies" before the word "telegraph" in the amendment in both the places where it occurs.

I do not think it is necessary to discuss the amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Modify the amendment by inserting before the word "telegraph," in both cases, the words "express companies."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BLACK].

The amendment was agreed to.

The Clerk read as follows:

SEC. 7. That the heads of the several executive departments and other responsible officials, in expending appropriations contained in this act, so far as possible shall purchase material, supplies, and equipment, when needed and funds are available, from other services of the Government possessing material, supplies, and equipment no longer required because of the cessation of war activities. It shall be the duty of the heads of the several executive departments and other officials, before purchasing any of the articles described herein, to ascertain from the other services of the Government whether they have articles of the character described that are serviceable. And articles purchased by one service from another, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government are authorized to sell such articles under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt.

Mr. FORDNEY. Mr. Chairman——

Mr. BYRNS of Tennessee. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: On page 151, line 9, after the word "receipt," insert the following:

"*Provided*, That this section shall not be construed to amend, alter, or repeal the Executive order of December 3, 1918, concerning the transfer of office material, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities."

Mr. BYRNS of Tennessee. Mr. Chairman, on December 3, 1918, the President issued an Executive order providing that all the excess materials, supplies, and equipment in the various departments of the Government here in Washington should be turned over to the General Supply Committee, and that departments needing additional office material and supplies should purchase through this General Supply Committee. Now, it has been thought that the provision as written in the bill might serve to repeal the Executive order and that these departments might feel authorized to purchase through the machinery of the department rather than through the General Supply Committee. This amendment is offered in order to guarantee that these purchases shall be made through the General Supply Committee appointed by law.

Mr. RAKER. I understand that these supplies are on hand and that there is much of this material. Will this bill provide a means by which the other departments which need supplies shall take what is on hand rather than go out and buy new material?

Mr. BYRNS of Tennessee. That is the object of the section and was the object of the order of the President issued on December 3.

Mr. RAKER. When one department gets through with the material that it has on hand, is there any objection to taking care of it until the other department takes charge of it? For instance, down here at Sixth and B Streets, in the Ordnance Department, there is a good deal of material that for the last month or two has not been used in the way of desks and filing cases. Those things are needed in other departments, and they ought to be turned over without selling them at half or one-third price.

Mr. BYRNS of Tennessee. The gentleman is clearly correct, and that is the object of this provision.

Mr. RAKER. I am very glad the gentleman has placed it in this bill. It is fine. It will save the Government a million dollars.

Mr. FORDNEY. Mr. Chairman, I hope I may be permitted to divert from the subject before the House for a few minutes. Yesterday morning's Washington Post contained a statement made by Mr. Morrison, secretary of the American Federation of Labor, before the Committee on Immigration, in which it is said that there are a certain number of unemployed men about the country. He gave the number unemployed in various cities. Among others he named the city of Aberdeen, Wash., where he is quoted as saying there were 3,000 unemployed laborers. I was under the impression that Mr. Morrison was in error. I happen to be president of a logging company with headquarters in Aberdeen, Wash. I wired to a gentleman in Aberdeen to know as to the correctness of that statement made by Mr. Morrison, and I will ask the Clerk to read a telegram which I received in answer to a question that I asked as to the correctness of the statement. I set forth in detail exactly what Mr. Morrison said.

The Clerk read as follows:

ABERDEEN, WASH., *January 17, 1919.*

J. W. FORDNEY,
499 House Office Building, Washington, D. C.:

Several mills down for repairs; several running nights. Camps not in full operation yet. This is only temporary. Have interviewed the principal banker, the largest logger, the manager of the largest shipyard, and other large employers of labor, also the chief of police, and the concensus of their opinions is that there is employment here now for all men that are available, and that a normal resumption of the lumber industry will develop a shortage of 1,000 men in this district. Our own operation is short-handed, though we have some of the finest camps ever built and are complying with the rates fixed by the spruce production division, ranging from 50 cents to $1 per hour for an eight-hour day. The metal trades union, representing about eleven hundred men, are on strike at shipyards. They are demanding $8 for mechanics, $6 for helpers, and $5.50 for laborers. They should not be considered as unemployed.

WALTER L. STOUTE.

Mr. FORDNEY. Gentlemen, Mr. Stoute is superintendent of the company of which I am president. That telegram states that we are paying from 50 cents to $1 per hour for an eight-hour day's work. That means that section hands on the railroad are receiving $4 a day for an eight-hour day. Other labor in the camps is receiving as high as $8 a day for an eight-hour day. When Mr. Morrison states that there is a surplus of labor in the country for which employment can not be found he misstates facts, if he made that statement. There is employment for every man who wants employment to-day anywhere about the country wherever I have information on that subject.

Mr. RAKER. Will the gentleman yield?

Mr. FORDNEY. I will.

Mr. RAKER. I was present as one of the members of that committee when Mr. Morrison made that statement; and he made this further statement, that a great many concerns, particularly the packing houses and others, claimed that there was not a shortage of labor unless there were four or five men standing at the gate waiting for one man's job.

Mr. FORDNEY. Let me tell you where there is a shortage. Go down on Fifteenth Street this afternoon, and in front of Keith's Theater you will find people standing in line for 100 feet outside of the door waiting for an opportunity to buy a ticket to the theater. There is a shortage of seats in amusement places. There is no shortage of employment for men in this country at this time.

Mr. GARNER. We have just voted an increase of salary so that those people can buy additional tickets.

Mr. FORDNEY. Oh, I am in favor of good salaries and have always paid them all of my life, and I am a workingman myself. There is no shortage of labor. There were American casualties in this war to the extent of about 500,000 men, when the truth is known. That number of Americans have been killed or wounded and put out of commission in this war. To take 500,000 men out of this country, as the war has done, who will be unable hereafter to fill the position of an able-bodied man, with yet more than 2,000,000 men in the Army, and then to make the statement that there is a shortage of employment for labor in this country is to make a statement that is not true. Mr. Morrison's information is wrong.

Mr. MASON. May I ask the gentleman whether it is not true that in the building trades in great cities like Chicago there is a large number of unemployed men?

Mr. FORDNEY. This morning, in my office, I asked an employer of labor, who is a Chicago contractor, about that, and he said that with a fine-tooth comb you can not find unemployed men in Chicago. That is my information this morning. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

The Clerk read as follows:

SEC. 8. That a joint commission is created to be known as the "joint commission on reclassification of salaries," which shall consist of five Senators, who will be Members of the Sixty-sixth Congress, to be appointed by the President of the Senate, and five Representatives, who will be Members of the Sixty-sixth Congress, to be appointed by the Speaker. Vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

Mr. WALSH. Mr. Chairman, I make the point of order.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the entire section may be read, and that at the end of the reading of the section amendments for reservation of points of order may be made.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the entire section be read at this time. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Chairman, I make the same request with reference to section 9, in order that it may not be necessary to do it at that time.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

It shall be the duty of the commission to investigate the rates of compensation paid to civilian employees by the municipal government and the various executive departments and other governmental establishments in the District of Columbia, except the navy yard and the Postal Service, and report, by bill or otherwise, as soon as practicable what reclassification and readjustment of compensation should be made so as to provide uniform and equitable pay for the same character of employment throughout the District of Columbia in the services enumerated.

The commission is authorized to sit during the sessions or recess of Congress, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, and to employ such personal services and incur such expenses as may be necessary to carry out the purposes of this section.

The heads of the various governmental services and the Commissioners of the District of Columbia shall furnish office space and equipment, detail officers and employees, furnish data and information, and make investigations whenever requested by the commission in connection with the purposes of this section.

For payment of the expenses authorized to be incurred there is appropriated $50,000, or so much thereof as may be necessary, to be available immediately and to be disbursed upon vouchers approved by the commission, which approval shall be conclusive upon the accounting officers of the Treasury Department.

Mr. WALSH. Mr. Chairman, I make the point of order.

Mr. BYRNS of Tennessee. Mr. Chairman, I hope the gentleman will reserve it for a moment.

Mr. WALSH. I intend to make the point of order, but I shall reserve it for a moment.

Mr. BYRNS of Tennessee. Mr. Chairman, a similar provision to this was adopted on the Post Office appropriation bill with reference to postal employees. It went through without a point of order being made against it. I hope the gentleman will not make the point of order now, because it has been stated here on the floor of the House, and it is true, that there are a number of employees here in the District of Columbia who are getting very small salaries, while there are other employees who are getting salaries that are larger than is being paid for similar clerical services in other departments. In short, there is the greatest inequity, the greatest want of uniformity, running through all of the departments with reference to salaries. I think the next Congress can, after a report is made by a commission consisting of five Senators and five Representatives, pass through here some legislation which will correct these inequalities and do justice to these employees. Members have said on the floor that Government employees are not receiving now the amount of money that is being paid in private employment. That I do not admit; but if it is true, then it can be corrected upon a proper report. I trust the gentleman will not make the point of order, but will permit it to go through, just as he did with reference to the Post Office appropriation bill. I regard this as very important. Let us get the facts and then do the right thing both by the Government and its employees.

Mr. WALSH. Mr. Chairman, I agree with the gentleman that the next Congress, I think, will be able to correct inequities much better than the present Congress, but it will not need a joint commission to furnish information in order that it may do so. The gentleman refers to the Post Office appropriation bill. No one could make a point of order on that bill. One afternoon here when there were very few people present, before any of us knew what was in the Post Office appropriation bill, unanimous consent was granted that everything in the bill should be considered in order notwithstanding the rules of the House. We have just corrected inequities in salaries, at least that was the argument made by those advocating the $240 increase, and we are not going to further correct those inequities by having a joint commission comprised of five Members of the House and five Members of the other body to report during the next Congress. For all we know, before they get a chance to organize we may be back here at work on the regular work of the Sixty-sixth Congress. I submit to the gentleman that to expend $50,000 in addition to the great amount of money that will have to be appropriated to carry this $240 increase will not be worth the candle. I make the point of order.

Mr. AUSTIN. Mr. Chairman, I ask the gentleman to withhold it for a moment.

Mr. WALSH. No; I make the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

SEC. 9. That the temporary office buildings erected in the District of Columbia for use of the various branches of the Government in connection with the prosecution of the war shall not be removed except as authorized by law, and their care, maintenance, and protection shall be under the direction and supervision of the Superintendent of the State, War, and Navy Department Building.

Space in said temporary buildings and space available for office purposes in other Government buildings, owned or leased, in the District of Columbia shall be allotted and assigned, upon order of the President, in such manner as to provide for their maximum economic use by Federal activities only, with a view to removing as soon as possible from rented quarters all services that can be housed in the Government-owned buildings.

Appropriations for rent of office space, contained in this or any other act, for the fiscal year 1920, except for space under lease for a term of years expiring after June 30, 1919, shall be available only for obligation for rental of such office space in the District of Columbia as may be determined by the President to be necessary in addition to the space available in Government-owned buildings.

Appropriations or allotments for rent, and for the care, protection, maintenance, and repair of rented quarters, after allowing for the payment of outstanding obligations, shall be covered into the Treasury immediately upon the housing of the respective services in Government-owned buildings for which funds are available for such expenses.

Mr. MANN. Mr. Chairman, I make the point of order on the paragraph.

Mr. BYRNS of Tennessee. Mr. Chairman, it is subject to the point of order, and I take there is nothing that I can say to the gentleman to induce him to withdraw his point of order?

Mr. MANN. I am willing to reserve it for a moment, but I will say that I am unalterably opposed to keeping these temporary buildings in the parks where the Government has stolen space that ought to be devoted to park purposes. Here is a provision that they can not be removed except as authorized by law. That means that they will be there until they fall down.

Mr. BYRNS of Tennessee. Does not the gentleman think Congress ought to have some authority?

Mr. MANN. Yes; I do.

Mr. BYRNS of Tennessee. As to when they shall be removed?

Mr. MANN. Oh, I think they ought to be removed at the earliest possible moment, as far as I am concerned. I do not think the difficulty will be in keeping them there; I think the difficulty will be ever to get them removed. Now, the gentleman proposes to put in permanent legislation a provision that those buildings shall not be moved. Why, I remember the fight there was here for years to get the Pennsylvania Avenue station off the Mall, and various other fights. I went through one in Chicago with my colleague here to get the old temporary post office off the lake front and the old exposition buildings, and year after year that fight continued before they were gotten off, and it will be difficult enough to get them off here. Now, to say by way of legislation that after a building has fallen down that you can not change it merely through making an appropriation to remove it is, to my mind, contrary to what ought to be done.

Mr. BYRNS of Tennessee. Is that the only paragraph in this section to which the gentleman has serious objection?

Mr. MANN. I think it is one of the paragraphs.

Mr. GOOD. I will submit to the gentleman that if he will offer a new section there to read, "That the care, maintenance, and protection of the temporary buildings erected in the District of Columbia shall be under the direction and supervision of the superintendent of the State, War, and Navy Building," and then following——

Mr. MANN. I have no objection, as far as I am concerned.

Mr. BYRNS of Tennessee. Will this meet the objection of the gentleman from Illinois, to strike out the language on page 153, line 1, reading as follows: "Not to be removed except as authorized by law, and their care, maintenance, and protection"——

Mr. MANN. My objection is to the language, "shall not be removed except as authorized by law." I know, as I say, how difficult it is to get laws passed.

Mr. BYRNS of Tennessee. Then, Mr. Chairman, I understand the Chair sustains the point of order?

The CHAIRMAN. The Chair understood the gentleman to withhold the point of order.

Mr. BYRNS of Tennessee. I understood the gentleman from Illinois to insist upon the point of order, and I was about to offer an amendment.

Mr. STAFFORD. If the gentleman will permit, may I suggest it has been already called to the attention of the gentleman by my colleague, the gentleman from Iowa [Mr. GOOD], that if he will transpose the language so it will read, "That the care, maintenance, and protection of the temporary office buildings erected in the District of Columbia for use of the various branches of the Government in connection with the prosecution of the war shall be under the supervision of the Superintendent of the State, War, and Navy Building"——

Mr. BYRNS of Tennessee. That is the amendment I propose to offer.

Mr. STAFFORD. I beg the gentleman's pardon.

The CHAIRMAN. The point of order of the gentleman from Illinois is sustained.

Mr. BYRNS of Tennessee. Mr. Chairman, I offer an amendment for a new section 9, to read as follows: "That the care, maintenance, and protection of the temporary office buildings erected in the District of Columbia for use of the various branches of the Government in connection with the prosecution of the war shall be under the direction and supervision of the superintendent of the State, War, and Navy Department Building," and the remainder of the language as it appears in the section of the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. BYRNS of Tennessee offers an amendment as a new section, on page 152, to read as follows:

"SEC. 9. That the care, maintenance, and protection of the temporary office buildings erected in the District of Columbia for use of the various branches of the Government in connection with the prosecution of the war shall be under the direction and supervision of the superintendent of the State, War, and Navy Department Building."

Mr. WALSH. Mr. Chairman, I reserve a point of order. Does the gentleman think that the adoption of this amendment will at all expedite the disposition of these buildings and the return of the sites upon which they are located to their former state?

Mr. BYRNS of Tennessee. It will certainly not deter the return and removal of the buildings in any sense. That is what

the committee was trying to do, so far as the original section was concerned, to leave the matter altogether with a future Congress as to whether or not they should be removed. This, however, I will say to the gentleman, I think especially necessary, since some one ought to be put in charge of those buildings. They are there, and if they are vacated some one ought to have the care of them. The Food and Fuel Administrations, and I hope a great many of the employees of the Ordnance and other branches of the War Department in Henry Park, are going to be relieved of their duties very shortly, and those buildings will be left there with no one to look after them.

Mr. WALSH. It seems to me the proposition ought to be taken care of by Congress by specifying when those buildings shall be removed and then compel the occupants of the various departments to get out before that date. If you are going to leave the care of them to somebody's jurisdiction they will use that fact that they are under their care for an excuse and reason for never consenting that they should be vacated or that those buildings should be removed and taken down.

Mr. BYRNS of Tennessee. Now, the gentleman presented a very forceful argument this morning in favor of the Department of Commerce occupying some of these buildings.

Mr. WALSH. Yes.

Mr. BYRNS of Tennessee. The gentleman insisted very strenuously that those buildings ought to be occupied by Government employees——

Mr. STAFFORD. That was this morning; this is this afternoon.

Mr. WALSH. Yes.

Mr. BYRNS of Tennessee. I submit that, with all deference to consistency, the gentleman ought not to object to placing the superintendent of the State, War, and Navy Department Building in charge of those buildings, so that in those buildings, which will be occupied by certain bureaus of the Government, some one will have authority to see that they are properly taken care of and preserved, and I think this is true also of buildings which will be vacated until they are actually removed, for certainly the Government would not want to turn them loose without anyone vested with authority to look after them.

Mr. WALSH. Yes; it is true. The gentleman is correct. I was in favor of the Department of Commerce occupying one of these buildings; but now the gentleman wants to place a building that is not occupied by any Government department under the jurisdiction of the War Department.

Mr. BYRNS of Tennessee. Oh, no.

Mr. WALSH. The superintendent of the State, War, and Navy Building. And that will be used as a reason and excuse for neither removing the building nor disposing of it or having it occupied by any other Government department. The way to handle this thing is for Congress to decide what shall be done with these buildings and to fix the date when they shall be vacated and removed.

Mr. BYRNS of Tennessee. I am not disposed to dispute that point with the gentleman; but Congress will be in session, and Congress can very easily determine when it wants these buildings removed; but in the meantime here are the two buildings in Potomac Park occupied by the Navy Department and the War Department.

Mr. WALSH. Who is taking care of them now?

Mr. BYRNS of Tennessee. The superintendent of the State, War, and Navy Department Building.

Mr. WALSH. There is no authority of law for that.

Mr. BYRNS of Tennessee. He is taking care of them while the War and Navy Departments are occupying those buildings. Take the War Trade Board Building, which is located on Government land, a two or three story building, between Fourteenth and Fifteenth Streets, near the Mall. Some one ought to be placed in charge of that building. It does not mean any extra expense; it does not increase the salary of the superintendent of the State, War, and Navy Department Building, and certainly some one ought to be vested with taking charge of the property of the Government. I hope the gentleman will not object.

Mr. WALSH. I make the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

Mr. GALLAGHER. Mr. Chairman, I ask unanimous consent to go back to page 39 for the purpose of offering a short amendment.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to return to page 39 for the purpose of offering an amendment. Is there objection?

Mr. MANN. We can not hear what it was.

Mr. GALLAGHER. I want to go back to page 39 for the purpose of offering a short amendment.

Mr. STAFFORD. Mr. Chairman, let the amendment be first reported before consent is given.

Mr. GALLAGHER. On line 17, page 39, I wish to move to change the word "section" to "division" and to add after "chief, $2,250," "assistant chief, $1,800."

Mr. STAFFORD. Mr. Chairman, I wish to say that that question was under consideration before the subcommittee and that committee decided not to allow it. Therefore I object.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. WINGO. Mr. Chairman, I want to offer an amendment at the end of the bill.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield to the gentleman from Arkansas.

Mr. WINGO. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. WINGO offers an amendment as follows: At the end of the bill insert:

"*Provided*, That in the case of space under lease for a term of years no appropriation shall be available until the head of the department in each case shall certify in writing that he has made every proper effort to sublet or procure a cancellation by mutual consent where it is possible to procure space in Government-owned buildings or rent other suitable space at a lower rental than that covered by existing laws."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. WINGO. Mr. Chairman, I ask unanimous consent to insert the words "for rent."

The CHAIRMAN. At what point?

Mr. WINGO. After the words "no appropriation shall be available."

Mr. STAFFORD. Mr. Chairman, this is too important a subject to be considered at this late hour. The subcommittee on appropriations has given very thorough consideration to the question of rental of occupied quarters, and therefore I make the point of order.

Mr. WINGO. On what ground?

Mr. STAFFORD. The point of order, first, is that it is not offered in the proper place in the bill.

Mr. WINGO. Mr. Chairman, I would like to be heard.

The CHAIRMAN. The point of order is sustained.

Mr. WINGO. Mr. Chairman, I would like to be heard on the point of order. It is plainly a limitation upon expenditure.

The CHAIRMAN. The Chair thinks that it is entirely speculative as to whether it would be a saving or additional expense.

Mr. WINGO. It is a limitation on the expenditure. It is the very amendment the chairman of the committee challenged me to offer.

Mr. BYRNS of Tennessee. Oh, no. I did not make any challenge to the gentleman. I would not do a thing like that.

The CHAIRMAN. The question is whether or not it results in the reduction of expense.

Mr. WINGO. It says the appropriation shall not be available except in certain cases, which in itself, on the face of the amendment, reduces the amount of the expenditure in this item.

The CHAIRMAN. The Chair does not feel called upon to speculate on a question like that in ruling on a point of order.

Mr. WINGO. I simply ask the Chair to read the amendment. On its face it provides for a reduction of the sum to be expended.

Mr. BYRNS of Tennessee. The Chair can not tell whether there will be a reduction or not. No one can tell—not even the gentleman from Arkansas—whether there will be a reduction.

Mr. WINGO. I would like to start even a tendency to stop these extravagant rentals.

Mr. BYRNS of Tennessee. You would not have anyone to take care of the buildings. What would you do about that?

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read.

Mr. STAFFORD. Mr. Chairman, I make the point of order that the amendment is not offered at the proper place in the bill. It applies to every item relating to rental, and it is a fundamental principle of the House that in the committee, in considering appropriation bills, that when a provision to which an amendment would be in order is passed you can not at

the end of a bill bring up matter that has formerly been considered.

Mr. WINGO. I want to submit this to the Chair: The last thing to which I offered an amendment was a provision relating to rental. All through the bill you find provisions relating to rent. This provision of mine goes to every provision in the bill regarding rent, and requires, wherever possible, that a reduction shall be made in the rent.

The CHAIRMAN. The Chair made his ruling predicated on the Holman rule, assuming that the gentleman offered his amendment under the Holman rule on the ground that it would result in the reduction of expenditure. Construing the Holman rule Mr. Hay, as Chairman of the Committee of the Whole, held:

To be within the Holman rule, the reduction of expenditures must appear as a necessary result of the legislative provision sought to be incorporated.

That ruling was made on January 30, 1915, at the third session of the Sixty-third Congress, page 2748 of the CONGRESSIONAL RECORD. In Hinds' Precedents, volume 4, section 3887, page 591, it is held that an amendment—

must not be merely speculative, but must appear on the face of the bill.

The point of order is sustained.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the Clerk may be permitted to correct totals in the bill wherever necessary.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the Clerk be permitted to correct totals in the bill wherever necessary. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Tennessee moves that the committee do now rise. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. BYRNS of Tennessee. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The SPEAKER. The gentleman from Tennessee moves the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. MADDEN. Mr. Speaker, I demand a separate vote on the so-called clerk-hire amendment.

The SPEAKER. The gentleman from Illinois demands a separate vote on the amendment regarding clerk hire.

Mr. BYRNS of Tennessee. I ask for a separate vote on the amendment of the gentleman from California [Mr. NOLAN] to section 6, and on the amendments of the gentleman from Kentucky [Mr. SHERLEY], which were offered to perfect the section after the adoption of the Nolan amendment.

The SPEAKER. Does anybody else demand a separate vote?

Mr. SISSON. Mr. Speaker, on the so-called clerk-hire amendment there are two amendments.

Mr. MANN. No; there is only one.

Mr. SISSON. One fixes the amount at $3,200, with a proviso.

Mr. MANN. There is only one amendment.

Mr. CAMPBELL of Kansas. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will let the gentleman from Kansas have his right. Without objection, as to other amendments than those indicated, the Chair will put them in gross. The question is on agreeing to the other amendments.

The other amendments were agreed to.

The SPEAKER. The gentleman from Kansas raises the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and ninety-eight gentlemen are present—not a quorum. The Clerk will call the roll, the Doorkeeper will close the doors, and the Sergeant at Arms will notify the absentees.

Mr. CRISP. Mr. Speaker, will the Chair kindly state what amendment we will vote on?

The SPEAKER. On the amendments in gross which were not segregated.

Mr. MANN. The Speaker announced that those amendments were agreed to. Then the point of order was made that there was not a quorum present.

The SPEAKER. The Speaker announced what?

Mr. MANN. That the amendments not segregated were agreed to.

The SPEAKER. But the gentleman from Kansas made the point of no quorum.

Mr. MANN. He did not make the point of no quorum on that vote.

Mr. CAMPBELL of Kansas. My point of no quorum was made before that question was put to the House, and not upon that question.

The SPEAKER. What is it that the gentleman wants the yeas and nays upon?

Mr. STAFFORD. He does not wish the yeas and nays. He wants a quorum here.

Mr. BYRNS of Tennessee. Mr. Speaker, I move a call of the House.

The SPEAKER. The Clerk will call the roll. Those in favor of adopting the amendments in gross will answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 288, nays 0, answered "present" 2, not voting 140, as follows:

YEAS—288.

Alexander	Elston	Kettner	Rayburn
Almon	Esch	Kincheloe	Reavis
Anderson	Essen	King	Reed
Anthony	Fairchild, G. W.	Kinkaid	Robinson
Aswell	Fairfield	Kitchin	Rodenberg
Austin	Ferris	Knutson	Rogers
Baer	Fields	Kraus	Romjue
Bankhead	Fisher	La Follette	Rose
Barkley	Flood	Lampert	Rouse
Barnhart	Fordney	Langley	Rowe
Beakes	Foss	Larsen	Ruby
Bell	Foster	Lazaro	Sanders, La.
Birch	Frear	Lee, Ga.	Saunders, Va.
Black	Freeman	Lehlbach	Schall
Bland, Ind.	French	Lesher	Scott, Iowa
Bland, Va.	Fuller, Ill.	Lever	Scott, Mich.
Blanton	Gallagher	Linthicum	Sells
Brand	Gandy	Little	Shallenberger
Browne	Gard	Lobeck	Sherley
Buchanan	Garner	Lonergan	Sherwood
Burnett	Garrett, Tenn.	Longworth	Sims
Burroughs	Garrett, Tex.	Lufkin	Sinnott
Byrnes, S. C.	Gillett	McAndrews	Sisson
Byrns, Tenn.	Glynn	McArthur	Slayden
Campbell, Kans.	Good	McFadden	Sloan
Campbell, Pa.	Goodall	McKenzie	Smith, Mich.
Cannon	Goodwin, Ark.	McKeown	Snook
Cantrill	Gould	McKinley	Snyder
Caraway	Graham, Ill.	McLaughlin, Mich.	Stafford
Carter, Okla.	Gray, Ala.	McLemore	Steagall
Cary	Green, Iowa	Madden	Steenerson
Chandler, N. Y.	Greene, Mass.	Magee	Stephens, Nebr.
Chandler, Okla.	Greene, Vt.	Mann	Stevenson
Church	Griffin	Mansfield	Stiness
Clark, Pa.	Hadley	Mapes	Sweet
Classon	Hamilton, Mich.	Martin	Switzer
Claypool	Hamlin	Mason	Tague
Coady	Harrison, Miss.	Mays	Taylor, Colo.
Collier	Harrison, Va.	Merritt	Temple
Connally, Tex.	Hastings	Miller, Minn.	Thompson
Connelly, Kans.	Haugen	Miller, Wash.	Tillman
Cooper, Ohio	Hawley	Mondell	Tilson
Cooper, W. Va.	Hayden	Montague	Timberlake
Cooper, Wis.	Hayes	Moon	Van Dyke
Copley	Heaton	Moore, Pa	Venable
Crago	Heflin	Morgan	Vestal
Cramton	Hensley	Mott	Vinson
Crisp	Hersey	Neely	Volet
Crosser	Hicks	Nelson, A. P.	Volstead
Currie, Mich.	Hilliard	Nichols, Mich.	Walker
Curry, Cal.	Hollingsworth	Nolan	Walsh
Dale	Houston	Oldfield	Walton
Dallinger	Howard	Oliver, Ala.	Ward
Davis	Huddleston	Osborne	Wason
Decker	Hull, Iowa	O'Shaunessy	Watkins
Denison	Hull, Tenn.	Overstreet	Watson, Pa.
Denton	Humphreys	Padgett	Watson, Va.
Dickinson	Igoe	Parker, N. J.	Welling
Dies	Ireland	Phelan	Welty
Dillon	Jaroway	Platt	Whaley
Dixon	James	Polk	Wheeler
Dominick	Johnson, S. Dak.	Pou	White, Me.
Doolittle	Johnson, Wash.	Powers	Williams
Doremus	Jones	Purnell	Wilson, La.
Doughton	Juul	Quin	Wilson, Tex.
Dowell	Kahn	Ragsdale	Wingo
Dupré	Kearns	Rainey, H. T.	Winslow
Dyer	Keating	Rainey, J. W.	Wood, Ind.
Eagan	Kehoe	Raker	Woods, Iowa
Eagle	Kelley, Mich.	Ramseyer	Woodyard
Elliott	Kelly, Pa.	Randall	Wright
Ellsworth	Kennedy, Iowa	Rankin	Young, N. Dak.

ANSWERED "PRESENT"—2.

Emerson Treadway

NOT VOTING—140.

Ashbrook	Beshlin	Bowers	Brumbaugh
Ayres	Blackmon	Britten	Butler
Bacharach	Booher	Brodbeck	Caldwell
Benson	Borland	Browning	Candler, Miss.

Carew	Godwin, N. C.	McLaughlin, Pa.	Shackleford
Carlin	Gordon	Maher	Shouse
Carter, Mass.	Graham, Pa.	Moores, Ind.	Siegel
Clark, Fla.	Gray, N. J.	Morin	Slemp
Cleary	Gregg	Mudd	Small
Costello	Griest	Nelson, J. M.	Smith, Idaho
Cox	Hamill	Nicholls, S. C.	Smith, C. B.
Darrow	Hamilton, N. Y.	Norton	Smith, T. F.
Davey	Hardy	Oliver, N. Y.	Snell
Delaney	Haskell	Olney	Stedman
Dempsey	Heintz	Overmyer	Steele
Dent	Helm	Paige	Stephens, Miss.
Dewalt	Helvering	Park	Sterling
Dill	Holland	Parker, N. Y.	Strong
Donovan	Hood	Peters	Sullivan
Dooling	Husted	Porter	Sumners
Drane	Hutchinson	Pratt	Swift
Drukker	Johnson, Ky.	Price	Taylor, Ark.
Dunn	Kennedy, R. I.	Ramsey	Templeton
Edmonds	Key, Ohio	Riordan	Thomas
Estopinal	Kiess, Pa.	Robbins	Tinkham
Evans	Kreider	Roberts	Towner
Fairchild, B. L.	LaGuardia	Rowland	Vare
Farr	Lea, Cal.	Rucker	Waldow
Fess	Littlepage	Russell	Weaver
Flynn	London	Sabath	Webb
Focht	Lundeen	Sanders, Ind.	White, Ohio
Francis	Lunn	Sanders, N. Y.	Wilson, Ill.
Fuller, Mass.	McClintic	Sanford	Wise
Gallivan	McCormick	Scully	Young, Tex.
Garland	McCulloch	Sears	Zihlman

So the other amendments were agreed to in gross.

The Clerk announced the following pairs:

Until further notice:

Mr. MAHER with Mr. MOORES of Indiana.

Mr. OLIVER of New York with Mr. MUDD.

Mr. OLNEY with Mr. PAIGE.

Mr. PARK with Mr. PETERS.

Mr. PRICE with Mr. RAMSEY.

Mr. SABATH with Mr. SANDERS of New York.

Mr. SEARS with Mr. SANDFORD.

Mr. SHOUSE with Mr. SIEGEL.

Mr. SMALL with Mr. SMITH of Idaho.

Mr. C. B. SMITH with Mr. FULLER of Massachusetts.

Mr. T. F. SMITH with Mr. TINKHAM.

Mr. SULLIVAN with Mr. HAMILTON of New York.

Mr. WEBB with Mr. GARLAND.

Mr. BRUMBAUGH with Mr. BRITTEN.

Mr. LEA of California with Mr. ZIHLMAN.

Mr. BOOHER with Mr. TREADWAY.

Mr. SCULLY with Mr. COSTELLO.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. NICHOLLS of South Carolina with Mr. DUNN.

Mr. RIORDAN with Mr. BACHARACH.

Mr. ASHBROOK with Mr. PARKER of New York.

Mr. HOLLAND with Mr. BROWNING.

Mr. HAMILL with Mr. HUTCHINSON.

Mr. BLACKMON with Mr. STRONG.

Mr. BENSON with Mr. HUSTED.

Mr. STEELE with Mr. BUTLER.

Mr. CLARK of Florida with Mr. DARROW.

Mr. GALLIVAN with Mr. EDMONDS.

Mr. HELVERING with Mr. FARR.

Mr. HELM with Mr. HASKELL.

Mr. LITTLEPAGE with Mr. KENNEDY of Rhode Island.

Mr. LUNN with Mr. KIESS of Pennsylvania.

Mr. MCCLINTIC with Mr. LAGUARDIA.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

Mr. BAER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the new raise in the railroad rates.

The SPEAKER. The gentleman from North Dakota asks unanimous consent to extend his remarks in the RECORD upon the railroad rates. Is there objection?

Mr. WALSH. Mr. Speaker, I object for the present. That ought to be done after this legislation is passed.

The SPEAKER. The Clerk will report the first of these amendments.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: On page 19, after line 12, insert the following:

"Clerk hire, Members and Delegates: To pay each Member, Delegate, and Resident Commissioner for clerk hire necessarily employed by him in the discharge of his official and representative duties, $2,000 per annum, in monthly installments, $880,000, or so much thereof as may be necessary."

Amendment to the amendment——

Mr. MANN. Mr. Speaker, that was not the amendment. The Clerk has not reported the amendment correctly. There is but one amendment reported from the Committee of the Whole to the House.

The SPEAKER. The gentleman is correct.

Mr. MANN. The committee adopted two amendments, but they are to be reported as one amendment.

The SPEAKER. Give the Clerk a chance to read it.

Mr. MANN. But he commenced wrong.

The SPEAKER. That is true, but he can correct it. The Clerk will report the amendment.

The Clerk read as follows:

After line 12, on page 19, insert:

"Clerk hire, Members and Delegates: For clerk hire of each Member, Delegate, and Resident Commissioner for clerk hire necessarily employed by him in the discharge of his official and representative duties, $3,200 per annum, in monthly installments, $880,000, or so much thereof as may be necessary."

Mr. MANN. Mr. Speaker, that was corrected to $1,408,000.

Mr. STAFFORD. No vote was ever taken on that.

Mr. GARRETT of Tennessee. Let us see. Had we not better take the Clerk's report rather than a statement from the floor. Does not the gentleman think that is fair?

Mr. MANN. Certainly, but the Clerk was directed to put in the correct amount, and I got the correct amount from the other clerk then doing the work.

Mr. GARRETT of Tennessee. Unanimous consent was given to correct the totals?

Mr. MANN. Oh, no.

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. If this amendment be not agreed to, will it then be in order to offer a motion to recommit, restoring the language of the bill as reported by the committee?

Mr. GARRETT of Tennessee. Undoubtedly.

The SPEAKER. You can put anything in a motion to recommit that is not subject to the point of order. The Clerk will finish reading the amendment.

The Clerk read as follows:

$1,408,000, or so much thereof as may be necessary: *Provided*, That no part thereof shall be paid to any Member, Delegate, or Resident Commissioner.

Mr. HUMPHREYS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HUMPHREYS. If this amendment should be voted down, what provision would there be then in the bill for the pay of clerk hire to Members?

The SPEAKER. That is not a parliamentary inquiry. That is a judicial inquiry.

Mr. GARD. Mr. Speaker, will the gentleman yield to me?

[Cries of "Regular order."]

Mr. HUMPHREYS. It is a question of what would be the status of the bill if it was stricken out.

Mr. SISSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SISSON. The amendment as it now stands has two substantive propositions in it, and while it was an amendment adopted to the Stafford amendment, there were two substantive propositions. In the House can a vote be had on the two propositions?

Mr. HUMPHREYS. What two propositions?

The SPEAKER. Certainly they can have a vote on the two propositions, if one of them modifies the other.

Mr. SISSON. What I rose for is to inquire if it is divisible; and if so, I want to ask for a separate vote on the so-called Good amendment to the Stafford amendment or to the amendment increasing it to $3,200.

Mr. HUMPHREYS. Mr. Speaker, there is only one amendment here. There are two propositions contained in it; first, that it appropriates $3,200, and next the proviso that this money shall not be paid to the Member, Delegate, or Resident Commissioner. In the Committee of the Whole, in the orderly process of forming the amendment, amendments to the amendment were agreed to; but as finally completed there was but one amendment. That amendment was to appropriate $3,200 for the pay of clerks to Members with the proviso that it should not, however, be paid directly to the Member. I submit you can not go back and have a separate vote in the House on an amendment to an amendment in Committee of the Whole or on the various amendments which might have been offered perfecting that amendment in Committee of the Whole.

Mr. SISSON. Mr. Speaker, I do not concede that necessarily determines whether there are two substantive propositions in the amendment, because in the Committee of the Whole unquestionably if it had been offered as one you could have divided the question. The test, it seems to me, here is, have you two substantive propositions, although both those propositions might have been added as separate votes in Committee of the Whole to one amendment, and thereby to be called one amendment in the House. In the amendment there are two substantive propositions.

The SPEAKER. What are they?

Mr. SISSON. First, fixing the amount at $3,200, and second, that the money shall not be paid to the Member himself.

Now, I want a separate vote on these two propositions.

The SPEAKER. Now, that second proposition is simply a modification of the first proposition, is it not?

Mr. SISSON. It is not only a modification, but it is so substantive that a man might be willing to vote for the amendment without the proposition, but unwilling to vote for it with it. That is all I desire to say, Mr. Speaker.

Mr. MANN. Mr. Speaker, the rule is that on the demand of any Member before the question is put the question shall be divided if it includes propositions so distinct in substance that if one be taken away a substantive proposition shall remain. My recollection is that this must apply to each of the propositions, that either one being taken away a substantive proposition must remain upon which action can be taken by the House. In other words, where an amendment is proposed containing two propositions where the House may reject one of them and then might agree to the other having a substantive proposition the amendment is divisible, but that is plainly not this case. The House can not adopt this provision which the gentleman seeks to have voted upon separately and make any sense, "*Provided*, That no part thereof shall be paid to any Member, Delegate, or Resident Commissioner." I will not say can not, because the House could agree to it; but it means nothing. It is not a substantive proposition by itself. It must, if agreed to by the House, come in with the main proposition making an appropriation and instead of being a substantive proposition it is a subsidiary proposition to the main proposition.

Mr. SISSON. Mr. Speaker, a parlamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SISSON. With the amendment offered as it is, it is extremely doubtful whether any money could be paid out under this amendment at all, but it is a substantive proposition to be voted upon in the order in which amendments shall be voted upon in the House If it is voted down then the $3,200 is voted directly to the Member.

The SPEAKER. Let me ask the gentleman a question. Suppose the House were to vote down the first proposition and vote in the last proposition. Would there be any sense at all in the amendment?

Mr. SISSON. Absolutely not; and therefore I do not believe the House would do anything like that.

The SPEAKER. The Chair knows, but the House can do what it pleases.

Mr. SISSON. But I do not believe it will do anything as foolish as that.

The SPEAKER. It is not divisible.

Mr. MADDEN. Mr. Chairman, I demand the yeas and nays on the amendment.

Mr. WATKINS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WATKINS. If I may be permitted to answer that question——

The SPEAKER. The Chair has already answered it. The gentleman from Illinois [Mr. MADDEN] demands the yeas and nays on this amendment.

Mr. MANN. Mr. Speaker, I would like to make a unanimous-consent request. I do not know whether there will be any objection to it, but the word "hire" appears in this amendment twice. I ask unanimous consent that the amendment be amended by striking out the word "hire" where it appears the second time.

The SPEAKER. The gentleman from Illinois asks to strike out the word "hire" where it appears the second time. Is there objection? [After a pause.] The Chair hears none. The question is on ordering the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 150, nays 146, answered "present" 7, not voting 127, as follows:

YEAS—150.

Anderson	Chandler, Okla.	Dyer	Good
Anthony	Clark, Pa.	Eagan	Goodall
Aswell	Coady	Elliott	Goodwin, Ark.
Austin	Connally, Tex.	Ellsworth	Gould
Baer	Cooper, Ohio	Essen	Greene, Mass.
Bankhead	Cooper, W. Va.	Fairchild, G. W.	Greene, Vt.
Birch	Copley	Fairfield	Hadley
Bland, Ind.	Crago	Ferris	Harrison, Miss.
Burnett	Curry, Cal.	Fields	Harrison, Va.
Burroughs	Dale	Fisher	Hastings
Campbell, Kans.	Dallinger	Fordney	Hawley
Campbell, Pa.	Davis	French	Hayden
Cantrill	Denison	Gallagher	Hayes
Caraway	Dill	Gandy	Hersey
Carter, Okla.	Dupré	Garrett, Tenn.	Hicks
Hilliard	Little	Pou	Tillman
Howard	Lonergan	Powers	Tilson
Humphreys	Lufkin	Purnell	Timberlake
Igoe	McAndrews	Rainey, J. W.	Van Dyke
Ireland	McArthur	Raker	Vestal
Jacoway	McFadden	Randall	Vinson
Johnson, S. Dak.	McKeown	Rankin	Walker
Johnson, Wash.	McKinley	Reed	Walton
Kahn	McLaughlin, Mich.	Roberts	Ward
Kearns	McLemore	Rodenberg	Wason
Kehoe	Mann	Rouse	Watson, Pa.
Kelley, Mich.	Mansfield	Rowe	Weaver
Kettner	Martin	Rubey	Whaley
Kincheloe	Mason	Rucker	Wheeler
King	Mays	Sanders, La.	White, Me.
Knutson	Miller, Minn.	Schall	Wilson, Tex.
Langley	Mondell	Scott, Iowa	Wingo
Larsen	Mott	Sinnott	Winslow
Lazaro	Neely	Snyder	Wood, Ind.
Lee, Ga.	Nolan	Stevenson	Woodyard
Lehlbach	Oldfield	Stiness	Young, N. Dak.
Lesher	O'Shaunessy	Tague	
Linthicum	Phelan	Temple	

NAYS—146.

Alexander	Foss	Lever	Shallenberger
Almon	Foster	Lobeck	Sherley
Barkley	Frear	Longworth	Sherwood
Barnhart	Freeman	McKenzie	Sims
Beakes	Fuller, Ill.	Madden	Sisson
Bell	Gard	Magee	Slayden
Black	Garner	Mapes	Sloan
Bland, Va.	Garrett, Tex.	Merritt	Small
Blanton	Gillett	Miller, Wash.	Smith, Mich.
Brand	Glynn	Montague	Snook
Browne	Gordon	Moon	Stafford
Byrnes, S. C.	Graham, Ill.	Moore, Pa.	Steagall
Byrns, Tenn.	Gray, Ala.	Morgan	Steenerson
Cannon	Green, Iowa	Nelson, A. P.	Stephens, Miss.
Classon	Griffin	Nelson, J. M.	Stephens, Nebr.
Claypool	Hamlin	Nichols, Mich.	Sumners
Collier	Hardy	Oliver, Ala.	Sweet
Connelly, Kans.	Hau en	Osborne	Switzer
Cooper, Wis.	Heflin	Overstreet	Taylor, Colo.
Cramton	Hensley	Padgett	Thompson
Crisp	Hollingsworth	Paige	Tinkham
Crosser	Houston	Parker, N. J.	Venable
Currie, Mich.	Huddleston	Platt	Voigt
Decker	Hull, Iowa	Polk	Volstead
Denton	Hull, Tenn.	Quin	Walsh
Dickinson	James	Ragsdale	Watkins
Dies	Jones	Rainey, H. T.	Watson, Va.
Dillon	Juul	Ramseyer	Welling
Dixon	Keating	Rayburn	Welty
Doolittle	Kelly, Pa.	Robinson	Williams
Doremus	Kennedy, Iowa	Rogers	Wilson, La.
Doughton	Key, Ohio	Romjue	Wise
Dowell	Kinkaid	Rose	Woods, Iowa
Eagle	Kitchin	Sanders, N. Y.	Wright
Elston	Kraus	Saunders, Va.	Young, Tex.
Esch	La Follette	Scott, Mich.	
Flood	Lampert	Sells	

ANSWERED "PRESENT"—7.

Buchanan	Dominick	Heaton	Treadway
Cary	Emerson	Reavis	

NOT VOTING—127.

Ashbrook	Dooling	Johnson, Ky.	Rowland
Ayres	Drane	Kennedy, R. I.	Russell
Bacharach	Drukker	Kiess, Pa.	Sabath
Benson	Dunn	Kreider	Sanders, Ind.
Beshlin	Edmonds	LaGuardia	Sanford
Blackmon	Estopinal	Lea, Cal.	Scully
Booher	Evans	Littlepage	Sears
Borland	Fairchild, B. L.	London	Shackleford
Bowers	Farr	Lundeen	Shouse
Britten	Fess	Lunn	Siegel
Brodbeck	Flynn	McClintic	Slemp
Browning	Focht	McCormick	Smith, Idaho
Brumbaugh	Francis	McCulloch	Smith, C. B.
Butler	Fuller, Mass.	McLaughlin, Pa.	Smith, T. F.
Caldwell	Gallivan	Maher	Snell
Candler, Miss.	Garland	Moores, Ind.	Stedman
Carew	Godwin, N. C.	Morin	Steele
Carlin	Graham, Pa.	Mudd	Sterling
Carter, Mass.	Gray, N. J.	Nicholls, S. C.	Strong
Chandler, N. Y.	Gregg	Norton	Sullivan
Church	Griest	Oliver, N. Y.	Swift
Clark, Fla.	Hamill	Olney	Taylor, Ark.
Cleary	Hamilton, Mich.	Overmyer	Templeton
Costello	Hamilton, N. Y.	Park	Thomas
Cox	Haskell	Parker, N. Y.	Towner
Darrow	Heintz	Peters	Vare
Davey	Helm	Porter	Waldow
Delaney	Helvering	Pratt	Webb
Dempsey	Holland	Price	White, Ohio
Dent	Hood	Ramsey	Wilson, Ill.
Dewalt	Husted	Riordan	Zihlman
Donovan	Hutchinson	Robbins	

So the amendment was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. NICHOLLS of South Carolina (for) with Mr. DOMINICK (against).

Mr. SMITH of Idaho (for) with Mr. REAVIS (against).

Mr. SNELL (for) with Mr. HAMILTON of Michigan (against).

Until further notice:

Mr. SABATH with Mr. DUNN.

Mr. THOMAS F. SMITH with Mr. HEATON.

Mr. EMERSON. Mr. Speaker, I am paired with the gentleman from Louisiana, Mr. ESTOPINAL. I answered "present," but if I were not paired I would vote "nay."

Mr. DOMINICK. Mr. Speaker, I am paired with the gentleman from South Carolina, Mr. NICHOLLS. If he were present he would vote "yea" and I would vote "nay." I am recorded as "present." I want my pair fixed properly.

The result of the vote was announced as above recorded.

Mr. MANN. Mr. Speaker, I think on a matter of this sort, where it is so close, involving the membership of the House, there ought to be a recapitulation.

The SPEAKER. I think the gentleman is entitled to his recapitulation. The Clerk will recapitulate the vote.

The vote was recapitulated, and the result found as above recorded.

Mr. MADDEN. Mr. Speaker, I understood the Clerk to read the name of Mr. EMERSON as answering "present." I understood him, though I am not clear about it, to come to the desk and change his vote from "present" to "nay." Am I right about that?

Mr. EMERSON. I stated that I was paired with the gentleman from Louisiana, Mr. ESTOPINAL, but if I had not been paired I would have voted "nay."

The SPEAKER. The Clerk will report the next amendment.

Mr. MANN. Mr. Speaker, there are two amendments to section 7, if that is the number of the section.

Mr. BYRNS of Tennessee. There are more than two, I think.

The SPEAKER. There were three that were asked to be voted on separately. The Clerk will report the Nolan amendment.

Mr. MANN. Mr. Speaker, I ask that all of those amendments to that section be voted on together.

Mr. BYRNS of Tennessee. I will say, if the gentleman from Illinois [Mr. MANN] will permit, that if the House will vote down or vote up the Nolan amendment, the other two amendments will follow, I think.

Mr. MANN. I think it is proper they should go together.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that all these amendments on this subject be voted on together. Is there objection?

Mr. HENRY T. RAINEY. I object.

The SPEAKER. The Clerk will report the Nolan amendment.

The Clerk read as follows:

Nolan amendment: Page 146, line 18, strike out "$120" and insert in lieu thereof "$240."

The SPEAKER. The question is on the Nolan amendment.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 202, nays 81, answered "present" 3, not voting 144, as follows:

YEAS—202.

Anderson	Elliott	Humphreys	Magee
Anthony	Ellsworth	Igoe	Mann
Aswell	Elston	Ireland	Mapes
Austin	Essen	Jacoway	Martin
Baer	Fairchild, G. W.	James	Mason
Bankhead	Fairfield	Johnson, S. Dak.	Mays
Birch	Ferris	Johnson, Wash.	Merritt
Bland, Ind.	Fields	Juul	Miller, Minn.
Browne	Fisher	Kearns	Miller, Wash.
Burroughs	Fordney	Keating	Mondell
Campbell, Kans.	Foss	Kehoe	Moore, Pa.
Campbell, Pa.	Frear	Kelley, Mich.	Morgan
Cantrill	Freeman	Kelly, Pa.	Mott
Caraway	French	Kettner	Neely
Carter, Okla.	Fuller, Ill.	Key, Ohio	Nelson, A. P.
Cary	Gallagher	King	Nelson, J. M.
Chandler, Okla.	Gandy	Kinkaid	Nichols, Mich.
Church	Glynn	Knutson	Nolan
Clark, Pa.	Goodall	La Follette	Oldfield
Classon	Goodwin, Ark.	Lampert	Osborne
Coady	Gould	Langley	O'Shaunessy
Cooper, Ohio	Graham, Ill.	Lazaro	Overstreet
Cooper, W. Va.	Gray, Ala.	Lea, Cal.	Paige
Cooper, Wis.	Green, Iowa	Lehlbach	Parker, N. J.
Copley	Greene, Mass.	Lesher	Phelan
Crago	Griffin	Linthicum	Platt
Cramton	Hadley	Little	Polk
Crosser	Harrison, Miss.	Lobeck	Pou
Currie, Mich.	Hastings	Lonergan	Powers
Curry, Cal.	Haugen	Longworth	Purnell
Dallinger	Hawley	Lufkin	Rainey, J. W.
Davis	Hayden	McAndrews	Raker
Dill	Hayes	McArthur	Ramseyer
Dillon	Hersey	McFadden	Randall
Doolittle	Hicks	McKeown	Rankin
Dowell	Hilliard	McKinley	Reavis
Dupré	Hollingsworth	McLaughlin, Mich.	Roberts
Dyer	Huddleston	McLemore	Rodenberg
Eagan	Hull, Iowa	Madden	Rogers
Rose	Steenerson	Van Dyke	Whaley
Rubey	Stephens, Nebr.	Vestal	Wheeler
Sanders, La.	Stiness	Voigt	White, Me.
Schall	Sweet	Volstead	Williams
Scott, Iowa	Switzer	Walker	Wingo
Scott, Mich.	Tague	Walsh	Winslow
Sells	Taylor, Colo.	Walton	Wood, Ind.
Sims	Temple	Ward	Woods, Iowa
Sinnott	Tillman	Wason	Woodyard
Sloan	Tilson	Watkins	Young, N. Dak.
Smith, Mich.	Timberlake	Watson, Pa.	
Snyder	Tinkham	Weaver	

NAYS—81.

Alexander	Dominick	Kraus	Small
Almon	Doughton	Larsen	Snook
Barkley	Eagle	Lee, Ga.	Stafford
Barnhart	Esch	Lever	Steagall
Beakes	Flood	Mansfield	Stephens, Miss.
Bell	Foster	Montague	Stevenson
Black	Gard	Moon	Sumners
Bland, Va.	Garner	Oliver, Ala.	Thompson
Blanton	Garrett, Tenn.	Padgett	Venable
Buchanan	Garrett, Tex.	Quin	Vinson
Burnett	Gillett	Ragsdale	Watson, Va.
Byrnes, S. C.	Good	Rainey, H. T.	Welling
Byrns, Tenn.	Gordon	Robinson	Welty
Cannon	Greene, Vt.	Romjue	Wilson, La.
Collier	Hardy	Sanders, N. Y.	Wilson, Tex.
Connally, Tex.	Heasley	Saunders, Va.	Wise
Crisp	Houston	Shallenberger	Wright
Dale	Hull, Tenn.	Sherley	Young, Tex.
Decker	Jones	Sherwood	
Dickinson	Kincheloe	Sisson	
Dixon	Kitchin	Slayden	

ANSWERED "PRESENT"—3.

Emerson	Heaton	Treadway

NOT VOTING—144.

Ashbrook	Donovan	Husted	Riordan
Ayres	Dooling	Hutchinson	Robbins
Bacharach	Doremus	Johnson, Ky.	Rouse
Benson	Drane	Kahn	Rowe
Boehlin	Drukker	Kennedy, Iowa	Rowland
Blackmon	Dunn	Kennedy, R. I.	Rucker
Booher	Edmonds	Kless, Pa.	Russell
Borland	Estopinal	Kreider	Sabath
Bowers	Evans	Laguardia	Sanders, Ind.
Brand	Fairchild, B. L.	Littlepage	Sanford
Britten	Farr	London	Scully
Brodbeck	Fess	Lundeen	Sears
Browning	Flynn	Lunn	Shackleford
Brumbaugh	Focht	McClintic	Shouse
Butler	Francis	McCormick	Siegel
Caldwell	Fuller, Mass.	McCulloch	Slemp
Candler, Miss.	Gallivan	McKenzie	Smith, Idaho
Carew	Garland	McLaughlin, Pa.	Smith, C. B.
Carlin	Godwin, N. C.	Maher	Smith, T. F.
Carter, Mass.	Graham, Pa.	Moores, Ind.	Snell
Chandler, N. Y.	Gray, N. J.	Morin	Stedman
Clark, Fla.	Gregg	Mudd	Steele
Claypool	Griest	Nicholls, S. C.	Sterling
Cleary	Hamill	Norton	Strong
Connelly, Kans.	Hamilton, Mich.	Oliver, N. Y.	Sullivan
Costello	Hamilton, N. Y.	Olney	Swift
Cox	Hamlin	Overmyer	Taylor, Ark.
Darrow	Harrison, Va.	Park	Templeton
Davey	Haskell	Parker, N. Y.	Thomas
Delaney	Heflin	Peters	Towner
Dempsey	Heintz	Porter	Vare
Denison	Helm	Pratt	Waldow
Dent	Helvering	Price	Webb
Denton	Holland	Ramsey	White, Ohio
Dewalt	Hood	Rayburn	Wilson, Ill.
Dies	Howard	Reed	Zihlman

So the amendment was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. NICHOLLS of South Carolina with Mr. SNELL.

Mr. HAMLIN with Mr. HAMILTON of Michigan.

Mr. MAHER with Mr. SMITH of Idaho.

Mr. DELANEY with Mr. REED.

Mr. TREADWAY. Mr. Speaker, I voted "aye." I am paired with the gentleman from Missouri, Mr. BOOHER, and I wish to withdraw my vote of "aye" and vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. TREADWAY, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Sherley amendment: On page 146, in lines 20 and 23, strike out "$2,620" and insert "$2.740," and on page 146, line 25, strike out "30" and insert "60," and on page 150, line 13, strike out "$120" and insert "$140."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time.

Mr. GARD. Mr. Speaker, I desire to offer a motion to recommit.

The SPEAKER. The gentleman will send it up. Is the gentleman opposed to the bill?

Mr. GARD. Yes, sir.

The SPEAKER. The Clerk will report the gentleman's motion.

The Clerk read as follows:

Mr. GARD moves to recommit the bill to the Committee on Appropriations, with instructions to report the same back to the House forthwith with the following amendment: On page 19, line 13, strike out the language of the Stafford amendment as amended and insert in lieu thereof the following:

"Clerk hire, Members and Delegates: To pay each Member, Delegate, and Resident Commissioner for clerk hire necessarily employed by him in the discharge of his official and representative duties, $2,000 per annum, in monthly installments, $880,000 or so much thereof as may be necessary, and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States shall be entitled to payment under this appropriation."

Mr. MANN. Mr. Speaker, I make a point of order against that amendment.

The SPEAKER. The point of order is sustained.

Mr. WINGO. Mr. Speaker, I wish to offer a motion.

Mr. GARD. What point of order was made by the gentleman from Illinois?

Mr. MANN. The point of order was that the amendment proposed to strike out the amendment to which the House has just agreed.

Mr. GARD. The object of the motion to recommit was confined to a part only of the action of the House and not to the entire language of the amendment.

The SPEAKER. The Chair knows; but the gentleman's motion to recommit in the nature of an amendment or instruction would repeal the Stafford amendment that has just been put into the bill by a vote of the House.

Mr. GARD. Only a part.

The SPEAKER. I do not know. If it is bad in part, it is bad in the whole. The question is on the passage of the bill.

Mr. WINGO. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Arkansas rise?

Mr. WINGO. To offer a motion to recommit.

The SPEAKER. The gentleman will send it up.

Mr. WINGO. I move to recommit the bill to the Committee on Appropriations.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. WINGO. I ask for a division.

The SPEAKER. The gentleman from Arkansas demands a division.

The House divided; and there were—ayes 14, noes 122.

So the motion was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. BYRNS of Tennessee, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HAMILTON of Michigan, for the day, on account of sickness.

To Mr. SMITH of Idaho (at the request of Mr. FRENCH), for the day, on account of illness.

CENSUS BILL.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent that we take the census bill from the Speaker's table, disagree to the Senate amendments thereto, and agree to the request for a conference.

The SPEAKER. The Clerk will report it.

Mr. STAFFORD. At this late hour, Mr. Speaker, I think it should go over until Monday.

The SPEAKER. Does the gentleman object?

Mr. STAFFORD. I do at this late hour.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 25 minutes p. m.) the House adjourned until to-morrow, Sunday, January 19, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy submitting supplemental estimates of appropriation required by the Navy Department for the fiscal year 1919 (H. Doc. No. 1697); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting deficiency estimates of appropriations required for the fiscal year ending June 30, 1919, by the Public Health Service (H. Doc. No. 1698); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting a detailed statement of the refunds of customs duties, etc., for the fiscal year ended June 30, 1918, as required by paragraph Y, section III, of the tariff act of October 3, 1913 (H. Doc. No. 1699); to the Committee on Ways and Means and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting a list of judgments rendered by the Court of Claims which have been presented to the Treasury Department and require an appropriation for their payment (H. Doc. No. 1700); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting record of judgment of the United States District Court for the Eastern District of Louisiana regarding claim of owners of steamship *Esparta* (H. Doc. No. 1701); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting a list of judgments rendered against the Government by the district courts of the United States which require an appropriation for their payment (H. Doc. No. 1702); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CARTER of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (H. R. 14746) making appropriation for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, reported the same without amendment, accompanied by a report (No. 945), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CANTRILL: A bill (H. R. 14672) authorizing the Secretary of War to donate to the University of Kentucky, Lexington, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 14673) to require the Secretary of War and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. WICKERSHAM: A bill (H. R. 14674) to increase the limit of cost for the construction of the United States public building authorized at Juneau, Alaska; to the Committee on Public Buildings and Grounds.

By Mr. HOLLINGSWORTH: A bill (H. R. 14675) authorizing the Secretary of War to donate to the city of Martins Ferry, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOODALL: A bill (H. R. 14676) authorizing the Secretary of War to donate to the town of Sanford, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. AYRES: A bill (H. R. 14677) authorizing the Secretary of War to donate to the city of Wellington, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14678) authorizing the Secretary of War to donate to the city of Caldwell, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14679) authorizing the Secretary of War to donate to the city of Conway Springs, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14680) authorizing the Secretary of War to donate to the city of Halstead, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CLARK of Pennsylvania: A bill (H. R. 14681) authorizing the Secretary of War to donate to the city of Corry, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14682) authorizing the Secretary of War to donate to the city of Meadville, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 14683) authorizing the Secretary of War to donate to the village of New Hyde Park, in the State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WATSON of Pennsylvania: A bill (H. R. 14684) authorizing the Secretary of War to donate to the borough of Langhorne, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SUMNERS: A bill (H. R. 14685) for the erection of a public building at Dallas, Tex., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. MANN: A bill (H. R. 14686) authorizing the Secretary of War to donate to the city of Chicago, Cook County, Ill., one German cannon or fieldpiece, to be placed in West Pullman Park; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 14687) authorizing the Secretary of War to donate to the city of Providence, R. I., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. GEORGE W. FAIRCHILD: A bill (H. R. 14688) authorizing the Secretary of War to donate to the city of Binghamton, N. Y., one German cannon or fieldpiece, to be placed in the city park; to the Committee on Military Affairs.

By Mr. ADOLPHUS P. NELSON: A bill (H. R. 14689) authorizing the Secretary of War to donate to the village of Sheil Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RANDALL: A bill (H. R. 14690) authorizing the Secretary of War to donate to cities in California captured German cannon, fieldpieces, and war trophies; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 14691) authorizing the Secretary of War to donate to the borough of Elizabeth, in the State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 14692) authorizing the Secretary of War to donate to the city of Brainerd, Minn., two cannons or fieldpieces of obsolete pattern used in the world war; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 14693) authorizing the Secretary of War to donate to the city of Grants Pass, county of Josephine, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14694) authorizing the Secretary of War to donate to the city of Roseburg, Douglas County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14695) authorizing the Secretary of War to donate to the city of Eugene, county of Lane, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14696) authorizing the Secretary of War to donate to the city of Albany, county of Linn, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14697) authorizing the Secretary of War to donate to the city of Salem, Marion County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14698) authorizing the Secretary of War to donate to the city of Oregon City, Clackamas County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14699) authorizing the Secretary of War to donate to the city of Jacksonville, Jackson County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14700) authorizing the Secretary of War to donate to the city of Astoria, Clatsop County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14701) authorizing the Secretary of War to donate to the city of St. Helens, Columbia County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14702) authorizing the Secretary of War to donate to the city of Hillsboro, Washington County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14703) authorizing the Secretary of War to donate to the city of McMinnville, Yamhill County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14704) authorizing the Secretary of War to donate to the city of Dallas, Polk County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14705) authorizing the Secretary of War to donate to the city of Corvallis, Benton County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14706) authorizing the Secretary of War to donate to the city of Tillamook, Tillamook County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14707) authorizing the Secretary of War to donate to the city of Toledo, Lincoln County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14708) authorizing the Secretary of War to donate to the city of Coquille, Coos County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14709) authorizing the Secretary of War to donate to the city of Marshfield, Coos County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14710) authorizing the Secretary of War to donate to the city of Gold Beach, Curry County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14711) authorizing the Secretary of War to donate to the city of Medford, Jackson County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14712) authorizing the Secretary of War to donate to the city of Ashland, Jackson County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. VESTAL: A bill (H. R. 14713) authorizing the Secretary of War to donate to the city of Elwood, county of Madison, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14714) authorizing the Secretary of War to donate to the city of Winchester, county of Randolph, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14715) authorizing the Secretary of War to donate to the city of Anderson, county of Madison, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14716) authorizing the Secretary of War to donate to the city of Muncie, county of Delaware, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14717) authorizing the Secretary of War to donate to the city of Decatur, county of Adams, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14718) authorizing the Secretary of War to donate to the city of Portland, county of Jay, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14719) authorizing the Secretary of War to donate to the city of Bluffton, county of Wells, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HAYDEN: A bill (H. R. 14720) to amend section 852, Revised Statutes of the United States, relating to jurors' fees; to the Committee on the Judiciary.

By Mr. VESTAL: A bill (H. R. 14721) authorizing the Secretary of War to donate to Union City, county of Randolph, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14722) authorizing the Secretary of War to donate to the city of Dunkirk, county of Jay, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 14723) authorizing the Secretary of War to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. BYRNES of South Carolina: A bill (H. R. 14724) authorizing the Secretary of War to donate to the city of Barnwell, S. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KENNEDY of Iowa: A bill (H. R. 14725) authorizing the Secretary of War to donate to the city of Keokuk, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 14726) authorizing the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Naval Affairs.

By Mr. FAIRFIELD: A bill (H. R. 14727) authorizing the Secretary of War to donate to the city of Auburn, county of De Kalb, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14728) authorizing the Secretary of War to donate to the city of Angola, county of Steuben, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14729) authorizing the Secretary of War to donate to the Scipio Cemetery, county of Allen, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14730) authorizing the Secretary of War to donate to the city of Columbia City, county of Whitley, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14731) authorizing the Secretary of War to donate to the city of Lagrange, county of Lagrange, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14732) authorizing the Secretary of War to donate to the city of Albion, county of Noble, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14733) authorizing the Secretary of War to donate to the city of Ligonier, county of Noble, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14734) authorizing the Secretary of War to donate to the city of Fort Wayne, county of Allen, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEVENSON: A bill (H. R. 14735) to increase the cost of the public building at Lancaster, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. CALDWELL: A bill (H. R. 14736) authorizing the Secretary of War to donate to Public School No. 87, Middle Village, Long Island, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FRENCH: A bill (H. R. 14737) to relieve Congress from the adjudication of private claims against the Government; to the Committee on the Judiciary.

By Mr. JAMES: A bill (H. R. 14738) authorizing the Secretary of War to donate to the city of Marquette, county of Marquette, State of Michigan, to be placed in Presque Isle Park, in the city of Marquette, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 14739) authorizing the Secretary of War to donate to the city of Enid, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 14740) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto, approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER: A bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various tribes of Indians, and for other purposes, for the fiscal year ending June 30, 1920; to the Committee of the Whole House on the state of the Union.

By Mr. FLOOD: A bill (H. R. 14747) authorizing the Secretary of War to donate to the town of Newcastle, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOULD: Resolution (H. Res. 507) directing the United States Food Administration to furnish the House of Representatives with certain information; to the Committee on Agriculture.

By Mr. GALLIVAN: Joint resolution (H. J. Res. 390) requesting the Secretary of War to furnish to Congress the records of the Graves Registration Service of the American Expeditionary Forces in Europe; to the Committee on Military Affairs.

By Mr. MONDELL: Joint resolution (H. J. Res. 391) relating to the fuel supply of the city of Casper, Wyo.; to the Committee on the Public Lands.

By Mr. SIMS: Joint resolution (H. J. Res. 392) authorizing and directing the accounting officers of the Treasury Department to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 14741) granting a pension to Sarah E. Dillon; to the Committee on Invalid Pensions.

By Mr. FAIRFIELD: A bill (H. R. 14742) granting an increase of pension to Jacob Cribbs; to the Committee on Invalid Pensions.

By Mr. GOODALL: A bill (H. R. 14743) granting an increase of pension to Charles F. Smith; to the Committee on Invalid Pensions.

By Mr. MILLER of Washington: A bill (H. R. 14744) granting a pension to Loue Thompson; to the Committee on Pensions.

Also, a bill (H. R. 14745) granting an increase of pension to Edward M. Simmons; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANTHONY: Petition of Flora Rose Cormer and others, of Topeka, Kans., requesting repeal of the postal zone rate law; to the Committee on Ways and Means.

By Mr. CARY: Petition of Theater Managers' Association, Milwaukee, Wis., protesting against the proposed doubling of theater admission tax; to the Committee on Ways and Means.

Also, petition of Sherman Brown, manager of Davidson Theater, Milwaukee, Wis., protesting against the increase of the present tax on theater admission; to the Committee on Ways and Means.

By Mr. DALLINGER: Resolution of City Council of Cambridge, Mass., favoring league of nations; to the Committee on Foreign Affairs.

By Mr. EMERSON: Resolutions of the Health and Old Age Insurance Commission of Ohio, urging the conversion of war-savings stamps into annuities; to the Committee on Ways and Means.

By Mr. HAMILTON: Resolutions of Wayland Ladies' Literary Club, urging support of Senate bill 4987; to the Committee on Education.

By Mr. HOLLINGSWORTH: Memorial of State Veterinary Medical Association of Ohio, favoring increased efficiency and salaries for Bureau of Animal Industry; to the Committee on Agriculture.

By Mr. McKINLEY: Resolutions of Dewitt County Farm Bureau, Clinton, Ill., urging United States Department of Agriculture to keep sun time the coming season, as it helps to increase food production; to the Committee on Agriculture.

By Mr. POLK: Resolutions of Chamber of Commerce of Wilmington, Del., on Federal control of the wire system of the country; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Parent-Teacher Association of Selbyville, Del., relative to Senate bill 4987; to the Committee on Education.

Also, resolutions of New Century Club of Wilmington, Del., relative to Senate bill 4987; to the Committee on Education.

By Mr. SMITH of Michigan: Resolution of A. H. Crane, secretary Brotherhood Railway Carmen of America, favoring Government control of railroads and other public utilities; to the Committee on Interstate and Foreign Commerce.

Also, resolution of Ellery J. Rundle, of Marshall, Mich., favoring Government control of railroads according to Mr. McAdoo's plan; to the Committee on Interstate and Foreign Commerce.

Also, petition of J. Bolen and 149 citizens of Kalamazoo, Mich., favoring Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of T. J. Barker, cashier Warden Grocery Co., of Kalamazoo, Mich., protesting against postage rates; to the Committee on Ways and Means.

By Mr. SNOOK: Resolutions adopted by the State Veterinary Medical Association of Ohio, favoring an increase in salary of members of the organization of the Bureau of Animal Industry, and also favoring a permanent and increased appropriation for carrying on the investigation of hog cholera; to the Committee on Agriculture.

By Mr. TAGUE: Resolutions adopted by the Lithuanian residents of the city of Worcester, Mass., asking that negotiations be opened looking to the improvement in the means of communication between them and the people now in Lithuania and the Lithuanian Government; to the Committee on Foreign Affairs.

Also, telegrams from several citizens of Boston, Mass., protesting against the proposed tax to be levied on theater tickets under the pending revenue bill; to the Committee on Ways and Means.

SENATE.

SUNDAY, *January 19, 1919.*

(Legislative day of Tuesday, Jan. 14, 1919.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

MEMORIAL ADDRESSES ON THE LATE SENATOR GALLINGER.

Mr. HOLLIS. Mr. President, I offer the following resolutions and move their adoption.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 417) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate expresses its profound sorrow in the death of the Hon. JACOB H. GALLINGER, late a Senator from the State of New Hampshire.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. HOLLIS. Mr. President, my late distinguished colleague, the Hon. JACOB HAROLD GALLINGER, was the leader of his party in the Senate and the veteran of this body by two full years in point of continuous service. He entered the Senate March 4, 1891, serving without a break to the day of his death, August 17, 1918, a period of 27 years.

Senator GALLINGER began his political career in the New Hampshire Legislature in 1872, serving there for several terms, and later three terms in the State senate, where he was twice president. He was a Member of the National Congress for two terms before he entered the United States Senate. For many years he was chairman of the Republican State committee in New Hampshire.

The duties of these various offices he discharged with industry, intelligence, and dignity. He leaned toward the formal in his conduct of public business, but he was delightfully informal, genial, and kindly in his own home and among his friends. He was ever ready to perform favors for friend or foe. He was of an optimistic temperament, wholesome, sane, uniformly cheerful and courteous. It is delightful to one who has been his persistent political adversary from his home ward to the forum of the Senate to be able to accord to him, without reservation, so much of praise.

His character and his attitude toward public questions were conventional and consistent. One who had followed his course for a few years could foretell with certainty how he would vote on any matter of importance. He was sure not to be "the first by whom the new is tried," and he was always among "the last to lay the old aside."

Senator GALLINGER was a natural conservative. Hard work and persistent effort had lifted him from lowly circumstances to a position of power and influence among his fellows. The game of life was played in his generation according to his tastes and inclinations. He believed that any man of average intelligence could get on in the world if he would be sober, industrious, and thrifty. He did not believe that the country nor the Government owed any man more than this opportunity.

I think Senator GALLINGER was frankly puzzled at the era of change and reform in which he spent his declining years. I used to see him in the Senate gazing at some colleague whom he believed to be honest, wondering how any intelligent man could utter such foolishness.

More than once he has said to me in substance: "I suppose you young chaps consider me very old-fashioned. Perhaps I am. But things look to me now as they have all my life. I believe I am right, and I shall stick it out if I have to stand alone."

His long and elevated allegiance to prohibition and woman suffrage testify to his courage and independence. I sincerely believe that the inevitable adoption of Federal amendments on these subjects was hastened several years by his advocacy and support. In these two respects he departed from conventionalism and conservatism and became progressive and radical. I think he delighted in thus straying occasionally from the beaten conservative path and plucking a few nosegays from Bohemian fields. Most of his political associates were opposed to prohibition, and nearly all of them abhorred woman suffrage, particularly in the early days. But he never faltered.

The name of my late colleague has been familiar to me from boyhood. All my life he has been a leading citizen of my native city. I remember hearing my father speak of him in 1876, when I was only 7, and my father and Dr. GALLINGER, as he was then known, were members of the New Hampshire constitutional convention. His children were my playmates and schoolmates, and his daughter sat beside me during our first year in the Concord High School.

Dr. GALLINGER enjoyed a good practice as a physician in the best circles of Concord before he entered Congress, in the days when a physician was not a specialist, but an all-around general practitioner, family adviser, and friend. My townsmen referred to him to the last as "Doctor" GALLINGER, feeling in some way that that appellation was less formal than that of "Senator."

He was always prominent in advancing the cause of our city and our State. In the old days there were perennial contests in the State legislature and before the courts between the Concord Railroad and the Boston & Maine Railroad, which was then called a "foreigner." Dr. GALLINGER and my father always worked together for the interests of the Concord road against the foreign invader. And it was characteristic of Senator GALLINGER that he continued those early friendships and affiliations throughout his life. He had a great gift in the way of staunchness and loyalty to his friends.

Senator GALLINGER was a tireless worker and had little patience with those who were lazy or inattentive. For 20 years I tested his skill in political campaigns, and I never knew it to fail. No detail was overlooked. He kept track of every absent voter and found time to take a friendly interest in promising young men of both parties just approaching their majority. The Democratic Party won no important victories in New Hampshire until he retired as chairman of the Republican State Committee in 1908.

My relations with my colleague were always cordial in private life. In the Senate we usually voted against each other, but we never clashed in debate after the tariff contest of 1913. We found many opportunities to reciprocate favors, and we never hesitated to confer on matters in which our constituents were interested.

I can testify with authority to the universal esteem in which my late colleague was held by Senators on this side of the Chamber. I leave it to those who were associated with him long years in the Senate to speak of his services here. I have tried merely to outline his many fine qualities as observed by a political antagonist of a younger generation who knew him as a good neighbor, a kind parent, a devoted husband, and an exemplary citizen.

New Hampshire mourns his loss.

Mr. LODGE. Mr. President, "the man who was one of us has put on the garment of Eternity and become radiant and triumphant; the present is all at once the past; Hope is suddenly cut away and only the backward vistas of Memory remain, shone over by a light that proceeds not from this earthly sun."

"This is a transition out of visible Time into invisible Eternity."

And the questions which arise as we mourn for the friend who has gone and strive to do him honor are two: What did he do in the life that was granted him among the generation and in the times where his lot was cast; and the greater question, How did he live his life? What a man was is ever more important than what he did. Without misgiving we can ask and answer both questions in the case of Senator GALLINGER. A long life closing with all that should accompany old age, "honor, love, obedience, troops of friends." A life beginning with the earnest pursuit and crowding activities of a noble profession and then passing to many years of devoted public service lasting longer than the lifetime of a generation of men.

For more than 27 years he has served his State and his country in the Senate of the United States. A great trust this and finely executed. No more faithful public servant ever sat in the great body of which he was so long an honored member. His diligence and industry never flagged. He passed daily from the committee room, where most of the hard work—never

seen or comprehended fully by the public—is done, to the floor of the Senate to continue his labors there. He was preeminently a good legislator. No measure that interested him, and very few escaped his watchful eye, went through without some improving touch from his skillful hand whenever improvement was needed. He became a very able parliamentarian, although not bred to the law, and was always master of the business of the Senate. He was a strong and effective debater, and upon the subjects which he made peculiarly his own, when he spoke at length it was always with force, with thorough knowledge, and with clear coordination of all parts of his subject and all phases of the argument. His career was one of real benefit and wide-reaching usefulness to his fellow men and of ever-growing distinction until he became and securely held a high eminence as one of the best known and most trusted statesmen of the Republic. The words "ever growing" can be accurately used in regard to Senator GALLINGER, for his mental and bodily strength until two years ago was never abated. He had reached his eightieth year before he had the severe illness which gave the first indication of his advanced age. Even then after his recovery, when he returned to his work, he labored as before and his wise counsel and strong but kindly influence were as potent as ever. Never for a moment did he lag superfluous upon the stage or through disease or weakness fail in any duty.

He had the respect, the confidence, and the affection of his fellow Senators on both sides of the Chamber to a degree rarely equaled. This was not owing to any arts practiced for popularity; still less to being all things to all men, which was impossible to him. It was wholly due to his character, to the quality of the man. In other words, to what he was, the second and the greater touchstone, and this proved him to be current gold indeed. He was a man of strong character and rigid honesty alike in thought, in word, and in action. He had strong likes and dislikes, deep-rooted convictions, and entire courage, and these are the qualities which in the long run always command respect; and if they are allied as they were in him with great kindness, a most genuine modesty, keen sympathy, and a real tenderheartedness for all who sorrow or are heavy laden, affection is sure to follow close upon respect. He was a good man—highest praise of all—never prim or prudish or intolerant, incapable of hypocrisy, and yet always a good man without casuistry or debate and without spot or blemish upon which envy, hatred, or malice could lay a pain-giving touch. He had many a hard-fought contest and he never asked quarter or shrank from striking a hard blow for the truth as he saw it, but about himself he never had anything to explain. His life was an open book and he guarded no secrets.

Many heavy sorrows came to him, and he felt them deeply, but he met them bravely and went on with his public work unrelaxing and undaunted.

So death came to him with the harness on his back, as he would have wished—came to him when he was filled with overpowering, yearning anxiety for his beloved country in the hour of extreme stress and trial. Those who knew him, those who were with him in all his daily work, will miss him sadly. To those nearest and dearest to him he is an irreparable loss. But for him all is well. In the fulness of his years, loved and honored by his friends and countrymen, with but little suffering he has come to the inevitable end. With all truth and with devout and tender feeling we may repeat the beautiful words:

Well done, thou good and faithful servant, enter thou into the joy of thy Lord.

Mr. WARREN. Mr. President, we have assembled to-day to pay tribute to the memory of our late and much-beloved colleague, JACOB HAROLD GALLINGER, who was one of the many great men the State of New Hampshire has produced, and one of the most useful statesmen this body has known.

Other Senators, who feel his loss no more keenly than I do, will doubtless recount better than I can the many interesting facts that concerned his long career of honorable public service. Therefore, I shall speak but briefly regarding those facts.

JACOB H. GALLINGER was born on a Canadian farm and was one of a large family of children. In his youth he learned the printer's trade and later studied medicine, and was graduated in that profession, which he followed until he entered Congress as a Member of the House of Representatives in 1885. He served in the House throughout two Congresses, the Forty-ninth and Fiftieth, declined renomination for election to the Fifty-first Congress, and came to the Senate in the Fifty-second Congress, his term commencing March 4, 1891.

My own service in the United States Senate commenced three months prior to that time, so I was one of those permitted to welcome him when he came. But, alas, it has been more than a decade since the last one of all the others of the then sitting Members of this body passed out of service here. Senator GALLINGER served continuously from his first entrance into the Senate until his death, while my fate was to retire for one Congress. So the Senator had had, in fact, a considerably longer service at the time of his death than any of the remaining Members.

It was the privilege of several of us here to have known Senator GALLINGER during a large part of his 33 years' service in Congress, and I am certain that not one of his former colleagues who have outlived him, whether his acquaintanceship was for a longer or shorter period, will gainsay my statement that Senator GALLINGER was one of the most lovable, faithful, and courteous men we have had with us in this close association of the Senate Chamber, which gives men opportunity to know each other most intimately and to observe at close range each other's human weaknesses as well as strength.

In that connection I am reminded of the words of the essayist, Emerson, who said that "Other men are lenses through which we read our own minds." That idea becomes real to us as we gather here each day and look into the lenses for the thoughts of our fellow Senators and the reflections of our own thoughts. And most of us will recall the many times we have consulted with our friend who has left us, as we have endeavored to inform ourselves and to adjust our own minds.

I have never known Senator GALLINGER to shirk a duty or responsibility. On the contrary, I have known him to be present here and engaged in burdensome tasks when his strength was not equal to the demands made upon it.

We were fellow members of several committees during our many years of service together; but our longest and closest association was as comembers of the Committee on Appropriations, covering a period of 15 years. There it was especially noticeable that the successive chairmen and members alike had the greatest respect for Senator GALLINGER'S sound judgment and keen common sense regarding matters of legislation—partially inherent and partially acquired by long experience and strict attention to his public duties. He could always be relied upon as a sort of anchor when either parsimony or extravagance threatened to upset things somewhat for the time being.

His long service as member and for many years as chairman of the Committee on the District of Columbia enabled him to contribute to the Appropriations Committee assistance of inestimable value in connection with the ofttimes difficult matters that surround District appropriations. Incidentally, his fairness in dealing with District matters, his willingness to give all factions respectful hearing in cases of dispute, endeared him to the hearts of all District residents who are interested in the legislative and administrative affairs of this city.

While attending strictly to his duties as a legislator, our good friend who has gone beyond did not lose interest in his earlier profession of medicine and surgery. His older friends habitually addressed him as "Doctor GALLINGER"; hospitals were aided by him and named for him; and my belief is that he took great pride in the title and profession.

For many years I have known in what high esteem Senator GALLINGER has been held by all those in the humbler walks of life who have had occasion to consult him about their business and personal affairs. Their verdict has been universal regarding his never-failing kindliness and generosity.

Indeed, we shall never know a kindlier man and friend—and when we speak of him as a consistent, loyal friend, which he was, we give him the highest title we can possibly bestow.

Fast as the rolling seasons bring
The hour of fate to those we love,
Each pearl that leaves the broken string
Is set in Friendship's crown above.
As narrower grows the earthly chain,
The circle widens in the sky;
These are our treasures that remain,
But those are stars that beam on high.

Mr. SMITH of Georgia. Mr. President, I wish to speak of Senator GALLINGER just as I saw him and knew him and miss him in this Chamber. I knew him and closely observed him here for seven years. At first, Senator GALLINGER was the leader of his party in the majority, and for the last six years he was still the leader of his party while it was in the minority. During the entire time he was earnest, watchful, and vigilant. No Senator was more constant in attendance or readier to handle any question which came before the Senate. He was master of the Senate rules of procedure and a stickler for their observance. While an intense believer in his party, he was broadly patriotic, and no one could fairly watch his course without knowing that his great purpose was to serve his country.

He spoke without display, but with perfect clearness and persuasive logic, and he rarely failed to win the Senate for the

side he advocated. His line of thought always showed a purpose to build up and not to pull down. He preferred to praise, not to criticize. He believed in his country; he had confidence in our institutions; he loved his fellow countrymen; he loved to see the best side of everything and everybody. He was an optimist, full of hope and confidence, though anxiously thoughtful of the future. He was kind and gentle and courteous. It was a pleasure to be with him.

Senator GALLINGER was among the foremost of his associates in his work and in their esteem. We cherish his memory. There is much in his record that we may emulate, and not the least his devotion to the Senate and to its constitutional responsibilities, for the disregard or neglect of which he deeply grieved.

Mr. NELSON. Mr. President, I first became acquainted with Senator GALLINGER in 1885, and was associated with him in the House of Representatives in the Forty-ninth and Fiftieth Congresses, of which we were both Members. Our acquaintance ripened into a close friendship, which continued to the day of his death. Neither of us could at that time foresee what the future had in store for us or that we would be associates in the United States Senate for nearly 24 years.

On this occasion I can only undertake to give a brief outline of his noble career and great energy and activity in the public service. He was born on Canadian soil and of German ancestry on the father's side, but in his later childhood or early youth he came to the United States to remain with us the rest of his days. He was not born in the lap of luxury, and his early days were those of struggle, work, and hardship. He, however, managed to acquire a good academic education, meanwhile working for a short time at the trade of a printer.

Shortly after completing his career at the academy, he took up the study of medicine and surgery at the Cincinnati Medical Institute, from which he graduated in his twenty-second year. Shortly after this he settled at Concord, N. H., which became his permanent home, and entered upon the practice of medicine and surgery, in which he was very successful.

A broader and more enchanting field of activity and usefulness, however, soon attracted his attention and aspirations. By his own inclination, and at the instance of his fellow citizens, he entered the political arena and was elected to the State legislature in 1871. He served for several years in both the house and the senate, and during a part of the time was presiding officer of the senate.

After the expiration of his service in the State senate, he was in 1884 elected a Member of the House of Representatives in the Congress of the United States, and reelected in 1886. In 1888 he declined reelection. He entered the House as an experienced and well-equipped legislator and soon took an active part and became prominent in the proceedings of that body. He was a good debater and an active and energetic committee member, and kept good track of the diversified field of legislation. Had he remained longer a Member of the House, he would undoubtedly have soon taken a front rank and become one of the leaders of that body—a leadership that does not come through favor, but through real worth, ability, and fitness.

On March 4, 1891, he entered the Senate, as an experienced and trained legislator, well versed in public affairs; and he continued as a member of this body until the day of his death, August 17, 1918, when he passed away peacefully near his home in the State he had so long faithfully served, in the eighty-second year of his age, after a service of more than 27 years in the Senate.

Those who are familiar with the work of the Senate know that Senators, so far as their activity as legislators is concerned, may well be grouped into three classes, namely: Those who seldom attend committee meetings and give little attention to the routine work of the Senate, but who participate in the debates and frequently, on occasion, deliver eloquent and instructive speeches on public questions. Then there is another class, who are faithful attendants of the meetings of the committees of which they are members and do much hard and quiet work in formulating legislative measures, but who take little or no part in the debates and seldom deliver any set speeches. And there is also a third class, who are active and energetic in committee work, give constant attention to the proceedings in the Senate, and actively participate in the debates, rather for elucidation and instruction than for display of mere eloquence.

Senator GALLINGER belonged to this third class. He was a most active, energetic, and industrious committee member, constant in attendance and persistent in work. I, as an associate of his for many years on one of the important committees of the Senate, bear witness at first-hand to this fact. He was not only faithful in his committee work, but he was also a faithful attendant of the sessions of the Senate and kept a close watch of, and was in constant touch with, all important measures on the calendar.

But, beside all this, he was a most excellent, ready, keen, and instructive debater, who always elucidated and made clear the subject to which he addressed himself. His aim was to help—to shed light, rather than darkness. He was always earnest and sincere, and this served to add force to his remarks. He was decided and clear and never equivocating or misleading. The public welfare as he saw it—and as a rule he always saw it aright—was his constant aim and lodestar. It was the compass that guided him through his manifold and diversified activities.

He was an ardent protectionist, who never faltered or equivocated. To him it seemed one of the chief mainsprings of our industrial life; and he was as ready to aid the farmer, the lumberman, and the miner of the great West as the manufacturer of New England. His shield of protection was country wide, and wherever needed he stood ready to invoke it.

He labored ardently and long, in season and out of season, to rehabilitate, build up, and enlarge our weak and feeble merchant marine, and had his plan been adopted by Congress when proposed our country would at the outbreak of the great war at least have had some shipping which it could call its own and would not have been entirely at the mercy of other countries. We might have had some swift ocean carriers of our own to carry our troops and supplies to Europe. The subsidies he proposed, which were then so vigorously opposed, seem picayunish and Lilliputian when compared with what has so lavishly been expended under the direction of the Shipping Board during the last two years. Millions have now been expended in lieu of the dollars his plan involved, and we should have had a superior class of ships, too, under his plan.

He took a deep and active interest in developing, enlarging, and beautifying the city of Washington. It was his ambition that the Capital of our Nation should rank and hold its place among the finest and best of all the world.

His activity, however, was not confined to the specific subjects to which I have referred, though these engrossed much of his time. He paid strict attention to the general course of legislation. All important matters of legislation had his watchful care and attention, and he was never at a loss in debating and discussing such measures. Some Senators are content to devote most of their attention to a single subject of importance, but he, while he had his specialties, was not anchored to these exclusively. He took in and devoted his attention to the entire range of pending measures. He was always on the lookout for what he conceived to be mischievous and dangerous measures, and for these he had no mercy and never hesitated to impale them or to point out their dangerous character.

Like many of us, he had at times his trials to contend with. His early life was a time of struggle and trial, but his trials seemed only to increase his zest for work and never ruffled the equanimity of his temper. He was a loyal friend and a genial companion—kind, considerate, and helpful to his associates.

After more than 45 years in the public service, he died comparatively a poor man, but with an untarnishable record and with the love of the people he had so long served. His epitaph will not be like that of some of our modern millionaires, whose record in brief is this:

He was born poor, but by hard work and rigid economy he accumulated several millions. A small portion of this he gave to charity; the balance all went to his family.

A barren life such as this—barren in all but the devotion to Mammon—was not the life of Senator GALLINGER, and fortunately it is not the life, as a rule, of our public men. New England has had many great Senators in this body, but I doubt whether she has had a more useful one than Senator GALLINGER.

Mr. SMOOT. Mr. President, in the death of the late Senator JACOB H. GALLINGER New Hampshire lost her foremost and best beloved citizen and the country one of its safest and most esteemed statesmen. He was honest and brave, learned and sagacious, true and patriotic, and his death leaves a vacancy in the Senate which can hardly be filled. He will be missed more and more as the years go by. He was a perfect gentleman; a man of constructive ability, of the strictest integrity and unquestioned honor. He was a lover of justice, a fair opponent. He was courteous always in his treatment of those who differed with him. So great has been the implicit confidence of the people of New Hampshire in his wisdom and judgment, so profound was their admiration for his statesmanship, so loyal for his blameless character, that they elected him to represent them in the House of Representatives for two terms, and elected him as their Senator for a continuous service of 30 years.

Senator GALLINGER was a man of wonderful perspective, and his mental horizon was not limited by local conditions or partisan convictions. He took a deep interest in everything that benefited the whole country, and he watched with pride and satisfaction its progress, its achievements, its successes, its industrial and educational advancement. He believed in law and order, and was ever the defender and often the author of legislation the object of which was to make the people of this country happy, contented, and prosperous.

When Senator GALLINGER left the Senate for his home in New Hampshire a short time before the close of the last session of Congress, I felt that he never would return. He was a sick man at the time, and he knew it; but his indomitable will would not allow him to think so, or that his death was near. He expressed the opinion to me that a short time on his farm in New Hampshire would be the means of his securing the needed rest. The announcement of his death was no surprise to me. He was my friend, and my association with him constitutes one of the most pleasant features of my public life. He enjoyed the confidence and esteem of the members of the Senate irrespective of political affiliation. In debate he was always frank, cordial, and courtous. He was simple and direct in thought and action. He was truthful and entirely free from that moral cowardice which breeds deception. Some Senators realize, but few outside the Senate fully appreciate, how great a service he rendered the Nation.

Senator GALLINGER was always a sterling defender of any cause which he espoused, never thinking whether its advocacy would inure to his personal advantage or not. He was modest and unassuming, as every Senator will testify. He sought in his legislative career to check illegal and extravagant expenditures, and to reduce taxation, to encourage manufacture, and the building of an American merchant marine.

I know there often came to our departed friend times of disappointment, times of discouragement, and times when he would have given the richest things he possessed to have received the assurance of the appreciation of his fellow men that has been expressed so freely here to-day. There may be erected to his memory monuments of marble. In this way his name may be kept fresh in the memory of the few. But the statements made to-day tell, as cold stone can never tell, of the things for which he was honored, respected, and loved, and which made him great in the estimation of all who knew him. The regard of one's fellow men is a reward that must be earned, and happy, indeed, is he who gains it; and few there are who gain it in a degree and in a measure so universal and with so many people as did the late Senator GALLINGER.

> In halls of State he stood for many years
> Like fabled Knight, his visage all aglow,
> Receiving, giving, sternly, blow for blow,
> Champion for right! But from Eternity's far shore
> Thy spirit will return to join the strife no more.
> Rest, citizen, statesman, rest, thy troubled life is o'er.

Mr. President, if we could but force our vision through the thin veil that separates this life from the greater life beyond, we would not look upon death with that degree of dread which is so common to mankind. To me death is but the passing from our present existence to a more perfect and active one. What a fortunate thing it would be if our lives were such that with the cable of hope intertwined with faith and charity we could, with properly attuned ears, receive from the Master now and then the message we are all striving for: "All is well."

The VICE PRESIDENT. The Chair is informed that the Senator from Arizona [Mr. SMITH], who is next on the list of speakers, is confined to his room by illness.

Mr. WEEKS. Mr. President, other Senators have given or will give the salient facts relating to the long and distinguished career of Senator GALLINGER, and I shall not duplicate that general statement; but I can not refrain from taking a brief part in the services on this occasion.

Senator GALLINGER represented my native State in Congress for more than twice as many years as any other man in the history of New Hampshire. That long service, and the fact that our views very largely coincided on public questions, brought me into close relationship with him and gave me an insight into his practices and policies perhaps as great as that of other Senators who have served with him for more years.

Senator GALLINGER was a strong party man—a political course which, in my judgment, is the soundest from every standpoint of good government. He recognized that this Government is best conducted only when there are two strong and nearly evenly divided political parties, and that any variation from that policy tends toward personal or individual government. Personal or individual government lessens stability and destroys that responsibility which can only exist with organization. It is true that men who believed as he did and as I do, in such fundamental matters, very frequently find themselves in the position of not approving in all details what their own party for the moment may advocate; and yet they realize, as he did with great broadness and saneness, the desirability of concerted and consistent political action.

Senator GALLINGER was a most industrious man up to the day of his final sickness. Very few men in the Senate gave more detailed attention to the duties of their work than he. The records of Congress will show that up to July 1, 1918, there were few important questions before the Senate which he did not debate with intelligence, and his thorough knowledge of the questions of the day always commanded the respect and admiration of his colleagues. He had an expert knowledge of many of the great public questions affecting the welfare of our Nation equaled by but few legislators in recent years. No man had a clearer conception of a protective tariff or was of firmer belief in that doctrine than Senator GALLINGER. He was one of its most earnest and effective advocates for many years, and his faith in the value of that policy never weakened.

No man in Congress had a more intimate knowledge of the requirements of our country in relation to a merchant marine. He discussed that question many times, covering the entire ground with such thoroughness that it is difficult to add to the arguments he made in favor of a merchant-marine subsidy.

His knowledge of naval affairs and his hearty advocacy of an effective navy were well known, and Senator GALLINGER was a potent influence in bringing that arm of our military service to the high standard of efficiency which enabled it to make possible its great record in the recent war with Germany.

These are but a few examples of his broad knowledge and thorough equipment as a Senator. Most men who have passed the threescore-and-ten mark have lessened their activities, either for physical or for other reasons. There was no failure on the part of Senator GALLINGER to continue his active interest and participation in public affairs long after that period. Indeed, his mental and physical faculties were available until the end.

His was a most friendly, wholesome, and cordial character, helpful to others, genial in his personal relationships, and particularly generous in his attitude toward his fellow men. I can bear witness to these admirable qualities, for from the day I came into the Senate he took an interest in me which was both fatherly and brotherly, and which aided me materially in my efforts to become a relatively useful member of this body.

No State in the Union has been represented in Congress with greater devotion than was New Hampshire by Senator GALLINGER during his long service. He was jealous of everything pertaining to the welfare of his State; and although his service in Congress made him well known to everyone in New Hampshire, I do not believe the people he served so faithfully and well can quite appreciate the keen personal interest he took in them and their affairs.

It is frequently said in a somewhat perfunctory way that this man or that man can not be well spared from the public service. Those of us who have served in Washington for many years know that the average man—in fact, substantially all men—although they may have been useful and even brilliant legislators, drop out without so much as causing a ripple on the surface of congressional life. That is not true, however, of Senator GALLINGER. He was the admired and trusted leader of his party, and those younger in service and younger in years had long trusted that leadership and depended on his sound advice and calm judgment.

I can not express how strongly I regret his passing not only from my own personal but from the public standpoint. If ever a man earned the reward "Well done, thou good and faithful servant," Senator GALLINGER did; and I am sure that sentence expresses the sentiments of his associates in the Senate, all those who knew him, and those represented by him.

Mr. THOMAS. Mr. President, for some time before I became a member of the Senate my sentiment toward Senator GALLINGER was distinctly antagonistic. I had met him casually some 19 years ago. The basis for the feeling which I entertained was the occasional appearance of public criticisms reflecting upon his public service, the principles upon which he acted and the views he entertained upon prime matters of public concern. To me they were the antithesis of everything which I professed and which seemed essential to the ordered and healthy progress of the Nation. In this mental attitude I entered the Senate Chamber.

Senator GALLINGER was the Presiding Officer of the Senate at that time. He administered the oath of office to me, and on that afternoon he called upon me in the offices which had been

assigned to me in the building across the way. He spent some half or three-quarters of an hour in exchange of personal reminiscences and courtesies, during the visit giving me much valuable information regarding the details of a Senator's life, for which I felt and expressed my sense of appreciation. Upon parting he expressed his gratification that I had become one of his colleagues, and desired me to call upon him at any time he could be of service. To say that my feeling of mistrust was dissipated by this kindly interest in my behalf is but to feebly express the entire change of sentiment which his kindly and genial companionship impelled.

I took occasion shortly afterwards to express to him my regret that I had formed a hasty judgment of his character and standing upon secondary evidence, which my experience at the bar should have warned me against, and to express the hope that our relations as long as we were here together should be as kindly and as cordial as they had begun; and they were, Mr. President, from that hour to the hour of his death, those of a close, congenial, and affectionate friendship.

Senator GALLINGER stood for many things which I did not approve, and I stood for many things which he could not approve; and it is the close and intimate contact with men like Senator GALLINGER that induces, or should induce, men to modify their judgments of each other and also their convictions of the soundness of their own views; for, after all, however sincere our sentiments and convictions, it is human to err and imperfection is characteristic of all judgments.

Senator GALLINGER was a conservative statesman. He had that rarest of virtues in these days—a moral courage which made it impossible for him to be neutral upon any position, and impelled him to inform the world of his sentiments upon every question confronting him in his capacity as a United States Senator; yet mingled with his conservatism were elements of a progressive nature that were in decided contrast to his general views. The Senator from New Hampshire [Mr. HOLLIS], his former colleague, has directed attention to his championship of the two great liberal issues of prohibition and woman suffrage. He was as earnest and constant in his devotion to these as in his advocacy of or opposition to every proposition which his judgment commended or condemned. It is not an unusual contrast, Mr. President, but in a man of such sterling integrity of conviction it does afford some basis for speculation that views which seem so diametrically opposed to each other should have found in him a common champion.

Senator GALLINGER combined with his sturdiness of conviction, his practice of participating in every important discussion as an ardent and vigorous contestant, all the sterling qualities of a true and perfect gentleman. We have had, during the six years that I have been a member of the Senate, a number of sharply controverted issues and discussions, generating much heated debate and occasionally disturbing the serenity of our proceedings, but he was always considerate of his colleagues and mindful of the limitations of debate.

As his party's leader he bore himself courageously and well, yet I can recall the utterance of not a single sentence, not a single reflection, that left in the mind and heart of any associate a moment's bitterness or pain. That, Mr. President, was the distinguishing characteristic of Senator GALLINGER—his ability to participate in most earnest and strenuous discussion at all times consistent with the highest courtesy. These elements rarely blend together at all times. When they do they should command, as they always must, the instinctive and enduring tribute of affection and of friendship.

Senator GALLINGER served his country for many years, and at the ripe age of 81 passed from this sphere of usefulness into a well-earned eternal rest. I trust, Mr. President, that those who survive us may be inspired with the same sentiments of regret and affection for us when we, "like streaks of morning cloud, shall have melted into the infinite azure of the past."

Mr. MOSES. Mr. President, others, from the standpoint of their association with him here, have spoken, and properly, of Senator GALLINGER as a figure in the life of the Nation; of his long service in this Chamber; of the part that he played for so many years in shaping the legislation of the country; of his work in forming the policies of his party; and, through that party's long-continued dominance and his own preeminent position in it, of his share in making the political history of the United States during the past generation. I may not claim the privilege of speaking of him thus. My knowledge of his public life was taken in perspective, because the hopes which I had had and which he, in some measure, I am sure, shared with me, of sitting here as his colleague, never came to fruition. And, Mr. President, it is perhaps not out of place that I should add that I feel myself humbled as I think of myself as his successor.

I was a lad when I first knew Senator GALLINGER, and he had not yet come to his later national fame. He was a physician of merited repute, and such leisure as his busy professional life afforded was spent upon the old estate in the historic town of Salisbury—the home of the Websters—in the ample and hospitable old house to which he turned so longingly in his last stricken days and from which he went the week before his death. My father was a preacher in the neighboring town of Franklin, and on Sunday afternoons he ministered to the diminishing flock which still clung to the ancient temple of colonial faith among the Salisbury hills. As a boy I used to drive there with him as he went to carry his message, and there I first met Senator GALLINGER, whose magnetic personality made an impression upon my youthful mind which later association strengthened and confirmed. From then to the day of his death I was privileged to know him; for the last quarter century of his life to know him intimately; to be associated with him in such of his public affairs as related to the State of New Hampshire or which had their theater of action there; to receive from him confidences such as I have been vain enough to think he gave to few, if any, others; to be with him in times of trial; to share with him his many moments of triumph; to stand beside him in seasons of his grief; and to offer to him all that an ardent and affectionate discipleship could give to a leader.

In consequence, Mr. President, I shall seek to speak of Senator GALLINGER to-day not as a public man, not as a legislator, not as leader of his party in this Chamber and elsewhere, but as a friend.

Nevertheless, it is impossible to view Senator GALLINGER's life in any aspect without taking into the account his public career, which covered nearly half of all his years and which occupied the greater part of the long span from the day of his majority to the day of his death.

When I first knew the Senator he was at the very beginning of his national career. He had served with such distinction in the lower house of the New Hampshire Legislature as to merit his promotion to the State senate, where he was made president of that body. He had conducted successfully, in behalf of a friend, the most prolonged and most bitterly contested struggle for a nomination to the governorship which our party in New Hampshire had ever known; and he had followed that task with equally successful leadership in the election campaign, where, as chairman of the Republican State committee, he wrested victory almost from the jaws of defeat. This achievement had clearly marked him out for further advancement in public life; and he was then in the midst of his first campaign for nomination to Congress—a canvass in which he was confronted by one of the most adroit and resourceful of New Hampshire Republicans, who was supported almost unanimously by the legal profession, to which he belonged, and who, by tactical considerations and by capable service for the party and in office, seemed inevitably destined to win. In that canvass Senator GALLINGER's skill as a political manager was displayed, I have often thought, as never before nor since; and following his nomination he again took the chairmanship of the State committee and carried himself and his whole ticket through to victory.

He entered Congress with the first Cleveland administration. His party was in the minority, but he took his place with the constitutional opposition which our political system provides, and his genius for leadership found immediate opportunity for expression. He took a prominent part in debate, and his vigorous speeches found wide distribution as campaign documents. His second nomination to the House of Representatives came to him without opposition; and again in the chairmanship of the State committee he had the honor of carrying his party to victory in the election. The impression which he had made during his first term was heightened by the activities of his second to such an extent that a serious movement arose in New Hampshire to overthrow the then existing doctrine of rotation in Congress, which limited our Members of Congress to two terms, and to give to him a third nomination by acclamation. Committed, as he felt himself to be, to the existing order, he checked this movement and announced his candidacy for the United States Senate.

That canvass marked the only defeat which Senator GALLINGER's political career has known. His opponent's triumph in the legislative caucus was of such proportions that many observers believed that Senator GALLINGER's political career was ended. But their judgment was formulated without knowledge of the man. He at once announced his candidacy for the senatorial seat to become vacant two years hence; and, freed from the restraints of office and beginning the effort—never wholly accomplished—of shaking himself free from the demands of his professional occupation, he devoted himself to organizing for the contest which lay ahead of him. Against him were

arrayed the sitting Senator, one of the most popular of our ex-governors, and others of lesser consequence in the political field. Around Senator GALLINGER were gathered the friends whom he had made in public and private life, and dominating the whole of his canvass was his own inspiring and forceful leadership. He won the nomination, and the election followed in due course.

His early days in this Chamber were affected by differences with his colleague, which arose out of the intensity with which the Senator's first campaign for the Senate had been conducted. The result, I am sure, was a period of stress for both of them, and I know that the reconciliation which was later effected brought equal satisfaction to the two Senators and to their host of friends in New Hampshire.

Following Mr. Chandler's retirement from the Senate Senator GALLINGER's supremacy in New Hampshire became unquestioned. Two reelections came to him by unanimity, and another was won by a secure margin. This contest was the Senator's sunset campaign. He was in his seventy-eighth year; he was running for the first time in a primary and in a popular election of a Senator; he was seeking a fifth term; and it was at a time, within easy recollection, of the Republican division of two years before. His opponent was young, but no younger in spirit than his antagonist; he was active in the canvass, but no more so than his seasoned opponent; he was vigorous and plausible on the stump, but he was unable to match the reasoned arguments of the Old Man Eloquent.

This campaign, Mr. President, brought Senator GALLINGER to new relations with his people, or, to speak more accurately, into renewed relations with them, such as he had not sustained since his second campaign for Congress nearly 30 years before. And it became immediately evident that neither his powers nor his charm had diminished. In that canvass, Mr. President, I was privileged to speak with Senator GALLINGER more frequently than any other of his coadjutors in the campaign, and as we rode, each day and night, from place to place, I think I found a deeper insight into his character than I had before possessed.

His alert mind was keen to seize upon each detail of the trying canvass; his marvelous memory proved an inexhaustible storehouse of opportune citation when confronted with what otherwise might have been a troublesome problem; his unfailing good humor was proof against all annoyances and was no inconsiderable factor in smoothing out the rough places in the journey to success. And when the victory had been won, his great heart not only awarded to each who had assisted him his merited portion of praise, but with characteristic magnanimity it shut out the memory of the injuries which had been sought against him.

He began his last term here with fond expectation of following it to its allotted end. But its cares burdened his strength. He was unremitting always in his attendance here, and his tireless industry never flagged. His serenity of spirit was rarely disturbed to outward appearance, but it was evident that he was greatly perplexed by the national problems which the war had brought. Twice within his last year he came face to face with death; and it was only his iron constitution, preserved by his clean life, that enabled him to come from his chamber of convalescence to the Capitol in order to vote for the declaration of war and to take up his work as a Senator in a war Congress.

How well he did that work has been attested here to-day by those who saw it. How reluctantly he laid it down, I can testify, for I saw him on the day before he left Washington for the last time, and his mind, though looking forward to the healing days which he hoped to pass in the New Hampshire hills, nevertheless looked beyond them to the days of restored strength, when he would be back here again at the tasks which he knew so well and performed so perfectly. But it was not to be. His sturdy figure belied the weakness which his prolonged and excessive devotion to duty had brought upon him, and he left this Chamber, the scene of his labors, and this city, where there arise on every hand so many evidences of his forethought and taste, never to return. And I venture to believe, Mr. President, that nowhere outside of his own State of New Hampshire will there be found those who will mourn Senator GALLINGER more sincerely than in the city of Washington, whose people knew him for years as the painstaking and alert chairman of the Senate Committee on the District of Columbia.

Turning to contemplate Senator GALLINGER in the friendly relationship which I am pleased to think so long subsisted between him and me, words elude me as I try to express how much my association with him has meant to me and how much his death means to me now. Deprived of the further benefit of his companionship and inspiration in the flesh, I still love to believe that I retain my connection with him in the spirit, and that my recollection of him will in some measure afford to me the counsel which I never sought of him in vain.

In his last years, Mr. President, Senator GALLINGER drank deeply of the waters of bitterness. His younger daughter was taken from him in the days when her charming matronhood gave promise of happy years to come; the wife of his youth, who had shared with him so many of the years of his distinction, died, instantly, at his side; his oldest son fell dead just as he and his father were returning from a happy journey abroad; and his last-born, in whom centered great hopes for the continuance of the Gallinger name in the profession which the father had so adorned, was tragically taken away. A less robust spirit would have been crushed by all this. There were left to him, however, the sweet solace of filial affection from his surviving daughter and the care of a devoted sister, and to these were added the heightened solicitude of the friends who were now bound to him by stronger bonds than ever. His own serene Christian spirit was no small factor in making the close of his life calm and beautiful; and he died in the fullness of years and of honors, and all that we say here to-day will be reechoed in the hearts of the thousands who knew and loved him.

At the risk, Mr. President, of running counter to the opinions which some have expressed here to-day, I venture to say that Senator GALLINGER did not die as he had wished. In spite of his advanced years, he had reason to think, because of his heredity, that his life still would extend no inconsiderable span. And I know from his own lips that he had looked forward to a time when he could lay down the responsibilities of the Senatorship and take his place in retirement as an elder statesman, viewing and commenting upon the public life of the Nation as the years of his experience would warrant. But, Mr. President, this was not to be. His life was destined to have no evening. He went out while it was yet day and with his labors yet upon him. He went from his work direct to his reward.

And after all, Mr. President, it was fitting that this should be so, and that the old warrior should not have laid off his armor. The memory of Senator GALLINGER inactive would be a strange picture in the minds of those who knew him; and his death in the harness preserves to us his image as he was—earnest, energetic, industrious, and always helpful.

Senator GALLINGER's years were many, but his spirit was always young; and it renewed itself with fresh companionship as his earlier associates fell by his side in his long busy march through life. Around him in New Hampshire in his later years had gathered an ardent group of younger friends who delighted in both his leadership and his companionship. To us he was always "The Chief," and we hailed him thus with respectful affection. He went from us when he was at the height of his years and influence here, and at the moment when his busy mind was active in planning for the hope of his heart so soon to be fulfilled in the restoration of his party to power. And so we saw him in those last days still as "The Chief." And, Mr. President, it is as "The Chief" that we shall ever think and ever love to think of him.

MEMORIAL ADDRESSES ON THE LATE SENATOR BRADY.

Mr. BORAH. Mr. President, I offer the resolutions which I send to the desk.

The VICE-PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 418) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate expresses its profound sorrow in the death of the Hon. JAMES H. BRADY, late a Senator from the State of Idaho.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. BORAH. Mr. President, Hon. JAMES H. BRADY, late Senator from the State of Idaho, was born in the State of Pennsylvania July 12, 1862. When yet a child he went West with his parents and located in the State of Kansas. His experience was that of most young men coming into the West and seeking for better things. He was educated at the public schools, taught school for several years, afterwards attended the Leavenworth Normal College. He became interested in the newspaper business and afterwards engaged in the real estate business. He moved to Idaho in 1895, where he immediately took an important place in the industrial affairs of the State, giving his attention particularly to the development of irrigation projects, farming, the development of power sites, and banking. He was very successful as a business man and came to be a man of wealth, as men of wealth are measured in that

part of the country. He was active in business affairs and very successful in all business matters up to the time of his death.

He became interested in politics shortly after his coming into the State and at once took the position of a leader in the Republican Party. He was a delegate to the Republican National convention in 1900 and 1908; chairman of the Republican State central committee of Idaho from 1904 to 1908. He received the entire vote of the Republican convention for governor of the State of Idaho in the fall of 1908 and was elected governor November 3 of that year. During that time he also acted as president of the Trans-Mississippi Commercial Congress. When Senator Weldon B. Heyburn died Mr. BRADY was elected, January 24, 1913, to fill out the unexpired term. He was reelected by the vote of his people November 3, 1914.

Mr. President, as governor of the State, Mr. BRADY devoted his talents particularly to the organization of those departments of our State government which have to do with what might be called the business interests of the State. In fact, under our constitution and under our State organization the governor of the State becomes, in a large measure, the business manager or director of the State; and Senator BRADY devoted his time particularly to the concrete questions which had to do with the development and growth of his State. He did not shirk, either in time or with reference to his personal expenditure, taking care of those things which had to do with the development of our undeveloped resources and inviting citizens from different parts of the country to share with us in the development of those resources.

Senator BRADY was a successful business man, painstaking, thorough, and of untiring industry. He was always generous with his means. It is safe to say that no deserving charity, no needy individual, was ever turned away without some assistance or some help. He gave continuously and generously to all things which had to do with the betterment of society and to augmenting the happiness of his fellows. When he came to the Senate he gave to the public the same untiring energy, the same close, conscientious study and consideration of public questions that he had given to his private affairs. He seemed to transfer all his energy and ability and business training to the service of his State and the Government. His attention to duty, his close application to public affairs, even after he was informed of his shattered health, was a matter of comment by his colleagues and of anxiety to his friends. He was not willing to take his needed rest. He felt that his duty was here in the Senate, and faithfully he remained at his post until actually confined through broken health to his room at home. Genial, always considerate of his colleagues, broad-minded, and generous-hearted, he was respected by all who knew him.

When the war came, Mr. President, no one in this Chamber gave more undivided support to the great conflict in which we were engaged than did Senator BRADY. It will always, perhaps, be a matter of debate in the minds of Senators as to just what their duty is toward the executive department of the Government in time of conflict. Some may entertain the opinion that they should still exercise their independent judgment with reference to matters which touch, directly or indirectly, the prosecution of the war. Others feel it more their duty to yield to the suggestions of the Commander in Chief of the Army and the Navy. That matter is not a subject of debate here and now, but it is safe to say that Senator BRADY concluded that it was his duty to follow the Commander in Chief, and, without hesitation, he did so in all instances which had to do with the support of the late war.

His death was a peculiarly sad one. Just entering upon his second term as Senator, while yet a comparatively young man, with a beautiful and happy home, the future seemed full of promise. But it was at this time that the dread summons came, and he, responding with the same cheerfulness, the same uncomplaining fortitude, went with the silent messenger to the undiscovered country.

Mr. THOMAS. Mr. President, my acquaintance with the late Senator BRADY began after his entry into this body. He was assigned to the Committee on Military Affairs, of which I was a member, and our duties upon that committee naturally brought us into close and continued contact. Senator BRADY gave to the duties of that committee his undivided attention. He endeavored to familiarize himself with the military code and with regulations and recommendations of the War Department, that the service he rendered in the consideration both of recommendations and of bills referred to the committee might reflect the ripe fruits of a successful business experience upon full knowledge of the subject involved.

Some of us are prone at times to be lax in the discharge of our committee duties, feeling that others will bear the burden and that personal attention is not therefore a matter of mandatory importance. Senator BRADY never so felt nor acted. Others might be absent from the meetings of the committee; others might, for many reasons, be unacquainted or unfamiliar with its work and with the character and purpose of the bills referred to it for consideration, but Senator BRADY never. He was always in his seat and always vigilant and active both in attention and in inquiry.

His talents were not of the brilliant variety; they were solid, practical, substantial, and if it be true, as Macaulay says, that genius is but another name for a capacity for hard work and unremitting labor, then Senator BRADY was a genius.

He was finding himself, so to speak, when the summons came. Until the declaration of the existence of a state of war with Germany, Senator BRADY's participation in debate upon the floor was intermittent and fitful. I observed that he was self-conscious and seemed to speak under the restraint of new surroundings. This, however, was disappearing, and he took part in the discussion of affairs connected with the War Department with a continually growing confidence in himself, based largely upon his familiarity with the work in hand and with the subject requiring consideration and upon the exercise of faculties which had outgrown the limitations of novel environment and a critical audience.

Bringing to bear upon the duties of the Senate the best faculties with which a Senator is endowed is the highest possible service to himself and to the country. Measured by that standard, Senator BRADY was one of the most useful Members of this body. He was industrious, vigilant, painstaking, and conscientious. He loved his country and his State, appreciated the dignity and the duties of the high position which his people had conferred upon him, and reflected credit upon them and upon himself so long as he spoke for them and for the Nation.

Mr. CHAMBERLAIN. Mr. President, my first intimate acquaintance with and friendship for Senator BRADY commenced when he entered the Senate and later became a member of the Military Affairs Committee and of the Committee on Agriculture and Forestry. Both of us took a deep interest in those committees, because the work that came to both had much to do with the development of the western portion of the country.

As has been said by the Senator from Colorado [Mr. THOMAS], Senator BRADY's course in the Military Affairs Committee was marked by his attention to every duty that devolved upon him, and the same may be said with reference to the other great committee of which he was a member, namely, the Committee on Agriculture and Forestry. While it has often been the case that many Senators pay little attention to the important duties which devolve upon committees, this can not be said of him in reference to his attendance upon and work with the committees of the Senate of which he was a member, and particularly the committees to which I have referred. He was always on hand; he always had strong opinions upon all of the matters that came before the Senate and its committees, and dared express them whenever it became his duty to do so.

Mr. President, if I were to speak of that which characterized him most strongly in the Military Affairs Committee, I would say it was his distinct Americanism. Before America entered into the war but after the first gun had been fired in Europe, he had begun to feel, as many of us did, that America must eventually become involved, and he believed in following a course in that committee that would place America in a proper position of preparation and defense if she did become involved. He felt not only that the Army ought to be properly reorganized, but he felt that the young men of America ought to be so trained that if it did become necessary to draw upon the body of citizenship for the young men who were to fight the battles of America there would be created a reservoir from which they could be drawn. The correctness of his opinion, Mr. President, was fortified by subsequent events. America did become involved; and America did have to draw, not from a prepared body of young men as he and others of us of the committee would have had it, but from a selected body of young men under the draft law to fill the armies which were to fight the battles of our country.

Senator BRADY stood not only for universal military training, Mr. President, when it was very unpopular to take that position, but he stood as well for another great act which when he first became an advocate of it was also unpopular, and that was the selective-service law. Whatever was necessary to be done with reference to these two measures and whatever was necessary to be done in order to raise an efficient and an effective army he stood for.

As his colleague the Senator from Idaho [Mr. BORAH] stated a while ago, he sometimes hesitatingly surrendered his own judg-

ment as to what was best to be done for fear that by antagonizing the wishes of the Commander in Chief of the Army and Navy he might by such course in some way impair the efficiency of his own country in a war which probably meant its life or death. He thoroughly believed that it was America's duty to play the part which she did play and to lend the assistance which she did lend to win the war which followed. He talked with me many times about this and was always active in doing whatever seemed necessary to raise an efficient fighting force.

Another strong and distinguished characteristic of Senator BRADY, Mr. President, was his devotion to the West and to his State and its interests. He favored the development of the resources of the West, and was always vigilant to do whatever was most conducive to the promotion of those interests and to the advancement of the States of the West amongst the States of the Union. His attention to duty in this regard was, as has been said by others, marked in every way because he was always present in committees and in the Senate to do whatever was necessary to that end.

He was a lovable, chivalrous, and generous soul, and all of us who came in close contact with him found that he was a man of kindly heart and gentleness of disposition; but with it all, Mr. President, there was a firmness about him which made it easy for him to say "yes" or "no" as his duty directed. Even, sometimes, at the expense of offending one who differed from him, he hesitated not at any time to do his duty.

In his death not only the Senate but his State and the Nation have lost a splendid and a useful citizen and public servant. Duty to him was his all-absorbing passion, and—

> He worked attended
> By a strong-aiding champion—conscience—

bringing to his work the strong common sense of a faithful, honest man.

Mr. SMOOT. Mr. President, how uncertain life is! We are here to-day, and to-morrow we pass to the Great Beyond; and no matter what position or station in life we occupy, the world moves on with scarcely a ripple, the ranks close up, and the struggle for advancement and existence continues.

A comparatively short time before the death of the late Senator JAMES H. BRADY, even his closest friends thought he had long years of active service ahead of him. If I had been asked who, among all the Senators, would be most likely to live a quarter of a century longer, I would have named among the first half dozen Senator BRADY.

We have in his death another evidence that in the very presence of life there is death. It is fitting upon occasions of this character that we turn from the turmoil of civil duties to consider the work of the reaper Death. These are times of solemnity and bereavement, and language can not portray the emotions of the soul; yet, on the other hand, they teach us the lesson that there is an overruling Power directing the lives of men and nations. They teach us that no man can justly glory in his strength, or stretch forth his hand and stay the sentence of death, or defy the dread summons to join the innumerable hosts whose way lies through the portals of the tomb. They remind us that no man can tell the day or the hour when his earthly estate shall be closed and an account asked for of the deeds done in the body.

Senator BRADY has passed away, but his works live after him. His body now lies in the grave, but the influence of the life of a good, brave, honorable man remains as a legacy to us and his loved ones. The teaching of faith, the consolation of religion, our inborn conviction of immortality, may temper the sorrow of those who loved him; but the wound inflicted by his early call to a better life can only be completely healed by an assurance that they will meet him face to face when their summons to the great beyond is received.

The people of Idaho honored and trusted him, and he was always faithful to their interest. They greatly respected him, and he gave them his personal affection in return. He won their support by his fidelity to duty. His public record is one of which his family and friends may be justly proud. He died in the midst of his labors and his honors, at the very moment of his largest usefulness in the world.

The character of such a man is not an accident. It illustrates not only the principles of American life, but the benevolent working of the laws under which the progress of society is made sure. He made his own way in life, and whatever success was attained by him came through a constant and ever steady application of the best that was in him, always having the goal of his ambitions in sight. We lose much in his death, but those nearer and dearer lose more. I can simply say that the tenderness and solicitude which he evidenced for his friends and loved ones were worthy of a son of God. May the peace and consolation of the Divine Master ever bless and comfort those who are left to mourn.

Mr. POMERENE. Mr. President, on occasions such as this we realize the emptiness of words when we try to give voice to the sentiments of the heart. As we meet the friends and family of a deceased associate whom we loved, about all we can do is to extend a hand in silent sympathy and breathe a prayer that the God above may lighten the burden and solace the hearts of the bereaved.

I would prefer to sit silently by and listen to the words of others who speak in eulogy; but it would be doing violence to my feelings if I failed to say a word of appreciation for an associate and a friend whom I have learned to love and esteem.

Born in Pennsylvania, educated in Kansas, school-teacher, editor, business man, one of the high counselors of his party, governor of his adopted State, and later a Senator in this Chamber, the career of Hon. JAMES H. BRADY was typically American.

Senator BRADY was one of the working Members of this body. He had not been here long until his colleagues who had not had the pleasure of his acquaintance in his earlier life began to recognize in him that sound business capacity which was so well known among his constitutents, and which had persuaded them to confer upon him the highest honors within their gift, both in party and State councils.

His work here in the Senate was by no means limited to those subjects which concerned the great West, but it is only fair to say that they were first in his heart's affections. This was not because he did not take an interest in the welfare of the entire country, for he had an abiding faith in its destiny and its greatness, but because he saw the tremendous natural resources of the great West, saw them going to waste, or, at least, not being utilized for the benefit of mankind. He yearned to make the western region blossom as the rose; and I confess I sympathized with him then and I sympathize now with the Senators of the undeveloped States of the West in their ambitions to make their resources serve mankind, and to do it now. It is all very well to have an eye for the good of generations yet unborn, but they will be the more benefited if the present generation shall hand to their unborn children these resources in a state of development rather than in a state of nature.

Senator BRADY realized this very fully, and hence his abiding interest in this great section of the country.

And now, when our victorious soldiers are returning from the field of battle, or from the cantonments, where they have been in training for the defense of the world's civilization, the duty rests upon the Government to give them their opportunity for life's great work, and the Congress ought to give more thought to the resources of the great West and their development, as well as their reasonable conservation. The God of nature gave us these resources for the benefit of man. They were not intended to be wrapped in a napkin and laid away.

If Senator BRADY were here to-day his colleagues who served with him know with what intensity of purpose he would have devoted his time and talents to this work not only that our brave soldiers might be benefited thereby but that all mankind could be prospered. He who serves the present also serves the future, and he who seeks to so dispose of nature's bounty as to serve the future at the expense of the present serves neither. This is a day for practical men, and not for dreamers; and Senator BRADY was a practical man.

When Senator BRADY first came to the Senate he was not given much to speech making; but after a time, and as he became more familiar with his surroundings, "and of the fullness of his heart," he spoke more frequently. While we would not class him as an eloquent speaker, he was always well equipped with his facts and expressed himself fluently, clearly, and convincingly.

His colleagues were always glad to have the benefit of his suggestions on any subject; and if they did not always agree with him, they respected his views on any legislative problem. And who did not like him as a friend and associate? Always genial and gracious, always kindly and generous, always ready to lend a helping hand in any worthy cause, always of even temper. No one who knew him could think of his doing an unmanly thing, or of uttering a harsh word toward his fellow men.

The world is the better for his having lived. All who were privileged to know him regret his untimely taking off.

Peace to his ashes!

Mr. PAGE. Mr. President, I deem it a privilege to have this opportunity to add my humble tribute of esteem and affection to the memory of our honored colleague, Senator BRADY.

Although born in Pennsylvania and educated in Kansas, Senator BRADY was distinctively of that type of forceful, constructive business men who were developed by the environment peculiar to our Far West in the latter part of the last century.

In the last decade of the nineteenth century Idaho was conspicuously a mining State. The census of 1890 gives us this notable fact—that in this Commonwealth, whose entire taxable valuation was $31,000,000, there was produced in a single year more than half that value of lead, silver, and gold. To-day Idaho is a flourishing agricultural State; and it is perhaps in the impetus he gave to her growth along these lines that Senator BRADY made his most important contribution to her welfare. His natural instincts as a farmer, combined with his great and forceful ability as an irrigationist, gave him a broad and ambitious conception of what Idaho might become agriculturally.

Senator BRADY was a constructor, a builder—the very spirit of the practical. At the same time he had a vision, and in the vast development of his great irrigation projects his vision was realized. He indeed caused two blades of grass to grow where but one—nay, perhaps none—grew before.

Senator BRADY brought to the United States Senate the results of a ripe practical experience, coupled with an energy and enthusiasm rarely excelled in our public men.

I first knew Senator BRADY by close association when in 1913 he became a member of the Committee on Agriculture and Forestry. He promptly took up his work on that great committee with sagacity and diligence, and brought to bear upon its labors that practical mind and sound judgment which soon made him one of the leading figures in the consideration of matters connected with that very important committee. I early came to learn that whenever Senator BRADY expressed an opinion on the committee's deliberations a valuable contribution had been made.

My personal relations with Senator BRADY were always most pleasant. There was a very lovable side to his character, a cheerful courtesy and a kindness of heart which greatly endeared him to those who were permitted to enjoy a more intimate association with him.

One of the most beautiful of Washington's many beautiful homes was that of the late Senator Nixon. After Senator Nixon's death Senator BRADY purchased the Nixon estate and beautified and improved it until it was among the most attractive in Washington. Here Senator BRADY delighted to bring his friends to enjoy that cordial hospitality over which his charming wife presided so graciously.

His colleagues in the Senate have lost a wise counselor and colaborer and a genial friend. An excellent governor has passed on; and in Senator BRADY's death the Nation, as well as Idaho, has suffered an irreparable loss.

Mr. HOLLIS. Mr. President, because of the absence of the junior Senator from Idaho [Mr. NUGENT], on account of illness, I am quite willing to close the services by saying a few words of appreciation of our late colleague, Senator BRADY.

If, as we love to think, the United States excels the older civilization in point of strength and efficiency, it is because of the all-round character of her leading citizens. In the older countries men are prone to live their lives in the places where they were born, surrounded by the traditions and hampered by the prejudices of their native districts.

In the lives of the two Senators whom we have eulogized here to-day we can not fail to be struck by the change and variety that came into their lives. Senator GALLINGER was born in Canada and came to the United States and lived most of his life in New Hampshire. He began as a printer; he became a physician; then a public man and a distinguished Senator. Senator BRADY was born in Pennsylvania and moved westward with the Star of Empire. He taught school; he was a printer; he became a banker and a business man.

As long as the United States of America can produce men of this sort, men who are willing to sacrifice their time and their ease to serve the Nation thoroughly and well, we need not fear for its future.

There was a breeziness and freshness and rugged quality about Senator BRADY that always reminded me of the West, where I myself began life at the age of 17 years.

I was not on any committee with Senator BRADY and I had no close association with him until he became a member of the joint statutory committee of the two Houses with reference to the subject of rural credits. I was surprised to find what a diligent, intelligent, and active man Senator BRADY was on committee work. We were doing our best to handle a very great subject. I came from the East, where I had little hope that the rural credits bill would be of benefit. Senator BRADY came from the West, where he expected it to be of great benefit. I was the more radical of the two and believed more in Government aid than Senator BRADY did. He brought to that work the experience and conservatism of a banker. Wherever we clashed it was the conservative East in the form of a radical against the radical West in the form of a conservative. But we were always able to harmonize our differences and we finally met on common ground and supported the same measure to the end.

I can very earnestly and sincerely pay my tribute to Senator BRADY as one of the finest products of our American civilization that it has ever been my pleasure to meet.

Mr. President, as a further mark of respect to the memory of the deceased Senators, I move that the Senate do now adjourn.

The motion was unanimously agreed to, and (at 1 o'clock p. m.) the Senate adjourned until to-morrow, Monday, January 20, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SUNDAY, *January 19, 1919.*

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore [Mr. CANNON].

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in Heaven, we thank Thee that the deeds of man are automatically recorded in the tissues of his soul, that the final result is the character which he builds for himself.

Some men work to live, others live to work. The former are eye servants. The latter are heroes and work for the betterment of mankind, in the community, the State, the Nation, the world. Such men are admired, respected, and loved by all with whom they come in contact.

We are here to-day in memory of two who have placed themselves on the roll of honor, to record on the pages of history their life, character, and public service; that they may live as beacon lights to guide us and future generations, to emulate their virtues, so that when we pass from this life men will rise up and call us blessed.

They are gone. Their works live. We mourn their going, but look forward with bright anticipations to the life eternal. Let this comfort us and their dear ones until Thou shalt call us to join them in the realms of the larger life where peace and happiness shall reign supreme; and everlasting praise be Thine, through the world's Great Exemplar. Amen.

THE JOURNAL.

The SPEAKER pro tempore. The Clerk will read the Journal.

Mr. FOSS. Mr. Speaker, I ask unanimous consent that the reading of the Journal be dispensed with on this occasion.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the reading of the Journal be dispensed with. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the special order for to-day.

The Clerk read as follows:

On motion of Mr. CANNON, by unanimous consent,

Ordered, That Sunday, January 19, 1919, be set apart for addresses upon the life, character, and public services of Hon. JOHN A. STERLING, late a Representative from the State of Illinois.

On motion of Mr. BURROUGHS, by unanimous consent,

Ordered, That Sunday, January 19, 1919, be set apart for addresses upon the life, character, and public services of Hon. JACOB H. GALLINGER, late a Senator from the State of New Hampshire.

EULOGIES ON THE LATE REPRESENTATIVE JOHN A. STERLING.

Mr. FOSS. Mr. Speaker, I offer the following resolutions, which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Illinois offers the following resolutions, which the Clerk will report.

The Clerk read as follows:

House resolution 510.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. JOHN A. STERLING, late a Member of this House from the State of Illinois.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The SPEAKER pro tempore. The question is on agreeing to the resolutions.

The question was taken and the resolutions were unanimously agreed to.

Mr. FOSS. Mr. Speaker, on October 17 last my colleague, JOHN A. STERLING, Representative from the seventeenth congressional district of Illinois, suddenly departed this life as the result of an automobile accident while on a visit to his home and district, and we, his friends, are gathered here on this occasion to testify to his worth and character.

Congressman STERLING lived only a few moments after the accident occurred, but during that time showed his unselfishness and consideration of others in insisting that his rescuers should go to the aid of those who were with him in the accident and who were not injured as much as himself. While one of them was trying to assist him he said, "Never mind me. Look after the others." And this thoughful expression on his part recalls to my mind the last words of the late President McKinley who in his dying hour was so solicitous of those around him.

JOHN ALLAN STERLING had an eventful career and left a name which will long be remembered, not only by those whom he especially served as Congressman, but also by his State and country at large. He was born on a farm in Leroy, McLean County, Ill. He attended the public schools and was graduated from the Illinois Wesleyan University in the class of 1881. While attending this institution he was a teacher in the public schools and upon his graduation became superintendent of schools in Lexington in an adjoining county.

Subsequently he took up the study of law and was admitted to the bar of Illinois in 1884. He formed a partnership with a classmate of his, Mr. Sain Welty, which continued until his partner was elected judge of the circuit court. Later he organized a firm which was considered one of the ablest in central Illinois, and was in active practice until his death. In 1892 he was elected State attorney for McLean County and held that position for four years. In 1902 he was elected to the Fifty-eighth Congress and was a Member of all the succeeding Congresses, including the present, with the exception of the Sixty-third Congress. During his first term he was a member of the Committees on Territories and Elections. In his second term he was assigned to the Committee on the Judiciary. In the Sixty-fourth Congress he became a member of the Committee on Interstate and Foreign Commerce and in the Sixty-fifth Congress a member of the Committee on Ways and Means. He therefore had assignments upon three of the most important, if not the most important committees, of the House of Representatives, and in all those positions he won the confidence of the House and found the opportunity for demonstrating his ability and statesmanship.

He was recognized as one of the leading lawyers of the State. Judge Welty, his former law partner, has said:

> I knew him as no other lawyer in the city (Bloomington) knew him, and I can say that my opinion of his legal ability was always one of admiration. Perhaps there has been no other lawyer in our generation at this bar who undertook his cases with more painstaking care and thoroughness. No case was a trivial one for him. He prepared himself on the law and the facts with an earnestness and sincerity which spared no efforts. As a trial lawyer he had few peers. He impressed the jury with his evident seriousness and belief in the justice of his cause. The Bloomington bar will have reason long to remember JOHN A. STERLING as one of its greatest lights.

I think I can justly say that Congressman STERLING was recognized by this body as one of its ablest lawyers, and he demonstrated it on more than one occasion in the consideration of legal questions. I can recall a number of instances, but one in particular during the impeachment of a Federal judge before the Senate some years ago, when it was remarked by many Senators that his presentation of the case was one of the strongest ever made before that body.

As a man he won the respect of all who came in association with him. He was of modest demeanor, gentle in his manner, considerate of the feelings of others, and unselfish to a marked degree. His was a kindly nature which radiated and permeated those around him. He was a man who did not seek the limelight, nor was he always forcing himself to the front, but one whose ability commanded attention and was so evident that many eagerly sought his advice and gave due recognition to his worth.

He was a man who did not give his confidence to everyone, but only upon long acquaintance and close association. He was slow in forming his opinions and after study and consideration came to a conclusion which was marked by deep thought, keen perception, and steadfastness of purpose; and when he arrived at that conclusion he was unshaken, but with great sincerity, born of conviction, he impressed it upon the minds of those around him. Having once taken his position on any question he was firm as a rock to the cause which he advocated, and nothing could move him from his position. He was naturally conservative in thought and action. He was no demagogue, nor did he appeal to the galleries, nor was he striving for headlines in the public press. He had contempt for the superficial and sensational which seeks publicity simply for the sake of it and gives the impression to the people of a character which does not exist. Reputation and character are two different things—reputation is what the world thinks of you and character is what you really are. JOHN STERLING never sought reputation, but he established a character of such breadth and power as will be known and revered for years to come.

His distinguishing characteristic might be said to be that of intense sincerity—sincerity in thought, in action, and in purpose. There was nothing of duplicity in him. He was never found sitting on the fence—he was either on one side or the other. He never tried to ride two horses. He never gave his support to a man or a cause but what he was true to the end. He was at all times what his name expressed—sterling—and on this account gripped his friends with bands of steel. He was one of the manliest, truest, gentlest, noblest men I ever knew.

Every position that he held in life he filled with ability, courage, and honor, and there is no office in the gift of the American people to which he might have been called if he had lived which he could not have filled with signal distinction. He would have made an able governor, a distinguished Senator, a splendid Speaker of this House, and the great interests of our Nation could have been safely entrusted in his hands as its President.

We mourn him to-day as our colleague and associate, one of the ablest Representatives that Illinois ever sent to this body, a great lawyer, a wise counselor, a true patriot and statesman, and we extend out heartfelt sympathy to those who knew him better than we, in the holiest of all circles, around the fireside and in the home.

Mr. FORDNEY. Mr. Speaker, the State of Illinois has long recognized the fact that in honoring its faithful Representatives by giving them length of service it promotes its own well-being. There are present here to-day conspicuous examples of this on both sides of the House. First of all on the roll of long service comes JOSEPH GURNEY CANNON, Nestor of legislators, with an unrivaled record, having to his credit the greatest length of service of any man who ever sat in either House, and probably the most experienced legislator in the whole world; who practiced law when Lincoln was district attorney of Sangamon County, Ill., who heard the Lincoln-Douglas debates in 1858, and who began his national career in 1860 as a delegate to the convention at Chicago that nominated Lincoln for the Presidency.

Next in length of service from Illinois in this House comes JAMES R. MANN, with eleven continuous terms to his credit; then GEORGE E. FOSS, also with eleven terms; then HENRY T. RAINEY, with eight terms, and WILLIAM A. RODENBERG, with a like number; MARTIN B. MADDEN, CHARLES E. FULLER, and WILLIAM W. WILSON, with seven terms each. And our dead brother JOHN A. STERLING, whose memory we honor to-day, was also seven times elected a Member of the House. If he had served here only a term or two neither we nor the country would have known how great a man he was for his qualities were of the kind that time alone can exhibit in their full degree. He came here with the learning of the schoolmaster and the experience of the State's attorney; but he was a quiet man, and in his first session here did not take any part in the debates on the floor of the House; and as no committees were appointed in that session except the two or three that had to do with the special business for which the session was called, we did not have the usual chance to measure him across the committee table. In the second session he was appointed a member of the Committee on Elections No. 3 and the Committee on the Territories; and the first public word he said was in a contested election case. The first sentence he ever spoke on this floor was eminently characteristic of the man. He said:

> Mr. Speaker, it seems to me that this discussion ought to be confined to the questions that are made in this record. The remarks made by the gentleman from Iowa have not been based to any extent upon the record that was before this committee and is now before this House. I can not understand what the platform which the gentleman read has to do with the question that this House has to decide.

That remark was typical of the processes of Mr. STERLING'S mind. He could not understand why anyone should ever seek to becloud a question or sidestep a duty. When he had studied a question and had made up his mind what ought to be done, there was for him only one thing to do, and that was to go where his judgment and conscience led and go by the shortest possible route. He was a man of strong friendships, but he never let a personal friendship interfere with his judgment in the discharge of his duty or with the process by which he made up his mind that one side of a question was right and the other

side was wrong. Over and over again, in his speeches in this House, he urged Members not to be swayed by sympathy or prejudice or by the consideration of outside matters. To him every question was a simple one, because he first stripped it of all the husks, he cracked the shell, and when he had finished his statement of a question there was nothing left except the one plain thing to be decided. He did not speak often, but when he did he threw a searchlight on the subject.

This being the quality of the man, it was inevitable that he should grow in the esteem of his fellow Members; and the longer he was here the more important were the duties placed on his shoulders. His services on the Elections Committee proved him to be a strong lawyer; and naturally enough he had not been here long before he was chosen a member of the Committee on the Judiciary, in which capacity he did some of his best work. Then he was selected to serve on the Committtee on Interstate and Foreign Commerce, taking an active part in the enormous tasks that have confronted that committee; and finally he became a member of the great Committee on Ways and Means. No committtee of Congress has ever had before it such important matters as have come before this committee in recent years. And in this work Mr. STERLING took an increasingly conspicuous part. He was a strong believer in the doctrine of the protection of the industries of this country from the attacks of competitors who by cheap labor would destroy the comfort of the American workman's home; and in his speeches and in the committee he never let anyone have a moment's doubt as to where he stood on that subject. He was for his country always. Such men make a nation invincible. He was strong, he thought in a straight line, he was loyal to his friends and to his duty. He hated claptrap of every kind, and he left this House and this country better for having served here with us.

The treasure of a husband's or a wife's affection, like the grace of God, is given—not bought. Gold it powerful. It can sweep down forests, raise cities, build great structures, and decorate and beautify homes. It can collect armies, and inspire awe and fear, but wealth can not purchase love.

If any one has failed to estimate the affection of a true-hearted husband or a wife they will be likely to discover the value in the loss—when that heart that loved them is stilled by death.

Death comes to us all—no sex is spared, no age exempt, the black and the white, the rich and the poor, the weak and the strong—all must die.

No matter what may be our station in this life we must die, and when death comes to us all men are equal. As in the chess-play, so long as the game is playing, all the men stand in their rank or order, and are respected according to their places—first the king, then the queen, then the bishops, then the knights, and last of all the common soldiers. But when once the game is ended they are all tumbled into a bag, and often the king is lowest and the common soldier uppermost. So it is with us in this life. The world is a huge theater or stage wherein some play the part of a king, some a bishop, another that of a humble citizen, but death sends them all alike to the grave. Death comes equally to us all, and makes us all equal when it comes. Such is life.

JOHN A. STERLING was of sterling character, a fond and loving father and husband, a valuable addition to any community. He lived a good life, fought the battle honorably and nobly. He left behind him a loving wife and affectionate children and an army of friends. Let us ever pray that his soul may rest in peace.

Mr. HENRY T. RAINEY. Mr. Speaker, we are assembled here to-day for the purpose of doing honor to the memory of our friend and colleague. It is difficult for those of us who knew JOHN A. STERLING best to realize that he has left the places which knew him here and has sailed away over the mystic sea to an unknown shore. May we not hope that he has gone to meet those of his friends who have made the journey ahead of him. He was a strong, forceful, manly man of action, discharging in all the emergencies of this life his full duty. He served upon the great committees of this House during his nearly 14 years of service here. It is difficult to realize that this historic Chamber, which has echoed so often to his forceful oratory, will know him no more. I was particularly associated with him during the entire period of his service here, although we sat on opposite sides of this aisle. We were affiliated always with parties which stood upon different political platforms, but I have never known partisanship to interfere in any way with his ideals of duty.

His counsel was sought always by the leaders of the Nation. During his public career it can be said of him that he walked with the great of his country, but he never for one moment forgot the common touch. His sympathies were of that broad and generous character which kept him during his career closely in touch with the people of the State he represented here and the great common people of this Nation. During the latter part of his service here he served on the great Ways and Means Committee of the House, and during the long hours of every workday on that committee, while engaged in the preparation of the greatest revenue bills ever submitted to any Congress, he sat at the table performing his full share of the labor honestly and conscientiously, at all times living up to his high ideals. His life was never a life of mere ease or pleasure, but always a life of hard work, the hardest kind of work, and the victory he sought was the reward which comes after the most exacting mental labor.

In the prime of life, when for him the sun was still high in the heavens, with his mental and his physical powers unimpaired, he passed suddenly away from this earth through the shadows to the sunshine of the life which awaited him beyond the grave. He will be missed in the community where he lived. He will be missed as few men are missed in the great State he served here so long, so faithfully, and so well, and he will be missed by those of us who were associated with him in his work here during all the remaining years which are ours upon this earth. A manly man has gone.

The manly man is the country's need, and the moment's need, forsooth,
With a heart that beats to the pulsing tread of the allied leagues of truth;
The world is his, and it waits for him, and it leaps to hear the ring
Of the blows he strikes and the wheels he turns and the hammer he dares to swing;
It likes the forward look in his face, the poise of his noble head,
And the onward lunge of his tireless will and the sweep of his dauntless tread.

Mr. MASON. Mr. Speaker, at this moment I hardly feel I can do the subject justice. There was about JOHN STERLING something that once having learned we could never forget. My colleague [Mr. Foss], I think, suggested how appropriate was his name, for if in my long career I have met one man who was truly sterling in all of the things that make for character it was our colleague JOHN STERLING, in whose honor we are here to-day. He was a quiet man. I was told some years ago that he was a man who lacked a sense of humor but after acquaintance with him I found that he had that priceless jewel of a love of fun and humor that did not display itself as it does with most of us, but he loved the quaint, the curious, and the ridiculous as a part of his mental exercises, although only those who knew him well appreciated that particular characteristic.

He was one of the most reliable and the most "unafraid" of our associates here in Washington. We used to call him the "Old Reliable" because we knew when we went to him for advice he would not follow the old suggestion that, when you are asked to give advice, always find out what is needed and then give it to them.

JOHN STERLING had the courage to talk squarely with his friends, and he gave no advice to please those with whom he was advising. I have never known him in all of his career to vote or play the part of a coward or a demagogue. He had analyzed to himself, had satisfied his own conscience, that this was the right vote to give, and he gave it, being prepared to take the consequences, whatever they might be.

He was unafraid in the trial of a case. I have been told by men who tried cases with him that he learned the great knack of being able to "fight without quarreling." He stood by his clients at the bar without quarreling with the other members of the bar with whom he was in contest.

He gave his votes here, and, as my colleague from Michigan [Mr. FORDNEY] has said, he fought for those principles he believed in; but in his fighting, as my distinguished colleague from Illinois [Mr. HENRY T. RAINEY] has said, he was big enough to fight but too big to quarrel.

I have chosen, Mr. Speaker, to read a few words that were delivered by Col. Ingersoll at the grave of his brother:

The loved and loving brother, husband, father, friend, died where manhood's morning almost touches noon and while the shadows still were falling toward the West. He had not passed on life's highway the stone that marks the highest point, but being weary for a moment he laid down by the wayside, and, using his burden for a pillow, fell into that dreamless sleep that kisses down his eyelids still. While yet in love with life and raptured with the world, he passed to silence and pathetic dust. Yet, after all, it may be best, just in the happiest, sunniest hour of all the voyage, while eager winds are kissing every sail, to dash against the unseen rock, and in an instant hear the billows roar a sunken ship. For, whether in mid-sea or among the breakers of the farther shore, a wreck must mark at last the end of each and all. And every life, no matter if its every hour is rich with love and every moment jeweled with a joy, will, at its close, become a tragedy as sad and deep and dark as can be woven of warp and woof of mystery and death.

This brave and tender man in every storm of life was oak and rock, but in the sunshine he was vine and flower. He was the friend of all heroic souls. He climbed the heights and left all superstitions far

below, while on his forehead fell the golden dawning of a grander day. He loved the beautiful, and was with color, form, and music touched to tears. He sided with the weak, and with a willing hand gave alms; with loyal heart and with the purest hand he faithfully discharged all public trusts. He was a worshipper of liberty and a friend of the oppressed. A thousand times I have heard him quote the words, "For justice all place a temple and all season summer." He believed that happiness was the only good, reason the only touch, justice the only worshipper, humanity the only religion, and love the priest.

Of course, Mr. Speaker, we do not agree with Col. Ingersoll that "Life is a barren vale between the cold and barren peaks of two eternities." Of course, every man who has had one friend, who has had one woman to love him, and children to caress him, does not agree with Col. Ingersoll that "Life is a barren plane," but a plane with barren spots; but the oasis comes whenever we meet a friend and find an opportunity to be of use and service.

We strive in vain—

Says Col. Ingersoll—

to look beyond the heights. We cry aloud, and the only answer is the echo of our wailing cry. From the voiceless lips of the unreplying dead there comes no word; but in the night of death hope sees a star and listening love can hear the rustle of a wing.

We can say of JOHN STERLING that there was no gentler, stronger, manlier man.

Mr. Speaker, I know at times, and sometimes on occasions of this kind, we dwell upon the things hoped for. Putting aside all other questions and using only that means that logic gives to us, is not the hope of the immortal life a reasonable hope? Nothing can be destroyed in the workshop of God. Though we burn the book, it is not destroyed. Everything that went to make this book is still in existence. The form of JOHN STERLING, silent, cold, returns to dust, yet everything that went to make his physical body is still in the workshop of God Almighty, for He is jealous of those things that come from His hand. And if it is true, and we know it is true, that no thing that we can understand with the human mind can be destroyed, can it be possible that unselfish love—can it be possible that character, industry, love of service, patriotism, all of those things that went to make a manly man like JOHN STERLING, are to be lost and blown out like the candle, while the meaner things, the dust and the ashes, are saved?

Oh, Mr. Speaker, the faith is a reasonable faith, and in contemplating that we find a poverty of words. We can only know when we reach the rapt and hopeful thought that unselfish love can not die, that words can not picture what our faith calls for and, finding the poverty of words, we say with Father Ryan:

Far out on the sea there are billows that never will break on the beach.
I have heard songs in the silence that never will float into speech.
And I have dreamed dreams in the valley too lofty for language to reach.

Mr. SHERWOOD. Mr. Speaker, the untimely death of the late Hon. JOHN STERLING, of Illinois, is a distinct loss to his district, his State, and the Nation. He was taken off in the prime of his manhood and in the full ripeness of his congressional career. I was housed with him in the same hotel during his entire service and knew him as well as any Member outside his home State. As a lawyer he ranked high, and his industry, his ability, his integrity, and fidelity to every trust gave him a status the equal of any Member from any State in this historic Chamber. His sketch in the Congressional Directory is brief and unpretentious. We have never had in this country too many men of heart and brains and morals and courage in public life, and at no period in our history have men of this type been more needed than now. No time in our history has there ever been a more urgent demand for just men of courage, patriotism, and ability on the floor of Congress.

It was our own poet of patriotism, Fitz-Greene Halleck, who wrote, in Marco Bozzaris, this pathetic and heartrending couplet:

Come to the bridal chamber, Death!
Come to the mother when she feels
For the first time her first-born's breath!
And thou art terrible!

But more terrible is the loss of a fully equipped man, mentally and morally, because his loss is not only to the family, the wife, the children, but to the State. The one loss to the other is as the rosebud compared with the full-blown rose, grown fragrant and beautiful in God's sunshine. And the example of a well-rounded man, of power and influence for the good of his fellowman, does not attach to the newborn child.

One of the greatest of Athenian philosophers said:

Most of all, fellow citizens, if your sons ask whose example they shall imitate, what will you say? For you know well it is not the music, nor the gymnasium, nor the schools that mold young men. It is much more—the public proclamation, the public example. If you take one whose life has no high purpose and crown him in the theater, every boy who sees it is corrupted. Beware, therefore, Athenians, remembering posterity will rejudge your judgment and that the character of a city is determined by the character of the men it crowns.

Two thousand years have elapsed since this classic was uttered, and it is still vital and valuable. The hope and ambition of our young men of to-day is fostered and fed by the character of the men the people of this Republic send into our highest legislative body. Mr. STERLING's example is a potent teacher to the young men of his district and his State. Example teaches without a tongue. It is silent, but its action for good is more forcible than words, however eloquent. Mr. STERLING has left no enemy on either side of this House. His life, his character, his career will always be a grateful memory to his family, his kindred, and his colleagues.

It is not the length of years that we live or the length of our service on this floor that measures our value to our constituents and the country. Mr. STERLING lived 61 years and served almost 14 years in Congress, or nine years longer than the average official life of a Congressman. In the 50 years following the great Civil War the average official life was less than six years.

While Mr. STERLING had before him many more years of valuable service in the ordinary contingencies of human life, he lived long enough to make an enduring record of valuable service and achieve an honorable name. He has left to his family, his kindred, and his State a record of achievements that should fill their hearts with pride and mellow the acute sorrow over his untimely death. And there is a deeper consolation, told with so much pathos by Longfellow:

There is no death; what seems so is transition;
This life of mortal breath
Is but a suburb of the life elysian,
Whose portal we call death.

Mr. WHEELER. Mr. Speaker, when JOHN A. STERLING passed to the great beyond this Nation lost a man of immeasurable value at a time when his services were most needed.

He was not given to making a brilliant and startling display of his genius, but he was practical, level-headed, and wise on all questions pertaining to the Nation's welfare.

Illinois has lost one of its most capable Representatives. So highly was he esteemed by the people of our State had he lived he would undoubtedly have been called to higher honors.

As his friend I sustained a great personal loss. His quiet gentleness of manner, his unfailing courtesy, and his thoughtfulness remained with him to the end, and his last words and his last acts were for the comfort of his companions who were injured. For he in his last moments said: "Take care of the others first"; and while they were receiving attention his soul returned to his God.

Although he has gone, his memory lives, an inspiration to all who knew and loved him. May his example inspire us to emulate his kind, manly spirit!

Mr. MADDEN. Mr. Speaker, any words that I may be able to utter will, of course, be inadequate to express the feeling that I have with respect to our deceased colleague. JOHN STERLING was among America's most conspicuous men. His life and work were such as not only to attract men to him, but to attract the confidence of the country in the man.

His most conspicuous public service here, as I believe, was his prosecution of Judge Archbold, who was impeached for misdemeanors in office. His presentation of that case before the Senate of the United States was said to be the clearest, most forceful legal argument that has ever been made by any lawyer in any case in America. His action in this case called him specially to the attention of the Nation, and it established for JOHN STERLING a national reputation as a lawyer which no other act could have brought to him. Every man in the case, those who were opposed to the prosecution and those who were for the prosecution, admitted that JOHN STERLING knew more about the law in the case and presented the ablest arguments in the case of any man connected with the case, and in my opinion, as a matter of fact, it was his untiring work in delving into the facts and the law which enabled the country to rid itself of Judge Archbold.

JOHN STERLING served his country in what I believe to be the most momentous period of its history. He was here when the great war began in Europe. He was here during all the period of the formation of public opinion in America in connection with that war. He was here at the time when men's souls were tried, when their patriotism was tested, when men were proved either to be American or otherwise by their actions. There never was any doubt about JOHN STERLING'S Americanism or patriotism. He was an American through and through. He believed in preserving every right of his country, in the preser-

vation of the national honor, in the perpetuity of the Nation's institutions, and he not only stood for a declaration of war against Germany, but when war was declared he gave his son in defense of the flag. He was not only a patriot himself, and proved that by his own actions, but he was proud that he had a son that could be given to defend the institutions of his country.

He was a courageous man. He was modest. He was unassuming. But he never lacked the courage of his convictions. I recall on one occasion here, when the Clayton antitrust law was under consideration, he as a member of the Committee on the Judiciary stood boldly for American rights, for one citizenship, for one flag, for one code of laws, for the principle that every man should stand equal before the law. He displayed a courage during the consideration of that bill that few men on this floor displayed. He not only displayed courage, but he displayed knowledge of the pending legislation which no other man on the floor possessed.

JOHN STERLING was quiet and unassuming, but his friendship was something to be sought. Once attained, you might be certain, if you justified it, to continue to retain it. He lived a life of great usefulness. His life can well be emulated by the children of the generations yet to come. The things that JOHN STERLING did during life will continue to live, now that he is gone. Men like JOHN STERLING do not die. Their work continues to keep them before the minds of the youth that follow. Though we all regret to miss him in our daily contact in life, yet we are proud that the Nation gave JOHN STERLING to his country, and that during his public service he gave to the country the best there was in him.

His family, of course, will miss daily contact with him. They will mourn his death. But they will have the consciousness that some day they, too, will pass beyond and meet him under better circumstances; for we who believe in a future must continue to hope that the end of life here is not the end of our association with those we love. And while we may mourn and sympathize with the family of JOHN STERLING, yet, after all, death is just as natural as life; and while we rejoice at life and birth, and mourn at death, there is no reason why mourning should exist on account of our passing away. For one I simply wish to express my pride and my joy that JOHN STERLING'S life was one in the whole, I may say, given to the Nation while he lived, and what he did and what he said will continue to live; and I am happy in the thought that we who associated with him during life may hope to associate with him again when we reach the other side.

Mr. GRAHAM of Illinois. Mr. Speaker, I did not know Hon. JOHN A. STERLING personally until I came here as a Member of the present Congress, although I knew of him by reputation in my State. In Illinois there were but few who had any knowledge of public affairs who did not know of his public life and works and who did not highly regard him. While I, by the short period of my service here, was not able to judge of the worth of JOHN A. STERLING as others who speak here, men who have served with him for years, yet I did form a lasting impression of him from observing him and his work as a Representative. I presume the new Member, who sits through the sessions with but few other duties to perform except to observe the proceedings, forms a more vivid impression of the men who carry on the important work of the House than do those who have been for years associated with these men. I observed early that when JOHN A. STERLING spoke on any subject he had an attentive and thoughtful audience. I observed that those who spoke of him spoke of him as a sincere man and a plain, logical, and exact thinker.

He was extremely considerate of the opinions of others and was willing to listen at all times to the suggestions of any Member, whether he was of years of experience or of few days in the public service. So far as I could observe, there was no division of sentiment among the Members of his own delegation as to his superlative ability as a legislator and a man, and I have no doubt this was the common feeling of the Members of the House, irrespective of party.

I was not in the country when JOHN A. STERLING died. I did not know of the fact until I returned to this country. Immediately upon my return I saw an American paper, and in this paper observed a mention of the late Representative JOHN A. STERLING, from Illinois. I can not express to you the distinct shock this was to me. I had come to regard my colleague, Mr. STERLING, as an institution, almost, and to find that he, with his wonderful mind, was gone was almost inconceivable. In this time of great questions and when world problems are being solved we needed men like JOHN A. STERLING, men of logical minds, minds that drive through the fog and straight to their objects, minds that disregard the chaff and seek only the wheat that is the harvest.

There is to-day so much of uncertainty, so much to perplex those who must legislate for the country, and there are so few minds that process regularly in times of mighty stress and emotion, that to lose one of these minds is a distinct and positive loss to mankind. Such a mind, and such a personality, my colleagues, we have lost.

There is not much of intimate knowledge that I can say of our departed colleague, for I was not his intimate friend. But I do want to pay my humble tribute, now and here, to the memory of this man from my State. We have had few of his kind. In his life he honored his own State of Illinois, dignified the House of Representatives in which he served, and was a credit to the country which he loved so well.

But the good things JOHN A. STERLING did will not die. May we not rather agree with the poet:

I shot an arrow into the air,
It fell to earth, I knew not where;
For, so swiftly it flew, the sight
Could not follow it in its flight.

I breathed a song into the air,
It fell to earth, I knew not where;
For who has sight so keen and strong,
That it can follow the flight of song?

Long, long afterward, in an oak,
I found the arrow, still unbroke;
And the song, from beginning to end,
I found again in the heart of a friend.

Mr. PARKER of New Jersey. Mr. Speaker, no one could know JOHN A. STERLING without feeling that his growth here was remarkable for its strength, its simplicity, and its rounded character. Some men who come here are not so strong afterwards as when they first came, but any man who works hard must grow. The danger is that he may grow in one direction, to be a politician, to excel in the tricks of the trade, or in mere tricks of oratory, and to put success above the principles upon which it should be founded. It is hard here in all the changes and chances of politics to remain absolutely simple, absolutely true, and strong enough to be willing when the occasion comes to speak your mind as you think you ought to speak it. But such a man was JOHN A. STERLING. He grew like an oak in all directions, the roots reaching out constantly into more knowledge and the branches sturdily meeting and breasting any wind or any storm. He grew because as a lawyer and statesman his opinions and actions were founded on a wonderful common sense, upon a wonderful knowledge of the common law, and upon a most uncommon honesty and absolute courage.

I knew him best in the Sixty-first Congress. We had served together on the Committee on the Judiciary, but in that particular Congress I had the privilege of putting him at the head of a subcommittee that was practically a committee; we then for the first time divided the work of the Committee on the Judiciary between three great subcommittees so that one took bills relating to law, another took bills relating to practice, while all the difficult bills as to organization of the courts, when there shall be new judges, what shape the courts shall take in each particular district and their constitutions, were referred to one of these great subcommittees of seven members which was presided over by JOHN A. STERLING; all these matters were in his hands. And I feel it my duty to speak for the courage, the sense of justice, and the considerateness with which these difficult questions were arranged and settled by him during those two years.

I have but one other matter to call to the remembrance of the House. It was only recently that the Committee on Ways and Means reported and passed a great bill for raising revenue. It took new lines. It went upon the lines of taking wealth wherever you could find it. We all voted for it, because we are meeting the greatest emergency that this country has ever met in all the centuries, but JOHN A. STERLING, in his quiet, considerate, and therefore absolutely inoffensive way, while supporting that bill, had the courage upon this floor to say he would have preferred a bill which would have been more even and just to all. His proposition was that a single per cent of tax placed upon every sale that was made in this country would have brought in some three billions of dollars. I do not mention this as a matter of discussion. I do mention it as showing the absolute independence, the courage, and justice of the man. He sought always what was right. He was not afraid to say what he thought, no matter how much that might be misrepresented.

We have lost a friend. A tree can not be torn up that has put out its roots in every direction, that has thrown out its branches under the shade of which we have sat—a tree that has intertwined itself with our lives—that sort of a man can not

be lost without a wrench that is hard and makes it seem almost unfair and wrong to analyze the character, but in this case no analysis can do harm, for there is not one of us who could put his finger upon anything that was petty or mean in his character.

At this point Mr. WALSH assumed the chair as Speaker pro tempore.

Mr. FOSS. Mr. Speaker, there are some Members who are unavoidably absent and some present who have been unable to prepare tributes to the memory of Mr. STERLING. Therefore, on behalf of them I ask unanimous consent that permission may be granted to them to extend their remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

The SPEAKER pro tempore. The Clerk will report the resolution setting aside a time for tributes to the memory of Senator GALLINGER.

The Clerk read as follows:

On motion of Mr. BURROUGHS, by unanimous consent, *Ordered*, That Sunday, January 19, 1919, be set apart for addresses upon the life, character, and public services of Hon. JACOB H. GALLINGER, late a Senator from the State of New Hampshire.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Hampshire [Mr. WASON].

Mr. WASON. Mr. Speaker, I offer the following resolution, which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report it.

The Clerk read as follows:

House resolution 508.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. JACOB H. GALLINGER, late a Senator of the United States from the State of New Hampshire.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The SPEAKER pro tempore. The question is on agreeing to the resolutions.

The question was taken, and the resolutions were agreed to.

The SPEAKER pro tempore. The gentleman from New Hampshire [Mr. WASON] is recognized.

Mr. WASON. Mr. Speaker, one of my colleagues is very anxious to get away, and I will yield the first place to the gentleman from Michigan [Mr. FORDNEY] and follow him.

The SPEAKER pro tempore. The gentleman from Michigan is recognized.

Mr. FORDNEY. Mr. Speaker, there is a world of meaning in that fine old Greek word "eulogy"—the speaking of good words about a man. For years we see him going about his daily duties, performing them with honor to himself and benefit to those whom he serves. We say little or nothing about it, though the consciousness of his presence and his work may be in our minds every day. Then there comes a time when his place is vacant, and we realize what he then was by what he now is not. It is fitting that, before we ourselves are gone, we put in enduring words, so that as long as ink and paper last men may read, our estimate and appreciation of our distinguished fellow servant, who, when he died, was the oldest Member in service in the Senate.

JACOB H. GALLINGER was one of the adopted sons of this Republic, coming to us, like the late Senator McMillan of Michigan, from our sister commonwealth of Canada. It is a curious coincidence that these two great men, who have done more than almost any others to beautify this city of Washington, were both born in that friendly country at our north. Each of them served for many years as chairman of the Senate Committee on the District of Columbia, and each believed that, as Congress is the special guardian of the District, it should be cared for and developed as befits the Capitat of the greatest nation on earth.

Canada has sent many of her sons to the United States. Though born under a so-called monarchy, their ideas of self-government are the same as ours. The majestic forests and shining lakes of Canada are like those of our own Northern States, and the people of both nations breathe the same glorious air of liberty, and both have the same love and respect for law and order. Our boys and theirs have fought side by side in France for the preservation of civilization. Boston is as much the metropolis of eastern Canada as it is of New England. The pine of Michigan was largely cut by the sons of Ontario and New Brunswick and Quebec. Thousands of farmers of Iowa and the Dakotas have sought homes in the valleys of the Saskatchewan. And the names of James McMillan of Michigan and JACOB H. GALLINGER of New Hampshire, conspicuous on the roll of the United States Senate, are proof, if proof were needed, that the frontier between Canada and our own country is scarcely more a separation of common aims and purposes than are the boundaries between our own States.

The greatest danger that confronts the world at this moment is not imperialism, but the horrid irresponsibility that sometimes sneaks under the name of the I. W. W., but now is sweeping through unhappy Russia and defeated Germany under the name of the Bolsheviki. The English-speaking race is and will always be the bulwark of the world against anarchy in every form; and in the contests of the future, Canada and the United States will stand side by side solidly against all movements that threaten the safety of society, as so many of her sons stand shoulder to shoulder with us in all the varied interests and activities of modern life.

Others have told the House of the wonderful versatility and industry of Senator GALLINGER in the affairs of his adopted State and of the Nation and in international affairs. He was eminent in his profession, that of medicine, before a public career claimed his time completely. To enumerate even the titles of the different public positions he held would take too long.

He was one of the leaders of his State, of his party, and of his time. Here in Washington he was known as a man who appreciated the needs of the city, and recognized that it is the Capital of our beloved country, wholly dependent upon and at the mercy of Congress, therefore to be protected and developed and beautified as befits the dignity of the great people of whose government it is the official home. It is interesting to see what was the incident that caused Senator GALLINGER to begin to show a friendly interest in District of Columbia affairs. During his first senatorial term, in 1891, he received a letter from the secretary of Harvard College, voicing a complaint that the high schools of the District were not then able to prepare students to pass the admission examination to Harvard. Senator GALLINGER offered a resolution of inquiry concerning the matter, and that was the beginning of nearly 30 years of championship of the rights of the District. At that time Senator McMillan was chairman of the Committee on the District of Columbia, but on his death Mr. GALLINGER was chosen by the Senate for that position.

In 1911 a banquet was given by citizens of the District at which Senator GALLINGER was the guest of honor, and he was there presented with a loving cup by the Chamber of Commerce; a gold watch and chain from the Board of Trade; a basket of American Beauty roses from the teachers of the public schools; a silver pitcher from the Plate Printers' Union; and a silver desk set from the American Civic Association. Among the visible monuments of his chairmanship are the great Washington Terminal, the filtration plant which gives clear water to this city, the new sewer system, the District Building, the highway Potomac River Bridge, the beautiful Connecticut Avenue Bridge, the Anacostia Bridge, the Massachusetts Avenue Bridge, and great developments of the parks and schools, among the latter the Business High and McKinley Manual Training Schools; and there are even more important tangible benefits that are the results of his tireless interest. At that dinner President Taft was one of the speakers, and this brief tribute can not be concluded better than by a quotation from his remarks on that occasion. He said:

There is a class of legislators who favor legislation because of the good that it is going to do when it is enforced, and there is another class who are in favor of legislation wholly without regard to what it is going to accomplish as an enforced law, but who take an interest simply because of the votes that the advocacy of the law is going to give them. Now Senator GALLINGER belongs to the former class.

They have in New England what they call safe men. By that they mean men who, from their youth up, feel charged with the responsibility of looking out for the community in which they live; first the village, then the town, then it may be the county, then the State, and finally the Nation. They seem to be able by what they do to impress the people with the idea that if they are given a public trust they will regard it as a trust for the people, and can themselves be trusted as safe men for the people to put in power. Now that is the kind of man that Senator GALLINGER is, and that is the reason for his hold on the State of New Hampshire.

Senator GALLINGER started in life as a poor boy, spending some time as a typesetter in a printing office. He finally obtained an education and then rose to the high position occupied so long by him—abundant proof of the worth of the man. Those who knew him best loved him best. He was courageous; he was honest; he was a true gentleman.

When you have found a man, you have found a gentleman. A gentleman is a man who is gentle. Titles, graceful accomplishments, superior culture, princely wealth, great talents, genius, do not constitute a man with sufficient attributes to make a gentleman. He may be awkward, angular, homely, or poor, and yet belong to that class known as gentleman. His face may be bronzed, his hand may be huge and hard, his vest patched, like Joseph's coat of many colors, and he may still be a true gentleman. The dandy is a dry-goods sign, and not a gentleman, for he depends upon dress, and not upon his honor and virtue, to carry him into society. The man who has no money is poor; he who has nothing but money is poorer, and he is not a gentleman.

A gentleman is careful to have thoughts and sentiments worthy of him, as virtue raises the dignity of a man, while vice degrades him. True greatness lies in the heart; it must be elevated by aspiring to great things. Others may attract us through the splendor of some special faculty, or the eminence of some special virtue; but in a gentleman it is the whole individual we admire and love. A true gentleman is one whose nature has been fashioned after the highest models. His qualities depend, not upon fashion or manners, but upon moral worth—not upon personal possessions, but upon personal qualities.

A true gentleman has a keen sense of honor. His standard of probity in word and action is high. He does not shuffle or prevaricate, dodge or skulk; but he is honest, upright, and straightforward. When he says Yes, it is a law; and he dares to say the valiant No at the fitting season. A gentleman will not be bribed; only the low-minded and unprincipled will sell themselves to those who are interested in buying them.

The poor boy may be a true gentleman—in spirit and in daily life. He may be honest, truthful, upright, polite, courageous, self-respecting, and self-helping—that is, be a true gentleman. Such was Senator GALLINGER.

A man's mental powers must be cultivated. The full measure of all the powers necessary to make a man are no more character than a handful of seeds is an orchard of fruits. Plant the seeds and tend them well, and they will make an orchard. Cultivate the powers and harmonize them well, and they will make a noble character. "The germ is not the tree, the acorn is not the oak, neither is the mind a character. The mind is the garden, the character is the fruit; the mind is the white page, the character is the writing we put upon it; the mind is the shop, the counting room, the character is the profits on the trade. Large profits are made from quick sales and small percentages; so great character is made from many little acts and efforts." A dollar is composed of a thousand mills; so is a character composed of a thousand thoughts and acts. Character is formed by a course of actions, and not actions by character. A person can have no character before he has had actions. Though an action be ever so glorious in itself, it ought not to pass for great if it be not the effect of wisdom and good design. Great actions carry their glory with them as the ruby wears its colors. Whatever be your condition, keep in view the whole of your existence. Senator GALLINGER was a man of Character—a Christian man. He was a brave man; he was powerful; he had the courage of convictions and to express them at all times.

Frail man comes into the world crying, cries on through life, and is always seeking after some desired thing which he imagines is labeled happiness or is mourning over some loss which makes him miserable; a restless mortal with an immortal soul, which requires something more than earth can give to satisfy its lofty desires; a soul that hails death as a welcome messenger to deliver it from its ever-changing, ever-decaying prison house of clay, called man, on which time wages a perpetual war; whitening his locks, furrowing his cheeks, stealing his ivory, paralyzing his muscles, poisoning his blood, battering his whole citadel, deranging the whole machinery of his life, and wasting his mental powers, until he becomes twice a child, and then delivers him over to his last and best friend, death, who breaks the carnal bondage, sets the spirit free, opening the door of immortal happiness, returning the soul to its own original and glorious home, to go no more out forever.

We at death leave one place to go to another; if godly, we depart from our place here on earth and go to our place in heaven; we depart from our friends on earth and go to our friends in heaven; we depart from the valley of tears and go to the mount of joy; we depart from the business of life here and go to a heavenly paradise. Who would be unwilling to exchange a Sodom for a Zion? Who would be unwilling to exchange misery for a haven of rest?

When these hands of ours shall be pulseless and cold and motionless as the grave wherein they lie; when the damp, dewy vapors shall replace this sensible, warm motion, and death shall spread our couch and weave our shrouds; when the winding sheet shall be our sole vesture, and the close-sealed sepulcher our only home, and we shall have no familiar companions, no rejoicing friends, let us hope that our souls may recline in the bosom of God.

Life! we've been long together
Through pleasant and through cloudy weather;
'Tis hard to part when friends are dear;
Perhaps 'twill cost a sigh, a tear;
Then steal away, give little warning,
Choose thine own time;
Say not "Good night," but in some brighter clime
Bid me "Good morning."

The SPEAKER pro tempore. The gentleman from California [Mr. KAHN] is recognized.

Mr. KAHN. Mr. Speaker, in the present Congress the Grim Reaper has been wielding his scythe with relentless vigor. He has been impartial, too, in choosing his victims. Youth and old age alike have succumbed to his irresistible stroke.

Among those who have fallen none was more highly esteemed by his associates than the lamented Senator from New Hampshire, JACOB H. GALLINGER. He had served his country long and faithfully in the House as well as in the Senate. He was one of the old school of statesmen in public life. He was a thoroughgoing partisan. But he was always impartial and fair and just even in his partisanship. Above all else, he was a thoroughgoing American who loved his country with patriotic devotion. He did not believe that he was stronger nor better than his party. To him party creed demanded that all differences as to policies should be thrashed out in the party council. Therein again he showed himself as belonging to the old school. He did not believe in that course, so often followed by some latter-day politicians, of fighting his party associates and denouncing the party organization because an overwhelming majority of his associates did not come to his way of thinking. He always was ready to compromise differences within the ranks and in the fold rather than engage in party quarrels. He realized that our Government had grown strong and great by reason of the readiness of the leaders of the past to compromise their differences.

He knew that this Government from the first has developed as a great Nation because men of patriotism and loyalty and devotion to the cause of the Republic have been willing to modify their personal views in order that all could agree on the policies to be followed for the welfare of this American Commonwealth. He knew that it was thus in the Constitutional Convention that framed our historic fundamental law. He knew that it was thus with reference to the location of this very Capital, which he as chairman of the Senate Committee on the District of Columbia did so much to improve and beautify. He knew that it was thus down the long years of the formative period of our country's history. Senator GALLINGER was loyal to these traditions of the past, and we honor him for his sturdy stand on the great questions that arose during the many years he was a Member of the Senate of the United States.

At the time he entered that historic body there were many old customs that marked the relationship between Members of the House and the Senate that seem to have fallen into innocuous desuetude. It was customary in the old days for the Senators to leave their cards upon the desks of the Members of the House from their respective States on the opening day of the new session. It was customary for the Members of the House to call personally upon the President of the United States and the Senators from their State as soon as possible after arriving in Washington in order to pay their respects.

It was customary even among the wives of the Members of Congress for the new Members' wives to call upon the wives of all the Members who had served longer in Congress than their own husbands, and especially was this true with regard to the wives of the Members from one's own State. These little social amenities and courtesies added something of pleasure to the dull routine of congressional life here in Washington, but these customs are rapidly disappearing. In fact, they had disappeared almost entirely in the closing years of Senator GALLINGER's life. Whether the Capital or the country has gained by breaking away from the old forms and traditions I do not know, but the fact remains that in the old days Republicans and Democrats were much more apt to see something of each other's social side than they do under present-day conditions.

Senator GALLINGER, toward the close of his life, suffered many hard blows at the hands of fate. Many of his dear ones were removed from him by death. I lived at the same hotel as he when some of these blows fell. I know how deeply his life was affected by the losses he sustained. But he toiled on unceasingly for the welfare of his country.

He participated actively in all the important legislation that has been written on the statute books of our country in the last quarter of a century. But he was especially interested in the rehabilitation of our merchant marine. Coming from New Hampshire, he doubtlessly remembered how the enormous fleet of New England clipper ships carried the American flag into almost every important port on the seven seas. He remembered how they had built up the commerce of the United States in the first half of the nineteenth century. Doubtlessly he hoped that such a condition might be reestablished under wise and helpful legislation enacted by Congress. But, alas, his hopes in that direction were doomed to disappointment. Whether those who are left behind will be able to follow his farsighted vision remains to be seen.

To-day we are met to pay a last tribute of respect to his memory. His genial presence is missed by all of his associates in either branch of Congress. Such men as he who serve their country well and faithfully are always missed when they pass to that bourn whence no traveler ever returns. In this hour we say from the depths of our hearts, Good friend, faithful public servant, thoroughgoing American, hail and farewell!

Mr. WASON. Mr. Speaker, it is with sorrow that it becomes my duty at this time to speak of the life and character of the late Senator GALLINGER, an honored resident of my congressional district for more than a half century. JACOB HAROLD GALLINGER was born on a farm near Cornwall, Canada, March 28, 1837. He was one of 12 children. His parents were without financial means. During his early boyhood he walked to the log schoolhouse, a mile and a half from home, where he was taught to read, write, and do sums in arithmetic. At the age of 11 years he was indentured to the village editor, and three years later finished his apprenticeship with him. His wages the first year were $8, board, and lodging; the second year he received $24, board, and lodging, and the third and last year of his apprenticeship he received $60, board, and lodging. He was then qualified as a journeyman printer. He then went to Ogdensburg, N. Y., where he worked as a journeyman printer. While employed setting type in the office of the St. Lawrence Republican in Ogdensburg, he received a letter from a cousin, a professor in a medical college in Cincinnati, Ohio, advising him to become a doctor. The suggestion was accepted. He started for Cincinnati and arrived there with $100 in his pocket, which was all of his worldly possessions, $60 of which was paid at once for a course of medical lectures. He and two other students rented two rooms, where they cooked their meals and slept. He immediately found employment on the Cincinnati Gazette, first setting type, then reading proof, and later reporting shipping news along the river and court news over in Covington, Ky.

Thus the young man worked diligently to earn a livelihood and pay his way at the medical school. Each day's work engaged his attention from 8 o'clock in the morning until 12 or 1 o'clock the next morning, attending medical lectures and performing his work upon the newspaper.

He graduated with honors from the medical school in 1858. After that he was abroad two years and pursued further the study of medicine and surgery. Returning to the United States, he located in Concord, N. H., and began the practice of his profession, which he pursued in that city and the surrounding country for 23 years. His robust physique, which had served him so well during his stay in Cincinnati, continued to permit him during the years of the active practice of his profession to travel day and night making his calls to relieve the sufferings and ills of his patients; his patrons and clientele took him miles into the country at all times of the day and night. I have heard him say that often he had been called out from his house a half dozen times between supper and breakfast, many times for trips into the country.

He was soon recognized as a leader in his profession. His skill, his cheerful word and manner, and his magnetic presence contributed to his personal advantage and made friends for him which lasted for life. Dr. GALLINGER's professional practice was not confined to the territorial limits of the city of Concord or the county of Merrimack, in which he lived, but extended to people living in towns and parishes in bordering States. His reputation and standing as a physician and surgeon will be preserved in the hearts of the generation that knew him as steadfastly as the granite rock in the mountain side of our State.

While pursuing diligently the practice of his profession, which he loved and honored, some of his friends nominated him as a candidate for the office of moderator in the fourth ward of the city of Concord; the remuneration for that service was $5. He served one term and declined a reelection to that distinguished honor. It marked, however, the beginning of a political career. Soon after his precinct elected him as their representative in the house of representatives of the State legislature, and he served his precinct well and faithfully in that branch in 1872 and 1873, and later in 1891. The same precinct elected him as its member to the State constitutional convention of 1876. Dr. GALLINGER's ability and fidelity to service in this branch of the legislature was particularly noticeable. The senatorial district in which he lived elected him a member of the State senate in 1878, 1879, and 1880, and that body selected him as its presiding officer twice, for the years 1879 and 1880.

During the years 1879 and 1880 Dr. GALLINGER held the office, by appointment of the governor of New Hampshire, of surgeon general of the State National Guard, with the rank of brigadier general.

Early in life Senator GALLINGER became affiliated with the Republican Party; its principles appealed to him. The Republican State committee urged him to accept the important and onerous position as chairman. He yielded to the request, and from 1882 to 1890 performed the duties of that office with satisfaction to all. When he resigned many regrets were expressed and his resignation was reluctantly accepted. Again, in 1898, the Republican State committee appealed to him to accept the chairmanship, and after eight years' absence from that place he accepted and continued in that position until 1908, when he resigned. In discharging the duties of this office Senator GALLINGER impressed those who came in contact with him with his industry and ability to master details as well as broad questions of policy, and his term of service in that capacity was successful and longer than any other man in the history of our party in the State.

Our people elected him a delegate to represent them in the Republican National Convention of 1888, 1900, 1904, and 1908, and he was chosen by the delegation as its chairman for each of those conventions. Thus it will be noted that the people of New Hampshire had unbounded confidence in his integrity, his ability, and his adaptability to represent them in various capacities.

Such, briefly, are the historical facts that speak volumes in behalf of the esteem in which Senator GALLINGER was held by the Republicans of the Granite State. His life was active in doing good for others and closely interwoven with the history of our State for more than half a century. But this is not all; the people of New Hampshire recognized that Senator GALLINGER's activities and ability should not be confined to the local activities of the State. In 1884 he was elected a Representative in Congress from the second congressional district, and reelected in 1886, and declined a renomination and reelection in 1888. Thus, it will be seen from the 4th of March, 1885, until the 4th of March, 1889, he was called upon to serve his people in a larger and broader sphere in the Halls of Congress. During his two terms his services attracted Nation-wide attention. After declining a reelection, in 1888, to Congress, he intended to return to the city of Concord and pursue the practice of his profession, but it was impossible; men from all parts of the State sought his advice on public questions. In 1891 he was elected to the United States Senate, his term of service beginning March 4; he was reelected in 1897, 1903, 1909, and in 1914, the latter election being by popular vote. He served continuously as Senator from March 4, 1891, until the 17th day of August, 1918, the date of his death; his services as our representative in the House and Senate covering a period of 31 years 5 months and 13 days, more than a quarter of a century, in the highest legislative body of our land, being the dean of the Senate in point of continuous service.

A notable characteristic of Senator GALLINGER was his clear vision into the future—I might say, anticipated the advent of questions that were to become momentous public issues. To illustrate: He early espoused the cause of prohibition; calmly, consistently, and courageously advocated the same on all proper occasions; through his long public career he never wavered, and had his life been prolonged six months he would have seen our country adopt his views thereon.

Many years ago he became an advocate of equal suffrage for women, at a time when he was almost a pioneer in that belief; yet he lived to see it one of the great problems confronting the American people and the peoples of the Old World. When he first espoused the cause in favor of these far-reaching principles he displayed courage that was characteristic of the man. Many of his friends felt and advised him that it was unwise for him to continue to advise the public of his belief in the cause; many were emphatic, and told him that it would injure him politically, yet he continued not heeding their advice; in his subsequent candidacies he received the sincere and active support of many men who disagreed with him on one or both

of these issues, due, as I believe, to the fact that they admired his candor, his sincerity, and his wisdom.

Senator GALLINGER early espoused the cause of the veterans of the Civil War; in his national activities in Congress assisted with force and power every worthy case that was presented to him. In the Senate for many years he was chairman of the committee that considered general and special legislation relating to pensions. The candor and sympathetic spirit with which he administered justice in these classes of legislation made him an honored friend by our surviving heroes of that conflict.

To recount the legislative career of Senator GALLINGER would require a volume, and his wisdom as a public servant well merits a fulsome biography. His extraordinary ability as a legislator is the more remarkable for the reason that he was educated for the medical profession. Most public servants and statesmen select one great measure on which to focus their energies; most of them have a pet measure with which to occupy their time when momentous issues do not hold the center of the stage. Not so with Senator GALLINGER. He was ever alert to the needs of his State and country; his information and foresight upon large public questions seemed almost boundless. The tariff, the establishment of an adequate merchant marine, the enlargement of our Navy, the extension of our system of education, measures relating to health, and the development and beautification of our National Capital found in him an earnest and forceful advocate.

Let me briefly recall his beneficial services and advice in behalf of the development and making the city of Washington, our Nation's Capital, one of the most beautiful among all the capitals of the world. When he entered the United States Senate he was appointed a member of the Committee on the District of Columbia, serving thereon for more than 20 years, the latter half of his services being chairman of the committee. This work was agreeable to him; he enjoyed the vast opportunities presented; he visioned the needs of the National Capital early in his service and began systematically to bring about many needed reforms and improvements. The cool streams and forest glades of Rock Creek Park owe their improvement and conservation to his efforts. The beautiful memorial to the late President Lincoln, known as the Lincoln Memorial; the Connecticut Avenue highway bridge; the highway bridge across the Potomac; Piney Branch bridge on Sixteenth Street; and the Massachusetts Avenue bridge will be silent and perpetual monuments of his foresight and efforts.

He was active and earnest in the promotion and establishment of a filtration plant to improve the drinking water furnished by the water system of the city, and at the time of his death a half million people there were enjoying the benefit of that needed improvement.

The Zoological Park, with 170 acres, is additional evidence of his wisdom and energy. One of the finest testimonials to his sense of civic beauty was the improvement and establishment of Potomac Park and the construction of the beautiful driveways thereon, and the development of the plan for improvements of that portion of the city lying between the Capitol Building and the westerly portion of the Potomac Drive, so called.

During his entire service in the Senate he was particularly active and aided in the improvement of the educational system and of the school buildings and surroundings of the District. His efforts were so noticeable and so well directed that he was familiarly referred to by the people residing in the National Capital as the "Mayor of Washington." His attention was early in his service directed to the hospital conditions of the District, and one of the last and much-needed improvements was the new municipal hospital that he urged, and largely by his influence and patience was finally authorized. It is now being constructed on the extension of Massachusetts Avenue. As a fitting token of the appreciation and esteem of his untiring energy and efforts in causing the same to be established and constructed, it has been named and is now known as the Gallinger Hospital. When completed and ready for occupancy, the million-dollar structure will stand for centuries a silent and eloquent tribute to the memory and distinguished services of the man whose name it bears.

Senator GALLINGER was particularly honored on his seventy-fourth birthday, March 28, 1911. His friends in Washington arranged a banquet in his honor at the New Willard Hotel and 500 persons attended. Among those in attendance was the President of the United States, Cabinet officers, ambassadors, Members of the Supreme Court, Senators, Congressmen, and prominent citizens of the District of Columbia and from other parts of the country. It was a notable gathering, a tribute seldom paid to a living man. The decorations were exquisite. Enthusiasm for Senator GALLINGER, the guest of the evening, was unbounded, as shown by the incidents during the dinner. Permit me to refer to one—the waiters marched into the banquet hall with letters on their trays that spelled "Gallinger." As the party saw the name they arose from their seats, cheering and waiving their napkins in the air; the orchestra struck up "What is the matter with father," and the diners caught the sentiment instantly and sang—substituting the word "Gallinger" for "father," ending with the enthusiastic "He's all right." The speakers dwelt at length upon the wisdom, judgment, patience, and successful efforts of Senator GALLINGER in his efforts to improve and beautify the National Capital.

President Taft said:

> You could not use the function of a dinner for a better or higher purpose than to testify your gratitude and that of all good citizens of the United States to a servant and a Senator who does things because they are to do good to the people.

The chairman of the District Commissioners, Mr. Rudolph, speaking of the Senator, said:

> He has with untiring devotion studied our needs and problems, and with wisdom and courage never failed to advocate and press such measures as would aid in making this the greatest city of the world.

A former District Commissioner, Mr. Macfarland, said:

> I can testify that the unexampled appropriations and legislation obtained for the District of Columbia were due more to you [Mr. GALLINGER] than to any other one man in Congress.

The Yankee poet wished that he might live in a house by the side of the road and be a friend to man. "Officially as well as personally you have lived that way."

Gen. Harries said:

> The good works done by Senator GALLINGER and of the evils he has checked there is not, nor can be, any catalogue.

Capt. James F. Oyster said:

> The people of Washington are thankful to the people of his State for sending him here.

The life of Senator GALLINGER, replete with beneficial duties for mankind and for his adopted State and country, adds another name to the long list of statesmen, residents of New Hampshire, during the preceding century and a half.

Senator GALLINGER was a self-made man in every respect; his push and perseverance exhibited in early life enabled him to get his education; that education laid the foundation for his future life of activity and usefulness. The habits thus formed in his boyhood days were retained throughout his busy life until his death. Day by day, month by month, in the execution of life's responsibilities he progressed and advanced; he was not satisfied until he had reached the highest pinnacle of understanding of each and every effort before him. He was endowed with a robust constitution and a wonderful power of endurance, which served him well during his fourscore years of life. He was a courteous man, an affable man, a sincere man, a man with strong convictions, tender-hearted, and his sympathies were with the downtrodden and the oppressed. There was no deception or sham in his nature; he abhorred them. He easily made friends and retained them, and was ever enlarging his circle of friends and admirers. These attributes were a part of his nature from early manhood until life's end. He was a public speaker, possessing great convincing power and force; his reasoning was logical, sound, and clear; he possessed the ability to sway his hearers by sincere, logical, and forceful explanations of his subject.

For many years when the Senator became weary and tired by close application to the arduous duties required of him in Congress, or when Congress was not in session, he intensely enjoyed a visit to his country home, known as "The Poplars," a picturesque farm and buildings in the town of Salisbury, N. H., situated on an elevation just east of Kearsarge Mountain. There, among the rare flowers which he grew and was very fond of, and beneath the beautiful shade trees overlooking the green fields and pasture and timberland of his estate, he communed with nature and, lulled to rest and sleep by the music of the song birds and the chattering of the squirrels, his weary and overburdened constitution would revive, his energy return, and with renewed vigor he would resume the responsibilities of public life. It was here that he spent many pleasant days and enjoyed needed relaxation from busy life. It was here that he was resting and enjoying life when he became ill and answered the summons of the Great Master. The news of his death was received by the public with sadness and grief by his colleagues and the people in the National Capital and by the people of his adopted State. The activities of the city of Concord, the capital of our State, were recessed and public and private buildings were draped in mourning as the last rites were performed. The church was inadequate to accommodate the throng of people who came from afar and near and by their presence expressed their love, admiration, and profound respect for the man of remarkable age whose noble deeds for humanity, covering a period of more than a half century, will be tenderly

remembered and often recalled and referred to by future generations.

Cold in the dust the perished heart may lie,
But that which warmed it once can never die.

Mr. MADDEN. Mr. Speaker, it was my privilege, and I deem it a high privilege, to know Senator GALLINGER for 30 years and I was always proud during all of that period to be able to call him my friend. I was proud of Senator GALLINGER not only as a man but as a public functionary. Senator GALLINGER had a singleness of purpose in his public work. He was interested only in the welfare of the Nation. He had no private ax to grind, if I may so speak. He was constantly in search of methods to improve the condition of our people. He had fine courage, ability, and genius to serve the Government's needs. He was a true statesman. He recognized the fact that a public official was the servant of the people. He saw that public office was simply an opportunity to serve. He realized that the more nearly one came to serving the people and advancing and promoting their welfare the more nearly he would come to ameliorating conditions that needed improvement.

Senator GALLINGER had a disposition as gentle as a girl. He was sweet, courteous, refined, attractive, magnetic, always approachable, and yet he had strength of character that marked him in a conspicuous way among his associates in public life. He was afraid of nothing. He had the courage to speak; he had opinions, and he was not afraid to express them. He shaped the legislation of the Nation calculated to be of advantage to the generations of the future as much as did any other one man who occupied a high public place either in the House or in the Senate. He was constantly alert to the need of America's expanding commerce, and in season and out of season he worked tirelessly to accomplish that object. He believed that America should stand on a basis of equality in its merchant shipping with any other nation in the world, and he never lost an opportunity to advocate legislation to that end. He saw the need as few men did of protecting the American market for the American people. He believed in the protection of American industry. He believed that the productions of labor from European markets should not be permitted to enter American ports for free distribution among the American people. He believed that the best way to preserve prosperity in America was to protect America against the invasion of European-made products without the payment of a license fee at the port of entrance. He saw the need of preserving American honor in the conflict which is now happily closed. He stood as one of America's foremost advocates for America's entry into the war. He believed that every assistance possible and necessary should be given to the Commander in Chief to enable him to accomplish victory. He believed that the only way you could raise a successful army was by conscription, and his words and votes are recorded in the records of the Congress of the United States in favor of the advancement of every American measure.

To his genius and his courage and his foresight and his untiring devotion and his unselfish work is due more than any other man in history the development of this beautiful city as the Capital of the Nation. I can recall sitting on conferences with him when his heart went out to the suffering poor who had no place to go, no money to pay their doctor's bill, and how he insisted on provision being made for their care in the hospitals of this city. I can see him now pleading for greater opportunities for education for the children of this city and of the country, for the building of our public institutions of learning, for proper compensation for the teachers of this great community. I can see him pleading for them on the theory that they were making greater sacrifices than any other class of our citizens. I can see him pleading for their future welfare by increasing their compensation to a point where they could have a decent livelihood. I can see him looking into the future of the Nation by providing legislation that would mean better conditions for everyone hereafter.

I saw him pass away from the activities of this life, and I believe I can see him now or hear his voice in a better land beyond. I believe that we can communicate with men like JACOB GALLINGER, dead to life though they may be; for men like JACOB GALLINGER never die. Their life work still lives; still goes on. Their life work must be an inspiration to those of us who yet remain and those who are yet to come. And if we can but have at the head of the Nation in the generations that are to come men of the patriotic promptings that JACOB GALLINGER possessed, the future of America is safe. We need men of this type at the head of our Government affairs. We need men of unselfish devotion; men who have no personal ambitions except to serve their country. I believe that if the men who are here to-day and who are to follow in the control of the Government of the United States shall but walk in the footsteps of JACOB H. GALLINGER while he acted as a Member of this House and a Member of the Senate, the days for America in the generations, yea, in the centuries, yet to come are safe, and that America will stand before the nations of the world forever to exemplify the life and the strength of this the greatest of all Republics now or yet to come.

Mr. GALLAGHER. Mr. Speaker, the late Senator from the State of New Hampshire, JACOB H. GALLINGER, was a great and good man, and entitled to the confidence and respect of his fellow men, which he held throughout the whole period of his public life.

Born on a farm just outside of the northern limits of Cornwall, Canada, he determined when but a boy to select for himself a career of usefulness. Being one of a family of 12 children, he, of necessity, had to start out quite early to make his way in the world. He became an apprentice to the printing trade, and it was while working as a printer that he determined to fit himself for a profession. He studied medicine at the Medical Institute at Cincinnati, Ohio, and was graduated at the head of his class with the highest honors in 1858. After a time spent in travel and study, in 1861 he settled in Concord to follow the profession of medicine and surgery. I knew Dr. GALLINGER perhaps longer than any other man in Congress. It was as a practitioner that I first knew him. As a boy in Concord, the city of my birth, I remember him as a successful physician. His practice was not merely local, his services were in demand for advice and consultation by the profession throughout the State. He became widely known and made lasting friends wherever he went, long before he held public office. His industry did not stop with the performance of his arduous duties as a physician; he obtained recognition as a writer of unusual ability, and was a contributor to medical literature. His articles published in the newspapers relating to public questions attracted wide and deserved popular attention.

In politics he was a Republican and a strong party man from the start. Because of his great interest in public affairs he was chosen in 1872 a member of the State legislature, where he served with distinction. In 1876 he was elected a member of the State constitutional convention and advocated a number of important amendments, which were ratified by the people. He rendered valuable service in the State senate, was chosen its presiding officer, and for many years was chairman of the Republican State Committee. Because of his great ability and untiring efforts in behalf of the people he was elected to represent his district in the Forty-ninth and Fiftieth Congresses, and on March 4, 1891, was elevated to a seat in the Senate of the United States.

He did not receive this great honor without passing through the severest political contests and the strongest personal opposition which can come to men holding high office or remaining long in public life. He encountered and overcame obstacles and conquered his opponents through his dominant courage. There was no citizen of the State, no matter how humble, who did not feel free to call upon the Senator for assistance. His services were always freely and willingly given, and because of the affection in which he was held by his home folks they returned him to Congress repeatedly, where he won the esteem and admiration of his colleagues by his eminent service in both branches of the National Legislature. Through perseverance, self-reliance, and great natural ability he advanced in influence and power until he achieved the distinction of being chosen the leader of his party in the upper House of Congress.

It can be stated truthfully that during his long public career he was a genuine and untiring public servant. From 1891 to the time of his death he remained continuously in the Senate, having served for a longer period of time than any other Senator from New Hampshire. Because of his great knowledge of governmental affairs his counsel was always sought on public questions which were subjects for legislation. His advice was desired equally on problems and policies in which his party was concerned both in Congress and at State and National conventions. As a man of sound logic, his judgment was ever desired and always valued. He was a conspicuous figure in Republican politics for nearly half of a century.

As the minority leader of the Senate, he showed superior qualities as a parliamentarian. Ready and powerful in debate, he took an active part in the solution of the great problems of government during all the period of his service in both Houses of Congress. He bore no ill will toward those who opposed him and enjoyed the respect equally of political friend and foe. Always kindly and sympathetic and with a high sense of personal honor, a promise given to a colleague was with him a compact to be carried out with strict fidelity. In the late

war he gave unswerving support to the President in every measure having for its purpose the successful termination of the conflict.

I was one of a committee appointed by the Speaker to attend the funeral of Senator GALLINGER at Concord. The exceptional honor paid to his memory on that occasion by the officials of his State is worthy of note. As an extraordinary evidence of the respect and veneration in which he was held, his remains were taken to the Capitol Building, there to lie in state, that the people of the city and of the Commonwealth he so long and honorably represented might pay their final tribute to him. Only once before was a similar mark of respect shown to a citizen of New Hampshire, and that was on the occasion of the death of a former President of the United States, Franklin Pierce. From all over the old Granite State and from many sections of the country sorrowing friends attended the last exercises over the body of the departed statesman.

Senator GALLINGER's life was unique in many particulars. Despite his great age, he reached the zenith of his power and popularity when he was called to his last reward. In all the history of our public men few served in Congress for so long a period as Senator GALLINGER, and it is doubtful if any departed leaving a greater good will than did the Senator from New Hampshire. The annoyances and difficulties incident to a public career did not corrode his nature or alter his kindly disposition. He remained to the end of his industrious and distinguished career the same courteous gentleman I first knew as a young physician in Concord. Dr. GALLINGER went out of this life with a consciousness of duty well and faithfully performed and with the lasting friendship of his colleagues and associates; he closed his long and splendid career possessing the confidence, respect, and admiration of the entire Nation.

Mr. SHERWOOD. Mr. Speaker, as a plain citizen of the Republic, Senator GALLINGER was well worth knowing. Aside from his wide knowledge of public men and affairs of government, he had an alluring personality. He was gifted with delightful social qualities and a rare sense of humor, without which, to quote the specious words of Richard La Gallienne, "the heart of humanity had long since broken."

I knew Senator GALLINGER well; was associated with him for four months in 1912 in the prolonged contest of the conferees of the Senate and House on my dollar-a-day pension bill; again, at two famous banquets in this Capital in honor of the eightieth and eighty-second birthdays of the Hon. JOSEPH G. CANNON, of Illinois. Of the 12 present at the last banquet, May 7, 1918, Senator GALLINGER was one of the octogenarians. Like a majority of our public men of enduring fame, Senator GALLINGER was the sole architect of his remarkable public career. It is history that a majority of our most successful and longest enduring public men were born poor and started life without the advantages of a liberal or college education.

Gen. Andrew Jackson, born of a North Carolina farm laborer, with no opportunities for an education, was the commander of a volunteer army, winner of the only land battle in the war of 1812, twice President of the United States, in 1828 and 1832, always on the firing line in war, and leaving an honorable and enduring record in peace. Henry Clay, born poor, self-educated, self-made, was the foremost orator and statesman of a whole generation of public men. Abraham Lincoln, born in a Kentucky log cabin, who never saw the inside of a university and who learned to read books at night by the light of a pine-knot fire, became the guiding hand in the grandest epoch-making era of all civilization. His oration on the battle field of Gettysburg is the most inspiring and glorious classic of all languages.

I know of Senator GALLINGER's boyhood days, and of his early manhood struggles to win recognition and honor in the battle of life. His record in the New Hampshire Legislature, in the National House of Representatives, and in the Senate, covering 47 years of continuous service, has never been equaled by any public man that New England ever honored with a public trust. And his career differs from that of any public man of continental fame of New England birth in that he died in office in the full favor and affection of the people of his State, and not a disappointed man like Daniel Webster, another great son of New Hampshire, or James G. Blaine, of Maine, or Henry Clay, of Kentucky. Even Charles Sumner, ranking among the first of New England's great sons, was officially criticized in a resolution by the Legislature of Massachusetts, and died a disappointed man.

While New Hampshire is one of the smallest States in the Union in area and population, ranking as the fourteenth in population, it not only furnished in Daniel Webster the foremost orator and statesman of the ante-bellum period, but during the Civil War a private soldier—Walter Kettridge—who composed by the light of a bivouac fire the finest and most pathetic lyric song of the entire war—"Tenting To-night on the Old Camp Ground."

And New Hampshire also was the birthplace and home of the greatest family of patriotic singers ever known in the United States. I refer to the famous Hutchinson family. It is among my earliest and most enduring memories that I heard these singers of thrilling lyrics in 1845, when as a barefoot boy, in the open air one starlit night, to the accompaniment of the bells, I heard these soul-inspiring songs. Sixteen years later the same family sang the patriotic songs of the Civil War around the gleaming bivouac fires of the Army of the Potomac.

We should not let this occasion pass without gathering some lesson of value to the living, especially to the young men of to-day who, like our departed friend in his boyhood, are struggling against what seems adverse fate. The brightest gleam of hope for the poor young men of to-day is in the knowledge that the greatest men who have ever served or shone in the high places of power in this Republic have been, like Senator GALLINGER, of humble birth and limited opportunities in boyhood.

I am not here to decry a college education. I believe there is some merit in one couplet of an old English poet:

'Tis education forms the common mind;
Just as the twig is bent, the tree's inclined.

But we have many notable instances in our history of too much cultivation of the common mind, where this excessive cultivation, like the long cultivation of the old tobacco lands of Virginia, has exhausted all the original substance of the soil. It sometimes happens that too much acquired book knowledge drives out all intuitive perception or original thought. Hence we have many notable instances where the robust mind of a robust man, who is compelled to graduate in the school of hard knocks and common sense, proves the most successful citizen or public official.

And let us here in this historic Chamber reconsecrate ourselves to that patriotism that was always so fervently typified in our dead friend, a statesman whose association and friendship added to our joys of living, and whose character and example gave us hope for higher ideals in government.

Such graves as his are pilgrim shrines,
Shrines to no code or creed confined—
The Delphian vales, the Palestines,
The Meccas of the mind.

Mr. GREENE of Massachusetts. Mr. Speaker, Senator GALLINGER became a member of the United States Senate seven years before I became a Member of this House. I never met him until I met him in this Capitol. I had read of him so much in the New England newspapers that I felt acquainted with him even before I met him here. He had a very remarkable career, as I knew it by an intimate knowledge of what occurred in his life as recorded faithfully in the papers, which then kept full account of New England movements and New England public men.

Coming to this House in 1898, I was assigned by Speaker Reed to the Committee on the Merchant Marine and Fisheries, and I have served on that committee continuously since I have been a Member of the House.

A few years ago when committee appointments were desired on the Republican side of the House I had one or two other committee assignments which I voluntarily surrendered to accommodate some of my colleagues who desired to be recognized, and since that time I have devoted my whole attention to the work of that committee, of which I was chairman three and one-half years, and thus I was brought in close contact with Senator GALLINGER, as he was a member of the Committee on Commerce in the Senate of the United States. He was concerned in everything that related to advantage for the American merchant marine. He was a firm believer in retaining for the American-owned vessels and American-commanded vessels the right and privilege of our coastwise trade. That, I think, was one of his strongest contentions. And I learned from him many years ago of the advantages that would come from such a course. Since I have been here there has been considerable contention in the committee of which I have been a member toward relaxing that restriction and allowing the coastwise trade to be entered into by foreign-built vessels.

We talk sometimes of maintaining great armies and great navies in order that our honor may be preserved. I have always believed in keeping the Nation strong. There is no stronger element for the preservation of the American Nation than the preservation of the coastwise trade for American-built and American-commanded vessels, for the reason that if any enemy approached our coast, either on the Atlantic or the Pacific, if the vessels of the coastwise trade were manned by

American seamen and the vessels were commanded by American officers, then we had a coast guard in addition to our Navy which would detect at any time the approach of an enemy coming to attack our coast. For that reason he and I agreed we would be entirely unwise to admit foreign-owned, foreign-built, or foreign-manned vessels to the coastwise trade.

He was very much interested in the establishment of foreign trade. He believed in building up a great merchant marine. I was a firm believer in that policy myself before I became a Member of this House, and I have been a very much stronger advocate since I have been here than I ever was before. I believe that we should long ago have made every effort to upbuild our American merchant marine, and if we had performed that duty we should have been very much better prepared for war than we were because of so many years' delay in not attending to that great essential of supremacy upon the seas.

Arguments were brought to bear in a great many instances in regard to the lack of necessity for providing an American merchant marine. One of them was that other nations could carry our products cheaper than we could carry them ourselves; and consequently, if we wanted to keep transportation we must not encourage an American merchant marine, which would be more costly, but to maintain the facilities which we then enjoyed would be very much cheaper.

Senator GALLINGER and others persistently fought against what we believed was a false idea. And since we have been in war one great fact has been revealed, and that is that some men who were away from the seacoast and who contended that the price of their products would be favorably affected by the reduction in freight rates have been convinced since the recent war that prices of the products of the farm were made on this side of the water and the freight was added to the cost, whatever it might be, and the purchasers paid the freight.

Senator GALLINGER's career was certainly very remarkable. He was not a native of the United States, but he was every inch a typical American.

The dividing line between British North America and the United States it would be hard to define. I have many constituents who were born in the same country where Senator GALLINGER was born and who came and settled amongst us in this country, and they are amongst the strongest adherents of our national cause to-day, equal in their belief in and their devotion to the American Nation with those who are natives to the soil.

I have been looking somewhat over Senator GALLINGER's career in public life, in the State of New Hampshire in the Senate, in the constitutional convention, and also his career in this House, where he served for two terms with honor to himself and credit to his State, and also in the Senate of the United States, where he served from 1891 up to the day of his departure to another life. His public career was purely unselfish. He held a high position among the public men of his generation.

He was no timeserver. He was not a man who failed to take a stand on any public question. He was radically a Republican, but he was broad enough to see very much beyond simply the party line. A gentleman said to me, "You are not going to call Senator GALLINGER a Progressive?" I said, "No, not in a political sense." I would not call him a "Progressive," because he never had a tincture of progressivism in political theory, but he was progressive in every act of his career. He was an advanced thinker and an advanced doer of great things. He never was backward in anything that he undertook. He put himself forward and served his country at every opportunity.

Allusion has been made by some of the Members who have preceded me to his great work in the United States Senate in behalf of the District of Columbia. I think he was one of the foremost friends of this much-neglected part of our country when it comes to questions of legislation.

He was persistent and foremost during all of his career in endeavoring to secure justice to the people of this most important part of our country, who have no representative in either branch of the Congress. He was interested in everything that meant for the public advancement here, both in regard to public health and in regard to public education. He was a trustee of the George Washington University of this city, a very useful institution. I happen to have a son who was a graduate from the law department of that university, and I frequently talked with Senator GALLINGER in regard to the interests of the university after my son became connected with it, and I found him very broad in all his views in regard to education.

My education was limited in early life, and I have always regretted that I did not then value the advantage which a good education affords; but I want to say, for the encouragement of the youth of to-day, that if any young man does not obtain the education that he thinks he ought to have he ought to take the example of a man like the late Senator GALLINGER, who took advantage of every opportunity that was presented to him; although his educational facilities were not as great as those of some of the young men of to-day, he patiently and persistently pursued the task set before him. He had great natural abilities, and he acquired a wide knowledge of every subject that he undertook to enter upon, and it should be a matter of encouragement to the rising generation to appreciate the opportunities that our country affords. No other country on the face of the earth affords any such opportunities.

Whatever may be concluded in the settlement of the great controversy between other nations through which we have recently passed, whatever may be the final settlement of the great questions that will arise from that conflict, the United States will certainly be one of the foremost of all nations in bringing about a proper settlement of the great problems that will be considered at the peace conference now in session. Senator GALLINGER wrote me a letter in 1915, inclosing to me a bill prepared by himself, and I laid it aside where I could put my hand on it at any time, not then thinking that I would have occasion to refer to it on such an occasion as this. But it has come to my mind that perhaps I ought to refer to it. It is a measure that he introduced in the Senate of the United States on December 7, 1915, entitled "A bill to encourage American shipbuilding and navigation, to establish American ocean mail lines, to increase the naval reserve, and to promote the commerce of the United States."

I have looked that bill over with a great deal of interest. It provided means which if enacted into law might have built up the American merchant marine. It was a method which I long believed in, and which I had tried several times during my membership in this House to have the House favorably consider. Once my party associates succeeded in getting it through this House by a very small margin, but the bill failed in the Senate by reason of the adjournment of a session of the Congress before action could be had. At a subsequent time the Senate passed a bill of that nature, and it came over to this House, but failed of enactment here by one vote. Senator GALLINGER at that time introduced the bill in the Senate, and I very gladly voted for it and worked for it here. I believed in that method of upbuilding a merchant marine rather than by a wasteful expenditure of money.

We have now what is called an American merchant marine established. It has been rather a costly experiment. Enough money was placed by the Congress to the credit of the Shipping Board, nearly $4,000,000,000, to construct 10 Panama Canals, and notwithstanding that vast sum was granted there was only a limited number of vessels that were available to help us win the war. We won the war in spite of our lack of an American merchant marine.

And though we may have failed in some respects, we have undoubtedly prepared the way for future Congresses to provide an American merchant marine. Recently I noticed that the president of the Shipping Board was busy across the water preparing for the establishment of our foreign trade; but before they can get American shipping in shape to compete with the shipping interests abroad we shall have to wipe out at least $1,000,000,000, and I fear we shall be compelled to wipe out a second billion of dollars before we can successfully meet the competition with the nations which have been for so long a period of years taking care of their merchant marine, while we, as a Nation, have slumbered.

Senator GALLINGER was a member of the Merchant Marine Commission which visited important shipping ports in our own country and subsequently visited foreign countries investigating the necessity of the United States having a merchant marine and to ascertain what hindrances existed there to reestablishing our foreign trade. Senator GALLINGER submitted an elaborate report. Gen. GROSVENOR, of Ohio, late a Member of this House, was a member of that commission, as was also Senator LODGE, who became the successor of Senator GALLINGER as the leader in the Senate. They made a very full investigation. Their reports are a matter of record in the Library of Congress and they showed a great deal of interest in this all-pervading subject which I believe will be interesting and helpful for the Congress in the months that are to confront us in the near future.

I regret very much we can not have the advantage of Senator GALLINGER's presence to help us to solve this great shipping problem, but, as I have stated, his work during his life will be helpful in the solution thereof.

Allusion was made by the gentleman who preceded me to a luncheon that those of our membership who have passed three score years and ten in this House have been invited to participate for the third time. Senator GALLINGER was present last year at the last anniversary of the birth of Hon. JOSEPH G. CANNON

on May 7, 1918. Several Members who were present at the first and subsequent luncheons have passed away. Senator GALLINGER was present there last year, and from his appearance then all who participated therein expected that we should have the pleasure of his presence for another gathering when the next anniversary of the birth of Mr. CANNON should occur. But Senator GALLINGER has gone to that bourne from which no traveler ever returns. We appreciate the great work he did, we recognize the record he made here, and we admire his breadth of character, his engaging personality, and we appreciate also his ability and faithfulness in every work in which he engaged. I was appointed a member of the committee which attended the funeral of the late Senator. His body was carried to the capitol building in the city of Concord and there laid in state. At the church where the funeral exercises were held Senator LODGE delivered an eloquent and fitting eulogy on the life, character, and public services of the late Senator, his former associate and personal friend.

Mr. MONDELL. Mr. Speaker, it was my good fortune to know JACOB HAROLD GALLINGER for nearly a quarter of a century. While our acquaintance and association was not particularly intimate it was of such a character—personal, social, and official—as to enable me to form an intelligent opinion of him and was the foundation of a sincere appreciation of and respect and regard for this distinguished man who for so many years ably represented the Commonwealth of New Hampshire in the Congress of the United States.

That JACOB HAROLD GALLINGER was a great and good man was eloquently and conclusively demonstrated by the fact of the long period of his exalted public service and the number and variety of the distinguished honors and heavy responsibilities placed and conferred upon him during the many years of his active life. No man who did not possess the virtues and endowments of honesty, courage, industry, and ability in a marked and unusual degree could for so long a period of time have retained the affection, confidence, and support of the sane, sensible, and discerning people of the Commonwealth of New Hampshire.

We are reminded by Holy Writ that there is a difference in the quality of glory celestial and terrestrial. Every light that shines to illuminate the physical, the moral, the spiritual pathways of men has its own individual and peculiar virtues. Each has its particular mission for good and each differs from the other in the character of the helpful influence and impression it exerts and creates.

Out of the many helpful, stimulating, and illuminating qualities of the character of our departed friend, two in particular challenged my attention and won my admiration—his steadfastness and his modesty. These are not essential attributes of greatness; in fact they are qualities that have been sadly lacking in the character of some truly great men. The possession of these qualities, however, serve to accentuate other great qualities of heart and mind, and the possession of them brings to their possessor, who is otherwise distinguished, not only the appreciation of his great qualities but the added tribute of unqualified respect and sincere personal affection and regard.

Take him all in all, JACOB HAROLD GALLINGER possessed the kind of character we might wish for our best beloved and dearest friend. The honors that came to him will be long remembered and cherished as a valuable possession of memory by friend and relative, but, after all, that which really counts and will form the most precious heritage of memory will be the praiseworthy way in which he accepted and bore these honors; the modesty, the fidelity, and the wisdom with which he discharged the responsibilities which those honors brought. His earthly work is finished, but the beneficial effect of his work and accomplishments will long continue; above all, the influence of his character, of the great and worthy qualities of his mind and heart, has become a part of the immortal, helpful, moral forces of the universe.

Mr. CAMPBELL of Kansas. Mr. Speaker, it is a privilege to have known men of the generation in which Senator GALLINGER was a great leader. The generation that is passing with Senator GALLINGER has contributed more to mankind than any generation that preceded it in the history of civilization. No other generation has seen such progress for the welfare of mankind as this generation has seen. This progress has been largely the result of the high purpose and constructive statesmanship of the men whom that generation selected for their leaders. Men of mediocre ability were not sent to the front lines for action by that virile generation of great men. Mark the achievements. When Senator GALLINGER came he found matters much as they had been for centuries. The progress of civilization had been slow and marked by few milestones. Men and women were still carding, spinning, and weaving by hand. They drove their flocks and herds for miles to market.

They tilled their soil and sowed their grain and garnered their harvests with simple implements. Financial and fiscal systems were unstable and inefficient. Economic policies ministered only at short intervals to the welfare of the people statesmen sought to serve.

Senator GALLINGER'S generation of statesmen have led the civilization of the world in the reformation of all of those things. He was a part of that great constructive statesmanship. He saw the rapid advance that was made from the spinning wheel and the loom to the finished machinery and great factories of to-day that minister to the necessities and welfare of mankind. He saw and was part of the statesmanship that adjusted finances and economic policies of this Nation so that industry, finance, and commerce were stabilized.

It is a privilege to have known such a man. Death was kind to him in that it delayed the day of its visit to him until it found him in the ripeness of his years yet in full possession of all those qualities of heart and brain that fit their possessor for usefulness to mankind. He was yet in the possession of all his faculties in a high degree, was still the leader of men, yea indeed the leader in the Senate of the United States, the greatest legislative body of its kind in his day in the world. It was his privilege to be taken from life during his leadership of that great body.

What a mysterious messenger after all is Death. It comes, removes its victim from place of leadership as well as from place of little note and yet does not disturb the world in its progress. The morning after Senator GALLINGER'S death the affairs of the world went on. The Senate and this House paused awhile with bowed heads and paid a tribute to his memory and then resumed under other leadership the work from which he had been taken.

Senator GALLINGER'S place will be filled by other men. Few, however, will take to public life and to positions of leadership, the higher order of constructive statesmanship, that he possessed in so rare a degree. He was modest and patient. He respected those who differed with him. I saw him for four months in almost daily sessions of a conference with a conferee who would not sign the conference report. After opening the conference Senator GALLINGER would say, "Are the conferees ready to sign the conference report?" One would answer in the negative. Senator GALLINGER would say, "The conference is adjourned until Thursday." A rare patience, a patience that finally brought a unanimous report.

His life was full of years and honors when he left life to solve the mystery of death. May we have more like him in the days to come when we need them.

Mr. AUSTIN. Mr. Speaker, it is well that we should on this beautiful Sabbath Day pause to pay just tribute to the character and memory of JACOB HAROLD GALLINGER, New Hampshire's foremost citizen, who has peacefully passed to the great beyond after a life full of usefulness, not only to the State which was proud to honor him, but the great Republic he served so long and well.

His record is a prominent part in the legislative proceedings and achievements of the American Congress for more than a quarter of a century. His words and deeds are recorded in the enduring records of the greatest legislative body in the world and during the most important period in the history of the Nation. When Senator GALLINGER was a Member of the lower House of Congress, one of Ohio's illustrious statesmen, John Sherman, was the President pro tempore of the Senate, along with the brilliant John J. Ingalls, from Kansas, who also presided over the Senate during a part of that period, while that able son of Kentucky, John G. Carlisle, was serving as Speaker of this House. While a Member of the Senate the Speakers of the House were John G. Carlisle, of Kentucky, Thomas B. Reed, of Maine, Charles F. Crisp, of Georgia, David B. Henderson, of Iowa, JOSEPH G. CANNON, of Illinois, and CHAMP CLARK, of Missouri.

During Senator GALLINGER'S long, faithful, and conspicuous service in the upper House of Congress, the White House was occupied by Harrison, Cleveland, McKinley, Roosevelt, Taft, and Wilson.

What a long, great, and honorable career of fidelity and usefulness! He served in both branches of the New Hampshire Legislature for six terms, was the presiding officer of the State senate, an influential member of the constitutional convention, the surgeon general of the State National Guard, four years of activity in the House of Representatives of the American Con-

gress, to be followed by the people of the State in a promotion to membership in the United States Senate, covering a period of 27 years, or until he was called to his great and final reward.

Through this long period of his official career he was rendering invaluable service to the Republican Party which had honored and trusted him and whose principles he cherished and loved to serve and promote. He was chairman of the Republican State committee 18 years; member of the Republican national executive committee, delegate to four Republican national conventions, chairman of the Republican senatorial committee, and chairman of the joint caucus of Republican Senators and Members of the House here in the Capitol for the past 10 years. He was an able and impartial President pro tempore of the United States Senate during the Sixty-second Congress.

For a moment consider the great and vital legislative questions to which his name was linked: Chairman of the Merchant Marine Commission, vice chairman of the National Waterways Commission, and member of the National Forest Reservation Commission. At the time of his death he was the chairman of the conference of the minority and an influential member of the Committee on Appropriations, Finance, Manufactures, Pacific Railroads, Printing, and Rules.

His many speeches favoring a Merchant Marine and a Protective Tariff are among the strongest, most convincing and unanswerable to be found in the great debates in Congress during the past quarter of a century. His constant and unceasing work for Washington city and the District of Columbia entitle him to the lasting gratitude of the people of the Capital city and every American who is proud of the official home of the Republic.

Senator GALLINGER was intensely an American. The business men trusted him for he believed in promoting and safeguarding the commercial and industrial interests of the country. He never waivered in his advocacy and support of legislation to insure the prosperity and happiness of our great army of industrial workers. He was not unmindful of the old heroes whose courage and valor saved the Union, and legislation for them, their widows, and dependent children received his earnest support. No one in the Congress was more anxious or earnest in aiding in providing needed legislation for our successful prosecution of the great world war. Measures for the welfare and safety of the Republic, for the social, moral, civic, material, intellectual, and patriotic improvement and development of all the people ever found in him an earnest and enthusiastic champion.

Senator GALLINGER was absolutely free from pretense and an utter stranger to hypocrisy. He was open, manly, genial, kind, and could always and under all circumstances be trusted and relied upon to the limit. He was devoted to friends, faithful to constituents, true to party, and loyal to country. The noble deeds to his credit, the splendid example he left, his untarnished name, are precious legacies more enduring and valuable than wealth or rank.

Our families lived beneath the same roof 30 long years ago in this city. He was my esteemed and valued friend and I had every reason to honor, respect, and love him for his unfailing interest and friendship for me and mine.

Mr. Speaker, I offer my simple but heartfelt tribute to the memory of New Hampshire's great and illustrious son, whose private and official deeds will be long remembered and cherished and whose public achievements will not be forgotten by the grateful people of the Republic.

Mr. BURROUGHS. Mr. Speaker, in the death of Senator GALLINGER, at Franklin, N. H., in the eighty-second year of his age, on August 17, 1918, New Hampshire lost her most distinguished and influential public servant and the country at large a leader and statesman who had contributed richly to the national welfare.

Three times elected to membership in each branch of the New Hampshire Legislature; a delegate and chairman of the delegation from his State to at least four Republican national conventions; a member of the New Hampshire constitutional convention in 1876, in which body he took a prominent part in formulating amendments which were later submitted to and adopted by the people of his State; a Member of this House in the Forty-ninth and Fiftieth Congresses, where he early took high rank as an intelligent legislator and forceful debater; and a Senator of the United States continuously for more than 27 years, from March 4, 1891, to the date of his death, it may truly be said of Senator GALLINGER that he gave himself wholly and unreservedly to the service of his country. In spite of failing physical powers in recent years, his strength of mind, his grasp of intricate questions, his quickness and acuteness of perception, remained undiminished to the last, and enabled him almost to the day of his death to perform a literally prodigious amount of effective labor.

At no time in his long and highly honorable public career was his service more highly useful to his State and to the Nation than at the second session of the Sixty-fifth Congress, just closed, when, with the country at war, and himself the leader of his party on the floor of the Senate, he was present almost every day and took an active part in the discussion of all important questions.

He died in harness, as he would have wished to die. He died as serenely and bravely as he lived.

JACOB HAROLD GALLINGER was a fine example of what we often speak of as the "self-made man." Born on a farm in Cornwall, Ontario, Canada, March 28, 1837, receiving the advantages of a common school and an academic education, he started life as a printer. He served his time as an apprentice and became a member of the Union of Journeymen Printers. Later in life he took great pride in the fact that he was a member of organized labor, and the Typographical Union and Plate Printers' Union of Washington, D. C., counted him among their stanchest friends. One of the principal addresses at the great birthday banquet given in his honor by the Chamber of Commerce and the citizens of the District of Columbia in 1911 was delivered by the president of one of the local unions, who presented him with a large silver pitcher in token of the esteem in which he was held by the members of the profession in Washington.

He studied medicine in Cincinnati, Ohio, where he graduated at the head of his class. I, myself, have often heard him speak of the privations and sacrifices made necessary for him by those years of preparation. Well do I remember him 35 years ago, riding day and night in all sorts of weather ministering to the sick throughout the whole country for miles around his home at Concord, N. H., for he was then known as one of the most successful physicians in that locality.

He knew from boyhood the meaning of hard work: long hours had no terrors for him. It was for this reason, I suppose, that he seemed to have scant sympathy with those who in recent times are continually emphasizing the idea that destitution and pauperism and all other ills that flesh is heir to are primarily due to existing conditions of civilized society. Was it not under these same conditions that he had started from the bottom and climbed to the top? Why then tear down, why overturn, why revolutionize?

Admitting always there is a great deal in the present organization of society which might be improved by well-considered legislation, he held strongly to the belief that the chief cause of suffering and distress in the world is found not so much in social as in economic conditions and failings and defects in the individual. He put emphasis upon the duties and responsibilities of the citizen rather more than upon his rights, and if at times he seemed to some of us to put undue stress on the part which individualism must fulfill in our time we must always remember that he was brought up under the influence of the school of the earlier economists, whose fundamental assumption was that free competition involving freedom of contract and individual liberty was universal and all beneficent.

Throughout his whole public career Senator GALLINGER maintained a firm belief in the wisdom of a protective tariff policy. Indeed, this may truly be said to have been the cornerstone of his whole political philosophy. No statesman of his day had studied this question more thoroughly or had a broader comprehension of its meaning. For more than a quarter of a century no man in either branch of Congress was a more earnest, consistent, and forceful advocate of this doctrine. I have before me as I speak a pamphlet containing a speech by him in the Senate on May 16, 17, and 19, 1894. It is entitled "American Tariffs from Plymouth Rock to McKinley." It was later printed and widely distributed throughout the country by the American Protective Tariff League. It purports to be, as indeed it is, a most exhaustive analysis of the arguments both for and against a protective tariff, together with a complete survey of our tariff history from the earliest times. In clearness of statement, wealth of illustration, and comprehensive grasp and treatment of subject-matter, it is to my mind the strongest, as it is altogether the most illuminating, speech on the tariff question that I have ever read.

If any man in the public life of America ever lived to see a position that he had taken thoroughly justified by subsequent events, that man was Senator GALLINGER, with reference to our merchant marine.

For years his voice, with that of his friend, Senator FRYE of Maine, rang out almost alone in the Congress of the United States in eloquent and vigorous protest against the short-sighted and un-American policy under which our flag, once

known and honored in every port of the world, had practically disappeared in the foreign commerce of the United States. Again and again he brought home to the American people the incontrovertible facts of history in connection with this subject. He reminded us that once we were masters of the seas, that until after the middle of the 19th century our maritime power was preeminently successful, that then we faced inland and turned our energies and attention to the conquest of our continent—we felled our forest, fenced our fields, broke our prairies, built our highways and railroads, bridged our streams, tunneled our mountains, harnessed our water power, and exploited our mines, built our cities and became the greatest agricultural and industrial country of the world, leaving to other nations the task of carrying our products across the seas. At the outbreak of the Civil War we had two and a half millions of tonnage. By 1891 this had been reduced to a little more than one million and it had not increased at the outbreak of the recent war. Our Navy had greatly increased but our merchant marine had remained undeveloped. Our shipyards had been closed and the shipwrights had turned their energies in other directions.

As chairman of the Merchant Marine Commission appointed under authority of Congress in 1904, Senator GALLINGER spent months taking testimony in all parts of the country—on the coasts of the North and South Atlantic, the Great Lakes, the Pacific, and the Gulf of Mexico. He prepared a very comprehensive and elaborate report embodying the conclusions of the commission which he, as its chairman, submitted to the Senate at the opening of the third session of the Fifty-eighth Congress. This report is at once a masterpiece of sustained argument and a powerful appeal to the patriotic spirit of the American people. It is but a simple statement of truth to say that if the recommendations therein contained had found expression in the legislation suggested and which Senator GALLINGER later introduced in the Senate and strongly advocated America would not have found herself in the humiliating and defenseless position on the seas that characterized her entrance into the European war.

As no man in the history of our State ever represented her in Congress for so long a period, so it may also truthfully be said that no man ever served New Hampshire in any capacity with a greater industry, loyalty, or devotion than Senator GALLINGER. Nothing that affected the State, its institutions, or its people in any degree was too trivial to receive his painstaking and earnest consideration. Any enterprise that seemed to him to be in the interest of New Hampshire was sure to receive his strong and loyal support. I suppose, for instance, that no man in our public life had done more than he to improve our beautiful harbor at Portsmouth and the navy yard located at the same place. Indeed, one of the very last acts of Senator GALLINGER'S official life was to move an amendment to the naval bill in the Senate providing for an additional dry dock at the Portsmouth Navy Yard.

Some one has said that all associated action among men exhibits an inevitable conflict between the idea of combined efficiency and the idea of individual freedom. Neither can prevail without some sacrifice of the other. The difference is temperamental and the two types of character are hard to reconcile.

Senator GALLINGER belonged to the type which seeks efficiency by the law of its nature. All of his instincts were for order, discipline, intelligent direction, voluntary subordination to a common purpose. That explains, in my judgment, why in politics, from first to last, he was always for party organization and party responsibility. Certainly he was always a staunch party man. He had the capacity for sympathetic appreciation of the feelings and motives of others and that, as we all know, is what makes associated action easy. He thought much of the common cause in which he was enlisted and little of his own advantage. He was simple and direct in thought and action and frank and truthful and entirely free from that cowardice which breeds deception.

Personally, he was one of the most lovable men I have ever known—a loyal friend and charming companion and an affectionate husband and father. His sympathies were broad and generous. He was fond of music and flowers and literature and the companionship of little children. He loved the fields and hills and woods, and through most of his active career found greatest relaxation and rest in the "house by the side of the road," on the little Salisbury farm. There he took the keenest pleasure in the management and betterment of his property. Only last year he drove a deep artesian well on this farm and set out a large number of young apple trees of a special variety that he had been at great pains to secure in a western State. He fully expected to "round out a century," as he expressed it, and watch his new orchard in its development. His motto throughout life seemed to be "Act as if you were to live forever—live as if you were to die to-morrow." Sorrow came to him, but he met it manfully. It neither embittered nor crushed him. He was a popular type of the American optimist, imparting confidence and enthusiasm to all who came within the influence of his delightful personality. His course was a steadfast and consistent one throughout his whole public career. His convictions were strong and he held them strongly.

I think it was James A. Garfield who said in substance that in the minds of most men the kingdom of opinion is divided into three territories—the territory of yes, the territory of no, and a broad unexplored middle ground of doubt. That middle ground in the mind of Senator GALLINGER was very narrow. Nearly all his territory was occupied by positive convictions. On most questions his mind was made up more completely than that of almost any man I have ever known.

On his 81st birthday he said in the Senate, in the course of some remarks appropriate to the occasion:

> I have had no controversy during the 27 years of my membership in the Senate with any Senator that lasted overnight.

This would explain why, although from first to last as I have stated, he was a strong party man, Senator GALLINGER had the warm friendship and even affection of men long associated with him in Congress who differed radically with him in political belief. As illustrating what I have just said, I want to quote a few words from some remarks made by Mr. WILLIAMS of Mississippi, a prominent Democratic Senator, on the occasion of Senator GALLINGER'S 81st birthday.

Senator WILLIAMS said:

> I have never known a sweeter person, a man who was more of a real man, honest, true, faithful, and brave in the entertainment and expression of opinion, than the Senator from New Hampshire. When a partially reconstructed rebel can say that about a down-east Yankee, that ought to go pretty far.
>
> I have served with him on committees, I have served with him in this body, and I have never yet seen the day, as far apart as he and I were and are politically, when a statement of his about a matter of fact did not carry with me absolute verity, not verisimilitude, as statements of that sort coming from Representatives and Senators generally do, but absolute verity. I would no more doubt his word, I would no more doubt his integrity, intellectual or moral, than I would doubt my own.
>
> Mr. President, my temperament is such that I either love men or hate them; nobody is indifferent to me. I hate men when I hate them because I think they are untrue. I think they are insincere, I think that they camouflage; and I love men when I love them because I think they are true and do not camouflage and are not insincere. I love an open enemy who fights me to the hilt of the dagger very much more than I love a fellow with velvet gloves who seeks an aperture under my fifth rib without advising me beforehand that he is going to seek it. I think that Senator GALLINGER falls within the lines of the people whom I love and whom I have a right to love and do love, because they are honest and because I try to be honest."

The accident of birth in another country precluded him from aspirations to the highest honors in the land of his adoption, but for several years he had been the acknowledged leader of his party in the Senate, where he had met the exacting duties of this high and responsible position with dignity, distinction, and to the general satisfaction of his associates in that body.

Although born in Canada and on his father's side of German parentage, never was there so much as a whisper of suspicion of his thorough-going and stalwart Americanism. Indeed, it was that spirit that seemed to give motive and inspiration to his whole public career. Always his argument for a protective tariff came back to the fundamental proposition that the American wage scale and American standards of living must at all hazards be maintained. It was the same in regard to the merchant marine. His whole being seemed to revolt at the idea of America remaining for another moment in a humiliating position of dependence upon foreign governments and foreign shipowners in our overseas trade. Although never a "jingo" in any sense of the word, he was not a pacifist as the term is now understood. He hated war, as I believe most right-minded men do, but that did not carry him to the extent of being willing to go to any length or pay any price in order to maintain peace. He stood for a policy of reasonable preparedness long before the European war broke out. It was in no spirit of enthusiasm, but rather with sorrow, because he saw no other honorable course, that he voted for the declaration of war with Germany. After the war came, no man in either branch of Congress stood more stoutly than he for its vigorous prosecution to complete victory.

It was due in no small degree to his wise counsel and leadership that throughout the war his party in Congress gave loyal and whole-hearted support to the Government upon all war measures. Had he lived to see that glad November morning, when once again across the darkened skies shot the bright rays of coming peace, there would have been no man within the confines of this great Republic whose heart would have leaped with greater joy than his at the happy consummation.

There are many phases of his life and public service of which I would like to speak, especially of his zealous and painstaking efforts for the upbuilding, beautifying, and civic betterment of

this capital city, whose citizens of all classes had come to have for him a genuine and true affection; of his unflagging interest in and valuable service to the Union soldiers—veterans of the Civil War—with whom his name is a household word from one end of the land to the other; of his sincere belief in and strong advocacy of prohibition and equal suffrage in days when these causes were less popular and it took more courage to stand for them than now. But I will not say more. Most of these subjects have already been covered, and all, I am sure, will be covered by other speakers, who have had the advantage of a more intimate association than I with Senator GALLINGER during the many years of his congressional career.

Reviewing his life and summing up his qualities, I know of no words that may more fittingly be applied to him than those he himself spoke on a similar occasion of his long-time friend, Hon. James S. Sherman, former Vice President of the United States:

He was in the truest sense a patriot, loving his country and its institutions, and devoted to the happiness and welfare of all classes of its people. He was broad minded and large hearted, incapable of a meanness, and filled with sympathy and love for his fellows. Such a life surely did not end when death came. Rather let us believe that it was the beginning of a higher and better existence, and that the earthly activities of our friend were but the prelude to a life of greater beauty, of grander aspirations, and of nobler achievements.

It seems to me that the philosophy of Senator GALLINGER'S life is nowhere better expressed than in the beautiful lines of Henry Van Dyke:

Let me but live my life from year to year
With forward face and unreluctant soul,
Not hastening to, nor turning from, the goal;
Not mourning for the things that disappear
In the dim past, nor holding back in fear
From what the future veils; but with a whole
And happy heart, that pays its toll
To Youth and Age, and travels on with cheer.
So let the way wind up the hill or down,
Though rough or smooth, the journey will be joy;
Still seeking what I sought when but a boy,
New friendship, high adventure, and a crown.
I shall grow old, but never lose life's zest,
Because the road's last turn will be the best.

Mr. WOODS of Iowa. Mr. Speaker, in speaking to the resolution offered I feel that I voice the sentiment of the great liberty-loving people of the Central West in saying that they regret deeply the death of Senator GALLINGER and are united in honoring his memory.

Senator GALLINGER served well the people of his State. He did more, he served the people of every State in the Union. He founded that service on truth, righteousness, and a belief in equal treatment to all. His simple faith knew no distinction between the lofty and the lowly. He was the Republican leader of the Senate, not for New England only, but for the entire country as well. His counsel was keeping his party free alike from the snare of government by centralized autocratic bureaucracy and the delusion of anarchy inspired by the belief that liberty and rights of citizens can be protected without government.

By training and experience Senator GALLINGER was especially fitted to render impartial and unprejudiced public service. The 81 years he lived spanned the interval between a Nation staggering under the menace of disunion and a Nation mighty in the perfect unity and singleness of purpose which he helped to maintain.

During that interval he toiled to harmonize the discordant elements among the people of his country. He was not one of those who made patriotism an excuse for brutal excesses or arbitrary tyranny. Patriotism with him meant greater love of home, greater love of humanity and the ultimate brotherhood of man. It is therefore peculiarly fitting that on this Sabbath day we rest from our legislative work to do him honor.

Senator GALLINGER stood apart from those who believe that government can do no wrong, and while in other countries that element has decreased in recent years, in our own country their numbers have increased. They are dangerous in any country, and if predominant will destroy any form of government where the people rule. They may leave the shadow, but the substance of self-government—individual liberty and the rights of citizens—will be gradually lost.

The greatest public officials are true servants of the people, faithful to that ideal. They do not ride the wave of thoughtless popular approval, but steadfastly pursue that course which serves the permanent interests of all. Senator GALLINGER stood firmly for the inalienable sovereignty of the people and their inherent rights. He was conspicuous in abiding by the principle that government should exist for the sake of the people and not the people for the sake of the government, and that the holders of capital also should be wage earners and wage earners holders of capital.

Success crowned his public career, a success that is shared by every citizen of the United States, because it was founded on service for others. Believing that public office was merely a greater opportunity for larger service to the people, Senator GALLINGER was a leader to be loved and trusted. It is through the influence of such men that representative government, that liberty, that freedom of speech and press are maintained.

He believed that the producers of the world's wealth, not the spenders and manipulators of wealth, should direct the conduct of national affairs. He lived and worked to conserve and improve the political, economic, and social structure of the Nation. Always he opposed unbridled license, and with strength and patience fought to maintain the liberty of the people under the Constitution.

His final resting place is in the hills of New Hampshire that he loved, and ever will be held in tender memory and respect not only by those who knew him as a neighbor and friend but also by a Nation which knows the impress of his strength of character, his magnanimity, his self-control, and his fidelity to high principle and duty throughout a lifelong public career.

EXTENSION OF REMARKS.

Mr. BURROUGHS. Mr. Speaker, in view of the fact that several gentlemen wished to have an opportunity to speak to-day, but for some reason or another were unable to be here, I ask unanimous consent that they have leave to extend their remarks in the RECORD.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Therefore, in accordance with the resolution heretofore adopted, the House (at 4 o'clock and 30 minutes p. m.) adjourned until Monday, January 20, 1919, at 12 o'clock noon.

SENATE.

MONDAY, *January 20, 1919.*

The Chaplain, the Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee that in this great spiritual empire we have learned to think of national values in terms of Thy law, that that which is dear to us is related to Thy kingdom, and that the goal of our national life is the establishment of the kingdom of truth and righteousness among men. As we come again to address ourselves to the tasks of the day we invoke Thy blessing, that the spirit of God may guide us in the discharge of the duties of the day, and that at its close we may have the comfortable satisfaction of having fulfilled God's will in us. We ask now Thy blessing. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Tuesday, January 14, 1919, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

SENATOR FROM COLORADO.

Mr. THOMAS. Mr. President, I have received and have been requested to present the credentials of the Senator elect from the State of Colorado.

The credentials were read and ordered to be filed, as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, LAWRENCE C. PHIPPS was duly chosen by the qualified electors of the State of Colorado a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th of March, 1919.

Witness: His Excellency, our Gov. Gunter, and our seal hereto affixed at Denver, this 31st day of December, in the year of our Lord 1918.

JULIUS C. GUNTER,
Governor.

By the governor:
[SEAL.]

JAMES R. NOLAND,
Secretary of State.

MESSAGE FROM THE HOUSE.

A message from the House of Representative, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, in which it requested the concurrence of the Senate.

The message also transmitted to the Senate resolutions of the House on the life, character, and public services of Hon.

JACOB H. GALLINGER, late a Senator from the State of New Hampshire.

The message further transmitted to the Senate resolutions of the House on the life, character, and public services of Hon. JOHN A. STERLING, late a Representative from the State of Illinois.

PETITIONS AND MEMORIALS.

Mr. CALDER. I present a memorial of the Legislature of the State of New York addressed to the Senate of the United States, touching Federal woman suffrage. I ask that it be printed in the RECORD.

The memorial is as follows:

STATE OF NEW YORK,
IN SENATE.
Albany, January 13, 1919.

Whereas the women's suffrage amendment has long been pending before the United States Senate; and
Whereas this amendment has been passed by the House of Representatives; and
Whereas by an overwhelming majority the citizens of New York State have enfranchised New York State women; and
Whereas the women of the United States have rendered devoted and patriotic service during the trying period of the war; and
Whereas the great governmental, industrial, and social progress before this country is of the deepest interest to women citizens as well as to men: Therefore be it

Resolved (if the assembly concur), That we urge the two United States Senators from New York State to do everything in their power to secure the passage of the Federal amendment in the Senate; and

We furthermore express our earnest hope that the United States Senate as a body will give the two-thirds vote necessary to pass the Federal amendment for ratification by the various State legislatures at once.

By order of the senate:

ERNEST A. FAY, *Clerk.*

In assembly: January 15, 1919. Concurred in without amendment.
By order of the assembly:

FRED W. HAMMOND, *Clerk.*

Mr. CALDER. I also present a petition of the Traffic Club of New York, urging the early return of the transportation systems of the country to the control and management of their owners. I move that it be referred to the Committee on Interstate Commerce.

The motion was agreed to.

Mr. KIRBY. I present a memorial of the General Assembly of the State of Arkansas, asking the Senate and House to pass the Federal amendment permitting woman suffrage. This resolution was passed by unanimous vote by the two houses of the Arkansas Legislature and shows the unanimity of sentiment there. I ask that it be printed in the RECORD.

The memorial is as follows:

Whereas the Federal amendment for woman suffrage has passed the lower House of Congress and is pending in the Senate; and
Whereas President Wilson, in a notable address, urged the Senate to pass this measure as an essential part of the great program of world democracy and in recognition of the signal services rendered by women throughout the war; and
Whereas we recognize the right, justice, and expediency of this measure: Therefore be it

Resolved, That the Senate of the Forty-second General Assembly of the State of Arkansas, in regular session assembled, memorialize the United States Senate to pass the Federal amendment for woman suffrage at once, that the several legislatures now in session may be given the opportunity to ratify the same.

Resolved further, That a copy of these resolutions be sent to Senators ROBINSON and KIRBY, with the request that they be read into the RECORD.

Mr. STERLING. I present a Senate concurrent resolution of the Legislature of South Dakota relating to the enactment of the woman suffrage amendment. I ask that it may be printed in the RECORD.

The resolution is as follows:

CERTIFICATE.

UNITED STATES OF AMERICA,
STATE OF SOUTH DAKOTA,
SECRETARY'S OFFICE.

I, C. A. Burkhart, secretary of state, do hereby certify that the annexed senate concurrent resolution was duly passed by the Sixteenth Session of the Legislature of the State of South Dakota.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at the city of Pierre, January 13, 1919.

[SEAL.] C. A. BURKHART,
Secretary of State.

Senate concurrent resolution.

Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring), Believing that the staunch patriotism and indispensable services of our mothers, wives, and daughters during the prosecution of the war entitles these noble women to all the rights and privileges a grateful country can bestow, we urgently request the Senate of the United States to immediately adopt the national suffrage amendment; be it further

Resolved, That copies of this resolution be sent to the Hon. THOMAS STERLING and to the Hon. EDWIN S. JOHNSON, with the request that it be read into the CONGRESSIONAL RECORD.

Mr. STERLING. I also present resolutions and a memorial of the Farmers' Equity Union Creamery and Mercantile Exchange, covering a number of subjects, such as the President's efforts to prevent future wars, cooperation with the Food Administration, and relating also to Federal railroad control for the period of five years. I ask that the resolutions be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the resolutions were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Resolutions and memorial adopted by the Farmers' Equity Union Creamery and Mercantile Exchange in convention assembled at Aberdeen, S. Dak., January 14 and 15, 1919:

We, the resolution committee, beg to report the following resolutions:

Whereas we realize that our beloved President is engaged in the most momentous undertaking in all history, we pledge to him our undivided support, especially in his effort to prevent future wars.

To the Food Administration and the Government reconstruction work we continue to offer our full cooperation.

We believe that Congress should try to relieve the uncertainty existing between Federal and State laws, whereby both State and Federal antidiscrimination laws become a partial failure.

Whereas the United States Government has taken over and now has control of the operation of the railways; and

Whereas we believe such action to be to the advantage of the Nation and to the producers therein, from both a military and economic standpoint: Therefore be it

Resolved, That we heartily indorse the recommendation of the Director General of Railways that railways, telegraph and express companies remain under Federal control for five years, so a fair test may be given Government control and also for the steadying effect it will have upon the industrial fabric of the Nation during reconstruction.

H. A. MELGAARD,
R. C. CHRISTENSEN,
GEO. N. MILLER,
Committee.

—

Whereas the people have passed the constitutional amendments, we pledge our undivided support in developing them.
Whereas the constitutional amendment relative to state assuming control of the possibilities of the Missouri River for power was carried at the last general election—

Resolved, That we approve and favor a survey to determine the feasibility of the development of the Missouri River, and in the event such development appears feasible the development thereof by joint action of the Federal Government and the several States through which the Missouri River flows, to the end that the ownership, control, and operation shall be retained by the governments so cooperating.

H. A. MELGAARD,
R. C. CHRISTENSEN,
GEO. N. MILLER,
Committee.

Mr. NELSON presented telegrams in the nature of petitions from sundry citizens of St. Paul, White Earth, and Duluth, all in the State of Minnesota, praying for an increase in the salaries of Federal employees, which were referred to the Committee on Appropriations.

Mr. LODGE presented a petition of Local Division No. 19, Ancient Order of Hibernians, of Middlesex County, Mass., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

Mr. THOMPSON presented petitions of Local Lodge No. 610, International Brotherhood of Boiler Makers, Iron Ship Builders and Helpers of America, of Kansas City; of Local Lodge No. 24, International Association of Machinists, of Topeka; of Walnut Valley Lodge, No. 420, Brotherhood of International Boiler Makers, Iron Ship Builders and Helpers of America, of Arkansas City; of Local Lodge No. 340, International Brotherhood of Boiler Makers, Iron Ship Builders and Helpers of America, of Herington; of Local Lodge No. 277, International Brotherhood of Railway Carmen of America, of Parsons; of the Federation of the Mechanical Department of the Santa Fe Railway, of Kansas City; of Local Lodge No. 184, Brotherhood of Railway Clerks, of Pittsburg; and of Local Lodge No. 370, International Brotherhood of Boiler Makers, Iron Ship Builders and Helpers of America, of Emporia, all in the State of Kansas, praying for the proposed extension of Federal control of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a petition of System Council, No. 32, International Brotherhood of Blacksmiths and Helpers, of Topeka, Kans., praying for the proposed extension of Federal control of railroads and telegraph and telephone lines, which was referred to the Committee on Interstate Commerce.

CLAIM OF MARCUS P. NORTON.

Mr. TOWNSEND, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 127) for the adjudication and determination of the claims arising under joint resolution of July 14, 1870, authorizing the Postmaster General to continue in use in the Postal Service Marcus P. Norton's com-

bined postmarking and stamp-canceling hand stamp patents, or otherwise, reported it without amendment and submitted a report (No. 653) thereon.

PUBLIC BUILDING AT ELDORADO, KANS.

Mr. CURTIS. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (H. R. 12881) to increase the cost of the public building at Eldorado, Kans., and I submit a report (No. 652) thereon. The bill merely authorizes an increase in the limit of cost of the public building at Eldorado, Kans., by $35,000. The population of Eldorado has grown from 3,500, when the original bill was passed, to 18,000. I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. Is there any objection?

Mr. SHEPPARD. What is the request?

Mr. CURTIS. I ask unanimous consent for the immediate consideration of the bill reported from the Committee on Public Buildings and Grounds. It proposes to increase the limit of cost of the public building at Eldorado, Kans., by $35,000. As I have said, the town has increased in population from 3,500, when the original bill was passed, to 18,000 now. The bill is recommended by the department and has been unanimously reported by the committee.

Mr. SHEPPARD. I have no objection to the bill; but I gave notice last week that I would object to any variation of the regular order on Calendar Monday. Inasmuch, however, as I did not object to taking up the potash question, I shall make an exception in the case of the Senator from Kansas, and also in the case of the Senator from Nevada [Mr. HENDERSON], but after that I shall endeavor to enforce the rule.

The VICE PRESIDENT. Is there objection to the consideration of the bill reported by the Senator from Kansas?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That section 4 of the act of Congress approved March 4, 1913, authorizing and directing the Secretary of the Treasury to contract for the acquisition by purchase or otherwise of a site and to contract for the erection and completion thereon of a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, complete, for the use and accommodation of the United States post office and other Government offices at Eldorado, Kans., be and the same is hereby, amended so as to increase the limit of cost for said building from $60,000 to $95,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MINING CLAIMS IN ALASKA.

Mr. HENDERSON. From the Committee on Mines and Mining I report back favorably, with amendments, the joint resolution (S. J. Res. 198) to suspend the doing of assessment work on mining claims in Alaska for the years 1917, 1918, 1919, and 1920, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and for other purposes, and I submit a report (No. 651) thereon. I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The amendments were, on page 1, line 7, after the word "seventeen," to insert "and amendments thereto"; on page 2, line 2, after the word "eighteen," to insert "and"; in line 3, after the word "nineteen," where it occurs the first time, to strike out "and nineteen hundred and twenty"; and in line 15, after the word "seventeen," to insert "and amendments thereto," so as to make the joint resolution read:

Resolved, etc., That the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and the provisions of public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and amendments thereto, be, and they are hereby, extended to the Territory of Alaska. The laws requiring assessment work to be made upon mining claims in the Territory of Alaska for the years 1917, 1918, and 1919 are hereby suspended for such period; and no forfeiture or relocation of any mining claim or mining location in said Territory shall be permitted or adjudged for failure to do or have done the annual assessment work thereon for either of said years; and no mining claim or location therein shall be held to be forfeited or subject to relocation for any failure to have done the annual assessment work thereon where the owner or anyone for him complied with the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, or public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and amendments thereto.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution to suspend the legal requirements of assessment work on mining claims in Alaska for the years 1917, 1918, and 1919, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, as amended, and for other purposes."

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 5389) authorizing the Secretary of War to donate to the municipalities of Alexandria, Elbow Lake, Fairfax, and Gibbon, in the State of Minnesota, captured German cannon, cannon balls or shells, and gun carriages, condemned United States cannon, cannon balls or shells, and gun carriages; to the Committee on Military Affairs.

By Mr. THOMPSON:

A bill (S. 5390) granting a pension to James Green (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5391) authorizing the Secretary of War to donate to the city of Portland, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KING:

A bill (S. 5392) to fix the price at which wool held by the Quartermaster General of the Army may be sold; to the Committee on Military Affairs.

By Mr. SHERMAN:

A bill (S. 5393) granting a pension to James D. Dayis; to the Committee on Pensions.

RIVER AND HARBOR APPROPRIATIONS.

Mr. LENROOT submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment proposing to give the consent of Congress for the removal of restrictions on alienation of Indian lands by the Legislature of the State of Washington pursuant to treaties with the Indians of Washington, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. KING submitted an amendment providing that all honorably discharged soldiers and sailors shall be included in the promotion of training and instruction by the public schools authorized by subdivision 9 of section 1 of the act of May 9, 1918, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

PUBLICITY OF DEPARTMENTAL ACTIVITIES.

Mr. SHERMAN. I offer the resolution which I send to the desk, which I ask to have read and referred to the Committee on Printing.

The resolution (S. Res. 419) was read and referred to the Committee on Printing, as follows:

Resolved, That the newspapers, magazines, and other instrumentalities of a free press serve adequately all publicity purposes in the transmission of news and its communication to the public; that the practice which has developed of various Government departments of publishing what is in effect a newspaper or a periodical which ostensibly reports to the public news from that department has become a system of promoting various economic proposals, schemes for extending the power of the department or bureau concerned, and securing increased appropriations; it is a menace to the free press of the country, a burden to the taxpayer thereof, and serves no useful purpose in promoting efficient, economic, or sound principles of government.

Resolved further, That the Senate Committee on Printing be, and is hereby, directed to investigate the number of such periodicals or papers published by the departments, bureaus, boards, and commissions, the number of persons employed therein, and the estimated cost of the same, and report such matter to the Senate for its further consideration.

ADDRESSES AT OPENING OF PEACE CONFERENCE.

Mr. FLETCHER submitted the following resolution (S. Res. 420), which was read and referred to the Committee on Printing:

Resolved, That the following be printed as a public document, to wit:

(1) Address by President Raymond Poincare, of France, at the opening session of the peace conference in Paris January 18, 1919.

(2) Address of Woodrow Wilson, President of the United States of America.

(3) Address of David Lloyd George, prime minister of Great Britain.

(4) Address of Baron Sonnino, foreign minister of Italy.

(5) Address of Georges Clemenceau, premier of France, accepting the presidency of the council.

BOARD OF VISITORS TO NAVAL ACADEMY.

The VICE PRESIDENT. In accordance with the statute in such cases made and provided, the Chair appoints the Senator from Maryland [Mr. SMITH], the Senator from Utah [Mr. KING], the Senator from Washington [Mr. POINDEXTER], and the Senator from Maine [Mr. HALE] members of the Board of Visitors on the part of the Senate to visit the Naval Academy, Annapolis, Md.

CONSCRIPTION OF SOLDIERS.

Mr. SHERMAN. Mr. President, I present a communication from Hannis Taylor, of Washington, D. C., an inquiry on the writ of habeas corpus, whether it has been practically suspended or not. I should like to have the two papers printed at length but not read. I consider it a very material inquiry under present conditions.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *January 8, 1919.*

Hon. LAWRENCE Y. SHERMAN,
Washington, D. C.

DEAR SENATOR: It is a comfort to me to know that you feel a deep concern for our suffering soldiers now employed on police duty in Russia. There will soon be an imperious demand from the American people that all conscripted soldiers so employed anywhere in Europe be returned immediately to their homes. The last notable outcry of the fearless and lamented Col. Roosevelt gave eloquent expression to that demand. Would not the desired end be greatly advanced if the fact could be emphasized that all of our conscripted soldiers now in Europe are held there in open violation of section 8, Article I, of the Constitution?

I inclose an open letter to the Secretary of War, giving my reasons for that conclusion, which a censored press is withholding from the American people, who have a right, at least, to read and consider it. As our CONGRESSIONAL RECORD is now our only uncensored journal, will you be good enough to have that open letter, together with this, inserted in the RECORD. In that way you will be relieved entirely of any responsibility for any views I have expressed. I simply ask that the American people be given a chance to consider a matter in which the hearts and homes of many of them are deeply involved.

The Robert Cox referred to in the open letter is a young man taken by conscription from the ranks of our laboring people, who has not been heard from since March 28, 1918. His anxious father and mother have written continuously without results to the address given to them by The Adjutant General's office. I inclose four letters returned to them because their son could not be found at the address so given. To my urgent letter to the Secretary of War, dated December 21, 1918, no reply whatever has been made. Will you be good enough to aid me in the effort to ascertain from the War Department whether Robert Cox is living or dead, so that his father and mother may know the truth. With great respect,

Sincerely, yours,

HANNIS TAYLOR.

CONSCRIPTION OF OUR LABORING MASSES FOR SERVICE ABROAD MUST END AT ONCE AND FOREVER.

Prior to the present war both the English and American constitutions were able to protect the laboring masses against a conscription that drags them to foreign battle fields, where they must fight and die far from home. At the end of the first and only suspension of the immunity that has ever occurred in Great Britain, its prime minister has been forced to covenant at the polls that the experiment shall never be repeated there. At the end of our first and only suspension of the immunity, so costly in life and treasure, our laboring masses now demand that the experiment shall never be repeated here. The peace of the world can never be reestablished until conscription is limited, as our Constitution provides, to home defense. In that way the assembling of great armies on foreign soils will be made impossible; in that way will end all babbling as to the empty dream called the league of nations, ridiculed and abandoned by all sound thinkers as a chimera since it was first definitely formulated by the Abbé St. Pierre in 1713.

AN OPEN LETTER TO THE SECRETARY OF WAR.

In the matter of Robert Cox, a member of the National Militia (unlawfully styled the National Army), who, after having been lawfully conscripted for home defense, was unlawfully and secretly transported by the War Department from Camp Funston, in the State of Kansas, to the battle fields of Europe, at a time when he was being held for trial in the Supreme Court of the United States under the sacred writ of habeas corpus.

WASHINGTON, D. C., *December 21, 1918.*

Hon. NEWTON D. BAKER,
Secretary of War.

SIR: The caption of this letter will remind you at once of the gravest and most far-reaching violation of the sacred writ of habeas corpus that has ever occurred in the history of English and American law since the passage of the habeas corpus act of 1679 (31 Car. II, ch. 2), entitled "An act for the better securing the liberty of the subject, and for the prevention of imprisonments beyond seas." That grave statement is intended to emphasize the fact that the unlawful transportation of Robert Cox by the military power beyond the territorial limits of the United States to European battle fields, while he was waiting for a hearing in the Supreme Court under a writ of habeas corpus, deprived that court of all jurisdiction to decide said cause, and of all power to uphold the ancient constitutional immunity from service abroad upon which the lives and limbs of hundreds of thousands of American citizens (since forced to die and suffer wounds in foreign lands) then depended.

You may be under the erroneous impression that on May 6, 1918, in a certain paper read by his honor, the Chief Justice, the Supreme Court of the United States passed adversely upon the contention of Robert Cox that section 8, Article I, of the Constitution, under which he was lawfully conscripted for home defense, expressly exempted him from military service beyond the territorial limits of the United States. No such judgment was rendered, either in law or in fact, for the simple and conclusive reason that for at least six weeks before May 6, 1918, said court had lost all jurisdiction over the person of said Cox by reason of his unlawful and secret transportation by the military power to the battle fields of France, where he was then held by such power when his case was called for hearing in said court. Fortunately there can be no possible controversy as to these facts, because after said cause had been called for hearing, such facts were confessed in open court, in the presence of the nine justices, by the Solicitor General, after they had been stated to the court by the counsel for said Cox. The statement has been made that the transportation of said Cox beyond the jurisdiction of said court was secret, because his family, his counsel, and the court itself, so far as we know, were all kept in profound ignorance of the same until a post card was received from him from France announcing his arrival there.

From the foundation of the Supreme Court the elementary principle has been asserted in endless forms that as a court of limited and defined powers it can not pronounce judgment in any case over which it has no jurisdiction. It is equally well settled that no judgment can be rendered in any case, once before it, after the court has, by subsequent events, lost jurisdiction of it. In Mills *v.* Green (159 U. S., 651) the court said: "The duty of this court, as of every other judicial tribunal, is to decide actual controversies by a judgment which can be carried into effect and not to give opinions upon moot questions or abstract propositions or to declare principles or rules of law which can not affect the matter in issue in the case before it. It necessarily follows that when, pending an appeal from the judgment of the lower court, and without any fault of the defendant, an event occurs which renders it impossible for this court, if it should decide the case in favor of the plaintiff, to grant him any effectual relief whatever the court will not proceed to a formal judgment, but will dismiss the appeal."

Without any fault upon the part of Robert Cox, he had been secretly and unlawfully removed by the military power from the custody of said court while he was being held under the sacred writ of habeas corpus for a hearing therein. At the time his case was called for trial, and on May 6, 1918, when his honor, the Chief Justice, read from the bench a certain paper, purporting to be a judgment wiping out the ancient constitutional immunity from service abroad set up by said Cox, he was in the custody of the American Army in France, entirely beyond the jurisdiction and process of said court. If the court had decided in his favor it would have been entirely powerless to enforce its decree against the military power in France then holding the petitioner for the writ in that country in open and flagrant contempt of its jurisdiction.

As it appears from its own decisions, in a form too clear for cavil, quibble, or question, that the Supreme Court has rendered no judgment adverse to the ancient constitutional immunity from service abroad set up by Robert Cox, the fact remains that such ancient immunity still stands unimpaired as a part of the fundamental law. After such immunity had endured for a thousand years, as a corner stone of the English constitution, it was incorporated into our own as a part of section 8, Article I, of the Constitution of 1789, a fact fixed by Martin *v.* Mott (12 Wheat., 19), a case never questioned or overruled. When during the War of 1812 an appeal was mode to Congress to connive at the destruction of the immunity in question, in order that our National Militia might be taken over into Canada, the conspiracy was crushed by Daniel Webster in an immortal oration in which he declared that the death of any American citizen who might be forced by conscription to die abroad would be "murder."

When a more recent attempt was made by men disloyal to the Constitution to assail the immunity in question in order to force American citizens by conscription to render military service in Cuba and the Philippines, President Taft, with Attorney General George W. Wickersham at his side, stood forth manfully as a defender of the ancient immunity. Through their joint efforts the attempt to force American citizens to render military service in either of those islands was trampled under foot. In an official opinion delivered under his solemn oath of office on February 17, 1912, that Attorney General, then considered a sound lawyer, declared that "Congress can not by its own enactment enlarge the power conferred upon it by the Constitution; and if this provision were construed to authorize Congress to use the Organized Militia for any other than the three purposes specified, it would be unconstitutional."

Mr. Secretary, if Congress has no power to authorize the President, as Commander in Chief, or you as Secretary of War, to send a single member of the conscripted National Militia to foreign battle fields, certainly neither of you can do so in open defiance of section 8, Article I, as construed in Martin against Mott, declared by Attorney General Wickersham to be the "law of the land." Since February 17, 1912, his sound and unanswerable opinion in favor of the immunity in question, unshaken by his pitiful attempts at recantation, has been and is to-day the law of the Department of Justice. As such it was solemnly recognized and affirmed by President Wilson in four speeches delivered in January and February, 1916. I have them in print before me. Thus the ancient immunity from service abroad upon which the case of Robert Cox depended was solemnly affirmed down to 1916 by the Supreme Court of the United States, by Daniel Webster, by President Taft, and Attorney General Wickersham and by President Wilson himself through all the solemn sanctions recognized by honorable men who respect what Mr. Grote has called "constitutional *morality*." Even Gen. Leonard Wood, the defendant in the case of Robert Cox, published in 1916 a book entitled "Our Military History, Its Facts and Fallacies," in which he vigorously defends the immunity from service abroad upon which Cox's case depended. It is a sad thing to see the passions of war deprive men in high places of their reason.

Frankness requires that we should thus impress upon you what is to-day the "law of the land" upon this all-important subject, because it will be our duty, as counsel for Robert Cox, to present to this Congress and to the next, if necessary, this statement of his case, to the end that a thorough investigation may be made by that body, which will settle the fact that not only Robert Cox but all other conscripted members of the National Militia now held in military bondage in foreign lands are held there and their lives jeopardized there, in open and flagrant violation of the Constitution of the United States. You have no judicial decision, no authority from Congress, no authority from the American people in the form of law which authorizes you to hold a single member of the National Militia for a single day beyond the territorial limits of the United States. The cruel exposure of our National Militia to the horrors of a Russian winter, if they shall be there employed in police duty, will be without the shadow of legality. We protest against the employment of Robert Cox in any such service. At this critical moment in the world's history, when the prime minister of England has been forced at the polls to promise the laboring masses of that country to reestablish at once the ancient immunity from military service abroad, is

it not high time for a like guaranty to be given to the laboring masses from whose ranks, as you well know, the bulk of our conscripts has been drawn. The new-fangled and revolutionary idea that raw and untrained citizen soldiers may be dragged from their homes to die on foreign battle fields in quarrels only indirectly their own has always been condemned, as we have said already, both by the English and American Constitutions.

The unauthorized transportation by the executive power of our conscripted National Militia to the battle fields of Europe, in defiance of section 8, Article I, of the Constitution, will stand out in the time to come as the most stupendous act of illegality in all history.

When our honored Supreme Court, in the Conscription cases, delivered a wise and just judgment, settling the fact that all citizens of lawful age may be conscripted by Congress, under section 8, Article I, for home defense, the defensive military power of this Republic was greatly strengthened, with the cordial approval of all patriotic and law-loving men. But when in the subsequent case of Robert Cox its hand was stayed through a lack of jurisdiction, as it attempted to sweep away the ancient and firmly settled immunity of the National Militia from service abroad, who can doubt that the Constitution was shielded by Providence from what would have been a mortal wound. If any doubt has heretofore existed on that point, the recent reestablishment of the ancient immunity in the land of its birth—from which we borrowed it—and the repudiation by "responsible English statesmen" of the deadly experiment that followed its abolition, should warn all of our rulers that no second attempt to abolish it must be made here, except by the process of amendment which the Constitution provides. This sacred immunity can not be abolished by the executive power; it can not be abolished by the judicial power, nor by both acting in concert. The right of abolition has never been delegated; it belongs to the American people alone.

As a responsible statesman specially charged with the guardianship of our military system, you must know, Mr. Secretary, that the burning question of the hour soon will be this: Shall our conscripted National Militia be detained indefinitely in Europe, in defiance of the Constitution, as a police force to hold in bondage the new-born democracies whose growth we are supposed to promote? If the life of one or more of such democracies shall be threatened with ruin through the imposition of such enormous indemnities as will shock the conscience of our Christian civilization, are American citizen-soldiers from the banks of the Hudson, the Ohio, and the Mississippi to be made the tax gatherers of such exactions in which we have no share? Upon that question of questions our future relations to European politics now depends. If we will only accept the prime minister of England's wise and patriotic declaration that service abroad by conscription is at end, the dawn will begin to break, the repudiated Monroe doctrine, so honored by our fathers, will be reestablished, and our Republic rescued from the "Cæsarian mania" that has nearly taken its life.

The startling outcome of the great war is the complete overthrow of the concert of Europe which for nearly three centuries has guarded the European balance of power. Out of its ruins has risen already a perfectly organized league of nations, the only one that will be created, a new holy alliance composed of the British Empire and its allies (not ours)—France, Italy, and Japan—whose irresistible sea power now encircles the earth. Collier's Weekly says: "That August day, 1914, when the war broke out, the British Navy had a tonnage of 2,500,000 and a personnel of 145,000 officers and men. To-day it has a tonnage (including the auxiliary fleet) of 8,000,000 and a personnel of almost 500,000. This does not include the mercantile marine or patrol vessels, mine sweepers, etc., in the auxiliary fleet. There are 50,000 men serving in these." In addition, the British Empire holds in its hands the surrendered German fleet, the German colonies, and the long-coveted Dardanelles, besides the Suez Canal and a kind of overlordship over our own Panama Canal, which can be defended only by sea power. When to all that is added the combined sea power of her allies—France, Italy, and Japan—she is not only the mistress of the seas but the empress of the world in a way in which no world power has ever been since the fall of the Roman Empire.

With such a mighty combination against us, with which we are not in alliance, the Secretary of the Navy and yourself are performing a highly patriotic duty in providing for the national defense. Under the heading "The Postwar Budget" the Washington Post has said: "The War Department asks for $2,556,000,000 with which to bring the Army home from Europe and to maintain such a force in Europe as conditions render necessary, in addition to providing fortifications and other features of the Military Establishment. The Navy Department asks for $2,650,000,000, a large portion of which is for the purpose of building up the great Navy which it is proposed that the United States shall maintain. The big-navy program was given unqualified indorsement by the President in his address to Congress."

The imminence of the peril has just been confessed by the confidential adviser and official mouthpiece of the President, Senator JAMES HAMILTON LEWIS, who, after stating that Germany "can not in 50 years have a new navy that can oppose Britain," makes an urgent public appeal for an independent American Navy that can compete with that of England on equal terms. Every schoolboy must now understand that the overthrow of Germany—our only real bulwark against Great Britain—will impose upon us an annual burden of at least two thousand millions as a defense fund against the new and imperial mistress of the world. The appalling situation can not longer be concealed from the American people by the "smoke screen" called "the league of nations."

Our naval and military experts perfectly understand that until the concert of Europe can be reestablished we must bear alone the crushing burden of defense against the world-encircling sea power of the British Empire, which never gives up anything, never yields anything except to superior force. With the central empires, Russia, and Turkey eliminated, with France, Italy, and Japan as her allies, the triumphant and defiant mistress of the world now beholds us without an ally, and with a tremendous debt contracted largely for her salvation. Such is the outcome of our first brilliant experiment in world diplomacy. Let us not forget that Cicero said that "supreme power belongs to him who gains the command of the sea."

Thus the great war has lifted us to a perilous eminence—we are to be the greatest tax-bearing nation on earth. Instead of an annual expenditure of $1,000,000,000 we must now provide an annual expenditure of at least $5,000,000,000 if the Secretary of the Navy and yourself are to be upheld. Under such conditions is it not wise for us to withdraw at once from Europe our entire national militia, including Robert Cox, so that they may be used, if necessary, for home defense? Can we with prudence further weaken our financial resources—our only real hope—by lending another dollar to the European powers already united in a European league of nations whose secret conferences have settled in advance every serious question upon which the peace congress will be called upon to pass? If we go on dreaming and giving, will not the statesmen of Downing Street soon feel that they are dealing with children who can be satisfied with sweetmeats and a few bouquets?

We perfectly understand the danger incurred by any American citizen who dares to defend American interests when they conflict with those of the Holy Alliance, whose unofficial envoys swarm in this Capital, and whose propaganda largely controls public opinion through a powerful section of the American press pledged to its interests. For defending the sacred clause of the Constitution involved in the case of Robert Cox we were denounced and hounded by certain disloyal men who dare to contend that it is a crime even to defend the Constitution of the United States whenever it happens to conflict with foreign and imperial interests. But since conscription for service abroad—the corner stone of the Prussian military system, invented in Germany by Scharnhaus and denounced by Mr. Lloyd George—is soon to be branded as a menace to the peace of the world by the coming peace congress, possibly the foreign propaganda may permit it to be mentioned unfavorably in the United States, by whose Constitution it has always been bitterly condemned and expressly prohibited.

In conclusion, permit us to present to you a copy of a letter from the father of Robert Cox, a coal miner of Missouri, who does not know whether his boy is living or dead. If he has perished, certainly his family are entitled to know the fact. His father says in his letter that neither his mother nor himself have been able to hear from their son since the 28th of March, 1918. "We have repeatedly written to him, writing each week, some of which are returned to us, others not." The father also desires to know whether his son "is carrying effective war insurance."

Will you be good enough to answer these questions at an early day, so that these poor laboring people may know the fate of their son?

With profound respect, Mr. Secretary, your obedient servants,

HANNIS TAYLOR,
JOSEPH E. BLACK,
Counsel for Robert Cox.

VIEWS OF JEFFERSON STANLEY.

Mr. GRONNA. I have a letter from a citizen and old soldier in my State, which I wish to have read.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Secretary read as follows:

LET THEM COME HOME.

MILNOR, N. DAK., *January 6, 1919.*

MY DEAR SENATOR: My son and a neighbor canvassed Sydna for the last Red Cross drive, and while so doing asked the opinion of the voters as to compulsory military training. The unanimous answer was "No; we don't want it."

I am a "vet" of the Civil War. I have three boys in this war; one was proprietor of a horse ranch in Canada. He was compelled to turn over his stock to irresponsible parties and will lose one-half. Another was fireman on the G. N. R. R., receiving not less than $125 per month. The youngest enlisted in the Marines and was in every fight from the Marne to the finish. He has two medals as expert rifleman; he did duty as a sniper and was in charge of a machine gun when wounded. The last day but one before hostilities ceased his company was in it bad. The captain called for volunteers to hold the line while he could re-form the company. Robert and seven other machine-gun men stepped to the front. They held the Hun all right, and the fight was won for the United States Marines, for which the whole eight were lined up and a French general, after kissing each on both cheeks, pinned the French cross of honor on the lapels of their coats. My son received three wounds, but stayed and worked his gun until the captain, seeing his wound, ordered him to the rear. He is all right now and will be home soon, but will not have much use of his left hand.

I am not writing this to boost my boys. They are only just fair samples of all the boys over there.

I do not favor intervention in Russian affairs. They listened to German propaganda and lay down when most needed. Now let them help themselves as best they can.

Let the boys come home.

Very respectfully,

JEFFERSON STANLEY.

ADDRESSES AT OPENING OF PEACE CONFERENCE.

Mr. McKELLAR. On Saturday in opening the peace conference in Paris President Poincare made a very important speech, it seems to me, that referred, in part, to the league of nations. This is a splendid speech, well worthy of being preserved in the RECORD. I ask unanimous consent to have that speech printed in the RECORD, together with the replies by Monsieur Clemenceau, President Wilson, and Mr. Lloyd George. I would ask that Mr. Orlando's speech be printed, too, but I have been unable to find a copy of it. That minister made a speech on the same occasion along similar lines with the others. The French President shows very conclusively that there is a spirit of cooperation among our peace delegates and as well shows that President Wilson's proposals have virtually been, tentatively at least, agreed upon by the representatives of the great powers. Mr. Clemenceau's speech indicates that his opposition to the league has been withdrawn. The silence of the others shows, as I believe, a substantial agreement on all these proposals of our President.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. I could not hear the request of the Senator from Tennessee. Will the Senator state again what his request was?

Mr. McKELLAR. The request was to print in the RECORD, without reading, a short address from President Poincare, together with the replies of President Wilson, Monsieur Clemenceau, and Mr. Lloyd George. They are all very short.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

AMERICA'S SUPREME JUDGMENT.

"The intervention of the United States was something more, something greater, than a great political and military event. It was a supreme judgment passed at the bar of history by the lofty conscience of a free people and their Chief Magistrate on the enormous responsibilities incurred in the frightful conflict which was lacerating humanity." (From President Poincare's address at opening of the peace congress.)

ENEMIES SEEK IN VAIN TO SPLIT ALLIED UNITY, SAYS M. POINCARE.

PARIS, *January 18.*

President Poincare's speech at the opening of the peace conference was as follows:

"Gentlemen, France greets and thanks you for having chosen as the seat of your labors the city which for more than four years the enemy had made his principal military objective, and of which the valor of the allied armies has victoriously defended against increasingly renewed offensives.

"Permit me to see in your decision the homage of all the nations that you represent toward a country which more than any other has endured the sufferings of war, of which entire Provinces have been transformed into a vast battle field, and have been systematically laid waste by the invader, and which has paid the human tribute in death.

GERMANY'S GUILT PROVED.

"France has borne these enormous sacrifices although she had not the slightest responsibility for the frightful catastrophe which has overwhelmed the universe. And at the moment when the cycle of horror is ending, all the powers whose delegates are assembled here may acquit themselves of any share in the crime which has resulted in so unprecedented a disaster. What gives you the authority to establish a peace of justice is the fact that none of the peoples of whom you are the delegates has had any part in the injustice. Humanity can place confidence in you because you are not among those who have outraged the rights of humanity.

"There is no need of further information or for special inquiries into the origin of the drama which has just shaken the world. The truth, bathed in blood, has already escaped from the imperial archives. The premeditated character of the trap is to-day clearly proved.

"In the hope of conquering first the hegemony of Europe and next the mastery of the world, the central empires, bound together by a secret plot, found the most abominable of pretexts for trying to crush Serbia and force their way to the East. At the same time they disowned the most solemn undertakings in order to crush Belgium and force their way into the heart of France.

CALLS OUTRAGES UNFORGETTABLE.

"These are the two unforgettable outrages which opened the way to aggression. The combined efforts of Great Britain, France, and Russia were exerted against that man-made arrogance.

"If after long vicissitudes those who wished to reign by the sword have perished by the sword, they have only themselves to blame. They have been destroyed by their own blindness.

"What could be more significant than the shameful bargains they attempted to offer to Great Britain and France at the end of July, 1914, when to Great Britain they suggested: 'Allow us to attack France on land and we will not enter the channel,' and when they instructed their ambassador to say to France: 'We will only accept a declaration of neutrality on your part if you surrender to us Briey, Toul, and Verdun.' It is in the light of these things, gentlemen, that all the conclusions you will have to draw from the war will take shape.

"Your nations entered the war successively, but came one and all to the help of threatened right. Like Germany, Great Britain had guaranteed the independence of Belgium. Germany sought to crush Belgium. Great Britain and France both swore to save her.

"Thus, from the very beginning of hostilities there came into conflict the two ideas which for 50 months were to struggle for the dominion of the world—the idea of sovereign force which accepts neither control nor check, and the idea of justice, which depends on the sword only to prevent or repress the abuse of strength.

"Faithfully supported by her dominions and her colonies, Great Britain decided that she could not remain aloof from a struggle in which the fate of every country was involved. She has made, and her dominions and colonies have made with her, prodigious efforts to prevent the war from ending in the triumph of the spirit of conquest and the destruction of right.

"Japan, in her turn, only decided to take up arms out of loyalty to Great Britain, her great ally, and from the consciousness of the danger in which both Asia and Europe would have stood of the hegemony of which the Germanic Empires dreamed.

ITALY AIDING THE OPPRESSED.

"Italy, who from the first had refused to lend a helping hand to German ambition, arose against an age-long foe only to answer the call of oppressed populations and to destroy at the cost of her blood the artificial political combination which took no account of human liberty.

"Roumania resolved to fight only to realize that national unity which was opposed by the same powers of arbitrary force. Abandoned, betrayed, and strangled, she had to submit to an abominable treaty, the revision of which you will exact.

"Greece, whom the enemy for many months tried to turn from her traditions and destinies, raised an army only to escape attempts at domination of which she felt the growing threat.

"Portugal, China, and Siam abandoned neutrality only to escape the strangling pressure of the central powers.

"Thus it was the extent of German ambitions that brought so many peoples, great and small, to align themselves against the same adversary. And what shall I say of the solemn resolutions taken by the United States in the spring of 1917, under the auspices of its illustrious President, Mr. Wilson, whom I am happy to greet here in the name of grateful France, and if you will allow me to say so, gentlemen, in the name of all the nations represented in this room.

JUDGMENT PASSED BY AMERICA.

"What shall I say of the many other American powers which either declared themselves against Germany—Brazil, Cuba, Panama, Guatemala, Nicaragua, Haiti, Honduras—or at least broke off diplomatic relations—Bolivia, Peru, Ecuador, Uruguay. From the north to the south the New World arose with indignation when it saw the Empires of central Europe, after having let loose the war without provocation and without excuse, carry it on with fire, pillage, and the massacre of inoffensive beings.

"The intervention of the United States was something more, something greater than a great political and military event. It was a supreme judgment passed at the bar of history by the lofty conscience of a free people and their Chief Magistrate on the enormous responsibilities incurred in the frightful conflict which was lacerating humanity.

"It was not only to protect itself from the audacious aims of German megalomania that the United States equipped fleets and created immense armies, but also and above all to defend an ideal of liberty over which it saw the huge shadow of the imperial eagle encroaching further every day. America, the daughter of Europe, crossed the ocean to rescue her mother from the humiliation of thraldom and to save civilization.

HUN DEBASED EVEN RELIGION.

"The American people wished to put an end to the greatest scandal that has ever sullied the annals of mankind. Autocratic governments, having prepared in the secrecy of the chancelleries and the general staffs a mad program of universal dominion, let loose their packs at the time fixed by their genius for intrigue and sounded the horns for the chase, ordering science (at the very time it was beginning to abolish distances, to bring men closer together, and make life sweeter) to leave the bright sky toward which it was soaring and to place itself submissively at the service of violence; debasing the religious idea to the extent of making God the complacent auxiliary of their passions and the accomplice of their crimes—in short, counting as naught the traditions and wills of peoples, the lives of citizens, the honor of women, and all those principles of public and private morality which we for our part have endeavored to keep unaltered throughout the war and which neither nations nor individuals can repudiate or disregard with impunity.

"While the conflict was gradually extending over the entire surface of the earth, the clanking of chains was heard here and there and captive nationalities from the depths of their age-long jails cried out to us for help. Yes, more, they escaped to come to our aid.

OLD RACES REBORN.

"Poland came to life again and sent us troops. The Czecho-Slovaks won their right to independence in Siberia, in France, and in Italy. The Jugoslavs, the Armenians, the Syrians and Levantines, the Arabs, all the victims, long helpless or resigned, of the historic deeds of injustice; all the martyrs of the past, all the outraged in conscience, all the strangled in liberty, viewed the clash of arms and turned to us as their natural defenders.

"The war gradually attained the fullness of its first significance and became in the full sense of the term a crusade of humanity for right, and if anything can console us, in part at least, for the losses we have suffered, it is assuredly the thought that our victory also is the victory of right. This victory is complete, for the enemy only asked for the armistice to escape from an irretrievable military disaster.

"In the interest of justice and peace it now rests with you to reap from this victory its full fruits. In order to carry out this immense task you have decided to admit at first only the allied or associated powers, and, in so far as their interests are involved in the debates, the nations which remained neutral.

MUST PRESERVE SOLIDARITY.

"You have thought that the terms of peace ought to be settled among ourselves before they are communicated to those against whom we have fought the good fight. The solidarity which has united us during the war and has enabled us to win military success ought to remain unimpaired during the negotiations for and after the signing of the treaty.

"It is not only the Governments but free peoples who are represented here. To the test of danger they have learned to know and help one another. They want their intimacy of yesterday to assure the peace of to-morrow. Vainly would our enemies seek to divide us. If they have not yet renounced their customary maneuvers, they will soon find that they are meeting to-day, as during hostilities, a homogeneous block, which nothing will be able to disintegrate. Even before the armistice you reached that necessary unity under the aid of the lofty moral and political truths of which President Wilson has nobly made himself the interpreter, and in the light of these truths you intend to accomplish your mission.

JUSTICE ALONE SOUGHT.

"You will, therefore, seek nothing but justice—justice that has no favorites, justice in territorial problems, justice in financial problems, justice in economic problems. But justice is not inert, it does not submit to injustice. What it demands, first, when it has been violated, are restitution and reparation for the peoples and individuals who have been despoiled or maltreated. In formulating this lawful claim it obeys neither hatred nor an instinctive or thoughtless desire for reprisals. It pursues a twofold object—to render to each his due, and not to encourage crime through leaving it unpunished.

"What justice also demands, inspired by the same feeling, is the punishment of the guilty and effective guaranties against an active return of the spirit by which they are prompted, and it is logical to demand that these guaranties should be given, above all, to the nations that have been and might again be most exposed to aggression or threat, to those who have many times stood in danger of being submerged by the periodic tide of the same invasion.

DREAMS OF CONQUEST ENDED.

"What justice banishes is the dream of conquest and imperialism, contempt for national will, the arbitrary exchange of Provinces between States, as though peoples were but articles of furniture or pawns in a game. The time is no more when diplomatists could meet to redraw with authority the map of the empires on the corner of a table. If you are to remake the map of the world, it is in the name of the peoples, and one condition is that you shall faithfully interpret their thoughts and respect the right of nations, small and great, to dispose of themselves, and to reconcile with this the equally sacred right of ethnical and religious minorities—a formidable task which science and history, your two advisers, will contribute to assist and facilitate.

"You will naturally strive to secure the material and moral means of subsistence for all those peoples who are constituted or reconstituted into States; for those who wish to unite themselves to their neighbors; for those who divide themselves into separate units; for those who reorganize themselves; for those who divide themselves according to their regained traditions; and, lastly, for all those who see freedom you have already sanctioned or are about to sanction. You will not call them into existence only to sentence them to death immediately because you would like your work in this, as in all other matters, to be fruitful and lasting.

WILL FORM NATIONS' LEAGUE.

"While introducing into the world as much harmony as possible you will, in conformity with the fourteenth of the propositions unanimously adopted by the great allied powers, establish a general league of nations which will be the supreme guaranty against any fresh assault upon the right of peoples. You do not intend this international association to be directed against anybody in the future. It will not, of a set purpose, shut out anybody, but, having been organized by the nations that have sacrificed themselves in the defense of right, it will receive from them its statutes and fundamental rules.

"It will lay down conditions concerning present or future adherence and, as it is to have for its essential aim the prevention as far as possible of the renewals of wars, it will, above all, seek to gain respect for the peace which you will have established and will find it the less difficult to maintain in proportion, as this peace will in itself imply the greater realities of justice and safer guaranties of stability.

ANNIVERSARY OF HUN EMPIRE.

"By establishing this new order of things you will meet the aspirations of humanity, which, after the frightful convulsions of the blood-stained years, ardently wishes to feel itself protected by a union of free people against the ever-possible revival of primitive savagery. An immortal glory will attach to the names of the nations and the men who have desired to cooperate in this grand work in faith and brotherhood and who have taken the pains to eliminate from the future peace causes of disturbance and instability.

"This very day, 48 years ago, on the 18th of January, 1871, the German Empire was proclaimed by an army of invasion in the chateau at Versailles. It was consecrated by the theft of two French Provinces. It was thus a violation from its origin, and, by the fault of its founders, it was born in injustice. It has ended in oblivion.

"You are assembled in order to repair the evil that has been done and to prevent a recurrence of it. You hold in your hands the future of the world. I leave you, gentlemen, to your grave deliberations and declare the conference of Paris open."

—

THE LEAGUE OF NATIONS.

President Poincare and Premier Clemenceau, in their speeches at the opening of the peace congress yesterday, both referred to President Wilson's proposed league of nations, as follows:

PRESIDENT POINCARE.

"While introducing into the world as much harmony as possible you will, in conformity with the fourteenth of the propositions unanimously adopted by the great allied powers, establish a general league of nations which will be the supreme guaranty against any fresh assault upon the rights of peoples. You do not intend this international association to be directed against anybody in the future. It will not, of a set purpose, shut out anybody, but having been organized by the nations that have sacrificed themselves in the defense of right, it will receive from them its statutes and fundamental rules."

PREMIER CLEMENCEAU.

"All else must be subordinated to the necessity of a closer and closer union among the nations who have taken part in this great war and to the necessity of remaining friends. For the league of nations is here. It is yourself. It is for you to make it live, and to make it live we must have it really in our hearts.

"As I told President Wilson a few days ago there is no sacrifice that I am not willing to make in order to accomplish this, and I do not doubt that you all have the same sentiment. We will make these sacrifices, but on the condition that we endeavor impartially to conciliate interests apparently contradictory, on the higher plane of a greater, happier, and better humanity."

—

WILSON PRAISES CLEMENCEAU, MOVING ELECTION; PREMIER, ACCEPTING, PLEADS FOR A CLOSER UNION.

PARIS, *January 18.*

In his speech at the opening of the peace conference to-day, proposing Premier Clemenceau for the permanent chairmanship, President Wilson said:

"Mr. Chairman, it gives me great pleasure to propose as permanent chairman of the conference Mr. Clemenceau, the president of the council.

"I would do this as a matter of custom. I would do this as a tribute to the French Republic. But I wish to do it as something more than that. I wish to do it as a tribute to the man.

"France deserves the precedence not only because we are meeting at her capital, and because she has undergone some of the most tragical suffering of the war, but also because her capital, her ancient and beautiful capital, has so often been the center of conferences of this sort, on which the fortunes of large parts of the world turned.

"It is a very delightful thought that the history of the world, which has so often centered here, will now be crowned by the achievements of this conference—because there is a sense in which this is the supreme conference of the history of mankind.

"More nations are represented here than were ever represented in such a conference before. The fortunes of all peoples are involved. A great war is ended, which seemed about to bring a universal cataclysm. The danger is passed. A victory has

been won for mankind, and it is delightful that we should be able to record these great results in this place.

"But it is more delightful to honor France, because we can honor her in the person of so distinguished a servant. We have all felt in our participation in the struggles of this war the fine steadfastness which characterized the leadership of the French in the hands of Mr. Clemenceau. We have learned to admire him, and those of us who have been associated with him have acquired a genuine affection for him.

"Moreover, those of us who have been in these recent days in constant consultation with him know how warmly his purpose is set toward the goal of achievement to which all our faces are turned. He feels as we feel, as I have no doubt everybody in this room feels, that we are trusted to do a great thing, to do it in the highest spirit of friendship and accommodation, and to do it as promptly as possible in order that the hearts of men may have fear lifted from them, and that they may return to those purposes of life which will bring them happiness and contentment and prosperity.

"Knowing his brotherhood of heart in these great matters, it affords me a personal pleasure to propose that Mr. Clemenceau shall be the permanent chairman of this conference."

—

SUCCESS IMPOSSIBLE UNLESS ALL STAY UNITED, CLEMENCEAU WARNS.

PARIS, *January 18.*

Premier Clemenceau at to-day's peace conference spoke as follows:

"You would not expect me to keep silence after what the two eminent statesmen, who have just spoken, have said. I can not help expressing my great, my profound gratitude to the illustrious President of the United States, to the prime minister of Great Britain, and to Baron Sonnino for the words I have just heard from their lips.

"Long ago, when I was young, as Mr. Lloyd George has recalled to you, when I was traveling in America and in England I always heard the French reproached for an excess of courtesy, which sometimes went beyond the truth. As I listened to the American statesman and to the English statesman I wondered whether they had not caught in Paris our national disease of courtesy. Nevertheless, gentlemen, I must say that my election is necessarily due to the old international tradition of courtesy to the country which has the honor to receive the peace conference in its capital.

TOUCHED BY FRIENDSHIP.

"I wish also to say that this testimony of friendship, if they will allow me the word, on the part of President Wilson and Mr. Lloyd George in particular, has touched me deeply, because I see in it a new strength for all three of us to accomplish with the cooperation of the entire conference the arduous work which is intrusted to us. I gather from it a new confidence in the success of our efforts.

"President Wilson has special authority to say that this is the first time in fact that the world has ever seen assembled together a delegation of all the civilized nations of the earth.

"The greater the bloody catastrophe which has devastated and ruined one of the richest parts of France, the greater and more splendid must be the reparation—not only the material reparation, the vulgar reparation, if I dare speak so, which is due all of us, but the higher and nobler reparation of the new institution which we will try to establish in order that nations may at length escape from the fatal embrace of ruinous wars which destroy everything, heap up ruins, terrorize the populace, and prevent them from going freely about their work for fear of enemies which may rise up from one day to the next.

MUST HAVE CLEAR IDEAS.

"It is a great, splendid, and noble ambition which has come to all of us. It is desirable that success should crown our efforts. This can not take place unless we all have firmly fixed and clearly determined ideas on what we wish to do.

"I said in the chamber a few days ago, and I wish to repeat here, that success is not possible unless we remain firmly united. We have come together as friends; we must leave this hall as friends.

"That, gentlemen, is the first thought that comes to me. All else must be subordinated to the necessity of a closer and closer union among the nations who have taken part in this great war and to the necessity of remaining friends. For the league of nations is here. It is yourself. It is for you to make it live, and to make it live we must have it really in our hearts.

WILLING TO SACRIFICE.

"As I told President Wilson a few days ago, there is no sacrifice that I am not willing to make in order to accomplish this, and I do not doubt that you all have the same sentiment. We will make these sacrifices, but on the condition that we endeavor impartially to conciliate interests apparently contradictory on the higher plane of a greater, happier, and better humanity.

"That, gentlemen, is what I had to say to you. I am touched beyond words at the evidence of good will and friendship which you show me.

"The program of this conference has been laid down by President Wilson. It is no longer the peace of a more or less vast territory, no longer the peace of continents; it is the peace of nations that is to be made. This program is sufficient in itself. There is no superfluous word. Let us try to act swiftly and well."

—

LLOYD GEORGE CALLS CLEMENCEAU "GRAND YOUNG MAN OF EUROPE."

PARIS *January 18.*

Following is the address of the British prime minister, Mr. Lloyd George, at the opening session of the peace conference:

"I count it not merely a pleasure but a great privilege that I should be expected, on behalf of the British Empire delegates, to support the motion of President Wilson. I do so for this reason which he has so eloquently given expression to, as a tribute to the man. When I was a schoolboy Mr. Clemenceau was a compelling and a conspicuous figure in the politics of his native land and his fame had extended far beyond the bounds of France.

IS "GRAND YOUNG MAN."

"Were it not for that undoubted fact, Mr. President, I should have treated as a legend the common report of your years. I have attended many conferences with Mr. Clemenceau, and in them all the most vigorous, the most enduring, and the most youthful figure there has been that of Mr. Clemenceau. He has had the youthfulness; he has had the hopefulness and the fearlessness of youth. He is, ideed, the 'grand young man' of France, and I am proud to stand here to propose that he should take the chair in this great conference that is to settle the peace of the world.

"I know of none better qualified, or as well qualified, to occupy this chair than Mr. Clemenceau. And I speak from my experience in its claim. He and I have not always agreed. We have very often agreed. We have sometimes disagreed, and we have always expressed our disagreements very emphatically, because we are ourselves.

NO WASTE OF TIME.

"But although there will be delays, and inevitable delays, in the signing of peace, due to the inherent difficulties of what we have to settle, I will guarantee, from my knowledge of Mr. Clemenceau, that there will be no waste of time. And that is important.

"The world is thirsting and hungering for peace. There are millions of people who want to get back to the world work of peace. And the fact that Mr. Clemenceau is in the chair will be proof that they will get there without any delays, except the difficulties which are essential in what we have to perform. He is one of the great speakers of the world. But no one knows better than he that the best speaking is that which impels beneficent actions.

EMBODIES FRENCH HEROISM.

"I have another reason. During the dark days we have passed through his courage, his unfailing courtesy, his untiring energy, his inspiration have helped the allies through to triumph, and I know of no one to whom that victory is more attributable than the man who sits in this chair. In his own person, more than any living man, he represents the heroism, he represents the genius of the indomitable people of his land.

"And for these reasons I count it a privilege that I should be expected to second this motion."

HOUSE BILL REFERRED.

H. R. 14078. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

SUPPLIES OF POTASH.

Mr. HITCHCOCK. Mr. President, I ask to have printed in the RECORD a short article from the Journal of Commerce of New York, published January 17, entitled "To permit no Alsace potash exportation." I wish to say in reference to this matter that some time ago it was stated in the public press in the shape of a cablegram from Paris that Mr. Hurley had announced that he had made arrangements under which potash was to be shipped from Alsace-Lorraine to the United States at an early date. This statement, which I felt at the time to be entirely erroneous, has done a great deal of damage, because it has put a stop to the purchase of potash made in the United States,

which should have been purchased by the fertilizer companies and should go into the fertilizers to be used this season.

This article from the Journal of Commerce is short, and I am going to take the liberty of reading it:

[From the Journal of Commerce, Jan. 17, 1919.]

TO PERMIT NO ALSACE POTASH EXPORTATION—OUTPUT TO BE USED TO RESTORE FERTILITY OF FRENCH SOIL.

Absolutely no export shipments of potash will be permitted to leave the Alsatian potash fields for the next two or three years at least, according to authoritative information reaching Government officials here to-night from sources close to the French Government. French farms and fields are in such serious need for fertilizer, it was said, that the entire output of the potash fields now under French control will be used to restore the fertility of French soil.

Together with the protection from this source that will be afforded the newly started potash industry in this country, Government officials to-night declared that Prof. Taussig, of the Tariff Commission, now is engaged in drafting a bill to be presented to Congress giving such newly-started industries high-tariff protection until they have developed to meet foreign competition in American and foreign markets. This bill, it is understood, will include potash, manganese, nitrate, and similar products which the country heretofore has been importing to meet domestic requirements.

I wish to say that I do not indorse the idea that Congress should pass high-protective tariff legislation for the benefit of the potash industry. That is a question that has got to be considered on its merits subsequently. But I did protest at the time, and I renew my protest now, that after Government agencies have fostered the development of potash industries during the war and have, as a result of their activities, induced potash manufacturers to enlarge their plants until at the present time there are on storage in the United States nearly 100,000 tons of potash, it would be bad faith upon the part of the Government, either through Mr. Hurley or anybody else, to hasten the importation of potash from Alsace-Lorraine at this time in order to destroy the market for the American product that has been built up under Government patronage.

I ask to have this article go in the RECORD for the purpose of verifying the statement I made on the floor of the Senate the other day that no potash from Alsace-Lorraine and no potash from Germany can be brought into this country in time to be used in the fertilizers for the present season.

I am going to ask to have inserted in the RECORD also, without reading, a letter from the National Fertilizer Association, in which the president admits that foreign potash can not be brought into this country at this time.

THE NATIONAL FERTILIZER ASSOCIATION,
Baltimore, January 10, 1919.

Hon. G. M. HITCHCOCK,
United States Senate.

MY DEAR SENATOR: I note in the CONGRESSIONAL RECORD, page 935, a copy of a telegram to you from the Nebraska Potash Producers Association and a report of your statement to the Senate, from which I find that you are under the impression that the fertilizer companies are refusing to buy potash in the hope of being able to import potash from Europe to put into fertilizers for the coming spring season.

In the December 19 issue of the Manufacturers Record there was published a letter addressed by the editor of the publication to Hon. Franklin K. Lane, Secretary of the Interior Department, in which the editor made a very venomous attack on the fertilizer industry, the contents of which are without foundation and apparently without a proper understanding of the situation.

The fertilizer manufacturers have been cooperating with the Nebraska producers and other potash producers throughout the country and are making every possible effort to dispose of the increased production of potash in this country. We have felt absolutely certain that there was no possibility of bringing any potash from Europe in time for its use in fertilizers for the coming spring and were very much surprised recently at a statement made by Chairman Hurley, of the Shipping Board, through the Associated Press, that he expected to bring to America immediately a very large tonnage of potash from France. We still believe, however, that the position taken by the War Trade Board that no potash would be imported in time for this spring will be carried through, and the fertilizer manufacturers have made their purchases accordingly; but the publicity given Mr. Hurley's statement has resulted in the farmers holding up their orders to such an extent that very little fertilizer is moving. They believe that this potash will come on the market at a very low price and reduce their cost of fertilizer. Unless they are given to understand definitely that there will be no potash from Europe, I am doubtful whether the usual tonnage of fertilizer can be shipped in time for this spring's crops.

I have addressed a reply to the editor of the Manufacturers Record, copy of which I have sent to Secretary Lane, and I am taking the liberty of attaching a copy of it to this letter with the hope that you will have time to read it.

In this letter I have endeavored to set forth the position of the fertilizer manufacturers as clearly as possible.

We are urging increased use of potash in our propaganda and advertising, but if the farmers will not buy it, the manufacturers can not be expected to buy it from the producers.

I feel very confident that if you will take this matter up with the Nebraska producers, they will prove to you that they are satisfied with the cooperation they are receiving from the fertilizer manufacturers throughout the country.

Yours, very truly,

W. D. HUNTINGTON, *President.*

Mr. SHAFROTH. Mr. President, I should like to state to the Senator from Nebraska that I have received several telegrams from persons relating to this matter apprehending that Mr. Hurley would endeavor to get the Alsace-Lorraine potash here. They are very much exercised over it, and it does seem to me it would be an injustice to permit that to be done.

Mr. HITCHCOCK. I will say that I have investigated the matter, and I have even used the cables for the purpose; and I feel absolutely warranted in saying that no potash can come into this country; that France is now levying upon all the potash in Alsace-Lorraine, and is selling it to agricultural interests and to the fertilizer interests of France in carload lots at rates that the Government has fixed, which are rather high rates for the present; that France will consume all that potash; and that the effort of the fertilizer companies to abstain from the purchase of American potash will prove a vain one; that they will be compelled to buy the American potash if they satisfy the agricultural needs.

I am aware that a meeting is to be held in New York next week for the purpose of attempting to arrange for securing potash from Alsace-Lorraine, and I simply want in this public way to renew the statement I made some two or three weeks ago on the floor of the Senate that it will be impossible to secure Alsace-Lorraine potash this year, and that all attempts and representations held out to the agricultural interests that it will come in here are delusive and will simply result in disappointment and perhaps in imposition.

Mr. PITTMAN. Mr. President, right in this connection I think it well to have a telegram read on this very subject as a part of my remarks. The telegram is addressed to the chairman of the Public Lands Committee, the Senator from Montana [Mr. MYERS]. It is a copy of the telegram.

The VICE PRESIDENT. It will be read.

The Secretary read as follows:

JANUARY 17, 1919.

War Trade Board declare trade open between Alsace and America, and Hurley proposes bring half a million tons of Alsatian potash in ballast in Government ships. Alsatian mines not damaged; can commence production immediately. American potash can not compete with low-priced potash at present. Reported that Interior Department recommends bill providing $10,000,000 national corporation to purchase domestic potash at fair profit to producers as a temporary measure for a period sufficient to allow producers to amortize plants and enable completion later without assistance. Consumers should be obliged to purchase all domestic potash at Government price before buying foreign potash. Please urge passage of this bill or some action by the Government to protect American producers. Over $10,000,000 has been invested in Pacific coast potash plants alone practically at the Government's request. Expect to reach Washington about February 5.

Mr. PITTMAN. Mr. President, I have been led to believe from a study of the potash question that this country requires about 500,000 tons of potash annually. This country in the past has produced only about 20,000 tons of potash annually. I am surprised at two statements of the Senator from Nebraska, one that 100,000 tons of potash are in storage, not being used, considering the demand, and the other that we are capable in any way of supplying the demands for this country of 500,000 tons. I do not understand when there is a demand for 500,000 tons how there can be 100,000 tons in storage.

Mr. HITCHCOCK. Undoubtedly this country, like the countries of Europe, during the war has been subjected to a sort of potash starvation, but the fact is absolutely as I have stated it to the Senate. Nearly 100,000 tons of potash have been produced and are now stored, and the fertilizer companies of the United States under what has seemed to be an agreement among themselves have refused even to bid upon it or to offer anything for it. It is very evident that Mr. Hurley's activities in France and his telegram to this country are more in the interest of the fertilizer companies than they are in behalf of the agricultural interests. I have not any doubt that Mr. Hurley has exerted himself to secure this potash, and the telegram which was sent over to this country was intended to fortify the fertilizer companies in their refusal to buy American potash, but I again aver that the American-made potash is the only potash which the fertilizer companies will be able to secure this year, and the simple reason is that France will require all the potash that Alsace-Lorraine can produce for this season.

Mr. PITTMAN. Mr. President, potash was selling at about from $35 to $40 a ton prior to the war. I should like to know if the Senator from Nebraska can tell us at what price this hundred thousand tons of potash is held?

Mr. HITCHCOCK. My impression is that potash has been selling at over $200 a ton. I will say that this potash was produced by the most expensive labor during the war. The plants have been built by purchasing machinery at two, three, and even four times the ordinary cost; the pipes that have been used have been purchased at an enormous price. Under Government stimulation labor has been paid two or three times the ordinary price in order to produce this potash for agricultural purposes in the United States.

Mr. PITTMAN. Mr. President, I am deeply interested in the production of potash, and I realize that the Government,

through its bureaus, has stimulated the production of potash at an enormous expense; but justice must be done in those particulars. I do not think, however, that the Senator from Nebraska [Mr. HITCHCOCK] is justified in intimating that Mr. Hurley has a deeper interest in the producers of fertilizers than he has in anything else in this matter. The additional price that fertilizer companies must pay for potash will be transferred to the consumer of potash. It is a very difficult thing for some farmers to pay from $200 to $300 a ton for potash in fertilizer form and use it at all.

Mr. KING. They can not afford to do so.

Mr. PITTMAN. If the farmers of this country who require potash can obtain it anywhere at from $30 to $40 a ton and 500,000 tons a year are needed and this country can only produce 100,000 tons a year, it is the duty of this Government to assist the farmers in obtaining that potash. I think it is wrong to surround this 100,000 tons of accumulated potash with a tariff wall, or an embargo wall, or anything else that requires the producers of the country to pay any price that the owners of that 100,000 tons of potash may demand. That is exactly what we are up against.

Mr. HITCHCOCK. Mr. President, I hope the Senator from Nevada has not understood me as either favoring a tariff or an embargo for that purpose. What I sought to say was that an attempt to represent to the American public that we were going to get potash from Alsace-Lorraine, when we are not going to get it, is not right. It has been absolutely demonstrated through governmental agencies that we are not to receive any potash from Alsace-Lorraine in time to be used for the present season, and I am making this public statement for the purpose of bringing pressure to bear on the fertilizer companies to act upon that information and not to attempt to delude the agricultural interests with the idea that they are going to get potash from Alsace-Lorraine, when they are not going to get it this season, and I know it. They are not going to get it because we put on an embargo or because we propose a tariff—for I propose neither—but they are not going to get it because France absolutely requires that potash. I am only speaking here in the interest of truth.

Mr. PITTMAN. I do not think there is any more serious thing facing the economic world to-day than the lack of potash for fertilizer. All who have given the question any study know that the crop production of this country has been materially affected by the lack of potash. The cotton crop in many places has been absolutely destroyed by the lack of potash. There is no other fertilizer that will take its place.

Mr. HITCHCOCK. The Senator from Nevada is entirely correct; and it was for that reason, while war was on and we could obtain no potash, that these governmental agencies of the country and the potash users urged the manufacturers of potash to invest their money. They did so invest their money; and in my State at the present time more than one-half the potash of the United States is produced by money which has been invested by 5,000 stockholders in Nebraska, who are likely to be ruined by this refusal of the fertilizer companies to purchase this great store of potash which has been accumulated. I feel that it is simply an attempt to delude the agricultural interests with the idea that we are going to get something from Europe which we are not going to get.

Mr. PITTMAN. Mr. President, there is no use of deluding the farmers of this country any more than there is a necessity of deluding the manufacturers of the country. The farmers of the country might as well know now definitely that they can not obtain the potash which they need from the home production of potash. The home production of potash in the United States to-day is not 10,000 tons a month, and the demand for potash for agricultural purposes alone before the war was 400,000 tons a year.

Mr. SMITH of Georgia. Mr. President, the Senator from Nevada gave a good deal of attention last year to the study of potash development in the West, and I am sure that at least one measure which he championed was with a view of opening up the development of potash. Has anything been accomplished in that line which the Senator could mention?

Mr. PITTMAN. Mr. President, there is a tremendous lake of potash in California. The deposit is so constituted that it may be worked very deeply. The testimony of experts is that it may be worked in competition with German potash. The bill to which the Senator from Georgia refers was passed by Congress long ago, but I regret to say that delays occurring elsewhere have prevented any material production of potash from that source. I am not discussing why potash has not been produced; but I tell you now that we are not producing 10,000 tons of potash per month in the United States, and that can not meet the demand for 400,000 tons per annum which exists.

Mr. HITCHCOCK. Mr. President, I do not doubt that the American production of potash at this time is not so large as the demand will be in the future, and I have said that the American potash is all the potash that is available. I am rather disposed to challenge the figures that we are not producing 10,000 tons of potash a month. My information is that the accumulation of the year 1918 in potash production is now 100,000 tons in addition to what has already been sold.

Mr. PITTMAN. Mr. President, I have the statement of Mr. Hurley himself. I have not attempted to check it, but under that the production of potash is not in excess of 10,000 tons of oxide of potash per month. I have every reason to believe that that is the fact. I know of no great production of potash in the United States. There are a few little potash lakes in Nebraska which are producing some potash, and we are getting from alunite some potash in Utah and other places, but it is a small production to meet the demands. What I am getting at is that, instead of Mr. Hurley being criticized for an effort to get Alsatian potash over here, the necessity of the case not only ought to be presented to Mr. Hurley but should also be presented to the French Government. The French Government and other European countries are depending very largely on this country for food, and that food supply is going to be materially reduced unless we can get a large quantity of potash now, without any delay whatever.

I desire to refer to another branch of this question. I do not know how many potash concerns have been induced to go into the business through representations of the Government, but I am satisfied that the one which produced the 100,000 tons did not go in because of representations by the Government, but went into the business when potash went to $315 a ton. I venture to say—and I do not think anyone will contradict me—that that institution started without any capital to speak of and has made a million dollars since that time. There are possibly some institutions which have been induced to start because of governmental representations, and the Government is indebted to them morally, if not legally, to a certain extent, not only in connection with the production of potash but of manganese and many other articles. It is the intention, however, as I understand, to take care of those concerns through the Bureau of Mines bill—to take care of them by settling the contracts, as the effort is being made to settle all war contracts; but 90 per cent, in my opinion, of the potash producers of to-day are not entitled to a cent from the Government.

So far as maintaining a production and supply of potash throughout the West is concerned, I agree with the Senator about that. It would be wise if we could stimulate production in this country so that we would have an adequate supply of potash in case of war, in case we were cut off from potash as we were cut off from potash during the late war; but I do not think that the way to do it is to stop the introduction of potash into this country at a time when it is impossible for this country to supply it, no matter what laws we may pass. I do not think it is right, either, to take any steps that will allow the 100,000 tons of stored potash to be sold at an absolutely unreasonable profit.

Mr. SHEPPARD. Mr. President, I call for the regular order.

RETENTION OF UNIFORMS.

Mr. CHAMBERLAIN. Mr. President, I should like to ask unanimous consent of the Senate for the immediate consideration of a bill that is of a good deal of importance to the young men who are being discharged from the Army. I refer to the bill allowing them to retain their uniforms. I do not think it will lead to discussion.

Mr. SMOOT. Can we not reach it on the calendar in regular order?

Mr. CHAMBERLAIN. If we are going to take up the calendar, I withdraw the request.

THE CALENDAR.

The VICE PRESIDENT. The calendar under Rule VIII is in order.

The first business on the calendar was the joint resolution (S. J. Res. 39) to appropriate $3,000,000 to enable the Secretary of Agriculture to prosecute the work of eradicating the southern cattle tick.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The joint resolution will be passed over.

The joint resolution (S. J. Res. 53) authorizing the President to appoint two additional Assistant Secretaries of Agriculture, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 1725) to stimulate the production of food upon private and public lands within reclamation projects, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 91) extending the authority of and provision for the committee appointed under Senate resolution 92, Sixty-third Congress, first session, to investigate the charges of alleged attempts to influence legislation was announced as next in order.

Mr. NELSON. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

EAST ST. LOUIS, ILL., RIOTS.

The concurrent resolution (S. Con. Res. 10) authorizing the appointment of a joint committee to investigate the causes of the recent riots in East St. Louis, Ill., and to report thereon, was announced as next in order.

Mr. SMOOT. Let that go over.

Mr. SHERMAN. Mr. President, I think the House has fully investigated the subject of these riots, and I believe the concurrent resolution ought to be indefinitely postponed.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the concurrent resolution will be indefinitely postponed.

WOMAN SUFFRAGE.

The joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States extending the right of suffrage to women was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

ELECTION OF PRESIDENT AND VICE PRESIDENT.

The joint resolution (S. J. Res. 12) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President without the intervention of the electoral college, establishing their term of office from the third Tuesday of January following their election, and fixing the time when the terms of Senators and Representatives shall begin was announced as next in order.

The VICE PRESIDENT. The joint resolution is adversely reported. The question is on its indefinite postponement.

The joint resolution was indefinitely postponed.

BILLS PASSED OVER.

The bill (S. 23) granting to the State of Nevada 7,000,000 acres of land in said State for the use and benefit of the public schools of Nevada and the State University of the State of Nevada was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 90) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 3311) to increase and expedite the supply of munitions of war was announced as next in order.

Mr. CHAMBERLAIN. I ask that that be passed over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1795) to relieve Congress from the adjudication of private claims against the Government was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 951) to provide for the sinking of artesian wells, and for other purposes, was announced as next in order.

Mr. SMOOT. Mr. President, the Senator from Wisconsin [Mr. LENROOT], I think, is interested in that bill. He is out of the Chamber, and therefore I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

RECLAMATION OF ARID AND SWAMP LANDS.

The bill (S. 758) to increase the productive agricultural area of the United States by the reclamation of arid and swamp lands was announced as next in order.

Mr. HITCHCOCK. Let that go over, Mr. President.

Mr. CHAMBERLAIN. Mr. President, does the Senator from Nebraska insist upon his objection?

Mr. HITCHCOCK. No; but I should like to hear an explanation of the bill.

Mr. CHAMBERLAIN. It is a bill that has been pending on the calendar for a long while and the passage of which has been recommended by the Secretary of the Interior. It is intended to aid in the reclamation not only of arid and semiarid lands but of swamp lands in the South as well. At a time when such an effort is being made to restore lands for settlement and cultivation by the young men who are returning from Europe, it seems to me very important that the bill should be considered and disposed of at this time.

Mr. KING. Mr. President, will the Senator yield?

Mr. CHAMBERLAIN. Certainly.

Mr. KING. In view of the fact that the Interior Department contemplates reporting at an early date, in harmony with the wishes of many Senators and Congressmen, a bill to make provision for the reclamation of the arid lands of the West and the reclamation of swamp lands, and a large appropriation—perhaps $100,000,000—to provide homes for returning soldiers and sailors, would it not be better to consider this bill in connection with that or to consider that measure in connection with this? In other words, will they not parallel if not duplicate each other in a measure?

Mr. CHAMBERLAIN. Mr. President, I do not think there is much danger of that. This bill has been on the calendar since November, 1917, if I mistake not. At least it has been on the calendar a great many months, and in the last analysis it does not take any money out of the Federal Treasury.

Mr. SMOOT. Mr. President, if this bill becomes a law, I do not think we will have any more money in our reclamation fund to go on with the reclamation projects of the West. This would be the last law on the subject, and if we undertake here to take $10,000,000 out of the reclamation fund we might just as well conclude now that there will be nothing from that fund to develop the projects that are under way in the West at the present time. I understand that comprehensive plans are under way, and will be reported to Congress in a very short time, for the reclamation of these swamp and arid lands; and I believe that a bill of this kind would simply be in conflict with those plans. The subject matter ought to be covered in a broad way. I am positive that that sort of legislation is under way in the Interior Department. I believe that it will meet the views of the Congress, and instead of having a piecemeal proposition it will be a complete system.

For that reason, Mr. President, I hope no action will be taken on this bill at this time.

Mr. CHAMBERLAIN. Mr. President, the Senator from Utah objected to the consideration of this bill before there was any suggestion of a comprehensive plan for the reclamation of arid and semiarid lands and the reclamation of swamp lands; so I think possibly the Senator has at heart some other objection than the one he is insisting upon.

Of course, I see a disposition upon the part of some of the Senators to object to this, Mr. President; but there are millions of acres of land to which attention has been called by the Secretary of the Interior in the Southern States, particularly in Louisiana and portions of Mississippi and along the Gulf of Mexico, that can be reclaimed just as well as not. The Southern States have never had any benefit from the reclamation fund, and have never asked it. Here is a proposition that does not ask for the appropriation by the Government of any funds whatsoever. I am not going to insist on it if Senators want to turn it down by an objection. I have not been very urgent about it in the past, but it seems to me that it ought to be taken up and disposed of; and I am going to read just a few lines from Secretary Lane's report on this bill. It will be found attached to the calendar number in the bound books that the Senators have on their desks. He says:

> The purpose and the plan worked out in the bill has my hearty indorsement. The bill provides for extending the reclamation of irrigable lands in the arid and semiarid regions, and will also provide for the drainage and reclamation of water-logged lands in the said regions, as well as drainage in other parts of the country. Under the plan proposed in the bill these results will be accomplished in all probability without drawing upon the public funds.

That is what I am calling attention to. The Senator suggests that if this bill is passed there will be no more money appropriated for the reclamation of arid lands in the West. I say that it will aid in the reclamation of arid and semiarid lands in the West.

Mr. KING. Mr. President, will the Senator yield?

Mr. CHAMBERLAIN. Yes; I yield.

Mr. KING. I ask the Senator if the statement which he has just made—namely, that if this bill passes it will draw upon the reclamation fund—would not result in taking funds which have been provided by Congress for the purpose of developing the arid lands of the West and placing them at the disposal of the Secretary of the Interior for disposition in the Southern States or upon private lands in other parts of the Union?

Mr. CHAMBERLAIN. But this provides for a fund to reimburse the moneys which are temporarily taken from the reclamation fund. Let me call the attention of the Senator to a further extract from Secretary Lane's report:

> There is little likelihood of default in the payment of the principal and interest on the district bonds upon which the certificates of indebtedness are based. This seems so for the reason that the works will be constructed by the United States and paid for by the beneficiaries at cost, and they will doubtless be able to meet the comparatively light charges, on account of the long-time bonds to be issued by the districts, and for these same reasons the investing public will have confidence in the feasibility and success of the plan, so that I feel reasonably sure that the certificates of indebtedness will be freely purchased by the public.

So that while money is temporarily drawn from the reclamation fund it is not a permanent withdrawal, and in my opinion it will have a more beneficial effect toward reclaiming lands *than* even the reclamation act itself. But if there is a disposition to object to it, to await some future plans of the Secretary of the Interior—and he has at no time intimated that he intends to present a plan that is in conflict with this—I am not going to insist on it in view of that feeling.

Mr. THOMAS. Mr. President, I am in very deep sympathy with the purposes sought to be effected by the enactment of this bill. I want to see something of the kind enacted at an early date; and if this measure did not embrace the proposition of diverting the reclamation fund, or part of it, from the purposes to which it was devoted by law, I would support it cheerfully, notwithstanding it calls for a large appropriation. But when the reclamation law was passed it was passed upon the express condition and understanding that the funds derived from the sale of public lands within these areas should be utilized for that purpose, and for that purpose only; and I do not think I overstate the situation when I say that but for that arrangement the reclamation act never could have commanded a majority in either House.

That fund is charged by law with a trust, and that trust was made a condition to the enactment of the bill. If, now, we legislate in such wise as to divert that fund even temporarily from the purposes to which it is devoted, I think it is to some extent bad faith exhibited and effected through subsequent legislation.

If the Senator will amend the bill so as to provide for obtaining the money necessary for this purpose from other sources, I will support it; but I do not feel at liberty, under the circumstances, to favor a measure which treats a fund charged with a trust in the manner that it is proposed to be treated here. Of course, in saying that, I am aware of the fact that the bill has the approval of the Secretary of the Interior, and that it is presented here by my friend, the Senator from Oregon, doubtless upon the assumption that this law, too, can be enacted only by utilizing the fund which it proposes to apply to the purposes of the bill.

Mr. WILLIAMS. Mr. President, I doubt whether anybody has sufficient ingenuity to discover why the United States Government ought, at the expense of the general taxpayers, to put water on land without admitting at the same time an equal right to take water off of land.

Mr. THOMAS. There is no doubt about that.

Mr. WILLIAMS. Now, if that be true—and the Senator from Colorado says there is no doubt about it—then it seems to me that this fund for the purpose of the reclamation of land, whether by putting water on it or by taking water off of it, whichever might be needed, ought to be a common fund in the interest of the entire people of the United States. It ought not to be a selfish, sectional fund, in the interest of one section. As far as I am personally concerned, I have always somewhat doubted the right to do either, and I think the Supreme Court of the United States virtually decided that the Government did not have a right to do either; but Congress has been doing it. It has been doing it every year. If you are going to run the plow with the right hand, there is no reason why you should not run it with both hands. The plow will be steadier, I am sure, in the furrow.

In Louisiana especially, in Arkansas to a little less degree, and in Mississippi to a yet somewhat less degree there are immense areas of lands of the highest fertility, equal to the very valley of the Nile itself——

Mr. CHAMBERLAIN. Mr. President, may I make a suggestion to the Senator? This bill is fairer in one respect than any other bill that we have had for the consideration of Congress, in that it provides for the organization of districts in overflowed and in semiarid regions, and the people themselves eventually pay the money.

Mr. WILLIAMS. Yes; and while that might be logically an objection to the bill, upon the ground that it does not put the man with too much water on the same footing with the man with too little water, it is still an argument practically in favor of the passage of the bill, because it costs the taxpayers less money in the long run. The real truth is that both of them ought to have been put upon the same footing at the very beginning. A man with too much water has just as much right to have it taken off at the general expense as the man with too little water has a right to have it put on at the general expense. I have always had my doubts whether the general expense ought to have borne either; but you have started out in that direction, and it has been going in that direction.

As the Senator from Oregon says, this bill goes a step or two beyond what justice and equity require, because it establishes a sort of revolving fund as to these lands that are going to be reclaimed by taking the water off of them, whereas all of us know that the so-called revolving fund for irrigated land is purely a matter of imagination.

Mr. THOMAS. It is the same fund.

Mr. WILLIAMS. I understand that; but that part of it which goes to reclamation by taking the water off will be paid back. That part of it which goes to reclamation by putting water on will never be paid back, as you and I both know.

Mr. THOMAS. I do not think either of them will be.

Mr. WILLIAMS. I think it will be because the bill undoubtedly fixes the machinery whereby it will be paid back.

The VICE PRESIDENT. Is there objection to the consideration of the bill.

Mr. TRAMMELL. Mr. President, I am very reluctant to oppose the passage of this measure at this time, but I am heartily in sympathy with the view expressed by some other Senators that the subject should be considered as a whole. We know from the history of the reclamation of the arid lands of the West that that particular section of the country has enjoyed exclusively the bounty of the Federal Government. Up to the present time there has not been a disposition to grant assistance to reclaim the swamp and overflowed lands, but at present there seems to be a ray of hope that the Government will deal justly and equally with all the lands throughout the country which require reclamation and that the overflowed lands will be included as well as the arid lands of the West.

Far be it from me, Mr. President, to object to the reclamation of the arid lands of the West, but I feel in justice that we should have a general measure which will include the swamp and overflowed lands. Take my own State. We have there a vast territory of approximately 4,000,000 acres of rich and productive land.

Mr. PITTMAN. Has the Senator any plan by which the Government could develop State lands? I assume that, being swamp lands, they are nearly all State lands now.

Mr. TRAMMELL. Of the swamp lands, possibly 40 per cent are State lands.

Mr. PITTMAN. There is no plan by which the Government can develop State lands.

Mr. TRAMMELL. There is no plan now, but we might work out a plan. The swamp and overflowed lands of the State are, in a large measure, in a particular territory known as the Everglades of Florida. The State government owns about one and one-half million acres of the land in that territory and private individuals own two and one-half million acres. That is about the way in which the ownership is divided at the present time.

Mr. THOMAS. May I ask the Senator if the private ownership is not due to arrangements and contracts between the Government and the owners for the drainage and reclamation of the lands?

Mr. TRAMMELL. We have never had any arrangements of that kind up to the present time.

Mr. THOMAS. I had some clients in the Senator's State some years ago, who had purchased a very large tract of land from the State, and the contract provided that the consideration for the land should be used by the State authorities for the purpose of drainage.

Mr. TRAMMELL. That statement is correct with regard to some of the sales in the early inception of the reclamation project in Florida upon what is known as the Everglades territory. The land board having charge of State lands did agree that the proceeds from certain land sales should be used for the purpose of drainage and reclamation, and that has been done. We have there a vast territory of about 4,000,000 acres of land, which is in process of reclamation at the present time, and there is no more productive or valuable land in the United States when once reclaimed. The Everglades of Florida, the immense drainage district of which I am speaking, is not a swamp, as is commonly supposed throughout the country.

In my boyhood in studying geography I formed the impression that it was an impenetrable swamp, where you could scarcely make your way through the jungle; but later on, when the reclamation project was agitated and we became better informed in Florida, we found that, instead of its being a swamp, this 4,000,000 acres of land is a vast open territory resembling very largely a water-covered prairie, and instead of being swamp land, requiring enormous expense for clearing, we have there an open territory where if you once take the water off the land you can prepare it for cultivation for the small sum of from three to six or eight dollars per acre, depending more or less upon the location.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. TRAMMELL. Certainly.

Mr. KING. Is the title to the land the Senator is now describing in the State or in the Federal Government?

Mr. TRAMMELL. About 1,500,000 acres of it belong to the State and about 2,500,000 acres belong to private individuals.

Mr. SMITH of Arizona. It belongs either to the State or to private individuals?

Mr. TRAMMELL. Yes.

Mr. KING. Will the Senator indicate what warrant there is for the utilization of the taxes collected for Federal purposes for the reclamation of private lands and lands owned by the State of Florida?

Mr. TRAMMELL. You have the property as security, just as you have when the Federal Government contributes funds for the reclamation of arid lands.

Mr. KING. If the Senator will pardon me——

Mr. TRAMMELL. You have the land as security.

Mr. KING. The arid lands of the West that have been reclaimed belong to the Government of the United States, and the only way by which the land could be sold—and that was the theory upon which the legislation was warranted, as I understand it—was to develop those lands; that is to say, put water on them. The lands were absolutely valueless unless there was water for their irrigation, and the Government, in order to sell the land as well as to furnish homes for citizens who desired homes, made an appropriation in the shape of a revolving fund which has been utilized for the construction of reservoirs and irrigation systems in order to irrigate the land. It is clear that there is a distinction between lands owned by the Government itself and lands owned by States and by private individuals. Speaking for myself, I see no authority whatever on the part of the Federal Government to take money out of the Treasury to develop private lands.

Mr. WILLIAMS. Will the Senator pardon an interruption there?

Mr. KING. Yes.

Mr. WILLIAMS. Unfortunately for his logic, the facts do not accord with his statement. The State of Texas, for example, has received its share of moneys to develop arid lands, and the State of Texas owned every acre; the Federal Government owned none of it.

Mr. KING. I think the Senator is in error. The State of Texas has not received a single dollar, and my advices are that no State has received any money, but the money has been expended for the purpose of reclaiming the lands belonging to the Government of the United States.

Mr. WILLIAMS. I am relying merely on my memory, but if in the House of Representatives some 15 years ago an amendment did not go on one of the irrigation bills to include Texas, then I am very much mistaken.

Mr. SMITH of Arizona. The Senator is mistaken.

Mr. THOMAS. It went on there, but it never became a law.

The VICE PRESIDENT. The Senator from Florida has had 5 minutes, and the debate has taken 10. The question is, Are you going to send the bill over?

Mr. SMITH of Arizona. I object, if that will end the debate.

Mr. THOMAS. I shall object.

The VICE PRESIDENT. Objection is made, and the bill goes over. This is Calendar Monday, and it was supposed to be for the purpose of disposing of the calendar, not engaging in general discussion.

BILLS PASSED OVER.

The next business on the calendar was the joint resolution (S. J. Res. 132) to amend section 14 of the food-control act by increasing the guaranteed minimum price of wheat for the crop of 1918 from $2 to $2.50 a bushel.

Mr. KING. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 4185) to require the Commissioner of Education to devise methods and promote plans for the elimination of adult illiteracy in the United States was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 3899) to repeal the sixth section of an act approved July 12, 1882, entitled "An act to enable national banking associations to extend their corporate existence, and for other purposes," was announced as next in order.

Mr. SMOOT and Mr. KING. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (H. R. 10691) to amend section 5200 of the Revised Statutes as amended was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 3893) to amend and reenact section 5239, Revised Statutes of the United States, was announced as next in order.

Mr. SMOOT. I ask that this and all the bills down to and including Order of Business 345, Senate bill 3904, be passed over.

The VICE PRESIDENT. They will be passed over.

The next business on the calendar was Senate resolution 229, to request the Committee on Foreign Relations, to which was referred Senate joint resolution 145, to give said resolution early consideration and report to the Senate thereon.

Mr. PITTMAN. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 3907) to provide for the consolidation of national banking associations was announced as next in order.

Mr. SMOOT. Let that go over, and also the next order of business, Senate bill 4426.

The VICE PRESIDENT. The bills will be passed over.

PINEY BRANCH ROAD.

The bill (S. 3172) to provide for the abandonment of Piney Branch Road, between Allison Street and Buchanan Street NW., in the District of Columbia, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment, in line 5, after the word "Street," to insert the words "for traffic," so as to make the bill read:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed, upon the opening of Buchanan Street for traffic between Piney Branch Road and Sixteenth Street NW., in the District of Columbia, to abandon as a public highway that part of Piney Branch Road lying between the north line of Allison Street and the south line of Buchanan Street, and the title to the land contained in said abandoned part of road shall revert to the owners of the land abutting thereon.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The VICE PRESIDENT. The Committee on the District of Columbia report to strike out the preamble. Without objection, the preamble will be stricken out.

PUBLIC AND NATIONAL FOREST LANDS IN ARIZONA.

The bill (S. 3914) authorizing a right of way for the transportation of water for improvement of grazing and development of the live-stock industry upon public and national forest lands in Arizona was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands, with amendments.

The first amendment was, in section 1, page 1, line 5, after the word "firm," to strike out the word "person" and insert "citizen"; in the same line, after "association," to insert "of citizens"; and in the same line after the word "corporation," to insert "of the United States"; on page 2, line 10, after the word "*Provided*," to strike out "That said approval of the Secretary of the Interior shall be given within or through any national forest only upon such conditions and stipulations as the Secretary of Agriculture may require," and insert "That said approval of the Secretary of the Interior shall not be given within or through any national forest, except with the approval of the Secretary of Agriculture and under such conditions and stipulations as the latter may require for the fullest utilization and proper administration of the national forest, and such approval may be withheld whenever, in the opinion of the Secretary of Agriculture, it would not be to the best interests of the national forests," so as to make the section read:

That, subject to the approval of the Secretary of the Interior, as hereinafter provided, there are hereby granted to any firm, citizen, association of citizens, or corporation of the United States engaged in the live-stock industry in the State of Arizona, easements and rights of way in and over national forests, public lands, and reservations of the United States, surveyed or unsurveyed, in said State of Arizona for reservoirs, canals, pipe lines, flumes, tunnels, or other water conduits and waterworks and appurtenances, for the purpose of furnishing water to live stock and for other beneficial purposes connected with the live-stock industry. Upon the filing by the grantee of maps and other pertinent data showing the location and character of such easements and rights of way, and the approval thereof by the said Secretary, all lands, whether surveyed or unsurveyed, in or over which such ease-

ments and rights of way shall extend, shall be disposed of subject to such easements and rights of way: *Provided*, That said approval of the Secretary of the Interior shall not be given within or through any national forest except with the approval of the Secretary of Agriculture and under such conditions and stipulations as the latter may require for the fullest utilization and proper administration, etc.

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 24, after the word "after," to insert "a date to be fixed by the Secretary of the Interior and not exceeding"; and on page 3, line 1, after the word "of," to strike out "this act" and insert "approval of the Secretary of the Interior," so as to make the section read:

SEC. 2. That the grant herein authorized shall be upon the express condition that from and after a date to be fixed by the Secretary of the Interior and not exceeding 50 years from the date of approval of the Secretary of the Interior the United States shall have the right to take over the easements and rights of way herein granted and any other property of grantees dependent in whole or in part for its usefulness upon such easements and rights of way, and upon condition that it shall pay, before taking possession, the reasonable value of all property taken over, including structures and fixtures acquired, erected, or placed upon the lands and included in the water plant, such reasonable value to be determined by the Secretary of the Interior: *Provided*, That such reasonable value shall not include or be construed to mean or be affected by the value of the franchise, good will, or profits to be earned on pending contracts or any other intangible element.

The amendment was agreed to.

The next amendment was to strike out, in section 3, the following words:

That if any grantee shall fail to construct such reservoirs and water conduits within five years from and after the date of this act, or thereafter shall fail to utilize and maintain the same for any continuous period of five years, the grant may be forfeited by appropriate proceedings in the United States district court for the district in which such property or some part thereof is attached.

And to insert:

That all or any part of such rights of way shall be forfeited and annulled by the Secretary of the Interior upon proper finding by the head of the department having jurisdiction over the land, of failure to complete construction within five years, or for nonuse for a period of two years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ETHEL PROCTOR.

The bill (S. 3258) for the relief of Ethel Proctor was announced as next in order.

Mr. KING. I see that the Senator from Michigan [Mr. SMITH] is here. Before consenting to the consideration of the bill I should like to hear an explanation of it.

Mr. SMITH of Michigan. The truth is that the committee, after reducing the bill more than one-half, concluded to vote to the widow of Mr. Proctor, who was one of the early sanitary engineers of the Panama Canal, the sum of $2,100. Mr. Proctor, according to the chief of the sanitary experts down there, from 1912 up to the time of his death was a very efficient man. In the streams and marshes, and so forth, he was really a martyr to that work, and his life was given to his country in that service.

Mr. THOMAS. Will the Senator from Michigan yield?

Mr. SMITH of Michigan. Yes.

Mr. THOMAS. I am opposed, as the Senator knows, to the granting of pensions except in meritorious cases. I have read the report accompanying the bill, and I think it is one of the most meritorious instances that has ever come before the Senate.

Mr. SMITH of Michigan. I am obliged to the Senator. I do not think I need say anything more about it. It is an exceptionally meritorious case.

Mr. SMOOT. I have no doubt that the reduction of the amount asked, from $5,000 to $2,100, is in conformity with the rule of the Senate, and not only the rule of the Senate but the law that a year's salary shall be paid to one dying while in the employ of the Government in the Canal Zone. I suppose Mr. Proctor received $2,100 a year when he was working on the Canal Zone.

Mr. SMITH of Michigan. The Senator is correct.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment, on line 7, to strike out "$5,000" and insert "$2,100," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Ethel Proctor, widow of Almon R. Proctor, the sum of $2,100 to compensate her for the death of her husband on June 26, 1912, due to malarial poisoning contracted while in the discharge of his duty as sanitary inspector on the Panama Canal in the employ of the Isthmian Canal Commission.

The amendment was agreed to.

The bill was reported to the Senate, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 3260) to remove the charge of desertion from the record of Wilbur F. Lawton was next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 4459) to amend an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, was announced as next in order.

Mr. CHAMBERLAIN. That may go over temporarily.

The VICE PRESIDENT. It will go over.

Senate resolution 249, to print the article entitled "The Electoral College and Presidential Suffrage" as a Senate document, was announced as next in order.

Mr. FLETCHER. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 2923) for the relief of the Philippine Scouts was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 4221) for the relief of private owners of lands within or near the Bitterroot National Forest, Mont., was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

WAR COLLEGE LIBRARY.

The bill (S. 4366) to amend section 5 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes," approved June 23, 1913 (38 Stats. L., p. 475), was announced as next in order.

Mr. SMOOT. I notice that there is no report filed with this bill. If there is no one very deeply interested in it, I should like to have it go over until I can get the report.

Mr. FLETCHER. The Senator will find a report with the bill.

Mr. SMOOT. I will say to the Senator that on my calendar there is no report filed with the bill. I ask the Secretary if there is a report accompanying the bill?

The SECRETARY. Report No. 481.

Mr. SMOOT. Let the bill go over.

The VICE PRESIDENT. The bill will go over.

Mr. FLETCHER. Mr. President, with the permission of the Senate, before we pass from the consideration of Senate bill 4366, I desire to say it seems that the War College is one of the depository libraries, and that it is getting a vast amount of documents with no place to put them. This legislation is simply to relieve them of that burden and allow them to transfer the documents. The War Department states:

It would seem that the librarian should be authorized by act of Congress to return such public documents to the superintendent of documents as do not fall within the scope of the collection of the library.

This measure is to enable these libraries to get rid of a lot of stuff which they can not use.

Mr. SMOOT. I was wondering whether or not "the stuff" which it is proposed to authorize them to return is worth the postage which will be required to carry it from where it is to-day back to Washington.

Mr. FLETCHER. This applies to the War College right here in Washington, as I take it.

Mr. SMOOT. It is at the War College?

Mr. FLETCHER. Yes; it is at the War College.

Mr. SMOOT. The only addition there is in reference to the librarian.

Mr. FLETCHER. Well, it will not hurt for the bill to go over, anyway, and I will get a copy of the report.

JOHN H. ARMSTRONG.

The bill (S. 3269) to remove the charge of desertion from the military record of John H. Armstrong was announced as next in order.

Mr. THOMAS. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

ADDITIONAL PROBATION OFFICER FOR THE DISTRICT.

The bill (H. R. 10891) to amend and reenact an act for the establishment of a probation system for the District of Columbia was announced as next in order.

Mr. KING. Let that bill go over, Mr. President.

Mr. POMERENE. I hope the Senator from Utah will withdraw his objection for a moment.

Mr. KING. I will withhold the objection for a moment.

Mr. POMERENE. The chairman of the Committee on the District of Columbia [Mr. SMITH of Maryland] has sent word to me that he is very anxious to have this bill passed. I may say, in explanation of it, that the only respect in which it proposes to change the present law is that in the police court of the District the probation work has become so extensive that they need an additional assistant probation officer and also a stenographer and typewriter. This bill provides for two assistant probation officers instead of one, as heretofore, at a salary of $1,200, and for a stenographer at a salary of $1,200. I think from what I have learned that the legislation is very much needed.

Mr. KING. I should like to ask the Senator from Ohio what number of employees now has the probation department of the police court?

Mr. POMERENE. I am not able to answer that; but allow me to say, as shedding some light upon the matter, that I am advised that there are a number of public-spirited women in the District of Columbia who are now voluntarily acting without compensation as probation officers. The work, however, has become so extended that they are not able to attend to it, and they are asking for this legislation.

Mr. KING. Mr. President, I shall not object to the consideration of the bill, but I should like to know the personnel of this bureau or agency of the municipality. There is a disposition to increase the number of officers in all departments and bureaus and agencies of the Government, and it will always be found that those who are filling these positions find some excuse or pretext for an augmentation of salaries and an increase in the number to be added to the department or agency of the municipality.

Mr. POMERENE. I realize the tendency in that direction, but I think we all agree that here in the city of Washington there has been a very large increase in population during the last year or two. I think that reason, if no other, would to some extent explain the need for additional officers.

Mr. SMOOT. The only reason for the additional help proposed to be provided by this bill is that there is a great increase in the population of the District at the present time?

Mr. POMERENE. I think that that is the reason for it; yes.

Mr. SMOOT. I thought, of course, that that was the reason for it. It seems to me when normal conditions return here we ought to go back to the number of officers we have to-day. There is nothing, however, in this bill proposing to limit the appointment of these officials.

Mr. POMERENE. Mr. President, there is force in the Senator's suggestion, but allow me to say that if it develops later on that this additional assistant is not needed we can change the law, and I shall certainly be very glad to have it changed if later it is found that it is not necessary.

Mr. SMOOT. Mr. President, I simply want to say that I am not going to object to the consideration of the bill, but to get a person off the statutory roll is something that very seldom ever happens in the history of the United States. I am afraid if they go on the roll they will remain there forever and ever hereafter.

Mr. KING. I shall ask leave to amend the bill by making it expire by limitation in one year. I will not consent to the consideration of the bill unless it shall be agreed that that amendment shall be made to it.

Mr. POMERENE. I have not sufficient information at hand to even suggest to the Senator from Utah that this legislation should be continued, but if what he suggests is an objection I shall accept the amendment for the present with that understanding. I think I ought to say that I understand that the House committee went into this subject very fully, and if the amendment does not meet their approval the matter can be worked out in conference.

Mr. KING. But with the information furnished us I should not feel like making this a permanent addition to the personnel of that agency. I shall, therefore, ask that the bill be amended limiting its operation to one year.

Mr. POMERENE. Will the Senator from Utah suggest where such an amendment should be inserted?

Mr. KING. I have not a copy of the bill before me.

Mr. FLETCHER. It appears, Mr. President, from the report on the bill that at present the paid official personnel consists of one probation officer and one assistant probation officer. So it seems as if they need this assistant permanently. I do not very well see how they can perform all the duties which devolve upon them. I shall not object to the amendment, however, but I am inclined to think that this provision should be made permanent.

Mr. KING. The bill is so intertwined with the existing statute that it is very difficult to amend it. I suggest to the Senator that he allow the bill to be passed over to give me an opportunity to examine it and prepare the necessary amendment.

Mr. POMERENE. And we can take it up a little later?

Mr. KING. Yes. I ask that the bill go over.

Mr. POMERENE. I can give the Senator a little information which I find in the report as to the amount of business transacted. The judges of the police court of the District of Columbia, under date of March 21, 1918, sent a letter to the chairman of the District Committee of the House, in which they say, among other things:

> Last year the police court collected in fines the sum of $165,554.83. There were 35,645 persons arrested and charged with offenses in court; 18,461 paid fines and 7,559 were committed to jail in default of the payment of fines. There were 9,612 cases of public intoxication, 6,276 being white persons and 3,336 colored.
> The court released on probation 1,927 persons.

That is quite a little army for one probation officer and his assistant to look after. I am willing, however, that the bill shall be passed over temporarily.

Mr. FLETCHER. May I suggest that in line 9, page 2, if the Senator from Utah desires to insist upon the amendment of the bill, that it be amended by inserting, after the words "per annum," the words "for one year," so that it would read: "and one stenographer and typist at a salary of $1,200 per annum for one year"?

Mr. KING. I accept the suggestion of the Senator from Florida as the amendment to be offered.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, line 9, after the words "per annum," it is proposed to insert the words "for one year," so as to read:

> One stenographer and typist at a salary of $1,200 per annum for one year.

Mr. POMERENE. Then another amendment should be made before that with reference to the two assistant probation officers at a salary of $1,200 each. Did the Senator from Florida suggest an amendment there?

Mr. FLETCHER. I did not notice that.

Mr. KING. I think perhaps it will be better to adhere to my suggestion and pass the bill over for the present.

Mr. POMERENE. Very well; and I will call it up later.

The VICE PRESIDENT. The bill will be passed over.

BILL PASSED OVER.

The bill (S. 3379) to authorize the Secretary of the Interior to exchange public coal lands for private coal lands in certain cases was announced as next in order.

Mr. SMOOT. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

HIGHWAY TO NATIONAL MONUMENTS.

The bill (S. 4439) to provide for the survey of a national highway connecting certain national monuments in the States of Utah, Arizona, and New Mexico was considered as in Committee of the Whole. It directs the Secretary of Agriculture to survey and examine a feasible route or routes for a national highway which shall connect the Mukuntweap National Monument, the Grand Canyon National Monument, the Mesa Verde National Park, the Rainbow Bridge National Monument, and the Natural Bridges National Monument, in the States of Utah, Arizona, and New Mexico, and provides that upon completion of the survey the Secretary of Agriculture shall make a report on the subject to the Congress. And to carry out the provisions of the bill there is appropriated the sum of $20,000, or as much thereof as may be necessary.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SCHOOL LANDS IN OREGON.

The bill (S. 2494) to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national forest land was considered as in Committee of the Whole. It authorizes the State of Oregon to select, with the approval of the Secretary of Agriculture, a compact body of not to exceed 40,000 acres of unappropriated nonmineral land within townships 10 and 11 south, ranges 5 and 6 east, Willamette meridian, in the Santiam National Forest, Oreg., to be maintained as a State forest, to secure its highest permanent usefulness to the State of Oregon, and particularly to the common schools to which its resources are devoted, and to State forestry demonstration and education, and authorizes the Secretary of the Interior to grant and convey the selection to the State of Oregon for the purposes hereinbefore mentioned. In exchange for the selected lands the State shall reconvey and relinquish to the United States a good and sufficient title to an approximately equal area

of unencumbered sections 16 and 36, or parts thereof, of substantial forest values satisfactory to the Secretary of Agriculture, within the national forests of Oregon, granted to said State, or indemnity rights within such national forests to which the State is entitled therefor, and the lands reconveyed and relinquished as base lands shall immediately become parts of the national forest in which they are situated. The lands conveyed to the State shall be at all times subject to use by the United States for the construction, maintenance, and operation of roads, trails, telephone or telegraph lines needed in the administration of the contiguous national forest areas.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RETENTION OF UNIFORMS.

Mr. CHAMBERLAIN. Mr. President, I hope Senators will allow the Senate to take up at this time the bill with reference to the retention by discharged soldiers of their uniforms. I ask unanimous consent for the immediate consideration of the bill (H. R. 13366) permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions.

Mr. President, the reason for asking for the immediate consideration of this bill is that these young men are going home now with the understanding that they will have to surrender their uniforms.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. POINDEXTER. Mr. President, I should like to ask the Senator from Oregon what is the status of the legislation which has been suggested for the payment of a month's salary to the soldiers as they are discharged?

Mr. CHAMBERLAIN. Mr. President, I was going to suggest as an amendment to this bill the amendment which was embodied in the revenue bill, which, I understand, is the amendment to which the Senator from Washington refers.

Mr. POINDEXTER. I was going to suggest that amendment, but I will be very glad if the Senator will suggest it. It struck me as being an opportunity to get some action upon that matter in circumstances which are more or less aggravated.

Mr. CHAMBERLAIN. The amendment which was attached to the revenue bill was as follows:

That all officers and enlisted personnel of the Army, Navy, and Marine Corps, serving the United States in the war against Germany, who have been honorably discharged from the service since November 11, 1918, or who may hereafter be honorably discharged, shall be paid one month's salary in addition to the regular pay heretofore authorized.

Mr. FLETCHER. That amendment is in conference now, and I do not see anything to be gained by putting it on this bill. This is a House bill, and I wish we might pass it just exactly as it is so as to conclude the subject matter of this bill. I do not think we would make much headway by putting an amendment on this bill and having it go to conference. The revenue bill will undoubtedly pass eventually, and I do not believe there is any objection to the amendment referred to by the Senator from Oregon remaining on that bill.

Mr. SMOOT. Mr. President, I will say to the Senator that I have not any doubt the conferees on the revenue bill will agree to the amendment to that bill to which reference has been made. That being the case, I doubt the wisdom of putting another amendment to the same effect upon this bill at this time.

Mr. KING. If the amendment be added to this bill, it will send the bill to conference.

Mr. POINDEXTER. Mr. President, probably the suggestion of the Senator from Florida is a wise one, in view of the statement that this legislation will probably be agreed to by the conferees on the revenue bill; but I should like to say a word, to the effect that an important feature of this proposition is the need for prompt action. The need for this relief is now greater than it will be at any other time. The soldiers are being very rapidly discharged. Some soldiers can take care of themselves under any circumstances, and we hear no complaint from them; but soldiers come from the body of the people and represent all the varying types and conditions of men, and a great many of them, through causes sometimes over which they have no control whatever, and sometimes through the fault of the War Department in failing to pay them their salaries, in some cases salaries being delinquent for five or six months, are discharged from the Army with no funds whatever, and furnished the bare means of transportation back to some point which frequently is not their home. I know of cases where young men who had lived on the Pacific coast were sent back to Chicago because they happened to be enlisted in Chicago, 1,500 miles from home, without any money. That is discreditable to the Government, and it ought to be remedied as soon as possible.

Mr. JONES of Washington. Mr. President, I understand that unanimous consent has been given to have the bill considered. Is that correct?

The VICE PRESIDENT. There was no objection to the consideration of the bill.

Mr. JONES of Washington. I desire to offer an amendment in the nature of an additional section.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add at the end of the bill a new section, as follows:

SEC. 4. That section 126 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," be amended to read as follows:

"SEC. 126. That an enlisted man discharged from the Army, Navy, or Marine Corps service, except by way of punishment for an offense, shall receive 5 cents per mile from the place of his discharge to his actual bona fide home or residence, or original muster into the service, at his option: *Provided*, That for sea travel on discharge, transportation and subsistence only shall be furnished to enlisted men."

Mr. SMOOT. Mr. President, I should like to ask the Senator if that is not the practice to-day?

Mr. JONES of Washington. No; not quite. The law to-day is to pay three and a half cents a mile to men discharged from the Army, and 4 cents a mile to those discharged from the Navy. I think, however, this is paid only to the place of their muster in. They do not have the option of going to their homes, as suggested by my colleague a moment ago. It meets that situation.

Mr. POINDEXTER. Mr. President, my colleague is entirely correct in that statement, as I have it from the War Department authoritatively.

Mr. SHEPPARD. I know of some Texas soldiers who were ordered to San Francisco to be mustered out, when they could have been mustered out in Texas and would have preferred to have had that done.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Washington.

The amendment was agreed to.

Mr. CHAMBERLAIN. Mr. President, I am going to offer the amendment that was attached to the revenue bill. I have no desire to claim the authorship of the amendment which was added to that bill. I think it was proposed by the Senator from Florida [Mr. TRAMMELL], and he is entitled to any credit there may be for it; but I suggest it as an amendment to this bill, first, because I think it will hasten its enactment, and, second, because I think it is a very bad plan to put a lot of military legislation in revenue bills and in appropriation bills.

Mr. SMOOT. As long as this bill now has to go to conference anyhow, I see no particular objection.

Mr. CHAMBERLAIN. There have been amendments attached as riders to appropriation bills seriously affecting the Army, some of which I might call attention to, but I am not going to do it now, and some of which would not have been made permanent statutes except for the fact that they went in as riders to appropriation bills. I think the proper place to have this amendment is in the present bill. I therefore offer it as an amendment.

The VICE PRESIDENT. The amendment offered by the Senator from Oregon will be read.

The SECRETARY. Add as a new section the following:

SEC. —. That all officers and enlisted personnel of the Army, Navy, and Marine Corps serving the United States in the war against Germany who have been honorably discharged from the service since November 11, 1918, or who may hereafter be honorably discharged shall be paid one month's salary in addition to the regular pay heretofore authorized.

Mr. TRAMMELL. Mr. President, I should like to see the amendment adopted that has been offered by the Senator from Oregon. I feel confident that it can not delay the matter. It will probably expedite the enactment into law of this provision, and will give relief to the soldiers at a time when a great many of them are sorely in need of it.

I hope, as I say, that the amendment will be adopted.

Mr. JONES of Washington. The only question I have about it is that I should like to see a little bit more than 30 days' pay given; but it might delay and endanger the passage of this bill, and so I shall not offer that amendment. What I fear, however, is that when we adopt the 30 days' provision we will never give any additional pay. I doubt if 30 days' pay is enough.

The VICE PRESIDENT. The question is on the amendment of the Senator from Oregon.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ENLISTMENT IN REGULAR ARMY.

Mr. CHAMBERLAIN. Mr. President, there is one other bill on the calendar that is of a good deal of importance to the Military Establishment at this time, and I ask unanimous consent that it may be considered. It is Senate bill 5279, to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes. It is to remove restrictions against voluntary enlistments, which were practically abolished by the act of May 18, 1917.

The VICE PRESIDENT. The Senator from Oregon asks unanimous consent for the present consideration of a bill the title of which will be stated by the Secretary.

The SECRETARY. A bill (S. 5279) to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill which was read, as follows:

Be it enacted, etc., That so much of sections 7 and 14 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, as impose restrictions upon enlistments in the Regular Army, are herewith repealed in so far as they apply to enlistments and reenlistments in the Regular Army after the date of approval of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. HITCHCOCK. I ask unanimous consent for the present consideration of Senate bill 5236, to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with amendments.

The VICE PRESIDENT. The bill has been read. The amendments of the committee will be stated.

The first amendment was, on page 2, after line 9, strike out:

SEC. 2. That that part of section 10 of the Federal reserve act which reads as follows: "The members of said board, the Secretary of the Treasury, the Assistant Secretaries of the Treasury, and the Comptroller of the Currency shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank," be amended to read as follows:

"The Secretary of the Treasury, the Assistant Secretaries of the Treasury, and the Comptroller of the Currency shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank. The members of the Federal Reserve Board shall be ineligible during the time they are in office or during the term for which they were appointed to hold any office, position, or employment in any member bank."

The amendment was agreed to.

The next amendment was, on page 3, line 3, to change the number of the section from "3" to "2."

The amendment was agreed to.

The next amendment was, on page 3, line 9, after the word "power," to insert "from time to time by general ruling covering all districts alike," so as to read:

SEC. 2. That section 11 of the Federal reserve act as amended by the act of September 7, 1916, be further amended by striking out the whole of subsection (m) and by substituting therefor a subsection to read as follows:

"(m) Upon the affirmative vote of not less than five of its members the Federal Reserve Board shall have power from time to time by general ruling covering all districts alike to permit Federal reserve banks to discount for any member bank notes, drafts, or bills of exchange bearing the signature or indorsement of any one borrower in excess of the amount permitted by section 9 and section 13 of this act, but in no case to exceed 20 per cent of the member bank's capital and surplus.

The amendment was agreed to.

The next amendment was, on page 3, line 20, after the words "United States," to strike out "issued since April 24, 1917," so as to read:

Provided, however, That all such notes, drafts, or bills of exchange discounted for any member bank in excess of the amount permitted under such sections shall be secured by not less than a like face amount of bonds of the United States or certificates of indebtedness of the United States.

Mr. HITCHCOCK. Mr. President, I ought to say that the committee, at a subsequent conference, regretted the adoption of that amendment which struck out the words "issued since April 24, 1917," but it was not in position to take any formal action on the matter. I should like to have that amendment submitted for a vote of the Senate.

The inclusion of the words "issued since April 24, 1917," means that the privilege of using United States bonds as security for this purpose is limited to liberty bonds issued since we went into the war; and it was intended by the Federal Reserve Board to limit them to the use of those bonds for two reasons:

First, the 2 per cent bonds are not available. They are generally held by banks. Secondly, most of the liberty bonds are now selling at a considerable discount—94, 93, or something like that—and by making them desirable for purposes of security it was thought that the demand for them might be strengthened. Therefore the Federal Reserve Board desired to mention them specifically here by limiting the use of bonds for security purposes to liberty bonds.

I do not feel authorized to move to strike out that amendment, but I regret that the committee took that action. It was done rather hastily.

Mr. SHAFROTH. Mr. President, I hope that amendment of the committee will not be agreed to. The explanation which the Senator from Nebraska has given shows that the object of this section is to make a special demand for the new liberty loan issue that is to be made in April; and by reason of that fact, by limiting the right here to the bonds that are issued after April 24, it gives that right. The Secretary of the Treasury and also Gov. Harding, of the Federal reserve bank, both assert that the very object and purpose is to make this aid and assist in floating the new liberty loan; and I will state that I propose to offer an amendment, following this, which will limit the provisions of the section to December 31, 1919.

Mr. POMERENE. Mr. President, to what section is that offered?

Mr. SHAFROTH. The amendment which I am going to propose?

Mr. POMERENE. Yes.

Mr. SHAFROTH. It is to come in at the end of line 22 on page 3. They do not want to make the provisions of this bill applicable for all time. It is not a permanent matter; but they do want these bonds that can be hypothecated for the purpose of acting as security limited to the bonds issued after the beginning of the war, and they want the provisions of the act confined to the date of December 31, 1919.

Mr. HITCHCOCK. Mr. President, in order to get this matter before the Senate, I ask that the committee amendment may be submitted to a vote.

Mr. POMERENE. Mr. President, if I had been in the Chamber when this bill was called up I should have objected to its consideration at this time. I can not get the consent of my judgment to the increase to 20 per cent. I think it is vicious banking; and I say that with all due respect to the very eminent gentlemen who are members of this committee and favor it, as well as with all due respect to the Federal Reserve Board. I think it is wrong.

Mr. SHAFROTH. Mr. President, does the Senator refer to the fact of increasing the amount which can be discounted to 20 per cent instead of 10 per cent?

Mr. POMERENE. That is the fact to which I refer.

Mr. SHAFROTH. Does the Senator understand that a national bank already has power to lend money to the extent of 20 per cent?

Mr. POMERENE. Oh, yes, Mr. President. We had that matter up before the Senate some time ago, and I objected very strenuously to it at that time; and that is not in the law because of my support of it. I think we did the wrong thing then, and I do not propose by any vote of mine to extend that wrong any further. These bonds can be marketed if it is desirable; and it is not necessary to load up these banks with all of those securities, thereby increasing the amount of the indebtedness of a given member bank to the Federal reserve bank.

The argument was made, when the amendment to the national banking law was before the Senate, that particularly in the South they needed a greater line of credit; that it was necessary that 20 per cent of the capital stock and the surplus should be loaned to individuals as they would come in, and so forth; otherwise they could not do business. My answer to that suggestion is that if a man deserves credit equal to 20 per cent of the capital and surplus there are in every community two or more banks, and if his credit is sufficiently good he can go to one bank and get 10 per cent of its capital and surplus, and he can go to another bank and get 10 per cent of its capital and surplus. It is not necessary that he shall get into one bank to do these things.

Bank failures are not due to a great number of loans to a great number of individuals, no matter how careless the cashier may be in extending some of those loans; but bank failures come from loaning large sums of money to a few people. Never with my vote will I consent to allowing one borrower to have 20 per cent of the capital and surplus of a bank; neither will I facilitate that bank in getting credit to the extent of allowing it

to go to the Federal reserve bank with these securities and get the 20 per cent.

I do not know that I could make myself clearer than I have in this brief statement. It represents my view about the matter. Perhaps I feel a little too keenly on this subject. At one time, years ago, I was made a victim of just that kind of banking. I think I know something about it, and there is not any man or any half-dozen men that can come in here, after the experience I have had, and tell me that that is good banking. I know better.

Mr. SHAFROTH. Mr. President, the Senator may be able to go to two banks and get 10 per cent of the capital and surplus of both of those banks, but I will warrant that there is not one man out of a hundred that can do it. A man's banking transactions are generally confined to one bank, and the confidence which he establishes is with the officers of that bank.

Mr. POMERENE. Yes, Mr. President; and it is the confidence between the officers of that bank and that borrower that robs communities.

Mr. SHAFROTH. Oh, yes; but you could not have any successful banking at all unless you had confidence between the officers of the bank and its depositors.

Mr. President, one of the difficulties in the way is that the laws of the various States prescribe various amounts that the State banks can loan, even in excess of 20 per cent of the capital and surplus of the bank. In other words, there are some banks that have no limitation whatever. Other banks are permitted to loan as high as 30 per cent, and that is one of the reasons why the State banks do not come into the national system. It is because under the national system 10 per cent is all that can be loaned to one man of the capital and surplus. Now, it seems to me that inasmuch as the member bank has a right now to borrow 20 per cent, and this law simply attempts to extend the right of the bank to discount that paper at the Federal reserve bank, when you take away that power you are crippling the national bank itself.

If this were simply a question of extending this matter from the beginning, the argument of the Senator would have more force; but when the member bank has the power to borrow to the extent of 20 per cent it does seem to me that to deprive the member bank of the ability to go to the reserve bank and discount that paper is impairing the banking facilities of the national banks, and consequently also of any State bank that might want to come into the system.

Mr. McLEAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. SHAFROTH. I yield to the Senator.

Mr. McLEAN. I should like to call the attention of the Senator from Ohio to the fact that the laws of the State of Ohio permit a State bank to loan to any single person or corporation an amount equal to 20 per cent of the capital and surplus. The Senator knows that the capital and surplus bear very slight relation to the lending power of a bank.

Mr. POMERENE. Mr. President, it was just one of those institutions that I referred to a while ago in my own experience. The fact that a thing happens in Ohio is prima facie evidence that it is right, but it is not always conclusive evidence.

Mr. McLEAN. It so happens that the average throughout the Union exceeds 20 per cent. In New York it is 25 per cent. In all the large States it is over 20 per cent, from 20 to 30 per cent, and the Senator knows that the capital and surplus bear but slight relation to the lending power of a bank. I know banks with $200,000 capital that lend over $13,000,000. The lending capacity of a bank depends largely upon its cash deposits.

Mr. POMERENE. That is true, but that is the exception to the rule.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. The hour of 2 o'clock has arrived. Some weeks since the Chair made an erroneous ruling. The Chair held that the unfinished business was not to be laid down at 2 o'clock on Calendar Monday. On a further examination of the rule the Chair reverses his ruling and lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

Mr. HITCHCOCK. I ask the Senator from Virginia to permit the unfinished business to be laid aside for a few minutes, so that we may finish the consideration of this bill.

Mr. MARTIN of Virginia. I am willing to have it laid aside for a few minutes only, but if there is to be any extended debate I shall ask to have the unfinished business proceeded with.

Mr. PENROSE. I sincerely hope the Senator from Virginia will insist on keeping the unfinished business before the Senate. I have some amendments to offer, and I have been waiting for a long while to get a chance to present them.

Mr. HITCHCOCK. I will say that I will abandon the effort if it takes more than a few minutes.

Mr. PENROSE. All right.

Mr. HITCHCOCK. This is really an emergency bill.

Mr. PENROSE. So is the unfinished business.

Mr. HITCHCOCK. I have had it up for the second time. I want to say that this general provision here is really one which should have been looked after when the law was changed last September. The banks are still restricted to the 10 per cent loan in almost all cases. They are only allowed to advance as much as 20 per cent of their capital and surplus in these cases: First, when it refers to the discount of bills of exchange drawn in good faith against the national exchange; second, the discount of commercial or business paper actually owned by the person, company, or corporation or firm negotiating the same; and, third, the purchase for discount of any note or notes secured by not less than a like amount of United States bonds issued since April 24, 1917. The banks can make loans under those circumstances. All that this section does is to provide that when they make such loans under the authority of Congress the Federal reserve banks shall be permitted to discount paper. It certainly is not just and reasonable to permit banks to carry these loans and then compel them to hold them in their vaults like corpses, unable to use them and vitalize them. If it was at all desirable that they should be permitted to make loans under those circumstances, they ought to be allowed to use them for the purpose of discounts with the Federal reserve banks.

Mr. POMERENE. In answer to the argument just made by the distinguished Senator from Nebraska, we were advised that the law we did pass was to prevent corpses from getting into member banks.

Mr. HITCHCOCK. I have not anything further to say. The question is before the Senate, and I do not want to impose on the time of the Senator from Virginia. I therefore ask the Chair to submit to a vote the recommendation of the committee.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The question is on agreeing to the amendment of the committee.

Mr. HITCHCOCK. I think the amendment should be voted down.

Mr. SMOOT. The statement has been made here that striking out the words "issued since April 24, 1917," would limit the bonds only to liberty bonds. That is not the case. There have been other bonds, farm-loan bonds, issued since that time.

Mr. HITCHCOCK. I am assuming that.

Mr. SMOOT. If you are going to deliberately limit it to liberty bonds, why not insert the word "liberty" after the word "of" and before the word "bonds," in line 20, so that it will read: "not less than a like face amount of liberty bonds of the United States"?

Mr. HITCHCOCK. The other issue of bonds is a small and negligible matter, and I hope the Senator will not bring that up. We are anxious to get the bill through now. The purpose is to dispense with a market for liberty bonds.

Mr. SMOOT. I understand that perfectly well.

Mr. HITCHCOCK. The other issue of bonds is small and negligible. I ask that the question be submitted to the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Colorado?

Mr. HITCHCOCK. I yield.

Mr. SHAFROTH. I desire to offer an amendment. In line 22, page 3, I wish to add, after the words "United States," the following:

The provisions of this section shall not be operative after December 31, 1919.

Mr. HITCHCOCK. I will say that is entirely acceptable to myself and other members of the committee. This is only intended to bridge over the present year so as not to strengthen the market for the liberty bonds.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Colorado.

Mr. SMOOT. Let it be read.

The SECRETARY. On page 3, line 22, after the words "United States," insert the words:

The provisions of this section shall not be operative after December 31, 1919.

Mr. SMOOT. It ought to be preceded by the words *"Provided further."*

Mr. SHAFROTH. I will insert the words "*Provided further.*"

The PRESIDING OFFICER. The amendment will be so modified. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

The PRESIDING OFFICER. The next amendment of the Committee on Banking and Currency will be stated.

The SECRETARY. On page 3, line 23, after the word "SEC.," change "4" to "3."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FOOD SUPPLIES FOR EUROPE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

Mr. PENROSE. Mr. President——

Mr. SMITH of Michigan. I make the point of no quorum.

Mr. PENROSE. I yield to the Senator from Michigan to raise the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	Myers	Smith, Ga.
Bankhead	Jones, N. Mex.	Nelson	Smith, Md.
Beckham	Jones, Wash.	New	Smith, Mich.
Borah	Kellogg	Norris	Smith, S. C.
Calder	Kenyon	Overman	Smoot
Chamberlain	King	Page	Spencer
Colt	Kirby	Penrose	Sterling
Culberson	Knox	Pittman	Swanson
Cummins	La Follette	Poindexter	Thomas
France	Lenroot	Pollock	Townsend
Gay	Lewis	Pomerene	Trammell
Hale	Lodge	Ransdell	Underwood
Harding	McCumber	Reed	Vardaman
Hardwick	McKellar	Saulsbury	Wadsworth
Henderson	McLean	Shafroth	Walsh
Hitchcock	McNary	Sheppard	Weeks
Hollis	Martin, Va.	Sherman	Williams
Johnson, Cal.	Moses	Smith, Ariz.	

Mr. HENDERSON. I wish to announce the absence of the junior Senator from Idaho [Mr. NUGENT] on account of illness. I ask that this announcement may stand for the day.

Mr. McKELLAR. I desire to announce that the senior Senator from Tennessee [Mr. SHIELDS] is detained by illness. I ask that this announcement may stand for the day.

Mr. KIRBY. I wish to announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON], occasioned by illness.

Mr. LEWIS. I desire to announce that the Senator from California [Mr. PHELAN] is necessarily detained by illness.

The PRESIDING OFFICER. Seventy-one Senators have answered to their names. There is a quorum present.

Mr. PENROSE. Mr. President, I think the taxpayers of the United States will be greatly astonished when they read in the morning papers that the Department of Agriculture is now at work framing a bill soon to be presented to Congress appropriating $1,250,000,000 to be used by the Food Administration in purchasing from the farmers the 1919 wheat crop at $2.26 a bushel. This remarkable situation, created by Mr. Hoover while he was in charge of the Food Administration of the United States, carries its own lesson as to the wisdom of the economic methods adopted by the Government during the war. Before I offer an amendment which I intend to propose to the pending bill I will ask the Secretary to read the article entitled "The Wheat Problem."

The PRESIDING OFFICER. If there is no objection, the Secretary will read as requested.

The Secretary read as follows:

[From the Washington Post, Jan. 20, 1919.]

THE WHEAT PROBLEM.

It is stated that the Department of Agriculture is now at work framing a bill, soon to be presented to Congress, appropriating $1,250,000,000 to be used by the Food Administration in purchasing from the farmers the 1919 wheat crop at $2.26 a bushel, the price guaranteed by the Government. It is proposed to sell this wheat to the public at the ruling market price, leaving the Government to stand the financial loss involved.

War involves many sacrifices, and the tremendous loss which the Government seems certain to sustain in its wheat deal is one of them. The agricultural interests of the country show no disposition to accept the sacrifice themselves, consequently there is no course for the Government to pursue other than to keep its word to purchase all wheat raised next year at the price stated. The appropriation proposed, all of which may be wiped out in the transaction, imposes a charge of $12.50 per capita upon the entire population of the country.

In accepting its responsibility for supplying food to the allies during the war the United States last year made a definite compact with the agricultural interests to buy the entire crop, as was done in 1918, at the same guaranteed price. This action was considered necessary in order to stimulate the planting of additional acreage in wheat. Production could only be increased by giving this guaranty, and the Government was obliged to proceed upon the theory that the war would last over into 1919 and perhaps longer. France, England, and Italy were taking all the wheat available in this country, without questioning the price, and would continue to do so for the period of the war.

Unfortunately for our Treasury, this Government had no agreement with its allies to continue the purchase of wheat at a specific price after the cessation of hostilities, and as a result they are now buying their wheat from Argentina and Australia, where it can be purchased at little more than half the price which the farmer receives for it in America. The wheat of the Argentine and Australia, while produced in plenteous supply, was not available during the war because of a lack of shipping, but the moment the armistice was signed England and France sent ships post haste to those countries to bring back cargoes of wheat, and now are taking from the United States only the quantity needed above that which they can secure from the south.

Thus the United States, loyal food purveyor to a stricken world, is left "holding the bag." Her word has been passed to the producers of wheat at home, and it must be kept. Contracts for steel, coal, transport, munitions, clothing, and many other items required by the war have been canceled by a stroke of the pen, but to date there has come no proposal to cancel the agreement made with the agricultural interests, nor has there been any proposal from the latter to compromise the agreement. Instead the Nation must pay either by the plan of buying at the Government price and selling at the market price, thus reducing the cost of living materially, or permitting the Government price to rule here, and thus sustaining the price of flour, bread, and other important and necessary items of living. In the end the public must pay. The farmer must have his price.

Far be it for the Government of the United States to stoop to a policy of repudiation. Its word is as good as its engraved bond. But one can not refrain from speculating why one Government contract is subject to cancellation and adjustment while another must be carried out to the letter.

Mr. PENROSE. Now, Mr. President, as some measure of relief to this unfortunate situation and in order to prevent persons under the direction of the President favoring this Argentine product or any other foreign article, while the American Government is being loaded up with wheat at a fixed price, I offer the following amendment to line 4, on page 2, which I will ask the Secretary to read.

Mr. MARTIN of Virginia. Let me ask the Senator from Pennsylvania if he did not vote to fix the price of wheat at $2.50 a bushel?

Mr. PENROSE. I voted to make it $2.50 because I thought as long as the Government was engaged in the economic policy of fixing the price of wheat it ought to fix it at an adequate figure.

Mr. MARTIN of Virginia. You wanted to make it as big as possible?

Mr. PENROSE. Yes; I do not believe in price fixing, but I believe in a fair price if the price is to be fixed. I ask the Secretary to read the first amendment.

The PRESIDING OFFICER. It will be read.

The SECRETARY. On page 2, line 4, after the word "hereunder," insert "shall be used for the purchase of American wheat at the price guaranteed by the Government, and the preference in the purchase of other supplies shall, so far as reasonably possible, be in favor of American products."

Mr. PENROSE. Mr. President, it seems to me the amendment speaks for itself. According to the figures read by the Secretary, the American Government is likely to be responsible for $1,200,000,000 worth of wheat at the guaranteed price, and it may be that if the price of wheat keeps going down by reason of the foreign competition, which is coming into the world market by reason of the restoration of tonnage available for wheat conveyance, the price may go still further down. If we are to expend this $100,000,000 for purposes which, to my mind, have in no way been made clear, except the time-worn argument that they are required on account of the war, I think the Government might be relieved very consistently and properly of the enormous stores which they are compelled to take into their hands. I would be glad to hear what possible objection the Senator from Virginia can have to the amendment.

Mr. MARTIN of Virginia. Mr. President, I have a telegram from the American Mission at Paris, which states that—

Allies are willing and anxious to do all they can, and have and will contribute to the full extent of their resources, but it must be borne in mind that most of the food must be purchased in the United States, and American money would be used for such purchase and transportation.

So here is a declaration in advance of the purpose to buy most of this food in the American market.

Mr. PENROSE. I should like to ask the Senator who makes that statement?

Mr. MARTIN of Virginia. This is signed "Hoover, American Mission."

Mr. PENROSE. We have had Mr. Hoover's promises before.

Mr. GORE and others addressed the Chair.

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Pennsylvania yield, and if so, to whom?

Mr. PENROSE. I yield to the Senator from Oklahoma.

Mr. GORE. I should like to say in this connection, in view of this cablegram from Mr. Hoover, we had a witness, Mr. Taliaferro, before the Committee on Agriculture this morning who is vice president of the Hammond Standish Packing Co., of Detroit, and he told us that Mr. Hoover was in Europe now and that this $100,000,000, or a great deal of it, was to be used in stabilizing the price of packing-house products, so that the packers could dispose of the stocks they have on hand and obviate a loss.

Mr. PENROSE. I should like to ask the Senator from Virginia if he or any Senator here present knows whether Mr. Hoover is an American citizen and ever voted in this country in his life?

Mr. MARTIN of Virginia. I do not propose to be drawn into such an irrelevant discussion as that. I do not know anything about Mr. Hoover's citizenship. I have no doubt myself that he is a citizen of this country, but I have not been a detective upon his tracks and I am not posted about his career. I do not know of what country he is a citizen, but I have no doubt myself he is a citizen of the United States.

Mr. PENROSE. He abused the high office which he holds informally by advising the American people to support the Democratic Party in the last election, and in that way, in my opinion, insulted every Republican in the country, after having been intrusted with these enormous powers, to get into a political campaign. I do not believe he is a citizen of the United States. He has spent the greater part of his life in England. He may perchance have been born here; I do not know. It is bad enough to have a man called upon to administer this enormous fund and the enormous funds which he has already administered who has taken no oath of office and whose allegiance even is in doubt, in the opinion of many citizens; as to whether he is not at bottom really an Englishman and not an American.

I intend to offer an amendment when the pending amendment is disposed of to provide that this vast expenditure shall be defrayed in an orderly, legal way by commissioners appointed by the President, confirmed by the Senate, and receiving a salary, after having taken the oath of office to support the Constitution of the United States.

Mr. THOMAS. I should like to ask the Senator whether I am correct in understanding his statement that he voted for the Gore amendment which fixed the price of wheat at $2.50 a bushel?

Mr. PENROSE. My position was plain at the time, and I have no objection to explaining it now.

Mr. GORE. Mr. President——

Mr. PENROSE. The Senator will allow me a word, and he can explain in a minute.

Mr. GORE. That was last year's crop and not this year's.

Mr. PENROSE. I was against price fixing during the war. I believe it did more harm than good all along the line. Had the war continued another year it would have led to general economic demoralization. But when it was evident that prices were to be fixed, I favored a price that, in my opinion, was fair and adequate. That was my position, and I think——

Mr. THOMAS. Does the Senator know what the added price to the Government guaranty would have been if the Gore amendment had been passed?

Mr. PENROSE. If we had not fixed the price, in my opinion, the price of wheat would have been more than the guaranteed price.

Mr. GORE. I should like to say at this point to the Senator from Colorado that the price of $2.50 for wheat applied to the crop harvested in 1918. It has no relation, either direct or indirect, to the harvest of 1919. No amendment was offered as to the crop of 1919, and the Senate never voted upon that proposition. That was done by the President of the United States alone upon his responsibility under section 14 of the so-called food-control act. The Senate did not express any opinion as to what the price for the 1919 crop should be.

Mr. KELLOGG. I wish to ask the Senator from Oklahoma if it is not a fact that the bill which passed Congress provided for a guaranty of $2 a bushel only for the year 1918?

Mr. GORE. For the year 1918.

Mr. KELLOGG. No bill passed Congress providing for $2.50 a bushel for 1919.

Mr. GORE. No, sir; it did not.

Mr. KELLOGG. The bill, as I understand it, authorized the President, if in his opinion it was necessary to encourage production, to make a guaranty, but the bill itself provided that the guaranty for 1918 should be not less than $2 per bushel.

Mr. GORE. Not less than $2 per bushel.

Mr. KELLOGG. As a matter of fact, the President fixed the price for that year at $2.20 a bushel at the primary market.

Mr. GORE. Congress did not project the law in expressing prices further into the future than 1918.

Mr. KELLOGG. Then in 1918, in September, before the sowing of the crop, the President published a proclamation fixing the price for 1919 at $2.26 at the highest primary market and graded down from that.

Mr. GORE. Yes; September 2.

Mr. McCUMBER. Mr. President, inasmuch as the article has been read into the RECORD indicating a blanket loss of $1,200,000,000 to the American people by reason of the guaranty of the price of wheat, I should like to ask the Senator from Pennsylvania or the Senator from Virginia what would be the price of wheat to-day without that guaranty? How do you figure your losses, and if you figure your losses at all what are you going to allow for the losses of the farmer below the market price in 1918 to meet the excess that he would receive by reason of the guaranty of 1919? In other words, taking his crops of 1918 and 1919 together, would he have received more by reason of this guaranty, or would he have received more for the entire crop of the two years if we had allowed the crop to be sold at the guaranteed price? I do not want anyone to forget for a single moment that the farmer lost a dollar a bushel on his grain in 1918. I say that that has not been made up even by the guaranty of 1919. So the abominable criticism of the farmer's attitude as compared with the attitude of other lines of business does not seem to me to be warranted, for let us remember right here that we were engaged in a war in September, 1918. We did not know what the future would be in 1919. We might be engaged in a war during all of this year, and we prepared for the future by guaranteeing a price that would assure the utmost number of bushels that could possibly be produced. Now you criticize us because it might have been a little less.

Are you criticizing the Government in any way for the $500,000,000 that it is going to lose on the railroads this year by reason of increasing the price of freight and for carrying passengers? If you criticize the price fixed for the farmer's product, $1,200,000,000 even, have you not raised the price of everything that he must purchase with that product by reason of raising the prices of labor throughout the country, with that $1,200,000,000? Have you not raised it more than $3,000,000,000, compared to the price of the things that the farmer must buy, taking the country as a whole?

We paid enormous prices for places at which to build ships—three or four times, probably, what the land could otherwise have been purchased for. We paid at least some three to five times what it would have cost in peace periods to build our shipways. Now they are of no use to us, but they are going to cost the country billions of dollars. Are you criticizing the Government because the Government proceeded to pay those enormous sums?

Mr. MARTIN of Virginia. Mr. President, I did not expect to yield the floor for the remainder of the day.

Mr. McCUMBER. No; but I expected the Senator would yield the floor until at least one side of this proposition could be presented even briefly, and that is the farmer's side of the question.

Mr. MARTIN of Virginia. The only criticism that has been made was the speech delivered by the Senator from Pennsylvania [Mr. PENROSE], who criticized maintaining the price of wheat at $2.26 a bushel.

Mr. PENROSE. Mr. President, I hope that the Senator from North Dakota [Mr. McCUMBER] does not think that I have been criticizing the farmer for getting a fair price for his wheat.

Mr. McCUMBER. No, I do not; but I criticize and I resent the article which the Senator put in the RECORD, which seemed to indicate that the farmer was the only person who had been benefited by this war, and that, therefore, he is receiving more than his just due.

Mr. PENROSE. Of course, if the Senator from Virginia will permit me, a price was fixed on copper, on wages, on railroad transportation, and on a number of other things, which I think was wrong economically, and was a wrong economic method. I saw nothing while we were in the war to cause us to interfere very materially with the course of trade and normal conditions, but that is over.

While I am on my feet, I want to remind the Senator from Virginia [Mr. MARTIN], in the first place, I voted against the food-control bill on the floor of the Senate. I was one of five or six Senators who voted against that bill, and it has been a very gratifying vote for me to refer to since the bill was passed when I have been visited by many hundred people from

Pennsylvania—I may say many thousands—who have been subjected to harassment and vexation and utter failure to get any satisfaction from the Food Department concerning their very many grievances.

Mr. MARTIN of Virginia. Mr. President, as I understand, the Senator from North Dakota [Mr. McCUMBER] was aiming his criticism at an article in a Washington newspaper. There is nothing that has been said on the floor of the Senate to invite his attack.

Mr. McCUMBER. I simply want to indicate that when the Government has ordered 27,000,000 undershirts, which it has now on hand, on which there will be an entire loss, there ought not to be criticism of the farmer because he will receive a portion of what the Government compelled him to lose in 1918.

Mr. MARTIN of Virginia. But, Mr. President, no one on the floor of the Senate has criticized the farmer; I have not heard one criticism of the farmer or of the price of wheat. The only criticism has been made in an article in a Washington newspaper, and I understand now that the Senator from North Dakota is making a criticism on the article in that paper. Certainly I do not take his criticism to myself, for I have not said a word on the subject. The Senator looked over this way very intently at me as if he were about to make an attack on me for something, but I could not imagine what it was for.

Mr. McCUMBER. The Senator from Virginia was so generous and his countenance was so smiling that he invited my glance in that direction.

Mr. MARTIN of Virginia. This is the first time my countenance has arrested attention here, so far as I know. I am obliged to the Senator.

The Senator from Pennsylvania [Mr. PENROSE], who tried to put the price of wheat at $2.50, has seemed to me to be the only man making the attack. He is making an attack on $2.26 wheat, although he tried to put it at $2.50. I have no brief to defend either position. It is entirely irrelevant to the question before the Senate.

But addressing myself for just a very few moments to the amendment offered by the Senator from Pennsylvania, it seems that he wants to do an act of charity or of generosity accompanied with a condition of profiteering. He is willing to appease hunger and stay the ravages of death as an act of benevolence and charity, provided he can make some money out of it. In the ultimate analysis that is what the Senator's position is, and that is all there is in it. He wants to make this appropriation provided he can get a certain price for wheat. I think it is a very ungenerous act to do. We are told that it is expected to spend this money in the United States, and I should be very glad to see that done; but for my part I am unwilling to put that condition on this donation, on this charity, on this benevolent act—to put on it a condition that we must make some money out of it or we will not do it. That is, as I understand it, the position of the Senator from Pennsylvania.

Mr. PENROSE. If the Senator will permit me, I think he fails to grasp the situation. As I understand, the Government must take up all this wheat at $2.26 a bushel. Having it in its possession, I very modestly suggest, to relieve the expenditure of the Treasury in some small amount, that we put this wheat through this revolving fund, and send it over to Europe.

Mr. BORAH. Mr. President, may I make a suggestion?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Idaho?

Mr. MARTIN of Virginia. I yield.

Mr. BORAH. It seems to me that the Senator from Pennsylvania, and possibly the Senator from Virginia, overlook the fact that if we purchase all of this $100,000,000 worth of goods in this country it is going to weigh very heavily on and embarrass very much the people of this country, who are in great need of food. One of the great necessities now in large portions of the country is the very material which it is now proposed to send to Europe. While I have no doubt that a large portion of it will be purchased here, I say that by every million dollars' worth of goods that you purchase in this country you are going to raise the price just that much higher to those who are now unable to buy the necessaries of life.

Mr. MARTIN of Virginia. There is no doubt about the fact that this $100,000,000 would be a mere bagatelle in taking up the surplus foodstuffs the United States now has on its hands.

Mr. BORAH. Mr. President, the Senator from Virginia talks about the surplus foodstuffs. Where are they? In whose possession and control are they? We are informed by the press dispatches that riots have already begun in cities where people are demanding wages and demanding bread. Where is this food which is a surplus? It is in the hands of a very few people. It has been gathered up and is now being held while the people are in need of it.

Mr. MARTIN of Virginia. Statisticians all say there is a large surplus of foodstuffs in this country—wheat, corn, fats of all kinds, bacon and pork, and lard and oils—that all foodstuffs are abundant in this country.

Mr. BORAH. Well, Mr. President, it is an inexplicable situation, if that be true, because if there is an abundance, a surplus, why, in the name of all the gods at once, are the prices such as they are in this country at the present time?

Mr. MARTIN of Virginia. One reason is that the Government has fixed $2.26 for wheat.

Mr. BORAH. The Government has not fixed prices except as to two or three articles.

Mr. LODGE. It has fixed the price of wheat.

Mr. BORAH. We are not discussing the price of wheat alone. There is a vast amount of foodstuffs in this country other than wheat. I know, and other Senators here know, where these vast food supplies and reservoirs of food are. They are not within the reach of the masses of the people of this country; and when you purchase these food supplies in this country you are not benefiting anyone in the way of the masses of the people at all; you are only raising their prices and disparaging their situation, rather than benefiting it.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia further yield, and, if so, to whom?

Mr. MARTIN of Virgina. I yield to the Senator from Pennsylvania.

Mr. PENROSE. It seems to me that the Senator from Idaho does not grasp the point which I have in my mind.

Mr. BORAH. I may not grasp the point the Senator had in his mind, but I grasped the point I had in my mind.

Mr. PENROSE. I understood the Senator's point to be as to the price fixing for wheat, that the consumer can not get wheat below $2.26 a bushel, because if wheat sinks below that point the Government comes in and takes it. Senators from States where wheat-growing is more a specialty than it is in Pennsylvania—although that is a great wheat-growing State—who may be more familiar with the matter, some of my colleagues in my neighborhood, say I am entirely right. In that case the consumer is not hurt in America by having the Government relieved of some of the surplus wheat. That there is a surplus I take to be granted, because the Department of Agriculture is preparing a bill carrying this enormous sum—$1,200,000,000—to take up the wheat, and the newspaper article I referred to states that the restoration of tonnage suitable for the conveyance of wheat has brought so much wheat into the market that its price is rapidly dropping.

Mr. REED, Mr. ASHURST, and Mr. KELLOGG addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Virginia yield; and if so, to whom?

Mr. MARTIN of Virginia. I think the Senator from Missouri first addressed the Chair, and I yield to him; but I hope Senators will not make long speeches while I have the floor, though I shall be glad to yield for any reasonable question or suggestion.

Mr. ASHURST. I beg the Senator's pardon. I thought he had yielded the floor. I desire recognition for two or three minutes in my own right, as I am compelled to leave the Chamber.

The PRESIDING OFFICER. The Chair will recognize the Senator from Arizona when the Senator from Virginia yields the floor.

Mr. REED. Mr. President, I rose to ask a question. The Senator from Idaho [Mr. BORAH] inquired where these reservoirs of food were. Is it not a fact that the statement has been made that the meats or fats necessary to supply Europe are already on hand in enormous quantities. I am asking the Senator if that is not the case? Has not that statement been made to the committee?

Mr. MARTIN of Virginia. I understand there is a very large surplus of meat.

Mr. REED. And those fats are in the hands of the packers, are they not?

Mr. MARTIN of Virginia. I presume the bulk of them are in the hands of the packers; I do not know.

Mr. REED. My recollection is that the statement was made that there are $50,000,000 worth—perhaps the Senator has the figures——

Mr. MARTIN of Virginia. No; I have not.

Mr. REED. My recollection is—and I hesitate to use the figures, because I did not charge my mind especially with them—that there are $50,000,000 worth of fats on hand.

Mr. BORAH. Mr. President, the Senator from Missouri is about correct. I have the statement here somewhere.

Mr. REED. If that is true, then will the Senator permit me to say in his time that the benefit of the market which is to be made would not go to the farmer, for the farmer has already parted with the hogs out of which the fats are made, but it would go to the packers, and of course the tendency would be to keep up the retail price on similar products in this country? If the packers have $50,000,000 worth of fats on hand, it may explain why bacon is 50 cents a pound, which I think is about the price in Washington to-day.

Mr. LODGE. Mr. President, may I ask a question simply for information?

The PRESIDING OFFICER. Does the Senator from Virginia yield?

Mr. MARTIN of Virginia. I yield to the Senator from Massachusetts.

Mr. LODGE. The question of wheat, I think, is fairly clear, because that was a fixation of price by law; but were not prices fixed by the Food Administration on fats, meats, and other articles? I do not mean by law, but by agreement, as it was called?

Mr. REED. If the Senator from Virginia will pardon me, there was no price fixed even on wheat.

Mr. LODGE. Not strictly, but there was a minimum fixed.

Mr. REED. The law guaranteed a minimum price——

Mr. LODGE. That is what I should have stated.

Mr. REED. Of, I think, $2 a bushel. Is not that correct?

Mr. GORE. Yes; that was for the year 1918.

Mr. LODGE. That is correct; I stated it inexactly, but I know what was done.

Mr. REED. And the Government has not guaranteed anything for the year 1919, has it?

Mr. GORE. The President has, but Congress has not.

Mr. LODGE. Yes; there is no legal guaranty on wheat now.

Mr. GORE. Mr. President, it amounts to a legal guaranty. I will say to the Senator from Missouri that the President, on September 2 last, issued a proclamation guaranteeing, under the law, the price of $2.26 for the crop of 1919. The President had authority to issue such a proclamation, and it amounts to a binding obligation, I think, upon the Government.

Mr. REED. Much as I have tried to keep track of the colors of this kaleidoscope, I have not been able to follow them all. The fact about the pork question, as I gather from the evidence that has been submitted from time to time, is that Mr. Hoover called in the packers and arranged with the packers the price they would pay the farmer, arranged with the packers the price at which they were to sell to the retailers, and arranged with the packers the profits they were to take. As a result of that, the farmers were at one time pretty much in rebellion about the prices they were getting, and the people have been in rebellion, I think, all the time about the prices they have been compelled to pay; but the packer, according to the report filed here by the Federal Trade Commission, if he be not complacent, ought to be, because his profits have been simply astounding. So that we may as well understand that the market that will be made for pork under this provision, will be a market made for that pork which has left the hands of the farmer and which is in the hands of the packers.

Mr. GORE and Mr. ASHURST addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Virginia yield; and if so, to whom?

Mr. MARTIN of Virginia. I yield to the Senator from Oklahoma for a question, but I am not through.

Mr. GORE. I am uncertain whether the Senator from Missouri was in the Chamber when I made a statement a few moments ago.

Mr. REED. I was not in the Chamber at that time; I have just come in.

Mr. GORE. It related to that point. I may say that Mr. Taliaferro, who appeared before the Committee on Agriculture this morning, the vice president of the Hammond-Standish Packing House Co., of Detroit, stated that England has imported a great deal of salted meat, which was not grateful to the appetite of the English people; that they were now not willing to consume it and would not consume it; that it was the purpose to sell this salted meat to the people of southern Europe, to whom it was palatable and who use it, I think, in cooking vegetables; and that the English, by disposing of this surplus supply of salted meat on hand, would create a market in England for more palatable meat.

He also stated that this $100,000,000, he understood, was to be used by Mr. Hoover in creating a market in Europe for packing-house products and stabilizing prices of packing-house products so as to protect the packers of this country against loss. That is the substance of what he said. I ask permission to print in the RECORD an extract from Mr. Taliaferro's statement upon that point.

Mr. JOHNSON of California. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from California?

Mr. MARTIN of Virginia. I will for a reasonable time; but I do not wish to stand here all evening.

Mr. JOHNSON of California. It was difficult for us to hear the latter part of the statement of the Senator from Oklahoma as to the uses to which this $100,000,000 were to be put. The Senator's head was turned away from this side of the Chamber, so that we were unable to hear him distinctly; and, with the permission of the Senator from Virginia, may I ask if the Senator from Oklahoma will again state what the understanding or agreement is as to how this money is to be spent?

Mr. GORE. I will say that a portion of it, according to the testimony of the witness who appeared before the Agricultural Committee this morning, was to be used in stabilizing the market, creating a market for packing-house products, and to stabilize the price of those products, so as to protect the packing houses against a loss as to the meat supply which they have on hand, manufactured from hogs which they purchased at 17½ cents.

Mr. THOMAS. By what authority did he speak?

Mr. JOHNSON of California. Who was the witness?

Mr. GORE. His name is Thomas W. Taliaferro, and he is vice president and general manager of the Hammond-Standish Packing Co., of Detroit, Mich. I have requested permission to have printed a portion of his statement covering this proposition in order that he may be allowed to speak for himself and in order that the exact statement may be furnished to the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement referred to is as follows:

[Excerpt from statement of Thomas W. Taliaferro, vice president and general manager of Hammond-Standish Co., of Detroit, before Senate Committee on Agriculture and Forestry January 20, 1919.]

Senator KENYON. You would not be in favor of the Government operating the packing houses even if it bought the business?

Mr. TALIAFERRO. Would I? I would not have anything to say about it. It would not change the principle of the thing.

Senator KENYON. No.

Mr. TALIAFERRO. But I would suggest right there, Senator, that if the Government has any idea of that kind they better wait until they bury the white elephant of the wheat crop of 1920 before they start to work on the packing business, because when they bury that elephant they will not want any more in the shape of the packing business

Senator KENYON. There are some white elephants on the railroad question, are there not?

Mr. TALIAFERRO. Not only there, but there is a Hog Island and some others that I can mention, which I do not mention—which I do not mention here—and, gentlemen, if you please, I will just finish my statement. There is only a short way to go.

To my mind this bill means ultimate Government ownership and nothing else, and if the Government wants our business, let it take it now, while it is alive and progressive and has an efficient organization, and pay us a fair value for it, and not handicap, disorganize, and rupture it, and then take it a wreck of its former self.

I know what trying to operate under license would mean, and I want none of it. My business is legitimate and necessary for the country, and I want to run it in my own way, like every other free American citizen operates his business. Why should we have such restrictions thrown around us that would brand us as lawbreakers, either stated or implied?

We are not parties to any agreement in buying our live stock or selling our products.

In conclusion, I wish to emphasize that among all of the essential elements entering into the winning of the war the supplying of meats is the only one that will not cost the Government immense sums of money in burying the white elephant of incompleted contracts and necessarily wasteful methods brought about by haste. The packers supplied the necessary food often on a cost-minus instead of a cost-plus basis, but you have had no complaint from them. This is patriotism, pure and simple—patting ourselves on the back—and I hope this honorable committee will unite in saying to our industry, "Well done, good and faithful servant, enter into the joys of your reward," and breathe the air of freedom like the nations of Europe whom you helped to liberate.

I am now ready, gentlemen, to answer any questions you want to ask.

Senator KENYON. How has the license of the Food Administration worked in your business?

Mr. TALIAFERRO. Has it worked?

Senator KENYON. Yes.

Mr. TALIAFERRO. So far I have no objections. If the present price is maintained and there are not sufficiency of orders forthcoming, the packers are going to be compelled to stand the biggest loss, in my estimation, that they ever stood, and probably a great many of them will be seriously crippled.

Senator KENYON. Just what do you mean by that? Are there great quantities of meat products in the cold-storage houses now?

Mr. TALIAFERRO. At the present time the products, while ample, are pretty well taken care of by allied orders.

Senator KENYON. Do you know anything about the statements made in the paper here the other night that the allies had repudiated their contracts for pork, or their agreement as to pork, and were getting their meat from the Argentine?

Mr. TALIAFERRO. Senator, the British Government is the one you refer to?

Senator KENYON. Yes; that is the Government I refer to.

Mr. TALIAFERRO. They have an enormous stock of meats on hand, primarily caused not by their buying, but having stored last summer, when the dangers of transportation were adrift, a large quantity of meat in salt, which usually would be shipped in borax, accumulating in England meats just because it was meats, with the idea of having it carry as long as possible without refrigeration. This produced a very salty article, and if there is anything in the world that the Englishman dislikes it is a salty piece of bacon, and he will not eat it. But under the stress of war conditions he might possibly have been forced to eat it. However, now that the armistice has been signed, he feels very differently about it, and he will not eat it. And in connection with a great many laboring men being thrown out of positions and their buying power restricted, they have stopped eating it, and the consumption, as I understand it, in December in Great Britain was only about 16,000 tons.

The CHAIRMAN. It ought to have been what?

Mr. TALIAFERRO. About 48,000 or 50,000 tons to be normal.

The CHAIRMAN. Of what sorts of meat?

Mr. TALIAFERRO. Of bacon; that is, of hog meats.

The CHAIRMAN. It looks to me like that would create an extraordinary demand for saltless meat.

Mr. TALIAFERRO. Yes; but their stocks over there are largely undesirable meats for English outlet, and that lessens the demand and keeps these enormous stocks going into the avenues of distribution.

Senator NORRIS. If their stock consists of meat they can not eat, would that not create a greater demand here for meat they could eat?

Mr. TALIAFERRO. The Food Administration in their endeavor to increase production and to conserve the supply did everything possible to curtail the domestic consumption, so as to make these stocks available. The armistice being signed at least 6 months or, perhaps, 12 months earlier than the most ardent patriot expected has produced a condition that is very critical, because we had gone ahead and built and worked for something that we expected to happen in the future, but it has happened right away.

The CHAIRMAN. I do not see this point, Mr. Taliaferro. You say they find, the war being over, that they have got a lot of meat on hand that they would have to keep if the war had continued?

Mr. TALIAFERRO. They would have had to have eaten.

The CHAIRMAN. But that they will not eat now. So this deadhead stuff that they have on hand there which they will not eat and you could not sell looks to me like, to the extent they can not eat it, there would be a demand for more meat.

Mr. TALIAFERRO. But the British Government, owning this meat, will not increase their further orders until this supply is reduced and their facilities enlarged.

The CHAIRMAN. They are trying to force them to eat it?

Mr. TALIAFERRO. They are trying to force them to eat it; they have got to force it, in self-preservation.

Senator NORRIS. Do you think they will keep on that way until the people of England are forced and do eat that meat that they do not want?

Mr. TALIAFERRO. Gradually that will happen. But between now and the time it does something is going to happen to us.

Senator GORE. They want to take care of the $100,000,000 that is to be sent there as far as they can?

Mr. TALIAFERRO. I understand that is a part of the use England makes of that $100,000,000 revolving fund.

The CHAIRMAN. They are going to give these folks meat that they can not eat?

Mr. TALIAFERRO. I understand they are going to relieve themselves of part of it.

Senator KENYON. Are we going to buy part of it?

Mr. TALIAFERRO. No. This meat, while salty, is perfectly agreeable and highly prized by southern European nations. They like their meat salty, because they boil it with vegetables.

Senator NORRIS. This meat could be sent to Italy?

Mr. TALIAFERRO. And the Czechs.

Senator NORRIS. And the Czecho-Slovacs, and it would be very acceptable to them?

Mr. TALIAFERRO. Most certainly, but they have not the money.

The CHAIRMAN. And England would send it to those people instead of forcing it down the throats of their own people?

Mr. TALIAFERRO. They have not the money. These people have something to eat, and they have not the money with which to buy it, and we have the meat and we do not want to send it without the money.

The CHAIRMAN. You have the meat and money both?

Mr. TALIAFERRO. Exactly so.

Senator KENYON. And we are to send them the money to buy the meat?

Mr. TALIAFERRO. Sending them the money to buy the meat; we have been doing that right along.

Senator NORRIS. They have not the money, but want to buy this salty meat, and we are to send them the money to buy it with?

Mr. TALIAFERRO. They have not the credit.

Senator NORRIS. Who is going to buy this?

Mr. TALIAFERRO. I understand from the newspapers that Mr. Hoover is making some arrangements, of the details of which I am not advised.

The CHAIRMAN. Do you know anything about the ration of meat and bread he is furnishing these people?

Mr. TALIAFERRO. No, Senator; I do not.

Senator GRONNA. In reality there is an oversupply of meats at the present time?

Mr. TALIAFERRO. There is an oversupply immediately available for the amount of consumption that is apparent.

Senator KENYON. And if we do not get rid of that oversupply the packers are going to be in a bad way?

Mr. TALIAFERRO. They are going to be compelled to stop. We are only operating in one door and carrying it out the other. If any link of that chain is broken, the weakest one, the whole thing stops.

Senator GRONNA. Has that oversupply caused any change in prices?

Mr. TALIAFERRO. Has it made any change in prices?

Senator GRONNA. Yes.

Mr. TALIAFERRO. Not yet, Senator; but it is likely to make an awful change in prices if the outlet is stopped. If you dam the river up at its outlet instead of its source, you are going to have trouble.

The CHAIRMAN. You figure if this meat can be used and disposed of to the southeastern Europeans that that demand will relieve this congestion of meat and it will enable the packers to keep running and supply the demand for fresh meat in England?

Mr. TALIAFERRO. It will; that is the secret of the whole thing, Senator, that the continuity of events must not be interrupted in any one particular, not from the producer on the farm to the consumer in Europe.

Senator KENYON. If they did not get the consumer in Europe and these products were thrown upon the market the consumer would get meat a little cheaper, would he not?

Mr. TALIAFERRO. He certainly would.

Senator KENYON. But you think it would make a smash among the packers?

Mr. TALIAFERRO. It would make a smash among the producers and packers, too.

Senator KENYON. Both together?

Mr. TALIAFERRO. You can not pare that potato without taking off something from each fellow. Everyone will have to suffer if that happens. The apparent suffering will be, of course, on the man who owns the biggest amount of product, which will be the packer. The packer has no guaranty that this stuff he is paying 17½ cents for is going to be taken off his hands. There is no guaranty. The Food Administration has not given us a guaranty on that. They have just told us, "Go ahead. You are a patriotic bunch of fellows, and pack these hogs on the basis of 17½, and we are going to get orders for you." But they do not give us any insurance policy.

The CHAIRMAN. Mr. Hoover was instrumental in giving those assurances?

Mr. TALIAFERRO. I want to say one thing for Mr. Hoover; that I have been under him—in connection with the license—and I have seen that gentleman under the most adverse circumstances, the most trying circumstances, and I want to say that he is one of the grandest men I know of; that he has done more good to the producers of this country than any other man in the country.

The CHAIRMAN. The packers pretty generally agree in that opinion?

Mr. TALIAFERRO. I do not know. They know worth when they see it.

Senator KENYON. Was meat and money the only things he talked over with the packers?

Mr. TALIAFERRO. It has all been a matter of our risking our money against their promise of their ability to relieve us of the product.

Senator KENYON. Do you not think now, with Mr. Hoover over there insisting on this $100,000,000, that he is keeping faith with you?

Mr. TALIAFERRO. I certainly do, or I would not be buying hogs; and I will go the limit on what he says, and that is the reason I am spending my good money on hogs. I know I will lose a lot of money on it if anything should slip.

The CHAIRMAN. You do not think there is any "white elephant" thrown out to the packers in the way of a guaranty?

Mr. TALIAFERRO. They have not guaranteed us.

The CHAIRMAN. But they let you make 9 and 15 per cent.

Mr. TALIAFERRO. They let us make 1 per cent; that is what they let us make.

The CHAIRMAN. On what?

Mr. TALIAFERRO. On our business.

The CHAIRMAN. On your turnover?

Mr. TALIAFERRO. On our turnover.

The CHAIRMAN. What did you make on your capital stock last year?

Mr. TALIAFERRO. We made $117,000, is what we made on $21,000,000 worth of business.

The CHAIRMAN. I do not mean that. The $21,000,000 is not the point of my inquiry. What is the amount of your capital stock?

Mr. TALIAFERRO. Our capital stock is $884,000.

The CHAIRMAN. And you made $117,000 on it?

Mr. TALIAFERRO. Yes; and an odd $3,000,000 you want to figure in.

Senator GRONNA. That $117,000 was net profit?

Mr. TALIAFERRO. That is net; yes, sir; and if it had been much less there would not have been any net. I was saying that we did $21,000,000 worth of business and only made $100,000.

Senator GRONNA. That is more than 12 per cent.

Mr. TALIAFERRO. On what?

Senator GRONNA. On $800,000 capital stock.

Mr. TALIAFERRO. But you must take my borrowed money in with it.

Senator GRONNA. After you pay interest. You have paid the interest. That is all figured in. You were saying here that that is net?

Mr. TALIAFERRO. After paying interest on borrowed money.

Senator GRONNA. Certainly.

Mr. TALIAFERRO. Why, sure.

Senator GRONNA. That is all taken into consideration.

Mr. TALIAFERRO. I pay wages, too, do I not, Senator?

Senator NORRIS. But you do not pay the wages out of the 12 per cent; but after paying the wages you had left 12 per cent.

Mr. TALIAFERRO. No; I would have been paying laborers wages yet if I had tried that.

Senator GRONNA. Are the income taxes included, and you still have $117,000 net?

Mr. TALIAFERRO. I think our actual——

Senator GRONNA. I mean after the income taxes have been paid.

Mr. TALIAFERRO. Twenty-five thousand dollars income taxes are to be paid.

Senator GRONNA. I think that is a very fair question. I would like to know if the income taxes are included in expenses, after paying which it leaves you $117,000?

Mr. TALIAFERRO. It was not included in expenses, but written off as reserve.

Senator GRONNA. That is the same thing.

The CHAIRMAN. A hundred and how many thousands?

Mr. TALIAFERRO. Let me give you the actual figures, as long as we are getting down to it. This is our 1918 statement—$117,000, as near as I can remember.

The CHAIRMAN. Does that include or exclude income tax and your war or excess-profits tax?

Mr. TALIAFERRO. That figures what we carried to our surplus account.

Senator WADSWORTH. Taxes paid?

Mr. TALIAFERRO. Taxes paid.

The CHAIRMAN. How much was your corporation income tax?

Mr. TALIAFERRO. Income tax—we do not know yet, but probably in the neighborhood of $25,000.

The CHAIRMAN. And your excess or war-profits tax will be how much?

Mr. TALIAFERRO. I do not know. We only wrote off $25,000 to cover our war-profits taxes; there will not be any profit tax.

Senator NORRIS. That means you set aside $25,000 to pay those taxes, and after you had done that you had 12 per cent?

Mr. TALIAFERRO. Oh, no; I said we had a little over 1 per cent on the business we did.

Senator NORRIS. On the capital stock, I'm talking about.

Mr. TALIAFERRO. On our capital stock?

Senator NORRIS. Yes. After you had set aside the $25,000 to pay taxes, you still had $117,000 net profit. Was that it?

Mr. TALIAFERRO. We carried to surplus about $117,000.

* * * * * * *

Senator KENYON. When this matter occurred that you speak of with Britain, did you packers have a meeting with Mr. Hoover about it, along in October last?

Mr. TALIAFERRO. We have had a number of meetings with him, Senator.

Senator KENYON. Did you not have one meeting with him to talk over that matter of large pork products on hand in connection with Britain?

Mr. TALIAFERRO. Yes; we had.

Senator KENYON. That meeting was in October last, was it not?

Mr. TALIAFERRO. Yes.

Senator KENYON. And did Mr. Hoover at that time tell you he would do what he could to stabilize the situation?

Mr. TALIAFERRO. He always has taken that position.

Senator KENYON. And when he went abroad, did you understand he was going to try to work out some plan to do that?

Mr. TALIAFERRO. I did not know at that meeting that he intended to go abroad, but I afterwards understood from the papers that he was abroad, and from the reports in the trade that he had gone abroad.

Senator KENYON. That question was discussed at that meeting?

Mr. TALIAFERRO. The question which was discussed at that meeting was the available number of orders in pounds that might be forthcoming.

Senator KENYON. From abroad?

Mr. TALIAFERRO. From abroad, to counterbalance the expected receipts of hogs, which would probably be about 25 or 30 per cent, as we figure, increase over last year.

Senator KENYON. And this question of keeping faith with the packers on the prices they have paid for hogs, that was discussed?

Mr. TALIAFERRO. Being paid?

Senator KENYON. If there was not some way to dispose of the products, the packers would have these products and lose great amounts of money?

Mr. TALIAFERRO. Oh, surely; that was the basis on which the discussion rested.

Senator KENYON. Who was present at that meeting?

Mr. TALIAFERRO. Well, there were representatives of the different packing houses, I suppose 25 or 30 or maybe 40, and about 25 representatives from the producers or producers' committees, or something on that order; ex-Gov. Stuart was one.

Senator KENYON. What committee did he represent?

Mr. TALIAFERRO. I think he is a sort of chairman of the agricultural advisory committee.

Senator KENYON. Was any plan decided on at that time?

Mr. TALIAFERRO. Yes; it was agreed that the prices of hogs, as far as possible, would be maintained, I think at 17½ cents basis. I think that is the meeting at which we agreed that if we had these orders we would be able and would pay 17½.

Senator KENYON. What was the discussion at that meeting about the nation of Great Britain?

Mr. TALIAFERRO. At that meeting, Britain, as I remember now, had in hand a very heavy order for provisions; I think in the neighborhood of 179,000 tons.

Senator KENYON. Of meat?

Mr. TALIAFERRO. Of meat and lard; that is, they had that at that time and did later place it.

Senator KENYON. What I asked you about was this: I understood you to say there was a discussion of Britain's action as to canceling contracts for pork. Was there anything about that?

Mr. TALIAFERRO. Britain, to my knowledge, has never gone back on or canceled a contract since that Government was established, and it never will.

Senator KENYON. You misunderstood me a while ago or I misunderstood you. I understood you had a meeting because of this situation that had arisen over cancellation of contracts. I do not know whether they canceled contracts. I share in your estimation of Britain.

Mr. TALIAFERRO. No, Senator, they did not cancel any contracts, but they said at that meeting they expected the orders would continue. We had been operating on that basis, and the operations fell off.

Senator KENYON. I saw in the paper that they were canceling contracts.

Mr. TALIAFERRO. The paper was wrong.

Senator KENYON. They expected to keep on ordering?

Mr. TALIAFERRO. They expected; I feel sure they honestly expected to have these additional orders.

The CHAIRMAN. But simply did not make contracts that you expected they would make?

(No response.)

Senator KENYON. There were no contracts broken. I do not think Britain is breaking any contracts

Mr. TALIAFERRO. Britain would not break contracts.

Senator KENYON. That situation has arisen now, with all this surplus, and you must find a market for your surplus?

Mr. TALIAFERRO. We have to have a market for our surplus.

Senator KENYON. And this $100,000,000 will help to find a market for your surplus?

Mr. TALIAFERRO. $100,000,000 does not go very far. That is a revolving fund, and therefore it merely takes up the slack between the producer and the consumer—between the packer and the man who eats the meat in Europe. That revolving fund can be used over and over again as long as it only covers the slack between the packer and consumption there.

Senator KENYON. Of course, it can be used longer as a revolving fund than if it is absolutely given away.

Mr. TALIAFERRO. And if it is used as a revolving fund I should say it would help the situation very much.

Senator KENYON. It would not help very far if given away.

Mr. TALIAFERRO. It would not help very far if given away and no returns came back from it. But my understanding is that it is being used as a revolving fund; the meat goes to the people, and they in turn will present securities or money value that can be cashed or used again in getting more supplies.

Senator KENYON. Where did you get that understanding?

Mr. TALIAFERRO. It is my own personal understanding. That is what I naturally would understand or figure that if I had anything to do with it; that is, that would probably fit the case.

The CHAIRMAN. That will let you out on your 17½-cent contracts?

Mr. TALIAFERRO. We have an agreement to pay 17½ cents for hogs, and other markets in proportion to that, until the 1st of February.

The CHAIRMAN. And that will take care of the stocks which you have on hand which you purchased on that basis, and also take care of the producers which are selling in the meantime?

Mr. TALIAFERRO. Yes; to a large extent. I do not think it will do it, but it will act as an insurance policy for a large percentage of the profits that to-day has been put down under the 17½ cents.

The CHAIRMAN. If this were a larger revolving fund, it might be able to keep the prices of flour up so as to obviate this "white elephant"?

Mr. TALIAFERRO. Oh, no. You would have to have a revolving fund of a billion dollars.

The CHAIRMAN. That is too big a white elephant.

Mr. TALIAFERRO. There is not any place around here where you can bury it.

The CHAIRMAN. That white elephant crept in because of violation of fundamental laws of supply and demand?

Mr. TALIAFERRO. That crept in because you signed the armistice the 17th of November instead of the 17th of next July.

The CHAIRMAN. And if you have to jump that much, it is not very good economy after all.

Mr. TALIAFERRO. It is not anybody's fault, and I had rather see the Government pay it than not to have the wheat if we needed it.

The CHAIRMAN. I will not go into that, but we might have obviated it if we had let the people get what their wheat was worth in 1917 and 1918 and let them get what it is worth this year.

Mr. TALIAFERRO. We did not know what wheat would be worth to us. Wheat is worth a whole lot to a man who is starving; and if our armies over there needed wheat I would be in favor of giving it to them if it cost $10 to raise it and give it to them.

The CHAIRMAN. The farmers would raise it at $10.

Mr. TALIAFERRO. And would not think he got enough for it if he got $10.

The CHAIRMAN. I think the farmer has been about as conservative as the packers or anybody else in estimating their receipts.

Mr. TALIAFERRO. They are the best posted men in this country to-day. They do not need anybody to help them.

Mr. GORE. I also ask permission to have inserted in the RECORD an article from the Washington Times of the same import.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article referred to is as follows:

REAL REASONS WHY PRESIDENT ASKS PASSAGE OF FOOD BILL.

The real reasons for the insistence by President Wilson on the immediate passage of the appropriation of $100,000,000 for food for Europe became apparent to-day, when the following facts were learned:

1. There are 36 cargoes of food of a value of $55,000,000 already in Europe or on the way, and not one pound of them can be used until the United States Treasury has sufficient guaranty that all the shipments will be paid for.

2. Great Britain, whose contracts have been in large part the basis of Government fixed prices for pork products in this country, has suddenly and unexpectedly suspended all orders which were scheduled for January shipment.

To throw all this pork on the American market would ruin all but the strongest packing houses.

WOULD AVOID UNREST.

The real reasons for the Presidents' insistence are to avoid the spread of unrest in starving Europe by providing food and to avert an industrial and financial disturbance in the United States by furnishing an outlet for the immense store of pork products now in hand.

Members of both House and Senate have been demanding more explicit instructions regarding the President's request. They have been unable to understand why the President has been so insistent and why he wanted the appropriation rushed through Congress and made immediately available.

If the Senate agrees to the hundred million appropriation—it has passed the House—the President will use more than half the amount in saving the 36 shiploads of food already available and will not have to await the shipment of other cargoes from this country.

Right in the shadows of the warehouses, bulging with their stores and the docks groaning under the weight of their fresh food supplies from America, tens of millions of men, women, and children who survived the war are to-day facing death or disease from starvation and their governments are facing demoralization before the mad onrush of the Bolshevik.

LARGE SHIPMENTS READY.

On this side 500,000,000 pounds of pork and pork products are ready for shipment; so much meat has piled up at many important Atlantic ports that an embargo has been necessary to prevent further congestion.

When word was flashed over the wires to the packing industry that England had failed to "come through" and make good on her orders, 50 representative meat packers from all parts of the country hurried to Washington for conferences with the Food Administration officials.

Last October they entered into a gentlemen's agreement with the Government to maintain a minimum price of 17½ cents a pound for hogs.

The farmers had been appealed to through every known medium to raise more hogs, both from patriotic and monetary motives.

WILL MAINTAIN PRICE.

In establishing a high price the Food Administration, the Department of Agriculture, and the packers offered a bonus to increase production. Now that the farmer has gone ahead with what amounted to a guaranty by the Government of an extra reward and raised more porkers than this country had ever before had, this Government is going to try to maintain the price.

The packers, through their official organ, the National Provisioner, say that "it has been suggested that it is to the financial advantage of Great Britain to allow matters to lag a trifle. As stocks pile up in this country the tendency will be toward a price break in order to avoid loss."

"It is a question of honor," they point out, "and it is believed that the British will 'come through' and make good on their orders."

When the packers agreed to maintain the 17½-cent minimum price for the month of January, it was with the understanding that there would be Government and foreign orders sufficient to make it possible for them to pay that price and still do business.

The foreign orders failed to develop when England announced she wanted no more American pork products, but would raise her own.

PACKERS SEE CRISIS.

The packers foresaw that unless Government assistance was forthcoming ruin stared them in the face; institutions in which they held securities would go down with them; small packers would be forced out of business; pork products would glut the market and would have to be sold at a loss; other meat products would automatically drop and a financial crisis would be on.

Minimum prices fixed by the Government were not binding, but under the circumstances the acceptance of them by the packers made them operative and almost as effective as if they had been binding. The same prices were also effective in all the allied nations, since they were based on a scheme through which the world's pork supply was jobbed.

The high Government official mentioned above, who, because of his position, asks that his name be withheld, holds that the present situation is brought about as a result of what he calls "the old-time selfish English commercialism."

SEES BRITISH COMPETITION.

He said that, in effect, it means that English commercialism is coming to the fore to repudiate a pledge of honor and to say to the United States, "We will not abide by your food rules—we will fix our own prices—we will reap our own profits—we will be your competitor."

"German commercialism wrecked Germany," the Government official declared. "It was selfish; it was rotten; it was too much for this age. It had the German people fooled.

"We are now having to deal with a brand of commercialism that is worse than Germany ever dreamed of; it is English commercialism. You may go back as far in her history as you like and you will find it.

"Mr. Hoover is having the very devil of a time over there trying to make England carry her end of the burden and play fair. We can only hope that she will come around shortly.

"There are now 36 shiploads of food supplies either already docked or about to be docked in European ports, but not a pound of them can be used to relieve the millions of starving people over there unless financial arrangements are made to satisfy the demands of the United States Treasury.

SAYS ENGLAND LAID DOWN.

"England has laid down on her agreement to take certain shipments of pork products. Much of the shipment in question is pork and pork products. It was sent over under the assumption that England would continue to make good her orders.

"These 36 shiploads of food represent $55,000,000. The President is familiar with the situation.

"It was this, among other things, that caused the President to be so insistent in getting an appropriation of $100,000,000 for immediate relief in the allied countries. The food is already over there. He needs the money to pay for it before it can be distributed."

At no time since America first cast her lot with the allies, the Government official declared, has coordination between England and America in regard to food been more urgent.

During the past year England has taken from this country double the amount of pork products of France and Italy combined.

If Serbia, Poland, Armenia, and some of the other weaker nations had some sort of organized government machinery with which to handle credits, much of the record-breaking pork supply of this country could be cared for, the official said.

WHITE SENSED GRAVITY.

Henry White, member of the American peace delegation, apparently sensed the gravity of the situation when he sent a cable message to Congress voicing the same sentiments expressed in the cable appeal of the President. Among other things Mr. White's message said:

"Aside from the stoppage of bolshevism, I understand there is in the United States considerable surplus of food accumulated at high prices, maintenance whereof guaranteed by our Government or assurance under its auspices, and it is necessary to dispose of this surplus in order to relieve warehouse and financial facilities as well as prevent serious fall in prices, with radical break in market, which would cost our country more than the appropriation asked for.

PACKERS IN WASHINGTON.

Under the caption, "Meat-export embargo disturbs the trade," the National Provisioner, official organ of the American Meat Packers' Association, carries the following article in its issue of January 11:

"Some 50 representative meat packers from all parts of the country having interest in export orders met with Food Administration officials in Washington on Wednesday of this week to discuss the congestion in the export situation caused by the stoppage of British shipments.

"When the packers agreed to a continuation of the 17½-cent minimum price on hogs for the month of January, it was with the understanding that there would be Government and foreign orders sufficient to make it possible for packers to pay the 17½-cent minimum price and still do business. Continuation of high live prices, asked as a means of satisfying the producers, was to be made possible by Government and allied support in the export market so as to make operations possible.

"The foreign orders promised for January have not developed, and meats packed on this expectation have piled up at Boston, New York, and Philadelphia awaiting shipping instructions until the congestion reached the point where the Railroad Administration declared an embargo on such shipments by rail to these ports.

"The situation became critical, and the packers' committee went to Washington to confer with the authorities. At the Wednesday conference, with about 50 packers present, Mr. Snyder, for the Food Administration, explained that his office had recently received word from the British food ministry in the United States to the effect that all orders for pork products for which Great Britain was responsible and which were scheduled for January shipping had been suspended.

SMALL VOLUME OF ORDERS.

"As a result there are definite orders on hand for January covering but 89,000,000 pounds of pork products, against which the packers are offering 500,000,000 pounds. In addition to the definite orders on hand the Food Administration believes that the foreign buyers will actually take during January enough more to bring the total up to 473,500,000 pounds.

"In commenting on the present situation Mr. Snyder said he firmly believed that the potential demand for our pork products in Europe was greatly in excess of the domestic supply.

"He stated that many of the foreign nations, especially the smaller nations, are in bad shape financially. This does not include Great Britain, France—which has a credit balance in this country—and Italy, which has a credit balance in that country.

"Holland's finances are satisfactory, but she has not yet satisfied the allies as to her intention to observe the regulations governing resales to enemy firms. Even now, in advance of the peace congress, the matter of an exchange of commodities with Germany is under discussion, potash probably being the material with which she will obtain food during the coming winter.

"Food Administration officials made no secret of their disturbance at the action of the British authorities. They have drafted a letter to the British food ministry in the United States, which will be cabled to London, and may ask Mr. Hoover to reenforce their action by cabling him the sense of this meeting.

SUGGEST PACKERS COMBINE.

"They have suggested that packers take joint action under the Webb bill, in manner similar to that recently taken by the textile industry. The wool and cotton men, acting together, have sent a man to Europe to act for them collectively.

"To complicate matters, the War Trade Board on Wednesday put on the free list four Scandinavian neutrals. This may tend to demoralize the market, and an effort will be made to have licenses so worded as to protect the market and the allotment packers who have been cooperating with the Government.

"Food Administration officials admitted that the packers as a whole had made less than the 9 per cent permitted them under the Government regulation of their profits; that there was available sufficient shipping space to handle the full amount of meat; and that while there was probably ample freezer space available, there would be even more as soon as beef commenced to move more rapidly.

"It has been suggested that it is to the financial advantage of Great Britain to allow matters to lag a trifle. As stocks pile up in this country the tendency will be toward a price break in order to avoid loss. It is a question of honor, however, and it is believed that the British will 'come through' and make good on their orders. It is believed that the next 10 days will see a change for the better in the situation, and that everything will be all right before the first of next month. Already slight relief has been given by allotment orders from the new European relief commission. The total is small, however.

"Packers who spoke on the subject stated that adequate relief must soon be given or they would be forced to greatly reduce killing. They mentioned the bad effect on export trade of the Atlantic seaboard tie-up, and asked that the Government be requested to hold out for giving American packers the advantage of freedom among neutrals of the right of resale.

"It was evident that all the packers were ready to 'go the limit' to help the Government and to keep their word on the hog-price matter, but that they also expected the Government to protect them to the extent of promises made, on the basis of which they had undertaken to operate."

Mr. MARTIN of Virginia. Mr. President, nobody on earth has any right to say that any part of this money is to be used to stabilize the market anywhere. The bill speaks for itself.

Mr. NEW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Indiana?

Mr. MARTIN of Virginia. I will yield for a question.

Mr. NEW. It is not a question, but I shall not intrude long on the time of the Senator. As I understand, the question before the Senate is the amendment offered by the Senator from Pennsylvania [Mr. PENROSE], and in that connection the Senator from Virginia either read or caused to be read a statement by Mr. Hoover to the effect that the money to be expended for food supplies is to be spent in the United States, at least I so understood. Mr. President, that prompts the retort that that is only the word of the gentleman giving it and is bound by no legal obligation or anything of that sort; it may be set aside or broken in a moment. I do not mean to reflect on him. He no doubt intends to keep his word.

But if it is the purpose or wish of the Senate that that point should be safeguarded and that the money should be spent in the United States, it is very much better to trust to the substance of the law than to the shadow of a promise. I recall, as every other Senator here does, I presume, that in the early days of the bond issues we were told by the War Department and by the Treasury Department that every dollar that was raised from the early liberty loan was to be spent in the United States for munitions, ammunition, explosives, and articles of a similar kind. At the direction of the Treasury officials and the War Department officials I went out, as nearly every other Member of this body did, I presume, and said to the people to whom we were undertaking to sell those bonds that the money was to be spent in the United States. It is a matter of common knowledge that a great proportion of it has been spent abroad; that supplies were bought in England, France, and all the countries of Europe, except those with whom we were at war, to the amount of hundreds of millions of dollars. I have no doubt that it was the intention of the authorities at that time that that money should be spent in the United States, but it was not so spent; and there is no more reason why this guaranty now given by Mr. Hoover should hold good than there was that the guaranty given by the Treasury authorities and the War Department authorities in those days should hold good.

Mr. MARTIN of Virginia. Mr. President, the extract which I read stated—I will read it again—

> Allies are willing and anxious to do all they can, and have and will contribute to the full extent of their resources, but it must be borne in mind that most of the food must be purchased in the United States, and American money would be used for such purchase and transportation.

Now, as to meat foodstuffs, I do not know of any place in the world where there is a surplus except in the United States. There are other places where wheat may be procured, but we have a large surplus of meat products.

Mr. PENROSE. Do I understand the Senator to accept my amendment?

Mr. MARTIN of Virginia. I do not; I have not indicated such a purpose, and I can not imagine why the Senator should conjure up in his imagination any such idea. I have not alluded to it.

Mr. PENROSE. I thought it was so closely in harmony with the persuasive utterances of Mr. Hoover that the Senator would cheerfully accept it.

Mr. MARTIN of Virginia. I do not accept it. The Senate can do with it as it sees fit. So far as I am personally concerned, I am unwilling to do an act of charity or benevolence in the attempt to save starving people from death, and accompany it with the statement that if we act at all we must make a profit out of the transaction. I say it would be unfortunate for the Senate of the United States to attach a profiteering condition to a donation to save starving people.

Mr. PENROSE. Mr. President, one more word and I will not interrupt the Senator further. How does it make it a profiteering arrangement to require that wheat, which the Government is compelled to buy at $2.26 a bushel, shall be bought by this revolving fund if any wheat is needed to send to Europe?

Mr. MARTIN of Virginia. They may be able to get it cheaper elsewhere; and I say it is profiteering when you fix an arbitrary price. I do not know whether it can be purchased any cheaper or not; I do not know whether they will come here for it or not; I hope they will. I believe this market affords the best opportunity for them not only to buy meat stuffs but breadstuffs.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Kansas?

Mr. MARTIN of Virginia. I yield.

Mr. CURTIS. May I suggest that Mr. Glasgow testified that the grain corporation of the United States Government had 143,000,000 bushels of wheat on hand now?

Mr. MARTIN of Virginia. I remember that; and I have stated that there was a very large amount of wheat in the elevators and granaries held and owned by the Government of the United States for which they paid $2.26 a bushel.

Mr. PENROSE. What objection is there to sending that wheat to these sufferers in Europe?

Mr. MARTIN of Virginia. I am very willing to have them come here and buy it, but I am not willing to say, "I will donate something to save you from starving, provided you will buy my wheat at prices greater than you can get it for from other people."

Mr. PENROSE. The Senator does not mean to express the idea that we are really going to be paid for these foodstuffs?

Mr. MARTIN of Virginia. I have not any doubt of it, with very slight exceptions. The amount appropriated is to be used as a revolving fund. Some little of it will be lost, used in charity, but for the great bulk of it we will have the obligations of foreign countries, and we will get the money back. The Senator, however, wants not only to get the money back, but he wants to be assured of getting a profit; he wants to do a profiteering business. I thought war profiteering was not in much favor among the people of this country, but the Senator is holding on to it with great tenacity, and he wants to donate money to relieve people from starvation, provided they will pay him a big profit.

Mr. PENROSE. Mr. President, will the Senator permit me?

Mr. MARTIN of Virginia. I yield to the Senator.

Mr. PENROSE. Will the Senator accept my amendment if I restrict it to those supplies for which the Government of the United States is not repaid?

Mr. MARTIN of Virginia. I do not think any such amendment as that ought to go in the bill. It might all be repaid; I do not know what part will be repaid, but we are assured that most of it will be repaid. There will be some little loss in charity—that is the information we have on the subject—but I think we ought to do it freely, generously, and voluntarily. If we are going to relieve these people from starvation, we should take the foodstuffs and hand them to them, and the governments under which they live can repay it if they desire to do so; but I am not willing to put them on terms to pay any particular price for any commodity which we are to sell.

Mr. ASHURST. Mr. President, I wish to say at the outset that I have no sympathy whatever with the assaults that are now being made on Mr. Hoover. He may be a Republican, he may be a Democrat; I care very little about that. I think he is a citizen of the United States; and if he is, the United States may well be proud of him. But he is a citizen of humanity; he is a citizen of the world.

I expect to vote for this bill. I regard it as simply an act of charity. If we pass this bill it will be simply a ladling out of bounty and charity to distressed people.

The distinguished Senator from New Hampshire [Mr. HOLLIS], who has just returned after a sojourn of some months in Europe, and who attended the sessions of the interallied council on finance, who handled the subject of foreign loans and rendered great service to this country and to the allies, said in his statement before the Committee on Appropriations:

> I consider that Bolshevism is like a boil on a diseased system. It indicates something wrong.

Mr. President, that is true. Bolshevism is a boil that should not be nourished but should be lanced. The so-called Lodge amendment to this bill has improved it immensely. I am opposed to feeding anything but hot lead to murderous Bolshevists, anarchists, and others who seek to destroy the civilization which has been built up on this earth after so many sacrifices and so much painful labor. I would not vote for this bill if I thought one dollar of the money appropriated by it would be spent among those brutal Germans who sank to the bottom of the ocean millions of tons of foodstuffs. Consider that the Bolshevists, so I am told on responsible authority, allowed 4,000,000 pounds of meat at one point to spoil because they were too lazy and indolent and trifling even to bring it in where it would not be contaminated and ruined. Talk to me about feeding Bolshevists that have not energy and nerve and industry enough to save the foodstuffs they already have!

With perfect respect to the eminent chairman of the committee who reported the bill, the Senator from Virginia [Mr. MARTIN], I think all this talk to the effect that we are going to get back every dollar of this appropriation is without foundation. In my judgment not a dollar of it will be paid back. It is a charity, a bounty, a gift. But better no charity, better no bounty given at all, than that given grudgingly. People do not appreciate that hospitality which is grudgingly extended

I repeat, while I am for the bill I am under no delusions in regard to it. There are no rainbows in my spectacles. I know that this is for charity; and as such, in view of the perilous position in which the world now is, I am inclined to favor the bill. But, Mr. President, while charity is a beautiful thing, while mercy is a beautiful thing, charity and mercy do not build governments nor make a people strong and great. It is justice that does that. It would not be justice, it would not even be real charity, to feed the peoples in the former German Empire. It would neither be justice nor charity to feed the Ottoman Turks; neither justice nor charity to feed any of those within the recent Austro-Hungarian Empire. Do you think I am going to vote a dollar of American money to feed a Bulgarian, who if he comes to our shores will come to destroy and not to enjoy our institutions?

While we are doing charity I am going to assist, in so far as my vote is concerned, on the main bill, and I shall vote for the bill even if my amendment is defeated. Let us also do justice, which is better than charity. Justice will build governments. Justice will sustain governments. Over in Europe now there are 1,800,000 American soldiers. How long they will be kept there, inscrutable fate can not tell. Even she does not know; but they are there. They should be brought home at once. The Army here is being demobilized; bring home our overseas troops. The young Americans who hurled back the Hunnish brute and rescued us from the sword of the Turk and from the infamy and the atrocity of the Bulgar and from the Magyar should have justice. So, Mr. President, while we are dipping our hands into the Treasury and ladling out charity to those who do not understand our institutions here, who do not understand civil liberty, let us do justice to those whose valor and energies have preserved civilization.

Here is an amendment which I am going to propose, and I hope it will be adopted, viz:

Add a new section, as follows:

> That every soldier, sailor, and marine in the Army and the Navy of the United States, upon receiving an honorable discharge, shall be entitled to keep and retain as his own property the uniform and overcoat and other articles of apparel he is wearing at the time of his discharge, and that no debit nor charge whatever against him shall be entered by reason of his so retaining such uniform, overcoat, and other apparel.

The next item will call for an expenditure of about $360,000,000. But are you going to pause in doing true justice; are you going to vote $100,000,000 for charity but nothing for justice? To resume:

> And there shall be paid to every soldier, sailor, and marine full pay for 90 days next ensuing after the date of his honorable discharge.

We would not have any charity to dispense; we would not have any Treasury from which to draw; we would not have any schools or churches; we would not have any ships or

harbors, or temples of learning, or temples of religion, or homes, or aught else to make life worthy had it not been for the valor and the sacrifice of these American soldiers, who gave up the opportunities of civil life, who gave up their gainful occupations, and by their strength saved this Nation so that it might have food to dispense to other peoples.

It seems to me therefore that while mercy and charity are beautiful attributes, wonderful things, that go to help sustain a liberty-loving country, the main question is lost sight of. The soldiers who helped us, the soldiers who themselves preserved our liberties, who made it possible that we could be charitable, bountiful, and magnanimous to other nations, are being entirely overlooked, just as a Chinese gambler on the Pacific coast would overlook a "white chip," if you know what that means.

So I will ask for the yeas and nays upon this amendment.

I had it in mind to offer an amendment providing for six months' pay to every soldier, but that would be too heavy a drain upon the Treasury at this particular time, although it would be nearer justice to the soldier.

Mr. President, that constitutes all that I have to say upon this subject. At the proper time I will offer the amendment; and I ask now that it may be printed for the discussion of the Members.

The PRESIDING OFFICER (Mr. KING in the chair). The Senator from Arizona offers an amendment which will be stated.

Mr. ASHURST. I just tender it, and ask that it may be printed, Mr. President. I will offer it later.

The PRESIDING OFFICER. Does the Senator offer it as an amendment to the pending bill?

Mr. ASHURST. No; I understand that I can not offer it now. I simply tender it, and ask that it may be printed; and at an early time I will offer the amendment.

Mr. THOMAS. Mr. President, for the purpose of removing any uncertainty regarding the President's price-fixing order of February 21 of last year, let me read the concluding sentence of the order:

> The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned to every producer of wheat of any grade so established under the United States grain-standards act, upon the condition that said wheat is harvested in the United States during the year 1918 and offered for sale before the 1st day of June, 1919, to such agent or employee of the United States, or other person, as may be hereafter designated, at any one of the above-mentioned cities, which are, for the purposes of this act, hereby declared to be the principal primary markets of the United States, and provided that such producer complies with all regulations which may be hereafter promulgated in regard to such guaranty by the President of the United States.

From which it will be seen that this guaranty applies to the crop of 1918 if it is marketed by the 1st day of June next, and to that only.

Mr. LEWIS. Mr. President, I direct the Senate's attention for a few minutes to a phase of this measure which I fear we are overlooking, or failing to contemplate, because of the many conflicting collateral questions which have been intruded upon the measure.

This bill has been explained with fullness by the able chairman of the Appropriations Committee. He does not need the aid of anyone; but in my opinion its passage, as well as its understanding, has been very much embarrassed by the viewpoint expressed by Senators, gathered from prejudices they entertain upon phases of government that are no part, as I see it, of this measure, and which I fear, unless we are cautious, will greatly embarrass the passage of the bill and tend to bring about a result that is not in the intention of any Senator here, by paying heed at this time to these collateral matters which I regard as foreign to the measure.

Let me be specific. Senators object to the measure upon the ground that it may be administered by Mr. Hoover, against whom certain Senators have a stated prejudice. Other Senators object to the bill because it will result in the purchase of supplies now held by packers; such is their apprehension; that may or may not be true. Other Senators object to the bill because they think that in some manner some of its benefits or benefactions may filtrate to those whom they do not wish to be the objects of our generosity. Each of these Senators conceives his particular objection as sufficient to cause him to oppose the bill.

Mr. President, this is a measure brought in here to feed the hungry. It is brought in to relieve distress. It is proposed upon the ground of another exhibition on the part of the United States of its generosity to the needy of the earth. We are either for that purpose or we are against it. We either wish to grant this bounty or we do not. If motives purely collateral, touching other subjects foreign to the measure, are to control us, then our decision in the final result is influenced by anything else and everything else than that which the bill is intended for, and our vote will be inscribed against ourselves when it in no wise has expressed our viewpoint or our conviction upon the merits of the measure itself.

Of course, to the sense of charity of any human being a hungry person appeals keenly; and when we see from the press reports that there are millions in distress and dying in the panic of starvation, amidst all the chill of coming winter and all the indescribable devastation that must be upon these people and yet to come, our sympathies are immediately aroused. We can say, with the observation in King Lear:

> Poor naked wretches, whereso'er you are,
> That bide the pelting of this pitiless storm,
> How shall your houseless heads and unfed sides,
> Your loop'd and window'd raggedness, defend you
> From seasons such as these?

But, Mr. President, what I wish to impose upon the Senate, if I may, is this thought, that whether it is our charity which inclines us kindly to the support of the measure or personal objections to certain administrative features of our Government that shall induce us to oppose it, I beseech you to count the result; and here is where I impose upon your attention, I trust for a minute, and I ask your attention.

First, I ask the attention of the Senate to the fact that the President of the United States has requested this appropriation. He is on the ground. He must know why he asks it. He must know, my fellow Senators, some reason why he feels that this Government will be compensated in yielding to his request, either by compensation bodily, in the manner explained by the Senator from Virginia, or by compensation spiritually.

Now, Mr. President, suppose for all these collateral reasons you defeat this measure. I invite you to the thought that this is the first request made by the President of the United States since he sat at the peace conference for anything that he regarded as essential for harmonizing those frictions which are flashing through that conference. It is the first request that has been made for anything which in his judgment will bring about a concord of circumstances and contribute to the object you all have in view—a speedy peace and an early tranquillity of those nations.

Now, Senators, let us assume that the different objections presented by eminent Senators, sincere as they were, on different collateral phases of the bill shall prevail and that there shall be enough votes to defeat the measure—before the world how do you stand?

First, that the very first request made by the President, partaking of no partisan attitude—for that can always be understood abroad—is defeated, with all the discouragement that at once attends it and all the misconception and misconstruction that would follow it.

Second, Senators, you would have before the world the fact that it was the Senate—the United States Senate—which defeated the measure, after the House had passed it, and you would give license to those who have been misrepresenting the Senate in different parts of the world with the accusation that it was only biding its time to defeat anything the President of the United States should inaugurate in connection with the peace conference.

Thus a humane object, having no purpose whatever of a partisan nature, being advocated or opposed in no wise by Senators upon the basis of any partisan distinction, would be beaten upon these collateral issues, leaving the construction to follow that in this Senate, which was accused of opposing anything the President would undertake, in the very first request he makes he is defeated and discredited, when such was not your intention. If one of you has that intention, it is your privilege. You would have the right, if you felt justified in it; but in these different collateral matters that are being presented you are being allured to an object that I am sure is not within your views.

Now, Senators, a second phase of this matter, which will conclude the liberty I take with you.

The President of the United States must contemplate that by granting this measure we shall be able to feed those people who, in their hunger and in their distress, are in a condition of mind irresponsible for their own conduct. He must feel that the granting of this measure would compose these people and would bring about the harmony which you all desire.

Senators, should we defeat this measure, contemplate with me a thought I beg to suggest, as my own, of course. It may be at variance with yours.

Every one of the small nationalities which are in distress and hunger, as described by the eminent chairman when he opened the debate upon this bill, will be at once told that our defeat was to turn against them. They will see that the very first

call of theirs was disobeyed, their very first need ignored. These people, remember, Senators, turned against the Government under which they were and at the command of the President of the United States revolted and sought to set up for themselves a government of liberty and freedom; and for that they starved. They became, at our command, revolting agencies against the imperial kings who were oppressing them. But, while oppressed in liberty, they still had a method of getting bread. Then the imperial masters will summon these to behold the spectacle that we invited them, under the cry of "Come unto Me, all ye that are weary and heavy laden and I will give you rest," to hunger and starve them after we had brought them to the point of their distress where they could not aid themselves. Then, Senators, as I see it, in such a desperation they will turn upon the occasion, and the very first they will rend will be your soldiers—not in enmity against America but in opposition to the world of affairs.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Missouri?

Mr. LEWIS. Yes.

Mr. REED. Does the Senator from Illinois really mean to tell the Senate that if they do not give this $100,000,000 to feed these people they will rise against the American soldiers?

Mr. LEWIS. Mr. President, the Senator from Illinois may sometimes be perplexing in his observations, but he is usually clear in his intentions. My observations were just the reverse of that. I did not say that if we did not give them the money they would rise against the American soldier. I said, to the contrary, that one of the very first things that they would rend would be the American soldier, not because they would desire to assail him but because, in their temper and distress, their opposition and their resentment would be against the world; and if the Senator will but be patient for a second while I conclude the sentence he will see exactly my full meaning. It is this: They will then turn, Mr. President, against every organization of government that is around them. They will become a part of the agencies of confusion and destruction. It will become necessary then for the American soldier to be called, together with other soldiers, to maintain order. He will be invoked to remain in his present position to accomplish this object. In doing that he is at once confronted by this crazed mob of human beings, whom he must seek to suppress or to compose, quite as our soldiers in Russia have been called to the very same kind of undertaking; and, not with an intention to injure him, behold our soldier detained in Europe for two more years or for one more year or for six more months—aye, indeed, for one more month—longer than necessary, and himself and his life hazarded because of these consequences which would follow from these now discouraged men in despair and hopelessness.

That, I answer the able Senator from Missouri, is the position I assert.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois further yield to the Senator from Missouri?

Mr. LEWIS. I do.

Mr. REED. I am glad the Senator made the explanation he did, because, if I heard him correctly, he certainly did say that unless this food was furnished to these people they would be the first to rend the American soldier; but I think he ought to modify his second statement. The effect of his second statement is that unless these people get this money they are going to turn against all law and all government and become a sort of international banditti. If they are that kind of people, they are not worthy of our charity.

Mr. LEWIS. Mr. President, while the Senator from Illinois thanks the Senator from Missouri for the suggestions that come from a source such as we know the Senator to be—able and thoughtful—nevertheless, he can not qualify his observation. I mean what I said, and I said what I mean. It is this—not, as the able and eminent Senator seems to construe, that such will be the result if we do not give them this money, for I made no such assertion; but I said if they were not fed and in their hunger and in their distress they lost the responsibility which men invariably lose when hungered and hopeless and in despair, they would then become a force against all organized society and every form of mankind; and among those who would first suffer from the effects of that, if this bill were beaten for other objects than the intention to do so—beaten because of these different collateral matters and collateral contentions which eminent Senators have urged against the measure—I do say, sir, it would mean, in the final end, that the soldiers of America would be kept there in Europe to help repress this disorder, to overcome this anarchy, and, sir, in order to accomplish the purposes of peace we would be keeping our own soldiers in Europe for a time far beyond our intentions and in the meantime jeopardizing their health, their comfort, and their lives. Therefore, Mr. President, I besought the eminent Senators to contemplate what would be the result of their action if they should defeat the bill because of these collateral objections; and the query of the eminent Senator from Missouri is a complete proof of the assertion I made and that he has contemplated that these things could arise from the defeat of the bill if he or other Senators for other reasons vote against the bill, not intending at the time that any such result should follow.

Mr. President, I have assumed to point out two things, and on those two things I rest the imposition the Senate has kindly allowed me to put upon it:

First, the effect upon the President of the United States and his undertaking there, should he be defeated, with no intention on your part to do so and no desire on your part to do so, the effect of the construction would weaken him in every other form of mediation, consideration, or deliberation which for the balance of the time would occupy him. No editorials of writers, no speeches from spokesmen, no asseverations from American patriots, however much they supported him, would be of any avail against the very first act on the very first request at his very first sitting at the peace conference.

I state the last, and then I conclude.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Colorado?

Mr. LEWIS. I yield.

Mr. THOMAS. I think the Senator is mistaken with regard to the date of this request. The President cabled the substance of his request while in Italy, I think, the day after his arrival in Rome. It was not a request either accompanying or resulting from the first meeting of the peace conference.

Mr. LEWIS. The able Senator probably has been too busy, and I know how industrious he is, to recognize that the peace conference assembled on Saturday for the first time and is now in orderly procession; and if we defeat this now, known to be his first request to the Congress, it would be that the defeat comes to him as the very first act on the part of the United States Senate or the Congress—the Senate, I must insist, the House having passed the bill—as the very first act after he sits in the deliberations of the conference.

Mr. THOMAS. But it was merely a repetition of a request he previously made. It was transmitted to the chairman of the Committee on Appropriations of the Senate, the Senator from Virginia [Mr. MARTIN], by the President the day after his arrival in Rome.

Mr. LEWIS. That may be, but may I call my able friend's attention that in the last few days the President has sent cables and members of the American Commission have sent cables and now Mr. Hoover sends cables, and they ask and request all of you, and they are now sitting watching you with their eyes to see what will be done with it.

Mr. SMITH of Michigan. Mr. President——

Mr. LEWIS. I yield to the Senator from Michigan.

Mr. SMITH of Michigan. Does the Senator from Illinois know whether this purpose of the President is a part of the plan emanating from the peace conference? Does he know whether other States have decided to participate in this arrangement, or is it to be an exclusively American function?

Mr. LEWIS. I am compelled to answer the Senator by saying there has been read here by the chairman and also the report discloses that this is a cooperation. The measure here, I will say to the able Senator from Michigan, is a mere contribution on our part in cooperation with the other nations, and they have designated that they will not only contribute but this morning evidence comes to us of the relative amounts. Therefore I say to the Senator that I deduce from that that this is a demand of the peace conference, or those who sit around the peace conference, for the purpose of feeding the hungry to compose their differences in order to facilitate the ultimate peace we all hope for. Such is my deduction, such is my belief, and it is because of such I assume to present to the Senate my views.

Now, Mr. President, because of this may I beseech able Senators to contemplate the effect of their action upon the final results if they should not yield, and, even conceding the objections they urge to be well founded, that they should be urged at some other place than at this particular time; and I invite them, though the position be well taken, it is better for a little wrong that we might do a great good.

This measure, sir, I tender is for American humanity, for American peace, for the preservation of American interests as well, sir, as for European charity.

Mr. JOHNSON of South Dakota. Mr. President, I expect to vote for this legislation, and I wish as briefly as I can to state my reasons for so doing.

First and foremost, I want to read as a part of my remarks a telegram from the President of the United States, which appeared in the RECORD last Saturday, to the chairman of the Senate Committee on Appropriations [Mr. MARTIN] and the chairman of the House Committee on Appropriations [Mr. SHERLEY]. I do this for the reason it appears to me that the President feels that it is almost necessary to have this appropriation go through. I read:

PARIS, *January 11, 1919.*

TUMULTY.

The White House, Washington:

Please convey following confidential message to Senator MARTIN and Congressman SWAGAR SHERLEY:

"I can not too earnestly or solemnly urge upon the Congress the appropriation for which Mr. Hoover has asked for the administration of food relief. Food relief is now the key to the whole European situation and to the solution of peace. Bolshevism is steadily advancing westward, has overwhelmed Poland, and is poisoning Germany. It can not be stopped by force, but it can be stopped by food, and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance. The money will not be spent for food for Germany itself, because Germany can buy its food, but it will be spent for financing the movement of food to our real friends in Poland and to the people of the liberated units of the Austro-Hungarian Empire, and to our associates in the Balkans. I beg that you will present this matter with all possible urgency and force to the Congress. I do not see how we can find definite powers with whom to conclude peace unless this means of stemming the tide of anarchism be employed."

WOODROW WILSON.

Mr. President, this cablegram is the basis of my reasons for supporting this measure. I do not know what the conditions are in Europe, nor do I think anyone here knows. Perhaps the members of the Committee on Foreign Relations are the best posted, but I do know that we have a commission selected and in attendance at the peace conference at Versailles, now in session, and that the President of the United States is at that conference. I further know that the President and each member of the commission representing the United States ought to be in a position to give us information upon which we could act. I do not believe there is a man in this body who would stand up and say that the President of the United States would cable that this appropriation of $100,000,000 for the purpose as stated is vital and necessary, and in his opinion the only way in which peace could be brought about, unless he really thought so. This being true, tell us, then, what we could do except to support this legislation.

Mr. President, there is another phase to this question, and that concerns the condition of our country to-day, with Bolshevism overrunning Europe, which the President in his cablegram Saturday tells us is true. We know conditions in this country now are not such as we would like to see. We will soon have among us many idle men. We have now, according to the best authorities, 350,000 idle men in 19 cities. There is an organization in the State of New York which tells us there are 100,000 uniformed men now out of employment.

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Georgia?

Mr. JOHNSON of South Dakota. Certainly.

Mr. HARDWICK. If we have three hundred and some odd thousand unemployed men in this country had we better not give them a little bread and a little money before we send this to Europe? [Applause in one of the galleries.]

The PRESIDING OFFICER. The Sergeant at Arms will remove the person from the gallery who made the demonstration.

Mr. SMITH of Michigan. If the Senator from South Dakota will pardon me, I think, Mr. President, that is a very thoughtless expression. I thought I saw the man who did it. I think he had on him the uniform of his country. I do not believe that he intended to offend the Senate. I hope the Chair will extend that leniency for which he is noted and not remove the offender for the first offense.

Mr. JOHNSON of South Dakota. I trust he will, too.

The PRESIDING OFFICER. There has been considerable noise in the galleries, disturbing Senators who were attempting to speak.

Mr. LEWIS. May I invite your attention, sir, that possibly the occupants of the Senate galleries have not been advised lately that our rules forbid applause, while permitted in the House? Perhaps the spectator may have misunderstood and assumed that the same privilege prevails here as in the House. If the Presiding Officer will be so kind as to suggest to him our rules, I think we will not have another violation of them.

Mr. LENROOT. Mr. President, I merely wish to correct the statement of the Senator from Illinois. The House rules do not permit applause.

Mr. LEWIS. When I was a Member of the House I never knew any rule which prevented it.

Mr. SMITH of Michigan. The House rule applies with reference to the occupants of the galleries, but they have no control over their own Members.

The PRESIDING OFFICER. In view of the fact that the Senate is considering a matter which appeals to the charity not only of Senators but of the world, and in view of the appeal made by the distinguished Senator from Michigan, the Chair will exhibit the same charity, and request the Sergeant at Arms to instruct the offender not to repeat the offense upon the penalty of being removed from the gallery. The Senator from South Dakota will proceed.

Mr. McCUMBER. Will the Senator yield to me?

Mr. JOHNSON of South Dakota. I yield.

Mr. McCUMBER. I understand from the Senator there are several hundred thousand unemployed people in some of our large cities. Does the Senator know whether there is a demand in those cities for labor?

Mr. JOHNSON of South Dakota. I do not.

Mr. McCUMBER. I predicate my question upon what I have seen in all of the papers of New York, Washington, and every other city. You will find 20 applications for persons to be employed where you will find one who asks for employment. It may be true that there is a lack of employment, but I think the Senator will find the lack of employment grows out of the fact that wages are now so enormously high that no business can afford to pay the prices. If these men will go back to work at reasonable prices, they will find that there is plenty of employment in the United States.

In my own State, and undoubtedly in the Senator's State, the same is true, because they are adjoining States, we are making application every day to get young men discharged from the Army—men with families at home who can not hire help anywhere and who have nobody to take care of their stock except the women and little children. I think if we would discharge a great many of those people from the Army there would be employment very quickly for them.

Mr. BORAH. Mr. President, the statement of the Senator from North Dakota [Mr. MCCUMBER] that there is necessity for labor in some agricultural States of the West and no one there to take up the work which we have is true. But, Mr. President, that does not meet the situation which now exists in some of the cities. People who are congregated and congested in the great centers of population can not get to those places and they can not perform the services that are there desired in the far West.

But what I call particular attention to is that the Senator says "if these men will go back to work at a reasonable wage." What is a reasonable wage in view of the prices of products in this country now? I do not myself know how what was called a reasonable wage prior to the war would furnish a basis for the existence of a man upon present prices. I do not know how he would keep his children clothed and his family fed upon what was called a reasonable wage at that time.

Mr. McCUMBER. If the Senator from Idaho will allow me, I think he is falling into the error that every time the increased cost of labor sends up the price of the product of that labor you must then increase the price of labor again to meet the increased product of his labor, and when that goes up higher you must increase the price of the labor again to meet the higher cost of living, because as a matter of fact while before the war, taking ordinary products, the labor and the raw material were about 50-50, there are now in most cases more than 85 per cent representing labor, which shows that the raw material has not gone up anywhere to the extent that labor has. Therefore labor has added very much more than any other thing to the present cost of living.

Out in my own State we raise sheep. We were unable to get men to take care of them for five and six dollars a day at any place during the fall of the year. The Senator knows that. He knows the conditions in his own State. In our own State there is a big demand for labor. I was talking with a manufacturer of cars the other day. In one of the great cities where there has been a surplus of labor he informed me he would probably have to shut down in a short time, simply because the price of labor was so high he could not continue the business. When you come to paying $6, $7, $8, or $10 a day for the most ordinary labor the business of the country will not stand it. They can not go on at that rate. The present prices of products are so immensely high that in a short time you can not go on with your business. If a brick is to cost 10 cents you can probably build, but if your labor is so high that the brick costs a dollar you can not build.

Mr. BORAH. As I understand the logic of the Senator, reduced to a simple proposition it is that the high prices with which the world is now cursed are due to labor.

Mr. McCUMBER. I said the labor price had increased enormously beyond the increase of raw material in the proportion of the cost of the finished product, and that fact the statistics show.

Mr. BORAH. The Senator will agree that with the proposition the labor must at this time have a wage commensurate with and upon the basis of the high cost of living.

Mr. McCUMBER. Yes; but if you send the cost of living through labor so enormously high that you immediately paralyze business you are bound to have in the end a reduction in the price of labor, because there will be no business to employ labor, and that is what we are suffering from to-day more than anything else. We are suffering from the fact that with the present prices of labor in our cities a great many businesses can not run and produce as they did before the war.

Mr. BORAH. Certainly not, at the same price.

Mr. McCUMBER. They can not afford it.

Mr. BORAH. But the Senator does not expect labor prices to go back under present condition to labor prices before the war.

Mr. McCUMBER. Certainly not. I expect them all to conform to a new condition. I do not expect ordinary labor to hold up to $6 and $8 and $10 a day when the business of the country can not stand it. I think they will reach an adjustment in time, but the point I want to make is that there is employment for those who want to really get employment in the country at living wages.

Mr. JOHNSON of South Dakota. Mr. President, answering first the Senator from Georgia [Mr. HARDWICK], who has now left the Chamber, I believe the Government is making all possible arrangements to take care of the hungry and needy in our own country, if such conditions are found to exist. There was an amendment introduced in the Senate to-day by Senator ASHURST, of Arizona, providing for three months' pay for all discharged soldiers, which, I think, will become a part of this bill; if not, it will become a law before this Congress adjourns. The Senator from North Dakota [Mr. McCUMBER] has stated the real situation in the western part of the country. In the Senator's State and in my own State of South Dakota there is now and has been a shortage of labor all the time. It is impossible for the farmers to pay the prices which have been asked without losing money by the proposition, but they have been compelled to do it.

With regard to the statements which I made, I saw it published in one of the daily papers here in Washington a day or two ago as coming from the secretary of a labor organization, it only applied, as I said, to 19 cities. The statement was that 350,000 men were out of employment in the United States in the 19 cities.

The purpose which I have, or one of the purposes in voting for this resolution, is to stop bolshevism in Europe, because as it spreads there it will come here, and we know, and every other man knows, that want and hunger, as we understand the terms, make a criminal out of any man. This is the phase of the subject to which I allude. It would make a criminal out of any Senator in this body if it became necessary for the protection of his life and the lives of the members of his family that he do acts along criminal lines. The passage of this legislation, as I see it, will go a long way toward the prevention of the deplorable conditions now existing in the greater part of Europe to-day, and indirectly it will be a great benefit to the United States, for the reason that bolshevism in Europe, unless checked, will spread all over the world. Mr. President, stranger things have happened than that Europe might ultimately be destroyed by this class of people.

Again, Mr. President, this item of $100,000,000 is an immense sum of money to me, but it would be a small thing to the country if you compare it with the possibility of another war. This sum would just about carry on the war for three days in the same proportion that it cost the country in the present war during the past year.

Permit me to say this, and then I will conclude my remarks. I believe the United States owes a great moral obligation to all her allies. We should stay by them until this war is actually ended and this great peril to the safety of the world is stamped out. How can any man reason that the war has actually ended when we are fighting in Russia the very armies which were created by the Kaiser of Germany and commanded by German officers now? We are fighting the same forces there to-day. The war has not ended and can not end as long as our boys remain in Russia to accomplish the purpose for which they are sent. The passage of this measure will give them encouragement. It is not a question of going into Russia. We are already there. Do not you think we owe the people of Russia a great debt? From the best information we can gather their losses are nearly 10,000,000 men in the war for freedom. It seems to me that we with our allies should stand together and assist these unfortunate people until they can establish a government of their own, which will be looked upon by the civilized nations of the world as a government which can be recognized.

The whole of southern Europe, the Balkan States, Poland, and the various Slavic States are a part or should be a part of the liberated people which this legislation is proposed to benefit. I do not believe this appropriation will be a gift or donation, as has been expressed on the floor. We have two or three Governments of these liberated people already in existence, and I believe they will repay to the Government of the United States their proportion of this money, as far as they can, and I have no doubt that all will eventually do so.

I think it is our duty, just as it was our duty to send troops into these countries to help liberate the world, to keep at least our moral and monetary influence there and help them establish the governments which we encouraged them to hope for in the democracy of the world. I have voted for and willingly given my support to all war measures since we have been in the war. I have cast votes which if a man had asked me two years ago to cast I would have thought him crazy, but I have "followed the flag"; I have voted for each and every war measure presented to the Senate thought necessary by the War Department.

I am confident if we show good faith toward our allies we should continue to give our moral support to each of them and extend financial credit as far as we can until the treaties of peace are signed and governments are established of recognized stability.

The prompt passage of this legislation by the Senate will show the people of Europe that we are willing to do our share in bringing to a final and successful conclusion the principles for which we have fought. Nothing less than this would show good faith. Nothing less would be our duty.

Mr. SHERMAN. One difficulty, I find, Mr. President, in supporting the measure unless it shall be very materially amended is the obligation which it imposes upon us in addition to those known to be necessary to assume between now and the end of the next fiscal year. In April, we are informed, a bond issue will again be offered of $6,000,000,000. I learn from a communication from a Cabinet officer that we will be expected to contribute $1,500,000,000 to a fund to establish credits for the allies in this country.

Under the existing law—

This Cabinet member says—

credit must be established by the Secretary of the Treasury, with the approval of the President, only for the purpose of national security and defense and the prosecution of the war in favor of the Governments engaged in war with the enemies of the United States, and the authority to establish such credit ceases upon the termination of the war.

He asks, therefore, for additional legislation which shall authorize the establishment of $1,500,000,000 of credit to enable the allies to purchase material and readjust their conditions by having access to that material not only in our own market, but to transport it when manufactured abroad for the purpose of building up their own industrial affairs.

This would make, if it were followed, a draft upon our financial resources of $7,500,000,000. With the $100,000,000 provided in this appropriation, it would increase it to $7,600,000,000. These, however, are only merely somewhat large drops in the bucket. Our annual appropriations will exceed that many times. Our tax levies will be required to meet all these appropriations, just how much no one is able to accurately compute at this time.

In addition to these obligations, we have our own burdens to carry. There are enormous private charities in this country administered by the Red Cross, by the Young Men's Christian Association, and by other organizations for the relief of various nationalities of the devastated countries. Every Senator in this Chamber knows how heavy those demands are upon his private resources. Scarcely a mail is delivered at the office of any Senator which does not bring one or more requests for help to some of our domestic charities, all of which are of a very meritorious character.

This $100,000,000 will be administered by the head of the Food Administration now abroad. With great respect to Mr. Hoover, I do not believe that he understands very well the difficulties of production. His problem has been that of the distribution for many years, beginning with 1914 or 1915. His efforts have been confined to relieving worthy objects of charity or of help from national appropriations or private funds out of the supplies furnished him.

Mr. Hoover is not a factor in the production of any of the supplies. He asked for the $100,000,000 through the voice of our absent Executive. The $100,000,000 will come out of the Public Treasury. It will be provided in the form of credits to

be taken abroad. If the bill should be enacted into law the amendment of the Senator from Pennsylvania [Mr. PENROSE] ought to be adopted, because it will tend to support our own market, not necessarily to keep up prices—that has been attended to by governmental authorities in other channels—but at least it will give some relief to our own market. Without this amendment there will be no limitation upon where this fund shall be expended. It may be all or part of it expended in South America for food, grains, and meat. I understand it is to be pooled with something like $300,000,000 in the hands of the allied nations. Possibly some of this fund, or a considerable part of it, might be spent in Australia to relieve the wheat market in that country.

That leads me to remark that we are now beginning to harvest what we sowed. We undertook to interfere with the natural laws of the market several years ago.

We undertook to fix prices by Government action. In some instances it was done by an act of Congress; in others by the interferences of various boards and bureaus, by their acts regulating the activities of what ordinarily is private business. At any rate, the Government now finds itself in a position where it is likely to be called on to maintain the prices it has fixed or to meet the contracts which it is at least morally bound to keep with the producers.

This is unofficial; I do not know whether any department would verify it or not; but I state that it is a market condition that imports of wheat into this country have been denied at the Pacific coast ports. No wheat can be brought into this market from Australia. I doubt whether imports of wheat can be brought into our markets from South America. This is for the evident purpose of keeping the price of wheat in the United States market at its present figure. The Government, having undertaken to guarantee prices, suddenly finds, with the end of the war, with a very large production of wheat in the United States, with fair crops abroad in such areas as are not under the control of military forces, that we are likely to have in world markets a reduction of present wheat prices. In order to prevent this decrease in the wheat prices, and consequent losses, the United States, if it has not actually prohibited as a war measure, at least is discouraging the importation of wheat from both Australia and South America. My information is that cargoes have been denied admission in the event they should be brought from Australia to the Pacific coast ports. This is for the purpose of supporting the market; it is that wheat prices may remain as they are.

The PRESIDING OFFICER (Mr. KIRBY in the chair) rapped with his gavel.

Mr. SHERMAN. Mr. President, I shall not follow the practice of my colleague to cease talking when others are at the same time talking in the Chamber, because it is a matter of indifference to the Senator occupying the floor at this time. It does not disturb me at all. If it be agreeable to other Senators, I am very glad that all of us may be busy at the same time. So if others desire to carry on conversation, so far as the junior Senator from Illinois is involved in it, the Chair need not call such Senators to order unless he feels that it is due to the dignity of the Chair or of this Chamber so to do.

The object of preventing imports of wheat is to support the price of wheat on the market, as I have suggested, Mr. President.

I am told further—and these matters of information I get from dealers in both flour and wheat at various points in the United States—for instance, in New York it is reported that the flour market is overstocked; that prices ordinarily would fall; that they would fall for the same reason that wheat prices would fall, but the Government is controlling the distribution of flour just as it controls the distribution of wheat, and is keeping up prices to millions of consumers. With matters in that condition neither wheat nor flour will be permitted to decrease in price; and if the Government can keep the wheat price up, it will do so as long as the Government itself is liable for the $2.26 a bushel. It is rather a novel way for a purchaser who is "long" on the market to protect himself by keeping everything else out of the market, so that the price shall remain at the purchase figures or at a higher figure until he unloads.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Minnesota?

Mr. SHERMAN. Yes, sir.

Mr. KELLOGG. Does not the Senator from Illinois think that it would be of more benefit to all the American people if the Government bought the crop of wheat for 1919 at the guaranteed price, which has already been made, and sold it in the market at the price in the general markets of the world, so that the American people would have the benefit of the same market that the people of other countries have? The guaranteed price was, I understand, made because of the small crop of 1916 to induce the largest possible production of wheat in order to carry on the war and feed the armies and nations of Europe in order to sustain our cause.

The President, under his power, fixed the price of wheat last September for 1919. Now that the war has closed and the Government has got to carry out the guaranty, would it not be better to buy the wheat and sell it in the market so that all the people may have the benefit?

Mr. SHERMAN. I think it would, Mr. President. I will say, in response to the Senator's inquiry, that I think the better way is for the Government to act as a private person who has overbought on the market would act if he has the means, and the Government has. He either must do that in private business or he must become bankrupt. The better way is to settle, if the Government has the money, and assuming now that it will be provided, the satisfactory way would be for the Government to go out in the market for the 1,017,000,000 bushels of wheat, which is the estimated crop, buy that, pay for it out of the Treasury, and then sell it for the best market price that can be obtained.

Mr. KELLOGG. In order to do that, I presume we shall have to have some legislation of Congress.

Mr. SHERMAN. Yes, sir; undoubtedly that would be required.

Mr. KELLOGG. And we should have that because that crop will begin to be marketed in July of the present year. I think that is the best course to pursue, but I do not think we ought to compel the people of this country—all the people, those who are able and those who are not able—to pay the war prices simply because the Government made the guaranty.

Mr. SHERMAN. I am in accord with the Senator from Minnesota on that question; but the policy of the Government, manifested through the bureaus having authority, seems to be to the contrary. Their purposes seem to be to keep both wheat and wheat products at a figure that will protect the Government from loss. When the Government adopts a policy and carries it out, until the future wheat crop of 1919 is disposed of it must necessarily be at the cost of the consumer of the product, and higher prices.

Mr. KELLOGG. I am loath again to interrupt the Senator.

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Minnesota?

Mr. SHERMAN. Yes, sir.

Mr. KELLOGG. So far as this year's crop is concerned, which will be marketed under the Government guaranty, some legislation will be necessary in order to authorize the Food Commission to sell it at the market price and take the loss. That legislation, it seems to me, the Food Administration must have, and I take it that the present plan of selling at a price based upon the Government guaranteed price must be changed by Congress.

Mr. SHERMAN. I have no doubt of that. Congress must accept its share of the responsibility.

I remember when Senators voted here, it was argued that there ought to be a guaranty on wheat prices in order to stimulate production. The argument was adopted, "It is an artificial stimulus, it is true; but the conditions are artificial." The war conditions being abnormal, as they were, Congress deemed itself justified in making that guaranteed price. That is illustrative of the finite wisdom of mankind. Before we get through we shall have more of that, but this illustrates, so far as we have traveled, the utter unreliability of human judgment when men begin to interfere with markets. The Senate, the House, and the executive department undertook to perform a task that the business men—the producers and the distributors of a hundred million people—were carrying. We shouldered that burden. I think it was a shortsighted policy. I voted for some of it. It was a war policy, and I am willing now to vote for appropriations to buy the wheat or to change the price and to pocket the loss. We had better do that than to keep up the price of wheat and its resulting products in the Atlantic seaboard towns or to millions of private consumers. I agree with the Senator from Minnesota [Mr. KELLOGG] on the course to be followed by Congress.

All these cities must live between now and next spring. The food-producing centers can take care of themselves. There is no immediate danger of starvation there. Private charity will take care of Chicago; St. Louis will take care of herself and will feed her suffering poor; so will every other western city in the great producing areas of this country. It is other parts of the United States to which our attention must be directed; it is other parts of the world where the necessary food supplies must be had.

We now reach the point where we have not only the present crop, but the future crop must be taken care of. Additional legislation will be required for the Food Administration to meet the emergency. As a help toward mitigating that emergency and its rigors, the amendment offered by the Senator from Pennsylvania [Mr. PENROSE] to this bill has been prepared and submitted. It will to some degree help solve the problem in the proportion that $100,000,000 bears in its relation to the whole number of hundreds of millions of dollars required to handle the grain crop from the producer until it reaches the consumer.

Before we finish this problem, Mr. President, we will be made painfully aware of an elementary fact in all perishable production, to which wheat belongs and to which most foodstuffs belong, in that there is a recognized limit in preserving it. From the time that a bushel of wheat is a potential article of merchandise in the field by being placed in the soil by the farmer until it finally passes into the kitchen of the consumer or into a loaf of bread or some of its by-products, somebody must own the crop.

There is no derelict in food; it is not floating around on the market subject to any taker that comes along. Every bushel of wheat, from the time the seed is put into the ground until it passes into the human system as food, must be owned by somebody. In the beginning a vast number of farmers in this country—wheat raisers—own it. They keep what they need for their own uses. Their surplus passes into the hands of others. The grain movement is very well known. In the earlier part of the thrashing season a certain portion of it moves into the market almost from the machine; another portion of it goes to the producers' bins, and stays there, they selling it as their needs require or in response to the favorable figure that attracts it out of the bin into the general market. However, when it leaves the producers' hands it must pass into the hands of the purchaser at the elevator, whether it be a large or a small elevator. Somebody must carry it; somebody must own it. The Government undertook to own the wheat crop of the United States and relieve the general purchasing public of that problem. It ran a corner for the supposed public good. Now, we must keep the Government's promise or we must do what the Government can always do, refuse to meet its obligation, and that is not to be tolerated for a moment.

We understand now who takes the loss. This loss, which eventually must come out of the Treasury, in ordinary times, Mr. President, is distributed among hundreds and thousands of people. It is distributed amongst the farmers, amongst the grain buyers, the elevator men, the millers, and everybody who acts as an intermediary between the producer and the consumer. When it is distributed amongst millions of people only a comparatively few are bankrupted; the rest of them pocket their losses, which are of such a character that they can afford to lose, although in the aggregate the amount runs into an immense sum of money. In this instance, however, a single purchaser last September undertook to take the entire wheat crop—that is what it amounted to—and guaranteed a price of $2.26 a bushel, and when it did so it visualized on the market the problem of owning the wheat until it passes from the producer into the ordinary channels of consumption. These private intermediary holders, in normal times most of whom are looked upon with a hostile eye, the grain exchanges of the country, the great elevator systems at the terminal markets, most of whom are under fire nearly all of their lives and always are the subject of invidious criticism—these institutions, the elevators, the millmen, with their elevators, those who act as distributors, are the ones who carry the risk and own the wheat crop from the time it leaves the farmer or the producer until it passes to the consumers of the country.

The Government has legislated against grain exchanges. It has taxed them to death; it has made burdensome the transfer of property; it has taxed sales; it has laid its hand upon transactions for future delivery, almost stigmatizing them, per se, as gambling; and in various ways it has manifested its displeasure with those who handle the wheat crop, who own it in the intermediary stage between the producer and the consumer and themselves carry the risk. The Government and the people are now having visualized to them the problem, divided, it is true, among many hands, of carrying the wheat crop and the incidental risk of the ownership of that wheat crop. Future sales have been taxed almost out of existence; future deliveries have been regarded as little short of gambling in all of the foodstuffs under consideration—wheat and its by-products, rye, barley, and meats of every description—yet, Mr. President, the committee on cotton distribution of the War Industries Board sent the following telegram on December 9, 1918, to the presidents of the New York and New Orleans cotton exchanges—I read from the Official Bulletin of December 12, 1918:

Please read from the rostrum of your exchange before the opening Monday morning, post on the bulletin board, and send to each member firm carrying contracts the following notice:

"The prohibition of foreign and speculative short selling of contracts on the New York and New Orleans cotton exchanges ordered by the committee on cotton distribution on November 13 was an emergency measure.

"The conditions that existed following the signing of the armistice have been relieved and the emergency has passed.

"Our Government having made trade agreements with neutral nations, the export of cotton to all but enemy countries is now assured.

"Available tonnage in sufficient quantity to allow of exports fully 50 per cent in excess of last season's shipments is more than probable.

"The requirements of spinners and manufacturers can now be bought and moved without war-time restrictions.

"Confidence is restored, and under the circumstances the restrictions placed on the New York and New Orleans cotton exchanges on November 13 are hereby removed."

What restrictions? Restrictions on short selling. What is "short selling"? It is selling something that you do not have at the present time, but which you have confidence that you can get in the market at a price that will be fairly remunerative to you, and you are willing to take the risk. That is allowed in the case of cotton, but short selling in wheat is stigmatized as a crime. My constituents in Chicago can not so go on the board of trade without practically laying themselves open to prosecution.

It is the fact, Mr. President, that we have not taken a sane view of actual business operations on the market that has led to the toils in which we now find ourselves; and before we finish we will discover that if the Government undertakes to preserve an artificial price level for wheat and wheat products it will draw from the pockets of the consumers all of the difference between the artificial level and the normal market price that does prevail or will prevail in other markets. There is no escape from that; and, as the Senator from Idaho [Mr. BORAH] stated awhile ago, it will be at the expense of those who can ill afford to pay it if the Government continues keeping up the price and making consumers stand it.

I have from a broker in Chicago a report on wheat and flour conditions in New York City. A large surplus exists there, but the Government keeps its finger on the dealer, and refuses to permit sales to be made. There is the grain corporation of which Julius Barnes is the head—a very competent man in the wheat market—which practically is the great purchaser and controller of wheat and wheat products in the United States, both for the domestic and for export trade. We can have no lowering of wheat prices so long as the Government interferes. Flour must remain at its present prices, wheat must remain at its present prices, until the Government takes its hand off the market and permits the natural laws of trade once more to resume their operation.

Mr. President, this $100,000,000 will be placed in hands outside of those of the President. Many other things have been placed in the hands of the President. I have no doubt that the very capable chairman of the Committee on Appropriations [Mr. MARTIN of Virginia], who has supported this measure and explained its provisions with great lucidity, has the utmost faith in the capacity of the President to choose agents who will properly spend this money. I have that faith to a more limited degree. I am reminded that the President can not attend to all of these matters himself; that is beyond the capacity of any human mind; so he chooses agents for the expenditure. He will choose Mr. Hoover in Europe, and has done so, and probably Mr. Hoover will select his own help.

The President did so in the matter of aeroplane construction, the appropriations of $640,000,000 for which have never yet been satisfactorily accounted for. Mr. Hughes, in his report, recommended the court-martial of certain gentlemen, and the report of the Committee on Military Affairs, without passing upon the merely civil liability, found many things that were not in accord with good business. The President recommended in advance that such of them as by Mr. Hughes's report were found subject to court-martial be exonerated, and the War Department very recently, in a publication in the Official Bulletin, made the same recommendation, and a number of pages are occupied with reasons why these aeroplane officials should be released from all liability. I do not hold the President directly responsible for this miscarriage of justice. I do hold him responsible, however, for the agents whom he selected and who made such a thing possible. In this instance he has selected Mr. Hoover. Whom Mr. Hoover will select to spend the money in Europe I do not know.

Say that $300,000,000 will be furnished by the allied nations, making a joint fund of $400,000,000. In all human probability, the allies will have the major influence in the distribution of

that fund. Are we at war with Russia? Notwithstanding that we have forces about the Arctic Circle, on the Murman coast, and about Archangel, we are told that we are not at war with that nation. We are not at war with Russia technically; but in fact the military status is that of war, and there is no escape from that conclusion.

We are at war with the Bolshevist government of Russia, if it can be dignified by the name of a government; however, technically we are at peace. I remember that only last winter, not yet a year ago, the President sent his telegram of congratulations to the Soviet congress in Russia. Who are they? Mr. Trotsky, Mr. Lenine, and the military authorities whom they had brought out of various places where they had been in hiding for some time to take charge of the Bolshevist army. There never was such a ragged, tatterdemalion crew seen in all history from the time when Walter the Penniless led the forerunners of the crusaders centuries ago. It is a criminal movement. The I. W. W's in this country are mere suckling babes in destruction, disorder, and bloodshed compared with this government in Russia.

Technically we are at peace. We are told that they are starving. I have no doubt of it. Who is to blame? Some say the Czar. Some say the German. Some say the Bolshevist. It is enough to know that there is no food there. Production has ceased. When industrial concerns were taken by the Bolshevist government all the skilled workmen that had any brains were marked for slaughter. A Bolshevist decree took all land in Russia from its owners and gave it to the ignorant idle and the agitator. They were to produce food. They never work. The result is famine. Everybody that knew anything of the science of government was on the proscribed list. Every banker that had a dollar was a public enemy. Every man that had any sense and preached any restraint upon human passions became a victim. With such a government, which placed a premium upon the most unholy of human passions, an organized band of criminals, the peasants of Russia remaining on land had ceased to raise food in every place where they could be reached by this criminal element from the larger cities of this unhappy country. As soon as animals were produced to the food stage or crops were coming out of the ground or truck gardens had any human food in sight, it was taken from them. If any worthless money was offered, if they refused to take it, a bludgeon and dagger was legal tender in all Russia, and is yet.

Is it any wonder that the peasants of Russia have ceased to produce, that their flocks are scattered, that their food granaries, that their great cattle ranges that were left in the Ukraine country and in Siberia have passed into hands where the Bolshevist government can not go? All of the country subject to their jurisdiction is a vast wilderness, weltering in the blood of the victims that might raise food and produce supplies to support the people.

What are we to do? Feed the disturbers and their dupes by loading the American taxpayer with this $100,000,000. Keep up the price in New York and in Chicago. We will not starve out in the country. We will take care of our poor in the townships and in the villages and in the cities up to 100,000; and in the larger cities in the food-producing area—Chicago, St. Louis, Kansas City, and elsewhere—we will take care of the poor there. There may be some shortage of supplies, but they will go through until next spring, and there will be no starvation in that country. But in the other areas, where there is not enough produced to feed the people, you must draw upon those supplies. Every ton of food sent out of our own country into Russia spells suffering for the children and the women in the Atlantic coast cities and elsewhere where the food production is not sufficient to supply the population of that country. That is what it means. There is no escape from it.

Mr. Hoover will have charge of the fund. We are not at war with Russia. Technically they will be entitled to a share. We have a small force in northern Russia, not enough to preserve peace in the affected areas where starvation is threatening. The only way to keep any part of the $100,000,000 away from the Bolshevist vermin is to have on hand enough of the army and navy of the allies and this country to distribute it to the worthy at the point of a bayonet. Otherwise the deluded followers of the admitted self-constituted vermin and vagabonds that constitute that Government will seize the supplies we send to that country and appropriate them to their own use and let the bourgeoise starve. Every Bolshevist is an able consumer. It is as a producer he lags in the human procession. He will be present when food is visible.

His, Mr. Trotsky says, is "the government of the proletariat." "The proletariat" means every vagabond and criminal and tramp and worthless idler who has infested Russia for the last 25 years who has the breath of life in him to-day. We have no guarantee here that part of this $100,000,000 will not be used for that noble band of ultimate consumers.

Here is Mr. Hoover's statement, of date January 7, 1919:

> Our reports show specifically—

Speaking of the need of food supplies to be purchased by the hundred million dollars—

> Finland, that food is practically exhausted in cities; that while many of the peasants have some bread, other sections are mixing large amount of straw. They are exhausted of fats, meats, sugar, and need help to prevent a renewed rise of Bolshevism.

No mortal in this Chamber knows the actual conditions in Finland. The department is somewhat limited in its information vouchsafed to us. Portions of Finland are in control of the Bolshevists. The allies or United States military and naval forces do not control the distribution of food in that territory, except in certain limited places, I believe.

Mr. Hoover continues in another paragraph:

> Baltic States, food may last one or two months on much reduced scale. They sent deputation to our minister in Stockholm imploring food.

Here, at least, are two areas within Russia that Mr. Hoover specifically proposes to make the beneficiaries of a part of the $100,000,000 fund. How much farther he will extend it no one can say; but if supplies be sent to Petrograd, or to some of the interior Russian cities that are in control of the Bolshevists, when we have once passed the bill in its present form we are without remedy. Part of our proceeds go into their hands. If the Bolshevists take it by force of arms and keep it from reaching the worthy objects of charity in that country, there is no relief. An amendment at least ought to be adopted that will prevent its going to any point in Russia where the military forces of the allies and the United States will not control absolutely the disposition of the relief.

The Government now is engaged—it has been adverted to several times—in keeping up the price of wheat in order to avoid the draft upon the Treasury which otherwise would result from the redemption of its promise. What about all the rest of the public, engaged in various lines of production? There have been constant investigations here of the Union Stockyards companies for some time. Investigations have been on for some time of the packers—the so-called larger packers. There are many packers in the United States, but the investigation is addressed chiefly to the five large packers in Chicago. Notwithstanding they take up from 35 to 40 per cent only of all the food-producing animals in the United States, they are made the objects of the investigation; and much criticism has appeared for many years of them and their methods of transacting business.

By turning to the market reports I find that the price of hogs on the hoof is maintained at $17.50 per hundred. Cattle prices run from $17 to $19.75 a hundred. Those are not the prices made by the packers. They are the prices the packers pay to the owners of the live stock. They are not the prices made by the United States alone, although there is a guaranteed price that shall not fall below $17.50 on hogs. When it goes above that figure it is the price made by the general market and measured by the demand and market conditions generally throughout the country and the world. The packers to-day are loaded up with high-priced stock, bought at $17.50 to $18.50 a hundred for hogs, and from $17 to $20 a hundred for beef on the hoof. Their inventory values are based on the cost price of the live animal. They are literally carrying hundreds of millions of dollars of inventory values at high prices for the stock. Who guarantees to them that the prices may not fall? Nobody. The packers must go out upon the open market and sell their product. There is no guaranty by the Government of anything corresponding to $2.26 a bushel for wheat.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. TRAMMELL in the chair). Does the Senator from Illinois yield to the Senator from North Dakota?

Mr. SHERMAN. I yield; yes, sir.

Mr. GRONNA. Undoubtedly the Senator is correct in his statement that there is no law providing for any guaranty to the packers; but I am sure he will not say that the packers do not have an understanding with certain officials of the Government as to what they shall pay, nor that they do not have an understanding that they will be allowed to sell these products so as not to sustain a loss. We have had such testimony before the Committee on Agriculture and Forestry very recently; and I will say to the Senator that to-day the packers were instructed to pay 17½ cents for hogs, of course with only a gentleman's agreement that the Government, or certain Government officials—Food Administration officials, of course—would see to it

that no loss would be sustained. Is the Senator aware of that fact?

Mr. SHERMAN. I am, and have been for a long time. If the Senator is through with the inquiry, I will make some comment on it.

Hog prices are fixed, as stated, at $17.50 by the express consent of the Food Administration. The Food Administration—I do not know what particular officer; at one time Mr. Cotton, at another time somebody else, but acting with the advice and consent of Mr. Hoover—made a $17.50 rate on hogs. Certain understandings were arrived at on cattle. They were to pay not less than so much. The avowed purpose of these minimum prices was to stimulate, as it did in the case of the wheat producer, the production of meat-producing animals. It was to get a great crop of hogs moving on into the packing-house centers, in order that the allies' armies and ours might be victualed. The commissary was calling for large contracts. There was, after 1916 and 1917 and before we entered the war, when our markets had supplied the allies with meats, a coming crisis in the hog and cattle production. The Government, I think wisely, in view at that time of the existing emergency, made a minimum price on live stock, just as they made a $2.26 guaranteed minimum price on wheat. They did it in order to induce the farmer and live-stock raiser to raise cattle and hogs, and furnish the basis of the commissary for this country and our allies.

The Senator again alludes to the fact—and it is true—that the packers were guaranteed, or were given to understand by a gentlemen's agreement, that they would suffer no loss in paying this minimum price, or whatever price should be thereafter fixed. It is a scale that is not absolutely binding. The Government can change it at pleasure, but it has not seen fit to do so up to this time. There was this gentlemen's agreement that when they sold their product on the market it would not be at a loss. The edible portion of cattle and hogs netted to the packers 9 per cent on the capital invested. That was the limitation made by the same Food Administration officers upon the profit of the packers on meat supplies. That is true also. They have confined themselves within the 9 per cent on the capital invested.

Mr. GRONNA. Mr. President——

Mr. SHERMAN. I yield.

Mr. GRONNA. I am sure the Senator will agree with me that this profit was not only upon the capital invested, but upon the surplus, upon all money borrowed, and upon all bonds. We have the absolute proof that it was not only upon the capital invested, but upon all money borrowed.

Mr. SHERMAN. I have no doubt of it, and I have always understood, in every business enterprise that I have had anything to do with, that surplus available for dividends, not passed to dividend account and distributed to shareholders, and money derived from bond issues, all passing into the treasurer's hands and being held there, as well as capital stock and money borrowed upon the corporation's promissory notes at the bank, are capital invested in the trade or business.

I happen to have in mind the fact that there is money borrowed at the banks by one packer alone to the extent of more than $150,000,000, secured by collateral. That $150,000,000 was used in the Union Stockyards in Chicago to buy daily the cattle and hogs and sheep that came in, seeking a market at that point. Study the purchases of stock at these points, Mr. President. It will be seen that from 40 to 45 per cent and sometimes 50 per cent of the entire arrivals of live stock are bought by the small packers and not by the five large ones. The Brennan Packing Co., the Anglo Packing Co., the Hammond Packing Co., the Kingan Packing Co.—an Iowa concern originally—and many others are all of them known as the smaller packers.

When we refer to invested capital it is not merely the capital stock of the company at the time of incorporation. I know that certain gentlemen have had it appear otherwise. I am keeping in mind the fact that the Federal Trade Commission, Mr. President, in the case of one packing company in Chicago, accused them of making grossly abnormal profits on their sales on a $3,000,000 capitalization.

That $3,000,000 was the original capitalization of the company years ago, when the father of the sons who are now running the business was living. There was a pride in the father's management of the business, neither to water nor to capitalize the concern beyond the $3,000,000. Its credit was good. When it wanted more money, it went to the banks and borrowed it. It issued its promissory notes. Sometimes it issued its bonds; but it kept its credit good, so that it was never lacking for money. To-day its capitalization is still $3,000,000. That is the stock capitalization, but the actual capital invested in the business the last time I examined figures runs up to over $175,000,000—its surplus undistributed in dividends, its money derived from bonds, its money derived from short-time notes, borrowed from the banks, and all of it passed to its credit and accounted for as invested capital.

The Swifts years ago, when the senior Swift was alive, were under a conservative management. He died and left the business to his sons. The family and other shareholders run the business. The senior Morris did the same thing. Edward Morris became the head of the business after his father's death and managed it until his death. There is not a dollar of watered stock in the original capital of either of those concerns or the other packers. They have borrowed since the war came literally millions of dollars to meet the great obligations that they have undertaken, on behalf of the Government, to furnish the commissary of the Army and the Navy with the necessary meat supplies.

Philip Armour founded the house of Armour & Co. He died some years ago, and Ogden Armour became the head of the packing business. To-day its securities are quoted and sold upon the stock market. They are listed in the great stock exchanges of the country. They, like the other large packers, furnish their treasury with the necessary cash to meet emergencies, with the rise and fall of markets and with great war contracts assumed, by going to the banks and borrowing money. More than that, they issue their promissory notes, which pass into the hands of note brokers, and are sold in the market outside of the banks. That is a recognized process of raising money; and all of these means have been employed during the war, or since they have assumed these contracts.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from North Dakota?

Mr. SHERMAN. I yield.

Mr. GRONNA. I do not want the Senator from Illinois to misunderstand me. I was not criticizing the packers in saying that they water their stock. I think they are very sound institutions. I was simply going to call the attention of my good friend from Illinois to the treatment accorded those people by Mr. Hoover and by the Food Administration.

If the testimony given to the committee of which I have the honor to be a member is false, then of course the statement which I am about to make is also false. But the statement has been made to the committee that never in the history of the packing industry have they made as much profit as they have made under the control of the Food Administration. The expert accountant who was before the committee on last Saturday stated the net profits of just one concern alone—Swift & Co.—after setting aside a sufficient amount of money for income tax and for excess-profits tax, was $47,000,000, whereas in ordinary times, in normal times, and before they were under the control of the Government, their profits never exceeded $6,000,000. I simply wanted to call the attention of the Senate to the fact that under Mr. Hoover or under the Food Administration control the packers have been treated very liberally.

The Senator is right in assuming that these men have borrowed large sums of money. That is true. That has been stated to us. One concern alone has at times borrowed $150,000,000, but the more they borrow, I want to say, the more profit they make, because they can borrow at 5 per cent and they are allowed to make 9 per cent profit.

Mr. SHERMAN. How much is Mr. Ford allowed to make on the Eagle submarine chasers?

Mr. GRONNA. I can not speak for Mr. Ford.

Mr. SHERMAN. He is allowed to make 10 per cent, to begin with, and then has had advances of $3,500,000 from the Government Treasury over here on the hill in order to start him in business. He and his son Edsel had to have Government help and got it, and got their 10 per cent profits, and the packers get 9 per cent on the volume of business. In the five largest packing houses in Chicago on every dollar turned over their per cent of profit is the lowest ever known. I will give the figures here. This is their per cent on each dollar of the volume of business.

Mr. GRONNA. Mr. President, I do not dispute that, but I want to say to the Senator that their per cent for the last year was 300 per cent larger than it ever had been in the history of the packing industry.

Mr. SHERMAN Grant it; the increased volume of business handled by the packers every 12 months is much greater than that. That is the reason.

I will say further that the per cent of profit by the packers on each dollar's worth of volume of business of the five largest packers is less than the per cent of profit of the smaller packers. The smaller packers of the country, who absorb all the live stock purchased during the 12 months at the great primary markets of the country, except that taken by the five large packers, are making more profits on volume of business done

than the large packers themselves. I expect when the question comes up to go into this, but not on this measure, because it is foreign to the investigation of this matter and I wish to conclude this evening. The Senator from North Dakota [Mr. GRONNA] is correct. He has the advantage of a practical working knowledge of markets, and places the responsibility for prices and profits on the Government officers, to whom it belongs.

Mr. WARREN. Mr. President, perhaps the Senator may have given the figures before; but why not give us the percentage of profit on the total output of the packers?

Mr. SHERMAN. I think it is about 1.80 per cent; but that is subject to correction.

Mr. WARREN. I remember that it is something less than 2 per cent.

Mr. SHERMAN. It is under 2 per cent and is less than at any other time in the history of the packers, the volume of their business considered.

The volume of business is very much greater than it is in normal times, as a matter of course. I only refer to the 9 per cent profit of the packers in order to show that they have not been treated as well even as other industries during the war. They have been limited in their profits.

Another thing that is literally true, and which I hope will be given to the committees having these multitudinous investigations on hand—the Interstate Commerce Committee and the Committee on Agriculture—is that the packers will buy a beef steer at the yards, slaughter it, take all the edible portion out, and sell it back to the same live-stock owner for less than they paid him for the steer. I have heard this challenged as an impossibility, but it is literally correct. There is no small packer who can do it. They make enough out of the other parts of the steer. I suppose the committee will pursue that in detail. I hope they will. The leather, the horns, the bones, the hair, the sinews, the muscles that are not available for meat purposes are converted into merchandise.

The odds and ends of clippings are converted into tankage and made food for swine. Nearly all the harmony that bursts from the magnificent orchestras in the places of amusement in Washington comes from the entrails of animals slaughtered at the stockyards. The harmonious catgut fretted by the fingers of every dilettante in this country comes from the bowels of some of the animals that furnish the edible part of the meat to the Army and to the private consumer. There is a profit made on that. But the fiddle-string industry is open to everybody who wants to follow it. There is no trust. Anybody who knows how to make them can do so. I have not heard of any investigation of that in the committee as yet. It is so with everything else.

I find some criticism in the Federal Trade Commission about the dividends paid by the Central Leather Co. It is said that some of the packers are large stockholders in that company. Regulate it? I have no objection to regulating it. I will vote almost to the limit for regulation of all the large concerns in my immediate constituency. I have no feeling in the matter. I can not have any prejudice for them. I will not permit myself to have any prejudice against them simply because they are large. I do not wish now to discuss that question, but I am growing infinitely weary of the attacks upon the packers. I propose to defend them in this body sufficiently to see that they have justice done to them. I propose to vote for all reasonable regulation of the packers and all the publicity possible connected with their business. I do not know of anything in this country recently, or within the last 15 years, that has had more publicity, with investigation heaped upon investigation, committee investigations one after the other, in State legislatures, in the House, and in the Senate, prosecutions upon indictments by grand juries, findings, ex parte and otherwise, of various public officials, followed by that of the Trade Commission, until I have come to the conclusion it is time that these enterprises have justice done to them in like manner as the small ones. I will take that up when the report of the committee is before the Senate in the proper way, at due length for whatever the merits of the case may justify.

But, Mr. President, speaking of dividends upon profits, referred to only inferentially and only incidentally as a part of this discussion, the United States Steel Co., the Inland Steel Co., the various subsidiary concerns handling iron and steel products, leather concerns, companies handling boots, shoes, Cavalry saddles, and all the military paraphernalia made from leather have paid substantial dividends. Woolen companies manufacturing woolen fabrics have paid large dividends. Cotton spinners and other factories fabricating cloth have paid large dividends. Telephone companies have paid dividends, and the cable companies have done likewise.

I wish to take time by the forelock now and say that Theodore N. Vail, who is Mr. Burleson's assistant, is more interested in unloading the American Telegraph & Telephone Co. upon the United States than he is in the ultimate effect it will have upon the morale of the American people after it is done. He is interested in and has been interested in this scheme for several years, and Mr. Burleson knows it. He is a Bolshevist in the telephone, telegraph, and cable world in disguise. He ought not to sail in Washington under any false colors. His views are generally known. He believes in Government ownership for the American Telegraph & Telephone Co., because it is the best prospect of unloading that he sees in the immediate future. The public have not taken very kindly to telephone stock concerned in that investment, and so he sees a possible purchaser in the Government. That is the reason why he and Mr. Burleson have found themselves to be kindred spirits and are engaged in a common enterprise, though from entirely different motives. Mr. Vail undertook to gather in all forms of wire communication on land and sea into his company. He failed. He now, with Burleson, is trying the same thing in the name of the Government.

President Wilson in his cable message the other day said:

> Bolshevism is steadily advancing westward from Russia. It is poisoning Germany. It can not be stopped by force, but it can be stopped by food, and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance.

I do not propose, for my part, to feed the organized crime of any country in order to stop its advance. Part of this money, under the existing form of the bill, will go to these people. There is only one cure for Bolshevism, and that is military force. It is the same kind of force they use, and like must meet like.

Feed them? They have exhausted themselves, just as the German exhausted himself trying to murder and rob his neighbors. They now find themselves in a starving condition. Their victims, if they can be reached, ought to be the object of our national charity; but to put food in the area where such bloodthirsty vagrants can seize it will only be to nourish and strengthen their arms to destroy our forces now in the vicinity of Archangel.

This is a harsh law, but they are reaping as they sowed. Before one dollar of this be voted to that element or put in a place where it is possible they may seize it they who have brought such calamity on Russia ought to die by the pangs of famine. They have brought that harsh judgment upon themselves by their violence, the disorder they have created, and the crimes they have committed.

Mr. PENROSE. Mr. President, at the suggestion of some Senators in my vicinity I have modified my amendment and I will ask the chairman of the committee to accept it, in order that it may go to conference for consideration there.

I realize that perhaps the original amendment is rather loosely drawn and is subject to a good deal of misconstruction and misunderstanding. I only wanted to draw attention to the point that if the United States Government, by reason of price fixing, had a large surplus on hand in storehouses it was only reasonable that their contribution of wheat should come from this wheat already in their custody. I will therefore modify the amendment so as to read as follows:

> *And provided further*, That so far as said fund shall be expended for the purchase of wheat to be donated, preference shall be given to grain grown in the United States.

Mr. MARTIN of Virginia. Mr. President, without meaning to indicate that I am in accord with that amendment, I am very willing that it may be adopted and go to conference.

Mr. PENROSE. I will offer it as a substitute, then, to go to conference.

Mr. THOMAS. Mr. President, until I inquire into the amendment somewhat further, I shall object to it. I may not do so to-morrow.

Mr. PENROSE. I will offer it as a substitute, then, and let it be printed.

The PRESIDING OFFICER (Mr. TRAMMELL in the chair). The amendment is offered as a substitute and will be printed.

Mr. REED. Mr. President, may it be stated from the desk? The Senator read it, but where I sat it was impossible to quite hear it. I should like to have it read.

The PRESIDING OFFICER. The request is made that the amendment may be stated by the Secretary. The Secretary will state the amendment.

The SECRETARY. On page 2, line 10, after the word "session," it is proposed to insert:

> *And provided further*, That so far as said fund shall be expended for the purchase of wheat to be donated, preference shall be given to grain grown in the United States.

Mr. THOMAS. Mr. President, I will withdraw my objection.

Mr. PENROSE. Very well. I do not wish to delay the bill. Then, as I understand, the amendment is accepted by the chairman of the committee.

Mr. MARTIN of Virginia. I am very willing that it be accepted, but I do not wish to be misunderstood as expressing myself in accord with it. It shall go to conference, however.

Mr. PENROSE. I understand.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Pennsylvania, as modified.

The amendment as modified was agreed to.

Mr. MARTIN of Virginia. Mr. President, I move that the Senate take a recess until 11 o'clock to-morrow morning.

Mr. POMERENE. Will the Senator withhold the motion for a few moments?

Mr. MARTIN of Virginia. Certainly.

SENATOR FROM MICHIGAN.

Mr. POMERENE. Mr. President, I rise to a question of personal privilege. I send to the desk and ask that the Secretary read three paragraphs which I have marked with a pencil. If Senators desire the whole article read, I would prefer to have it so read. It relates to the proceedings pending before the Committee on Privileges and Elections in connection with the Michigan senatorial contest. I ask that it may be read as I have indicated, and after it is read I shall have a brief statement to make.

The PRESIDING OFFICER (Mr. GAY in the chair). The Secretary will read as requested.

The Secretary read the three paragraphs which appear below.

Mr. POMERENE. Mr. President, the Secretary, at my suggestion, has read only a portion of the article. I ask that the whole article, including the headlines, be printed in the RECORD.

The PRESIDING OFFICER. Without objection, that will be done.

The article referred to is as follows:

FORD MEN TRY TRICK INQUIRY—POMERENE ATTEMPTS TO SMUGGLE PROBE RESOLUTION THROUGH DESERTED SENATE—SOLITARY REPUBLICAN HALTS SNAP ACTION—NEWBERRY FORCES PLEDGE ALL AID TO PRESERVE EVIDENCE IN PRIMARY FIGHT.

[From the Washington bureau of the Detroit Free Press.]

WASHINGTON, *January 17.*

Two examples came to light to-day in Washington of the lengths to which the Democratic Party, or some of its members, are prepared to go to overrule the verdict of the Michigan voters in electing Truman H. Newberry to the Senate.

Just before the Senate adjourned this afternoon Senator POMERENE, of Ohio, Democratic chairman of the Committee on Privileges and Elections, rose in the Chamber, which was almost deserted, and offered a resolution, which he tried to smuggle through and to have passed without reading. It happened that Senator FRELINGHUYSEN, Republican, from New Jersey, was listening, and he promptly demanded that the resolution be read, and upon hearing it objected to its consideration, thus sending it over for the day. It was thereupon referred to the Committee on Privileges and Elections.

Both Senators SMITH and TOWNSEND had left the Chamber before the Ohio chairman made his move. In fact, hardly a handful of Senators were on hand, and but for the faithfulness of Senator FRELINGHUYSEN the resolution would have been adopted.

WOULD GIVE FULL POWER.

The resolution gives authority to the Committee on Privileges and Elections, or any subcommittee thereof, to take possession of all ballots, poll books, tally sheets, and other documents and records connected with the Michigan senatorial election, and directs the committee or a subcommittee thereof to proceed with all convenient speed to take all necessary steps for the preservation of evidence as to the various matters alleged in the petition of Henry Ford and of any alleged fraud, irregularity, and unlawful expenditure of money in the election and primary, and as to intimidation of voters and other facts affecting the result of the election.

The committee or subcommittee is authorized to sit during the sessions of the Senate or during any recess of the Senate or of Congress, at any place and time, and to exercise the usual powers of congressional probing committees in the way of authority to compel testimony. It would also take possession of and hold disputed ballots.

A preamble sets forth that information has been received that in certain localities in Michigan some of the ballots are being destroyed and others likely to be destroyed "unless they are taken possession of by the Senate for the purpose of preserving and recounting the same."

POMERENE ACTS ALONE.

Chairman POMERENE'S action in thus attempting to smuggle through the resolution was taken without authority from his committee, which met this morning and adjourned until to-morrow morning after hearing counsel for both parties to the contest. It will come as a surprise to members of the committee, both Republican and Democratic, as they supposed when they left the committee room that the matter was put over until the morning session and nothing would be done in regard to it.

The prediction is made to-night that POMERENE'S course will tend to alienate his Democratic colleagues on the committee and will further diminish the chances of getting action by the present Senate, a majority of the committee having heretofore voted that the contest did not come within the jurisdiction of this session.

The other action that disclosed the determination of the Ford supporters to snatch every advantage, fair and unfair, in behalf of their candidate, was taken by Alfred Lucking at the hearing before the committee this morning.

The hearing was held under a resolution adopted by the committee last Wednesday by which an invitation was extended to the parties and their counsel to appear to-day and confer upon means of proving the evidence relating to the election.

LUCKING MAKES A SPEECH.

This was all the invitation included, but as soon as he got an opportunity to speak Lucking started on a lengthy harangue dealing with every detail of the reiterated allegations of fraud and intimidation and proceeded to make a fiery speech about everything conceivable except the preservation of the ballots.

The purpose of his proceeding became evident soon. A manifold copy of his speech was sent to the Senate press gallery and put at the disposal of newspaper correspondents with the plan that it would thus get nation-wide circulation and the Ford allegations would find a hearing everywhere.

H. E. Bodman, of Detroit, counsel for Newberry, followed the Lucking outburst with a flat-footed denial of every allegation of fraud or impropriety in the election. He told the committee that he did not intend to do more than deny them at this stage of the matter, as they were not properly before the committee under the resolution which called the meeting, but that at the proper time the charges that have been given such widespread circulation would be fully met and refuted in every detail.

NEWBERRY TO AID PROBE.

The matter before the committee, he said, was the best method of preserving the ballots, and in this Newberry supporters were ready to aid in every way possible. It is a subject, he contended, solely within the field of the legislature of the State. A bill is being put through the legislature as speedily as possible for the purpose and the governor will sign it as soon as it is passed. The ballots have been destroyed in three cities already, Marquette, Port Huron, and Saginaw. In two of these cities elections were held in December and the boxes were needed, while in the other the election officials followed the usual procedure under the law of the State.

"Mr. Ford had publicly declared that he would not seek a recount, and there was no reason for doing otherwise than is always done in the State with election ballots," said Mr. Bodman.

The committee voted to have its meetings open to the public hereafter and adjourned until to-morrow morning. Afterwards Chairman POMERENE made his effort to get snap judgment in the Senate.

It developed during the hearing this morning that one of the cities where the ballots were destroyed, Saginaw, was carried by Ford in the election. The fact furnished a curious commentary on the heated accusations of Lucking that the destruction of ballots was a partisan trick.

Mr. POMERENE. Mr. President, in view of the statements made in this article, I desire to make a brief statement.

The resolution was prepared by myself, I think either Saturday or perhaps Monday preceding the Thursday on which we had a meeting with regard to this contest. On January 14, which was last Tuesday, there was a meeting of the committee. I had instructed the clerk of the committee to prepare copies of the resolution and lay them before the members of the committee. I am told they were on the table at that time. On Tuesday, instead of taking any action, the Senator from Missouri [Mr. REED] introduced the following resolution in the committee, which was adopted:

Resolved, That the Hon. Henry Ford and the Hon. Truman H. Newberry, either in person or by their attorneys, be invited to appear before the committee on Friday, January 17, 1919, at 10.30 o'clock a. m. to advise with the committee relative to the steps necessary to be taken to preserve the evidence in the election contest of the said Henry Ford.

We then adjourned to meet on Friday at 10.30 o'clock. At that time copies of this resolution, which is now known as Senate resolution 415, were on the table before each member of that committee. After a conference, lasting for perhaps an hour or an hour and a half, the committee recessed until the afternoon. In the afternoon we again recessed until Saturday morning. Meanwhile, in order that this resolution might be formally before the committee, I decided that I would offer the resolution in the Senate and ask to have it referred to the committee.

On Friday evening, because of engagements I had at my office, I was not able to be in the Chamber. I thereupon asked my colleague on the committee, the Senator from Arizona [Mr. ASHURST], to offer this resolution for me. The RECORD for January 17, page 1607, shows this:

Mr. ASHURST. At the request of the senior Senator from Ohio [Mr. POMERENE], chairman of the Committee on Privileges and Elections, who has just been called from the Chamber, and on his behalf, I offer the resolution which I send to the desk and ask that it be referred to the Committee on Privileges and Elections.

Mr. FRELINGHUYSEN. I ask that the resolution just submitted be read by title.

The PRESIDING OFFICER. Without objection, the resolution will be read.

Though the RECORD itself does does not show it, the Journal shows this:

Mr. ASHURST (for Mr. POMERENE) submitted the following resolution, which was referred to the Committee on Privileges and Elections.

The article from this paper says that I rose, that I presented the resolution, and that I tried to smuggle it through the Senate in the absence of the Senators from Michigan.

I submit that the young man who wrote that article is not fit to associate with newspaper men. I submit further that if any newspaper published that article knowing the facts that paper is not fit to circulate. My belief is that, if this be a reputable paper, when it finds out what the facts are, if it

does not know them now, it will make a retraction, will apologize for this article, and will dismiss that young man from its service.

I felt that I owed this statement to the Senate.

Mr. TOWNSEND. Mr. President, on the evening that this resolution was introduced for the Senator from Ohio [Mr. POMERENE] by the Senator from Arizona [Mr. ASHURST] I had just left the Senate Chamber a few minutes before. I received a telephone call from some one telling me that such a resolution had been introduced; that immediate consideration had been asked for it, but that Senator FRELINGHUYSEN had requested that it be read, and that the matter went over.

I was also informed that a copy of the resolution would be sent up to my room in a short time. Meanwhile I called up the Senator from New Jersey, and he stated to me the exact facts as the RECORD discloses them. So, of course, the statement of the Senator from Ohio is absolutely correct. There was no foundation of fact for the statement that any unusual or improper methods were employed by the Senator from Ohio, but, as I say, that was not the first report that came to me. How the misunderstanding arose I do not know. I do not believe that it was intentional.

Mr. POMERENE. Mr. President, I am very much obliged to the junior Senator from Michigan for making that statement. The facts are as I have given them, and that is all I care to say on the subject at this time.

RECESS.

Mr. MARTIN of Virginia. I move that the Senate take a recess until 11 o'clock a. m. to-morrow.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, January 21, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 20, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, Thy divine influence guided our fathers in the formation of our Republic, which, through all the vicissitudes of the past, has grown strong and prosperous. Its gates have been thrown wide open for the depressed and downtrodden of all peoples. We have received all comers and made them welcome.

But a class have grown up among us and become a menace to good government, and are seeking by nefarious methods to undermine the sacred principles we love; and we pray that they may be given to understand by our authorities that they are not wanted in this country; that the American flag is the only flag that we recognize and hold sacred.

If they can not conform to our methods, our Government, then, in God's name, let them depart from among us that we may continue to live in peace and prosperity. In Christ's name. Amen.

The Journal of the proceedings of Saturday, January 18, 1919, and of Sunday, January 19, 1919, was read and approved.

THE CENSUS.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the census bill, disagree to the amendments of the Senate, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table the census bill, of which the Clerk will report the title.

The Clerk read the title of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The SPEAKER. The gentleman from Tennesse asks unanimous consent to disagree to the Senate amendments and agree to request for a conference.

Mr. MANN. Mr. Speaker, reserving the right to object, personally I have not examined the Senate amendments, but I heard that the Senate had incorporated an amendment providing for the selection of census employees through the Civil Service Commission under the merit system. Is that correct?

Mr. HOUSTON. I think a large number of them are to be selected in that way, in accordance with the amendment adopted by the Senate. It provides that the supervisors shall be appointed upon civil-service examination.

Mr. MANN. Is it just the supervisors?

Mr. HOUSTON. It does not apply to the enumerators. Perhaps most of the other employees are to be selected under the civil-service rules.

Mr. MANN. I have not read the amendment in the RECORD, and I think the bill has not yet been printed in the House.

Mr. STAFFORD. The bill has been printed with the Senate amendments numbered.

Mr. MANN. Then it has come in this morning. I have not seen it.

Mr. STAFFORD. I will say for the information of the gentleman that the civil-service requirement in the amendment added by the Senate provides only for the additional clerks and employees provided by section 6, which refers to the clerical force required in the compilation of the census and not to the field force.

Mr. HOUSTON. As I understand it, it applies to the supervisors, but not to the enumerators.

Mr. STAFFORD. I got this bill only this morning. I have the bill before me. As I read it, it applies merely to the clerical force and not to the field force.

Mr. MANN. I am under the impression that the Senate agreed to an amendment providing for the appointment of supervisors by the President, to be confirmed by the Senate. I am not sure——

Mr. HOUSTON. Also, with a proviso that it shall be after they have taken a civil-service examination.

Mr. MANN. I really can not see, if they are to be appointed by a civil-service examination, why they need to be named by the President and confirmed by the Senate. Did the House bill, as it passed the House, contain any provision for the appointment of the census clerks through the Civil Service Commission?

Mr. HOUSTON. All of them, as I understand it.

Mr. STAFFORD. I beg the gentleman's pardon.

Mr. HOUSTON. I was not here when that bill passed, but as it was reported to the House it contained that provision.

Mr. STAFFORD. The gentleman from Kentucky [Mr. HELM] was in charge of the bill when it passed the House.

Mr. HOUSTON. Yes.

Mr. STAFFORD. A strong effort was made at that time to bring them within the civil-service requirements of existing law. That effort was resisted by the other side and was unsuccessful.

Mr. MANN. Mr. Speaker, I have no objection to the census bill going to conference as soon as possible, but I think the House is entitled to a vote upon this provision in the Senate amendment, that these clerks in the Census Office shall be selected through the merit system and not as a political propaganda.

Mr. LANGLEY. That is right.

Mr. MANN. I am perfectly willing that the vote upon that proposition shall be taken at any reasonable time; and if the gentleman from Tennessee will agree that the House conferees will either agree to the substance of the amendment, or bring that particular amendment back to the House for a vote upon it, I have no objection to the bill going to conference.

Mr. GARRETT of Tennessee. That request applies just to the office force, as I understand it, and not to the field force?

Mr. MANN. I do not know just what the Senate amendment is.

Mr. GARRETT of Tennessee. It does not apply to the field force.

Mr. MANN. I do not know what the Senate amendment covers, but what I have in mind is the office force.

Mr. MADDEN. In other words, the gentleman does not want that foreclosed.

Mr. HOUSTON. Mr. Speaker, if the conferees fail to reach an agreement on that—or, in any event, I can not see any objection to having a separate vote on that question, so far as applies to this office force.

Mr. MANN. I did not hear the gentleman.

Mr. HOUSTON. I can see no objection to a separate vote upon that proposition with regard to the office force.

Mr. MANN. Of course there can be no reason why there should be an objection to it, but will there be an opportunity for a separate vote?

Mr. HOUSTON. It strikes me as a little premature to ask for a separate vote now, although I have no objection to a separate vote.

Mr. MANN. If it is premature, then I will ask the gentleman to let this go over until to-morrow morning.

Mr. MADDEN. If there is no agreement on that, we will not let this bill go to conference.

Mr. FOSTER. I think the gentleman will find, on page 10 of the bill, that it is amendment 25 which provides how the addi-

tional clerks as provided for in section 6 shall be selected, and all of them are under the civil service.

Mr. STAFFORD. Mr. Speaker, the amendments the gentleman from Illinois [Mr. MANN] has in mind are amendments numbered 13 and 14.

Mr. FOSTER. I am talking about amendment No. 25.

Mr. STAFFORD. I am referring to the amendments of the Senate under which the Director of the Census, so far as the employment of additional clerks is necessary, shall be required to take them from those who have taken the civil-service examination. I am fully acquainted with the amendments suggested by the gentleman.

Mr. FOSTER. I shall read the language, just what it says. It is very plain.

Mr. STAFFORD. But suppose there should not be sufficient clerks upon the existing roll; then he would necessarily be privileged to appoint those outside of the civil service.

Mr. FOSTER. Oh, no.

Mr. STAFFORD. Unless the Senate amendment be agreed to.

Mr. FOSTER. It does not provide anything of that kind.

Mr. MANN. Mr. Speaker, the bill as it passed the House provided that additional clerks and other employees provided by section 6 shall be subject to special test examinations as the Director of the Census may prescribe. The Senate amendment provides that it shall be done subject to the approval of the United States Civil Service Commission, and then it provides in Senate amendment No. 14 that the selections therefrom shall be made by the Director of the Census in the order of rating. I do not know that it cuts any particular figure.

Mr. STAFFORD. I understood from the gentleman that that additional legislation of the Senate, to which the gentleman from Tennessee [Mr. HOUSTON] is not opposed, brings them all under the civil service.

Mr. MANN. Mr. Speaker, I wish the gentleman would postpone his request until to-morrow morning, when I think we will all be prepared.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee.

Mr. HOUSTON. Mr. Speaker, I shall agree to the gentleman's request and postpone it until to-morrow morning.

The SPEAKER. The gentleman from Tennessee withdraws his request.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed, with amendments, bill of the following title, had requested conference with the House on the bill and amendments, and had appointed Mr. SMITH of Georgia, Mr. KING, Mr. WOLCOTT, Mr. BRANDEGEE, and Mr. COLT as the conferees on the part of the Senate:

H. R. 12001. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The message also announced that the Senate had passed, without amendment, bill of the following title:

H. R. 10663. An act to convey a strip of land on the site of the Federal building at Princeton, Ind.

The message also announced that the Senate had passed, with amendments, joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

H. J. Res. 289. Joint resolution for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate expresses its profound sorrow in the death of the Hon. JACOB H. GALLINGER, late a Senator from the State of New Hampshire.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Also, the following:

Resolved, That the Senate expresses its profound sorrow in the death of the Hon. JAMES H. BRADY, late a Senator from the State of Idaho.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Senators the Senate do now adjourn.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary of War be, and he is hereby, directed to report to the Senate the names of all former civil-service employees of the War Department in the District of Columbia who resigned and volunteered or were drafted into the Army and who have been discharged therefrom and applied for reinstatement to their former positions and not reinstated, and to state why they have not been reinstated under authority of the order of the President issued July 18, 1918.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma, by direction of the Committee on Indian Affairs, reported the bill (H. R. 14746; H. Rept. 945) making appropriations for current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, which was read a first and second time and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois reserves all points of order.

SOLDIERS' MAIL.

Mr. MILLER of Washington. Mr. Speaker, I ask unanimous consent to address the House for two minutes, and in my time to have read a letter respecting the mail for wounded soldiers.

The SPEAKER. The gentleman from Washington asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. MILLER of Washington. Mr. Speaker, I send to the desk a letter to have read by the Clerk.

The SPEAKER. Without objection, the Clerk will read.

There was no objection, and the Clerk read as follows:

SEATTLE, WASH., *January 8, 1919.*

Congressman JOHN F. MILLER,
Washington, D. C.

MY DEAR CONGRESSMAN: As Congressman from this State, I am taking up with you certain matters in connection with soldiers' mail, overseas forces.

I believe if enough pressure is brought there will be a betterment of conditions. I am inclosing you herewith an envelope, returned to me, in which I wrote to my son in France on August 30. This letter was returned to me January 6.

My son was wounded in the St. Mihiel drive September 12, was released from the hospital October 1, went into battle on the 5th of October, and was again wounded and sent to the hospital. On November 30 he had not yet rejoined his company, due to the fact that his company had gone into Germany.

You can see by the inclosed envelope, which is one of 10 returned to me to-day, that his mail is being returned with the notations that he has been wounded. On November 29 he had had no pay since August and no mail since August, and presumably will not get any more of my letters, as they are being returned to this country. So much for that case.

Another case, that of Private Earl Smith, who left Seattle with the One hundred and sixty-first Infantry, has not received one letter of communication from his parents since last February—11 months. He was wounded at Soissons on the 18th of July, transferred from various hospitals, finally reaching debarkation hospital No. 3, New York City, about December 10. He is on the second floor, ward 3.

His people have written him several times, telegraphed him, and telegraphed money to him, but under date of December 31 he wrote his people that he had received no money since he was wounded in July and had received no letter or communication of any kind from them.

I have two other equally flagrant cases, where the boys were wounded in the battle of Cantigney on May 28, and they have received no pay or mail since that time, and are now returned to the United States for demobilization—still no pay.

If there is anything you can do to remedy this condition, I am sure your constituents will appreciate it.

Yours, very truly, CHAS. M. DIAL.

P. S.—While it is true this boy was wounded, can you tell me why he and other boys, because of their wounds, should be penalized by having their pay stopped and all of their mail withheld *from them*?

Mr. MILLER of Washington. Mr. Speaker, I ask unanimous consent to proceed for one minute more.

The SPEAKER. Is there objection?

There was no objection.

Mr. MILLER of Washington. Mr. Speaker, I would like to ask the chairman of the Committee on Military Affairs, or any member of that committee who is present this morning, if there is any promise of any betterment in the mail service to soldiers, and particularly wounded soldiers, and whether there is any promise of betterment in the payment of wounded soldiers. I would like to hear from any member of the committee, if there is any present, if there is any promise of betterment in this service, or, for that matter, from any other Member of the House.

Mr. MANN. Mr. Speaker, the gentleman from Washington will recall that the Committee on Military Affairs is probably in session this morning on the appropriation bill, which accounts for no member of that committee being present.

Mr. MILLER of Washington. Then I would like to inquire of any other Member of the House if there is any promise of betterment in this matter.

The SPEAKER. The time of the gentleman from Washington has expired.

EXTENSION OF REMARKS.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to print in the RECORD a report of a special committee in the Pension Department, indicating those companies of rangers and Indian fighters in Texas who come within the provisions of the act of March 4, 1917. It is a matter in which over 1,000 applicants are interested.

The SPEAKER. The gentleman from Texas asks unanimous consent to print in the RECORD a special report from the Pension Department. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, is it a voluminous report?

Mr. BLANTON. No; not voluminous. It affects the rights of over 1,000 applicants, who are old residents of Texas, who performed services on the frontier fighting Indians.

Mr. STAFFORD. Of how many pages does it consist?

Mr. BLANTON. It is strung out in a single column over a number of pages, but in the RECORD, I presume, it would cover only a few pages of the RECORD.

The SPEAKER. Is there objection?

Mr. LITTLE. Mr. Speaker, reserving the right to object, what is the purpose of printing it?

Mr. BLANTON. It will save a great deal of correspondence on the part of the 18 Members of Congress from the State of Texas, who are frequently called upon to answer requests from these people who are interested in this matter. Many of them are not entitled to pensions. This report would indicate to them immediately that they are not entitled to pensions, and it would tend to stop further correspondence and further hope in the matter.

Mr. LITTLE. Then, it is a matter of convenience to the gentleman and his constituents?

Mr. BLANTON. It is a matter of importance to all of the Members from Texas and their constituents.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANGLEY. Mr. Speaker, I was ill in the hospital at the time the river and harbor appropriation bill and the $100,000,000 food emergency bill were passed in the House. I ask unanimous consent to extend my remarks in the RECORD upon those two measures.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD upon the river and harbor appropriation bill and the emergency food bill. Is there objection?

There was no objection.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. The Clerk will call the first bill on the calendar.

AGRICULTURAL ENTRIES ON COAL LANDS IN ALASKA.

The first business in order on the Calendar for Unanimous Consent was the bill (S. 95) to provide for agricultural entries on coal lands in Alaska.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I do not know whether anyone from the Committee on Public Lands wants to be heard on this bill, but I would like to ask the Delegate from Alaska whether, in his opinion, this bill ought to pass at this time?

Mr. WICKERSHAM. My opinion is that it ought not. I am very much opposed to this class of legislation for Alaska, and certainly am opposed to it until I can have an opportunity to be heard upon it before the committee.

Mr. MANN. Well, for the present, I object.

The SPEAKER. The gentleman objects, and the bill goes off.

AMENDMENT TO ESPIONAGE ACT.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 9094) to amend section 1 of Title VIII of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I have examined this bill. I suppose it was introduced and reported purely as a war measure. What is the special necessity for this provision now when we are about, let us hope, to have peace?

Mr. GARD. Mr. Speaker, I do not know the object of the introduction of the bill, which, I think, was introduced by the chairman of the committee, but it was considered by the committee and reported by me as part of the regular business of the committee, and the Department of State stated that it is not confined in its utility to a war measure, but that it is necessary as an amendment to the existing statute protecting applications made to the State Department, protecting the State Department against fraud which may be perpetrated upon it, and that in that sense it is not a war measure.

Mr. MANN. Well, it was introduced January 22, 1918, and reported June 18, 1918. The dates in the subject matter will show it was introduced and reported as a war measure.

Mr. GARD. It was introduced during the time we were actively at war; yes.

Mr. MANN. It provides, among other things—

whoever shall willfully and knowingly present to the Department of State such false or untrue statement, with intent to influence its action with respect to the protection of such person or concern—

And so forth—

shall be fined or imprisoned.

That is the amendment.

Mr. GARD. That is the only amendment to it, the gentleman knows.

Mr. MANN. Well, here is a penal offense in time of peace for a man who presents an untrue statement. He does not have to swear to it. He may be absolutely innocent and may not know the statement is untrue and may believe it to be true. And he is not under oath.

Mr. GARD. Oh, no, the gentleman is mistaken about that. If he reads the language of the amendment, he will see whoever shall willfully and knowingly present to the Department of State, and so forth.

Mr. MANN. Gentlemen frequently willfully and knowingly present documents to the Department of State. The law has frequently been construed. All it requires is that he knowingly presents it.

Mr. GARD. Well, "willfully" is construed as meaning purposely.

Mr. MANN. Well, I purposely present it; I willfully present it, but I do not know it is false; but suppose I do know it is false, are they going to send me to the penitentiary and leave that as a matter of proof to know whether I knew it was false or not? They have to prove it is false, and the presumption will be I presented it not knowing it was false. The presumption is in this House that when a man introduces a bill he knows what is in it, but we all know that of a very large share of the bills which are presented by Members they do not know what is in them, but they introduce them at the request of some people in whom they believe, and do not pretend to be responsible for everything in the bill.

Mr. GARD. The bill is introduced at the request of the State Department, as the gentleman knows.

Mr. MANN. As this bill was?

Mr. GARD. Yes; I am frank to say that.

Mr. MANN. That is the case with many bills.

Mr. GARD. A considerable number are since the department necessarily must know the weakness of the law.

Mr. MANN. This bill was willfully and knowingly introduced in the House, in the language of the amendment, but the gentleman who introduced it is perhaps unable to give careful examination of the bill before he introduces it because he probably introduces it merely at the suggestion and request of the State Department in order to have it printed and up for consideration. I think we go a long ways. Here is a propaganda going on now in reference to the payment by this Government of a large sum of money to the Republic Colombia. A great many statements are being made on both sides of the question endeavoring to influence the State Department and also the Congress upon the subject. A great many of those statements are falsehoods because they are directly contradictory of each other. They can not all be true yet it is proposed, in order to prevent men endeavoring to get their rights or what they claim are their rights, that if they make a statement that is not true they shall not only be subject to the ordinary penalties of perjury but they shall be subject to an additional offense, a penitentiary offense. Now, I can understand why as a war measure we might want to prevent false statements concerning the war or the relationship with the allies being presented to the State Department, but as a permanent policy of the Government, while I do not believe in presenting false statements to the State Department, I doubt very much the

desirability of fining or imprisoning a man because he has done something of that sort which he may have thought was true and which he did in good faith.

The SPEAKER. Is there objection?

Mr. MANN. I ask to have the bill passed over——

Mr. GARD. Does the gentleman desire to offer any amendment?

Mr. MANN. I have not given it sufficient consideration to offer an amendment, I will say to the gentleman.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, there is a growing sentiment in this country, especially since the armistice was signed, favoring the repeal of many of the restrictive measures that were passed during the war. I find that a great many business men are complaining that it is almost impossible for them to do business in competition with their foreign competitors because of conditions that we imposed upon them while the war was in progress. I find a great many individuals are complaining that they are not free in this country—which is supposed to be a country of freemen—to give utterance to their thoughts and beliefs within ordinarily legitimate lines because of many of the acts that we passed to safeguard this country during the war. It seems to me the time has come when rather than increase these restrictions we should begin to repeal them. And I, for one, intend to watch this kind of legislation so far as I am able while in the House, with a view to checking any more acts that will hamstring the business man and deny the individual the ordinary peace-time privileges of citizens of the United States.

Mr. GARD. Will the gentleman pardon an interruption?

Mr. MOORE of Pennsylvania. Yes.

Mr. GARD. This is not such a question. This is a law that has been on the statute books for a long time.

Mr. MOORE of Pennsylvania. Since the gentleman is more familiar with this law than I am, I would like to ask him a question. It appears that anyone who makes false statements to the State Department, as provided in this amendment, would be subject to a fine of $5,000 and imprisonment of not more than five years, or both. Who is to determine whether the statement is willfully or knowingly false?

Mr. GARD. The case would be submitted to a jury, and the jury would determine, under the instructions of a court, whether it is false or willfully or knowingly presented. I would say to the gentleman that I have no objections, if the gentleman thinks it would be better, to provide an amendment in the bill that whoever shall willfully and knowingly present to the State Department such false and untrue statements, knowing the same to be false and untrue, to tend to influence action——

Mr. MOORE of Pennsylvania. I want to protect no man who makes a willfully false statement for the purpose of deceiving the State Department, but I am frank to say to the gentleman, having watched this matter somewhat carefully and referring to the particular case to which the gentleman from Illinois [Mr. MANN] referred a little while ago, that of a certain propaganda, that I am inclined to believe that many of these false statements that seem to annoy the State Department do not come from the people of the United States, but come largely from people outside of the United States who have designs upon the United States, and I do not feel that we ought to legislate in favor of those people. Take the particular instance to which the gentleman from Illinois [Mr. MANN] has referred, where it is possible false statements might be made not necessarily by citizens of the United States, but by those who are representative of foreign countries who are acting within the United States and who are seeking to get money from the United States.

Mr. GARD. This bill, as the gentleman knows, requires a statement to be under oath before a person authorized and empowered to administer oaths.

Mr. MANN. I would like to ask the gentleman why the laws against perjury do not apply to those cases? I know what the existing law is in reference to this matter. Why does not the law against perjury and providing the penalties for perjury apply to a man who knowingly swears to a falsehood and then presents the paper to the State Department?

Mr. GARD. I do not believe there is any statute that provides for punishment for perjury in a case such as this. I am frank to say I have not examined into it with that object in view, but I do not believe the perjury statute would apply to the case. It refers to a statement made willfully and knowingly under oath—a false statement. It is intended to protect the State Department against the imposition of such false statements knowingly made.

Mr. MOORE of Pennsylvania. Does the gentleman know of any case in point that provoked the suggestion for this new legislation?

Mr. GARD. I know that in the statement given by the Secretary of State it says this:

> There appears to be no provisions in the Federal Penal Code defining as an offense the making of false representations under oath to the Secretary of State under circumstances of the character indicated in the proposed amendment. It will be observed therefore that, at the present time, persons may with impunity submit false oaths to this department for the purpose of obtaining assistance and protection to which they are not properly entitled. As such assistance and protection often entails negotiations with foreign Governments, it is important to determine with precision the facts of the particular cases involved, and as the department must in a great measure rely upon the affidavits of the parties in interest, you will readily perceive that it is very desirable that the making of false affidavits in such cases should be prevented, so far as possible, by severe penalties, rather than be left to be regulated, as is now the case, merely by the moral sense of right of the affiants, whose personal interests in most instances are involved.

Mr. MOORE of Pennsylvania. I submit to the gentleman there is absolutely nothing in that statement that has any relevancy to war problems at all. This is a proposition——

Mr. GARD. I have been trying to state that it is not a war problem——

Mr. MOORE of Pennsylvania. Why amend an espionage act that sooner or later may be repealed? Why not bring that in as new legislation, to be considered on its merits at the proper time? I am frank to say to the gentleman that I expect there will be a demand for the repeal of the espionage act. Why add to the difficulties already encountered under that act, which may be repealed shortly, by the introduction of general legislation, to apply in peace times and which may be meritorious from that point of view?

I submit to the gentleman that I shall object to unanimous consent. However, I do not want to interfere with the discussion.

Mr. MANN. The statement of the State Department, as read by the gentleman, may be correct. It may be assumed that the State Department is correct. Yet it is a startling statement to say that a man who willfully commits perjury in filing papers with the State Department can not be punished for perjury because legally it is not perjury. If a man swears falsely to an affidavit to get anything out of any other department of the Government, he is subject to the pain of perjury. But according to the State Department you can file any old paper with that department, swear to anything if it is to go to the State Department, and that is not perjury. Well, if that is true, it ought to be corrected. I know that is what the State Department says. If the State Department could be punished for all the misinformation that comes from that department, they would all be in jail.

Mr. STAFFORD. Will the gentleman yield?

Mr. GARD. I will.

Mr. STAFFORD. The letter from the Department of State goes on to show that many of these claims presented to the State Department are from foreign corporations, and that there are no means whatsoever for reaching those foreign corporations after the State Department has been duped by the presentation of their claims. Though it is an American corporation, the membership is largely composed of aliens, and there is no opportunity whereby the State Department can reach the real parties who have been instrumental in deceiving the State Department in taking action in presenting a claim against a foreign government.

This bill is intended to protect the State Department, so that when it uses its good offices to present a claim against Mexico or any other foreign government it may be certain that the information is true and not false. That is shown on the second page, as the gentleman is well aware.

Mr. GARD. That is unquestionably the object of the bill.

Mr. TOWNER. Reserving the right to object, Mr. Speaker, I want to call the attention of the gentleman in charge of the bill to the language of the amendment at the top of page 3. I think perhaps what was intended by the committee on that amendment was to fix a penalty for the presentation by any person of a paper, the contents of which the person presenting same knew to be false. That is not what this amendment now reads to me.

Mr. GARD. Does the gentleman have in mind an amendment providing that it was known to be false?

Mr. TOWNER. Yes.

Mr. GARD. I have no objection to that.

Mr. TOWNER. Because that is the very proposition involved. A client engaged in a lawsuit should not be made responsible in perjury for the false statements of a witness in his behalf. He might be guilty of subornation of perjury if he endeavored to get him to testify to facts he knew to be false. This amendment just now reads, "or whoever shall willfully and knowingly present to the Department of State such false or untrue statement with intent to influence its action with re-

spect to the protection of such persons or concerns." Of course, a man might willfully and knowingly present a statement of somebody else to the department with or without knowledge of its contents; but before he can be convicted it should be shown that he not only knowingly presented it but had knowledge of the fact that the affidavit was untrue. That, no doubt, is what was intended.

Mr. GARD. As I said to the gentleman before, I have no objection to incorporating that language in the amendment. I think that that language in the amendment to the bill is safeguarded, and the Department of State is protected in its very proper desire to afford all assistance possible to American citizens and corporations and everyone else having business with the State Department. If the bill can be proceeded with, I am frank to say that I shall be glad to offer the amendment suggested by the gentleman from Iowa, and other amendments.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, I object.

The SPEAKER. The gentleman from Pennsylvania objects.

BRIDGE ACROSS THE MISSISSIPPI RIVER, NEW ORLEANS, LA.

Mr. DUPRÉ. Mr. Speaker, I ask unanimous consent to take up for consideration the bill (H. R. 13143) extending the time for the construction of a bridge across the Mississippi River at or near the city of New Orleans, La.

I will state that it extends by two and five years the time for the construction of a bridge or tunnel across the Mississippi River at New Orleans. It was approved by the War Department and comes from the Committee on Interstate and Foreign Commerce with a favorable report.

The SPEAKER. The Clerk will report it.

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I believe this bill is on the Calendar for Unanimous Consent.

Mr. DUPRÉ. Yes.

Mr. STAFFORD. What is the special reason at this early hour for taking it up out of its regular course?

Mr. DUPRÉ. I have intended to call it up for some time, and I deferred calling it up when the appropriation bills were before the House so as not to interfere with the procedure. I do not know whether this bill will be reached or not to-day, but the people behind it are pressing me to get it passed. It will not take more than a minute to pass it if we reach it.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 13143) extending the time for the construction of a bridge across the Mississippi River at or near the city of New Orleans, La.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I wish to inquire of the gentleman who introduced the bill whether under the original act—this bill seeks to extend the time for commencing and completing the work—authorization is carried for the construction of a tunnel or tunnels under the river?

Mr. DUPRÉ. Yes, sir. The original act was drawn in that way by the direction and at the suggestion of the Secretary of War. The present bill, as the gentleman will note if the gentleman has the bill before him, states the exact situation as it was in the original legislation. I did not think it is necessary to go into all the details. The War Department, however, insisted on all these amendments, which are merely verbiage.

Mr. STAFFORD. I will state to the gentleman that I have no objection.

The SPEAKER. The gentleman withdraws his objection. The Clerk will report the bill in full.

The Clerk read as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by the act of Congress approved August 8, 1916, to be built at or near the city of New Orleans, La., by the city of New Orleans, are hereby extended to two and five years, respectively, from the date of the approval of this act.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Amend the title so as to read: "A bill extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge."

With committee amendments, as follows:

On page 1, line 6, strike out the words "at or" and insert the words "across the Mississippi River."

After the word "near," in line 6, page 1, insert the words "and above."

And at the end of line 7, after the words "New Orleans," insert the words "or for constructing a tunnel or tunnels under said river in lieu of the bridge."

Amend the title.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. DUPRÉ. Mr. Speaker, the title should be amended.

The SPEAKER. Without objection, the title will be amended in accordance with the text.

There was no objection.

On motion of Mr. DUPRÉ, a motion to reconsider the vote whereby the bill was passed was laid on the table.

AMENDMENT TO ESPIONAGE ACT.

Mr. GARD. Mr. Speaker, I ask unanimous consent that the bill H. R. 9094, to which objection was made by the gentleman from Pennsylvania [Mr. MOORE], may be permitted to retain its place on the Calendar for Unanimous Consent.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the bill referred to retain its place on the Calendar. Is there objection?

There was no objection.

RIGHT TO CUT TIMBER FOR AGRICULTURAL PURPOSES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13056) to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal.

The Clerk read the title of the bill.

The SPEAKER. Is there objection.

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from California asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That section 8 of an act entitled "An act to repeal the timber-culture laws, and for other purposes," approved March 3, 1891, chapter 561, as amended by an act approved March 3, 1891, chapter 559, page 1093, volume 26, United States Statutes at Large, be, and the same is hereby, amended by adding thereto the following:

"That it shall be lawful for the Secretary of the Interior to grant permits under the provisions of the eighth section of the act of March 3, 1891, to citizens of Modoc County, Cal., to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove the timber so cut to Modoc County, State of California."

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. RAKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

LANDS AT YELLOWSTONE, MONT., FOR HOTEL PURPOSES.

The next bill on the Calendar for Unanimous Consent was the bill (S. 41) to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel and other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I will ask the gentleman from Montana [Mr. EVANS] is there any other land at the entrance to Yellowstone National Park which is owned in fee by any private corporation or individual?

Mr. EVANS. I doubt if there is any land other than that owned by the railroad company there. This is through a forest reserve.

Mr. STAFFORD. Why should we grant this preferential right to the railroad company when other individuals can not secure title to Government land in that neighborhood? It grants a virtual monopoly to the railroad company for the purpose of erecting and managing a hotel there.

Mr. EVANS. The railroad company is transporting and taking care of people there at the entrance to the park. There is no other way in which people can be taken care of unless somebody is given the opportunity, and neither the railroad company nor anybody else wants to spend several hundred thousand dollars in putting up a hotel there on other people's land. The land is in the forest reserve. It is of no particular value. Although it is to be sold to the railroad company at the rate of $25 an acre, I dare say it is not worth $2.50 an acre.

This bill was sent to me by the Secretary of the Interior. The purpose of it is to accommodate the people who travel through the park.

Mr. STAFFORD. It is just the fact that it may create a monopoly——

Mr. EVANS. I think not. The hotel is to be conducted under the control of the Secretary of the Interior, as all the park hotels are.

Mr. MANN. I think it is all right.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of the objection.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. EVANS. I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized to sell and convey to Oregon Short Line Railroad Co., a corporation organized under the laws of the State of Utah and authorized to do business in the State of Montana, its successors and assigns, for hotel and other purposes, and at a price to be fixed by appraisement at not less than $25 per acre, and under such terms, conditions, and regulations as the Secretary of the Interior may prescribe, the following-described lands, situated in Gallatin County, Mont.: Lot 3 and the northeast ¼ of the southwest ¼ of section 34, in township 13 south, of range 5 east, Montana principal meridian, including the area at present covered by the right of way for the wye tracks of said Oregon Short Line Railroad Co.; also all that portion of the southeast ¼ of the northwest ¼ of said section 34 lying south of the right of way and station grounds of said company, the entire tract above described consisting of 88.02 acres; the right of way and station grounds of said Oregon Short Line Railroad Co. and the right of way for the wye tracks of said company being designated in the filing map of the Yellowstone Park Railroad Co. filed with the Secretary of the Interior, the land described being within the boundaries of the Madison National Forest: *Provided, however*, That any hotel erected on said lands shall be operated by the said Oregon Short Line Railroad Co., or its successors in interest, under such rules and regulations as the Secretary of the Interior may prescribe for the conduct and operation of hotels within the Yellowstone National Park.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. EVANS, a motion to reconsider the vote by which the bill was passed was laid on the table.

SETTLERS ON CERTAIN RAILROAD LANDS IN MONTANA.

The next business on the Calendar for Unanimous Consent was the bill (S. 935) for the relief of settlers on certain railroad lands in Montana.

The Clerk read the title of the bill.

Mr. EVANS. Mr. Speaker, I have conferred with some gentlemen who are interested in this bill, and, so far as they are concerned, it has been agreed that the bill may be passed over and retain its place on the calendar.

The SPEAKER. The gentleman asks unanimous consent that this bill be passed over without prejudice and retain its place on the calendar. Is there objection?

Mr. FOSTER. These bills ought to go to the foot of the calendar. It seems to me unfair to other members to pass over bills and leave them on the calendar to be called ahead of other bills all the time.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent that this bill go to the foot of the calendar. Is there objection?

There was no objection.

LEAVE OF ABSENCE FOR HOMESTEAD ENTRYMEN.

The next business on the Calendar for Unanimous Consent was the bill (S. 2552) to provide for a leave of absence for homestead entrymen in one or two periods and for longer times.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, as I recall, this bill provides for dividing the time of annual absence of homestead entrymen into more than one period?

Mr. TAYLOR of Colorado. The present homestead law requires seven months' actual residence and allows five months' leave of absence in each year on every homestead claim. A year or so ago we passed a law allowing that five months' leave of absence to be in either one or two times.

Mr. MANN. I remember the law, and I remember the facts.

Mr. TAYLOR of Colorado. Allowing the entryman to divide the five months' leave of absence into two parts if he so desires.

Mr. MANN. This bill allows "for climatic reasons only" a reduction of the time for residence from seven months to six months in each year.

Mr. TAYLOR of Colorado. It provides for six months' leave of absence and six months' residence instead of seven in any one year, and extends the time of homestead residence period before final proof from three years to four; in other words, requiring 24 months of actual residence, whereas the present law requires only 21 months' actual residence, extended over three years, before a man can prove up and obtain patent. This bill only applies to homestead claims located in high altitudes in the mountainous West. In the extreme higher altitudes this bill allows seven months' leave of absence and only requires five months' actual residence each year, but requires the homesteader to put in five years' time and 25 months' actual residence on his claim before he can prove up and obtain a patent. So that while this bill may be looked upon as a relief measure, as a matter of fact it is a very harsh relief measure. It penalizes a man for his misfortune. It makes him live either four or five years on his claim instead of three years before patent can be obtained, and requires either 24 or 25 months' actual residence instead of 21 months, as the present law provides.

No man will ever avail himself of the provisions of this bill unless the deep snows of the mountains drive him to it. But, nevertheless, there are thousands of places in the Rocky Mountains where even these unnecessarily harsh provisions will be a godsend to a poor man and his family who are trying to make a home.

Mr. MANN. Where is there a place in the West where people can take up homesteads, where the climatic conditions are such as to forbid a man living on the land more than six months in a year?

Mr. TAYLOR of Colorado. All over the mountainous portions of the West, where the land is from 7,000 or 8,000 to 10,000 or 11,000 feet altitude, the snow is so deep that they need this relief. Within a few miles of my own home town the snow at this time is probably 8 or 10 feet deep.

Mr. MANN. Oh, yes; but this is not the time when the homesteaders live on the land.

Mr. TAYLOR of Colorado. The idea is this: The snow commences to fall in September or October and does not go off until June, and there are not seven working months on the land in a year, and there is no use compelling a man, as the law now does, to stay up there seven months each year. When the deep snows commence they want to take their families and stock and go down to a lower altitude and get out of the snow.

Mr. MANN. With leave to stay away five months, they are not required to be there at this time of the year.

Mr. TAYLOR of Colorado. No; but they are required to be there seven months in the year, and that is about two months longer than they can do any good by staying up there. They can not get up on their claims to do any work before late in May or June, and there is no use compelling a man who is trying to open up and improve a claim, to make a home, to stay there in deep snow when he can not do anything.

Mr. MANN. Yes; but not in this month—not in the middle of winter.

Mr. TAYLOR of Colorado. They can not practically or usefully put in seven months in the year up there, during the first three or four years, while they are clearing, breaking, fencing, building, and trying to prepare a home, before they get title to their land. Afterwards, when they get well settled, they may and often do live up there all the year around.

Mr. MANN. How early in the season can they get up there? When does the snow melt?

Mr. TAYLOR of Colorado. Along in June; usually from about the middle of May to the middle of June, depending on the altitude. It varies somewhat.

Mr. MANN. Yet the gentleman proposes to have a homestead.

Mr. TAYLOR of Colorado. Yes; there will be thousands of them that will ultimately make good homes. That is the richest soil in the world in those mountain parks.

Mr. MANN. Where the snow does not melt until June.

Mr. TAYLOR of Colorado. There are thousands and thousands of places throughout the higher latitudes all over the West where there are splendid little parks, from eight to ten thousand feet high, where the snow gets from 10 to 15 feet deep in the wintertime.

Mr. MANN. Oh, yes; I have been out there on the mountains where there is plenty of snow in August, and have stayed the year round, but what has that to do with the homestead question?

Mr. TAYLOR of Colorado. After these settlers get their claims cleared of scrub trees and brush and rock, and get the land broke and leveled and seeded in hay, and get the land fenced and build a good house and suitable barns and sheds for taking care of their stock they can then live up there on these claims longer and probably live there the year round. But that requires many years of most awfully hard work, and while they are improving their land, and establishing a home, and

getting the ground under cultivation so that they can raise some timothy hay or rye, or fall wheat, something for themselves and their stock to live on, they can not go up there any earlier than about the 1st of June, and they have actually got to get out of there by about the middle of October or the 1st of November at the outside.

Mr. MANN. It would be a pretty short time in which to raise much of a crop if the snow did not melt until late in June and they had to leave there late in September.

Mr. TAYLOR of Colorado. As the gentleman knows, it does not melt until August in some places.

Mr. MANN. I know it does not, but I have not heard that they raise much rye or timothy in those places where the snow does not melt until August and commences to fall again in September.

Mr. GARD. Possibly they do not raise the rye from the ground.

Mr. MANN. Oh, out there they have to.

Mr. TAYLOR of Colorado. I do not know whether the House knows it or not, but as fine timothy hay as there is in the world can be raised clear up practically to the timber line, 11,000 feet high, hay as tall as your head.

Mr. MANN. The House does not know it, and notwithstanding the gentleman's assertion I doubt that the House knows it now.

Mr. TAYLOR of Colorado. The House can know it. Anyone can find out. I know what I am talking about. I have lived there for nearly 40 years. The whole question before the House is whether or not you are in favor of encouraging homestead settlements in the West. If so, for Heaven's sake let us relieve the back-breaking and heartbreaking burdens of the settlers and enact some fair, common-sense conditions under which they can take up these rough and rugged, barren and worthless lands and by years and years of toil and privations transform them into productive American homes. When we begrudgingly extend the time from 21 to 24 months for the privilege of a six months' leave of absence, and harshly extend it from 21 months to 25 months for permission of a seven months' leave of absence, it seems to me that no fair-minded man can object to this bill. Because, I repeat, the settler is compelled to put in a five-year period if he only lives on his claim five months each year, and a four-year period instead of a three if he only puts in six months each year on his claim.

Mr. MANN. Everyone here is in favor of doing anything that is practical or beneficial to the bona fide homesteader, but the question is whether the people who live in the towns and villages and cities of these western countries shall be permitted to nominally take up homesteads which they do not even pretend to be on for six or seven months of the year, and are not actually on except to go up there and look at it for a few months in the summer.

Mr. TAYLOR of Colorado. I am sure the gentleman has gotten some misinformation.

Mr. MANN. I am sure that I have some real information.

Mr. TAYLOR of Colorado. Oh, no. There may some time have been a few such cases. We hear of those things here in Washington. Nobody ever hears of them in that country. They are about as unlike, absurd, and ridiculous as the representations of the wild and woolly West that we see in the eastern movies. Those things do not happen any more in our country.

Mr. MANN. Oh, yes; that is where I always heard of them. I have tramped a good deal over Colorado, and that is where I heard about these things, where everyone jests about it.

Mr. TAYLOR of Colorado. That was many years ago. I hope you will come out there again.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, of what value is a homestead in one of these parks in which nobody can live for six or seven months of the year? What sort of a homestead is that?

Mr. TAYLOR of Colorado. They make a good stock-raising homestead. There are hundreds of good stock ranches and homes now all through the North Park, the South Park, and the Middle Park of Colorado and hundreds of other smaller parks, notwithstanding they are very high and cold and the snow usually gets very deep in the wintertime and the summers are very short and cool.

Mr. GARD. Is there any stock raised up there, except polar bears?

Mr. TAYLOR of Colorado. Yes, sir; and I want to tell this House that the cattle that are raised at from seven to ten thousand feet altitude tops the markets at Chicago, Kansas City, Omaha, and Denver. They are the best stock in the world. The Whitefaces, the Herefords that we raise in Gunnison and several other counties in Colorado take the premium, the blue ribbons, on all the markets—raised at those altitudes and in that rigorous climate of the mountains.

Mr. GARD. Does this bill have for its purpose the bona fide establishment of homesteads or does it have for its purpose the fact that some one wants a summer home up in the mountains?

Mr. TAYLOR of Colorado. My dear sir, we Members from the West are not here encouraging fake homesteads nor pretended homesteads. We are trying to get sane, practical laws, to make it possible for people in good faith to make their permanent homes among us and help upbuild that great western empire. What the West needs is more people, more homes, more land under cultivation, more development of our boundless resources.

Mr. GARD. I am asking for information. I am in favor of anyone who wants to go into a new territory and establish a homestead.

Mr. TAYLOR of Colorado. If the House would be more liberal to the homesteaders, and would pay a little attention to the recommendations and appeals of us people who live out there, we would have tens of thousands more homes in the West than we have at the present time. Eastern, narrow, impractical conservation can never develop the West. I have for 10 years been appealing to this House to cease treating the West as an unruly stepchild, and to stop useless and harassing restrictions and let us grow. We have not developed the way we should, and our principal obstacles have been the attitude of Congress and the narrow, technical spirit in which the public-land laws have been administered during the past 15 years. But notwithstanding these terrific handicaps against us I confidently believe that, considering our population, our very limited and meager means, our entire lack of Federal aid in cantonments, munitions plants, and other resources that were poured into the lap of the old and rich East, North, and South, that history will record that we of the arid West heroically rendered greater services and sacrifices than any other portion of our Republic.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act to provide for leave of absence for homestead entrymen in one or two periods," approved August 22, 1914, be, and hereby is, amended to read as follows:

"That the entryman mentioned in section 2291 of Revised Statutes of the United States, as amended by the act of June 6, 1912, Thirty-seventh Statutes, 123, upon filing in the local land office notice of the beginning of such absence at his option shall be entitled to a leave of absence in one or two continuous periods, not exceeding in the aggregate five months in each year after establishing residence: *Provided*, That the register and receiver of the local land office under rules and regulations made by the Commissioner of the General Land Office may, upon proper showing, upon application of the homesteader, and only for climatic conditions, which makes residence on the homestead for seven months in each year a hardship, reduce the term of residence to not more than six months in each year, over a period of four years, or to not more than five months each year over a period of five years, but the total residence required shall in no event exceed 25 months, not less than 5 of which shall be in each year; proof to be made within five years after entry; and upon the termination of such absence, in each period, the entryman shall file a notice of such termination in the local land office; but in case of commutation the 14 months' actual residence, as now required by law, must be shown, and the person commuting be at the time a citizen of the United States."

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill passed was laid on the table.

RESTORATION AND RESERVATION OF CERTAIN PUBLIC LANDS.

The next business in order on the Private Calendar was the bill (H. R. 10612) to restore to the public domain certain lands heretofore reserved for a bird reservation in Siskiyou and Modoc Counties, Cal., and Klamath County, Oreg., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I object.

Mr. RAKER. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. STAFFORD. I will be glad to do so if the other Members of the House wish me to do so.

Mr. RAKER. Mr. Speaker, this bill involves about 54,000 acres of land that has been withdrawn for a bird reserve. Now, of that land 27,000 acres are in California and 27,000 acres in Oregon. The line goes through the center of the tract. Of those 27,000 acres in Oregon, about 20,000 is what is known

as marsh land in private ownership; the other 7,000 is public land. Now, the 27,000 acres in Siskiyou County, Cal., is public land, except a small tract. The land is entirely agricultural land. The State of Oregon passed an act ceding this land to the Government of the United States. The State of California passed an act ceding the land to the Government. The Government accepted the cession, as will be found in the act on page 9 of the report. The Reclamation Service then withdrew the land from all entry under the first form of withdrawal. They proceeded to do work in connection with this to an extent of an expenditure of about $283,000. They then to some extent abandoned the work, and the land is still held and can not be disposed of. This is the only method by which the Government can have returned to it, and which will be returned to it, this $283,000, and at the same time the land will be open for homesteads after an examination is made by the department.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. RAKER. I yield.

Mr. STAFFORD. When this bill was formerly on the Unanimous Consent Calendar I then directed attention to the section to which I had most objection; that is, section 5——

Mr. RAKER. Yes.

Mr. STAFFORD. Granting a preferential right of entry to members of a voluntary association entering upon this land. It has been called to my attention that persons connected with the association were soliciting membership at a certain fixed amount, under the promise that they would be entitled to preferential homestead entry.

Mr. RAKER. I think that is a mistake.

Mr. STAFFORD. I saw the letter myself which justifies the assertion.

Mr. RAKER. I saw the same letter and got the correspondence and the party asked what the expense would be that had been occasioned by virtue of obtaining the contract for various work done there so as to make this land susceptible of use.

Mr. STAFFORD. Does the gentleman believe it is a good practice to allow a voluntary association of men to form themselves together so as to allow those men, and those men alone, to be given preferential entry on some Government land that is opened to public entry?

Mr. RAKER. That does not apply in the condition as presented. The land would have been none of it used. Now, after this was done—I hope the House will hear me just a moment—while the land had been ceded to the Government and had been accepted and had been withdrawn from all form of entry by the department, the railroad came along and wanted to build across this land, and they were given the right to build across the land on condition that they would build a dike and embankment and opening over the river, so if the department saw fit it might place in gates. That was done, and instead of the land being not susceptible to agriculture, as reported heretofore, it turns out to be some of the most valuable land in the country. The evidence has all been presented showing that fact. Now, we reserved enough land for the bird reserve. The matter has been taken up fully with the Biological Survey and the Department of the Interior and the General Land Office, and this bill protects all the land and all the water front so that the birds may be protected.

Mr. STAFFORD. But it does not protect the public, and that is the trouble with it, that it does not give the public an equal right to make entry upon that land.

Mr. RAKER. Now, the gentleman makes that statement, but in all due deference to the gentleman I must respectfully say, and kindly, that he is entirely mistaken. The facts are that the public will lose the money that has been expended and the land will lie there idle unless legislation be enacted for its use. The Secretary of the Interior has reported favorably on the bill repeatedly, and the Secretary of Agriculture has reported favorably on the bill and the contract which is in this report made by the Water Users' Association of Oregon with the marsh owners of the land there was made pending this legislation, and by reason of this association getting every man together and having these owners surrounding the land waive their riparian rights; otherwise this entire tract of 54,000 acres of land would lie covered with water, unused except for a pelican pond and shitepokes and blue cranes, instead of a place where men could go and produce something for this country. Now, that contract was entered into——

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

Mr. RAKER. I ask unanimous consent that the bill remain on the calendar.

The SPEAKER. The gentleman asks unanimous consent that the bill go to the foot of the calendar. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER. The gentleman from Wisconsin objects.

PERSONNEL OF THE COAST GUARD.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 6979) to regulate the personnel of the Coast Guard.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, this bill has already been provided for in the naval appropriation act, and I object.

The SPEAKER. The gentleman from Wisconsin objects, and the bill goes off the calendar.

The Clerk will report the next bill.

METALLIFEROUS MINERALS ON INDIAN RESERVATIONS.

The next business on the Calendar for Unanimous Consent was the bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, this is an old friend. I do not know how many times we have objected to it.

Mr. HAYDEN. This bill is the same measure that passed the House by unanimous consent in the last Congress with certain amendments adopted by the Senate in the present Congress. It has passed the Senate and is now before the House.

Mr. MANN. I think it had better go over.

Mr. HAYDEN. Mr. Speaker, this bill has been on the calendar of the House since the 1st day of last July. It is made up of applicable sections taken from the water-power bill and the oil-leasing bill, which have passed the House three times. Every provision has been thoroughly discussed by the House. I am very anxious, indeed, to have it pass.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill goes from the calendar. The Clerk will report the next bill.

OLD CUSTOMHOUSE AT KENNEBUNK PORT, ME.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4283) authorizing the donation of the land and building at Kennebunk Port, Me., known as "the old customhouse," to the town of Kennebunk Port, Me.

Mr. GARD. Reserving the right to object——

Mr. STAFFORD. I object.

The SPEAKER. The gentleman from Ohio [Mr. GARD] objects.

Mr. GARD. The gentleman from Wisconsin [Mr. STAFFORD] objected.

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] objects, and the bill goes off the calendar.

COMMITTEE FOR RELIEF IN THE NEAR EAST.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12635) to incorporate the American committee for relief in the Near East.

The SPEAKER. Was not that bill passed in the House?

Mr. FOSTER. No.

Mr. GARD. Reserving the right to object, the bill for this incorporation was submitted quite recently upon a request for unanimous consent and was objected to, and the bill is now before the Committee on the Judiciary in the House of Representatives, with a hearing arranged in subcommittee for tomorrow morning. I therefore object to the present consideration of it.

The SPEAKER. The gentleman from Ohio objects.

LOCK AND DAM IN OLD RIVER, TEX.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 7362) to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River, above the mouth of Old River, into Old River above such lock and dam, and for the protection of rice crops against salt water.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, can the gentleman inform the House if this contemplates creating a situation there where later it might require a Federal appropriation?

Mr. RAYBURN. No. The only purpose of this bill, I will state to the gentleman, is that this salt water backs up over these rice crops and destroys them——

Mr. WALSH. Utterly destroys them?

Mr. RAYBURN. Yes.

Mr. WALSH. But this permits the construction of a lock and dam, not to control the salt water, but to permit the fresh water to pursue its course?

Now, in the construction of this lock and dam and in the operation of them, will it in any way divert or hold back this

fresh water and create a condition there which ultimately will require a Federal appropriation?

Mr. RAYBURN. Well, I think not. I would not be for it if I thought it did, and if that comes up I shall take the same position I take now.

Mr. WALSH. The gentleman thinks the legislation is safeguarded in that respect?

Mr. RAYBURN. I do.

Mr. WALSH. I withdraw my reservation.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted for the Old River irrigation district of Chambers County, of the State of Texas, and Old River Rice Irrigation Co., of Chambers County, of the State of Texas, or either of them, to construct a lock and dam in Old River at some suitable point, to be approved by the Secretary of War, and to make a cut or canal at the head of Pickett Bayou into Trinity River and dredge out and deepen the natural shoaled channel between Pickett Bayou and Old River, subject in each respect to the approval of the Secretary of War: *Provided*, That said lock and dam and other alterations shall be made and maintained wholly without expense to this Government and in accordance with plans and specifications approved by the Chief of Engineers and the Secretary of War: *Provided, further*, That no toll shall be imposed at any time for the passage of any craft through said lock or through said canals or cuts: *And provided, further*, That the operation and care of said lock and dam, with funds provided by the district, may, in the discretion of the Secretary of War, be assigned to the Engineer officer of the United States Army in charge of the locality.

SEC. 2. That this act shall be null and void unless the privilege hereby granted shall be availed of within two years from the date hereof: *Provided*, That no dam constructed under the consent hereby granted shall be used to develop water power nor to generate electricity, but the use of all the improvements to be constructed shall be limited to irrigation.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Also the following committee amendments were read:

Page 1, line 4, after the word "River," strike out the words "irrigation district of Chambers County, of the State of Texas, and Old River rice irrigation."

After the word "Company," in line 5, page 1, strike out the words "of Chambers County."

After the word "Texas," in line 6, on page 1, strike out the words "or either of them."

On page 2, line 6, strike out, at the beginning of the line, the word "and," and after the word "maintained," insert the words "and operated."

And at the end of line 6, page 2, strike out the words "this Government," and insert the words "the United States."

Page 2, line 11, after the word "cuts," strike out the remainder of the paragraph.

The SPEAKER. The question is on agreeing to the committee amendments.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. RAYBURN, a motion to reconsider the vote by which the bill was passed was laid on the table.

NATIONAL LINCOLN-DOUGLAS SANATORIUM, DENVER, COLO.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 11368) to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglas Sanatorium & Consumptive Hospital Association (Inc.), of Denver, Colo., for a certain described tract of land.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, before consent is given, I raise the point of order that this is a private bill and should be on the Private Calendar. It is a bill providing for a grant of land to a private corporation, the same as a grant of land to a private individual.

Mr. TIMBERLAKE. Mr. Speaker, this bill was on the Private Calendar first, and by direction it was transferred to the Calendar for Unanimous Consent, inasmuch as it had to do with the transfer of public land.

Mr. STAFFORD. Mr. Speaker, there are any number of bills on the Private Calendar which provide for the grant of public land to private individuals. They are private in their character. This is a bill not to a municipality but to a private corporation. The mere fact that it is a corporation does not destroy the fact that it is a private bill. You can not make fish of one and flesh of another.

Mr. MANN. It was transferred to the Union Calendar.

Mr. STAFFORD. If it was transferred, it was so transferred erroneously.

Mr. MANN. That does not make any difference whether it was transferred erroneously or not. The question is whether it was transferred by order of the House.

Mr. STAFFORD. Of course, the question is a question of order.

Mr. MANN. If it was done by order of the House, it does not make any difference.

Mr. STAFFORD. It does make a considerable difference.

Mr. MANN. This bill was reported December 12, 1918, and committed to the Committee of the Whole House and placed on the Private Calendar, No. 149. Subsequently it was transferred to the Union Calendar. I do not remember about it, but I take it it was by consent or order of the House; and if it was transferred by order of the House to the Union Calendar then it is in order on the Calendar for Unanimous Consent.

Mr. STAFFORD. Oh, yes; but I am now raising a question of order. The logic and position of the gentleman from Illinois is this, That if a bill is transferred from the Private Calendar to the Public Calendar, even erroneously, it is beyond the control of the Speaker to correct it, to assign it to the proper calendar. But supposing the bill had been transferred to the House Calendar, and the bill should have been on the Union Calendar, and when it was called to the attention of the Speaker that it was a bill that should properly be on the Union Calendar, does the gentleman mean to contend that even though it had been transferred from the Private Calendar to the House Calendar it would be beyond the right of the Speaker to refer it to the Union Calendar? I am raising the question of order that it is a Private Calendar bill.

Mr. MANN. Mr. Speaker, I do not remember what the facts are, but if the House transferred it to the Union Calendar from the Private Calendar the Speaker has no more control over it than the gentleman from Wisconsin has.

The SPEAKER. The Speaker has not.

Mr. STAFFORD. Then I object, Mr. Speaker.

The SPEAKER. I do not remember a thing in the world about this reference, but the presumption is that what ought to have been done touching it was done. Without taking up the time of the House to look into it, the presumption is that the House transferred it, and if the House did transfer it the Speaker has no more right to change the reference than anybody else.

Mr. TIMBERLAKE. Mr. Speaker, that is the case.

Mr. STAFFORD. I have no objection to the bill going over for two weeks.

The SPEAKER. Is there objection?

There was no objection.

Mr. TIMBERLAKE. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. The gentleman from Colorado asks unanimous consent that this bill go to the foot of the calendar without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next one.

GRAND CANYON NATIONAL PARK.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 390) to establish the Grand Canyon National Park, in the State of Arizona.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, this is a very important bill. I may say to the gentleman from Arizona [Mr. HAYDEN] that I am in sympathy with the purpose of providing that the Grand Canyon public monument be converted into a national park. There are some provisions, however, in the bill that I wish to make special inquiry about. They relate specifically to the grant of authority to the Secretary of the Interior for a right of way for a railroad through the canyon. I question the propriety of granting to the Secretary of the Interior the right to mar the landscape of that grand canyon by granting a right of way to a railway company to enter the national park.

Mr. HAYDEN. I do not believe that any Secretary of the Interior, whoever he might be, would ever do anything of that kind. On the other hand, the Grand Canyon ought to be accessible to the public. It can now be reached from the south by a branch line constructed by the Santa Fe Railroad Co. up to the rim of the canyon, but is not accessible from the north. It has been proposed for some time that a railroad be constructed from Utah to the north side, which would present possibly a more wonderful view than from the south side. If that is done, permission will have to be given by the Secretary of the Interior for the construction of a railroad to the canyon rim from that side. In that case the railroad would be within a mile or so from the canyon before the park limits are reached. Of course, the gentleman would want the canyon to be accessible from every possible point to the people of the United States.

Mr. STAFFORD. Then the gentleman does not think that it would be within the realm of possibility, or—I would not put

it that strong—of probability for a railroad to go into the canyon proper and mar the scenic beautics of the canyon?

Mr. HAYDEN. It is impossible to construct a railroad into the canyon on account of the sheer drop of the walls on each side.

Mr. STAFFORD. The only point would be to grant permission to a railroad to reach the rim of the canyon?

Mr. HAYDEN. Exactly so.

Mr. STAFFORD. I wish to inquire further as to the need of granting authority for irrigation and reclamation projects, such as is conferred by this bill in the canyon proper.

Mr. HAYDEN. The provision contained in the bill would authorize the Secretary of the Interior, when consistent with the primary purposes of the park—that is, not to impair its scenic beauty—to allow storage reservoirs to be constructed for conserving the water of the Colorado River for irrigation purposes. I understand that there are in the canyon a number of reservoir sites where it is proposed in time to come, when full utilization is made of that stream, to build reservoirs for the storage of water. If that can be done without disturbing the primary purpose of the park, there is authority in this bill to do so.

Mr. STAFFORD. Would the gentleman have any objection to a provision in this bill limiting the amount of the appropriation that may be passed by Congress for the maintenance, supervision, or improvement of the park?

Mr. HAYDEN. I will say to the gentleman that such a limitation exists only as to one national park, and a strenuous effort is being made at the present time to remove that very limitation. I do not see why the Grand Canyon should be discriminated against, when all save one other park are without limitations as to the amount of appropriations. I think that matter can very safely be left in the hands of the Committee on Appropriations from year to year. They will have before them the amount of the receipts from the park, and can, in view of the receipts, provide whatever is necessary. I myself could not suggest what a reasonable limit would be, because I do not know what the probable receipts from this park would be. As I say, I do not see why Congress should discriminate against this park, which is one of the great wonders of the world, more than equal to the Yosemite, the Glacier Park, or any other.

Mr. STAFFORD. If the gentleman will permit, my information is that all the receipts arising out of the use of national parks are used by the park authorities for public improvements in the parks.

Mr. HAYDEN. That was formerly true; but by a provision contained in a recent appropriation act it was provided that all such receipts shall be covered into the Treasury as miscellaneous receipts. The gentleman from Wisconsin will note that in section 3 of this bill as it passed the Senate provision is made—

SEC. 3. That the proceeds of leases and other revenues that may be derived from any source connected with said park shall be expended under the direction of the Secretary of the Interior in the administration, maintenance, and improvement of the park.

But the House Committee on the Public Lands deliberately struck out that provision, so that this park will be like all other parks in that the receipts derived from it will be covered into the Treasury, and any future appropriation for this park will be subject to the scrutiny of the Committee on Appropriations.

Mr. STAFFORD. There is one provision here which deserves the serious consideration of the House before we create a national park of this great wonderland, and that is the provision permitting the county of Coconino to continue to levy and collect tolls over the Bright Angel Toll Road and Trail. I question seriously whether we should create a national park subject to the right of a county government to levy any tolls that it may see fit to impose upon all who may wish to see the beauties of that park.

Mr. HAYDEN. But the gentleman will concede that it is beyond the power of Congress to destroy any property rights which the county of Coconino now possesses.

Mr. STAFFORD. I fully agree to that, and I think there ought to be some provision whereby the Government could take over such private rights, so that the travel there would be free from the imposition of any unreasonable tolls.

Mr. HAYDEN. The bill provides, in lines 19 to 23, on page 8:

And the Secretary of the Interior is hereby authorized to negotiate with the said county of Coconino for the purchase of said Bright Angel Toll Road and Trail and all rights therein, and report to Congress at as early a date as possible the terms upon which the property can be procured.

If this bill passes the Secretary will undoubtedly do that. He will come to Congress next year and say, "For a certain sum of money we can acquire this property." If that sum is not satisfactory, I will join the gentleman in authorizing condemnation proceedings to take it over.

Mr. STAFFORD. I wish I were to be here to join with the gentleman in that, but unfortunately I shall not be here to aid the gentleman in that commendable effort.

Mr. HAYDEN. I have no doubt but that the county and the Secretary can come to an amicable agreement. I thoroughly agree with the gentleman that all the trails and roads in the park should be under Government control.

Mr. STAFFORD. Does the gentleman know what is the probable disposition of the authorities of the county of Coconino toward retaining the absolute right that they now possess to levy tolls upon those who use this, the only trail which can be used by those who desire to see the canyon?

Mr. HAYDEN. I will tell the gentleman all I know about that, very briefly. The Bright Angel trail was originally constructed by a private individual. After some years the county sued the individual, alleging that his right to operate the trail and collect the tolls had ceased. The county won the suit. It now maintains and operates the trail and collects the tolls. That is the situation at the present time. I imagine the county authorities would be glad enough to dispose of this trail at any figure which would pay no more than the fair value of the property.

Mr. STAFFORD. Can the gentleman give any assurances that they will be willing to transfer to the National Government their rights to this Bright Angel trail?

Mr. HAYDEN. Knowing the supervisors of that county as I do, I think it is safe to say that they have no desire to compel the Government to pay any unreasonable amount; but if they do attempt it I shall do my best to see that authority is granted to the Secretary of the Interior to condemn and take over their rights.

Mr. STAFFORD. That is my most serious objection to the bill, and upon the promise of the gentleman to continue his best efforts in the future, when I will be in some other place outside of this Chamber, I will withdraw any objection that I have to the bill.

The SPEAKER. Is there objection?

Mr. ANTHONY. Reserving the right to object, I should like to say to the gentleman from Arizona [Mr. HAYDEN] that unquestionably the Grand Canyon of Arizona, which is one of the greatest wonders of the world, should be a national park, but as I take it, one of the objects of this bill is to make it accessible to the people.

Mr. HAYDEN. Certainly.

Mr. ANTHONY. I should like to ask the gentleman why it is that ever since our railroads have been under the control of the Government, and especially in the past few months, the Grand Canyon has been made practically inaccessible to the American people who are traveling back and forth across the continent? As I understand it, the Railroad Administration has issued regulations preventing people from visiting the Grand Canyon, except to a limited number of tickets. What is the object of the Railroad Administration in doing that?

Mr. HAYDEN. I have no knowledge on that subject, and no complaint has been made to me that any such thing was being done.

Mr. ANTHONY. Complaint has been made by people who are interested in the development of the Grand Canyon, and I was unable to offer any excuse for the curtailment of such privileges, and it would seem to me that people of Arizona should take notice of that action of the Railroad Administration.

Mr. HAYDEN. This is the first intimation that I have had of any such thing, and I shall certainly make inquiry of the Railroad Administration in regard to the matter.

The SPEAKER. Is there objection?

There was no objection.

Mr. HAYDEN. Mr. Speaker, I ask unanimous consent to consider this bill in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States and dedicated and set apart as a public park for the benefit and enjoyment of the people, under the name of the "Grand Canyon National Park," the tract of land in the State of Arizona particularly described by and included within metes and bounds as follows, to wit:

Beginning at a point which is the northeast corner of township 30 north, range 1 east, of the Gila and Salt River meridian, Arizona; thence west on township line between townships 30 and 31 north, range 1 east, to section corner common to sections 1 and 2, township 30 north, range 1 east, and 35 and 36, township 31 north, range 1 east; thence north on section lines to the intersection with Tobocobya Spring

Rowe Well Road; thence northwesterly along the southwesterly side of said Tobocobya Spring Rowe Well Road, through townships 31 and 32 north, ranges 1 east and 1 and 2 west, to its intersection with the section line between sections 9 and 16 in township 32 north, range 2 west; thence west along the section lines through townships 32 north, ranges 2 and 3 west, to its intersection with upper westerly rim of Cataract Canyon; thence northwesterly along upper rim of Cataract Canyon to its intersection with range line, township 33 north, between ranges 4 and 5 west; thence north on said range line, townships 33 and 34 north, ranges 4 and 5 west, to north bank of the Colorado River; thence northeasterly along the north bank of the Colorado River to junction with Tapeats Creek; thence easterly along north bank of Tapeats Creek to junction with Spring Creek; thence easterly along the north bank of Spring Creek to its intersection with Gila and Salt River meridian, township 34 north, between ranges 1 east and 1 west and between section 6, township 34 north, range 1 east, and section 1, township 34 north, range 1 west; thence south on range line between ranges 1 east and 1 west to section corner common to sections 7 and 18, township 34 north, range 1 east, and sections 12 and 13, township 34 north, range 1 west; thence east on section lines to section corner common to sections 7, 8, 17, and 18, township 34 north, range 2 east; thence south on section lines to township line between townships 33 and 34 north, range 2 east, at section corner common to sections 31 and 32, township 34 north, range 2 east and sections 5 and 6, township 33 north, range 2 east; thence east on township line to section corner common to sections 31 and 32, township 34 north, range 3 east, and sections 5 and 6, township 33 north, range 3 east; thence south on section lines to section corner common to sections 17, 18, 19, and 20, township 33 north, range 3 east; thence east on section lines to section corner common to sections 13, 14, 23, and 24, township 33 north, range 3 east; thence north on section lines to section corner common to sections 1, 2, 11, and 12, township 33 north, range 3 east; thence east on section lines to the intersection with upper rim of Grand Canyon; thence northerly along said upper rim of Grand Canyon to main hydrographic divide north of Nankoweap Creek; thence easterly along the said hydrographic divide to its intersection with the Colorado River, approximately at the mouth of Nankoweap Creek; thence easterly across the Colorado River and up the hydrographic divide nearest the junction of Nankoweap Creek and Colorado River to a point on the upper east rim of the Grand Canyon; thence by shortest route to an intersection with range line, townships 33 and 34 north, between ranges 5 and 6 east; thence south on said range line, between ranges 5 and 6 east, to section corner common to sections 18 and 19, township 33 north, range 6 east, and sections 13 and 24, township 33 north, range 5 east; thence east on section lines to section corner common to sections 16, 17, 20, and 21, township 33 north, range 6 east; thence south on section lines to section corner common to sections 8, 9, 16, and 17, township 31 north, range 6 east; thence west on section line to section corner common to sections 7, 8, 17, and 18, township 31 north, range 6 east; thence south on section lines to township line between townships 30 and 31 north at section corner common to sections 31 and 32, township 31 north, range 6 east, and sections 5 and 6, township 30 north, range 6 east; thence west on township line to section corner common to sections 34 and 35, township 31 north, range 5 east, and sections 2 and 3, township 30 north, range 5 east; thence south on section line to section corner common to sections 3, 4, 9, and 10, township 30 north, range 5 east; thence west on section lines to range line, township 30 north, between ranges 4 and 5 east, at section corner common to sections 6 and 7, township 30 north, range 5 east, and 1 and 12, township 30 north, range 4 east; thence south on range line, township 30 north, between ranges 4 and 5 east, to section corner common to sections 7 and 18, township 30 north, range 5 east, and sections 12 and 13, township 30 north, range 4 east; thence west on section line to section corner common to sections 11, 12, 13, and 14, township 30 north, range 4 east; thence south on section line to section corner common to sections 13, 14, 23, and 24, township 30 north, range 4 east; thence west on section lines to section corner common to sections 15, 16, 21, and 22, township 30 north, range 4 east; thence south on section line to section corner common to sections 21, 22, 27, and 28, township 30 north, range 4 east; thence west on section lines to range line, township 30 north, between ranges 3 and 4 east, at section corner common to sections 19 and 30, township 30 north, range 4 east, and sections 24 and 25, township 30 north, range 3 east; thence north on range line to section corner common to sections 18 and 19, township 30 north, range 4 east, and sections 13 and 24, township 30 north, range 3 east; thence west on section lines to section corner common to sections 14, 15, 22, and 23, township 30 north, range 3 east; thence north on section line to section corner common to sections 10, 11, 14, and 15, township 30 north, range 3 east; thence west on section lines to range line at section corner common to sections 7 and 18, township 30 north, range 3 east, and sections 12 and 13, township 30 north, range 2 east; thence north on range line to section corner common to sections 6 and 7, township 30 north, range 3 east, and sections 1 and 12, township 30 north, range 2 east; thence west on section line to section corner common to sections 1, 2, 11, and 12, township 30 north, range 2 east; thence north on section line to township line at section corner common to sections 35 and 36, township 31 north, range 2 east, and sections 1 and 2, township 30 north, range 2 east; thence west on township line to the northeast corner of township 30 north, range 1 east, the place of beginning.

SEC. 2. That the administration, protection, and promotion of said Grand Canyon National Park shall be exercised, under the direction of the Secretary of the Interior, by the National Park Service, subject to the provisions of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes": *Provided*, That all concessions for hotels, camps, transportation, and other privileges of every kind and nature for the accommodation or entertainment of visitors shall be let at public bidding to the best and most responsible bidder.

SEC. 3. That the proceeds of leases and other revenues that may be derived from any source connected with said park shall be expended under the direction of the Secretary of the Interior in the administration, maintenance, and improvement of the park.

SEC. 4. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land, and nothing herein contained shall affect, diminish, or impair the right and authority of the county of Coconino, in the State of Arizona, to levy and collect tolls for the passage of live stock over and upon the Bright Angel Toll Road and Trail, and the Secretary of the Interior is hereby authorized to negotiate with the said county of Coconino for the purchase of said Bright Angel Toll Road and Trail and all rights therein, and report to Congress at as early a date as possible the terms upon which the property can be procured.

SEC. 5. That whenever consistent with the primary purposes of said park the act of February 15, 1901, applicable to the location of rights of way in certain national parks and the national forests for irrigation and other purposes, and subsequent acts shall be and remain applicable to the lands included within the park.

SEC. 6. That whenever consistent with the primary purposes of said park, the Secretary of the Interior is authorized, under general regulations to be prescribed by him, to permit the prospecting, development, and utilization of the mineral resources of said park upon such terms and for specified periods, or otherwise, as he may deem to be for the best interests of the United States.

SEC. 7. That, whenever consistent with the primary purposes of said park, the Secretary of the Interior is authorized to permit the utilization of areas therein which may be necessary for the development and maintenance of a Government reclamation project.

SEC. 8. That where privately owned lands within the said park lie within 300 feet of the rim of the Grand Canyon no building, tent, fence, or other structure shall be erected on the park lands lying between said privately owned lands and the rim.

With the following committee amendments:

Page 2, line 7, after the word "road," insert "passing and in relation to the United States Geological Survey bench marked 'Canyon' and numbered 6340, 6372, 6412, 6302, 6144, and 6129."

Page 2, line 18, after the word "canyon," insert "crossing Hualapai Canyon and continuing northwesterly along said upper rim."

Page 5, lines 11 and 12, after the word "sections," strike out the words "three, four, nine, and ten" and insert in lieu thereof "two, three, ten, and eleven."

Page 7, line 21, strike out all of section 3 and insert as a new section the following:

"SEC. 3. That nothing herein contained shall affect the rights of the Havasupai Tribe of Indians to the use and occupancy of the bottom lands of the Canyon of Cataract Creek as described in the Executive order of March 31, 1882, and the Secretary of the Interior is hereby authorized, in his discretion, to permit individual members of said tribe to use and occupy other tracts of land within said park for agricultural purposes."

Page 9, lines 5, 6, 7, and 8, insert the following: "The Secretary of the Interior may, in his discretion and upon such conditions as he may deem proper, grant easements or rights of way for railroads upon or across the park."

Page 10, at the end of the bill, insert as a new section the following:

"SEC. 9. The Executive order of January 11, 1908, creating the Grand Canyon National Monument, is hereby revoked and repealed, and such parts of the Grand Canyon National Game Preserve designated under authority of the act of Congress approved June 29, 1906, entitled 'An act for the protection of wild animals in the Grand Canyon Forest Reserve,' as are by this act included with the Grand Canyon National Park, are hereby excluded and eliminated from said game preserve."

The SPEAKER pro tempore (Mr. RAKER). The question is on the committee amendments en gross, if there is no objection.

Mr. MADDEN. Mr. Speaker, I would like to inquire from some one, if I may, whether it is thought to be wise to permit the Secretary of the Interior, in his discretion, to grant easements or rights of way for railroads on or across the park? It seems to me that is giving pretty wide discretion to the Secretary of the Interior.

The SPEAKER pro tempore. That question was raised before, and if there is any objection the Chair will have the vote on the amendments separately.

Mr. MADDEN. There is going to be objection.

The SPEAKER pro tempore. The Clerk will report the first amendment.

The Clerk read as follows:

Page 2, line 7, after the word "road" insert ", passing and in relation to United States Geological Survey bench marks stamped 'Canyon' and numbered 6340, 6235, 6372, 6412, 6302, 6144, and 6129."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Page 2, line 18, after the word "Canyon," insert "crossing Hualapai Canyon and continuing northwesterly along said upper rim."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 5, line 11, after the word "sections," strike out "3, 4, 9, and 10" and insert "2, 3, 10, and 11."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 7, strike out all of lines 21, 22, 23, 24, and 25, being section 3, and insert as a new section the following:

"SEC. 3. That nothing herein contained shall affect the rights of the Havasupai Tribe of Indians to the use and occupancy of the bottom lands of the Canyon of Cataract Creek as described in the Executive order of March 31, 1882, and the Secretary of the Interior is hereby authorized, in his discretion, to permit individual members of said tribe to use and occupy other tracts of land within said park for agricultural purposes."

Mr. TREADWAY. Mr. Speaker, I would like to ask the gentleman in charge of the bill a question in reference to section 2. Beginning on line 16, page 7, we find the proviso:

Provided, That all concessions for hotels, camps, transportation, and other privileges of every kind and nature for the accommodation or entertainment of visitors shall be let at public bidding to the best and most responsible bidder.

I take it that is not the provision appearing in the general act regarding national parks, above referred to, in the same section; that this is a special item for this particular canyon in establishing it as a national park. The inquiry that came to me is this: I would like to ask the gentleman about whether or not selling those privileges to the highest bidder at auction does not open up the possibility of abuse so far as charges that may be made the public are concerned? I have visited the canyon, as many of us, of course, have, and have greatly enjoyed its beautiful natural wonders. It seems to me we ought to do everything possible to protect the public in not being excessively charged for the privileges of the canyon. If a contractor bids high for the privilege of the various concessions, he must naturally make his rates to his patrons in proportion.

Mr. HAYDEN. If the gentleman will read the proviso again, he will see that it does not say that the contract shall be let to the higest bidder but to the best and most responsible bidder.

Mr. TREADWAY. That is true; but you are aiming to get the highest price possible from the bidder. If two men of equal responsibility are bidding, the one who bids the highest would get the contract, and you are not protecting the patrons of the park in respect to the rates that the successful bidder shall be allowed to charge for any of the sight-seeing privileges. It seems to me you are establishing a monopoly there, simply from the fact that you want to get all you can for the Government. Of course the Government does not desire to commercialize the canyon.

Mr. HAYDEN. My recollection is that, when this legislation was reported from the Senate committee, it provided that concessions should be let to the highest bidder, and the Senate changed it to the best and most responsible bidder.

Mr. TREADWAY. That is a good change.

Mr. HAYDEN. Leaving it in the discretion of the National Park Service to decide which bidder is the best and most responsible.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. HAYDEN. Mr. Speaker, I ask for recognition. The National Park Service will be able to give the public better accommodations by having the best and most responsible bidder render the service rather than the highest bidder.

Mr. TREADWAY. Let me ask the gentleman this: In the other national parks that arrange for sight-seers what is the method of allowing private enterprise to sell privileges or take people around or entertain them at the hotels and that sort of thing; in other words, what is the occasion of putting in the proviso at all if the park is to be under the government of a commission or the Secretary of the Interior?

Mr. HAYDEN. I do not think that this proviso adds to or takes away in the least from the authority that the National Park Service has over other parks. If they decide at the Glacier National Park, for instance, that to grant a large hotel concession to one person would insure better accommodations for the public than by allowing several smaller hotels to be built, they have authority to do so, and they do. Upon the contrary, if they believe that better service can be rendered through three or four hotel concessions, they have authority to issue any number of permits. This proviso is unnecessary in one way, because it adds to or takes away no authority that the National Park Service now has. It is a mere reiteration of permission to do what they now have authority to do.

Mr. TREADWAY. It does do this without question: It enables them to obtain the highest possible price from responsible people——

Mr. HAYDEN. No; it does not.

Mr. TREADWAY. Now, the high man, in the natural course of things, must get his money back.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HAYDEN. Mr. Speaker, I ask to be recognized for five minutes.

The SPEAKER pro tempore. Is there objection. [After a pause.] The Chair hears none.

Mr. HAYDEN. I am sure that if the gentleman will again read this proviso he will see that there is nothing in it which compels the National Park Service to accept the highest bid or which would induce the bidder to offer a higher rate than otherwise. The question is whether he is the best and most responsible bidder. Now, the best bidder is the man who can render the best service to the public. His responsibility is dependent upon his financial ability to carry out any agreement he might make. There is nothing in this proviso which compels a high bid. If it said "the highest bidder," as was the language originally reported to the Senate, it would do that, but the Senate deliberately struck out the term "highest bidder" and said "best and most responsible," believing that change to be in the interest of the public.

Mr. TILSON. Will the gentleman yield?

Mr. HAYDEN. With pleasure.

Mr. TILSON. If that is the intention, does it not seem that there ought to be language placed in the proviso that would state what is the ground for determining the best bidder?

Mr. HAYDEN. Well, the best bidder at one place might not be the best at another. We must not take away the discretion of the National Park Service.

Mr. TILSON. In the gentleman's opinion, if one man offered $1,000 and another man $500 for the privilege, the $1,000 man might be turned down, and the $500 man accepted because he would agree to make more reasonable concessions——

Mr. HAYDEN. To the public; yes.

Mr. TILSON. That would be the policy?

Mr. HAYDEN. Yes, sir.

Mr. TILSON. Is it the policy with the other national parks?

Mr. HAYDEN. Yes. There have been many complaints by men saying, "I will bid twice as much if you will give a certain concession to me." The National Park Service has replied, "No; the present concessionaire is rendering splendid service and affording proper accommodations for the public. There is not room in this place for two of you in the same line of business, and we will not displace one who is treating the public fairly."

Mr. TREADWAY. May I ask if that condition to which the chairman refers is provided for in the general act, namely, the act of August 25, 1916, entitled "An act to establish a national park service, and for other purposes," why have this proviso in the bill at all? Why not let this park take its place in exactly the same way as all the other national parks do under that act?

Mr. HAYDEN. As I stated to the gentleman, that is exactly what this proviso does.

Mr. TREADWAY. Then I move to strike out the proviso.

Mr. HAYDEN. My only objection to striking it out is that I want as little difference as possible with the Senate.

Mr. TREADWAY. I see the gentleman's attitude, and it does strike me I can not see personally any reason why this particular park should have a different condition to be carried out than the other national parks where this service is being performed.

Mr. HAYDEN. This proviso merely states that the national park service may do at this park what they are doing at all the other national parks at the present time. It does not place the Grand Canyon Park in any different status.

Mr. TREADWAY. I do not think it will make any trouble in securing an agreement with the Senate conferees——

Mr. HAYDEN. But I do not want the bill to go to conference if I can avoid it.

Mr. TREADWAY. If it is only to go to conference as to this one amendment, I shall not insist on it.

Mr. HAYDEN. I have been told by gentlemen interested in this bill in another body that they would agree to all of the House committee amendments. I have not talked with them about the amendment of the gentleman from Massachusetts, and that is my objection to having it go in the bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

The question was taken, and the committee amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Page 9, after line 4, insert the following:

"The Secretary of the Interior may, in his discretion and upon such conditions as he may deem proper, grant easements or rights of way for railroads upon or across the park."

Mr. MADDEN. Mr. Speaker, just a moment; I would like to know why the Secretary of the Interior is granted this wide discretion? Why can not it be possible for the House and the Senate to determine that question when it shall arise?

Mr. HAYDEN. The idea embodied in the provision to which the gentleman from Illinois refers was taken from the act to establish the Rocky Mountain National Park, approved January 26, 1915, which reads as follows:

The Secretary of the Interior may, in his discretion and upon such conditions as he may deem wise, grant easements or rights of way for steam, electric, or similar transportation upon or across the park.

I will state to the gentleman the prospects so far as any railroad construction in Grand Canyon National Park is concerned. There is now a Santa Fe branch line which enters the edge of the proposed park from the south, and it is very desirable that a railroad be built into this new park from the north, so people can conveniently arrive on the other side of the canyon to view it from that angle.

There is a considerable body of timber in the Kaibab National Forest, to the north of the Grand Canyon. There have been tentative offers to purchase this timber from the Forest Service at different times. If that timber could be sold it would induce the construction of a railroad, combined with the possibility of carrying tourists to and from this park. And, of course, we are all anxious to have as many people visit the Grand Canyon as possible. This park will be under the exclusive jurisdiction of the Secretary of the Interior. No Secretary of the Interior would think of permitting any railroad to be constructed that would in any way injure the scenic beauties of the Grand Canyon, but, on the other hand, he would undoubtedly favor the construction of railroads for the convenience of the public. He has now the right to grant rights of way on the public domain. The Committee on the Public Lands thought it would be entirely proper to give him the same authority within this park.

Mr. MADDEN. I do not see any reason why we should grant him authority to authorize the construction of railroads. Why should we not reserve that authority to ourselves?

Mr. HAYDEN. If the gentleman can conceive of any injury to the public by granting him this authority——

Mr. MADDEN. Nobody ever can tell. What we can tell is that we relinquish jurisdiction of it, and we are placing it in the hands of one man, who does not have to consult anybody.

Mr. HAYDEN. We are placing the administration of the whole park in his hands.

Mr. MADDEN. I understand that. We are placing the management in his hands, and that is a perfectly proper thing to do. When it comes to the question of authorizing the granting of a franchise, or for the Secretary of the Interior to permit a railroad to be constructed somewhere, that is quite a different proposition. It seems to me the people's representatives ought to reserve some of the legislation to themselves and act upon the merits of the case when it comes up.

Mr. HAYDEN. If I had the least doubt in the world that any Secretary of the Interior would permit the scenery of that canyon to be destroyed by a railroad, I would be the first to object.

Mr. MADDEN. It is a question of granting blank authority to an individual to do something which belongs to the Congress of the United States to do.

Mr. HAYDEN. The Congress of the United States used to insist that its consent be obtained every time a railroad was to be built across an Indian reservation, and other important public business was delayed many times to pass such bills. But finally Congress decided to turn over all such matters to the Secretary of the Interior, who looks after the welfare of the Indians and guards their rights. We now propose to place the administration of this park in the hands of the Secretary of the Interior, directing him to take care of it and to make it accessible to the public. If there should be an opportunity to build a railroad in order to make it possible for more people to look at the wonders and the glories of the Grand Canyon, we should give the Secretary authority to grant the necessary rights of way. It is exactly in line with his other duties in connection with the proper administration of the park.

Mr. MADDEN. I realize that so far as the park is concerned that may be true, but this does not confine the discretion of the Secretary of the Interior to granting the right of a railway to be constructed up to the park in order that people may be able to see it. It gives him the right to grant any easements or rights of way on or across the park; that is, to go any place.

Mr. HAYDEN. If the gentleman has been to the Grand Canyon, he knows a railroad can not get very far beyond the rim of it.

Mr. MADDEN. It would go across the public domain. And why should we want to give other authority if he has authority now?

Mr. Speaker, I move to strike the amendment out.

The SPEAKER pro tempore (Mr. RAKER). The question before the House is the committee amendment.

The question was taken, and the Speaker pro tempore announced that the noes appeared to have it.

Mr. HAYDEN. I ask for a division, Mr. Speaker.

The House divided, and there were—ayes 18, noes 7.

So the amendment was agreed to.

Mr. MADDEN. Mr. Speaker, I would like to call the attention of the country to the fact that we have 25 Members present when an important bill is under consideration to give the Secretary of the Interior absolute control over public lands and to give him the right to grant anything he wants to a railroad.

The SPEAKER pro tempore. The Clerk will report the next committee amendment.

The Clerk read as follows:

Add at the end of the bill a new section, as follows:

"SEC. 9. The Executive order of January 11, 1908, creating the Grand Canyon National Monument, is hereby revoked and repealed, and such parts of the Grand Canyon National Game Preserve designated under authority of the act of Congress approved June 29, 1906, entitled 'An act for the protection of wild animals in the Grand Canyon Forest Reserve,' as are by this act included with the Grand Canyon National Park are hereby excluded and eliminated from said game preserve."

The SPEAKER pro tempore. The question is on the committee amendment.

Mr. MADDEN. I would like to know what the Executive order is that is repealed.

Mr. HAYDEN. If the gentleman will look at the report of the Committee on the Public Lands he will see that all the Executive orders are printed in full.

Mr. MADDEN. We do not have an opportunity to read them when they are brought up here quickly.

Mr. HAYDEN. The Executive order of January 11, 1908, creating the Grand Canyon National Monument, was signed by President Roosevelt under authority of the national-monument act, reserving the land now included in this park as a national monument. That was no doubt a very wise act on his part, but now the time has come when this area should be changed from a monument to a park, in conformity with the new policy of Congress. The Grand Canyon game preserve was likewise created to cover a considerable area of the same country. The reserve itself, outside the park, will not be disturbed by the passage of this bill, but the area to be included within the national park is excluded from the game-preserve park, for the reason that the game preserve is administered by the Secretary of Agriculture, while the park is administered by the Secretary of the Interior. We thus avoid a conflict of jurisdiction between the two Secretaries.

Mr. MADDEN. Will the gentleman yield for a question there?

Mr. HAYDEN. Certainly.

Mr. MADDEN. Now, for example, I have a farm and there is some game during some parts of the year on that farm, and that farm is supposed to be managed by me or somebody for me. Yet the game laws apply to the farm.

Is there any more reason why the law should be repealed as to the land that is controlled by the Secretary of the Interior than there is that the law should be repealed as to land that is controlled by some individual that owns the title to it? It seems to me that the game laws should remain intact, regardless of whether the land is under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture or anybody else.

Mr. HAYDEN. As I said before, the game preserve outside of the national park is not disturbed. The National Park Service act forbids the killing of all game in the national parks. Its provisions are just as stringent as the national game-preserve law.

Mr. MADDEN. We ought not to repeal any of the laws that we have.

Mr. HAYDEN. This provision of the bill is to avoid duplication of administration over the same area of land.

Mr. MADDEN. I must protest against the repeal of this section of the game law for any such reason as the gentleman from Arizona gives.

Mr. HAYDEN. If this section is not enacted, we will have one proclamation creating a game preserve and another proclamation creating a national monument and still another act creating a national park, all superimposed on the same territory. I am trying to eliminate the previous withdrawals covering the area described in this bill, so that it will be nothing but a national park under the jurisdiction of the Secretary of the Interior. The Grand Canyon should be on the same footing as any other national park, with all of these previous incumbrances removed. They were very proper in their time, but their usefulness has passed when Congress makes this a national park.

Mr. MADDEN. But there are two propositions here. One is to repeal that section of the Executive order which provides for a national monument and another is to repeal that section of an Executive order which provides for a game preserve in the park. They are two different propositions entirely. I am

entirely willing, and I think it may be wise, to repeal that section of the Executive order which provides for a national monument, because we are already providing for the national monument when we are organizing the park. I do not think it is wise to repeal the game-law section.

Mr. HAYDEN. The minute the game-preserve law is repealed the provisions of the National Park Service law, the general law covering all national parks, comes into effect, and that law provides that no game shall be hunted or killed in any national park. All the game will be fully protected, just as it is in the Yosemite Valley, the Yellowstone, or any other national park in the United States. I simply desire to have but one law in effect directing that no game shall be killed in this park. It is neither necessary nor wise to have one law under the administration of the Secretary of the Interior and another law under the administration of the Secretary of Agriculture to accomplish the single purpose of protecting the game within the Grand Canyon National Park.

Mr. MADDEN. There would be no sense in putting it under two jurisdictions.

Mr. HAYDEN. Exactly. That is all I seek to avoid.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill as amended.

The Senate bill as amended was ordered to be read a third time, and was read the third time.

Mr. GRAHAM of Illinois. Mr. Speaker, I want to ask the gentleman from Arizona [Mr. HAYDEN] some questions about this bill. There is a tribe of Indians in this park called the Hopi Indians?

Mr. HAYDEN. No. The Havasupai Indians live in Cataract Canyon.

Mr. GRAHAM of Illinois. They are covered by section 3 of the bill?

Mr. HAYDEN. Yes, sir.

Mr. GRAHAM of Illinois. I observe in section 4 that it is the purpose to purchase from the county in which this park is located, the county of Coconino, the Bright Angel Toll Road and Trail?

Mr. HAYDEN. Yes, sir.

Mr. GRAHAM of Illinois. It occurred to me that perhaps, in view of the fact that this was being made into a national park, some arrangement would be made by which the county would contribute this trail gratuitously.

Mr. HAYDEN. It is shown in the report that in the last five years Coconino County had receipts of about $20,000 from the Bright Angel Trail and expenditures of about $10.000. That is, the income each year is about $4,000 and the outgo about $2,000. The county makes a profit of about $2,000 a year out of the trail, so that if it was condemned they could not get a very large sum for it. The county acquired this trail as the result of litigation about five years and has obtained the revenue from it since that time.

Mr. GRAHAM of Illinois. Is this trail managed entirely by the county or is it managed by the hotel companies?

Mr. HAYDEN. It is managed by the county. The county appoints a caretaker, whose duty it is to see that the trail is kept in good condition and that the revenues are collected. He receives about $4,000 and spends about $2,000. He turns over about $2,000 to the county.

Mr. GRAHAM of Illinois. Section 8 of the bill provides that "where privately owned lands within the said park lie within 300 feet of the rim of the Grand Canyon no building, tent, fence, or other structure shall be erected on the park lands lying between said privately owned land and the rim." I presume that this is to protect the hotel company or anyone owning the land from the liability of anyone getting in front of the hotel company?

Mr. HAYDEN. This was done at the request of the owner of the Grand View Hotel. He thought that he controlled the rim of the canyon, but when a survey was made it was found that there was a strip of about 150 feet wide between his land and the rim. He feared that some structure might be put up which would obstruct the view from the hotel.

The SPEAKER pro tempore. All this discussion is by unanimous consent and out of order.

Mr. HAYDEN. I would be glad to give all the information to the gentleman from Illinois that I can.

The SPEAKER pro tempore. The Chair knows; but the question is on the passage of the bill. The gentleman from Illinois [Mr. GRAHAM] can proceed for five minutes if he gets unanimous consent.

Mr. GRAHAM of Illinois. I understood, Mr. Speaker, I had the right to discuss the bill.

The SPEAKER pro tempore. Not without the consent of the House.

Mr. STAFFORD. The previous question has not been ordered, Mr. Speaker, on the passage of this bill.

The SPEAKER pro tempore. Does the gentleman from Illinois want to be heard?

Mr. GRAHAM of Illinois. Yes. I ask unanimous consent that I may proceed for five minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GRAHAM of Illinois. I would like to ask the gentleman how much of this land is privately owned? What I am trying to get at is whether this section will create a monopoly in any set of individuals to control the rim of that canyon.

Mr. HAYDEN. No. If you will notice on page 7 of the report on this bill, there are 613,120 acres of land within the park, and only 391 acres are privately owned.

Mr. GRAHAM of Illinois. Do you know how much land there is between the El Tovar Hotel and Grand View that is privately owned?

Mr. HAYDEN. There is no privately owned land on the rim between El Tovar and Grand View. I do not know of any private holdings on the rim east of El Tovar, except the Grand View property itself, and a small acreage that belongs to Mr. Martin Buggelin. Those are the only places, so far as I know, along the whole rim for miles.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. HAYDEN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

WATER SUPPLIES OF OREGON CITY, DALLAS, AND CORVALLIS, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12770) to reserve as part of the Oregon and Siuslaw National Forests in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, there are on the calendar two bills of similar import, providing for the purchase of land by the municipalities themselves needed for the protection of the water supply of the municipalities referred to in those bills. This bill seeks to have that burden thrown upon the National Government by transferring the land and making it a part of the forest reserve. I wish the gentleman would explain the reason why in some instances the municipalities are willing to purchase this land for the protection of their own water supply and in other instances you want to throw the burden on the National Government.

Mr. HAWLEY. The distinction between this bill and the two that follow is this: The one immediately following, for the city of Myrtle Point, Oreg., relates to a very small acreage of land, which is mostly agricultural in character and is to be purchased from the Government at $2.50 an acre under terms similar to those provided in the Oregon & California land-grant act, just as private individuals can purchase it. The one following that, for the city of McMinnville, is practically on the same basis. The land is mostly agricultural, covered over with small growths. The city will be authorized to purchase the land and acquire title by paying $2.50 an acre for the agricultural land and for whatever timber may be on any of it at the appraised price. But the gentleman has undoubtedly read the report on the bill which we are now considering, and knows that, with the amount of timber on the lands described in this bill, it would be impossible for the city at the present time to buy the lands. They are unable now to provide the money. This transfers these lands to the national forests, so that their water supply will not be diminished. The land still remains under the control of Congress. The city of Corvallis is the site of the Oregon State Agricultural College, which has from 2,000 to 2,500 students every year. The water supply for the city and the college comes from sources about 12 miles away, on the western side of Mount Chintimini. If the lands which it is proposed to transfer to the national forest are cut over, the streams that supply the city and the college with water for domestic purposes will dry up, and the city has no other sources

of supply from which to obtain mountain water fresh and clean for its population and for the agricultural college.

Mr. STAFFORD. How far distant are these lands from the respective forest reserves? Are they contiguous to the forest reserves?

Mr. HAWLEY. No; they are not contiguous to the forest reserves. The area is for the protection of the water supply of the city of Corvallis and is about 1,400 acres. The agricultural college there maintains a school of forestry. The superintendent of that school, Prof. Peavey, was formerly in the Forest Service. If this land is transferred, he, with the college and the city authorities, will undertake the supervision of it under the direction of the Forest Service.

Mr. STAFFORD. On the pay roll of the Government of the United States?

Mr. HAWLEY. No; on their own pay roll. He will use it for the study of forestry and of forest protection.

Mr. STAFFORD. Has there been any tentative agreement embodying that idea?

Mr. HAWLEY. No; I do not think the Forest Service and the school have entered into any formal agreement, but they have told me that that is the intention.

Mr. STAFFORD. Who told you?

Mr. HAWLEY. Prof. Peavey and the water commissioners, who have taken up the question with the school authorities.

Mr. STAFFORD. They have expressed their willingness as to this land, distant 8 and 11 miles from the nearest border of the existing Siuslaw National Park, to undertake supervision of it without charge to the Federal Treasury.

Mr. HAWLEY. Yes. They have been policing it already in order to prevent fires breaking out which would destroy their water supply, and they will continue to do that under an arrangement with the city.

The larger portion of this land becomes a part of the Oregon National Forest for the protection of the water supply of Oregon City. This bill is based on a precedent by which a much larger area of land was transferred to the Oregon National Forest in order to protect the water supply of the city of Portland. That bill has already been passed by the House and Senate and has become a law.

Mr. STAFFORD. I withdraw my reservation of objection.

Mr. FOSTER. I reserve the right to object.

Mr. GARD. I reserve the right to object.

Mr. FOSTER. I want to inquire about this land. As I understand, these lands were to be paid to the railroad company at the rate of $2.50 an acre?

Mr. HAWLEY. Yes.

Mr. FOSTER. I call to mind the fact that the Government paid back taxes to these counties. Now, what becomes of that money that the Government has paid in back taxes? Suppose you sell it to these people for $2.50 an acre. As I understand, the Government will be out all the taxes that it has paid.

Mr. HAWLEY. These small areas will become a part of the national forests and still be the property of the Government.

Mr. FOSTER. Does the gentleman think it is right for the State of Oregon to get all the money?

Mr. SINNOTT. The Government is not out anything for the taxes. The Government is reimbursed for any taxes it may pay out of the sale of the land.

Mr. HAWLEY. The Government will not lose any taxes which it has paid, because the sale of the entire acreage will reimburse the Government for all moneys paid the railroad company for taxes paid to the counties, as well as for all other expenses incurred and will leave a goodly sum in the possession of the Government.

Mr. FOSTER. At $2.50 an acre?

Mr. HAWLEY. The sale of the timber and the land will yield a net return to the Government of a considerable sum of money.

Mr. FOSTER. Oh, well, the Government sells for $2.50 an acre. They pay the railroad $2.50 an acre. Where does the Government come in, where does it get out of it with the back taxes?

Mr. HAWLEY. The Government recovers the money that it pays to the railroad and for the accrued taxes through the sale of the entire tract, which covers many thousands of acres and hundreds of millions of feet of timber.

Mr. FOSTER. The State in which the land is located got practically all of the money, the Government paid the advances, and the Government got but little, as we all know.

Mr. HAWLEY. I beg to differ with the gentleman.

Mr. FOSTER. After the Government has paid $2.50 to the railroad company and then sells the land for $2.50 and they have had to pay all of the taxes that have accumulated for years, I can not get it through my head where the Government comes out.

Mr. HAWLEY. The gentleman is referring to some particular acreage and not to the general tract?

Mr. FOSTER. I am referring to this particular tract or any other that may come in under the same conditions.

Mr. HAWLEY. Take the lands in Benton County. There are many thousands of acres of the O. & C. land. On its recapture by the Government, the Government is to pay $2.50 to the railroad company and back taxes to the county; and when it sells that land and the timber it will get a great deal more than it will have paid to the railroad company and the county in back taxes, and will have a large profit left for itself.

Mr. FOSTER. But the Government practically gets nothing.

Mr. HAWLEY. I again beg to differ with the gentleman.

Mr. FOSTER. In a bill that was passed we tried to get the Government something, but could not.

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, I still reserve the right to object.

Mr. HAWLEY. The gentleman will remember that the Government gets 10 per cent, and in addition to that amount a further 40 per cent for the reclamation fund. The Government gets half of the proceeds obtained from the sale of these lands.

Mr. FOSTER. The Government put up all of the money to pay all of the back taxes and the expenses when they took back these lands. After dividing it and giving to the counties and the cities and anybody else out there that wanted anything, they then had the magnanimity to let the Government take 10 per cent.

Mr. HAWLEY. And 40 per cent that goes into the reclamation fund.

Mr. FOSTER. It all went to the benefit of the country out there.

Mr. HAWLEY. Not for the area in which these lands are, because there is no reclamation project in that section.

Mr. FOSTER. After you have given the railroad company $2.50 and sold the land for $2.50, how does the Government get anything?

Mr. MADDEN. The question is whether or not they will not sell them for more than $2.50.

Mr. FOSTER. But the bill provides for the sale of them at $2.50.

Mr. HAWLEY. The bill provides that the Government shall sell the agricultural lands for $2.50, the timber at an appraised value, and then, after the timber is removed, it shall sell that land for $2.50. The Government will receive a large amount of money. The counties get 25 per cent, the State 25 per cent, the Government gets 40 per cent for its reclamation fund, and 10 per cent for the Treasury as the land is sold.

Mr. FOSTER. Oh, the gentleman ought not to talk about the 40 per cent for the reclamation fund, because that is not for the benefit of the Federal Government, so far as going into the Treasury is concerned.

Mr. HAWLEY. There is no reclamation project in any part of the land where the lands included in the bill are situated.

Mr. MADDEN. Let us understand it. Suppose, for example, the Government has already paid $2.50 an acre for the land it got from the railroad companies and then is required to sell the land for $2.50, then required to give 25 per cent to the county and 25 per cent to the State and take 40 per cent for the reclamation and 10 per cent for itself, how much will it have left?

Mr. HAWLEY. But the gentleman has left out the most valuable asset, namely, the timber. The value of the land itself is a comparatively small item. The great value is in the timber.

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, I think we would better go into this a little bit more before we permit this to be passed. I ask unanimous consent that it go over until the next day for unanimous consent—to go to the foot of the calendar.

Mr. GARD. Mr. Speaker, reserving the right to object, I desire to ask the gentleman a question. I gather from the statement of the gentleman that it is the purpose to put this land back into the control of the Government for the protection of cities, temporarily, until they can buy the land.

Mr. HAWLEY. I do not know that they will ever buy it. It is included in the forest reserves for the protection of the water supply at the cities. The Government can change by legislation that status at any time. It may be that later the cities will be in a position to purchase it. I said "temporarily," because it is not a final and absolute disposal of the land. Meanwhile the Government will own the land and timber. It still remains the property of the Government.

Mr. GARD. The purpose is to develop it for the cities, because the Government does not want to spend the required amount of money now?

Mr. HAWLEY. It puts these areas into the forests named for the protection of the water supply of these cities. It is

legislation that Congress may change at any time, and if the Congress later on thinks the cities ought to buy it, when they are better able to do so, the Congress can deal with that alternative.

Mr. GARD. Mr. Speaker, I object.

Mr. MADDEN. Does the gentleman think that the water supply is vital?

The SPEAKER pro tempore. Objection is heard.

Mr. HAWLEY. The water supply is absolutely vital. Mr. Speaker, I ask unanimous consent that this bill go to the foot of the calendar.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent that the bill remain on the calendar, to go to the foot thereof. Is there objection?

There was no objection.

PURCHASE OF LAND BY CITY OF MYRTLE POINT, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13019) to authorize the purchase by the city of Myrtle Point, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916.

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that this bill be passed over and go to the foot of the calendar.

Mr. HAWLEY. I do not see why that should be done.

Mr. FOSTER. If there is going to be any controversy about it, I object to its consideration.

Mr. HAWLEY. Will not the gentleman reserve his objection?

Mr. FOSTER. No; I will not reserve it, because I have looked the matter over.

Mr. HAWLEY. Will the gentleman not permit me to make a statement of two minutes?

Mr. FOSTER. Very well, I reserve my objection for that purpose.

Mr. HAWLEY. This bill provides for the purchase by the city of Myrtle Point, Oreg., of the land described in the bill. Under the act disposing of the Oregon & California grant the lands were to be sold for $2.50 an acre if classified as agricultural. The timber on the remainder was to be appraised and sold at the appraised price. Then when the timber was removed the land was to be sold at $2.50 an acre. All this bill does is to give to the city of Myrtle Point the right to buy as other purchasers can buy now.

Mr. JOHNSON of Washington. Buy the land and not the timber?

Mr. HAWLEY. Buy the land and timber. They will pay for both the land and the timber at the appraised price. It authorizes an immediate sale for this land and puts the money at once in the Treasury.

Mr. EMERSON. Why does the city have to have this privilege?

Mr. HAWLEY. Because the Oregon & California land-grant act provides that the land can be sold to individuals only.

Mr. STAFFORD. I believe the committee has amended the bill so that the city will be not only obliged to pay the appraised value of the timber, but also the value of the timberland at $2.50 an acre.

Mr. HAWLEY. Yes.

Mr. STAFFORD. As the bill was introduced the city was only obligated to pay $2.50 per acre for the classified agricultural land and the appraised value of the timber on the other land.

Mr. HAWLEY. Yes.

Mr. STAFFORD. But the committee thought it was advisable not only to have them pay $2.50 an acre for the classified agricultural land and the appraised value of the timber, but $2.50 per acre for the timberland in addition to the appraised value of the timber.

Mr. HAWLEY. The gentleman is right. He has stated the situation correctly.

Mr. STAFFORD. This bill is entirely different from the previous bill——

Mr. HAWLEY. Entirely.

Mr. STAFFORD. This bill not only gives protection to this city's water supply but also recoups the National Government by compelling the city to pay to the National Government——

Mr. HAWLEY. Just as much as any others would pay, and it makes an immediate sale. I trust the gentleman will not insist upon his objection.

Mr. FOSTER. I do not believe I shall object to this, although I want to say this land grant out in Oregon has been very unfair, it seems to me, to the Federal Government in all its transactions, and I think we ought to scrutinize very carefully any of these bills in reference——

Mr. HAWLEY. If the gentleman will permit——

Mr. FOSTER. I shall object if the gentleman is going to interrupt me—I say we ought to scrutinize these bills when they come here with a great deal of care. This bill, of course, is to protect the water supply of Myrtle Point. That is one of the determining factors in this legislation, and I shall not object to this and shall let it go.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from Oregon if this bill carries a purchase price of $2.50 per acre? Is that right?

Mr. HAWLEY. Yes; that is for the land classified as agricultural, and that is the same price that it is now being sold for.

Mr. GARD. And also provides the appraised price for the timber?

Mr. HAWLEY. Yes; that is the same as the present law.

Mr. GARD. What is the authority for the appraisal of the timber at the present time?

Mr. HAWLEY. That is done by the Secretary of the Interior. The land, I think, has already been classified and the timber has been cruised and an appraised valuation set on it.

Mr. GARD. How much is that, does the gentleman know?

Mr. HAWLEY. That I do not know. It is in the hands of the Department of the Interior and they fix it at the current price in the locality.

Mr. GARD. The gentleman can not inform us how much the appraised price of the timber is where the land——

Mr. HAWLEY. I know the land is $2.50 an acre; that is fixed in the act.

Mr. GARD. For how many acres—a quarter of a section?

Mr. HAWLEY. It will be about 120 acres. It is sold to the city of Myrtle Point just as the Secretary would sell to a private individual. That is the change it makes in the law, that the city will be authorized to buy it just as a private individual can purchase it.

Mr. GARD. In the law in this bill and the succeeding one the changes are merely such as to permit the cities to buy so as to protect their water supply?

Mr. HAWLEY. The gentleman is correct.

Mr. GARD. I shall not object to that.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. HAWLEY. Mr. Speaker, I ask that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior shall be, and is hereby, authorized to issue a patent to the city of Myrtle Point, Oreg., for the following described lands, being a part of the lands revested in the United States by the act of Congress enacted June 9, 1916 (39 Stat., p. 218), to wit: The southeast quarter of the southeast quarter of section 11, the east half of the southwest quarter of the southeast quarter of section 11, and the north half of the northwest quarter of the northwest quarter of section 13, all in township 29 south, range 12 west, of the Willamette meridian, in the State of Oregon; on condition that the said city shall pay to the United States, when said lands are subject to disposition under said act of revestment, the sum of $2.50 per acre for all of said lands that may be classified as agricultural, and the reasonable appraised price of the timber on all such lands as may be classified as timberlands.

SEC. 2. That the Secretary of the Interior shall prescribe all necessary regulations to carry into effect the foregoing provisions of this act.

The committee amendments were read, as follows:

Page 2, line 2, strike out "the southeast quarter" and insert "south half."

The question was taken, and the amendment was agreed to.

Page 2, line 8, after the word "city," insert the word "first."

The question was taken, and the amendment was agreed to.

Page 2, lines 10 and 11, strike out the words "that may be classified as agricultural."

The question was taken, and the amendment was agreed to.

Page 2, line 11, after the word "the," strike out the word "reasonable."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAWLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

PURCHASE OF LANDS BY CITY OF M'MINNVILLE, OREG.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 2784) to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I notice in reading the letter of the Acting Secretary of the Interior the bill as it was originally reported contained even-

numbered sections. Has that been corrected in the bill as it now stands?

Mr. HAWLEY. The bill as reported by the Committee on the Public Lands I am sure conforms to the recommendations of the department.

Mr. STAFFORD. Then the gentleman can not give any positive assurance whether only odd-numbered sections are included in the bill?

Mr. HAWLEY. I think there are no even-numbered sections included in the bill.

Mr. STAFFORD. I withdraw the reservation of objection.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, and pursuing the same line of inquiry as the gentleman from Wisconsin, can the gentleman inform us whether, when this bill was presented, as it was, to the Secretary of the Interior, the Acting Secretary of the Interior found that certain lands were not in this Oregon & California Railroad grant and should not be included in the present bill? Does the bill rectify it?

Mr. HAWLEY. I will say to the gentleman that I have scrutinized the bill a moment ago, and observed no even-numbered sections in the bill.

Mr. GARD. Would the gentleman mind passing it now, so that he can get the information? It would not be proper to include lands that were the property of the California & Oregon Railroad Co.

Mr. HAWLEY. I think I can assure the gentleman now just as certainly as a little later that there are no even-numbered sections included in the bill as it was reported by the committee.

Mr. GARD. There is no amendment in the bill that I can see.

Mr. STAFFORD. Still under reservation of objection, am I to infer that the language of the Acting Secretary, directing attention to the fact that the bill then submitted to him contained even-numbered sections which were not in the grant of the Oregon & California Railroad grant, is covered by the following:

Your committee, however, is advised that all of said lands are included in existing homestead entries which have not yet passed to patent.

Mr. HAWLEY. That matter was very thoroughly investigated by the Commissioner of the General Land Office at my request. There was only one homestead entry in these lands which had not lapsed, and that was erroneously placed on an 80-acre tract alleged to be in an odd-numbered section, whereas it was really in an even-numbered section.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior shall be, and is hereby, authorized to issue a patent to the city of McMinnville, Oreg., for the following-described lands, being a part of the land revested in the United States by the act of Congress enacted June 9, 1916 (39 Stats., p. 218), to wit: The north half of section 13, township 3 south, range 6 west; north half southeast quarter of section 13, township 3 south, range 6 west; north half southwest quarter of section 13 township 3 south, range 6 west; southeast quarter of section 11, township 3 south, range 6 west; southeast quarter southwest quarter of section 11, township 3 south, range 6 west; north half northeast quarter of section 11, township 3 south, range 6 west; northwest quarter of section 11, township 3 south, range 6 west; southeast quarter southeast quarter of section 3, township 3 south, range 6 west; northwest quarter southeast quarter of section 3, township 3 south, range 6 west; north half southwest quarter of section 3, township 3 south, range 6 west; southwest quarter southwest quarter of section 3, township 3 south, range 6 west; southwest quarter northwest quarter of section 3, township 3 south, range 6 west; on condition that the said city shall pay to the United States, when said lands are subject to disposition under said act of revestment, the sum of $2.50 per acre for all of said lands that may be classified as agricultural, and the reasonable appraised price of the timber on all such lands as may be classified as timberlands.

SEC. 2. That the Secretary of the Interior shall prescribe all necessary regulations to carry into effect the foregoing provisions of this act.

Also the following committee amendments were read:

Page 2, line 22, after the word "lands," strike out "that may be classified as agricultural."

Page 2, line 23, after the word "the" where it occurs the first time, strike out the word "reasonable."

Page 2, line 19, after the word "shall," insert the word "first."

The SPEAKER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SINNOTT, a motion to reconsider the vote by which the bill was passed was laid on the table.

LANDS IN SOUTH DAKOTA FOR CEMETERY PURPOSES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12082) authorizing the sale of certain lands in South Dakota for cemetery purposes.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. STAFFORD. Reserving the right to object, what is the special need of having this authorization when the department has authority to grant the right to certain classes of associations?

Mr. GANDY. The Secretary decided that under the construction of the act he did not have authority to sell for cemetery purposes, and I may say that was ascertained after that land had been, as it is now being, used for cemetery purposes.

Mr. STAFFORD. The land is now being used for cemetery purposes?

Mr. GANDY. Yes.

Mr. STAFFORD. I withdraw the reservation of objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. GANDY. Mr. Speaker, I ask unanimous consent to have the bill considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman asks unanimous consent to have the bill considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to sell and convey to the White River Cemetery Co., for cemetery purposes, for a price not less than the appraised value thereof, a 10-acre tract within the former Rosebud Indian Reservation in Mellette County, S. Dak., described as the northeast quarter of the southeast quarter of the northeast quarter of section 34, township 42 north, range 29 west, sixth principal meridian, or such part thereof as may be required: *Provided, however*, That the tract conveyed shall be described in terms of the legal survey, the consideration to be paid to the superintendent of the Rosebud Reservation, to be deposited in the Treasury of the United States to the credit of the Rosebud Indians.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GANDY, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS MISSOURI RIVER, CHAMBERLAIN, S. DAK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13004) extending the time for commencing construction of bridge and for maintenance of pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for bridge to be constructed.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I recall when the original bill, which this bill seeks to amend, was under consideration, I recall the attempt that was made to force the Chicago, Milwaukee & St. Paul Railway Co. to build a bridge across the Missouri River at Chamberlain. Now, I understand that the work has not been performed, because of conditions arising during the war. This bill seeks to extend the time in which that work may be undertaken and completed.

Mr. GANDY. I may say to the gentleman that the company tried to comply with the act of April 28, 1916, but the division of capital expenditures of the Railroad Administration declined to approve the expenditure of as much money as that would entail, and the War Industries Board refused to permit the company to purchase the steel that was necessary for it. In its effort to remedy the situation, which called forth the act of April 28, 1916, the railroad company purchased two second-hand steel spans that were taken out at Kansas City, where a double-track bridge took the place of a single-track bridge. These spans are each 300 feet in length, and with the 200-foot pontoon draw makes 800 feet of clearance across the channel. They are at this time erecting those two steel spans and putting in the new pontoon draw.

Mr. STAFFORD. The work, then, is really beginning under the new authorization?

Mr. GANDY. They had to begin it because the flood took the old bridge all out.

Mr. STAFFORD. As I understand it, before Congress passed the bill they declined to put in a permanent structure, but awaited the subsiding of the freshet each year, and put in a pontoon?

Mr. GANDY. Yes. This measure has the approval of the Chief of Engineers of the War Department and the Federal

manager of the Chicago, Milwaukee & St. Paul Railroad, and it carries the provision that if the construction that is contemplated under this bill is not sufficient to provide for continuous railroad traffic, the Secretary of War may order such changes or additions as are necessary.

Mr. STAFFORD. Then section 3, found on page 2, lines 17 to 23, is merely authorization to continue the present temporary bridge, and has no reference whatsoever to this bridge with the long span?

Mr. GANDY. Section 3 has no reference to that. Section 2 has reference to work that is now being done there.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the time for commencing the construction of the bridge authorized by section 1 of the act of Congress approved April 28, 1916, is hereby extended one year, or until April 28, 1919

SEC. 3. That if the new bridge built under the provisions of said act shall be found, in the judgment of the Secretary of War, to be so constructed that it does not reasonably meet the requirements for continuous railroad traffic, then and in such event the Secretary of War may order such changes made as in his judgment may be necessary to make said bridge meet the reasonable requirements for uninterrupted railroad traffic; all the privileges herein conferred and the right to maintain any bridge built hereunder shall cease and determine unless such changes as the Secretary of War shall direct shall be commenced within six months and complete within two years next following such notice.

SEC. 2. That the time during which the Chicago, Milwaukee & St. Paul Railway Co. was authorized to maintain its pontoon and pile bridge across the Missouri River at or near Chamberlain, S. Dak., by section 2 of the said act of April 28, 1916, is hereby extended for one year from date of approval hereof.

With committee amendments as follows:

Line 3, page 1, after the word "commencing" insert "and completing," and change the word "time" to "times."

Line 6, page 1, strike out the word "is" and insert the word "are."

Line 6, page 1, commencing with and including the word "one," strike out the remainder of the section and insert in lieu thereof "two and five years, respectively, from April 28, 1917."

Line 3, page 2, strike out the word "new."

Line 7, page 2, after the word "continuous," insert the words "and uninterrupted."

Line 7, page 2, strike out the words "the Secretary of War" and insert in lieu thereof "he."

Line 8, page 2, strike out the word "made."

Line 9, page 2, strike out the words "the reasonable" and insert in lieu thereof the word "such."

Line 10, page 2, after the word "requirements" insert a period.

Line 10, page 2, strike out the words "for uninterrupted railroad traffic," and capitalize the first letter of the word "all."

Line 12, page 2, strike out the word "any" and insert the word "the," and after the word "bridge" insert the words "to be."

Line 14, page 2, change the word "complete" to "completed."

Line 15, page 2, strike out the words "such notice" and insert in lieu thereof the words "the date of service of such order."

Line 17, page 2, strike out "2" and insert "3."

Add a new section as follows:

"SEC. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved."

Amend the title to read as follows:

"A bill extending the time for construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed."

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. Without objection, the title will be so amended to conform to the text.

There was no objection.

On motion of Mr. GANDY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

AMENDMENT OF WAR RISK INSURANCE ACT.

Mr. RAYBURN. Mr. Speaker, I move to suspend the rules and take up and pass the bill H. R. 13273, with a committee amendment.

The SPEAKER. The Clerk will report it.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. I inquire for the benefit of the membership of the House whether there will be any further calls from the Calendar for Unanimous Consent to-day?

The SPEAKER. It depends on these suspensions. There are two or three bills that ought to be considered and passed in the interest of public business. The Clerk will report the bill.

Mr. STAFFORD. Will the gentleman give the number on the calendar?

Mr. RAYBURN. Union Calendar 325.

The Clerk read the title of the bill, as follows:

A bill (H. R. 13273) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department" be, and is hereby, amended by adding the following new paragraph to section 210 of Article II of the said act:

"*Provided, however*, That whenever the commissioner shall by further investigation or reinvestigation modify the existing award, no reimbursement from the person receiving an allowance shall be required for allotments and allowances already paid nor shall any deductions be made from allotments and allowances to be paid in the future for any change in award made in previous allotments and allowances, except where it is conclusively shown that the person receiving the allowance does not bear the relationship to the enlisted man which is required by the act and except in cases of manifest fraud."

The SPEAKER. Did the gentleman from South Dakota say something about an amendment?

Mr. RAYBURN. Yes. There is a committee amendment.

The SPEAKER. The gentleman from Texas moves to suspend the rules and pass this bill, together with the amendment. Is a second demanded?

Mr. STAFFORD. I demand a second.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Texas asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I think about as good a statement as can be made about this bill is contained in a report made by the Secretary of the Treasury. I will ask that the Clerk read that in my time.

The Clerk read as follows:

TREASURY DEPARTMENT,
Washington, January 7, 1919.

MY DEAR CONGRESSMAN: In compliance with your request I have the honor to submit the views of the Treasury Department on H. R. 13273, introduced by Mr. TREADWAY.

This bill provides that when an award of allotment or family allowance is modified no reimbursement shall be required or future deduction made for moneys previously paid on the award. This bill goes straight to the heart of a matter which has given the Bureau of War Risk Insurance great concern. The war-risk insurance act, as it was originally passed and now stands, requires the bureau to make an investigation of each claim for family allowance. It was plain that if, at the beginning of the bureau's operations, no awards were to be made until the investigations could be completed, the very purpose of the allotment and family allowance features of the act would be practically defeated, for the investigations would take months, whereas the allotments and allowances were needed at once. Accordingly, the bureau decided to take the statements of the enlisted men as prima facie true and to make immediate awards on the basis of such statements. The bureau took this step advisedly, knowing full well that through erroneous statements or otherwise many awards would be made to persons who were not entitled to them. But the bureau felt bound to send the funds to the families of soldiers as rapidly as possible, trusting to the investigations to enable the bureau to detect and stop all awards that should not have been made.

The investigations have shown a large number of awards which should never have been made. The awards, of course, have been stopped. Upon stopping the awards, however, the bureau was confronted with the question whether it should attempt to recover the moneys erroneously paid. Deeming that it should exercise scrupulous regard as to the disbursements of public moneys, the bureau felt that it should, in so far as possible, recover the amount which should not have been originally paid out and consequently has asked for a refund. It has not been pleasant for the bureau to pursue this course, and it has done so only because of its conception of the duty laid upon it.

The bill introduced by Mr. TREADWAY will, if adopted, relieve the bureau of this duty. Subject to one modification, it meets the approval of the Treasury Department. This modification is that the bill should be so modified as to permit the bureau to recover in what may be called the flagrant cases. Among such cases may be mentioned the payment of family allowance to a former wife divorced who has remarried, or the payment of family allowance to a woman to whom the enlisted man was never married and with whom he had no legitimate relationship.

It is suggested, therefore, that the following clause be added at the end of the bill: "except where it is conclusively shown that the person receiving the allowance does not bear the relationship to the enlisted man which is required by the act."

With this modification incorporated in the bill, the Treasury Department recommends its prompt adoption.

Sincerely, yours,

CARTER GLASS,
Secretary.

HON. THETUS W. SIMS,
Chairman Committee on Interstate and Foreign Commerce,
House of Representatives.

Mr. RAYBURN. Mr. Speaker, I reserve my time.

Mr. STAFFORD. I yield five minutes to the gentleman from Missouri [Mr. IGOE].

Mr. IGOE. Mr. Speaker, I want first to ask the gentleman in charge of the bill why it was that the committee did not make some provision for continuing payments on these allowances that have been discontinued? As I understand this bill,

it provides that no reimbursement shall be exacted from persons who have received allowances except in cases of fraud. Now, what I have in mind is this: As I understand it, there are some 70,000 cases where allowances have been canceled under the authority of this section which is now sought to be amended. The bureau has arbitrarily, it seems to me, taken that action. Statements have been made that in many instances the action of the bureau has been based on responses given by the beneficiaries. I have had complaints that where a boy has made an allotment and an allowance was granted the bureau has assumed to say that the income of the family is sufficient, and regardless of the peculiar conditions that may exist the allowance has been discontinued. Now, as I understand it this bill provides that if there has been no fraud the bureau shall not recoup what has been paid to the beneficiaries by keeping it out of future allotments. Take, for instance, a case where a boy is over on the other side and the family have been receiving this allowance and the allotment of the boy, and they have been cut off, and the contribution of the boy before he went into the service was $25, $35, or $40 a month. Is the committee going to make no provision for reinstating those allotments?

Mr. RAYBURN. No; and I do not think we should.

Mr. IGOE. When this insurance law was passed the statement went out that where the contribution of the boy was $35 a month and the parents were dependent upon it, if the boy allotted $15 the Government would add $20. If there were two parents and the boy contributed $35, he could get an allowance for each of those parents. The committee may say now, a year or more after that bill was passed, that that was not the intention, but the law says that if those parents were wholly or partly dependent upon this soldier they should be entitled to this allowance. Now, I have had cases brought to my attention—I have not the letters here, but I wish I could put some of them into the RECORD—where there are several children, and a father and mother perhaps, and because some answers have been made to the bureau which did not satisfy them these allowances have been cut off. This takes care of cases where they are asked to refund money and will relieve them of the obligation to refund; but how in the world are those people going to get along when they need this money? I know it was repeatedly stated that if the contributions were $25 or $35 a month they would go on.

Mr. RAYBURN. The gentleman must understand that that is what we say yet, but the question of dependency must arise.

Mr. IGOE. Yes; "partly or wholly dependent."

Mr. JOHNSON of Washington. In other words, it does not run to absolute pauperism.

Mr. IGOE. It does not run to absolute pauperism and never was so intended.

Mr. JOHNSON of Washington. Of course not.

Mr. IGOE. Now, here is the situation: They undertake to say that when the boy was contributing $35 a month, that was board. Well, anybody who has lived in a district such as mine, in a city, knows that where there are several children at home contributing to the support of the family that $35 a month is not board. When that boy left to go into the Army, to go across to France to fight for his country, the expenses of the family went on almost the same. They were keeping a home for him to return to, and they were paying just as much for rent, light, and fuel. The other children at home had to be educated, and the loss to the family was almost the entire $35. I have offered an amendment in the form of a separate bill, which I would offer now if it were permissible. I hope the House will be given an opportunity to fully consider this important matter.

The SPEAKER. The time of the gentleman has expired.

Mr. IGOE. I ask leave to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Speaker, I ask to be notified when I have used five minutes. So careless was the administration of the Bureau of War Risk Insurance in the allotments of Government money to persons who had no right to the same that the bureau for months past has been recovering monthly the enormous amount of $500,000 of payments from persons who were not entitled under the law to receive them. There would not be much criticism from any person in this House of the proposition to prevent the Government from trying to recoup itself for any allotments or allowances where it would be a hardship on the persons entitled to some allowance. But where the Government has paid money under obvious mistakes and no distress would follow its repayment, I claim there ought to be some provision for getting the money back. I have heard of cases where a wife has received double allowances, and has knowingly accepted them, though fraud was wanting in receiving it, but there is no provision in this bill whereby that money can be obtained from that person no matter what her financial condition may be. This bill absolutely protects those who are in affluence—a wife with property, who under the war-risk law was entitled to a certain allotment allowance. If she received double the amount by mistake of the bureau, the Government is barred from recovering that back. I do not think the gentleman who reports this bill intends to block the Government from recovering money under such circumstances, and yet that would be the effect of this bill. This is the first time this bill has been presented for consideration. No opportunity whatsoever is given for amendment under suspension of the rules. Oh, the gentleman can bring in these bills which will perpetuate these injustices on the Government—these unjust limitations on the Government—whereby it can not be reimbursed for money wrongfully paid.

As I said a moment ago, no one wishes to punish any allottee for money paid through the mistake of the Government that was received in good faith and used, if those people can not reimburse the Government. But this bill goes further than that. As originally introduced by the gentleman from Massachusetts [Mr. TREADWAY], the Government would not even have the right to recover the money that was obtained by fraud. And even the Secretary of the Treasury, in the amendment he recommended, did not seek to cover that case. The only case he recommended was where it was conclusively shown that the person receiving the allowance did not bear the relationship to the enlisted man which is required by the act. I had hoped there would be some opportunity given in the consideration of the bill, which involves a saving maybe of hundreds of thousands of dollars, for an amendment which would do no hardship to the people who received the money, but which would protect the Government in cases of innocent mistake. No such provision is made and no opportunity to amend it is permitted.

Mr. GOOD. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. GOOD. Is there any statement as to how much is involved in this question?

Mr. STAFFORD. No. There is no statement, although before the legislative committee the head of the bureau testified that they were recovering $500,000 from those who received this money who were not entitled to it under the law. As I said a moment ago, there is no desire upon the part of any Member here to cause hardship by withholding allotments and allowances from needy people, but there should be some provision in the bill whereby the Government could recover payment of money unlawfully paid where no hardship would result in demanding its return.

Mr. RAYBURN. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Speaker, I have a good deal of sympathy with the attitude of the gentleman from Wisconsin [Mr. STAFFORD] in his desire to protect the Treasury. I think, however, in considering the argument that he has made that we should take into account these thousands of reexaminations that have been made, the applications having already gone out over the country. People situated as he describes, not needing the allowance, I should suppose would come under the description of having secured the money, possibly, by fraud or by misrepresentation. There is a very marked distinction between the allotment and allowance features, and his description of these cases covers those who may not have needed the allowance at any stage of the procedure. Therefore I presume it would be within the range of fraud.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. TAYLOR of Colorado. Who determines whether or not it is a worthy case?

Mr. TREADWAY. Section 210 of the original act provides that the bureau shall make examination and reexamination, or, in the language of the act, "shall investigate and reinvestigate" and modify the award, and this condition we are endeavoring to correct in this bill.

Mr. TAYLOR of Colorado. Those examinations are made by local appointees, suggested by somebody, some 90,000 of them throughout the United States.

Mr. TREADWAY. Yes; and questionnaires sent out—all sorts of methods.

Mr. TAYLOR of Colorado. And those investigators are local people who go and size up a family in an ex parte and perfunctory way and decide in their own mind whether or not they ought to have the allotment. What defense has the boy who is fighting for his country over in Europe against these sneak investi-

gations? What protection has he against some one who just arbitrarily, possibly because of some neighborhood or family enmity, or something of that kind, can make a report that it should not be paid; that the boy did not contribute that much, and that therefore they ought not to have it, when he does not know anything about it, and his investigation is not corroborated by anyone, but is purely his personal feeling? Has that boy any redress or have those parents any redress or any recourse?

Mr. TREADWAY. Not the slightest.

Mr. TAYLOR of Colorado. I have had some complaints where I think an injustice has been done through the sending out of that kind of reports, without any opportunity of defending against them, when the boy is fighting at the front and the mother needs the money at home, and some fellow who is staying at home makes this report and cuts off and seriously injures the family. I do not like to see an irresponsible fellow of that sort be made an inquisitor and a court of last resort. I think some of them have been swelling up too much and swaggering around as "Government agents."

Mr. TREADWAY. The gentleman from Colorado is correct, and so far as I am concerned I would rather take the statement of the boy and his mother as to whether they need the money than the statement of some jealous neighbor.

Mr. TAYLOR of Colorado. That is the way I feel about it. There seems to be no special qualification for these so-called investigators, and while I presume most of them are fair-minded good citizens I think some of them ought to be investigated and eliminated.

Mr. ANDERSON. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. ANDERSON. There are cases in which allotments and allowances have been paid twice. There are cases in which they have been paid erroneously. Would this proposition correct that?

Mr. TREADWAY. It would not. Those are mistakes of the bureau which can readily be corrected where it is absolutely a mistake. There is no question but that this description in the phraseology of the bill would not protect the persons having received two payments of an allotment. That matter came up before the committee, and I think the gentleman from Texas will agree with me that that situation was described to the committee.

Mr. KING. There are a number of cases of this character. Allowances have been paid, and the bureau have discovered or think they have discovered that there was no reason for the payment, and then they have asked people to send the money back. In many cases those people have borrowed the money and have sent it back to the bureau. Is there any provision in the bill whereby that money may be paid back to them if it is found that they are entitled to it under this bill?

Mr. TREADWAY. I wish there might be, under the discretion of the bureau and the Secretary.

Mr. KING. Could not there be a short amendment incorporated in this bill?

Mr. TREADWAY. I doubt if we ought to incorporate it in the act, in view of the fact the Treasury Department has said it should live up to the actual phraseology of the original law. We are endeavoring to stop just that procedure in the future. I have no doubt the statement of the gentleman from Illinois is correct, that there have been paid back into the Treasury many thousands of dollars, and I personally think a great deal of it very likely ought not to have been paid back. I have numerous letters——

Mr. JOHNSON of Washington. Brought back by a form of coercion.

Mr. TREADWAY. There is a certain amount of coercion coming to men living far off—take the territory of the gentleman from Washington and my own, for instance—in that any official letter from the Government carries with it a certain weight and authority.

Mr. JOHNSON of Washington. And the fear of those parents that it will be taken out of the pay of the soldier.

The SPEAKER. The time of the gentleman has expired.

Mr. RAYBURN. I yield the gentleman three minutes more.

Mr. TREADWAY. I thank the gentleman. The hardship that has come under the interpretation of the law now in force is this, that it does come directly out of the pay of the soldier. In other words, the notice that the department sends out directing a refund says, "We are taking out of your allotment for the months of November and December $15 for each month." That is the man's own pay for his services as a soldier. Let me read just a line bearing on this very subject from a letter I received this morning:

If they do not want to give the allowance, why am I deprived of the allotment?

That is the actual situation, that hundreds of these cases have been carried through by the department looking to a retention of the soldier's own pay, which he had the right to ask for, and not as an allotment to his relatives at all, that he did not expect was going to carry with it an allowance. There has been endless hardship resulting from the enforcement of this law, and I think the letter of the Secretary of the Treasury absolutely states the case that the department must obey the phraseology of the law, that it is very difficult for them to have such a large amount as proposed by this bill. It seems to me we ought to have passed this amendment to the war-risk act some time ago in order to stop this very return into the Treasury of cases where hardship would result in asking families to reimburse the Government. It is not in accordance with the war-risk act to have these reimbursements made, and I maintain that we should hasten this change in the law in order to prevent the continuation of these instances that carry not only hardships to the recipients but also in many instances a feeling to the parents, as you and I have received letters to show the feeling, that there has been some fraud performed by their soldier boy. No such insinuation as that ought to be carried in the minds of the parents of the boys who have been in our service, and therefore I trust that the House will hastily pass this measure. [Applause.] I yield back what remaining time I have.

The SPEAKER. The time of the gentleman has expired.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on suspending the rules and passing the bill.

The question was taken, and (in the opinion of the Speaker two-thirds having voted in favor thereof) the rules were suspended, and the bill was passed.

BATTLE MOUNTAIN SANITARIUM.

Mr. GANDY. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13440) transferring jurisdiction and control over Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war.

Be it enacted, etc., That jurisdiction and control over Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers, located at Hot Springs, S. Dak., be, and the same hereby is, transferred for the period covered by the exigencies growing out of the present war from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use by the Medical Department of the Army for hospital purposes.

SEC. 2. That upon the passage of the exigencies growing out of the present war, or as soon thereafter as may be practicable, the Secretary of War shall cause said sanitarium to be vacated by the Medical Department of the Army, and thereupon jurisdiction and control over said sanitarium shall revert to said Board of Managers of the National Home for Disabled Volunteer Soldiers.

SEC. 3. That the various items of appropriations heretofore or hereafter made for the support, maintenance, and other necessary expenses of said Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers be, and they hereby are, made available for payment of the cost of the transfer of the members of said sanitarium to other branches of the national home and for the transfer of any property found to be necessary to transfer therefrom to other branches of the national home and for the support of the branches to which said members are transferred to the extent of the allotments thereof made by said board of managers in consideration of and in the amount of an extra expense incurred by reason of said transfers and for the retransfer from said branches to said Battle Mountain Sanitarium of the persons and property transferred as aforesaid at such time as jurisdiction and control over said Battle Mountain Sanitarium shall be reinvested in said board of managers in accordance with the provisions of section 2 of this act.

The SPEAKER. Is a second demanded?

Mr. SLOAN. Mr. Speaker, I demand a second.

Mr. GANDY. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection?

Mr. SLOAN. Mr. Speaker, I object.

The SPEAKER. The gentleman objects.

Mr. SLOAN. I withdraw the objection.

The SPEAKER. The gentleman withdraws his objection.

Mr. SLOAN. And I suggest there is not a quorum present. I make the point of no quorum.

The SPEAKER. The Chair will ask the gentleman from South Dakota to withdraw temporarily his bill so as to enable the House to pass one more of these unanimous-consent bills.

Mr. GANDY. So I do not lose my rights in the premises.

The SPEAKER. The Clerk will report the next bill.

Mr. CRISP. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRISP. What became of the point of no quorum?

The SPEAKER. The gentleman withdraws that temporarily at the request of the Chair. [Laughter.]

Mr. STAFFORD. On the condition the bill will not be called up to-day?

The SPEAKER. No; it will be called up as soon as we pass this unanimous-consent bill. [Laughter.] The Clerk will report the next bill on the calendar.

ADDITIONAL DISTRICT JUDGE IN TENNESSEE.

The Clerk read as follows:

A bill (S. 1836) to provide for the appointment of a district judge in the middle judicial district of the State of Tennessee, and for other purposes.

The SPEAKER. Is there objection?

Mr. VOLSTEAD. Mr. Speaker, I object.

Mr. HOUSTON. Mr. Speaker, I hope the gentleman will reserve his objection until I make a statement.

Mr. VOLSTEAD. I reserve it.

Mr. HOUSTON. Mr. Speaker, I simply want to call the attention of the House to a statement made by the Federal judge who is holding court in middle Tennessee and also in east Tennessee, in the two judicial districts. In a letter to my colleague, Mr. FISHER, after setting forth the state of the docket and the amount of work involved there, he says:

As you will see, the situation is one in which I am working under constant strain and under the pressure of accumulated work; a very disadvantageous condition for good work. I have also been unable to go to Cincinnati to sit on the circuit court of appeals, as requested by Judge Warrington. Without outside assistance, it would be plainly impossible for me to keep up the work; and even with such assistance, it takes all my time and energies and does not enable me to keep up with the work on schedule time. In short, the experience of the last year or two has deepened my conviction, previously expressed, that it is impossible for one judge to keep up the work in the two districts with the promptness and thoroughness which the due administration of justice requires, and to force me, reluctantly, to the conclusion that, in my judgment, some measure of permanent assistance in this work is required in the public interest.

I had hoped that with the cessation of the war and the enactment of Federal prohibition, there might be a lightening in the criminal dockets of the courts, but in view of the legislation which it is announced is to be brought forward in Congress in reference to the enforcement, through the Federal courts, of the prohibitory legislation of Congress and the provisions of the constitutional amendment just ratified, I think now that this expectation was probably not well founded, and that, on the contrary, with the additional Federal legislation which will probably result both in connection with national prohibition and the other problems of readjustment to peace conditions, the normal work in the Federal courts on the criminal side alone will not be permanently decreased, but, on the contrary, will probably be permanently increased; and that with the general resumption of the civil litigation in the Federal courts following peace, there will be in the near future considerably more litigation in both districts, both civil and criminal, than before the war; and that the task of promptly and efficiently keeping up the work in the two districts by one judge will be made increasingly difficult, and continue to be, as it now is, impossible.

This is signed by Judge Edward T. Sanford.

The SPEAKER. Does the gentleman from Minnesota [Mr. VOLSTEAD] adhere to his objection?

Mr. VOLSTEAD. I object.

Mr. HOUSTON. Mr. Speaker, I ask that it may go to the foot of the calendar without prejudice.

The SPEAKER. Without objection, it will go to the foot of the calendar.

Mr. VOLSTEAD. I object.

The SPEAKER. The gentleman from Minnesota objects, and the bill is stricken from the calendar.

BATTLE MOUNTAIN SANITARIUM.

The SPEAKER. The gentleman from Nebraska [Mr. SLOAN] makes the point that there is no quorum present. The Chair will count. [After counting.] Evidently there is not.

Mr. GANDY. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The roll was called, and the following Members failed to answer to their names:

Anthony	Church	Fairfield	Haskell
Ashbrook	Coady	Farr	Haugen
Austin	Copley	Ferris	Hayes
Ayres	Costello	Fields	Heaton
Bacharach	Cox	Flynn	Heintz
Beshlin	Crosser	Focht	Helm
Black	Dale	Francis	Helvering
Blackmon	Delaney	Freeman	Hood
Booher	Dempsey	Fuller, Mass.	Howard
Borland	Dent	Glynn	Hutchinson
Bowers	Dewalt	Godwin, N. C.	Jacoway
Britten	Dominick	Goodall	James
Brodbeck	Donovan	Graham, Pa.	Johnson, Ky.
Browne	Dooling	Gray, N. J.	Kahn
Brumbaugh	Doremus	Greene, Vt.	Kennedy, R. I.
Caldwell	Drane	Gregg	Key, Ohio
Candler, Miss.	Drukker	Griest	Kiess, Pa.
Cantrill	Dunn	Hadley	Kitchin
Caraway	Eagan	Hamill	Kreider
Carew	Edmonds	Hamilton, Mich.	La Follette
Carter, Mass.	Esch	Hamilton, N. Y.	LaGuardia
Chandler, N. Y.	Estopinal	Harrison, Miss.	Lampert
Chandler, Okla.	Fairchild, Geo. W.	Harrison, Va.	Lever
Littlepage	Overmyer	Sanders, La.	Sullivan
Lunn	Paige	Sanford	Swift
McClintic	Park	Saunders, Va.	Tague
McCulloch	Parker, N. Y.	Scully	Taylor, Ark.
McKenzie	Pratt	Sears	Templeton
McLaughlin, Pa.	Price	Sells	Thomas
Maher	Ramsey	Shackleford	Thompson
Mann	Reavis	Shallenberger	Vare
Moon	Riordan	Sherley	Vestal
Morin	Robbins	Siegel	Waldow
Mudd	Roberts	Sims	Walker
Nelson, A. P.	Rouse	Slemp	Walsh
Nelson, J. M.	Rowe	Smith, Idaho	Webb
Nicholls, S. C.	Rowland	Smith, Chas. B.	White, Ohio
Norton	Rucker	Smith, Thos. F.	Wilson, Ill.
Oliver, Ala.	Russell	Stephens, Nebr.	Winslow
Oliver, N. Y.	Sabath	Sterling	Wise
Olney	Sanders, Ind.	Strong	Woods, Iowa

The SPEAKER. On this vote 265 Members have answered to their names, a quorum.

Mr. GANDY. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The Chair appoints the gentleman from South Dakota [Mr. GANDY] and the gentleman from Nebraska [Mr. SLOAN] as tellers.

Mr. GANDY. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from South Dakota asks unanimous consent that a second may be considered as ordered. Is there objection?

Mr. SLOAN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Nebraska objects, and the Chair appoints the gentleman from South Dakota [Mr. GANDY] and the gentleman from Nebraska [Mr. SLOAN] as tellers.

Mr. GANDY and Mr. SLOAN took their places as tellers.

The House divided; and the tellers reported—ayes 97, noes 45.

So a second was considered as ordered.

The SPEAKER. The gentleman from South Dakota [Mr. GANDY] and the gentleman from Nebraska [Mr. SLOAN] have 20 minutes apiece.

Mr. GANDY. Mr. Speaker, this bill provides for the transfer temporarily of Battle Mountain Sanitarium at Hot Springs, S. Dak., from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes. It follows identically the same language, with one exception, of the bill which this House and the Senate passed and which became a law some time early last fall transferring the Southern Branch Soldiers' Home at Hampton, Va., to the Army for use as an Army hospital. The one exception is that that bill provided that the Hampton home should be transferred for the duration of the war and this bill provides that the home at Hot Springs, S. Dak., shall be transferred during the exigencies growing out of the present war.

In order that the House may thoroughly understand the situation, I want to say that the Surgeon General first asked of the Board of Managers of the National Soldiers' Home whether they would entertain a suggestion or request to transfer this institution, and the board said it would. A committee from the Surgeon General's office went out and inspected the institution and made due report to the Surgeon General and to the General Staff. The Surgeon General then requested of the Secretary of War authority, so far as the War Department was concerned, to take over the institution. The Secretary of War approved that request, and then I introduced the bill in the House.

Mr. SHERWOOD. Mr. Speaker, will the gentleman yield?

Mr. GANDY. Yes.

Mr. SHERWOOD. I would like to ask the gentleman a question.

Mr. GANDY. Yes.

Mr. SHERWOOD. Is this to be a measure of economy?

Mr. GANDY. I so understand it.

Mr. SHERWOOD. Do you think it would be economy to take these soldiers, landed on the Atlantic coast, and transfer them for 1,600 miles to the hospital?

Mr. GANDY. The Surgeon General's office is undertaking——

Mr. SHERWOOD. I do not care what the Surgeon General's office undertakes. What I want to know is what the gentleman thinks of this. That was not established as a home but as a sanitarium.

Mr. GANDY. I think it is a matter of economy. I have here a certified copy of a letter, under date of November 23, from the board of managers to the Surgeon General, in which it is stated—

If the Medical Department of the United States Army desires the use of Battle Mountain Sanitarium for hospital purposes, the board of managers will gladly cooperate in having the same transferred as soon as the members can be transferred to other homes. There is space in other

branches of the home where the members could be comfortably cared for. Possibly there would be some members who would be physically unable to stand the journey and who would have to be left at the branch to be cared for by the incoming administration.

Mr. DYER. Mr. Speaker, will the gentleman yield?

Mr. GANDY. Yes.

Mr. DYER. The gentleman says some of them might be left there. Under the bill would the Surgeon General be compelled to leave any there or would he have them all removed?

Mr. GANDY. I will say that in the case of the Hampton branch home—and then I will answer the gentleman's question—it was found that 43 members ought not to be removed. Those members of the Hampton home were left at that institution and are now being cared for there by the staff of the institution under the Surgeon General's office, and the Surgeon General has given his word to the Board of Managers of the National Soldiers' Home that these members at Battle Mountain Sanitarium, who ought not to be removed for physical reasons, shall be left there.

I want to call to the attention of this House the record of the transfer of men from the Hampton home. Two hundred and fifty hospital patients were transferred and 300 other members of the home. They were taken in sleeping cars from Hampton to Johnson City, Tenn., where space was available in another soldiers' home branch. Forty-three were left at Hampton. Of the 550 who were transferred, including 250 hospital patients, not one death occurred en route, and at the end of 30 days, when the Soldiers' Home Board made its inspection at Johnson City, Tenn., there had been then but one death in the 550 transferred, a death rate which was below the usual death rate for men of that age.

On Friday of last week, in response to my telegram, the chief surgeon and acting governor of Battle Mountain Sanitarium wired me that there were on that day 330 members of the home at the sanitarium; that 215 are Civil War veterans, 87 are Spanish-American War veterans, and 29 are veterans of other wars, and that in his judgment there are only 37 who ought not to be moved. That is the statement of the chief surgeon of the institution.

Then I want to call to the attention of the House the fact that less than a mile across the canyon from this institution there is a magnificent State soldiers' home, in which on the same day that the Surgeon General sent me that information the superintendent of the State home wired me that he then had 74 vacant beds there. The governor of the State wired me that in addition to those who are physically unable to stand the trip and who it is proposed to leave there, if there are others who, because of peculiar climatic conditions might wish to stay in that locality, arrangements could be made with the State soldiers' home board that would permit them to go less than a mile across the canyon and be maintained in the State home.

Mr. CRISP. Mr. Speaker, will the gentleman yield?

Mr. GANDY. Yes.

Mr. CRISP. Will the gentleman state how many patients this hospital will accommodate—how many beds?

Mr. GANDY. On the War Department's rating, this institution will accommodate 600.

Mr. CAMPBELL of Kansas. Mr. Speaker, will the gentleman yield for a question?

Mr. GANDY. Yes.

Mr. CAMPBELL of Kansas. What would be the objection to having those other beds filled up by returning soldiers who are wounded and ought to be treated there under the present management, and leave the men there who are there?

Mr. GANDY. I will say to the gentleman from Kansas that that is a matter of policy that might be worked out.

Mr. CAMPBELL of Kansas. Then this bill would not be necessary.

Mr. GANDY. The institution is under civilian control. The transfer contemplated is a military proposition. In the emergency, with thousands of young men coming back from overseas who need care in an institution such as this, with the knowledge given me by the Soldiers' Home Board that in their home at Danville, Ill., they have to-day almost a thousand vacant beds, and the knowledge that every man who physically ought to stay will be kept there, I say to you, gentlemen of the House, this institution ought to be made available immediately for use as an Army hospital. While it is true that the veterans of former wars deserve the best at the hands of the Nation, yet I am satisfied that there are mighty few old soldiers who would not willingly and cheerfully inconvenience themselves to help make a place that sick and wounded soldiers of this war may be cared for. The soldiers' homes are not nearly filled to capacity, and just now when there are so many young veterans who need hospital facilities and care, a temporary consolidation will make available at Battle Mountain Sanitarium several hundred beds.

Mr. MILLER of Washington. Mr. Speaker, will the gentleman yield?

Mr. GANDY. I do.

Mr. MILLER of Washington. What do the old soldiers themselves say about this?

Mr. GANDY. I was at the Hot Springs after information of this proposed change had been printed in many newspapers in South Dakota and adjoining States, when it had been known for some time that such a transfer was proposed and after officials of the Surgeon General's office had visited the institution. Not one member of the sanitarium to me offered any objection. I have had numerous letters from members saying that in the temporary emergency they are perfectly willing to be inconvenienced by being taken to some other soldiers' home.

Mr. MILLER of Washington. Will the gentleman yield for another question?

Mr. GANDY. Yes.

Mr. MILLER of Washington. What is the gentleman's impression as to the majority of the old soldiers there? Is there practically any opposition to this bill being passed?

Mr. GANDY. I want to be perfectly frank with the gentleman. I have understood in the last few days that there is. This institution has cost the Government complete something in excess of $2,000,000. Out in that great stretch of territory the Surgeon General's office must find a hospital somewhere. If they do not use this, then there must be bought, leased, or built some other institution.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. GANDY. Yes.

Mr. GREEN of Iowa. I was under the impression that this hospital was particularly adapted for the treatment of special diseases, on account of the hot springs there, and that old soldiers were sent there on that account. Is that the case?

Mr. GANDY. Well, that is true; that there are hot springs there that have medicinal qualities. Yet this institution has been conducted on the same basis as other soldiers' homes, and men go there the same as they go to the Danville Home.

Mr. RAMSEYER. Will the gentleman yield?

Mr. GANDY. For a very brief question.

Mr. RAMSEYER. How many old soldiers are there there at the present time?

Mr. GANDY. Three hundred and thirty on Friday.

Mr. ANDERSON. What is the capacity of the hospital?

Mr. GANDY. On the War Department space rating the capacity is about 600. By glassing in the big verandas there the Surgeon General estimates that he can take care of about 1,000 at the institution.

Mr. Speaker, I reserve the remainder of my time.

The SPEAKER. The gentleman reserves 10 minutes.

Mr. SLOAN. Mr. Speaker, I oppose this measure, not because I do not desire the home-coming soldiers to have all the privileges of efficient and proper hospital treatment, because perhaps I have as great a personal interest in that line as any man on this floor; but I do object to it as a matter of good faith to those who have the prior right of occupancy exclusive under the law, but which they do not claim nor do I for them. This institution was constructed in 1902 upon the strenuous advocacy of the Members of the House and Senate from the State of South Dakota and that region. Congress insisted that the volunteer soldiers of the United States should have, not a new soldiers' home alone, because there were several, but that they should have a sanitarium which they could call their own and where they could go when they should be afflicted with particular diseases incident to the advanced life of the old volunteer soldiers.

I shall put in the RECORD, if I am given the privilege, portions of the reports made by the House and the Senate Military Affairs Committees of the Fifty-seventh Congress, showing why this particular place of all places in the United States should be selected for an old soldiers' sanitarium—a volunteer soldiers' sanitarium. The purpose was that it should not be under the control of the War Department, because the volunteer soldiers, not only of the Civil War but of the Spanish-American War, have had some very definite opinions about the War Department's control of their declining years, their sickness, and afflictions. And so now, with little notice being given, the public knowing very little about it, this bill was sprung upon the floor the other day.

True, it was reported by the Committee on Military Affairs. That Committee on Military Affairs, I am satisfied, did not call on any of the Members of the House. That committee did not hear from those who would naturally be expected to object. I find the statement in the letter of the Secretary of War here

saying that the Board of Managers of the Soldiers' Home were in favor of this measure. On the floor of this House the man oldest in service on the board of managers, speaking to me this morning, said, "They," meaning the board, "said they had not any objections, but I have not seen any evidence that they favored this bill." But whether they did favor it or not, and whether there is one soldier there or 500, the Congress of the United States can not afford to say to the volunteer soldiers of the Civil War, those who had an established home there on account of the special curative and healing qualities of the waters, that because there are other soldiers coming these old soldiers shall be evicted. It is not a question of giving treatment there to the soldiers who are coming, because I would have no objection to that, and neither, as I understand, would the members of that sanitarium have any objection to the wounded or sick soldiers coming from overseas being admitted there and receiving such treatment as might be available. But there is a great deal of difference between obtaining and enjoying the hospitality of a home, whether it is a soldiers' home or a private home, and always playing the part of a guest, and the other course of kicking out the owner after you have been admitted. I think it is the wren among birds which, after becoming a guest, finding there is to be too little room for guest and host at the same time, sends the other bird to Danville or elsewhere.

Senate Report No. 129, Military Affairs Committee, of the Fifty-seventh Congress, 1902, adopted a report entitled "Senate Report No. 1077 of the Fifty-sixth Congress," which in turn adopted Senate Report No. 1085, Fifty-fourth Congress, from which I quote, as follows:

As is expressed in its title, this measure provides for the erection of a branch of the National Home for Disabled Volunteer Soldiers at the city of Hot Springs, State of South Dakota. It is a location possessing advantages that can not elsewhere be acquired—advantages provided by nature, and so rare in their combination that they are duplicated in only a few instances the world over. From the surrounding hills come forth unfailing streams of water, medicated and tempered in the great laboratory of subterranean earth, endowed with health-giving properties in relative proportions so exact that man, with all the skill that scientific knowledge imparts, may strive in vain to improve upon, and at last can only imitate. It is the product of centuries of processes—a part of the grand scheme of nature, which, in preparing the earth for man's habitation, made provision also to combat the ills to which man has fallen heir.

As a site for the proposed home the citizens of Hot Springs agree to donate ground sufficient for all the needs of the home and to give a deed of perpetual lease of one or more of the medicinal hot springs which there abound. Under the provisions of the bill both the home site and the spring or springs are to be selected by the Board of Managers of the National Home for Disabled Volunteer Soldiers, the donors of the property agreeing to abide by the choice of that organization. It is also provided that the Board of Managers are to have exclusive jurisdiction over the property.

* * * * * * *

(3) That the medicinal water at Hot Springs, S. Dak., is a curative agent for ailments most common among ex-soldiers, experience having demonstrated this to the satisfaction of the officials who have watched the effect in a stated number of cases there subjected to experimental treatment.

* * * * * * *

Regarding the curative properties of the medicinal waters of the Hot Springs your committee desires to speak at length. These springs were the resort of the Indians long before the white man found his way into the jealously guarded realm of the Black Hill's country, and were considered by the aborigines as a panacea for all diseases. Their fame had penetrated the confines of civilization long before the advancing wave of white settlement had swept back the line of opposition and driven the Indians from their last rallying point. As soon as the Anglo-Saxon had possessed himself of this long-contested ground, business methods began to be applied to the medicinal springs. They were made available to the public, their properties ascertained, and their curative qualities proclaimed. An extensive hotel was erected, baths constructed, and conveniences for the sick provided. In 1879 the State of South Dakota located and erected a soldiers' home at Hot Springs, and it is now a large institution, filled with veterans of the late war who reside in South Dakota. The waters of the springs have been thoroughly tested, and in every instance have been found efficacious.

Official evidence of important facts in connection with these springs comes to your committee in the form of a report from Assistant Inspector General Averell, who says:

* * * * * * *

"The unusual number of members discharged from the State home during the year by reason of their recovery from the disabilities which had entitled them to its care and benefits first attracted my attention, and subsequently the results of the remarkable test made last year, 1893, upon 30 disabled men selected and sent from the western branch of the National Home have induced my belief in the efficacy of the waters of the Hot Springs for rheumatism, sciatica, spinal irritation, and nervous prostration."

* * * * * * *

WM. W. AVERELL, U. S. A.,
Assistant Inspector General,
National Home for Disabled Volunteer Soldiers.

Gen. JOHN C. BLACK,
Chairman Subcommittee on Soldiers' Homes, etc.

* * * * * * *

Commandant Lucas, of the South Dakota Soldiers' Home, located at Hot Springs, in a report to Assistant Inspector Gen. Averell, says:

"After a careful observation of the results in the treatment of our sixty-odd veterans for severe and desperate cases of rheumatism, I am constrained to say that I have no longer doubts about the curative properties of the waters. Every case that has been treated in the home (not an exception) has resulted in a perfect cure, or the patient is approaching it. These results I regard as little less than miraculous, when the enfeebled and broken-down condition of these men is taken into account. The waters are equally good and effective in treating cases of indigestion, scrofula, and all skin or cutaneous diseases."

The Hot Springs of South Dakota are located in the mountainous western end of the State—a region abounding in delightful scenery and all the health-giving influences of nature in the rough. No more charming surroundings can be found at any of the health resorts of the world. These springs lie within the boundaries of Fall River County, and about them has accumulated a community of a couple of thousand people, incorporated as a city of the second class. Its buildings are constructed with a generous display of architectural skill and taste. The city can be reached over two lines of railway. Its altitude is 3,400 feet above sea level. The atmosphere of that region is dry and bracing. Lying in a sheltered valley it is protected from winter's rigors, and it is altogether a most satisfactory abiding place for invalids or for those in search of recreation.

Further quoting House Report No. 623, Military Affairs Committee, Fifty-seventh Congress (1902), I present the following:

The purpose of the bill is to provide a national sanitarium in connection with the National Home, where all soldiers suffering from rheumatism, sciatica, nervous prostration, and kindred troubles may be treated and cared for, thus relieving the crowded condition of the various branches of the home. It is believed that hundreds so afflicted may be permanently cured and many more relieved of severe pain and suffering.

This bill is identical in form with H. R. 2967 of the Fifty-sixth Congress, upon which this committee made a favorable report to the House on February 28, 1900. The report set forth at length the merits of this bill, and is adopted as a part of this present report. The conditions since the date of our former report have emphasized the necessity for this legislation.

* * * * * * *

The prevalence of disease among the members of the home, particularly rheumatic troubles, has caused the Board of Managers to investigate for several years a means of affording relief. During the year 1901, 1,025 members of the Western Branch alone were afflicted with rheumatism in its various forms and 407 in the Northwestern Branch, at Milwaukee, Wis. Attention was early called to Hot Springs, S. Dak., by reason of the many remarkable cures of people seeking the benefits of the medicinal springs at that place. An official test was made in 1893 by Gen. W. W. Averell, assistant inspector general of the National Home, by direction of the Board of Managers. Thirty members of the Western Branch were taken from Leavenworth to Hot Springs and kept there a period of 60 days. The most serious cases were selected. At the end of that period 44 per cent of those treated for rheumatism were pronounced entirely cured and the balance very much benefited. Dr. R. D. Jennings, surgeon in charge of the test, in his official report said:

"As will be seen, almost every man was afflicted with rheumatic or nervous troubles, the same being cured in almost every instance. I am satisfied that a careful inspection by the medical board on the return of the men will bear me out in saying that, all things considered—age of patients, shattered constitutions of some of them, variety and complication of diseases, and the chronic nature of all—the result of this test, as shown by detailed report, is in every substantial sense highly satisfactory. A realization of all the claims put forth by the promoters of this experiment as to the virtues of the waters and climate of Hot Springs, S. Dak., and the desirability of this place for the location of a United States sanitarium for the treatment of such chronic disease as most usually affect the old soldier is fulfilled."

The unequivocal indorsement of the hot waters, climate, and healthful location of Hot Springs by Gen. Averell was not made hastily or on limited information. He has inspected the State Home located there seven times, and carefully examined every claim made for the efficacy of the waters in cases of rheumatism and other diseases prevalent among the veterans.

Your committee believes the measure is highly meritorious, and that the establishment of such an institution would prove of the highest benefit to the diseased and enfeebled veterans, and especially to those disabled with rheumatism and kindred ailments.

* * * * * * *

Resolutions adopted at the national encampment, September, 1898, by the Grand Army of the Republic, requesting Congress to locate a branch soldiers' home at Hot Springs, S. Dak., to be known as the sanitarium of the national system.

Whereas the people of the United States, through their State and national legislatures, have met with matchless kindness and generosity the matchless victories won in their interests by the sailors and soldiers of the war for the suppression of the slaveholders' rebellion; and

Whereas this recognition, in part, of great and arduous deeds accomplished by the veterans of 1861–1865 has been in providing a system of homes for the disabled and decrepit sailor and soldier; and

Whereas rheumatism and nervous troubles are those which chiefly afflict these old heroes and necessitate their entrance in the homes; and

Whereas the directors of the national homes made a test of great severity of the virtue of the waters of the hot springs located in the city of Hot Springs, S. Dak., as a cure for such ailments by sending there for treatment a carload of soldiers in the worst and most stubborn stages of rheumatism and kindred ills; and

Whereas said test was so entirely successful that Gen. Averell, a director and inspector general of the national board of directors for the national homes, who had personal supervision of the test being made, reported to the full board that the waters of Hot Springs, S. Dak., contained the medicinal properties that were, in their application, a practical cure for persons so afflicted, and that the per cent of cures effected based on the number of occupants of the several homes of the country showed that the cost of a national sanitarium at Hot Springs would be met by the numbers of men that would be healed and sent to their homes, and the public thereby relieved from further expense in their care; and

Whereas the system of National and State homes can not be completed nor brought to that state of perfection not only demanded, but within easy reach without the utilization of the healing properties of these waters through the means of a large and commodious sanitarium where our comrades can be properly treated and cared for and restored to their health and homes; and

Whereas the greater the number of the homes for those who seek their advantages and the greater the number of the occupants thereof, the greater the necessity for the sanitarium at Hot Springs, S. Dak., the erection of which home is not so important for the shelter of the

soldiers' bodies as for relieving their pains and healing the ailments with which they are afflicted, as, upon the testimony of the highest authority, they can not be relieved or healed elsewhere: Therefore be it

Resolved, By the Grand Army of the Republic, in national camp assembled, that our representatives in Congress are hereby respectfully, but earnestly, urged to support the bill now pending providing for the location of a branch soldiers' home at Hot Springs, S. Dak., to be equipped for and known as the sanitarium for the system of soldiers' and sailors' homes throughout the country.

And be it further resolved, That the commander in chief of the Grand Army of the Republic is hereby authorized and directed to appoint a committee of seven comrades, whose duty it shall be to wait upon Congress and present in proper form and manner the merits of the proposition in the foregoing resolutions.

Mr. GORDON. The Government of the United States owns this home and has paid $2,000,000 for it; and these old soldiers are given permission to remain there, those who do not wish to be removed.

Mr. SLOAN. They are not given such permission in this bill, and there is not the faintest suggestion that they have any right there.

Mr. GORDON. Do you challenge the statement of Mr. GANDY on that subject?

Mr. SLOAN. I do if he says what your question implies. It is not in the bill, and I can read the English language.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SLOAN. Yes.

Mr. MOORE of Pennsylvania. My impression is that we created this board of managers for soldiers' homes in order that the managers might be in sympathy with the members of the homes. That was the purpose of it originally.

This bill would transfer that sympathetic supervision from the home managers, many of whom were comrades of the old soldiers, to those directly attached to the United States Army?

Mr. SLOAN. That is quite true. I desire to say that Clarendon E. Adams, commander in chief of the Grand Army of the Republic, in a telegram to me, denounces this bill as infamous. The department commander of the Grand Army of my State, Hon. J. S. Hoagland, uses stronger terms, as follows:

If it is the desire of the author of the bill, known as the Gandy bill, to kill off quickly our comrades now at Battle Mountain Sanitarium, such a move, if adopted by Congress, will be very effective to that end. Nearly all of the comrades at such sanitarium are there because of some organic trouble afflicting them. God will never forgive a Member of Congress who will support such a measure.

Dr. F. Brothers, of Beatrice, Nebr., a Grand Army of the Republic man in whom I have the utmost confidence, at present in this home, says that 99 per cent of the soldiers up there are opposed to this measure. To say at this time to the soldiers of the old war, located as they are in a home established for them, that they shall be taken from that home, not for the period of the war, as was done in the Hampton case, but for the period of the exigencies growing out of the war, which would mean that a soldier brought in would stay there as long as he lived under the terms of this bill if the War Department saw fit.

I read the report of the Secretary of War. His letter is there, and I want every warm-blooded man in this House to read it and ponder over it. Not a suggestion is given as to any consideration for the old Volunteer soldier. If he thought the veterans were opposed to it, he gave that fact no comment. If he considered that they favored it, there was no commendation for their extraordinary generosity. Every part of it reads as if the man who wrote it would spit icicles and breathe liquid air.

Mr. JOHNSON of South Dakota. Is it not conceded that practically every soldiers' home in the United States is being conducted at 50 per cent capacity?

Mr. SLOAN. Whether that is true or not, if you want to distribute these sick or wounded soldiers in the sanitariums of the United States take them to sanitariums and homes and fill up the beds, but leave the sanitarium as it is. The grizzled veterans of 1861 to 1865 would welcome the returning heroes of 1917 to 1919. I know that my two surviving sons, grandsons of a veteran, would be ready to tolerate their veteran grandfather's presence in his own home.

Mr. JOHNSON of South Dakota. Mr. Speaker, will the gentleman yield again?

Mr. SLOAN. Yes.

Mr. JOHNSON of South Dakota. Would the gentleman advise that all of these soldiers' homes in the United States be run at half capacity for the veterans of other wars, and that the United States then proceed to build another large number of homes?

Mr. SLOAN. That is entirely beside the question. Fill up all of them. Fill up this sanitarium, if you will, but leave the old boys in their sanitarium home and in charge. I now yield five minutes to the gentleman from Ohio [Gen. SHERWOOD].

Mr. SHERWOOD. Mr. Speaker, almost uniformly I vote with my committee on all these public questions, but I am a member of the Grand Army of the Republic. I know that the Grand Army of the Republic is opposed to this bill. First, I do not believe that this Battle Mountain institution was established as a home. It was established as a sanitarium, because of the curative qualities of the water located there, and not as a home. I have here an editorial from the organ of the Grand Army of the Republic, which will appear in the paper this week, against this bill. As a measure of economy I do not believe the bill ought to pass for this reason: All of the soldiers that come from across the seas, a distance of 3,000 miles, are landed on the seacoast, and as a humane proposition I do not believe that we ought to transport those wounded and disabled soldiers 1,600 miles inland to a place where they have very severe winters, especially the soldiers that come from the South. The editorial to which I refer is as follows:

AT ITS OLD TRICKS.

The Board of Managers of the National Soldiers' Home is at its old tricks of bringing severe discomforts to the veterans in the homes. Following hard upon the outrageous transfer of the veterans at the Hampton home to the high, cold mountains of East Tennessee, a scheme has been started to oust the rheumatics, consumptives, and neurotics and other invalids at the Battle Mountain Sanitarium into other homes, where they can not have the great benefits of the climate and waters of the South Dakota Sanitarium.

The War Department was much pressed for room in which to accommodate the returning soldiers, so had evolved the astounding plan to dispossess veterans of the Civil War of their especial sanitarium home. The resolution was promptly objected to by Representative SLOAN, of Nebraska, and went over for further consideration.

It is more than hinted that there is a strong real estate syndicate back of this movement. A fine hotel has been built at Battle Mountain, which is now owned by a syndicate, and it is assumed that the syndicate wants to make a social center of Battle Mountain, which will bring a flood of tourists, and consequent great profits, to the hotel and real estate men.

In the first place, this is a breach of faith. The Grand Army of the Republic, with Past Commander H. E. Palmer, of Nebraska, as the moving spirit, succeeded in getting a hospital established at Battle Mountain for the institutional treatment of rheumatism and other diseases incident to old age and disability. This expectation has been abundantly confirmed by the benefits received by the veterans who have gone thither. They are almost unanimously strong in their praises of how they have improved by the water, climate, and excellent treatment. To scatter these ailing old men to other homes would be an intolerable hardship and shorten their lives We had an example of this in the recent transfer of the inmates of the Soldiers' Home at Hampton to the mountain home in East Tennessee.

The transfer was plotted by the National Board of Managers and carried out with a heartless disregard of the comfort and wishes of the unfortunate members of the home. Hampton was specifically dedicated to the aged veterans of the wars of the Republic, and they found much comfort there. It has the mildest climate of any of the soldiers' homes. On the other hand, the isothermal line of Harrisburg extends down toward Chattanooga, and the mountains of east Tennessee are about as cold as those of central Pennsylvania. The daily weather reports show this. The slightest regard for the comfort of the inmates was shown in the transfer. They had to hang around for hours after they had been ordered to get ready and assemble before the train was ready for them, and then they were packed into untidy tourist's cars with only a meager supply of food, and had another long wait in Richmond before they started on their tiresome journey to east Tennessee.

Judging from the Hampton experience, what can be expected when the poor rheumatics and asthmatics of Battle Mountain shall be transferred to the Danville Soldiers' Home?

The wrong of disturbing the veterans who had found the mild climate of Hampton so conducive to longevity is emphasized by the circumstances of the great Chamberlain Hotel. The Chamberlain Hotel is built on Government ground, and is a luxurious midway stopping place for the wealthy of New York, Boston, and Philadelphia in their flight to Florida from the oncoming winter, and again in the spring when they return North. These men were not disturbed by the exigencies of the war, nor the Chamberlain Hotel commandeered for a hospital. Only the poor old veterans were dislodged.

The soldiers' home at Hampton will greatly enhance the attractions of Old Point Comfort as a social center when converted to an Army hospital. Thousands of officers will be sent there for recuperation, which will add much to the gaiety of the season at the Chamberlain and furnish acceptable beaux for the young society belles who congregate there. The Government has an abundance of ground at Old Point Comfort upon which it could have erected hospitals the same as the rushed-up buildings in Washington. This was the natural course if the Government did not wish to commandeer the luxurious apartments of the Chamberlain for a hospital.

So far as I can learn—and I have some information about the sentiment of the Grand Army—they are opposed to taking these old veterans, staggering to a near-by grave, from the place where they have been getting special treatment, and transferring them some place else, nobody seems to know where. [Applause.]

Mr. SLOAN. Mr. Speaker, I yield two minutes to the gentleman from California [Mr. OSBORNE].

Mr. OSBORNE. Mr. Speaker, on the part of the veterans of the Civil War and of the Spanish War, I am sure that I can truthfully say there is nothing that this Nation can do for its returning soldiers that they will not approve and ratify. In this case this sanitarium was established for the rheumatics, the neurotics, the consumptives, and those veterans of our armies having special diseases who might be treated advantageously at these hot springs. The springs are the great

feature of this sanitarium. There are more than 300 such crippled veterans at this Battle Mountain Sanitarium.

Mr. Speaker, I have voted for every facility for the soldiers of this war and for its successful conduct. I have voted for those measures under which it is possible now for the Government of the United States to establish hospitals wherever they are needed and such character of hospitals as are needed. I believe that the Medical Department of the Army can utilize the unused beds of these institutions, the national soldiers' homes, for the soldiers of this war and that they should do so. But is the United States so poor—so poor in patriotism and so poor in money—that in order to obtain hospital room for the soldiers coming back it is necessary to eject from their homes, provided by a grateful people, the soldiers of 50 years ago? [Cries of "No!"] Shall we remove from the Battle Mountain Sanitarium those cripples of the Spanish War who are hobbling around the hot springs?

Mr. Speaker, the idea is repulsive. Let us look forward 50 years from now. Another war may come. Will those who succeed us in the Congress of that day say to the men who may go there as a result of the misfortunes of the recent war and who will then be a half century older: "You have got to get out of here and spend the last few years of your lives in other and strange places"? I say no. [Applause.]

Mr. SLOAN. Mr. Speaker, I yield two minutes to the gentleman from Ohio [Mr. HOLLINGSWORTH].

Mr. HOLLINGSWORTH. Mr. Speaker, as a member of the Committee on Public Buildings and Grounds I have voted in committee for every proposition or request of any department of this Government, and they have necessarily been numerous, especially the Medical Department, seeking or asking for increased hospital facilities to treat and restore to health the young heroes of the present war, and I shall continue to do so with heart and soul, but, Lord help me, I can not and will not vote to take from my comrades of 1861 to 1865 the comforts that this great Government has provided especially for them. The Battle Mountain Sanitarium is not a hospital; it is a place of comfort and care, expressly assigned to disabled volunteer soldiers whose disabilities, usually old age, are beyond medical cure. That is all I care to say about it. [Applause.]

Mr. SLOAN. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, I have the facts that have been written to me from the Battle Mountain Sanitarium by an inmate there who comes from Ohio. He says:

> We have 280 Civil War boys here and 75 Spanish War boys, a total of about 400 and a capacity of a little over 500.

Mr. GARD. Mr. Speaker, will the gentleman yield to me right there?

Mr. FESS. I might say to my colleague that my informant says that 280 of the inmates are from the Civil War and 75 from the Spanish War, and then, counting the employees, the total amounts to 400—if the gentleman had mathematics in mind.

Mr. GARD. I did not have in mind mathematics, but the gentleman used the word "inmate." They are not inmates; they are members of the National Home for Volunteer Soldiers.

Mr. FESS. I was not using the term "inmates" in the legal sense the gentleman has in mind, and I accept the correction. I ought not to have made the statement in that way. The average age of the men, according to the statement of my informant, is 76, and they are invalids. He further states that it seems cruel to these invalided soldiers "to take these old men out of here at the peril of their lives, if the Congress could know the real purpose." He appeals to me as a Civil War soldier to ask Congress "to look into the cause for wanting to shorten the lives of the old boys of 61 to 65."

The proposition here is to remove these invalided soldiers from the positions of comfort secured for them by the Government to make room for others who must be cared for, and can be cared for, in places other than this particular place, and I remind my colleagues that everyone realizes that in the stress of this present war we are apt to forget our duty to the Civil War veterans, whose numbers are growing less daily, and the old soldier is constantly being reminded that there is no place for him any more in the sympathies of the people of the Republic for whose life he fought and suffered. Even the benefactions established by the Government of the Nation to relieve his concern in his last days, such as this sanitarium, must now be taken from him. I for one am ready to vote every facility to take care of the present soldiers in the present war, in whose care we will all share, because many of us have sons in the war, and all of us have friends, but I shall refuse to say to the country that I have lost my sympathy for the Civil War veterans, and on the claim of economy or other needless ground will vote to exclude them from their home to make room for other soldiers of other wars. We can take care of them in a different way without taking the comforts of those veterans of the Civil War, and I shall therefore vote against the bill. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. SLOAN. Mr. Speaker, I understand the gentleman has only one more speech.

Mr. GANDY. Yes.

Mr. SLOAN. Mr. Speaker, I yield the balance of my time to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, I am sure that nothing except absolute necessity would bring anyone to support this cruel proposition. When you come to think about taking away the home that the Government gave the 330 old veterans of the Union Army, now averaging 76 years of age, and scattering them over this country to find another home, I can think of hardly anything more pathetic. I can not believe that the soldiers of the splendid armies that we have enlisted in this war can desire to do such a cruel thing as that. I know that the people of the United States will give, and I know that every man on both sides of this House will give, every dollar necessary to furnish all the hospital facilities that may be needed for the boys who come back incapacitated, injured, wounded, or diseased because of their services in this war, but that does not require us to be guilty of this almost supreme act of cruelty and injustice to the old soldiers of the Civil War. Why, gentlemen, I am surprised that men could for a moment entertain it. Why, gentlemen here who presented this bill say that this bill is for the purpose of removing these soldiers and finding them another good place, but they do not tell us where, they do not tell us how, they do not tell us under what circumstances these good places are to be found.

Mr. GANDY. Will the gentleman yield?

Mr. TOWNER. I yield.

Mr. GANDY. I did say in my opening statement that the soldiers' home board have almost a thousand vacant beds in the soldiers' home at Danville, Ill., that they expect in part to utilize.

Mr. TOWNER. I do not know whether that statement is justified or not; I do not mean to impugn the gentleman's statement.

Mr. GANDY. I want to say——

Mr. TOWNER. I have not any testimony of that kind, and the gentleman knows very well that it is impossible to remove these men and make them satisfied with the removal. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GANDY. Mr. Speaker, I yield such time as the gentleman may desire to my colleague from South Dakota [Mr. JOHNSON]. [Applause.]

Mr. JOHNSON of South Dakota. Mr. Speaker and gentlemen of the House, I regret very much that any talk of disagreement between the veterans of any war which has been conducted by the United States is to creep into the discussion of this bill, because I know well and can speak with authority when I say that any injustice that was contemplated or about to be committed toward any of the veterans of any previous war would be resented by the veterans of this war more than by any other portion of the citizens of the United States. [Applause.] There is no attempt being made in this bill to perpetrate any act of cruelty toward any individual or veteran of any war. The facts are these: In the United States at the present time we have many soldiers' homes and sanatoriums. None of them are running to capacity. It is necessary to consolidate into these hospitals the veterans of different wars because you can not take the veteran of 80 years of age and place him in the same home or sanatorium with the 20-year boy who comes back a veteran of this war. You can not unite youth and age. They desire different things; they desire different food; they need different treatment; and all the War Department desires to do, that the board of managers desire to do, is to separate these men, send them to good, clean, decent institutions, to treat them as they should be treated. I indorse the statements which were made by my colleague from South Dakota [Mr. GANDY], because I believe that they can be verified from the record. One question was asked the gentleman from South Dakota [Mr. GANDY], which is answered by the letter from the Secretary of War where he says:

> The managers of the home have expressed a desire to transfer it to the Medical Department for war purposes, and the Medical Department has caused an inspection to be made thereof and desires it for more or less permanent use as a general hospital. The only expense will be that required for maintenance on account of tear, wear, and ca.e

I want to say to you now that coming back on the transports you will find thousands and thousands of men who have been gassed, and they require different treatment and a different climate than the veterans of the Civil War or the other men who

have been wounded in the war which we think has just ended, and I believe that the climate of the Northwest or the climate of Arizona or New Mexico is the one that will afford them the best opportunity for the care that they need in order that they can again become useful citizens of this country.

You can not send them to a hospital with the veterans of other wars. And the matter brings itself down to plain, common, ordinary sense: Will we utilize the hospitals that we have, treat every veteran of every war exactly as he should be treated, or shall we allow these hospitals to run at half capacity and then spend millions of dollars in the building, equipment, and maintenance of new ones?

Mr. EMERSON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Certainly.

Mr. EMERSON. It seems to me our responsibility in this matter comes to this point: If those old soldiers were sent to this sanitarium, or whatever you call it, because of certain diseases from which they were suffering, they would be benefited by that climate. If that is true, they should remain there. If it is not true, it is another question.

Mr. JOHNSON of South Dakota. I will state that immediately across the canyon from this home is the State soldiers' home, where we have the same conditions and, in my opinion, a better home than the Government home, with space for 74 of them. The Medical Department has agreed that 37 of these men, perhaps, should be left at this sanitarium. They must be left at the Battle Mountain Sanitarium. At least 74 of them can be and will be accommodated at Government expense in the South Dakota home for a sanitarium.

Mr. HOLLINGSWORTH. Will the gentleman yield?

The SPEAKER. Will the gentleman from South Dakota yield to the gentleman from Ohio?

Mr. JOHNSON of South Dakota. I will.

Mr. HOLLINGSWORTH. I desire to ask this question. You have stated in effect that old men and young men can not be kept together. The Grand Army of the Republic in a sense has looked upon the members of the present Army as their sons. Do you know of any reason why a father can not be associated with his sons? [Applause.]

Mr. JOHNSON of South Dakota. I do not, sir; and the cases are not analogous. I would call the gentleman's attention to the fact that these men that are coming back must be maintained in some institution with discipline, while we do not and will not discipline the men who fought in that great war where you took your great part, sir.

Mr. HOLLINGSWORTH. If they need discipline, they ought not to be in a hospital, in my judgment.

Mr. JOHNSON of South Dakota. I am stating only the fact as to what is necessary.

Mr. DYER. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will.

Mr. DYER. The soldiers of whom he speaks, of the present war, have not been discharged and will not be discharged or sent to their homes probably until they are cured.

Mr. JOHNSON of South Dakota. Certainly not. They are still in the military service and must be under military discipline, while we have removed every vestige of military discipline from the sanitariums where the veterans of the Civil War are kept. They have fought their fight, and we have no desire to impose any manner of hardship upon them.

Mr. Speaker, I reserve the balance of my time. [Applause.]

The SPEAKER. The question is on suspending the rules and passing this bill.

The question was taken, and the Speaker announced that in the opinion of the Chair two-thirds had voted in the affirmative.

Mr. SLOAN. Mr. Speaker, I ask for a division.

Mr. HOLLINGSWORTH. The yeas and nays, Mr. Speaker.

The House divided; and there were—ayes 81, noes 56.

Mr. GANDY. Mr. Speaker, I ask for the yeas and nays.

Mr. HEFLIN. I make the point of no quorum, Mr. Speaker.

The SPEAKER. It is an automatic call. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken, and there were—yeas 161, nays 92, answered "present" 3, not voting 174, as follows:

YEAS—161.

Alexander	Black	Claypool	Dies
Almon	Bland, Va.	Cleary	Dill
Anderson	Blanton	Connally, Tex.	Dillon
Aswell	Brand	Connelly, Kans.	Dixon
Ayres	Burnett	Crago	Doolittle
Baer	Byrnes, S. C.	Crisp	Doughton
Barkhead	Byrns, Tenn.	Currie, Mich.	Dupré
Barkley	Campbell, Pa.	Dallinger	Dyer
Barnhart	Caraway	Davey	Eagle
Beakes	Carlin	Dent	Ellsworth
Bell	Carter, Okla.	Denton	Elston
Benson	Clark, Fla.	Dickinson	Evans
Ferris	Hull, Tenn.	Oldfield	Steele
Fisher	Humphreys	Oliver, Ala.	Stephens, Miss.
Flood	Husted	O'Shaunessy	Stevenson
Foster	Igoe	Overstreet	Sumners
Gallivan	Johnson, S. Dak.	Phelan	Taylor, Colo.
Gandy	Jones	Polk	Tillman
Gard	Kehoe	Porter	Tilson
Garland	Kettner	Quin	Tinkham
Garner	Kincheloe	Ragsdale	Venable
Garrett, Tenn.	Lea, Cal.	Rainey, H. T.	Vinson
Garrett, Tex.	Lesher	Rainey, J. W.	Walsh
Gillett	London	Raker	Watkins
Good	Lonergan	Randall	Watson, Va.
Goodwin, Ark.	Lufkin	Rayburn	Weaver
Gordon	Lundeen	Robinson	Welling
Gould	McAndrews	Rogers	Welty
Gray, Ala.	McFadden	Romjue	Whaley
Greene, Vt.	McKenzie	Rubey	White, Me.
Hardy	McKeown	Sanders, N. Y.	Williams
Hastings	McLemore	Scott, Mich.	Wilson, La.
Hayden	Madden	Shouse	Wilson, Tex.
Heflin	Mansfield	Sims	Wingo
Hensley	Martin	Sisson	Wright
Hilliard	Mays	Slayden	Young, N. Dak.
Holland	Merritt	Small	Young, Tex.
Houston	Montague	Snell	Zihlman
Howard	Moon	Snook	
Huddleston	Moores, Ind.	Stafford	
Hull, Iowa	Neely	Steagall	

NAYS—92.

Browne	Fuller, Ill.	Lampert	Rankin
Browning	Glynn	Langley	Reed
Burroughs	Graham, Ill.	Lehlbach	Rose
Campbell, Kans.	Green, Iowa	Little	Schall
Cannon	Greene, Mass.	Lobeck	Scott, Iowa
Clark, Pa.	Haugen	McKinley	Sells
Cooper, Ohio	Hawley	McLaughlin, Mich.	Sherwood
Cooper, W. Va.	Hersey	Magee	Sinnott
Cooper, Wis.	Hicks	Mapes	Sloan
Cramton	Hollingsworth	Mason	Smith, Mich.
Curry, Cal.	Ireland	Miller, Wash.	Snyder
Darrow	Johnson, Wash.	Moore, Pa	Steenerson
Davis	Juul	Morgan	Stiness
Denison	Kearns	Mott	Sweet
Elliott	Keating	Nelson, A. P.	Switzer
Esch	Kelley, Mich.	Nichols, Mich.	Temple
Essen	Kelly, Pa.	Nolan	Timberlake
Fairchild, B. L.	Kennedy, Iowa	Osborne	Towner
Fairfield	King	Parker, N. J.	Vestal
Fess	Kinkaid	Peters	Volstead
Fordney	Knutson	Platt	Wason
Foss	Kraus	Purnell	Wheeler
French	La Follette	Ramseyer	Wood, Ind.

ANSWERED "PRESENT" 3.

Emerson	Harrison, Miss.	Treadway

NOT VOTING—174.

Anthony	Dunn	LaGuardia	Russell
Ashbrook	Eagan	Larsen	Sabath
Austin	Edmonds	Lazaro	Sanders, Ind.
Bacharach	Estopinal	Lee, Ga.	Sanders, La.
Beshlin	Fairchild, G. W.	Lever	Sanford
Birch	Farr	Linthicum	Saunders, Va.
Blackmon	Fields	Littlepage	Scully
Bland, Ind.	Flynn	Longworth	Sears
Bocher	Focht	Lunn	Shackleford
Borland	Francis	McArthur	Shallenberger
Bowers	Frear	McClintic	Sherley
Britten	Freeman	McCormick	Siegel
Brodbeck	Fuller, Mass.	McCulloch	Slemp
Brumbaugh	Gallagher	McLaughlin, Pa.	Smith, Idaho
Buchanan	Godwin, N. C.	Maher	Smith, C. B.
Butler	Goodall	Mann	Smith, T. F.
Caldwell	Graham, Pa.	Miller, Minn.	Stedman
Candler, Miss.	Gray, N. J.	Mondell	Stephens, Nebr.
Cantrill	Gregg	Morin	Sterling
Carew	Griest	Mudd	Strong
Carter, Mass.	Griffin	Nelson, J. M.	Sullivan
Cary	Hadley	Nicholls, S. C.	Swift
Chandler, N. Y.	Hamill	Norton	Tague
Chandler, Okla.	Hamilton, Mich.	Oliver, N. Y.	Taylor, Ark.
Church	Hamilton, N. Y.	Olney	Templeton
Classon	Hamlin	Overmyer	Thomas
Coady	Harrison, Va.	Padgett	Thompson
Collier	Haskell	Paige	Van Dyke
Copley	Hayes	Park	Vare
Costello	Heaton	Parker, N. Y.	Voigt
Cox	Heintz	Pou	Waldow
Crosser	Helm	Powers	Walker
Dale	Helvering	Pratt	Walton
Decker	Hood	Price	Ward
Delaney	Hutchinson	Ramsey	Watson, Pa.
Dempsey	Jacoway	Reavis	Webb
Dewalt	James	Riordan	White, Ohio
Dominick	Johnson, Ky.	Robbins	Wilson, Ill.
Donovan	Kahn	Roberts	Winslow
Dooling	Kennedy, R. I.	Rodenberg	Wise
Doremus	Key, Ohio	Rouse	Woods, Iowa
Dowell	Kiess, Pa.	Rowe	Woodyard
Drane	Kitchin	Rowland	
Drukker	Kreider	Rucker	

So, two-thirds not having voted in favor thereof, the motion to suspend the rules and pass the bill was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BOOHER with Mr. TREADWAY.

Mr. SCULLY with Mr. COSTELLO.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. NICHOLLS of South Carolina with Mr. DUNN.
Mr. RIORDAN with Mr. BACHARACH.
Mr. ASHBROOK with Mr. PARKER of New York.
Mr. HAMILL with Mr. HUTCHINSON.
Mr. BLACKMON with Mr. STRONG.
Mr. OLIVER of New York with Mr. BUTLER.
Mr. MAHER with Mr. SMITH of Idaho.
Mr. SIMS with Mr. WINSLOW.
Mr. EAGAN with Mr. HADLEY.
Mr. HARRISON of Mississippi with Mr. REAVIS.
Mr. CALDWELL with Mr. EDMONDS.
Mr. HELVERING with Mr. FARR.
Mr. HELM with Mr. HASKELL.
Mr. LITTLEPAGE with Mr. KENNEDY of Rhode Island.
Mr. LUNN with Mr. KIESS of Pennsylvania.
Mr. MCCLINTIC with Mr. LAGUARDIA.
Mr. PRICE with Mr. MUDD.
Mr. OLNEY with Mr. PAIGE.
Mr. PARK with Mr. RAMSEY.
Mr. SABATH with Mr. SANDERS of Indiana.
Mr. SEARS with Mr. SANFORD.
Mr. CHARLES B. SMITH with Mr. FULLER of Massachusetts.
Mr. THOMAS F. SMITH with Mr. HAYES.
Mr. SULLIVAN with Mr. HAMILTON of New York.
Mr. WEBB with Mr. AUSTIN.
Mr. BRUMBAUGH with Mr. BRITTEN.
Mr. HAMLIN with Mr. HAMILTON of Michigan.
Mr. COADY with Mr. RODENBERG.
Mr. DONOVAN with Mr. DALE.
Mr. FIELDS with Mr. DOWELL.
Mr. GALLAGHER with Mr. GRIEST.
Mr. HARRISON of Virginia with Mr. KREIDER.
Mr. JACOWAY with Mr. KAHN.
Mr. PADGETT with Mr. ROWE.
Mr. POU with Mr. SIEGEL.
Mr. TAGUE with Mr. WARD.
Mr. WALTON with Mr. WOODYARD.

Mr. HARRISON of Mississippi. Mr. Speaker, how am I recorded?

The SPEAKER. In the affirmative.

Mr. HARRISON of Mississippi. Did the gentleman from Nebraska, Mr. REAVIS, vote?

The SPEAKER. He did not.

Mr. HARRISON of Mississippi. I have a pair with him. I desire to withdraw my vote of "yea" and vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. HARRISON of Mississippi, and he answered "Present."

The result of the vote was announced as above recorded.

RESTORATION OF CERTAIN PUBLIC LANDS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill H. R. 10612, No. 226 on the Calendar for Unanimous Consent, remain on that calendar and go to the foot. I spoke to the gentleman who objected, and he does not now object to it.

Mr. MADDEN. I object.

The SPEAKER. The gentleman from Illinois objects.

The Chair lays before the House the following personal requests.

Mr. RAKER. One moment, Mr. Speaker; there is no objection to this.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] objected.

Mr. MADDEN. Mr. Speaker, I will withdraw the objection.

The SPEAKER. What is the gentleman's request?

Mr. RAKER. That the bill H. R. 10612, No. 226 on the Calendar for Unanimous Consent, be put back at the foot of the calendar.

Mr. WALSH. To be restored to the calendar?

Mr. RAKER. Yes; restored to the calendar.

The SPEAKER. The gentleman from California asks unanimouse consent that the bill H. R. 10612 be restored to the Calendar for Unanimous Consent and placed at the foot of it. Is there objection?

Mr. GARD. What is the title?

The SPEAKER. It is a bird bill. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HAMILTON of Michigan, for the day, on account of sickness;

To Mr. MUDD, for 10 days, on account of sickness; and

To Mr. HADLEY (at the request of Mr. JOHNSON of Washington), indefinitely, on account of the serious illness of a member of his family.

HOUR OF MEETING TO-MORROW—11 O'CLOCK A. M.

Mr. HENRY T. RAINEY rose.

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. HENRY T. RAINEY. To ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Illinois asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

Mr. WALSH. Reserving the right to object, Mr. Speaker, can the gentleman state what measure will be taken up to-morrow?

Mr. HENRY T. RAINEY. The Diplomatic and Consular appropriation bill.

Mr. WALSH. And is it intended to complete the consideration of that bill to-morrow?

Mr. HENRY T. RAINEY. I understand that bill is ready to come up to-morrow.

The SPEAKER. It is the Diplomatic and Consular appropriation bill.

Mr. WALSH. Does the gentleman know if it is intended to complete the consideration of that bill?

Mr. HENRY T. RAINEY. I could not answer that.

Mr. CARTER of Oklahoma. Mr. Speaker, if the gentleman will permit me, I will say that in conversation with the chairman of that committee [Mr. FLOOD] he told me he did not think it could be completed in one day.

Mr. HENRY T. RAINEY. He expects to complete general debate to-morrow.

The SPEAKER. Is there objection?

There was no objection.

METAL MINING ON INDIAN RESERVATIONS.

Mr. HAYDEN. Mr. Speaker, I move that the rules be suspended and that the bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations be passed, as reported by the Committee on Indian Affairs.

Mr. STAFFORD. I make the point of order, Mr. Speaker, that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.) the House adjourned, pursuant to the order previously made, until to-morrow, Tuesday, January 21, 1919, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 3384) to amend the public-building act approved March 4, 1913, reported the same without amendment, accompanied by a report (No. 949), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 13913) providing for the sale of abandoned customs boarding stations, New Orleans, La., reported the same without amendment, accompanied by a report (No. 950), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 13911) providing for the transfer of a portion of the old public-building site at Baltimore, Md., reported the same without amendment, accompanied by a report (No. 951), which said bill and report were referred to the Private Calendar.

Mr. WINSLOW, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13561) for the construction of a bridge across the St. John River between Madawaska, Me., and Edmunston, Province of Brunswick, Canada, reported the same with amendments, accompanied by a report (No. 952), which said bill and report were referred to the House Calendar.

Mr. DEWALT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13648) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale borough, in the county of Allegheny, Pa., reported the same without amendment, accompanied by a

report (No. 953), which said bill and report were referred to the House Calendar.

Mr. DILLON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13915) granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington, reported the same without amendment, accompanied by a report (No. 954), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. KEY of Ohio, from the Committee on Pensions, to which was referred the bill (H. R. 13879) granting a pension to Edith Carow Roosevelt, reported the same without amendment, accompanied by a report (No. 946), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GREGG: A bill (H. R. 14748) authorizing the Secretary of War to donate to the towns of Galveston, Tex., Liberty, Tex., and Palestine, Tex., each one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MERRITT: A bill (H. R. 14749) authorizing the Secretary of War to donate to Georgetown, in the State of Connecticut, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RAMSEY: A bill (H. R. 14750) authorizing the Secretary of War to donate to the borough of Carlstadt, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WELLING: A bill (H. R. 14751) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. RAMSEYER: A bill (H. R. 14752) authorizing the Secretary of War to donate to the city of Montezuma, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14753) authorizing the Secretary of War to donate to the city of Colfax, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14754) authorizing the Secretary of War to donate to the city of Sigourney, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14755) authorizing the Secretary of War to donate to the city of Bloomfield, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14756) authorizing the Secretary of War to donate to the city of Newton, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14757) authorizing the Secretary of War to donate to the city of New Sharon, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14758) authorizing the Secretary of War to donate to the city of Oskaloosa, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14759) authorizing the Secretary of War to donate to the city of What Cheer, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14760) authorizing the Secretary of War to donate to the city of Ottumwa, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14761) authorizing the Secretary of War to donate to the city of Albia, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14762) authorizing the Secretary of War to donate to the city of Grinnell, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 14763) authorizing the Secretary of War to donate to the village of Norwalk, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MONDELL: A bill (H. R. 14764) authorizing the Secretary of War to donate to the town of Powell, Wyo., one piece of artillery or like trophy captured or obtained from the enemy during or at the close of the war with Germany and Austria; to the Committee on Military Affairs.

Also, a bill (H. R. 14765) authorizing the Secretary of War to donate to the town of Newcastle, Wyo., one piece of artillery or like trophy captured or obtained from the enemy during or at the close of the war with Germany and Austria; to the Committee on Military Affairs.

Also, a bill (H. R. 14766) authorizing the Secretary of War to donate to the town of Kemmerer, Wyo., one piece of artillery or like trophy captured or obtained from the enemy during or at the close of the war with Germany and Austria; to the Committee on Military Affairs.

Also, a bill (H. R. 14767) authorizing the Secretary of War to donate to the town of Cody, Wyo., one piece of artillery or like trophy captured or obtained from the enemy during or at the close of the war with Germany and Austria; to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 14768) authorizing the Secretary of War to donate to the city of Milwaukee, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14769) authorizing the Secretary of War to donate to the city of Cudahy, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14770) authorizing the Secretary of War to donate to the city of West Allis, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14771) authorizing the Secretary of War to donate to the city of Wauwatosa, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14772) authorizing the Secretary of War to donate to the county of Milwaukee, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14773) authorizing the Secretary of War to donate to the city of South Milwaukee, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 14774) to prohibit immigration for a period of four years and to restrict immigration thereafter; to the Committee on Immigration and Naturalization.

By Mr. HADLEY: A bill (H. R. 14775) granting the consent of Congress to the removal of restrictions on alienation of Indian lands by the Legislature of the State of Washington, pursuant to the treaties with the Indians of Washington; to the Committee on Indian Affairs.

By Mr. GOOD: A bill (H. R. 14776) authorizing the Secretary of War to donate to the town of Vinton, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14777) authorizing the Secretary of War to donate to the town of Grundy Center, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14778) authorizing the Secretary of War to donate to the town of Springville, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14779) authorizing the Secretary of War to donate to the town of Belle Plaine, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WELTY: A bill (H. R. 14780) authorizing the Secretary of War to donate to the Memorial Commission of Fort Amanda, Allen County, Ohio, four German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14781) authorizing the Secretary of War to donate to the city of Lima, Allen County, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14782) authorizing the Secretary of War to donate to the village of Anna, Shelby County, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14783) to donate a captured cannon or gun to the village of Yorkshire, Ohio; to the Committee on Military Affairs.

By Mr. HUTCHINSON: A bill (H. R. 14784) donating a captured German cannon or fieldpiece to the borough of Bernardsville, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14785) donating a captured German cannon or fieldpiece to the borough of Bound Brook, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14786) donating a captured German cannon or fieldpiece to the borough of Flemington, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14787) donating a captured German cannon or fieldpiece to the borough of Princeton, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14788) donating a captured German cannon or fieldpiece to the borough of Hightstown, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14789) donating a captured German cannon or fieldpiece to the city of Trenton, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14790) donating a captured German cannon or fieldpiece to the city of Lambertville, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14791) donating a captured German cannon or fieldpiece to the city of Somerville, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 14792) authorizing the Secretary of War to donate to the town of Rangeley, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 14793) authorizing the Secretary of War to donate to the town of Sheridan, county of Hamilton, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MILLER of Washington: A bill (H. R. 14794) authorizing the Secretary of War to donate to the city of Seattle, Wash., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14795) authorizing the Secretary of War to donate to the city of Port Orchard, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14796) authorizing the Secretary of War to donate to the city of Charleston, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14797) authorizing the Secretary of War to donate to the city of Bremerton, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RAMSEYER (by request): A bill (H. R. 14798) to provide for the creation of Federal railroad companies, to establish a more effective supervision of railroads in the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEENERSON: A bill (H. R. 14799) authorizing the Secretary of War to donate to the city of Barnesville, Clay County, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HENRY T. RAINEY: A bill (H. R. 14800) authorizing the Secretary of War to donate to the town of Barry, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WALTON: A bill (H. R. 14801) authorizing the Secretary of War to donate to the city of Raton, N. Mex., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GARRETT of Tennessee: Joint resolution (H. J. Res. 393) authorizing the appointment and sending of a commission to Porto Rico to study its industrial and economic conditions, and for other purposes; to the Committee on Insular Affairs.

By Mr. RAKER: Resolution (H. Res. 509) for the consideration of S. 3646; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FULLER of Illinois: A bill (H. R. 14802) granting an increase of pension to Herbert A. York; to the Committee on Invalid Pensions.

By Mr. HAMILTON of Michigan: A bill (H. R. 14803) granting an increase of pension to William H. Randall; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 14804) granting an increase of pension to Amas Sangfield; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 14805) granting a pension to Irven P. Cammarn; to the Committee on Pensions.

By Mr. KINKAID: A bill (H. R. 14806) for the relief of Jacob Byers, alias Jacob Myers; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 14807) granting an increase of pension to Joseph Davidson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14808) granting an increase of pension to Ambrose White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14809) granting an increase of pension to Francis M. Risner; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 14810) granting a pension to Mary J. Darling; to the Committee on Pensions.

Also, a bill (H. R. 14811) granting an increase of pension to Arthur E. Gilligan; to the Committee on Invalid Pensions.

By Mr. SWIFT: A bill (H. R. 14812) for the relief of Frances E. Martin; to the Committee on Claims.

Also, a bill (H. R. 14813) granting a pension to Mary Watson Smith Maher; to the Committee on Pensions.

Also, a bill (H. R. 14814) granting a pension to George Roeder; to the Committee on Invalid Pensions.

By Mr. VOIGT: A bill (H. R. 14815) granting a pension to Christine Neubert; to the Committee on Pensions.

By Mr. WALTON: A bill (H. R. 14816) for the relief of the El Paso Bridge & Iron Co. of El Paso, Tex.; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 14817) granting an increase of pension to Robert Damron; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Resolution of the Twentieth Century Topic Club, of Wauwatosa, Wis., indorsing resolution adopted at board meeting of National League for Woman's Service, favoring the Lewis-Raker bill; to the Committee on Military Affairs.

By Mr. JAMES: Resolutions of Jugo-Slavs of Calumet, Mich., relating to boundary and government of Jugo-Slav state; to the Committee on Foreign Affairs.

By Mr. KRAUS: Petition of sundry citizens of Peru, Ind., in favor of Government control and ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLY of Pennsylvania: Petition of Commercial Telegraphers of Pittsburgh, Pa., favoring adjustment of wages by United States Telephone and Telegraph Administration; to the Committee on Labor.

By Mr. LESHER: Resolutions adopted by the Order of Railroad Telegraphers at Sunbury, Pa., urging Government control of railroads for ensuing five years; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Resolution of Kent and Sussex Counties (Del.) Teachers' Institute, favoring Senate bill 4987; to the Committee on Education.

By Mr. RAKER: Resolution by Theatrical Federation of San Francisco, protesting against an increased tax on admission tickets; to the Committee on Ways and Means.

Also, resolution by Central Labor Council of Alameda County, Cal., opposing granting contracts to China and Japan; to the Committee on Foreign Affairs.

Also, resolutions by the Orpheum Theater & Realty Co., of San Francisco, protesting against an increased tax on admission tickets; to the Committee on Ways and Means.

Also, resolutions by the Locomobile Co. of America, protesting against the proposed tax on trucks; to the Committee on Ways and Means.

SENATE.

TUESDAY, *January 21, 1919.*

(Legislative day of Monday, January 20, 1919.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

FOOD SUPPLIES FOR EUROPE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

Mr. HARDWICK. Mr. President, I intend as a member of the committee that reported the bill to make some observations in opposition to it.

Mr. LODGE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	Martin, Va.	Spencer
Beckham	Jones, Wash.	Myers	Townsend
Chamberlain	Kellogg	New	Trammell
Colt	Kirby	Nugent	Wadsworth
Frelinghuysen	La Follette	Pittman	Walsh
Gay	Lodge	Poindexter	Warren
Gerry	McKellar	Sheppard	
Hale	McLean	Smith, Ga.	
Hardwick	McNary	Smith, S. C.	

Mr. KIRBY. I announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON], who is detained by illness.

Mr. McKELLAR. My colleague, the senior Senator from Tennessee [Mr. SHIELDS], is absent on account of illness.

The VICE PRESIDENT. Thirty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. HENDERSON, Mr. HOLLIS, Mr. JOHNSON of California, Mr. MOSES, Mr. POLLOCK, Mr. POMERENE, Mr. UNDERWOOD, Mr. VARDAMAN, and Mr. WATSON answered to their names when called.

Mr. CUMMINS and Mr. RANSDELL entered the Chamber and answered to their names.

Mr. RANSDELL. I was requested to announce the absence of the Senator from Florida [Mr. FLETCHER] on official business.

Mr. LENROOT and Mr. CURTIS entered the Chamber and answered to their names.

Mr. CURTIS. I desire to announce the absence of the Senator from West Virginia [Mr. SUTHERLAND] on account of illness in his family.

Mr. SIMMONS, Mr. KING, Mr. SMOOT, Mr. MCCUMBER, Mr. HARDING, Mr. BORAH, Mr. SAULSBURY, and Mr. MARTIN of Kentucky entered the Chamber and answered to their names.

Mr. SAULSBURY. I desire to announce that the Senator from Colorado [Mr. THOMAS], the Senator from Maryland [Mr. SMITH], and the Senator from California [Mr. PHELAN] are detained by illness.

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. There is a quorum present. The Senator from Georgia will proceed.

Mr. HARDWICK. Mr. President, as I was remarking, as a member of the committee that reported the bill, I feel it my duty to make some observations against it, and I want to crave the indulgence of the Senate during this discharge of probably the last important function I shall render as a Member of this body.

Involved in the consideration of this proposition are so many issues preceding the war, or our entrance into it, involving our own conduct in the war and involving the conclusion of a peace, that I can not, according to my point of view, discuss the pending measure without some latitude of debate.

If I had believed, as other Senators doubtless did, that this country entered the European war in order to democratize the world, or in order to make the world safe for democracy, or for any other high-sounding platitudinal reason such as that, it might be that I could convince myself that I ought to support this measure, but knowing that when impartial history is written the verdict can be nothing else on earth except the sheer, cold, naked truth that we entered the war for one reason and for one reason alone, namely, because the American flag was fired upon and American citizens were murdered upon the high seas, I can not lend my support to a proposition of this kind, so violative of fundamental American principles, so unwarranted from the standpoint of future evils that it will breed, and so indefensible from the standpoint that we are supposed to be honest custodians of the money of the taxpayers of this Republic.

Mr. President, why did we enter this war? I call the attention of the Members of this body to the fact that on August 19, 1914, soon after the European war had begun, the President of the United States proclaimed the strict and impartial neutrality of this country in a most remarkable state document. I can not at this moment lay my hands on the exact words of the proclamation, but its substance was that this country had nothing whatever to do with the struggle then beginning in Europe, that its causes were foreign to our interests and to our people, and the American people, drawn from many sources, were advised to keep strictly neutral in the matter and to avoid taking sides even in a conversational way in any passionate manner.

Again, in his second annual message to the Congress of the United States delivered December 8, 1914, five months after the war had begun, the President gave expression to a similar sentiment. He said:

> We are at peace with all the world. No one who speaks counsel based on fact or drawn from a just and candid interpretation of realities can say that there is any reason to fear that from any quarter our independence or the integrity of our territory is threatened. Dread of the power of any other nation we are incapable of. We are not jealous of rivalry in the fields of commerce or of any other peaceful achievement. We mean to live our own lives as we will; but we mean also to let live. We are, indeed, a true friend to all the nations of the world, because we threaten none, covet the possessions of none, desire the overthrow of none. Our friendship can be accepted and is accepted without reservation, because it is offered in a spirit and for a purpose which no one need ever question or suspect. Therein lies our greatness. We are champions of peace and of concord. And we should be very jealous of this distinction which we have sought to earn. Just now we should be particularly jealous of it, because it is our dearest present hope that this character and reputation may presently, in God's providence, bring us an opportunity such as has seldom been vouchsafed any nation, the opportunity to counsel and obtain peace in the world and reconciliation and a healing settlement of many a matter that has cooled and interrupted the friendship of nations. This is the time above all others when we should wish and resolve to keep our strength by self-possession, our influence by preserving our ancient principles of action.

After discussing the military policy, the proposition for a general enforced service, the President said:

> More than this—

That is, the volunteer system—

> More than this carries with it a reversal of the whole history and character of our polity. More than this, proposed at this time, permit me to say, would mean merely that we had lost our self-possession, that we had been thrown off our balance by a war with which we have nothing to do, whose causes can not touch us, whose very existence affords us opportunities of friendship and disinterested service which should make us ashamed of any thought of hostility or fearful preparation for trouble.

Again, in a speech delivered at Des Moines, Iowa, on February 1, 1916, President Wilson used this language:

> On the one hand there is a considerable body of men who are trying to stir the very sort of excitement in this country upon which every true, well-balanced American ought to frown. There are actually men in America who are preaching war, who are preaching the duty of the United States to do what it never would before, seek entanglement in the controversies which have arisen on the other side of the water—abandon its habitual and traditional policy and deliberately engage in the conflict which is now engulfing the rest of the world.

In that same speech he gave expression to this sentiment:

> Every nation now engaged in the titanic struggle on the other side of the water believes, with an intensity of conviction that can not be exaggerated, that it is fighting for its rights, and in most instances that it is fighting for its life; and we must not be too critical of the men who lead those nations.

Such, Mr. President, truly and accurately voiced by the President of the United States, was the real policy of this country defined to be neutrality in accordance with its settled principles and in accordance with its unbroken practices in matters of this sort, and such, Mr. President, remained the policy of this country until dishonor of the American flag and a destruction of life of American citizens forced its abandonment. Let me proceed now to prove that proposition.

The time came when Germany's announced intention to resume an unrestricted submarine warfare; forced, and properly forced, let me say, in my opinion, a severance of our diplomatic relations with that country. In announcing that fact to Congress, Mr. Wilson said on February 3, 1917, addressing both Houses of Congress:

> I can not bring myself to believe that they—

Referring to the men who were administering the German Government—

> I can not bring myself to believe that they will, indeed, pay no regard to the ancient friendship between their people and our own, or to the solemn obligations which have exchanged between them and destroy American ships and take the lives of American citizens in the willful prosecution of the ruthless naval program they have announced their intention to adopt. Only actual overt acts on their part can make me believe it even now.

Again, when it proved unfortunately true that the Germans had committed the overt acts in question, had sunk three peaceful and peaceable American ships, two of which were not even within the war zone declared by the German Government, and all three of which were returning to this country empty and in ballast, President Wilson again addressed the American Congress, urging a declaration of war. I read now from what he then said:

> Just because we fight without rancor and without selfish object, seeking nothing for ourselves but what we shall wish to share with all free peoples—

That is, the freedom of the seas and the rights of neutral peoples—

> we shall, I feel confident, conduct our operations as belligerents without passion and ourselves observe with proud punctilio the principles of right and of fair play we profess to be fighting for.
>
> I have said nothing of the governments allied with the Imperial Government of Germany, because they have not made war upon us or challenged us to defend our right and our honor. The Austro-Hungarian Government has, indeed, avowed its unqualified indorsement and acceptance of the reckless and lawless submarine warfare adopted now without disguise by the Imperial German Government, and it has therefore not been possible for this Government to receive Count Tarnowski, the ambassador recently accredited to this Government by the Imperial and Royal Government of Austria-Hungary; but that Government has not actually engaged in warfare against citizens of the United States on the seas, and I take the liberty, for the present at least, of postponing a discussion of our relations with the authorities at Vienna. We enter this war—

Mark it, Senators—

> only where we are clearly forced into it, because there are no other means of defending our rights

Mr. President, in spite of recent occurrences, it still remains written in the organic law of the Republic, the old and much-abused Constitution, that the power to declare war rests in the Congress of the United States and in it alone. Therefore, it becomes a matter of some importance to all men who profess to believe in any of the ancient principles what purpose the Congress had in view, what the object with which Congress went to war was.

I want to call attention to the fact that the joint resolution of April 6, 1917, by which this Congress declared war on Germany is couched in the following language:

Whereas the Imperial German Government has committed repeated acts of war against the Government and the people of the United States of America: Therefore be it

Resolved, etc., That the state of war between the United States and the Imperial German Government which has thus been thrust upon the United States is hereby formally declared; and that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial German Government; and to bring the conflict to a successful termination all of the resources of the country are hereby pledged by the Congress of the United States.

Senators, when the prejudices and passions of this hour shall have passed away and when impartial history is written no candid or thoughtful man who has the slightest regard for the truth will ever again insist that this country entered this war to democratize the world or to make the world safe for democracy; that it entered this war for any reason on earth except that the German navy, acting under orders of the German Government, fired upon the American flag and murdered American citizens upon the high seas.

That was reason enough, and, for my part, I voted for that war unhesitatingly, just as I should have voted with no greater hesitation for war against England, or France, or Brazil, or Mexico, or any other power on the face of the earth, in Europe, Asia, or Africa, which, on the high seas, had fired on the American flag and murdered American citizens.

Now, the Senate, or those Senators who have kindly followed me so far in my argument, will, I think, be forced to concede in their own minds, at least, no matter what their votes may represent, that we did not enter this war for any other purpose except to vindicate American honor and to establish American rights. I say very frankly to the Senate that the only council table at which I wish to see the United States of America represented to-day is a council table at which full reparation shall be exacted for American wrongs and full guaranties required for American rights in the future.

So far as I am concerned, at least, I have not abandoned my belief in the ancient traditions of this country; so far as I am concerned, at least, I still believe that this country ought not to have entangling alliances in Europe; so far as I am concerned, Senators, if I were a Member of this body when the question came to be voted on here, I would stand here until I rotted before I would ever vote for a treaty that bound the United States of America to guarantee a single European boundary line or to guarantee the permanency or stability of any country that may be created by the peace congress now sitting in Paris.

Mr. KING. Mr. President, will the Senator yield?

Mr. HARDWICK. I will.

Mr. KING. The Senator has noted, doubtless, that the dispatches indicate the abandonment of a view alleged at an earlier day to have been entertained by some that a supernation would be created which would take from this Nation some of its sovereign powers and which doubtless would impose upon us an obligation to do some of the things to which the Senator has just adverted.

Mr. HARDWICK. I thank the Senator. The Senator from Georgia has noted that with very great gratification. It is utterly impossible until the millenium shall arrive to create a league of nations to enforce peace unless we are to depart from nationalism and enter into the field of internationalism. Every nation must retain its own sovereign power. It is quite probable, however, I believe, that a strong agreement between all the parties signatory to this agreement that they will, so far as possible, arbitrate their differences with each other and with the remainder of the world, and the putting around such an agreement of every atom of moral force that the parties signatory can impose will have a great, powerful, and beneficent effect on the future of the world and may promote, or help to promote, the cause of peace in the decades that are yet to come. Beyond that nothing is possible; beyond that everything is foolish and absurd; and, for one, so long as I have a right to lift my voice in this Chamber, it shall not go out undisputed to the world that the only idea in America is that something more Utopian and less practicable than that is possible.

Mr. President, in view of what has actually happened in this country, it is impossible for me to understand the position now assumed and the position that has been taken in the past years, certainly since the time when we actually entered this war, not only by our President but by others high in authority in this country. If it be true that we entered the war to democratize the world, if it be true that we entered the war to make the world safe for democracy, if it be true that we entered the war because Germany was threatening our independence along with that of the remainder of the world, then I say deliberately to the American people that the United States of America acted the part of a laggard and a slacker every day since Belgian neutrality was first violated and this atrocious scheme began to work. If I had believed that, I would not have hesitated for a single moment to have declared war on Germany before she committed any overt act upon us or upon our people, even before the *Lusitania* was sunk, before she did anything except to begin the prosecution of what is now called "her nefarious scheme to subjugate the world." I did not believe it, and the people of this country did not believe it, because it has not been so many months since the majority of them reelected Mr. Wilson President of the United States on the single proposition that he kept us out of war.

I repeat, Mr. President, that in view of what has actually happended and the actual official record, it is remarkable to me to observe some of the positions that are now taken and that pass amongst loosely informed people abroad and in this country as the real, accurate, official position of America. Particularly, Mr. President, I have in mind a speech delivered by President Wilson at the entertainment given him by the city government of Paris at the Hotel de Ville a few weeks ago. President Wilson said this:

I beg that you will not suppose that because a wide ocean separated us in space we were not in effect eye witnesses of the shameful ruin that was wrought and the cruel and unnecessary suffering that were brought upon you. These sufferings have filled our hearts with indignation—

I do not take issue with him on that part of his speech, of course—

We know not only what they were, but we know what they signified, and our hearts were touched to the quick by them, our imaginations filled with the whole picture of what France and Belgium in particular had experienced.

When the United States entered the war, therefore, they entered it not only because they were moved by a conviction that the purposes of the central empires were wrong and must be resisted by men everywhere who loved liberty and the right, but also because the illicit ambitions which they were entertaining and attempting to realize had led to the practices which shocked our hearts as much as they offended our principles.

Mr. President, if the President were right in describing that as the position and the view of the American people, I wish to say that he indicts the people of America for a shameful species of slackerism, because years after the sufferings of Belgium and of France had actually happened the President was still saying that he knew nothing about the causes of this quarrel, had nothing to do with them; that we ought to stay out; and that it was not, as he put it, and as the Congress put it, until the Imperial Government of Germany committed an actual overt act against our flag and our people that we were forced to recognize a state of war that they had thrust upon us.

It is very important to draw these distinctions in view of the pending proposition, because if it be really true that the purpose of the American people in entering this war was to democracize the world, then, of course, I rather think that there might be some moral obligation, at least, to pay the way in cash for that sort of a proceeding.

It is most surprising that men should now entertain a view of that kind, although they once entertained and once expressed on the most solemn occasions and in the most solemn manner precisely the opposite view, and should now insist that that has become the duty of this country to send its money by untold millions to foreign lands in order to help create a democracy, which they afterwards hope to make safe for the world.

Mr. President, the most explicit statement of the reasons for which this money is asked will be found in the cablegram sent by President Wilson to his secretary, Mr. Tumulty, under date of January 11, 1919. Let me say that somehow or other it smacks just a little too much of the habits and customs and proceedings of royalty, according to my way of thinking, that this particular cablegram, conveying instructions to the Congress, should have been sent indirectly by our absent liege to his private secretary.

The telegram reads as follows:

PARIS, *January 11, 1919.*

TUMULTY.

The White House, Washington:

Please convey following confidential message to Senator MARTIN and Congressman SWAGAR SHERLEY—

Here is the message:

I can not too earnestly or solemnly urge upon the Congress the appropriation for which Mr. Hoover has asked for the administration of food relief. Food relief is now the key to the whole European situation and to the solution of peaces. Bolshevism is steadily advancing westward, has overwhelmed Poland, and is poisoning Germany. It can not be stopped by force, but it can be stopped by food, and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance. The money will not be spent for food for Germany itself, because Germany can buy its food, but it will be spent for financing the movement of food to

our real friends in Poland and to the people of the liberated units of the Austro-Hungarian Empire, and to our associates in the Balkans. I beg that you will present this matter with all possible urgency and force to the Congress. I do not see how we can find definite powers with whom to conclude peace unless this means of stemming the tide of anarchism be employed.

WOODROW WILSON.

Mr. President, for one, and so far as America, at least, is concerned, I can not accept the view that having conquered a peace it is now necessary for us to proceed to buy a peace, and that this measure can either be advocated or defended on the theory or hypothesis that this is a war measure; that we have got to give these people whom we have conquered and who have surrendered to us a hundred million dollars to keep them from fighting us some more. If I thought that I would rather continue the war until we had them in a condition where they were not in any position to make any such demand as that, where they would be forced to concede what I thought they had already conceded—that they were conquered in this war and had to accept the terms we imposed.

It is therefore impossible for me to support this proposition on the ground that it is necessary for us to give them a hundred million dollars, after we have beaten them, in order to get them to conclude the peace for which they sued. Nor do I believe that it is necessary to appropriate this money in order to set up buffer States around Germany. I do not believe Germany is any such menace now, and I doubt if it ever has been any such menace, to the future independence of the world. It looks to me like the separatist movement in Germany has gained uncheckable force, and that probably the German Empire will be separated into many smaller States. If so, there will be no danger whatever of any war that any one of those States might wage against the balance of the world.

Mr. President, I can not think that it is right for us to send this money as a matter of charity, and I will tell the Senate why.

We must realize, Senators, that this is a mere drop in the bucket. As one of my neighbors suggests, if these people get hungry again they will want more money, and if they get hungry still more they will want still more money; and I imagine the oftener we yield to demands of that sort the more certain future demands of that character are to be repeated upon us. It is only the beginning; and the remarkable part about it is that we, who went into this war simply and solely because our flag was fired upon and American citizens were murdered upon the high seas, and who have no connection with—or ought not to have, at least—and no concern in the internal affairs of Europe, are to be called upon to bear the brunt of this proceeding over there.

I heard with care and interest the gentlemen who presented this proposition to the committee, Mr. Hoover's counsel—I think his name was Mr. Glasgow—and some other gentleman, and the Secretary of the Treasury, who lent his presence there, although he said very little.

These gentlemen said—we pinned them down to the point—that France and England had agreed to participate in this movement. We begged them to tell us how much they had agreed to contribute. They did not know. They said that Italy would do the best she could, they hoped, but she was not definitely committed. "Well," we said, "why should they not say in advance what the amount of their contribution is, before we make ours?" They said, "Well, that would not do; that would be casting some sort of a reflection on the good faith of these countries," and that we must come forward first and contribute our $100,000,000 before we even asked them how much they would give. Now, that is the plain truth about what happened and what was testified before the committee by these gentlemen.

Senators, that is an unbusinesslike way to go at it. These people over there on the ground, on the Continent of Europe and adjacent to it, certainly owe the first obligation, if anybody owes an obligation, in respect to a matter of this sort; and I think the cart is put decidedly and distinctly before the horse when we are compelled, by cable orders from over there, to say first the amount of our appropriation and to make first the actual appropriation from the Treasury itself. No one of them has taken any official action about it, and no one of them has even presented to its congress or its parliament the proposition in an official form asking for the granting of money from the public treasury.

Besides, if it be charity, Mr. President—and few men have had harder experiences in the world than I have had, and I believe there is no man in this Senate whose heart is touched more quickly and more deeply than mine is by that appeal, from whatever part of this world it comes—if it be charity, then I insist that charity begins at home. I would not be willing to vote a single dollar out of the Treasury of the United States to send to Europe or Asia Minor or anywhere else on this earth as long as there was a single suffering child in this country that needed food or needed help, as long as there was a single individual in this country, no matter whether his condition resulted from his own fault or not—and that is true over there, too—who was hungry and could not get food, who was starving and could not be relieved; and it is a fact that in all the great cities of the country, even in the most prosperous years, our people here in America starve by the thousands—usually, I admit, because of their own faults and vices.

Why, it is not so long ago since the secretary of a great committee in New York, our greatest city—I think it was only yesterday or day before yesterday—reported that in that city thousands and thousands of children died every single year, and he stated 30,000, I think—I do not want to state that certainly, because I do not remember the exact figures—as the number that had died this past year for lack of proper nutrition. I think, if we are going into this charity business, we had better send some of that money up there to relieve those poor little children who are dying from lack of nutrition.

Mr. VARDAMAN. Mr. President, will the Senator pardon me just a moment?

Mr. HARDWICK. I yield to the Senator.

Mr. VARDAMAN. I should like to have the Senator indicate what answer the Congress of the United States could make to the American people, hundreds and thousands of them, who are suffering for the necessaries of life, if they should come to Congress and ask for an appropriation of a hundred million dollars to ameliorate their suffering.

Only a few days ago I read in the public prints the account of a thousand or fifteen hundred men, including 400 recently discharged American soldiers, who called upon the mayor of the city of Boston—one of the richest and greatest cities in this Republic—demanding employment, demanding that they be given some means by which they might provide their wives and children with the vital necessaries of life. What are you going to do with appeals of that character if this money is to be sent to Europe? I grant that it may be sent there for the purpose of ameliorating human suffering—suffering that touches me very deeply—but I agree with the Senator from Georgia that charity begins at home, and until we take care of our own people I think we had better be careful about how we levy taxes upon these people for the purpose of raising money to meet the emergency there.

Mr. HARDWICK. Mr. President, I thank the Senator for the suggestion; and I had intended before I concluded these remarks to cover fully that phase of the question, or at least to do so as fully as I am capable of doing so.

This is not put by the President on the ground of charity, however. It is a political proposition, to check the spread of Bolshevism in Europe.

Mr. President, how long will it be before we shall be treated to a similar demand in this country? We have to-day our American Bolsheviki. I think Members of this body are pretty well agreed that the Industrial Workers of the World are in close alliance with the Bolsheviki, and practically represent and typify the same sentiments and the same movements; and yet we have not treated our American Bolsheviki in that spirit during this struggle.

Mr. VARDAMAN. We shoot them.

Mr. HARDWICK. We have shot them and jailed them and done a few other necessary things, I think, in order to keep them right and keep them within the bounds of the law; but we are to employ different methods in Europe toward foreign Bolsheviki.

Senators, I predict now—and I believe I can see it with the clearness of a vision that is almost prophetic in these closing hours of my service—that once you grant this demand on the ground upon which it is based, the time is not far distant, in the industrial throes that will accompany and follow reconstruction, when a similar demand will be made on you by American Bolsheviki here at home.

Mr. KING. Mr. President, will the Senator yield?

Mr. HARDWICK. I yield to the Senator, with pleasure.

Mr. KING. Mr. President, I have listened with a great deal of interest to what the Senator has said, and I assent to some of the views to which he has given expression. To others of his views I can not assent. I think the statement of the Senator, as I interpreted that statement, that the President sought this appropriation for the purpose of stemming bolshevism, and the subsequent statement of the Senator, as I interpreted it, that the money was to be given to the Bolsheviks, is scarcely warranted from the attitude of the President. Let me say that if I thought the President of the United States would give one single penny of this $100,000,000 to the murderous scoundrels

known as the Bolsheviks, who are trying to destroy all forms of government and by assassination and terror and unspeakable atrocities are seeking the destruction of millions of the Russian people, I would never vote for the appropriation.

As I understand the position of the President it is that the expenditure of this money in certain sections of Europe where there is poverty and want will enable the people who are not Bolsheviks to resist the advances of Bolshevism, to erect stable governments which will aid the purposes of the war upon which we entered, and more quickly terminate it, and enable the belligerent nations to conclude peace and pacify Europe. The accomplishment of these ends will enable us to bring back much sooner our troops to our own shores.

I think this appropriation can be justified, not upon the ground of charity, but upon the ground of its being a war necessity. It is costing the United States perhaps $100,000,000 a week—these figures are a hasty guess and may be much too high, but at any rate an enormous figure—to maintain our Army there in Europe. If this expenditure of $100,000,000 will return our soldiers to the United States 10 days sooner we will be fully compensated. It is my opinion that the expenditure of this $100,000,000 for war purposes—that is, in feeding peoples and equipping those who are fighting Bolshevism and Germany and German intrigue—the situation in central Europe will so improve that we may be enabled thereby to return our soldiers to the United States weeks if not months sooner than otherwise would be the case.

Mr. HARDWICK. Mr. President, answering the suggestion made by the Senator from Utah, permit me to say that I did not intend—and I hope the Senator will not so understand it—to put the President of the United States in any attitude. I merely read the exact language of his cablegram to the chairman of the Committee on Appropriations. If the Senator desires me to do it, I will repeat that language.

Mr. KING. Pardon me; I remember the language very well.

Mr. HARDWICK. I will not repeat it, then. The President says it is to check the spread of Bolshevism. It is to be sent to Russia. The act authorizes it.

Mr. KING. Speaking for myself, I wish some of it were to be sent to Russia and given to Admiral Colchak and to the Czecho-Slovaks, who are in the eastern part of Russia and the western part of Siberia, in order, first, to protect the Czecho-Slovaks and the Russian armies who are our allies, and also to destroy Bolshevism, or destroy its further advance to the east, and to that extent more quickly pacify Europe. Of course, I have in mind the fact that the Bolshevist military forces are in part German, Austrian, Hungarian, and Chinese mercenaries and bands of criminals, all of whom are enemies of the United States and the allied powers.

Mr. HARDWICK. If sent to Russia there is no man so wise when sent to distribute this relief who would know whether it was given to a Bolshevist or not. The Senator, expressing a desire that it should be sent there, would find that in all human probability and without any fault of administration millions of this money would go to the very people to whom he said he would not give a penny. But it is to appropriate money to check the spread of Bolshevism in Europe, and that is what the President said.

Now, when reconstruction comes in this country, when conditions here are met, when readjustment takes place, what will happen? Unless prices go down the average American citizen, particularly in cities and towns, will not be able to live; he can not earn an honest living. The clerks and smaller salaried people in all the towns and cities to-day are struggling under an overwhelming load of debt. Prices can not go down unless to some extent, at least, the cost of labor goes down with them. We had just as well face this question like men. We know that. When it happens you will have not only the Industrial Workers of the World, but the American Federation of Labor, in all probability, and its kindred and allied forces—because we have already been given official notice of that fact by its leader, Mr. Gompers—arrayed in a death struggle against the Government and against the balance of the country. They say that under no circumstances shall the price of wages go down.

In time industrial unrest, troubles of all sorts, will bring financial suffering in this country, just as certain as to-morrow's sun shall rise again and set. When that day comes it will be difficult for the Senator from Utah or any other Senator in this body who supports this proposition, no matter what reason he gives for it, to escape the overwhelming, powerful point that, having sent millions to people who are suffering in Europe, you are now unwilling to spend millions upon your own suffering people in this country.

I do not agree with the suggestion of my friend from Utah that we will save a great deal of money, because we will get our forces home sooner if we vote this money and stabilize things, because, as I see it, and I hope it will be the policy of this Government and this country, our soldiers are not to be employed and ought not to be employed in policing Europe, now that peace has come.

Mr. KING. Will the Senator yield?

Mr. HARDWICK. I yield.

Mr. KING. The Senator stated in the beginning of his remarks, and very properly, too, that he thought or hoped that there might be some agreement—that was his expression—that would reduce the possibilities of war and permit arbitration in certain matters.

Mr. HARDWICK. Yes; I said that.

Mr. KING. In justiciable matters, I suppose. The Senator also said that we should have guaranties, that we should at the peace table insist upon reparation or indemnity for certain wrongs which we had received and guaranties at the hands of Germany. Of course the Senator expects that other nations, our allies, will demand——

Mr. HARDWICK. If the Senator will pardon me, we have had no allies in this war.

Mr. KING. I recognize those people with whom we have been fighting as our allies, but if the Senator does not like the word "allies" I will say those with whom we have been associated in this great war.

Mr. HARDWICK. That is better.

Mr. KING. As I was about to say, the Senator must recognize that those with whom we have been associated are entitled likewise to demand guaranties at the hands of the central empires, guaranties of peace, guaranties of indemnity, guaranties that whatever is exacted to be done shall be performed. Manifestly we can not scuttle out of Europe now; that we must remain there at least until the terms of peace have been signed and it becomes manifest that the guaranties demanded shall be complied with.

Mr. HARDWICK. Let me say to the Senator from Utah that our own splendid response to the demands the situation put upon us has demonstrated our ability to defend our rights on the high seas so thoroughly to all the world and to avenge the wrongs committed against our people that we have furnished our own best guaranty against the repetition of any such conduct on the part of any nation on earth. No guaranty which could come from a mere agreement in writing would be one-half, yea, one-thousandth, part so potent a guaranty as that which comes from the fact that the nations of the earth know now at least that we are able to protect and maintain and assert our rights. So far as guaranties that France will get back Alsace-Lorraine and that Italy shall receive territory from the Austrian powers or anything of that sort is concerned, if it is done anywhere in Europe, I have no part or parcel in transactions of that sort myself.

Mr. KING. Will the Senator yield?

Mr. HARDWICK. I yield.

Mr. KING. The Senator knows we can not negotiate peace with Germany and with Austria until there are governments there with whom we can deal and which, at least for the time being, are competent to discharge national and international obligations. Certainly it would not be the honorable thing for this Nation and those with whom it has been associated to destroy Germany, to destroy Austria, and to leave them in a weltering mass, while the former sit around the peace table and impose terms that they are not, because they have no government, competent to discharge. It is our duty, it seems to me, to stay sufficiently long in Europe to end the war and negotiate a treaty of peace with governments de jure or de facto, governments with whom we can deal and from whom we may demand guaranties and indemnities.

Mr. HARDWICK. If I could accept the rather loose statements of my friend—and I characterize them in that way with all good temper—perhaps I could feel some of the same sentiments he has just expressed. But the fact is there are de facto governments at least, and probably de jure governments, in Germany and Austria-Hungary. The fact is they are so much governments that we have accepted their assent to the armistice terms and to an amendment of the armistice terms. The fact is further that the Senator from Utah is not asked to give this money to German or Austrian people. In fact, Senators on this floor have expressed the sentiment that they would not vote for it if a single penny of it went to Germany or Austria. So it seems to me the Senator's position is utterly untenable from every point of view.

This can not be regarded as a war appropriation. I would hate to say on the floor of this body on this occasion, that has something of solemnity in it to me, what I think the real purpose of this appropriation is; but whatever its purpose, whether it is world politics we are called upon to play with a campaign fund of this kind or whether it is charity for the Bolsheviki or to check Bolshevism, or whether for final peace that we have led our people to believe we have conquered, I can find no excuse from my point of view to support it.

Mr. President, I admit, nay, I take pride in the fact, that I am somewhat old-fashioned in my views about government. It may be said, and said with some degree of truth, that I belong to a somewhat old-fashioned southern school. I believe in a written Constitution. I believe in a strict interpretation of it. I believe in a government of delegated powers. I believe in the dual system of our Government. I believe in the great doctrine of local self-government. I believe that Washington and Jefferson, and all of the fathers of the Republic, were right when they builded and that they builded aright, and I believe that unless we leave and abandon this mad saturnalia of imperialism and autocracy here at home and return to the ancient principles of our fathers there will be no safety nor happiness for the people of this Republic.

The Senator from Virginia [Mr. MARTIN] in opening this debate pointed out the fact that on six or seven different occasions the Government of the United States in the face of great national calamity abroad, and of great disturbances here once or twice, I think, has contributed money out of the Public Treasury that belongs to the taxpayers of the United States to relieve human suffering. Mr. President, it is needless for me to say that on no one of those occasions, since my service of 16 years in the Congress of the United States has continued, have I ever given my assent to the soundness or correctness of that view.

To-day, when I am perfectly disinterested and when I have no motive on this earth to serve except that of truth as I see it, to help the American people and the American Senate, if I can, to the limit of my poor power, I would say that if I had ever supported such a proposition I had erred and erred grievously, because, while charity is all right, charity ought not to be indulged in by the Federal Government under any circumstances. The local governments can do it under forms of law through their poorhouses and poor rates, and through their intimate acquaintance with persons and individuals enable local administrators to deal out relief which suffering humanity requires with discrimination; but for the Federal Government to embark on an enterprise of that character is foreign to the purpose for which it is created and can never lead to anything but mischievous results.

If we are going to contribute the money of the taxpayers of this country by the hundreds of millions of dollars to relieve organized Bolshevism in Europe, or calamity anywhere else on this earth, then we are forcing the men of substance of this country, through the machinery of taxation, to give their money in charity instead of letting them exercise their own option about it. It is not a proper function of the Government to do it. Charity begins at home. If we ought to appropriate to relieve human suffering and take the charity proposition abroad, whoever again in this body can withstand the cry that we are bound by every law of fairness and justice to our own to first relieve the human suffering in this land of ours? Who can dispute it? Who can withstand it? Who can deny it? Who can resist it?

When we do it we have surrendered the very citadel of individualism to socialists and to anarchists and to the Bolsheviki. When we say that men who have labored and toiled and denied themselves in order to accumulate substance and to insure happiness for their families shall be compelled under forms of law and by the machinery of the Federal Government to give up their plenty to those who have not, you have at last reached the era of a common state and of a pot into which every man's assets are thrown, that are advocated by those very people whom you say you are fighting.

Mr. KING. Will the Senator yield?

Mr. HARDWICK. I yield.

Mr. KING. If I vote for this $100,000,000 appropriation, I shall do so very reluctantly, but if it were to be rested upon the ground of a charity I should not vote for it. I share the views of the distinguished Senator from Georgia. If it can not be based upon the ground that it is necessary for war purposes and as a necessary means for terminating the war and thus sooner returning our soldiers, then, in my view, it can not rest upon any ground that is defensible.

Mr. HARDWICK. I thank the Senator for that statement. It but confirms the high opinion I have for both his intelligence and his integrity.

Mr. President, I have undertaken to give to the Senate at greater length than I expected the reasons which led me to oppose this proposition. Permit me now for about 5 or 10 minutes at the outside to say a few words that are more or less personal in concluding what shall probably be, as far as I can now see, my last address of any length to this body, at the conclusion of a public service of 16 years in the Congress of the United States.

During the troublesome war period from which we are emerging I have had many serious and grievous differences of opinion with a majority of my associates on this floor and with distinguished officials of the Government outside of this Chamber. When we entered the war I believed with all the fervor and strength of my nature that a democracy could fight a great war without surrendering its cardinal and fundamental principles. I believed that free government could wage a great war as successfully as a despotic and autocratic power could. Therefore I was unable, with the utmost love of this country in my heart, to support such propositions as an enforced military service across the sea. I believe that our people under the volunteer system would have given to the flag and to the country an ample support, and I knew that if we had the same percentage of volunteers in this country that Canada furnished and that Australia furnished we should in less than three years raise an army of 5,000,000 Americans to defend the honor and the flag of this country.

Other Senators felt otherwise and still feel otherwise on this question. With them I have no quarrel, because their view is just as honest as mine. It is merely an honest difference of opinion. I believe with all the force and fervor and power of my nature that it was unnecessary to undertake to write price control into the statute and to have food control in this country, and I therefore opposed those propositions. While I do not like to put myself in the invidious position of saying "I told you so," I do say when you come to pay the bills for 1920 wheat you will wonder if it would not have been better to rely on our laws against forestalling trade, engrossing, and profiteering, to provide millions, if necessary, for the enforcement of those laws, and to strengthen them to the utmost limit of the power that resided in the Congress of the United States for that purpose, rather than undertake to reverse every economic law, to undo every economic principle, and to fly in the face of every economic truth established by the history of the world.

Mr. President, I have some feeling upon this question. It is not personal. It is wholly impersonal. Whatever my career in this body has been, no living man can truthfully say it has not been an honest one; that it has not been an open one; that it has not been a frank one; that it has not been a fearless one. I have felt that I have stood for great American principles. I have felt that I stood for great American fundamentals. I have felt that the fathers of this Republic builded aright when they laid its foundations on what I regard as principles of eternal truth, and I pray that the Senators who will remain here after I have gone, and who are to meet the responsibilities of a new and, if possible, graver hour when this period of reconstruction shall come, will return once more to the ancient principles of the fathers, for therein lies the only hope of honor, safety, and happiness for the people of this Republic, that we all love.

Mr. PENROSE. I submit the following amendment to the pending bill, to which I earnestly invite the attention of the Senator from Virginia having the bill in charge. If he would accept this amendment, it would make it comparatively easy, in my opinion, to get a reasonably unanimous support for the measure.

The chief opposition to the measure is the lack of information which the Senate has as to the needs or the purposes of this very large appropriation, just about the time when the slogan appeared to be "retrenchment and economy," and the loose, irresponsible, and nebulous way in which it is to be administered.

I offer this amendment as a further proviso, at the end of line 10, page 2 of the bill, and I ask the Secretary to read it.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. After the words "already adopted," at line 10, page 2, insert the following additional proviso:

And provided further, That the President shall appoint, by and with the advice and consent of the Senate, three commissioners, who shall receive an annual salary of $10,000 and traveling expenses, to administer and defray all expenditures authorized by this act, under the direction of the President.

Mr. PENROSE. Mr. President, no Senator, I take it, has any objection to making an appropriation for any amount to be expended by the President if the President actually superintended

the expenditure. But such is not the case, and can not be the case. It is impossible for the President to attend to the many matters he has undertaken to do and superintend the distribution of these funds. During the war period we made such appropriations, and what was the result? We had the delegation of the presidential power reposed in the hands of unknown and irresponsible autocrats, holding no obligation of an official oath to the Government, with no defined power and status, and expending millions of dollars. Hence the aeroplane scandal; hence the universal complaint against the fuel autocracy and the food autocracy.

These abuses and evils, Mr. President, were tolerated during the war, when every patriotic citizen was willing to send his son to Europe to make the supreme sacrifice, if need be, and to the limit of his ability not only to pay the taxes but to subscribe to the liberty loans. We are drawing rapidly, I hope, into a condition of peace, the Army is being gradually disbanded, and why should we not again proceed to administer the affairs of the Government in an orderly way?

I shall not discuss the qualifications of Mr. Hoover, but he certainly has no relation to the American Government or no official status to arouse any degree of confidence as to how he shall expend this money. How can he be called to account for it? He may never return to the United States. He has been living in England all his life; he owns a palatial establishment there; and more than likely, with the close of the war, he will resume his residence in that island among those congenial foreign surroundings. His name was never sent to the Senate as food administrator.

Mr. President, I do not exaggerate when I state that among the tens of thousands of business men in Pennsylvania, retail merchants in every trade, dealers and jobbers in every commodity, there is a universal outcry of dissent against the administration of the Food Department during the war period. Vexatious and harassing rules and regulations were issued continually, only to be revoked within a week or ten days, on account of their very absurdity. I know what I am talking about when I state that not only in Pennsylvania but from the Atlantic to the Pacific Ocean the condemnation is universal.

If this amendment is accepted by the Senator from Virginia [Mr. MARTIN] and is adopted by the Senate, I believe that nearly every Senator can afford to vote for this bill. I have no information as to whether this appropriation is needed or not. I talked to a Member of the other House yesterday who has been three weeks in Belgium and who is a careful observer. He told me that food was abundant in Belgium and that the prices were not very much higher than they are at the average hotel in New York City or in Washington, probably not so high as in some of the hotels in Washington.

Just how the money is to be applied we are entirely in the dark about. However, I will not argue that point. I am willing to trust the President, who has by wireless telegraphy in some vague way informed the Congress that the money is needed and can be profitably spent; but I do object, Mr. President, to having a nonresident of the United States, who may never return to this country again, to be within reach of a subpœna of Congress—and there will be subpœnas after the 4th of March, Mr. President, issued to the heads of departments—made the trustee of this fund.

I have no sympathy with the proposition that the money shall be expended by some international agency. I have not, Mr. President, made a sufficient advance in the direction of a league of nations to feel that the money of the American taxpayer should be spent by anybody but American officials; and I have no sympathy with the proposition that it is to be expended under the authority of delegates from England, France, and Italy, and, for aught I know, from Siam and Montenegro, under the sympathetic supervision of Mr. Hoover, who can hardly claim to be an American and who may never return to this country.

That is what the American people criticize. My mail is laden every morning—and in the last three or four days it is beginning to rise in quite a strong tide—with expressions of sentiment against the pending revenue bill. People argue, Why should the taxpayer have these enormous and burdensome taxes, which threaten the stagnation of industry, if not its paralysis, imposed upon them if we are to indulge in every absurdity that enters the brain of the theorist and the impractical bureaucrat? If there is starvation in Europe, this hundred million dollars will be but a drop in the bucket; if there is no starvation there, it is simply an appropriation to bolster up and exploit the activities of Mr. Hoover and of some other unauthorized agencies.

In my opinion, Mr. President, within a not unreasonable time there will be sufficient food in Europe for the populations there, except in those countries where the Bolshevik spirit prevails, where lawlessness and riot abound, and where the people are too demoralized and lazy to take advantage of the resources of the country, and the quickest way to cure that condition is to let it run its course.

I think the amendment, Mr. President, speaks so entirely for itself that I shall not detain the Senate by speaking at any length. The fact remains that, notwithstanding we have no information concerning the necessity of this appropriation, notwithstanding the fact that it is only the forerunner of hundreds of millions of dollars more that are coming along for a lot of fantastic projects, I still would be willing to vote for the measure—and I believe a considerable number of other Senators would be willing to vote for it—if it is safeguarded in some way along legitimate lines. Therefore I sincerely hope, in the interest of the measure itself, that the Senator from Virginia will accept this amendment.

Mr. HOLLIS. Mr. President, there are several ways of opposing a bill in the United States Senate. One is by a frontal attack; one is by a flank attack; and one is by poison gas. I refer to poison gas because the distinguished Senator from Pennsylvania [Mr. PENROSE], who honors us with his presence here to-day for a few moments, has referred to the subpœnas that will be issued after the 4th of March. I believe subpœnas will be issued. I know subpœnas have already been issued for Mr. Hoover, and that Mr. Hoover has already testified at considerable length before a distinguished committee of the Senate.

The flank attacks that are made by amendments to measures pending here are sometimes made by friends of the measures. We had an instance only last week, when the salaries of judges in the Federal courts were placed by their friends so high that the passage of the bill would not have been secured had they not been reduced.

Frontal attacks I have no objection to, and I am certain that when this bill comes to a vote on the merits it will be successful. Personally I was very sorry when the amendment, offered with the highest motives, by the distinguished Senator from Massachusetts [Mr. LODGE] was adopted, for I can not myself see the difference between feeding a starving enemy after the war is over and feeding a starving friend. The Germans are referred to, and justly so, in terms of the bitterest hate. They are called murderers and poisoners and violators of women. The charges are true; but there have been men who have been guilty of those things in the United States, who have been duly convicted by juries, and who have been executed; but we do not starve such men. We feed them; and, as the Senator from Ohio [Mr. POMERENE] suggests, we do not starve their families. We feed them, and then put them to death in as dignified a way as the law can invent.

I was on the Argonne front when the armistice went into effect. I heard the last guns fired there. I went out with the commanding general when the dead were still lying on the ground, and we met——

Mr. PENROSE. Mr. President——

Mr. HOLLIS. I decline to yield.

Mr. PENROSE. The Senator just made a misstatement about me, and I did not know whether he cared to have it contradicted.

Mr. HOLLIS. Well, the Senator can contradict it in his own time.

Mr. PENROSE. I will take the opportunity to do so.

Mr. HOLLIS. I decline to yield at this time.

We met 200 German prisoners being brought in from the front. These were the murderers and the poisoners and the violators, if such they be; but those men were not starved to death; those men were fed and fed liberally; they were probably fed better than they had been fed for weeks.

If Germans are to starve it will not be the men who are responsible for this war. The men who are responsible for the war and its infamies are getting well fed three times a day, and they have been well fed all through the war. The ones who are to starve are the poor people who were misguided and misled, the people who have suffered, the people whose families have been in poverty, and whose brothers and fathers and sons have been killed because of the misguiding on the part of those responsible for the war. I am, therefore, sorry that the amendment offered by the Senator from Massachusetts, and accepted, was put upon the bill, because I can clearly see that money expended even in Germany might do very much to put down the rising terror of Bolshevism and to bring the war to an earlier conclusion.

There have been several interallied councils in Europe during the past few months. There have been councils on finance, on shipping, on food, on war trade, on war industries, munitions, and war operations. It was not until we had a supreme interallied council on war operations that the war was brought to a successful close. After the armistice was signed these various interallied councils for the conduct of the fighting came

to an end and a single supreme council on relief and supplies was created. The President of the United States appointed two members to represent this country on that council. France, England, and Italy also appointed members to that supreme council. England appointed Lord Reading, the ambassador to the United States, and one of the greatest, most efficient, and most trusted of English statesmen. The other English member was Sir John Beale, about whom I do not know. France appointed M. Clementel, the minister of commerce, one of the leading members of the Clemenceau cabinet. The second member was M. Vilgrain, whom I do not know. I have forgotten the names of the Italian members; but the two members appointed by the President were Mr. Hoover and Mr. Davis.

There has been considerable difference of opinion in the Senate about Mr. Hoover. I never met Mr. Hoover personally until last July when he was in England. I think it is safe to say that there is no American who enjoys more the confidence of the people of Europe than does Mr. Hoover. In this country Mr. Hoover has done a great work. I think it may be subject to some just criticism, but Mr. Hoover has succeeded in making economy fashionable in the United States; he has got the people to save food voluntarily, without compulsion; and I think the people of America will have confidence that Mr. Hoover will spend this money properly and justly. I do not apologize for Mr. Hoover, and he needs no defense from me.

I do know intimately Mr. Norman H. Davis, the other man appointed by President Wilson. Mr. Davis is a native of Tennessee, and his brother was elected a Member of Congress from Tennessee in the last election. Mr. Davis is a prominent banker in this country, and he is known to prominent bankers all over the world. He has been working in the Treasury Department for the last 16 months as an expert on foreign exchange and foreign loans. He went to Spain in the month of August as special financial commissioner from the United States to arrange a loan in order to bring the Spanish rate of exchange back as nearly as possible to normal. He borrowed 250,000,000 pesetas from the Spanish banks at 5½ per cent. The Bank of England tried to borrow pesetas in Spain a year ago next spring and failed. The French borrowed money there, paid 8½ per cent, and took one-third of it in wine and fruit, which they did not need. After Mr. Davis succeeded in making this loan in Spain Lord Cunliffe, the president of the Bank of England, stated it was the best piece of financial work that has been done in Europe since the war began. Mr. Davis is a trusted representative of the United States Treasury. I do not know the facts about it, but I think he was appointed purposely so that our money would be carefully safeguarded.

I am aware that there has been a feeling among some of the Senators that our public men in Europe were somewhat free in their expenditures. There may be some justice in those charges in some cases; but when a great war is on you can not be too particular about expenditures. War is a most extravagant and expensive business at best. I do not think Mr. Hoover would be unduly extravagant with this money, but I know that, so long as Mr. Davis is associated with him, the money will be wisely and humanely disposed of.

There is great necessity for food in central Europe. As soon as the war was over it was found that one of the controlling causes for bringing about the armistice was the lack of food in Germany, in Austria, and in the surrounding countries. The armistice was signed, and the cry went up all over Europe that people were starving. What was this country to do in that condition? The President told Mr. Hoover to furnish food. Mr. Hoover was informed that in Vienna there was money available so that he could sell wheat that belonged to the food corporation. He did not trust to that report but sent an agent immediately, at some risk to his life, and the agent reported that the statement was not true; that they could not pay for it. There was no money at the disposal of our President or our Government with which to buy food to send them.

England and France work on a different basis. They have money at their disposal for emergencies. The Cabinet has money that it can spend, and it had money to spend at that time. Mr. Hoover's position was that so long as 80 per cent of the food was coming from the United States, the United States should have the control and direction of where the food was to go; but it appeared that France and England were the only Governments at that time that had money to furnish to pay for this food, and it appeared that England was in control of the ships that must be used to send the food to Europe. So a cooperative plan was worked out, and Mr. Hoover was invited to become the director general of the interallied council. Whether Mr. Hoover be worthy or unworthy, our associates in Europe believe that he is worthy, and with any other representative on that council it is sure that the director general would not be an American; that is, I feel confident of that.

I have talked with those who have informed themselves about the wheat supply, and I am satisfied that there is a very large surplus of wheat now in the world. It has not been possible to bring the wheat from Australia or in large quantities from the Argentine during the war. Wheat in Australia has been rotting, has been spoiling. It is practically worthless because of lack of transportation. As the English send the Australian soldiers home they will bring back wheat as a return cargo. I can not see why the price of wheat will not drop sharply as soon as that wheat begins to come into the market. At present we can sell to our allies American wheat at the prevailing prices, before the Australian and the Argentine wheat gets to Europe in large quantities. I feel that it would be a mistake on the economic side not to take advantage of selling our wheat in Europe at present prices in as large quantities as we can. In that view of the matter this is not all outlay. There are some savings.

We are now obliged to pay the farmers of America $2.26 a bushel for all the wheat they raise this year. I do not know the figures, but I am satisfied that when the wheat is turned in to the Government and we buy it next year there will not be roofs enough for us to put it under. It will have to lie out in the open and spoil. I believe it is a good financial proposition to sell this wheat to Europe now, at the prices that prevail, rather than to keep it at home, allow other wheat to go in from the Argentine and from Australia, and the Government have to make up the difference to our farmers, as they are pledged to do.

I believe this amendment is offered with a view to delay and with a view to humiliating the President of the United States. The President went to Europe, and many people were opposed to his going. I myself had some doubts about the wisdom of it; but after I saw the reception that he received in Paris, after I saw the very large influence that his personal presence gave to the United States, I had no further doubts. He is on the spot. He knows whether or not suffering people are to be fed. I have no doubt it is intolerable to him, as it is intolerable to me, to think of a surplus of wheat in this country and starving mouths in Europe and not do his utmost to bring those two together. No humane man can stand out against that. My heart is touched, as much as that of the Senator from Georgia, when I think of people starving in this country. I believe there will be propositions in this Senate to relieve starvation in this country before the spring is over; and I hope they will come up before my term ends, so that I can vote for them, because I am that sort of a radical. I do not believe it is ever excusable to allow anyone to starve in the United States of America; and I hope the time will come when no one ever will be permitted to starve anywhere in the world, friend or enemy.

Other countries are not waiting for their parliaments to vote these supplies. Other countries are not waiting for commissioners to be appointed and ratified by senates or parliaments. The organization is already perfected. Mr. Hoover and Mr. Davis are on the ground, and have been on the ground for weeks and months. They have their plans started. They are already feeding some starving people. We have all had some experience with the ratification of appointments by the President of the United States; and if this amendment should be adopted, and the President should appoint these men immediately, I have no confidence that the nominations would be acted upon within weeks, and meanwhile hundreds of people are starving while we talk about this bill. I do not know their names, I do not know just where they live, but I am satisfied of that. This proposition to have commissioners appointed by the President and ratified by the Senate is not made, I fear, in the interest of facilitating the feeding of people in Europe or even in the interest of economy.

I think I have covered all the points that I intended to cover. Now, if I may yield to the Senator from Pennsylvania, I shall be very glad to right any injustice or make any explanation.

Mr. PENROSE. Mr. President, I shall claim the floor in my own right when the Senator is through.

Mr. HOLLIS. I yield the floor.

Mr. PENROSE. Mr. President, the Senator from New Hampshire has adopted an attitude toward the brief remarks I made which is only excusable on account of the fact that he has not been in the Senate for nearly half a year, and therefore can not be supposed to be in any close touch with the temper of the Senate or of the American people on many of these questions. He has been going as a tourist over the battle fields and through the ancient towns of Europe, and I hope has been enjoying himself while he has been on that visit. During that time, Mr. President, I have been in Washington every day, not missing a single day, working very hard from 9 or 10 o'clock in the morning until 6 or 7 o'clock in the evening, on the revenue bill and other measures, in committee and on the floor of the Senate; and it is only the Senator's ignorance, due to his absence, that

justifies him in making that slighting reference to the fact that I am only here for a few moments to-day.

I do not know whether the Senator considers a legitimate investigation, free from malice and prompted only by patriotism, as partaking of the qualities of poison gas or not. I do not know whether he views with any apprehension an investigation of that colossal scandal, the squandering of six or seven hundred millions of dollars in the aeroplane transaction. I do not know whether or not he would like to cover up that transaction and have the American people forget it. Is he afraid to turn on the light? Does he brand a legitimate investigation, free from malice and prompted only by patriotism and a desire to bring the guilty to justice, as partaking of the methods of those who use poison gas? I fear, Mr. President, if that is his view, he would like to suppress investigation of the $700,000,000 scandal in the aeroplane transaction.

The Senator may have heard when he was in Europe how Pittsburgh soldiers were ordered over the top and slain in battle, never having had a rifle in their hands until the morning when they were ordered to advance upon the enemy. Does he call an investigation, when those in power are able to make it, of the reason why those brave boys never shot a rifle in their lives until they walked up to slaughter, where the Germans killed three Americans to one of their own who fell. Does he call a legitimate investigation of that gross inefficiency of the War Department partaking of the methods of poison gas? If he does, I fear that he also wants to suppress any investigation of inefficiency which resulted in the delay of the war, its continuation, and the slaughter of thousands of Americans unnecessarily. I do not know what he means by his suggestion, but I, for one, know that when the Pittsburgh soldiers return to this country they will demand to know the reason why they were ordered over the top practically without rifles, because they had never shot a rifle until ordered to the charge.

Does the Senator wish to suppress, and brand it as partaking of the nature or the methods of poison gas, the investigation of the Ford ships, which every shipbuilder in America pronounces to be failures and hardly capable of keeping afloat upon the ocean, an investigation now being conducted by the Naval Affairs Committee? Does he brand that legitimate investigation, conducted under Democratic auspices, as partaking of the methods of poison gas? Perhaps he also wants to protect Mr. Ford in the questionable transactions involved in the construction of these vessels.

Does the Senator brand the investigation of Hog Island, with its extraordinary and colossal extravagance, and the very mysterious discrepancies between estimates and expenditures, running away into the millions, as partaking of the methods of those whose use poison gas, or does he want to suppress any investigation of the malefactors, if there be any, involved in the Hog Island transaction?

I do not know what the Senator means by branding investigations universally demanded by the American people, and as inevitable as the sunrise, as partaking of such methods, unless he secretly has friends to protect.

The Senator says this amendment is aimed to humiliate the President and to delay the relief of the sufferers in Europe. Mr. President, the President can send his nominations by wireless communication to the Senate to-morrow, and I have no doubt the nominations will be confirmed on the same day. I do not understand that any Senator is particular as to the personnel of the commission; but I only have in mind, as far as I am concerned, the desire to have the money spent in an orderly way by commissioners or other officials who will be responsible to Congress and within the reach of Congress. A hundred million dollars, Mr. President, is no little sum; and if the generosity of the American people prompts them to give it for the relief of the people in Europe, my only desire is to have it spent in a legal and an orderly way, and not by men who are half foreigners and who may never return to the United States.

It is no argument to my mind that any other commissioner than Mr. Hoover would not be selected as chairman of the international commission. Let them select whatever chairman they may desire, but let America's contribution be distributed on behalf of America by Americans and according to America's constitutional and legal methods.

Mr. HOLLIS. Mr. President, I see that I owe no apology whatever to the Senator from Pennsylvania. I rather owe him admiration, encomium, for his skill in the very form of attack to which I directed attention.

I have not tried to shield anybody. The Democratic administration has not tried to shield anybody. Mr. Hoover has been investigated. The airplane scandal, to which the Senator refers, has been investigated. The Hog Island Shipbuilding Co. has been investigated. Everything has been investigated; and it is one of the cruel things to one who returns from Europe, where America has been given very large credit for winning the great war, the greatest the world has ever seen, where American soldiers have proved their bravery on field after field, and have gone up against the guns not always as well supplied as I wish they had been.

There will not be any attempt to shield anyone. There has been no attempt to shield anyone. The various things that the Senator has mentioned have already been investigated, and adverse reports have been returned by Democrats in some of those cases.

Mr. NEW. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Indiana?

Mr. HOLLIS. I do.

Mr. NEW. The Senator from New Hampshire says that the aircraft matter has been investigated. True. I am reminded that certain recommendations were made by Mr. Hughes, for instance, who made that examination at the request of the President. Those recommendations made by Mr. Hughes included one that a court-martial should be instituted, and should make investigations involving the conduct of certain individuals. I should like to ask the Senator if it is not true not only that that court-martial never was instituted but that the persons referred to were pardoned in advance of hearings, or acquitted, at least, in advance of hearings, by the official action of the Secretary of War?

Mr. HOLLIS. I think part of what the Senator says may be true. I am not informed as to whether it is all true or not. A report was made by Mr. Hughes, a very distinguished Republican. Whether or not the Democratic administration saw fit to carry out all of those recommendations I do not know. I should not be surprised if they had seen fit not to carry out some of them. My reference was to the threat contained in the speech of the distinguished Senator from Pennsylvania that they wanted a man to spend this money in the United States who would be subject to a subpoena after the 4th day of March. I will say, for the benefit of those Senators who do not know it, that it looks as if the Republican Party will have control of both branches of the Congress after the 4th of March; and if they succeed in forcing an extra session they probably will go to investigating very thoroughly; and if they do, and if they achieve their object, America will lose a very large part of the credit she now has all over the world for performing a very large thing in a very large, creditable, and efficient way.

Mr. JOHNSON of California. Mr. President, my first reaction upon reading this bill was quite persuasive. To take from our store and feed the world's hungry, to alleviate distress and want, to succor those who were suffering, and generally to be the good Samaritan to all on earth, appealed to every instinct of charity and benevolence. But as the debate proceeded and explanations which did not explain were offered by those supporting the measure, and finally when we were told, as we were yesterday, with the same old warnings with which we became familiar during the war, that we must pass this bill because it was demanded, and dare not do otherwise because we were requested, it seemed to me that the position originally presented was somewhat modified. It seems as if now, after the war, the same old push-button methods of legislation, with the same old rubber-stamp approval by Congress, are to be invoked, just as they were invoked during the time of stress and the time of crisis in our country's history. And then, when yesterday I heard the statement of the Senator from Oklahoma [Mr. GORE], who presides over the Agricultural Committee, and when I heard that statement in unqualified terms tell some of the purposes of this bill as detailed in testimony before the Agricultural Committee, the sentimental aspect of the measure was changed, the tugging at my heartstrings by appeals to feed the hungry of the world ceased.

In order that I may preserve it and that I may reiterate it, I read what the Senator from Oklahoma yesterday solemnly declared upon this floor in respect to this measure. I know naught of the facts except such as then in open session were presented, but this is what he said:

> I may say that Mr. Taliaferro, who appeared before the Committee on Agriculture this morning, the vice president of the Hammond-Standish Packing House Co., of Detroit, stated that England has imported a great deal of salted meat, which was not grateful to the appetite of the English people; that they were now not willing to consume it and would not consume it; that it was the purpose to sell this salted meat to the people of southern Europe, to whom it was palatable and who use it, I think, in cooking vegetables; and that the English, by disposing of this surplus supply of salted meat on hand, would create a market in England for more palatable meat.
>
> He also stated that this $100,000,000, he understood, was to be used by Mr. Hoover in creating a market in Europe for packing-house products and stabilizing prices of packing-house products so as to protect the packers of this country against loss. That is the substance of what he said.

And then the Senator from Oklahoma put in the RECORD the testimony of Mr. Taliaferro, found at page 1746 of the RECORD, and to which I invite the attention of this body.

Mr. JONES of New Mexico. Mr. President——

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from New Mexico?

Mr. JOHNSON of California. I yield to the Senator.

Mr. JONES of New Mexico. The Senator has just referred to the assertion that Mr. Hoover is undertaking to protect the packing houses on account of the products which they have purchased and which they hope to supply to the European countries. I should like to inquire if the Senator has investigated the question as to the policy which has previously been adopted of increasing the food products of this country, and especially the meat products of this country?

Mr. JOHNSON of California. Mr. President, in reply to the Senator I will say I have read what was stated by the chairman of the Agricultural Committee upon the floor of the Senate yesterday. Beyond the facts that he related I have not investigated the subject, and I know nothing concerning it. I was reciting what he then related.

Mr. JONES of New Mexico. I think this is an illustration of the evil which comes from statements that are partly true. It is well known that in order to increase the pork products of this country a price for live hogs in the general market of the country was practically fixed by agreement, and that in order to enable the farmers of the country to increase the pork product at a reasonable cost and to increase the production of pork it was necessary to do that very thing. So the price of live pork was fixed at 17½ cents a pound, and that price yet prevails.

Mr. JOHNSON of California. Mr. President, I am perfectly willing to yield to the Senator for anything in the nature of a question, but I do not desire to yield for the presentation of an argument or a speech by the Senator.

Mr. JONES of New Mexico. Then I shall propound my question. If that be true, is it not wisdom for Mr. Hoover to undertake to maintain that price and to sell those products at that price and thus prevent any loss to the United States Treasury?

Mr. JOHNSON of California. If the Senator propounds to me a query as to whether or not it is a good thing to vote $100,000,000 under the pretense of relieving starving people for the purpose of increasing prices for packers, I answer him unqualifiedly no. If he challenges the facts related by the chairman of the Agricultural Committee, I must leave him and that chairman to determine just exactly what the truth of the situation may be. Yesterday it was stated upon this floor, and the remarks of the chairman of the Agricultural Committee were not challenged at all, and my remarks to-day related to exactly what he said then and nothing more.

Mr. President, during the war I voted for many things upon the theory that those in command said that they were necessary for the successful prosecution of the war. I was very glad to do that in every instance where the Commander in Chief thus conveyed his views to us, and I have no apology to make for having pursued that course during the prosecution of the war.

But, Mr. President, the war is ended, as the President has told us on three different occasions. No longer is it necessary upon the mere statement that something is desired to pass legislation without the usual safeguards and without the usual information; and, so far as I am concerned, I shall not, upon the mere ipse dixit of any official, no matter who he is, hereafter vote for legislation without a full disclosure of its purposes and of all the facts upon which it rests and a full knowledge of every detail concerning it.

Mr. President, in Europe to-day we are creating a multitude of small nations, the very names of which not five Members upon this floor had ever heard before we entered the war. To-day we are building Esthonia and Ukrainia and Lavonia and Lithuania and creating a new Poland and Finland, a Jugo-Slavia, and a Czecho-Slavia, a Syria, an Albania, a Montenegro, an Armenia, and various other nations, the props of all of which we are told are to be in the future American bayonets.

While building castles in the air in Europe, Mr. President, let us make firm the foundation of our house at home.

Mr. PENROSE. Mr. President——

Mr. JOHNSON of California. I yield to the Senator.

Mr. PENROSE. In the very interesting list the Senator from California gave, I regret very much that he made an omission, and in order that no feelings shall be hurt in international relations, I would suggest that he include the Sultan of Hejaz.

Mr. JOHNSON of California. By accident I omitted that particularly interesting race, and doubtless others have escaped me.

Mr. PENROSE. That potentate ought not to be overlooked, because it might lead to an interruption in the amity of nations and the concert of humanity.

Mr. JOHNSON of California. Quite so. It will be necessary for us to maintain that nation—I dare not pronounce it—with American bayonets, too.

I suggest that while we are building these castles in the air in Europe we make our foundation at home firm. Must our whole thought, our whole energy—indeed, our great resources—from now be devoted to Europe and perhaps Asia?

I insist, Mr. President, that it is time for an American policy. It is time for an American policy, for American business, for America's social life, for America's economic life. It is time for an American policy for American boys and American soldiers.

On Saturday evening last I listened to the perfervid orations here in behalf of this bill, all of which made appeals to our sympathy, appeals to our charity, and appeals to our benevolence. While I was listening to the eloquent gentleman then speaking in behalf of this bill, I had before me a copy of the Washington Times of that evening which described 300 American soldiers in Boston, Mass., just discharged, marching down the streets of Boston to the office of the mayor of that city and begging for employment there. I recalled the press dispatch of that week from the city of Seattle where the miserable I. W. W.'s were engaged in a demonstration which was dispersed by the police, and where after the dispersing of that demonstration it was found that among the outcast I. W. W.'s were soldiers and sailors of the United States who were being fed by the I. W. W.'s, and who were without resources or money or food. I recalled that only a brief period ago Frank Morrison, of the American Federation of Labor, said that by May next we would have in this country bread lines.

As I recalled all these things during the debate upon this bill, and as I remembered that we were asked to pay $100,000,000 to those abroad who might require food, I thought of America at this time and of the cloud on the horizon which is perhaps no bigger than a hand to-day, the cloud of unemployment which may in the next few months swiftly engulf this country and present an issue such as never before has been brought to our door.

So it is, Mr. President, that I ask for an American policy. Before we start on this tremendous enterprise of feeding indefinitely, in a manner not described, upon facts which we do not know, all the peoples of Europe I would ask something that would provide for the men who made the fight abroad, the men who come home to be demobilized, and who in this country to-day after the struggle and after bearing the burden and making the sacrifice find themselves without employment.

Remember, Mr. President, we took the jobs of these men by force. We took them when they did not wish to go, by the inexorable draft law and by the strong arm of the Government. We took them forcibly from their very jobs, and now we leave them jobless after they have borne our burden and bravely done their part.

The peculiar psychology of war is still with it. We yet see red. Our intellects are absorbed and overwhelmed with battle fields and the countries wherein the strife has been fought or where it has been most intimately felt. We are apparently blind to passing events, to crying necessities in our midst. We have been afflicted so long with a mental farsightedness that we are unable to discern what is immediately before us. But unless we readjust our vision, unless we clearly perceive and hasten to remedy what appears with portent in our country, our people will pay the price of our remissness. To-day it may appear as but a small threatening cloud of unemployment, but with each passing day it is ever increasing, and were we wise we would prevent the breaking of the storm.

On January 10 we were told in the testimony before the Committee on Education and Labor of the Senate, by William E. Leiserson, chief of the Labor Department's administration bureau, and other witnesses, that unemployment in American industrial centers had steadily increased during the last four or five weeks because of the actual cessation of industry. "All industries are apparently holding off to await the trend of prices." L. K. Frank, of the Labor Department, stated: "Employers think labor prices should be reduced, but are afraid on account of unrest and strikes to cut wages. On the other hand, buyers are holding off purchasing, expecting price reduction. The effect is cumulative."

The Iron Age in a recent number puts it: "Consumer and producer are each settling down to a contest to tire out each other." In the steel and the iron trade, in the woolen and cotton mills, among the shoe manufacturers, as well as the copper industries, activity is slackening. When orders on the

books are completed industry will slow down even more rapidly. Manufacturers and other users of raw materials will not purchase at present prices, fearing ruin if prices go lower.

Only a fraction of our armies have been demobilized. I listened yesterday to the astounding figures given by the Senator from South Dakota [Mr. JOHNSON] of the number of unemployed at present. With business shackled, with a taxation positively crippling it, with its timidity and fear of the future, we may well shudder at the possibilities of unemployment in the near future.

Can we not see these things, or has war set us upon the clouds, where with iridescent dreams we are dazzled with the brilliancy of the distant rainbow? The solution may be difficult, but we can at least make the immediate endeavor. And our first duty, our first appropriation, our sustained and united effort, should be devoted not to increasing by $100,000,000 the burdens of our business but by devoting every ounce and every dollar to relieving our own.

Mr. WEEKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from Massachusetts?

Mr. JOHNSON of California. I yield.

Mr. WEEKS. I call to the attention of the Senator from California that what he is now suggesting was attempted as long ago as last September, not as early as it should have been done, but a definite proposition was then introduced and submitted to the Senate and is now resting in the Committee on the Judiciary to provide work for the demobilized soldiers and the demobilized war workers.

Mr. JOHNSON of California. If there is a proposition which in its essence presents a solution of this difficult problem it should be on the floor of the Senate to-day, and the appropriation that is necessary to carry it into effect should be passed before we undertake to feed all the peoples of the world, or before we undertake to tax our own people in any definite fashion for a purpose that is not wholly disclosed, and concerning which the facts are lacking. Our business is entitled to nothing less than that, and duty and obligation demand from us that these men who across the sea have performed their task and done their duty shall be taken care of.

Mr. President, I repeat I want first an American policy for American boys and for the land in which we live, and when that policy shall have been adopted and shall have been passed and put in operation, I will join you in any appropriation that you want for anything in Esthonia and Lavonia. I will join you in any relief measures that you may desire for Lithuania and Finland. I will join you, then, in any act that you may think necesary for the future of the world or for aiding Poland or for aiding Ukraine or any other nation we expect to erect in the present peace conference.

But, Mr. President, the soldier who has looked into the muzzle of a machine gun must not be compelled to look into an empty dinner pail.

Mr. POINDEXTER obtained the floor.

Mr. HOLLIS. Will the Senator yield to me long enough to answer the query put to me?

Mr. POINDEXTER. I will conclude in a very short time, and give the Senator then an opportunity to answer it.

The PRESIDENT pro tempore. The Senator from Washington declines to yield.

Mr. POINDEXTER. Mr. President, a great many of the essential facts with which we are to deal in voting upon this bill have been illuminated by the debate which has just taken place. The uncertainty of the information as to the conditions in Europe upon which we are asked to vote out of the Treasury of the United States $100,000,000 I thought was illustrated by the remark of the Senator from New Hampshire [Mr. HOLLIS], who returned recently from Europe, occupying a position which is claimed by the advocates of this bill to be one of authority on account of the opportunities of observation which he has had, who tells us that he does not know where the people live who need food in Europe, but that he is satisfied there are such people somewhere. That is the extent of the information which we have from the Senator from New Hampshire, just from the countries which are supposed to be relieved by this bill.

Various purposes and grounds upon which this appropriation is asked have been stated. The distinguished Senator from California [Mr. JOHNSON] has just called attention, as I am glad he did, to the significance of the statement made on the floor of the Senate yesterday afternoon by the Senator from Oklahoma [Mr. GORE] as to the responsible testimony which was given before the Committee on Agriculture that the purpose of this appropriation is to stabilize the meat market. To corroborate the assertion of the witness before the Committee on Agriculture I wish to call another witness, a witness whose name has frequently been used in this debate, Mr. Hoover, as to the purposes which he has in view in asking and urging Congress to put into his hands to be expended in his discretion $100,000,000 of the public funds, not to be voluntarily contributed by the people, but to be appropriated by the Congress out of taxes to be collected from the people.

In a telegram which was inserted in the RECORD by the eminent Senator from Virginia [Mr. MARTIN] who has charge of this bill, and under whose chairmanship of the Committee on Appropriations it was favorably reported to the Senate, Mr. Hoover says as follows, as the telegram appears on page 1657 of the CONGRESSIONAL RECORD of January 18, 1919:

> I need not repeat that strong liberal relief is to-day the only hope of stemming the tide of Bolshevism without the expenditure of lives and vast sums for military action. While it is urgently necessary to dispose of our surplus foods in order to relieve congestion and protect the producers from disaster and the consequent chaotic results—

That is the purpose, as stated by Mr. Hoover. The Senator from New Hampshire [Mr. HOLLIS] added corroborative testimony a few moments ago when he said that it was a wise policy which would be subserved by the passage of this bill to expend this money buying American wheat and maintaining the wheat market before the wheat of Australia was put upon the market to lower the price.

Mr. HOLLIS. Mr. President——

Mr. POINDEXTER. Just a moment. The Senator from New Mexico [Mr. JONES] corroborated that view of the purpose of this appropriation in his statement upon the floor of the Senate a few moments ago—that it was a good policy for this country to use this money along the lines referred to by the witness cited by the Senator from Oklahoma [Mr. GORE] to maintain the market in hogs.

Mr. HOLLIS. Will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from New Hampshire?

Mr. POINDEXTER. I yield to the Senator from New Hampshire for a question.

Mr. HOLLIS. Did not the distinguished Senator understand me to say not that I believed the price of wheat should be maintained but that we should sell as much of it in Europe as we can while the present high prices continue? I wish to say I do not believe in maintaining the price of wheat. I do not think it should be done. It should come down as soon as possible, and the Government should stand the loss, which would come out of the taxpayers and not out of the consumers.

Mr. POINDEXTER. The Senator advocated the passage of this bill appropriating $100,000,000 in order to buy wheat, and stated it was a good policy to do that in order that the Government might be enabled to live up to the pledge which it had given of $2.26 a bushel. So he is advocating the appropriation out of the Public Treasury of the people's money in order to keep the people from losing money on the price of wheat. It is a good deal like the remedy for the shortage of fuel last winter when, in order to solve the problem of the shortage of fuel, the Government made an order that we should not use any fuel so far as the manufacturers were concerned.

Mr. HOLLIS. The argument was that we are not spending all the money. The proposition is that our associates over there will spend two or three times as much as we do, and therefore in that proportion it will be cheaper for us to sell as much wheat in Europe at present prices as long as we do not pay for it all.

Mr. POINDEXTER. So says the Senator from New Mexico [Mr. JONES]. He proposes, in order that we shall not lose anything in the United States on hogs, that we shall appropriate $100,000,000 out of the Public Treasury to buy hogs.

Mr. JONES of New Mexico. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from New Mexico?

Mr. POINDEXTER. I yield for a question.

Mr. JONES of New Mexico. I think the Senator misconstrued the purpose of my colloquy with the Senator from California [Mr. JOHNSON]. The Senator would undoubtedly have left the impression that this money was to be used for the purpose of aiding the packers of the country. I simply wanted to call attention to the fact that the prices which the packers have been receiving and are yet to receive have been fixed by previous conditions, and for the purpose of increasing the food products of the country, and it was not simply to maintain something which should follow in the future, but to meet a condition which is already existing by reason of previous action.

Mr. POINDEXTER. I can not yield for the Senator to discuss the question at length. I am very glad to have him correct any misapprehension which I may have had, but I think his

present statement is substantially the same as the one which he made before and which I quoted. He referred to present conditions of the meat market as affected by the price which the farmers had been encouraged to hope they would get for hogs, and urged in favor of this appropriation that it would tend toward maintaining at the prices which had heretofore been fixed the market price of hogs.

The Senator from Illinois [Mr. LEWIS] on yesterday argued very elaborately in support of this measure with his usual dramatic force, and one would have been deeply impressed with the weight of the conclusions which had been arrived at by such a distinguished Senator upon a matter of such great importance, if it were not for the rather strange circumstance that the distinguished Senator from Illinois has heretofore publicly announced in effect—I will quote his own words in a moment—that he is not guided in the recommendations which he makes upon the floor of the Senate nor the vote which he casts as a representative of the imperial State of Illinois by his conscience and his judgment, by the determination of whether a measure is wise or foolish, or whether it is right or wrong, but he is guided in these matters as a Senator of the United States by what the President wishes.

The Senator from Illinois took an oath at that desk to support the Constitution of the United States, and yet on October 17——

Mr. JONES of Washington. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to his colleague?

Mr. POINDEXTER. I do.

Mr. JONES of Washington. Has my colleague overlooked the fact that the Senator from Illinois stated sometime ago that the Constitution was obsolete?

Mr. POINDEXTER. I had overlooked that fact. I suppose the Constitution is obsolete in face of the fealty of the Senator from Illinois and his unfaltering attachment to the wishes of another man as determining his action in the high position which he occupies.

On the 17th of October last the Senator from Illinois not only declared that view as a rule of action but he introduced a resolution in the Senate in which he proposed that the Senate itself should be governed not by its conscience and its judgment and the Constitution of the United States, not by a determination to support some known and expressed views or principles or policy of the President, but that it should announce and resolve that it should be guided in the future by whatever course the President might request it to take. The language of the resolution is "whatever methods he may employ" the Senate indorses and approves; "and indorses such determination as he shall reach as to the manner best calculated to preserve the dignity of the Nation."

It is inevitable, in the face of that rule of action which the Senator from Illinois has announced, that the influence of his conclusions as announced upon the floor of the Senate should be somewhat weakened as compared with what they would be if they expressed his own personal judgment.

Various grounds have been given for this proposed legislation. The President says, in one of the telegrams which have been introduced into the RECORD, that it is to stop the march of Bolshevism; to quote his exact words, he says:

Bolshevism can not be stopped by force, but it can be stopped by food.

It has been asserted by some that the request for this enormous appropriation was not for charity, that it was not based upon an act of humanitarianism. In that they differ from the President as to the purposes and grounds upon which he asks that the appropriation be made, for, in addition to using food instead of force to check the march of Bolshevism, with its savagery and destruction, the President states that he wants primarily, first of all, to put it as a great humanitarian act.

I therefore request—

The President states in the telegram introduced by the Senator from Virginia [Mr. MARTIN]—

I therefore request that you should ask Congress to make available to me an immediate appropriation of $100,000,000 for the broad purpose of providing foodstuffs and other urgent supplies, for the transportation, distribution, and administration thereof to such populations in Europe outside of Germany as may be determined upon by me from time to time as necessary. I wish to appeal to the great sense of charity—

Not for the conduct of the war, not under the war powers of Congress, but as a great act of charity—

and good will of the American people toward the suffering and to place this act upon a primarily humanitarian basis of the first magnitude.

There is the ground and purpose as stated by the President, who is the official initiating this movement to appropriate this money.

The Senator from New Hampshire [Mr. HOLLIS] further illustrated that purpose in his statement a moment ago upon the floor that if he knew that there were starving people in Europe and there were surplus stores of wheat in the United States it would appeal to the impulses of his heart to relieve their need. That is a very noble impulse; that is an impulse which I am sure would be shared by every Member of this body and by practically the entire American people, that they should feel that those who are suffering for the primary necessities of life should find relief. The President's idealism, his appeal that this appropriation should be put primarily upon the great basis of a humanitarian act is creditable to him, but let me call the attention of the Senator from New Hampshire and of the Senate to this, which seems to me ought to be one of the fundamental considerations in an act of charity, of the giving of money, that one should be careful to gratify his charitable impulses from his own funds and not from somebody else's pocket. I do not think that the Senator from New Hampshire nor myself, nor even the President of the United States, ought to be given authority to gratify our feelings of pity out of funds to which we paid but a small, if any, contribution, but which were raised by levying burdens upon the masses of the people.

If a man occupies a position of trust, he is prohibited under the law and in all good policy from dealing as trustee with himself in his individual right. The reason of that is that, of course, he would not have the same interest in the preservation of property and of money belonging to somebody else that he would have in the preservation of his own; that however honest he might deem himself to be, his discretion and judgment as trustee would be overcome by his personal interest. So it is that the powers of government are limited to those which are provided in the Constitution and the laws, and there is no right nor jurisdiction in the President nor in the Senate to go outside of the Constitution in order to do charity throughout the world, for they are dealing with funds which do not belong to those officials, but which belong to the people. You have got no right to take them out of the Treasury for the purposes stated by the Senator from New Hampshire, by the Senator from New Mexico, by the President, or by Mr. Hoover, either to stabilize the wheat market or to do an act of charity to some unknown people, as to whom the Senator from New Hampshire says he does not know where they live.

Mr. President, this is not the first occasion when I have seen officials in high places attempting to gratify their principles of generosity at the expense of somebody else. The Government is a trustee. In our capacity here as Senators we are acting as trustees of the public funds. A few years ago the President came before Congress and asked us to do a great act of generosity. How? Not by contributing anything from his or from our estates, but by surrendering to the other nations of the world the special privileges which the American people owned in a great public work they had constructed at their own expense and for their own benefit—the Panama Canal. He urged us then, regardless of obligations but in a spirit of generosity, to be liberal in the grant of the public favor.

We did not have any right to do that. We had no right to dispose of a material interest of the American people in order to be generous to the foreign nations of the world. The Panama Canal belonged to the American people, and while the President succeeded under the spirit of subserviency similar to that which was expressed in the resolution which I read of the Senator from Illinois, in having the act repealed that had been placed upon the statute books exempting American vessels from paying tolls in the Panama Canal, I want to say that it is still an issue, and that the American people yet will reclaim the right to the use of the Panama Canal to the fullest extent of which it is capable of being used for the special benefit of the American people, who constructed it and who own it.

It is not very long, Mr. President, since the proposition was made to Congress that we should reach into the Public Treasury, take out $25,000,000, and pay it to the Republic of Colombia, in order to secure the friendship of that country. The argument was then made upon the floor of the Senate that if we did not do it they would not be our friends. It was an effort to buy the good will of a people.

At about the same time we had a measure here to surrender the Philippine Islands, because some other nation might make trouble with us about the Philippine Islands if we did not surrender them. It is a very easy way, of course, to dispose of trouble, to yield to all demands and to surrender territories which have been attached to us through a generation of close and intimate relationship, but if we should continue that way of settling our troubles, by giving up one interest to this nation and another interest to that nation, appropriating $25,000,000

here and $100,000,000 there, in order that we might in that way avoid trouble, ultimately we would get to a point where the United States would have nothing left, and there would be no interest or property about which any trouble could arise.

We are much more apt to avoid trouble, much more apt to maintain the respect and good will of the people of the world if we maintain our own self-respect. The greatest act of humanitarianism that the American Government can do for the people of the world is to maintain the power, the sovereignty, the prosperity, and the opportunity of the American Republic.

I am opposed, Mr. President, to this $100,000.000 appropriation to relieve indiscriminate, unknown, and undesignated populations of Europe. It is simply another step in the policy of involvement and entanglement in the racial difficulties and petty disputes with which Europe for a thousand years has been wrecked, and with which the leading nations of Europe are better fitted to deal than we, far remote as our country is from the scene of those troubles.

We have great allies in Europe; they are our allies, or ought to be, however much the President may insist upon calling them merely "associates." They are allies in fact; they are allies in the affections of their several peoples; they are allies by common sacrifices for a common purpose in maintaining the liberty of the world. England and France are intelligent, their Governments are as well informed of conditions in Europe as we are, and instead of the United States undertaking to cross the Atlantic Ocean and to assume control, the hegemony and the leadership, in European and Asiatic affairs the proper policy of this Government should be to say to those great, intelligent, benign, civilized allies, "We will follow your leadership in European affairs"; and then they will follow ours in American affairs.

Mr. President, in all the debate that has taken place upon this bill there has not been presented here any request from France or Great Britain that we should contribute to this fund. If they want it they would ask for it. I have information from our soldiers who have entered Germany and are now occupying castles and fortresses on the Rhine, that they have found conditions in Germany far superior to those in France and Belgium. Yet, Mr. President, I wish to assert upon my own responsibility that one of the purposes for which this $100,000,000 is asked is the relief not of Russia nor of Poland but of Germany.

I say nothing in criticism of Mr. Hoover, because it really has no bearing upon the decision of this question; it is simply dragging in an irrelevant matter, which would necessarily complicate the issue. I am not saying whether he was right or whether he was wrong, but the Senate is entitled to know the facts before it acts upon a matter which is great in the amount of money involved and still greater in the policies to which it will commit the United States, and the increased obligations which will be fastened upon us in the administration of the expenditure of this money. When Mr. Hoover, under whom the money is to be spent, left the United States, the one obsession that he had was to get food into Germany. The President in effect announced that policy publicly not long ago, when his statement appeared in the newspapers that Germany would not get food unless she maintained order. That is equivalent to saying that upon certain conditions we would feed Germany.

This bill has been amended and guarded ostensibly to prevent any of the food to be purchased with this $100,000,000 from going into Germany; but those provisions, Mr. President, amount to no more than the ink upon the paper so far as preventing the sending of this food to Germany is concerned, if the President and Mr. Hoover intend to carry out the determination which they both had when they sailed for Europe.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Does the Senator from Washington yield to the Senator from North Dakota?

Mr. POINDEXTER. I yield.

Mr. GRONNA. I gather the impression that it is the Senator's understanding that this $100,000,000 will be used for the purchase of food to be given to the people of Europe. If the Senator will allow me, I have a different understanding than that. I will say to the Senator that we had a witness before our committee this morning who stated that he was a member of the commission that went to Europe, that he was in all the conferences with Mr. Hoover and Mr. Hurley and with the allies, and that it was Mr. Hoover's idea that this money should be used in purchasing food to be sold for cash. But the Senator is correct in assuming that it would be sold not only to the allied but also to the enemy countries. The witness was asked specifically as to what the understanding was as to Mr. Hoover, Mr. Hurley, and the allies, and he stated very plainly—and I think the Senator from Iowa [Mr. KENYON] will bear me out in this statement—that it was thought the best way to stop anarchy and Bolshevism, even in the enemy countries—and Germany was mentioned—was to permit food to go into those countries.

Mr. POINDEXTER. I am very much obliged to the Senator for that suggestion. It was stated by persons in authority in connection with this matter some time ago, when it was first suggested that it might be necessary. It seemed at that time to be a far-fetched proposition, as to hope of accomplishment, to ask Congress to appropriate money to feed Germany, in view of the records of the last four years. It was stated at that time that if these parties were enabled to get food into contiguous countries, such as Holland, Sweden, and Switzerland, then the getting of it into Germany would take care of itself. That is one way by which the limitations placed upon this bill can easily be, and undoubtedly will be, avoided. Another way by which these limitations can be, and undoubtedly will be, rendered entirely nugatory is to comply literally with the prohibition against shipping any food purchased with this money into Germany; but, of course, the food purchased with this money will take the place of an equal amount of food already in Europe, which can be shipped into Germany and this food put in its place. That is a well-known expedient which was used by neutral countries during the early part of the war, who were supplying Germany with a great amount of foodstuffs while literally complying with the terms of the British blockade.

Mr. President, knowing those circumstances, knowing the President's determination—and those who know the President know that the word "determination" is a good word to use, because when he has arrived at a conclusion he is set in his opinion—knowing that he proposed—and I have no reason to believe that he has changed his mind—notwithstanding the objection of some, to see that Germany is fed, I am opposed to that, and consequently I am opposed to this bill.

I recollect that when Germany occupied Belgium and was under the obligation of every belligerent which occupies a conquered country in war to feed the conquered people, Germany not only did not feed Belgium, but when the generous people of the United States, coming to their relief, not out of the Public Treasury, but out of donations to the Belgian relief fund and through the Red Cross, sent food to that population which Germany evidently was endeavoring to exterminate, Germany even went to the extent of sinking the relief ships to prevent the population of Belgium from being relieved, and submitted them to the torture of slow starvation, of deportation of their men and women into Germany, where, though starving, they were overworked, so that the most of them never returned to their native country, Germany evidently having the purpose, perhaps never before conceived by the government of a supposedly civilized nation, to exterminate a whole people. That we now, without any more knowledge than we have as to the exigencies of the German population, should appropriate money, which we have no constitutional authority to appropriate, and which, according to all the evidence we have, is going into Germany, it seems to me ought not to receive the support of any considerable number of Senators.

Mr. President, I am in favor of the United States living up to its obligations in this war to the last letter. We should see that this war is properly finished; we should maintain in Europe some troops—I do not think it will require many—until the peace terms are agreed upon and the readjustment is effected. That consummation should be accomplished as early as possible, and, when it is accomplished, we should withdraw our troops from Europe and leave Europe to itself. The policy of this Government should be to extricate itself as rapidly as possible from the problems with which it has to deal growing out of this war. Our soldiers have performed their function. They have played their part in winning the war. They want to come home, and they ought to be allowed to come home just as fast as they can be transported.

To say, Mr. President, that we should set up a certain boundary line between Italy and Jugo-Slavonia or a certain boundary for Poland, giving Poland access to the sea—with all of which I sympathize and for which I am willing to vote so far as the making of terms of peace is concerned—but to say that, after that has been accomplished and the various nationalities of the Balkans have been redistributed under governments which are to grow out of the peace conference, the United States is going to guarantee those conditions to remain there permanently, and is to be called upon from year to year to send troops to Europe to see that the conditions that are established by the peace conference are maintained, is a false policy and one which would menace the perpetuity of our institutions.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah?

Mr. POINDEXTER. I yield to the Senator from Utah.

Mr. KING. Has anything authoritative come from our representatives at the peace conference indicative of a purpose upon their part so to pledge the future of the United States—that is, commit it to a policy that would compel this Nation to guarantee the territorial integrity of nations that may be set up as the result of the breaking up of central Europe?

Mr. POINDEXTER. I have not seen any declaration on that subject from Col. House, who seems to be the chief mentor in such matters; and, as a matter of fact, I have not seen any declaration as to the views of any member of our peace delegation, except the President of the United States; and the President of the United States in times past, whatever interpretation may be given to his most recent utterances on the subject of a league of nations, has declared in favor of a league of nations with jurisdiction and with physical power to enforce peace all over the world—in Europe, in Asia, and in Africa.

Mr. KING. If the Senator will pardon me, I do not think the language uttered by the President is susceptible of the broad construction which has just been placed upon it by the Senator from Washington.

Mr. POINDEXTER. The President, I know, used the word "power." He said it should be a league with power to enforce its decrees.

Mr. KING. But I was about to inquire of the Senator if it is not his desire, and the desire of the American people generally, as well as the Christian people generally throughout the world, that so far as possible some agreement or some understanding may be reached that will minimize the chances of war in the future and provide some arbitral tribunal by which at least justiciable controversies may be settled?

Mr. POINDEXTER. Oh, yes; I think so; but that is an utterly different proposition from a league of nations to enforce peace as proposed by Mr. Taft and his society. I hope at some future time, if it should be pertinent, to discuss at greater length that question and the great organizations which are promoting leagues of so-called independent nations. I noticed the other day a full-page advertisement in a paper in this city, signed by a very curious variety of people, ranging all the way from great New York international bankers to Chicago settlement workers, excellent ladies like Miss Jane Addams and Miss Julia Lathrop, who have been largely engaged in and devoted to the useful work of looking after poor children, now engaged in framing and publishing authoritatively a constitution of government for the world. They, along with Mr. Jacob H. Schiff, Mr. Norman Hapgood, and others, not only say that this government of the world should have an army and a navy, but that it should have a legislature, and that in its fundamentals it should occupy toward the nations of the world the situation which the Federal Union occupies toward the States of the United States. The Senator need not deceive himself. Back of this phrase, "the league of nations to enforce peace," there is, in the minds of its advocates, the surrender of the sovereignty of this country.

Mr. KING. Mr. President, in our own country for many years, and particularly since the days of William Ladd in 1842, there have been many very eminent men and women who have earnestly advocated the plan of a league of nations. I have no doubt that ex-President Taft and a large number of people in this country to-day are very anxious to have a league of nations organized. In this class are men like Prof. Minor, who has recently written a very interesting book upon this subject. He seems to be in favor of a supernation, a nation with a constitution which is formed as a result of the delegation of sovereign power by other nations.

What I was about to say, however, was this: I do not think the Senator is warranted in stating that President Wilson or any of the peace representatives of this country are committed to any plan or have advocated any plan calling for the abdication or the surrender by this Government of any of the rights of sovereignty. I do not believe that the American people would be willing to have this Nation surrender these sovereign powers which are essential to constitute it a nation, among them being the power to declare war and to make peace, and submit to a league of nations the question of determining what the Monroe doctrine is and how it shall be enforced or questions affecting its honor and affecting territorial integrity. But that President Wilson and other men and women in this country who are thinking along the lines of progress and civilization desire, if possible, the formulation of some plan that will minimize the possibilities of war in the future we must concede; and to that extent we must applaud them, and applaud any sincere effort——

Mr. POINDEXTER. I can not yield to the Senator for an extended address.

Mr. KING. I am through with what I rose to interrogate the Senator about. I only wish to say that we must applaud them for those efforts and wish them Godspeed in their attempts to establish peace and prevent the recurrence of wars.

Mr. POINDEXTER. I do not applaud the President in his efforts to form a supergovernment of the world, which he undoubtedly has proposed. I agree with the Senator from Utah that he has announced no detailed plan, and that is one of the remarkable features of his attitude. He draws outlines only. I notice that when he reached Paris it was reported, and very plausibly stated—whether it was true or not, it might have been true—that Mr. Georges Clemenceau, the French premier, asked him for his plan, what kind of a league of nations this was—I am just paraphrasing the language—that he had been advocating so long, and the President said he did not have any; and you can imagine the surprise of the French premier at the President's answer, and yet that undoubtedly is true. It is characteristic of the President not to have plans but to indulge in generalities.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from North Dakota?

Mr. POINDEXTER. I yield to the Senator from North Dakota.

Mr. McCUMBER. Just before the interruption by the Senator from Utah, the Senator from Washington was discussing what I consider a very vital question in connection with this agreement, and I am impelled to ask this question from the conclusions that he seemed to draw from his discussion. It is this:

The Senator says that he would approve of a treaty that should provide for the construction of new nations of the Jugo-Slavs and the Czecho-Slovaks and the Poles, this barrier around Germany, but that he does not approve of any policy on the part of this Government of sending its soldiers there to sustain those governments after they have been created. Without some one sustaining them, I should like to ask the Senator how long he believes that Poland would last against the aggressions of a new Germany or a reborn Russia? How will you defend them after you have placed them on their feet unless you do it with the armies of the nations that put them on their feet? And how can we avoid our share of sustaining them, for at least a reasonable length of time, together with our allies?

Mr. POINDEXTER. Mr. President, the question of the Senator from North Dakota presents very succinctly the problem of our future relations with Europe. I infer from the Senator's question that his opinion is that when we have established an independent Poland—which I think ought to be established in this peace conference, because it could not stand alone against the aggressions, perhaps, of either Russia or Germany, those who have partitioned it and committed this governmental and international crime of the ages, the partitioning of a nation as you would carve a turkey upon the table, because it could not stand alone against those same powers that had rended it in three parts in the years gone by—he would have the United States send its Army and its Navy to Europe to maintain the independence of Poland.

If he asks me if I am in favor of that, I say no; I am not in favor of it, and I say no, whether independent Poland, however desirable it may be, and however the American people may love liberty, lasts but one year or for a hundred years. The United States can do more for Poland and for the world by preserving our liberties, our peculiar ideals and traditions upon this continent, affording a refuge in the future as we have in the past for the Poles and for others, with such restrictions as the times may call for upon immigration, than we can by involving ourselves in perpetual war in the name of peace. That is what it would be.

Man, whether in a league of nations or whether under the principles of nationality, is in a natural state of war. We are warring here in our several communities constantly. We go out with force every day and arrest some man who is making war on his neighbor and punish him for it. The very terms which the advocates of this league of nations use imply going to war when necessary. The distinguished Senator from Mississippi [Mr. WILLIAMS], who sits by me, is one of the most convincing advocates of such a league; and it has surprised me, knowing the traditions under which he has been bred and his devotion to the principles of national self-government, and the independence and liberty of this country, and his descent from revolutionary stock. For when he proposes that there shall be a league of nations with military power to enforce peace, the enforcement of peace with military power is war.

Mr. McCUMBER. Mr. President, the Senator thinks, then, that these children, these new nations created by our allies

and ourselves through a formal declaration that was made more than a year ago, and approved by this country, should, the moment they are placed upon their feet, be left as you would leave a child at the den of a tiger, to be devoured——

Mr. POINDEXTER. Not at all.

Mr. McCUMBER. Without protection, without a determination to make good our declaration that these nations should exist?

Mr. POINDEXTER. Not at all.

Mr. McCUMBER. How can we possibly escape our duty to perform our part in maintaining the territorial and sovereign integrity of those nations at least until such time as they can stand upon their own feet?

Mr. POINDEXTER. I think I can answer the Senator's question. I would not leave such a nation to be a prey to these enemies on all sides. What I said was that I would not favor the United States sending its Army and its Navy there to maintain its independence. But we are dealing not with the Continent of Europe but with the world. The policy for the United States should be to say to our great allies in Europe: "As to Europe, we follow your leadership. We will give you our moral support, as we have given you our material support in this great war. We have done some part, at least, in the great achievement of preserving liberty; but we will leave to you—to England, to France, to Italy—the duty of policing Europe. We will perform the duty, under the Monroe doctrine, of preserving peace in the New World."

Why should the United States, one of the youngest of the nations, undertake to assume the leadership in preserving peace and establishing the conditions of the Old World as well as of the New World? Do you not think we will have done our part if we take care of this great hemisphere and see that there are maintained here law, order, liberty, and opportunity? Is not that enough? What more can you expect us to do?

Mr. President, I have a strong suspicion, which amounts to a belief, that the great powers of Europe allied with us in the maintenance of civilization, our allies in this war, not only are not anxious for us to attempt to share in the affairs of Europe, certainly not that we should undertake to dominate those affairs, but that they resent it. I think, if I may be bold enough to say so, that America has not exhibited a high order of diplomacy in Paris. I think we have offended the refined sensibilities of those highly intelligent and polished people. We have offended them by making appeals to political parties in their country, as we would be offended if Lloyd George or Clemenceau should come to the United States and take up with our Government the question of restoring order and security in Mexico, and if, because the Government of the United States did not agree with them as to the policies which they proposed, they should go out over the country and take it up over the heads of the Government with the American people. If they did that, we would resent it. They resent what we have done; and it has created underneath the surface a breach between those allies whose greatest purpose should be to draw closer together in friendship and amity and for the salvation of the world.

Talk about a league of nations! We have to-day, or could have if we would cultivate it, such a league of nations that has accomplished the greatest enforcement of peace that the President has ever dreamed of. They enforced peace against the armed hordes of Germany. They enforced peace against the greatest military power that was ever organized since the sun began to make its circles in the universe. We ought to cherish not a league but an entente; not a supergovernment but a friendly comity of nations based—as a distinguished British author said in this city in a speech which I had the privilege of hearing a few weeks ago—upon nothing more than common sense and good will.

Can we not act with common sense in our dealings with our allies, to abandon a little of the abstract and adopt a little more of the concrete, to get down from the general and place our feet upon the specific? Can we not cultivate in our dealings with our allies good will—nay, more, affection? I do not think there is a tie between man and woman that is stronger or sweeter than the love that the soldier feels for his comrades at the front, fighting a common enemy, sharing in the hardships of the trenches, in the dangers of the battle. That is the affection which has existed, and which, if we exercise common sense and good will, will continue to exist between the great Anglo-Saxon confederation and their friend who upheld civilization for a thousand years with the beacon light of leadership—the great French nation—and also Italy, the mother of modern culture. What more league of nations do you want than that? When we have at our feet priceless jewels that have proven their worth why should we go wandering off across the world looking for a pot of gold at the foot of the rainbow, chasing dreams? Why should we seek other league of nations when we have the best and bravest league of nations that the world has ever seen and which we are likely to cast away in seeking for something unreal?

Mr. President, I did not expect to speak on these subjects in saying what I had to say in opposition to this bill, misnamed an appropriation bill. It ought to be called a misappropriation bill—a bill for the misappropriation of $100,000,000. So long as I have been diverted to this subject I may say a word with reference to the duty and the wisdom of cherishing as something precious the good will of France, Italy, Great Britain, and the United States for each other and of avoiding an estrangement between them. The blessings to mankind that came from the vision of Patrick Henry, the first great leader in the movement for independence, from the achievements of Washington and his mighty colaborers in the cause of liberty, the free institutions and equal opportunities of America, impose a special responsibility upon those to whom in this generation they have been committed.

Even before our peace delegation arrived in France there were sent out statements that "if England did not do so and so," with a tone of swagger and threat, "we would do so and so." The English papers printed and commented upon it with such restraint as their politeness impelled them to exercise. It was stated that if England would not agree to the "freedom of the seas" we would build a Navy bigger than England's—a swashbuckling proposition at the same time that we were advocating disarmament. The inconsistency of this attitude is immaterial to the purpose for which I mention it. Disarmament and a Navy greater than England's! I will pass that by. But what I regret, and what the American people ought to feel sorry for, is the effort to create a military rivalry, or at least that which tends to create bad feeling, between ourselves and our great ally, whose navy and army have saved us from the aggressions and the despotism of Germany.

In the testimony before the Naval Affairs Committee of the House this same sort of diplomacy was manifested, where it was plainly intimated by authoritative witnesses that this proposition for a paper Navy was to aid the President in meeting the objections of England to his policy of so-called "freedom of the seas." I say "paper" Navy, because it is beyond our means of construction in the time mentioned for the program. It could only be interpreted as a threat and not as a practical proposition, especially as we are even behind in actual construction of the authorizations already made. Instead of seeking ideal and universal leagues, it would be better diplomacy to cultivate the existing league of friendship and affection with France and Great Britain.

We do not know just what is going on in Europe, Mr. President. My own opinion is, and I think, at heart, it is shared by the leaders of the party in power in the Senate, if they would assert their personal convictions, that we should proceed as rapidly as we can not only to demobilize the Army but to demobilize the civil structure which we have built up for war purposes. The Committee on Public Information and its army of censors should be demobilized as quickly as possible. The Shipping Board, as to many of its activities, should be reduced to a peace basis at once.

The other day, when the French Government asked permits for contracts for 2,000,000 tons of ships in American shipyards, the Shipping Board refused to allow American shipyards to take that business, thus turning away one of the most desirable industries in the world—one of the most beneficial employments at a time when we needed work for idle men. Mr. Hurley, on his mission to France, declared that shipyards in America would not be allowed to accept contracts for France, when the true policy of this Government should be to welcome employment for our men and opportunity to reestablish on a permanent basis the great shipbuilding industry, in which we once excelled, as an essential accessory of a mercantile marine and of the great Navy which our far-flung interests, east and west, will require.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Missouri?

Mr. POINDEXTER. I yield to the Senator.

Mr. REED. If the statement made by the Senator from Washington is correct, and, of course, he believes it to be correct, and I do not challenge it, because I saw something of a similar nature in the papers——

Mr. POINDEXTER. If the Senator will allow me, I have in my desk an official report of the Shipping Board containing it.

Mr. REED. If that is the case, and it must be the case after the statement of the Senator, it seems to me that much of

the complaint of the Senator from California [Mr. JOHNSON] about the unemployment of men might be met by taking the leading strings off of business so far as they have been applied. I can not see why we should have men seeking employment and at the same time have men refusing to allow the shipyards of America to build ships. It seems to me the Senator has mentioned a point which is worthy of very great consideration.

Mr. POINDEXTER. Mr. President, it is entirely incidental, but here is the report contained in Senate Document No. 334, of this Congress, this session, dated January 9, 1919:

War-time restrictions upon construction of wooden ships in American yards for foreign account were removed by the Shipping Board on December 6, 1918.

I will say, incidentally, that before that restriction was removed—note that the date on which it was removed was December 6—thirty-five million dollars' worth of business in the construction of wood ships, refused a permit in the United States, went to Canada. Now, as to steel ships, in corroboration of the assertion I made:

Second. On the same day war-time restrictions upon the construction of steel ships in American yards for domestic account were removed, but the restrictions upon such construction for foreign account have not been removed.

The authoritative information which I have is that France is willing to place contracts for 2,000,000 tons of steel ships in American yards if the Shipping Board, which we have maintained at so much expense, will allow them to do so. As a primary step in reconstruction we should at once take from the Shipping Board all capacity to inflict such industrial injury upon us.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to his colleague?

Mr. POINDEXTER. I yield.

Mr. JONES of Washington. The Senator has anticipated in a way some remarks I had prepared to submit to the Senate in a day or two. I think it very opportune, however, in connection with what he has said for me to call attention to the real reason why our shipyards have not been open to the construction of steel ships on foreign account. The Shipping Board give the reason for it in their report on a resolution which I introduced, and I desire to bring it out very clearly. The Shipping Board, that is, the members of the Shipping Board who are here, are in favor of removing this restriction. They are in favor of allowing persons to build steel ships for foreign account in this country without getting permits from the Shipping Board. This is made clear in a letter sent to the Committee on Commerce a day or two ago by the acting chairman of this board in reporting upon the bill which I introduced to permit the construction of these ships without getting such permits. The letter is signed by John A. Donald, the acting chairman of the Shipping Board, and this is what he says:

I may say that ever since the signing of the armistice the board has been constantly giving its interested attention to the subject fixed upon by this bill. Those of us who are here are quite firmly of the conviction that permission should be granted to American yards for the construction therein of vessels for approved foreign account.

Then he goes on to say, showing why the board can not do what he thinks ought to be done:

On the same day war-time restrictions upon the construction of steel ships in American yards for domestic account were removed, but the restriction upon such construction for foreign account has not been removed. This restriction remains in force temporarily by direction of the President, whose delegate the Shipping Board is in the exercise of his authority.

Mr. POINDEXTER. I thank the Senator for that information. That policy, from a standpoint of business ability, is equal to the strategy of the Shipping Board in solving the question of the high cost of ships by striking off their books $1,250,000,000 of cost. That is one of the most masterly financial achievements I have ever known.

Mr. President, I started to say that I am in favor of demobilizing as rapidly as possible this vast structure of war power—the National Council of Defense, the War Trade Board, the War Industries Board, the Committee on Public Information, the censorship, the Food Commission, the Fuel Commission, the Railroad, Cable, Telephone, and Telegraph Administrations, and the repeal of the Overman bill. All need for that vast war structure has passed.

The other day I received a letter from a constituent in Spokane inclosing a request that came from the Committee on Public Information, asking for subscription to the Official Bulletin. There should be no official gazette in the United States. Publishing a newspaper is no proper function of the Government in time of peace. The inevitable tendency of such a bulletin is to bolster up its employers, who are the administration in power.

We do not know the situation in Europe to-day because of the censorship. The United States ought to be contributing its influence in the situation toward the dissemination of news, toward the spreading of light, not toward its suppression. And yet a part of the American equipment is an elaborate censorship.

The discussion which has taken place in the Senate to-day illustrates the evils of that sort of suppression of information. We do not know where the populations are, as the Senator from New Hampshire [Mr. HOLLIS] admits, that will be relieved by this $100,000,000. Yet I find, Mr. President, a publication under date of January 17, which bears every evidence of reliability and accuracy, that indicates to some extent the proposition which I stated a moment ago, that directly or indirectly food which would be released, whether that which is purchased or that which is substituted for it, under this appropriation is going to Germany. The American people will not approve—after the losses which they have suffered and the sacrifices which they have made, in a war which was wantonly forced upon them, a war which was deliberately launched upon the world by Germany, which is in a better condition to-day than any other country in Europe—the imposition of this tax to give more food to the German people, who had no sympathy for the starving children of Belgium:

STOCKHOLM, SWEDEN, *January 17.*

Ira Nelson Morris, American minister to Sweden, has just received a cable from Herbert C. Hoover in Paris that is likely to cause the shipment of food to be distributed among the sick and poor in Germany soon. Just before Christmas Prince Carl asked Mr. Morris, on behalf of the Swedish Red Cross, if permission could be obtained for the Swedish Red Cross to take food into Germany. Assent, on conditions that probably will be accepted, is now given.

The cable reads:

"If the Swedish Red Cross desires to purchase foodstuffs for distribution in Germany, particularly pork—

You see, they are arranging to keep up the market for pork, of which the Senator from New Mexico [Mr. JONES] spoke—

we can arrange to sell them a quantity of meat and cereals at once from the stocks we are shipping in bond to Holland, and will take steps to secure a relaxation of the restrictions.—Hoover."

It was some six weeks or two months ago that I received the information that food was to be gotten into Germany by sending it into neutral countries surrounding Germany. This dispatch of January 17 bears out that information and shows that the purpose is being accomplished.

I have looked all through the Constitution of the United States to see if I could find there any authority for this appropriation. There is not in the Constitution any authority to appropriate money for a humanitarian purpose in Europe. The people of Europe are not as bad off as might be thought from the impassioned appeals we hear for their relief; but even if they were, let those who seek to relieve their wants relieve them from their own pockets and not from somebody else's pockets. There are a great many people in this country who might not want to contribute money out of their hard earnings for charity in Europe.

I ask, Senators, as trustees of the American people, do you want to compel them to do it? It is the same as compulsion by force of arms, because ultimately it is a gun that is behind the act. The Army and Navy, the militia, and the marshals of the United States are behind the enforcement of this bill, if we pass it, to take from our people $100,000,000 and bestow it for charity in Europe. We have not any authority to do that.

The only legal ground upon which it has been placed is the claim that it is a war power. I do not think it is fair to ourselves to make any such excuse as that. We know it is not for the prosecution of the war. We know that there is no menace of actual war against us in Europe, nor prospect of any, and that a mere nominal state of war exists.

The President says you can not stop Bolshevism by force, but you can stop it by food. On the contrary, it is probable that it can only be stopped by force; but the United States is under no obligation and has no authority to suppress internal Bolshevism in Europe. The Bolsheviki are madmen and they will destroy food, as it is their declared purpose to destroy other forms of property, as well as life itself. They are engaged in an orgy of loot and rapine, and in Russia, at least, will soon subside from their exhaustion and many of them will perish in their own destruction. The Bolshevists have announced that they purpose not to feed the people of Poland but to exterminate them.

Some Bolshevists got into the American Army and refused to obey military orders, and when put in the guardhouse went on a hunger strike. They were not seeking food nor was their Bol-

shevism due to lack of food. It was mere natural depravity and pro-Germanism masquerading in the guise of pacifism.

You can not stop Bolshevists with food. I think the President is mistaken when he says you can not stop them by force. Bolshevists believe in force and respect it. That is the only thing they do believe in or respect. They are direct actionists.

Bolshevists have made war in the United States not only by sabotage but by undertaking to defeat the administration of law. There is a man in jail in San Francisco now who goes by the name of Mooney. He was convicted in due process of law of placing a suit case filled with dynamite at the corner of a street while a preparedness parade was passing, with a timed fuse that exploded the dynamite at a certain moment. It killed 10 people and grievously wounded thirty-odd others. He was defended in court by able counsel. A committee, which was appointed by the President of the United States, composed very largely of men connected with labor unions and so not prejudiced against labor, investigated the case, and in a report which I read in part to the Senate on a previous occasion reported that this man was what I interpret to be a professional murderer; that is, they reported that he believed in direct action, which means dynamite, destruction, force, for the settlement of political questions.

The Bolshevists, for whose relief we propose to appropriate $100,000,000, have made an attack upon the processes of the courts of California, and the President, just as he did when he asked us to give up our rights in the Panama Canal to aid him in the adjustment of our foreign relations, asked the governor of California to set aside the decrees of the courts of that State and grant a new trial to this professional murderer because of a foreign agitation and demand made by the Bolshevists of Russia.

As I said before, if we yield to them, and continue to yield to that sort of demand, we will have in the course of time no law, no order, no canal, no property, no security, no opportunity, no liberty in the United States.

Mr. President, strange as it may seem, a section of the Constitution is a news item nowadays. It is an almost forgotten instrument. The tenth amendment to the Constitution of the United States is as follows:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

There is no power to relieve the wants of Europe unless it is expressly stated in the Constitution as among the powers of Congress. There is no such statement. Congress has only those enumerated powers with which the Senate is entirely familiar, and this is not one of them.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Will the Senator from Washington yield to the Senator from Wisconsin?

Mr. POINDEXTER. I yield.

Mr. LENROOT. If this appropriation would in fact promote the welfare of the American people there, would there not be some constitutional authority for it?

Mr. POINDEXTER. No; I do not agree to that construction. Under such a construction all the specific provisions of the Constitution would become perfectly meaningless. There would be little occasion to have a constitution at all if the only limitation of government was the "general welfare" of the United States.

Mr. LENROOT. I will ask the Senator from Washington if he does not recognize the distinction between legislation restricting rights of the citizens and legislation making appropriations, and whether it is not a distinction well recognized by numberless decisions of the Supreme Court?

Mr. POINDEXTER. That is rather irrelevant, it seems to me, to the specific question here. Whatever might be the importance of that distinction, certainly the right of a citizen is restricted if you take money out of his pocket and appropriate it to be sent to Europe. There can not be any power in Congress that is more important or substantial in its effect, not only upon rights of the individual but the country as well, than the appropriation of money. One of the important rights of citizenship is the property right—the right not to be taxed except for specific purposes, upon which Congress is authorized to act. There can not be anything more substantially affecting his rights than appropriation acts.

Mr. LENROOT. Then, may I ask the Senator another question? Where does the Senator find authority in Congress to appropriate money to eradicate the hog cholera, for instance, in the States?

Mr. POINDEXTER. I have never introduced a bill to eradicate hog cholera. One advantage that such an act has is that it would apply, as stated by the Senator, in the United States instead of to Europe; and Europe is a great, wealthy, powerful part of the world, and in my opinion, now that the war is won, is fully able to take care of itself.

Great Britain, with her new colonies and possessions she has acquired—great Provinces in Asia and Africa, full of natural resources and wealth—with the reestablishment of commercial relations between herself and her independent dominions, such as Australia and Canada, is more powerful, more wealthy, more able to take care of the problems which shall arise in her neighborhood than ever before.

France has been very fortunate in having a number of statesmen generals, and one of them is the great general who formulated the terms of peace for Bulgaria, who, after he had acquired military supremacy over that enemy, showed his statesmanship on every line that was written; and another one is the immortal Ferdinand Foch. I noticed the other day that Marshal Foch stated that hereafter the "watch on the Rhine" would be kept by France, and that hereafter France would be protected by her natural frontier. Alsace and Lorraine have been returned to her. She undoubtedly will administer a free and benevolent government over Syria and perhaps a part of the African colonies which have been taken from Germany.

There is no doubt that France—with one hand upon the Mediterranean, another on the North Sea, open to the Atlantic; with her resources drawn from every quarter of the globe, her territories vastly increased by great principalities—will be richer and more powerful, more able to meet the demands of Europe than she has ever been before.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Idaho?

Mr. POINDEXTER. I yield to the Senator from Idaho.

Mr. BORAH. If we appropriate money from the Treasury of the United States for the purpose of feeding the people of Europe in order to eliminate Bolshevism or to restrain its spread, may we not just as appropriately, and perhaps more wisely, appropriate money from the United States Treasury for the purpose of establishing schools and educational systems in Europe in order to eliminate it from their minds and have a complete European educational system conducted by the United States in order to prevent the spread of that theory or that doctrine which we claim to be inimical to the United States?

Mr. POINDEXTER. I think that that is a very illuminating suggestion of the Senator from Idaho. I should like to ask the Senator from Idaho, not to prolong the discussion, but knowing his reputation as a lawyer and to get the benefit of his opinion, whether he thinks that it is proper to bestow charity upon the people of Europe, whether it is within the power of the Congress?

Mr. BORAH. No, Mr. President; I do not; but I did not argue that question for the reason that I have been here too long to interpose a constitutional objection to the desire to appropriate a hundred million dollars. The odds are too great against the Constitution.

Mr. POINDEXTER. I agree with the Senator from Idaho, if we are appropriating it for ourselves or if it is to be expended in our own communities, but I am more hopeful when it comes to sending it across the Atlantic Ocean.

Mr. BORAH. I congratulate the Senator upon his courage, and I shall not criticize him.

Mr. POINDEXTER. Mr. President, I should like before this matter is disposed of to hear the Senator from Virginia or somebody who, at the behest of the President—for the President is the moving influence that is bringing this legislation forth; it is not the Senator from Virginia; it is the President; he is the advocate, the originator, the instigator of this appropriation of a hundred million dollars—I should like to have the Senator from Virginia before he asks the Senate to vote on this bill to tell us and to tell the American people what sort of taxes he is going to propose to levy on the American people to raise this hundred million dollars, which is obviously beyond the program of expenditures which we have prepared for. Where are you going to get it? Where is this $100,000,000 coming from? It is rather curious that we are hastening to expend the money, without having given a moment's consideration as to what class of our people, what form of industry or wealth, is to bear the burden.

Mr. President, if we are to tax the American people $100,000,000, instead of going outside of the legitimate field of the destinies and fortunes of the American Republic and involving ourselves in the intricate affairs of Europe, let us take the $100,000,000 and relieve the pressing wants of the American soldiers who are being discharged from day to day without

funds and without employment. It would go a long way in that direction. It would give a month's salary to 3,000,000 soldiers.

More than that, if we are to levy this extra tax upon industry or upon consumption, instead of sending it across the Atlantic Ocean to unknown lands and to unknown peoples, when the leaders of our allies have not asked for it—instead of doing that, why not devote it to the program of the reclamation of the arid lands of the United States, and give farms to the returning soldiers, on which they may make their homes and raise their families in peace and prosperity, if they desire to make their living from the soil; to make the desert fertile; to increase the productive resources of the Nation?

Mr. President, this $100,000,000 which it is proposed to take from the Public Treasury and send to Europe would build a hard-surfaced road for military and commercial uses, and especially for the benefit of the rural communities, increasing the comfort and prosperity of farmers and of our country communities, from north to south along the Atlantic coast; from the East to the West, along the Gulf and the Mexican border, to the Pacific Ocean; and then along the Pacific coast to the Canadian line, and from there to New York City. If we are so free with the money that is in the Treasury, why not take it and use it for one of these great purposes, not only for the benefit of those now here but offering here greater opportunities for desirable immigrants from other lands?

Mr. President, instead of spending $100,000,000 of the American people to conclude terms of peace, we ought to be collecting something like $25,000,000,000 or $30,000,000,000 from Germany to repay us for the cost of the war which she forced upon the world. France is going to have an indemnity—not only reparation, but restitution; not only the return of stolen property, but the payment of the expense which she has been compelled to make in fighting for her life; England is going to have an indemnity and reparation for the cost of the war; Belgium is going to have an indemnity; but the United States, I am very much afraid, under the leadership which is now in power, is going to be presented with a treaty which will give us no indemnity.

It is said by them that we must walk upon a high plane of idealism. Why, there is no idealism, Mr. President, that is worthy of the admiration of mankind that is not based upon a sound material foundation. When we have expended of our goods to develop an Army and Navy and transport them to Europe to fight the battle of civilization, the country which forced the world into that war should be compelled to make restitution.

I want to say to the Democratic administration that if it presents to the Senate a treaty which provides indemnity for our allies, but no indemnity for our own people, the administration will have to meet that issue before the American people. But, unfortunately, while they may punish the administration, it will be too late to recover the indemnity to which they are entitled.

Mr. President, this measure is unconstitutional. It is unwarranted by the situation which exists in Europe. If there is a condition there that needs relief, Europe is fully able to care for it. The purpose and policy of the United States should be to conclude peace, to withdraw from Europe, and live hereafter in peace and amity with that continent, but to leave to the Old World the solution of those problems which are peculiar to that hemisphere, while we endeavor to perform our neglected duties in this.

Mr. HOLLIS. Mr. President, I desire to put in the RECORD a matter that was brought out a short time ago. The distinguished Senator from Pennsylvania [Mr. PENROSE] asked me if I wished to suppress certain facts. I assured him that I did not, and called his attention to the fact that all the matters he had referred to which needed investigation had already been investigated not only by Democrats but by leading Republicans. The Senator from Indiana [Mr. NEW] then asked me what had become of the recommendation of Judge Hughes that a certain officer engaged in aeroplane production—Col. Deeds—should be court-martialed. I told the distinguished Senator what was true, that I did not know; but since then I have been informed that the recommendation of Judge Hughes was referred by the Secretary of War to the Judge Advocate General's department; that the Judge Advocate General had referred the charges to a board of three distinguished judge advocates general—Messrs. Millar, Tucker, and Keedy. They have recently filed their report, in which they say they have fully investigated the evidence submitted by Judge Hughes, which was submitted to him, and that which was submitted by others, and say:

6. The conclusion of this office is, therefore, that Col. Edward A. Deeds should not be tried by court-martial on account of any of the transactions discussed in this memorandum.

In submitting that information I do not pass upon the evidence or on the correctness of the judgment. I merely call attention to the fact that the matter was submitted to the law department of the War Department, who have considered it, and have made a report that court-martial proceedings should not be instituted.

Mr. WEEKS obtained the floor.

Mr. LEWIS. Mr. President, will the Senator from Massachusetts yield to me to make the suggestion of the absence of a quorum? I desire a fuller attendance of the Senate to hear the Senator from Massachusetts.

Mr. WEEKS. If the Senator desires to do so, I will yield, although I have an engagement which makes me anxious to conclude my remarks. I am not going to speak long.

Mr. LEWIS. Then I will postpone the suggestion for the moment, yielding to the wishes of the Senator from Massachusetts.

Mr. WEEKS. Mr. President, I shall not occupy very much of the time of the Senate in discussing this measure, because, if there is not some curtailment of debate here, the starving people of Europe will have starved before we take action.

Before saying what I have in mind to say, I wish to suggest to the Senator from New Hampshire [Mr. HOLLIS] that while the explanation he has just offered relative to the investigation of the airplane situation may be satisfactory to the War Department it can not possibly be satisfactory to the people of this country. There is no doubt that a large amount of money was wasted in the airplane program. That investigation was made by a man who, perhaps, is the most competent analyzer in this country, and he, an ex-Justice of the Supreme Court, as a result of his examinations recommended that one man be court-martialed and severely criticized others. I think it would have been a matter of good policy as well as judgment for the War Department to have carried out that recommendation, so that there might at least have been one demonstration that an effort was to be made to punish those responsible for such careless and wasteful expenditures.

Now, Mr. President, I wish to confess that I have not entirely satisfied my own mind about the entire worthiness of this appropriation, but I have decided to give it my support. There have been many questions discussed on the floor of the Senate which may or may not have some bearing on it; at any rate some of them have, and, by a stretch of construction, all of them may have; but I do not think many of them should have been raised in opposition to this particular appropriation. I wish, however, to refer to one or two of them, because I think they have some pertinency.

The Senator from California [Mr. JOHNSON] this afternoon, in his forceful way, was expressing the feeling that we have some responsibility to our returned soldiers; that they should certainly be provided with work, even if we have to neglect the suffering people of Europe. I entirely agree with him in that statement; and, of course, we are going to provide for those men in some way at some time somehow. The trouble is that the paper work of the War Department has entirely broken down so far as the payment of our soldiers is concerned. There are innumerable men on the other side wearing the khaki who have not received any pay since they have been in the service. There are tens of thousands of them who have not had a cent of pay since last July, when the system of paying dependents was changed. Those men are coming back to this country in great numbers without any money in their pockets, many of them without any places of employment; and it is not surprising that some of them are suffering.

I suggested to the Senator from California that if the policy suggested last fall had been followed possibly these men might have been provided for, and I wish to call the attention of the Senate for a moment to that policy. I refer to the resolution I introduced in the Senate on the 27th of September, 1918, and which related, among other things, to the question of labor. I was led to introduce the resolution because I knew that European Governments were and had been for substantially a year making careful preparation not only in connection with matters relating to labor but in connection with every other question developed during the prosecution of the war. They have made pretty circumspect plans for taking care of their returned soldiers, discharged war workers, and others who have been connected with the various war employments.

In this resolution article 1 related to the labor problem, and it included:

Unemployment which may follow the war; utilization of discharged soldiers and sailors in civil employments; conciliation and arbitration of labor disputes; the relation of men and women in similar employments; substitution of female employees for male, and vice versa; feasibility of organizing permanent employment agencies; requirements

for labor after the war, both in agricultural and industrial occupations; distribution of labor; employment of surplus labor on public works of which the construction or completion has been suspended due to the war.

That resolution was referred to the Judiciary Committee. It will be seen that it covered every phase of the labor question, and even then, although it was probably too late, if we had gone consistently to work and provided for the construction of public works, or in other ways, these men might have had employment awaiting them upon their discharge from the service.

Within two or three days another resolution, somewhat in the same form but fundamentally different, was presented to the Senate by the Senator from North Carolina [Mr. OVERMAN]. Both of those resolutions, the latter a substitute for the one I introduced, have been lying in the committee ever since. They were referred to a subcommittee, but there has been no possibility, I am told by members of that subcommittee, of getting them considered. No meeting of the subcommittee has been called for weeks, although during the last three or four weeks practically every day attempts have been made to get a hearing on these resolutions. In other words, in relation to the men who have been our defenders and in every question relating to after-war conditions we are drifting in exactly the same way we drifted before the war. We are no better prepared—in fact, not as well prepared—for peace as we were for war when it was declared. I say that because I want it distinctly understood that if reasonable prudence had been used, in my judgment we could have provided for and prevented some of the conditions very properly called to the attention of the Senate this afternoon by the Senator from California.

One of the questions bearing on this whole subject which disturbs me quite as much as any other is the old question of our financial obligations. Anybody who has given that subject any thought must have a great deal of solicitude about our financial future. We have become involved in an indebtedness twenty-five times greater than that we had at the beginning of the war, and we have reached a point where, if we do not issue bonds in time of profound peace to carry on this Government, it will be necessary for us in the future to levy even heavier taxes than those proposed for this year. The situation is such that economy is absolutely necessary wherever it can be practiced; and Members of the Senate must keep that fact in mind in considering appropriations.

We are not getting back to peace conditions as rapidly as we ought to. There are more than 400,000 men in the Navy to-day, and practically all the ships in commission during the war are still in commission. If we had the figures before us, I think we would find that the expenses for the Navy have only been lessened in a slight degree since the end of the war. There are some reasons, to be sure, for not discharging more men. There is the desirability and necessity of manning the German transports to bring back our soldiers from the other side, and there are other reasons; but what should be done is to bring the Navy and every other activity of our military, naval, and civil establishments at once down to a normal and reasonable basis, or else we will have great difficulties with our financial situation. When we add $100,000,000 to that difficulty, it should make any sane and reasonable man stop to consider whether or not we can properly afford it.

There have been criticisms made of Mr. Hoover and others associated with him. My own judgment is that, however much Mr. Hoover may be criticized for his relations with packing establishments and others, in the final analysis the packers were the only people from whom he could make the purchases necessary. Moreover, he went into a new place, a most difficult and important place, and after two years' administration of that office he has escaped with a minimum of criticism, and I think, probably, more criticism than he has deserved. It was almost a hopeless undertaking, in my opinion, to conduct the great untried operations in which he was involved without some degree of criticism; but if I were turning to-day, so far as I personally am concerned, to find a man in this country to put in charge of a great food-distribution work like the one proposed in Europe, he is the first man to whom I would give consideration. Moreover, it must be remembered by those opposed to this legislation that this activity is already under way on the other side; that the interallied committee or commission is conducting this service; and that Mr. Hoover and Mr. Davis are there on the ground. They have all the information before them which is obtainable, and they are ready to carry out this work at once and do so, I think, as wisely as it could be carried out by any man.

It has been suggested that this is charity; and Senators have urged that we should obtain some kind of an evidence of indebtedness from the countries where this food is to be distributed. I assume, of course, that that will be done in every country where there is an organized government. I presume there will be food distributed in countries where there are no organized governments; and yet, even in that case, I believe that evidence can be obtained that the food has been sent there and distributed, and if a responsible government is ever organized, that government will recognize its indebtedness for the food furnished its citizens. I think we may look forward with confidence in the end to getting back the major part, if not all, of this appropriation. I do not think it is an entire loss. It may be prudent to charge it off, but that there will be a comeback I have not the slightest doubt.

The real question, Mr. President, is what is the real situation in Europe, and what are we going to do to help complete the negotiations necessary to end the war? The war is not over yet. We have not made peace. We have a great army of nearly 2,000,000 men on the other side. We want to get those men back home; and it may be decided by those in better position to know than most of us that it is not safe to bring those men back until a definite peace has been made. I want to see every soldier wearing the American uniform return to this country as rapidly as possible. I do not want him delayed because of the necessary expenditure of $100,000,000. This entire expenditure would be only $50 apiece for those 2,000,000 men to get them home. Every mother and father and family, as well as every man on the other side, is insistent that they get back as quickly as possible; and if this will help in any degree to bring about a sound condition in Europe which will expedite a justifiable peace, then there is ample reason for our making the appropriation.

That there are starving people over there goes almost without saying. I do not think anybody knows exactly about the conditions in most of the countries in the central part of Europe. If the information were obtainable, I think it would be found, for example, that there is food enough in Russia. The difficulty is the distribution of the food; and then the question may arise, How are we going to distribute food if it can not be done under present conditions? And I have no answer to that question. I do not know; but, in any case, we should use every effort to distribute the food that is in Russia in that country. I have a feeling, however, that in Poland and that section of Europe there is the greatest distress; and one of the things that must come out of this peace treaty is the creation of a government between Germany and the East strong enough to present an effective barrier to the activities of the German nation in that direction.

It has been said here to-day, I think by the Senator from Washington [Mr. POINDEXTER], for example, that the Bolshevist can not be cured by giving him food; that he would destroy food; that that is his disposition; that is what he wants to do; and I think probably the Senator is right. He can not utter any sentences too strong for me in his condemnation of the Bolshevist movement; and yet we want to prevent other men from becoming Bolshevists. When a man has an empty stomach he listens to that kind of reasoning much more readily than he does under other conditions. There are great numbers of people in Europe, in my judgment, who will readily listen to that argument unless somebody comes to their relief and gets them into a physical condition which will stimulate a sane and reasonable mental condition.

I do not know about our allies; I do not know about the food conditions in France and Italy; but, in my judgment, no part of this proposed expenditure should be made until a firm arrangement has been entered into by the President with our allies for them to do their part. It is estimated that $350,000,000, in the form of a revolving fund, will be necessary to carry out what is now contemplated. If that is true, then $100,000,000 would be about our share; but no part of that $100,000,000, in my judgment, should be expended until an agreement has been made with the other nations, whose interest in the desirability of carrying out this enterprise is quite as important as ours, to do their part.

I doubt very much the practicability of putting that in the bill, and therefore I suggested in the Committee on Appropriations that that view should be expressed to the President by the chairman of the committee, and I assume that that will or has been done. He certainly should be advised that we do not want to be put in the position of being considered as having an exhaustless Treasury, even by those who have been and are our friends; but in this matter everybody should do his share, based on his own interests and on the necessities of the situation.

When we take the whole question by and large, when we consider that the President is on the other side representing the United States, when he is on the ground and knows the situation, when he is presumably going to make every effort to

bring about a just peace, I think we are rather in duty bound to take one more of these steps which have always been accompanied by the "trust me" statement since the beginning of the war. I do not wonder that Senators are irritated by the situation. I do not wonder that they hesitate about doing it when they think of all the arguments which may be made against it; but I do think that there is ample reason in this case, considering our situation in Europe—the fact that the war is not over, the fact that we want to get our soldiers home as speedily as possible—for our supporting this appropriation, and as far as I am concerned I have concluded to follow that course.

Mr. HARDING. Mr. President, I have been quite reluctant to inject myself into the discussion of the pending measure, because I have a very abiding conviction that the world is already suffering from too much talk; but I am in such a state of hesitancy about my vote on this bill that I thought perhaps if I ventured some remarks about the motives which are impelling me I might arrive at a decision for myself.

I very much doubt whether there is a Senator on this floor who cordially approves of this measure, and at the same time I doubt if there is a Senator on the floor who, from any partisan motive or any hostility to the war administration, wishes to vote against it. Frankly, I am finding difficulty to know what I ought to do.

I do not think an ideal is any less commendable or less admirable if it is one of old creation, if it has been borrowed or re-created or commandeered or conscripted or capitalized; but I do think, Senators, that just now there is an excess of idealism in the politics of the world and not enough of the practical. I would not have a civilization without idealism. I would not want a republic without impelling and inspiring ideals, but I should like for a little while to see the American Republic following the lines of common-sense practicality. I was moved to this thought this morning when the Senator from Utah [Mr. KING] was engaged in a colloquy with one of the Senators on the other side of the Chamber, when he suggested that the passage of this bill would so expedite the return of the American armies from Europe that we would probably save the sum involved by hastening the return of our soldiers only three days.

Why, Mr. President, if expedition of the return of our soldiers will save $100,000,000 in three days or a week, the practical course long since would have been to have driven through a treaty of peace and saved five times that sum already. The difficulty about the situation is that in our committal to the ideal, in this wandering in a maze of dreams, we have forgotten the practical things; we have gotten far adrift on the reasons why we went to war, and it is a curious illustration of one of the inherent weaknesses of popular government.

I talked to a soldier the other day, a very intelligent returned soldier, and I asked him, without irony in my speech, if he was not rejoiced at the American triumph and the victorious fight he had made for the President's 14 points of peace; and, like the practical fellow that he was, he said, "Hell, no! I don't even know what they are."

I said, "Why, it is the impression that you were fighting to carry out the ideals of the Chief Executive." He said, "My dear sir, of all the soldiers I know upon the battle fields of France, every mother's son of them was fighting to whip Germany, and, by the eternal, we did it, and we are glad!"

The point I want to make, Mr. President, is that we proclaimed to the world that we were making a war for democracy, and we never would have proclaimed it for a single minute if it had not been for the politics of the moment, when most men in public life were fearful of offending the so-called German vote in the United States of America; and instead of announcing that we were making war on Germany, which had trespassed upon American national rights, we made the excuse that we were making war for democracy, and it has been a lie from the beginning. America never would have gone to war except to battle in defense of American national rights, and there was not another real reason for our going to war; but out of this misstated reason for entering the war we have builded up these idealistic dreams, and then, after bringing about a triumphant cessation of hostilities, instead of clinching the victory won, we have gone on in a maze of idealism and growing delay, and the end is not yet.

I have no objection, Senators, to some form of conception or creation or combination which shall help to guarantee the continued and abiding peace of the world. I am not finding fault with the Chief Executive for his conspicuous and persistent part in seeking this new status of civilized guaranties. I hope he can bring about something of the kind, if he can, without the surrender of our national sovereignty. I do not agree with him in his notions of a new internationalism paralyzed by socialism. I do not agree with him in sowing the seeds he has of a modified and magnified democracy throughout the world. I do not hesitate to say that I think the world to-day, trembling under the menace of Bolshevism, owes a very large part of that growing menace to the policies and utterances of the Chief Executive of the United States.

But I did not mean to discuss that. I rose mainly to make an inquiry. I want to know from the Senator in charge of the bill, and I ask it in very great respect: Is this a measure of war? Is this a measure carrying out a compact with the nations with whom we have been allied in war and are now allied in seeking peace, or is this an American charity? I ask the Senator from Virginia, because I really wish to know.

Mr. MARTIN of Virginia. Mr. President, as I understand, it is an American charity, but an American charity which will largely bring about the consummation of peace. The communications which have come here from the President of the United States have said that there was a rebellious and anarchistic spirit abroad in Europe, which could not be easily conquered by arms, but could be quieted by food.

In other words, Mr. President, it is impossible to treat for peace with governments whose populations are starving. People who are suffering from hunger are in no condition to make peace. They are ready for riot, disorder, and violence; and because of that want of food Bolshevism has taken a hold in Europe which is alarming the entire European countries and alarming our President. In his communication, while he puts it essentially on the ground of relieving suffering and stopping starvation among the people who have been our friends in this war, which we hope is now approaching its final conclusion, while we are intending to relieve them from starvation, the argument is made that in doing that great charity we at the same time will consummate the peace for which we have been fighting, and which we have almost completely accomplished. The finishing feature of the contest in which we have been engaged for about 18 months is the peace treaties, and we must have better order in certain European countries than exists there now before we can negotiate final treaties of peace.

So, to answer the question in a few words, this is essentially a charity. It is intended to save the suffering people in Europe from starvation; but the argument is made in addition that in relieving them from starvation we will consummate the peace which we all desire.

Mr. BORAH. Mr. President, would it interrupt the Senator if I made an observation at this point?

Mr. HARDING. Not at all.

Mr. BORAH. The Senator from Virginia says this is for the purpose of consummating peace—with the enemy, I presume. We are not making peace with anyone else; and yet we have the specific understanding that not a dollar of this money is to be permitted to reach those with whom we are obligated to make peace or with whom we have been at war. Now, the fact is that it has nothing at all to do with the question of making peace, and the President's cablegrams can not be so construed. It is argued that the friendly peoples in Europe are so unsettled and so unstabilized that governments can not be set up there, or can not be arranged for, until they are fed; and the basic principle is that we propose to feed Europe into a state of stability.

Mr. MARTIN of Virginia. Mr. President, I will read a few lines from the cablegram received from the President:

> Bolshevism is steadily advancing westward, has overwhelmed Poland, and is poisoning Germany. It can not be stopped by force, but it can be stopped by food, and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance.

That is a part of it. I do not want to take the time to read it all. That is a part of a cablegram from the President. There are people that we expect to unite in these treaties of peace that were not active belligerents in the war, but in order to restore peace and good will among the European countries, the good will which will perpetuate peace, it is necessary to have parties to that treaty who were not on the battle line; and it is believed that it is vitally important, in order to consummate that purpose, that starvation should be stopped in these European countries.

Mr. WILLIAMS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. HARDING. I do.

Mr. WILLIAMS. I want to say that it is not of any very great material importance whether we get the consent of Germany and of German Austria to a treaty of peace or not. We can take it for granted that they are going to give their consent, because they have acknowledged themselves whipped, and that is the end of it. The President, in talking about stabilizing conditions so that we may have peoples with whom we could

deal, spoke, in the very language of his message, of "the liberated peoples of Europe," excluding the peoples of Germany and of German Austria.

You can not arrive at any ultimate conclusion so long as Bolshevism is controlling either Poland or Russia. You can not arrive at any ultimate conclusion founded upon reason so long as Armenians and Syrians and Jews and Arabs are starving in Asia Minor. In short, Mr. President, you can not talk to nor reason with a hungry stomach.

I heard somebody this morning say—I think it was the Senator from Washington [Mr. POINDEXTER]—that he disagreed with the President, and that he thought the only way to whip bolshevism was to shoot it to death, and that you could not feed it to death. Perhaps you can not feed Bolshevism to death, but you can feed the receptivity to Bolshevistic doctrines to death; and the only danger about Bolshevistic or anarchistic or nihilistic doctrines anywhere in the world is that they are directed to the mind of a man whose stomach is hungry and whose reason is inactive. If the Senator from Idaho were starving or I, either one, a man would have a mighty slow time reasoning with us, because we would be hunting something to eat.

Now, what the President means is that he wants to give this food to the liberated peoples over there. Who are they? The Poles, the Czecho-Slovaks, the Jugo-Slavs, the inhabitants of northwestern France, the inhabitants of Belgium, the inhabitants of Serbia, and all of these people who have not been our real enemies, although they have been component parts or conquered territory of our enemy during this war; and any Senator is very much mistaken who thinks that at the present price of ammunition it is cheaper to kill a man than it is to feed him.

Mr. HARDING. Mr. President, if the Senator from Mississippi is correct and this fund is to relieve the liberated peoples of Europe, and we were sincere in our proclamation against autocracy, then we ought to apply this fund to the relief of the liberated peoples of Austria-Hungary and the German Empire. If the Senator from Virginia is correct and this bill is in the main a bounty of American generosity in a charitable intent——

Mr. MARTIN of Virginia. Mr. President, I perhaps did not make myself fully understood. It is a charity for the time being, but my impression and belief is that the major part of it, nearly all of it, will be returned. It is to be advanced to those people to relieve their suffering until they can support themselves, and it is confidently expected that nearly all of it will be returned.

Mr. HARDING. I am sure I have not misunderstood the Senator, but I do not wish to contend for a moment concerning the return of the money. If we were granting a charity, I should very much hesitate to grant it with a snarl on my lips.

Mr. President, I can not vote for this measure as a manifestation of American generosity and charity with the limitations which have been put in the bill. I was ready to go as far as any man on this floor in any measure of starvation aimed at the peoples of Germany and Austria so long as we were at war, but when the war is ended and out of the fullness of the American charity we mean to aid in feeding the suffering and starving of the world I would despise myself if I were not content to grant from our stores to the starving of Germany and Austria as well as the Bolsheviki in Russia who betrayed the allied nations in the war.

Mr. President, through somebody's advocacy—and I am not seeking to take issue with any on this side of the floor or the other—we have written into this bill a prohibition of relief in Bulgaria and in Turkey, with which nations we have at no time formally been at war. If we are going to indulge in mercy and help a suffering people out of the abundance of the American storehouse, I want somebody to tell me why the starving mouth in Germany and Austria should not be administered to as well as that in Bulgaria and in Turkey.

Mr. MARTIN of Virginia and Mr. WILLIAMS addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Ohio yield; and if so, to whom?

Mr. HARDING. I am very willing to be interrupted, and I yield first to the Senator from Virginia.

Mr. MARTIN of Virginia. Germany is not suffering for food. The President in one of his cablegrams says that none of it is to be used in Germany. He says Germany has plenty of money to buy the food she needs.

Mr. PENROSE. Then why prohibit it?

Mr. HARDING. I yield to the Senator from Mississippi.

Mr. WILLIAMS. It is useless for me to answer the question, because the Senator from Virginia has done it. Starvation does not exist amongst our enemies. It exists among the liberated people who were subject to the tyranny of our enemies.

Mr. HARDING. Then will the Senator from Mississippi or the Senator from Virginia tell me why we have written into the bill a prohibition of the use of any of this fund in Germany or Bulgaria or Turkey or Austria-Hungary?

Mr. WILLIAMS. Do you mean the German part of Austria-Hungary? Hungary has a surplus of food right now.

Mr. PENROSE. Then why prohibit it?

Mr. HARDING. I ask the Secretary to read the amendment which has been inserted in the bill.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The SECRETARY. On page 1, beginning at line 3, the bill reads:

That for the participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration thereof to such populations in Europe and countries contiguous thereto.

After "thereto" have been added the words:

including the Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia-Minor now subject to Turkey.

Then the bill reads, "outside of Germany," and after the words "outside of Germany" there has been inserted "German Austria-Hungary, Bulgaria, and Turkey."

Mr. WILLIAMS. I confess to the Senator that I did not know the words "German Austria-Hungary, Bulgaria, and Turkey" had been inserted, and I suppose the object of the Senate in inserting them was to include the liberated peoples who were subject to the central empires and not our enemies.

Mr. HARDING. The point I wish to make clear is that the war is one thing and that charity bestowed upon starving humanity is another thing. If we are to reach into the abundance of the American stores, let us not strain the qualities of American generosity and charity. If the measure is not of charity and is a war necessity, with which we are in agreement with the chief nations with whom we have been associated in the war, namely, Great Britain and France, why was it not feasible and practical to found the bill on the coordinated action of these nations, each bearing their burden in the matter? I think there would have been no hesitancy then to promptly place this sum at the disposal of the American peace commission abroad or the commission representing the allied nations. It appears to be a sum indiscriminately passed out to stay the tide of bolshevism.

I wish to put into the RECORD now my own conviction that you can not buy permanent tranquillity with cash or food anywhere in the world, and you can not stabilize the world with the breath of charity, and you can not shower the world with gold and harvest contentment therefrom, because every experiment of that kind which has ever been made calls for the renewal of the shower; and you can not reach practical results through an avenue of dreams. There is no rhetorical route to the reestablishment of normal conditions in the world. Quite as important as the adoption of the practical is the understanding at what convictions the world has arrived concerning our present-day civilization.

Mr. President, there has been much proclamation about the destruction of class rule in the world, and it is very manifest that autocracy is passing from its place in the domination of human affairs; but I want to know if we are going to encourage the drift to the establishment of another class rule in this new civilization which is to come. Little is gained, in my judgment, if you destroy the rule of one class and substitute another. I make bold to say it now, though there are mighty few men seemingly willing to say it, that you can not have popular government dictated by the might or force of physical numbers.

It will fail anywhere on the earth where it is ever attempted, and the man who proposes to substitute for deliberate and intelligent public opinion, who proposes to substitute for character and discipline and thrift and industry and intelligent understanding, the rule of mere physical might will bring on the wreck of the world's civilization. The trouble is that in this uncertain pursuit of modern idealism we are adrift in that direction.

I am not imputing to the President of the United States in his trip abroad any questionable motive. Mr. President, I have never been one to criticize the trip abroad of the President. I am only criticizing the lack of practicality in his journey to Europe. If as the Chief Executive of the United States; if as the premier of the United States, as he has chosen to appoint himself; or if as the chairman of the American peace commission, President Wilson had chosen to go abroad to expedite a treaty of peace which ended the war with Germany, I should have been content to say "Amen"; and if following the formulation of such a compact of peace the President had chosen to

make a triumphal tour of Europe and receive the laudation and acclaim which is reasonably and justly his, I believe I would have rejoiced as an American, because there is neither envy nor jealousy in my soul.

The practical thing to have done would have been to go to Europe and hasten the treaty of peace that finally and formally ends the war with Germany. My criticism is that in chasing his dreams of the ideal he has neglected the more essential, and in pursuing the ideal abroad he has neglected the necessary practical things at home here in the United States so essential to our own welfare.

Mr. President, much has been said about the return of the soldiers and about the restoration of the men at arms to their rightful places in the ranks of peace. I know not whether it is true that there are so many returning soldiers seeking their old positions in vain. In many respects that is to me an unbelievable thing. I think I know the spirit of the average American employer, and I know it was a well-adopted policy that those who went from the ranks of the shop to the Army should find their places awaiting them on their return, and I know that those places would be awaiting the return of the soldiers if the Government of the United States would only fix its policy for peace instead of wandering on in a state of uncertainty.

Mr. President, we have been infinitely more neglectful in preparing for the obligations of peace than we were in preparing for the duties of war. There are industrial institutions in the United States to-day that do not have the faintest idea which way to turn because we are lacking in a policy for peace, lacking in plans for readjustment.

I was in a great manufacturing institution the other day which had never sought a single war contract, the services of which essentially were commandeered by the Government, though I ought to say that it willingly gave its services for war production. After the armistice was signed, very properly the production of war materials in that factory ceased, whereupon the managers of this institution asked for the department only to say to them what they might do with the materials that were cluttering up the floors of their workshop and let them return to their own pursuits. Though that was nearly eight weeks ago, there has not been a decision to this day. The wheels of that industry are paralyzed by the failure of the United States Government to fix the policy, and many of the men who ought to be employed in the activities of that industrial institution in normal activities are held out of work. Why? Because of the unwillingness of the industrial institution? No; it is because of the inaction and indecision of the War Department at Washington.

Then there is another thing, and I am speaking ot it, Senators, not to indulge in a series of critical utterances; but I am seeking to show you that there is a practical side and a practical work to do, and somebody ought to be doing it, doing it now, in the absence of the President, with his approval and commendation and consent.

The other day I read a very important utterance from a member of the President's Cabinet, saying that it was unthinkable that there should be any change in the rate of wages paid. Senators, the public official who makes that statement and at the same time cries out for a reduced cost of living is a demagogue in the widest terms that can be named, because you can not reduce the cost of living and maintain the present standard of American wages.

I am just as much in favor of a high standard of wages as any man on this floor. I think the war will have been in vain if we go back to old conditions that existed heretofore. Nay, more, I think the war will have been in vain and our civilization will have failed to meet the new world conditions if we do not have the conscience and the courage and the cooperation to reach a state where henceforth there is a fairer division of the profits of production. If you do not do it, you will have more Bolshevism in the United States of America than there is in the great, pathetic land of Russia.

But the difficulty is that you have men in public life—under the temptations of popular government and popular appeal—proclaiming to maintain war conditions. In all the Republic there is not a man with an ounce of common sense who believes they can be maintained. They can not be. The business of the country is asking for a policy which will enable it to go on with the necessary readjustment.

Speaking of practical things, you are proposing here to spend $100,000,000 only of American money. In the nations enumerated for relief there are 100,000,000 people and more. The proposed appropriation is $1 each. How far do you think you will get in actual relief with $1 each or $2 each when in the United States of America we are complaining about the inability to live when labor is getting a dollar an hour? It is time to be practical and honest with ourselves.

I was very much impressed by the remarks of the Senator from California [Mr. JOHNSON] asking for an American policy and an American decision. I do not subscribe to much that has been said about aloofness from entangling alliances in the Old World. I think the time has come when we can not wholly hold ourselves aloof. But I want to say to you, Senators, we can fix an American policy for our activities at home. Why is not somebody giving a thought and proposing a means for practical progress for ourselves?

Not very many men will say it, it is not very popular to say it, but we have taxed in this country the big industrial undertakings until they are almost paralyzed. The men who never produce little understand the burden they are putting on the producer. Why would it not be well as a practical thing, instead of giving so much thought to the expenditure of $100,000,000, to secure some practical means of relief for those who are bearing the burdens of American taxes? We want to encourage, not stop the wheels. Why would it not be feasible, for instance, to take the $9,000,000,000 owed to us by the nations allied with us in war, either directly or indirectly—nearly $9,000,000,000 in round numbers; let me put it at $8,000,000,000 to be sure—the $8,000,000,000 that we have loaned to nations who declared war on the central empires of Europe—why would it not be a practical thing to take this indebtedness of the other nations and turn it into negotiable bonds and sell them to the people of the United States, and in that way relieve the burden which you are putting upon the backs of the manufacturers and the great industrial institutions of this country?

America needs a policy. America needs some reconstruction work at home. America needs an understanding as to what our policy is going to be. Nay, more, America needs, above everything else, an understanding that orderly government is the first essential in the world.

I do not forget, Senators, that in high places in this country, both executive and legislative, we preached the gospel of revolution in the central empires of Europe. We were so eager to make war on constituted authority that we proclaimed revolution as one of the greatest essentials to bring about peace and tranquillity in the world. You lighted a fire then that it is difficult to put out now. If I had to choose for myself between hateful autocracy on the one hand or destroying anarchy and its democracy on the other, if there is no righteous mean between these two hateful extremes, I choose autocracy. We have been encouraging the lighting of the fires of revolution throughout the world without counting the possible cost to ourselves.

In substance, then, what am I seeking to argue? That we stop the futile chasing of ideals—not putting them aside entirely—and hasten the work of bringing about an accepted peace, so that those who are responsible for policies and administration of law in this Republic can turn the attention of our people to the pursuits of peace and restoration and reconstruction. When we have gotten our forces again at work we can stay the march of Bolshevism by appeals to deliberate American understanding.

The man who expects to stop that wave by yielding from the wealth of the world, by feeding temporarily, is chasing a rainbow that has no end. The man who expects by the preachment or the application of charity or through some new and impossible combination that the world has tried again and again without avail, and by that means to bring the world to tranquillity, is marching and shouting in vain.

The big thing to do, Senators, is to get ourselves out of the entanglement into which we went in defense of our American rights, stop this perfectly indefensible discussion about fighting for democracy and the creation of new governments throughout the world, and let us understand that we were fighting for American national rights and to maintain our American civilization. If you do not do it, if you do not get America adjusted to paths of peace within the next 90 days, you will be seeking means of stopping the flame in this country instead of feeding the starving who are contributing to the ranks of Bolshevism in the Old World.

Mr. President, I subscribe to the doctrine enunciated by the Senator from California. Let us have an American policy. Let us devote ourselves to American problems. We can not expect to hold wholly aloof, but we are not half so much concerned about the affairs of Europe as we sometimes pretend to be. It is notoriously true that at the very time we were proclaiming our anxiety about France having the restoration of Alsace and Lorraine—and I for one meant it truly—there were those who were in authority to speak who said privately we were not concerned and never expected to have a part in handing back that territory to the Republic of France.

We concern ourselves about open diplomacy and square dealing and frankness with the world, when the truth is that we are proposing a great Navy and we are proposing to build a limitless merchant marine, merely to paint the scenery for negotiations with the other nations of the earth.

Mr. President, I want to cry out again and again for practical things. I read only this morning that we are building $3,000,000,000 worth of ships at prices necessarily contracted in the emergency of war; we are building them at from $200 to $250 per dead-weight ton, and we are going on now laying keels day after day, proposing to build $2,000,000,000 worth more after the crisis is passed, and while we are so building the head of the United States Shipping Board is proclaiming to the world that we must write off a billion dollars—and practical shipping men say that that is not enough—to permit profitable operation.

Where are we going? What is to be the end? Where is the magic source in this wonderful Treasury that you can spend one, two, three, four, five billion dollars, write it off with a sweep of the pen, and still propose to go on, and do it as a camouflage, let me say, to aid in our negotiations for a favorable compact with the nations of the earth?

Mr. President, if I had my way, and if Congress had the courage on its own initiative, if we had for a moment any confidence in our own convictions, we would say "not another ship at war prices." We ought to say it. Let us finish what we have begun; let us keep our yards and make them a reservoir of employment for the readjustment; let us build ships and use the unemployed, if necessary, to bring about an easy readjustment; but let us not go on at war prices, with enormous profits to the contractors and unnecessary and unfair prices to the laborer. I say it deliberately, Mr. President. It is not fair in American shipyards to pay a wage from 50 to 75 per cent more than we pay in thousands of industrial employments throughout the United States, where the men at work were content to follow their normal pursuits in order to maintain the needed trend of American activities.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Missouri?

Mr. HARDING. I yield.

Mr. REED. In order that I may be sure that I understood the remark of the Senator I desire to ask, Does the Senator understand that any new contracts for ships have been let since the armistice was signed?

Mr. HARDING. No, Mr. President. What I meant to have said was that there are thousands of ships contracted for under the war emergency for which the keels have not yet been laid, for many of which, perhaps, the material is not even yet on the way to the yard.

Mr. REED. The Senator's view, I take it, is that as to those contracts which have not been well started, the work ought to be stopped on the ships in the same manner that work has been stopped by the War Department in the production of war materials?

Mr. HARDING. Precisely so.

Mr. President, I found no fault with the building of ships at a very costly figure to meet the war emergency. We had to have ships, else the Republic failed in its cause in the war. I found no fault with the costly struggle for tonnage. I did not grieve that we paid almost what anybody asked; I did not grieve that labor came in again and again with its demands. I only say it is unfair to the great rank and file of labor throughout the United States to continue our war-time activities in the shipyards at the present rate of compensation.

I would use the shipyards as a means of employment, with a readjusted wage. I would not stop our activities to build up a great merchant marine; but, Mr. President, it is futile to build a merchant marine without a policy for its maintenance and operation, and we have not yet reached that policy, I am sorry to say——

Mr. FLETCHER. Mr. President——

Mr. HARDING. I will yield to the Senator in just a moment. Let me add that no sooner had the war ended than Great Britain, whom we well might pattern after as a maritime nation, was ready to release her ships to go seeking and bearing the commerce of the world. We have done nothing of that sort.

Mr. President, if I could fix the policy I would have these scores, yea, these hundreds, of new shipyards in the United States employ American labor at the top price possible to private operation in building ships for the world. What boots it, what advantage is there to us to have the greatest merchant marine in the world, if, under this new idealism, we are to have a compact of nations in the international relationship where there is no competition or no seeking of national eminence, no seeking of American triumph?

Why, it was our Secretary of Commerce who admonished American industry to seek no trade abroad until the world should find itself in a state of comfortable readjustment. If that is the policy I ask why build ships to seek to carry American trade?

Now I yield to the Senator from Florida.

Mr. FLETCHER. Mr. President, what I was going to suggest to the Senator was that it appears that by the devastations of submarines the United Kingdom lost some 8,000,000 tons of shipping and incurred about a million tons of marine loss by mines, and so forth. Great Britain failed to construct ships during the war as she had been doing in previous years, so that she is very short of anything like an adequate merchant marine at the present time. She has not perhaps one-third of the merchant navy that she requires for her own business. She recognizes that it is the opportunity of the age for her competitors in foreign markets to build up a mercantile marine that would supply their own needs in the years to come, and in some measure perhaps cut off some of her own shipping business. Great Britain recognizes that the sensible thing to do—not by way of taking advantage of any other nation or anything of that sort—but that the sensible thing to do for any nation that wants to take its proper place on the seas, that aspires to become in any way a maritime power, is to build ships.

I hope the Senator from Ohio does not mean to contend that we ought to discontinue the construction of ships because wages are high or because it is expensive. That is certainly not the policy of Great Britain. The Senator commends the United Kingdom for its wise course in the past. She had 10,000 vessels flying her flag in every part of the world, and was carrying at least 60 per cent of the world's trade when the war began and 92 per cent of her own trade. The Senator from Ohio commends her course, her genius, her skill, and her wisdom. Great Britain is not failing to build ships now, even at the present prices. If the Senator from Ohio will permit me to extend this interruption just a moment longer, I desire to say I have before me a statement made by the Right Hon. Lord Inchcape, chairman of the Peninsular & Oriental Steam Navigation Co. Addressing the stockholders at a recent meeting, he said:

> Meanwhile we must go on replenishing our fleet, even at the present high prices. We have arranged for the construction of two large mail and passenger ships with Messrs. Harland & Wolff and have contracted for three steamers with the Messrs. Caird and made provisional arrangements to secure berths with other builders.

That refers merely to one shipping concern. I happened to make a note of that address when I read it last night. It shows that every one of these lines in Great Britain is proceeding to build ships to-day to as great an extent as ever, and more than ever, in fact, in spite of the high prices. Should we not pursue the same course?

Mr. VARDAMAN. Mr. President, will the Senator from Ohio permit the Senator from Florida to state the difference between the cost of the English ships and the American ships?

Mr. HARDING. I will venture to state it for him.

Mr. President, I had not thought to go into a detailed discussion of the shipping problem, because I am getting far adrift from the line I intended to follow; but I must reply to the Senator from Florida to this extent: I do not want a cessation of shipbuilding activities; I would have them accelerated and magnified; but I do not want to build ships for the merchant marine of the United States of America at from three to four times the normal cost; yea, at nearly three times the cost for which England is building ships under war conditions. It has been very well established that England's shipbuilding activities are being carried on now at a cost of $90 per ton, while in the United States of America, in our shipyards under war pressure, we are paying from $220 to $250 per ton. I think it is perfect folly to spend billions of money out of the Public Treasury of the United States to build ships at from two to three or four times the normal cost after the war emergency has passed. We had better suspend the contracts and let the yards dip into the shipbuilding enterprise on their own account when the world is in fact calling for ships.

Mr. FLETCHER. Mr. President, may I ask the Senator from Ohio to allow me to quote from a report of the Shipping Board as to the cost of construction abroad? In a recent report filed January 9 they say:

> Such information about British construction for foreign account as comes to the Shipping Board is circumstantial and unofficial. For example, it is reported that British shipbuilders are offering to construct steel vessels for French and Italian account at prices said to range between $190 to $125 a dead-weight ton, according to whether the vessels are to be delivered in the immediate or distant future.

Mr. HARDING. Will the Senator state from whose testimony he is reading?

Mr. FLETCHER. This report is signed by the acting chairman of the Shipping Board, John A. Donald. It is in response to a Senate resolution, and was filed January 9, 1919.

Mr. HARDING. I am aware that the statement has been officially or semiofficially made that Great Britain is paying $90 per ton for the construction of ships.

Mr. NELSON. The price the Senator has quoted for American ships does not include overhead charges.

Mr. HARDING. The Senator from Minnesota suggests that the prices I have quoted, referring to our own ships, do not include overhead expenses. I am prepared to say the statement in reference to the cost of British-built ships is not correct; that the highest price Great Britain has paid for shipbuilding at any period during the war is $90 per ton, and I challenge any authority to contradict the statement I have just made.

Mr. REED. Mr. President, I call the Senator's attention to the fact stated in this report:

Such information about the British construction for foreign account—

For foreign account—

as comes to the Shipping Board is circumstantial and unofficial.

I call the Senator's attention to the fact, first, that it is circumstantial and unofficial; and, second, that it relates not to the price which Great Britain is paying for building her own ships in her own yards, but the price of the ships she is building for foreign account.

Mr. HARDING. The Senator's statement is entirely in accord with that which I have made. But, Mr. President, even were these things not so, even were there not this marked difference in cost between ships built under war emergencies in the United States and in times of peace, it would be perfect folly to proceed with this enormous war-time construction when we are as yet without a policy for the successful operation of the ships when built, and when there is not a man in connection with the shipping authorities of the United States Government who believes that a single vessel can be maintained in operation except through the aid of a Government subsidy.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator a question.

Mr. HARDING. If it is only a question, I yield.

Mr. WILLIAMS. Even independently of a subsidy for operation, how could a ship that cost $250 a ton live in competition upon the mere basis of earning interest upon the original cost with a ship that cost even $190 a ton?

Mr. HARDING. It could not; and I wish to say to the Senator from Mississippi that I cordially——

Mr. WILLIAMS. Then why build dead-weight?

Mr. HARDING. I cordially agree with the Senator that we ought to write off much of the war cost, and I will find no fault thereat. I only complain of the lack of practicability of going on now after the war emergency has passed to build at war-time prices.

Mr. WILLIAMS. I am not disagreeing with the Senator. I am agreeing with him this far, that if you find that it costs you $250 to build a ship, and at the highest estimate it costs somebody else $190——

Mr. HARDING. No; $90.

Mr. WILLIAMS. Or $90—I stated the highest estimate—you simply can not compete with that other man in operating your ship if you are going to be paid the same rate of interest upon your plant. If we are going into this business anyhow, with the idea of taxing all the people of the United States, its wheat farmers and its cotton planters, in order to keep up the operation, we are deliberately building up a system to be paid for at the expense of the taxpayer, and giving only the same rate of profit to the producer.

Mr. HARDING. The Senator and I are in perfect accord, and I invite his voice——

Mr. WILLIAMS. Then another idea struck me that does not strike the Senator from Ohio. It never struck me that it made the slightest difference to me who carried my cotton to Timbuctoo, provided it was carried for a sufficiently low rate.

Mr. CHAMBERLAIN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Oregon?

Mr. HARDING. Certainly.

Mr. CHAMBERLAIN. The Senator suggests that all of these contracts for wooden ships ought to be canceled, and he speaks particularly of those that are not on the ways. The Senator would not advise the cancellation of a contract for building a ship where, although it might not be on the ways, the lumber entering into its construction had been manufactured and was in the lumber yards ready for delivery, would he?

Mr. HARDING. Yes; I would. I would sell the lumber on the ground. I would dispose of it to the shipbuilder at a sacrifice and let him build ships on his own account.

Mr. WILLIAMS. Sell the lumber and charge up the loss to profit and loss.

Mr. HARDING. Exactly so. That is precisely what I would do with every ship which is not in process of construction.

Mr. CHAMBERLAIN. I differ radically from the Senator in regard to that, because, take it in the Northwest, where at least 10,000 men were engaged in the construction of wooden ships, the Shipping Board, or the Emergency Fleet Corporation, has canceled contracts for at least 40 or 50 ships where the lumber for them had been manufactured, although the ships were not on the ways. The result has been not only great distress among the laboring people—it has released about 10,000 shipbuilders—but it has practically put some of the lumber yards into bankruptcy.

Mr. HARDING. Mr. President, I will say to the Senator from Oregon, with whom I am sorry to be in disagreement, that there is not any remedy for that sort of thing. The American shipyards are filled with workmen from all sections of the country, some of whom left their normal pursuits because of the higher compensation they received, not a few of whom sought the shipyards as a means of avoiding military service; so it is a very natural thing that the shipyards on the east and west coasts, and probably on the southern coasts, are filled with workingmen, where the wage was at the very top notch because of war conditions and exemption from military service and fortunate conditions generally. You can not hope to have readjustments without some hardships.

Mr. President, there are no readjustments following a war that are free from hardships. They will come for the men who wear the uniform, they will come for the American home, they will come for the American employer. No one is free from the trials and denials and losses and distresses that attend the enormous readjustment which follows a war. It is perfect folly to think of such a thing.

And now, Mr. President, having detained the Senate much longer than I thought to do when I rose to my feet, let me say one thing more.

There is a lack of practical procedure. Six months ago there was proposed to this body a responsible plan for readjustment and reconstruction. Instead of accepting the advice or suggestions of the Senate, the Executive frowned upon them and said, "No; I have a plan for reconstruction and readjustment," and the proposals of those of us in the Senate, thought out by many capable and very earnest men dealing with the subject, were turned down. The Executive program was at least accepted by inference; and without a single move toward establishing conditions helpful to reconstruction the President went abroad, and a finger has not been lifted to this day. That is why we are drifting into chaos in the United States. That is why I am making an appeal to the Senate to-day to put aside for a little while the pursuit of the ideal and get down to practical things for the relief of the American Republic.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. HARDING. I do.

Mr. CUMMINS. The Senator from Ohio, if he will permit me, is not quite accurate with regard to the suggestions for reconstruction. The President proposed—I assume he proposed through the bill introduced by the Senator from North Carolina—that a commission be appointed to take into consideration these very vital problems. The Senator from Massachusetts [Mr. WEEKS] introduced a resolution which looked to the appointment of joint legislative committees covering the same subject. The Republican conference took into its consideration the resolution offered by the Senator from Massachusetts. It was modified somewhat, though not essentially, and in its modified form I had the honor of introducing it into the Senate. It was referred to the Committee on the Judiciary. The bill introduced by the Senator from North Carolina had been referred to the Committee on the Judiciary. The bill and the resolution were referred by the full committee to a subcommittee, and there they have remained without attention or action.

I say, without the least reflection upon the chairman of that subcommittee, that I have been industriously endeavoring from that time until now to secure a meeting of the subcommittee for the consideration of those two propositions, which differed only in the procedure—the one contemplated an administrative commission and the other contemplated legislative committees—and I have been unable to secure a meeting of the subcommittee. The Senator from North Carolina is not here, and I ought to say

in his defense that one of the reasons that he has given for the failure of the subcommittee to meet is that he, as chairman of this German propaganda committee, has been busily engaged in that work. But three weeks ago, four weeks ago, we ought to have had a meeting of the subcommittee, and we ought to have made some report, and the Judiciary Committee ought to have taken some action upon it, and the Senate ought to have the subject before it now. Indeed, it ought to have had it before it long ago.

I rose simply to correct what I thought was an inaccuracy in the statement of the Senator from Ohio when he said that the proposition of the President had been accepted and that he thereafter abandoned it. The truth is that it is before the Judiciary Committee; and I very much hope that as soon as the subcommittee can find an opportunity to do it we will take up that subject and dispose of it. I agree with the Senator from Ohio that there is nothing so imperative at this moment as to reach a conclusion with regard to the things we ought to do after the war.

Mr. HARDING. Mr. President, I am very glad to have the interruption of the Senator from Iowa, and I am very glad to be corrected in any error I have made in stating the reasons for inactivity in a reconstruction program; but I am only assuming that the things I have thought to have been done are soon to be done, whenever the committee does meet. I know nothing practical has been done.

Mr. President, I realize that the Senate is weary, and I am disposed to apologize. I have been saying these things because I can not vote for the pending measure as an offering of American charity, if we are going to do it with the limitations and conditions proposed by my distinguished friend, the Senator from Pennsylvania [Mr. PENROSE], and also by our distinguished floor leader on this side of the Chamber [Mr. LODGE]. I do not want any string to the generosity of the Republic if I am going to vote $100,000,000 as a mark of generosity or charity; and, on the other hand, if this measure is presented in fulfillment of an agreement between Great Britain and France and the United States of America, I am ready to vote without a moment's hesitation if we have that mark of agreement or indication of agreement in the pending measure. But I do not want to be put in the attitude of voting away $100,000,000 of American money at the mere behest of the President, no matter how lofty his motives may be. I do not want to seem to be in the attitude of nagging or criticizing him. No one wishes him greater achievement in Europe in this most extraordinary visit than I do. I would be sorry, partisan that I am, if the President should come home in a state of humiliation. Perhaps it would not be serious if none were greater than his disappointment over peace point No. 1. That is example of the trouble with the idealist. He proclaims something splendid without thinking of the practical side. I knew that you could not have perfectly open negotiation, and you know you can not. The pity was that we committed ourselves to it unalterably before we learned the practical side of the situation.

I should like to vote for a measure which has the judgment and the conscience of the Senate back of it; but if we are going to do this, let us eliminate from the bill the restrictions tying the hands of the committee or the commission on the one hand or limiting the bounds of our generosity on the other. Maybe I have not enough of hate in my heart. Sometimes I think I am lacking in one of the essential attributes of a real human being because I can not hate; but if I am going to give of my bounty to the starving of the world I know neither nationality, creed, nor previous commitment to this very hour. I want it to be as broad as the humanity and justice for which this Republic stands.

One word more, Mr. President. I give notice now that if I give my sanction to the pending measures, which I doubt if I can, it is the last that I am going to give in the name of war or war necessity or war exigencies at Executive behest, because the war is ended and peace ought to be negotiated now. I refuse from this day on to be called upon to vote for any measure for the promotion of American success in the world war, because the triumph is recorded. I want a little more attention to the preservation of things at home. Senators, those of you who are good enough to listen to me, know that this Republic is founded on civil liberty, written for the first time in the history of the world into the American Constitution. On civil liberty you built the temples, religious liberty and human liberty, and the tendency of the hour is to strike at civil liberty and its guaranties. If this Republic is not committed in good conscience to the preservation of civil liberty and the maintenance of orderly government, our civilization has failed, and I warn you this war has been fought in vain to destroy autocracy and the menace of power such as Germany exercised before the war began. And the measureless sacrifice has been in vain, because the whole fabric of civilization will be torn asunder and humanity will have gone back five centuries instead of marching ahead, as it ought, with the soul of liberty aflame.

Mr. CHAMBERLAIN. Mr. President, I do not rise for the purpose of making a speech; but in view of the statement of the Senator from Ohio [Mr. HARDING] that he did not intend to vote for any measure in future as a war-emergency matter, I am going to call his attention to a telegram received by me from Oregon this morning, and he may later be placed in a position where application will be made for appropriations that are distinctly war-emergency matters.

I have received the telegram which I send to the desk and ask to have read, and after its reading I desire to make a very brief statement about it.

The PRESIDENT pro tempore. Without objection, the telegram will be read.

The Secretary read as follows:

PORTLAND, OREG., *January 19, 1919.*

Hon. GEORGE E. CHAMBERLAIN,
Senate Chamber, Washington, D. C.:

The situation of many of the discharged soldiers reaching this State is so unfortunate and the lack of employment is so serious that the legislature on Thursday passed an emergency measure creating a commission for the relief of discharged soldiers and sailors and appropriating $100,000 for this purpose. At the request of the legislature the highway commission will immediately arrange to put 1,000 men to work on force account, giving preference to the returned Oregon soldiers and sailors. The feeling of the people of this State is very pronounced that it is the duty of Congress to enact legislation that will make full and adequate provision for our discharged soldiers and sailors covering the period of time that will enable them to secure positions and resume their usual occupations, and I can not too strongly urge upon you the wisdom of exerting your great influence to secure the passage of such legislation.

W. B. AYER,
Chairman Soldiers and Sailors Commission.

Mr. CHAMBERLAIN. That telegram is signed by one of our best and most disinterested citizens. He represented the Food Administration in Oregon during the whole period of the administration of the food law.

There is a condition, Mr. President, that has been brought about largely by this war emergency. There were at least 30,000 men who were engaged in spruce production under the direction of the War Department, and when the armistice was signed that whole production ceased, with the result that 30,000 men were immediately turned loose, to be absorbed by a small community. On the heels of that the Emergency Fleet Corporation canceled the contracts in Oregon and Washington for nearly 50 wooden ships, which turned loose on the community another 10,000 men engaged in ship construction, and, in addition to that, innumerable laborers in lumber yards of the Northwest.

Mr. President, the result of this governmental action, and I have no criticism to make of it particularly, is that the young men who are going back to those States must inevitably suffer. They are suffering, and not only the young soldiers but the laboring people of our community. All efforts to secure relief from the Shipping Board——

Mr. HARDING. May I interrupt the Senator?

Mr. CHAMBERLAIN. I yield.

Mr. HARDING. I wish to ask the Senator from Oregon if it would not relieve the situation, as far as the shipyards are concerned, if the Shipping Board would take off the ban and permit the shipyards to build by private contract.

Mr. CHAMBERLAIN. I think probably that is true; I understand they are not even building for foreign account. But the point I desire to make is that the Oregon Legislature has appropriated $100,000, not as a charity, but for the purpose of finding employment for these young men in highway construction. We have got to do something of that kind, because Oregon is not the only State affected. It will reach down into every State in this Union, and you will have applications to the legislatures to pass appropriation bills and to Congress to assist in their relief. They do not ask this as a charity.

I have introduced in the Senate of the United States, and there is now pending before the proper committee, a highway construction measure. These young men have been living out of doors for the past year or more, and there is no better way to improve the country and the condition of these young men than to have the Government itself engage in the construction of interstate roads.

Mr. VARDAMAN. Will the Senator from Oregon permit me to suggest to him that the emergency which he has just been discussing might be met if Congress would provide additional pay to the soldiers for six months? That would enable them to find work without having the States make appropriations for new roads for that purpose. That would be an inexpensive and easy settlement of a difficult problem, it seems to me.

Mr. CHAMBERLAIN. These young men do not ask charity. They want work. That is what they are asking in Oregon, and that is what the legislature proposes to give them. I think many of the men who are returning now would resent the giving to them of anything in the way of charity. They want work in Oregon, and they will want it in other States of the Union.

I put that telegram in the RECORD in order that Congress may begin to realize the situation that has already begun in the Northwest, one of the most prosperous sections of the United States.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills:

S. 41. An act to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel and other purposes; and

S. 2552. An act to provide for a leave of absence for homestead entrymen in one or two periods, and for longer times.

The message also announced that the House had passed the bill (S. 2784) to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 390) to establish the Grand Canyon National Park in the State of Arizona, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House agrees to the amendment of the Senate to the bill (H. R. 11948) granting the consent of Congress to the Great Southern Lumber Co., a corporation of the State of Pennsylvania, doing business in the State of Mississippi, to construct a bridge across Pearl River at or near the north line of section 22, township 8 north, range 21 west, west of the basis meridian, in the land district east of Pearl River, in the State of Mississippi.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HOUSTON, Mr. ASWELL, and Mr. NICHOLS of Michigan managers at the conference on the part of the House.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 7362. An act to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water;

H. R. 12082. An act authorizing the sale of certain lands in South Dakota for cemetery purposes;

H. R. 13004. An act extending the time for construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed;

H. R. 13019. An act to authorize the purchase by the city of Myrtle Point, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916;

H. R. 13056. An act to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal.;

H. R. 13143. An act extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge; and

H. R. 13273. An act to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917.

PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented resolutions adopted by the Board of Supervisors of Medford County, Mich., favoring the early recall of soldiers residents of that county, which were referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of St. Clair County, Mich., praying for the proposed five-year extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Ponoma Grange No. 66, Patrons of Husbandry, of Sault Ste. Marie, Mich., and a petition of the Sunday school board of the Central Methodist Church, of Sault Ste. Marie, Mich., praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

He also presented a resolution adopted by the Michigan State Board of Registration of Nurses, praying for the enactment of legislation granting commissions to Army nurses, which was referred to the Committee on Military Affairs.

He also presented a memorial of Local Union No. 297, United Brotherhood of Carpenters and Joiners, of Kalamazoo, Mich., remonstrating against making permanent the Federal Employment Agency, which was referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 127, United Automobile, Aircraft, and Vehicle Workers of America, of Detroit, Mich., praying that American soldiers and sailors be withdrawn from Russian territory, which was referred to the Committee on Military Affairs.

Mr. COLT presented resolutions adopted by the Board of Aldermen of Newport, R. I., relative to the housing of Government employees at Narragansett Bay, R. I., etc., which were referred to the Committee on Public Buildings and Grounds.

REPORTS OF COMMITTEES.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, reported it with an amendment.

Mr. WADSWORTH, from the Committee on Claims, to which was referred the bill (S. 978) for the relief of Watson B. Dickerman, administrator for the estate of Charles Backman, deceased, reported it without amendment and submitted a report (No. 654) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 5394) requiring the Secretary of War to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

A bill (S. 5395) requiring the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Naval Affairs.

By Mr. PENROSE:

A bill (S. 5396) to reclassify the salaries of employees above the clerical grades in post offices of the first and second class; to the Committee on Post Offices and Post Roads.

By Mr. KENYON:

A bill (S. 5397) to provide for the commencement or prosecution of public works in order to provide increased opportunities for employment during the period of demobilization and industrial readjustment, and for other purposes; to the Committee on Education and Labor.

By Mr. POMERENE:

A bill (S. 5398) to amend an act entitled "An act to regulate commerce, approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission, approved June 29, 1906"; to the Committee on Interstate Commerce.

By Mr. COLT:

A bill (S. 5399) granting a pension to Sarah C. Hale; to the Committee on Pensions.

By Mr. MARTIN of Kentucky:

A bill (S. 5400) donating captured cannon and cannon balls to the University of Kentucky, Lexington, Ky.; to the Committee on Military Affairs.

By Mr. RANSDELL:

A bill (S. 5401) authorizing the Secretary of War to donate to Tulane University, New Orleans, La., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LEWIS:

A bill (S. 5402) increasing the pay of printers, pressmen, and bookbinders employed in the Government Printing Office, and for other purposes; to the Committee on Printing.

By Mr. WADSWORTH:

A bill (S. 5403) directing the Secretary of War and the Secretary of the Navy to furnish to the adjutants general of the several States the records of the men of those States who served in the Army, Navy, or Marine Corps during the war be-

tween the United States and Germany; to the Committee on Military Affairs.

By Mr. SIMMONS:

A joint resolution (S. J. Res. 214) authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases; to the Committee on Finance.

By Mr. RANSDELL:

A joint resolution (S. J. Res. 215) directing the United States Coast Guard to resume its operations under the Treasury Department; to the Committee on Commerce.

GOVERNMENT CONTRACTS.

Mr. HENDERSON submitted an amendment intended to be proposed by him to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, which was ordered to lie on the table and be printed.

ADDRESS BY A. MITCHELL PALMER.

Mr. SMITH of Arizona submitted the following resolution (S. Res. 421), which was referred to the Committee on Printing:

Resolved, That the address delivered by Hon. A. Mitchell Palmer, Alien Property Custodian, before the New York Bar Association December 10, 1918, be printed as a Senate document.

HOUSE BILLS REFERRED.

H. R. 13273. An act to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917, was read twice by its title and referred to the Committee on Finance.

The following bills were severally read twice by their titles and referred to the Committee on Commerce:

H. R. 7362. An act to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water;

H. R. 13004. An act extending the time for construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed; and

H. R. 13143. An act extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 12082. An act authorizing the sale of certain lands in South Dakota for cemetery purposes;

H. R. 13019. An act to authorize the purchase by the city of Myrtle Point, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916; and

H. R. 13056. An act to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal.

GRAND CANYON NATIONAL PARK, ARIZ.

The PRESIDENT pro tempore laid before the Senate the amendments of the House to the bill (S. 390) to establish the Grand Canyon National Park in the State of Arizona, which were, on page 2, line 4, after "road," to insert ", passing and in relation to United States Geological Survey bench marks stamped 'Canyon' and numbered 6340, 6235, 6372, 6412, 6302, 6144, and 6129"; on page 2, line 12, after "Canyon," to insert ", crossing Hualapai Canyon and continuing northwesterly along said upper rim"; on page 5, line 4, to strike out "3, 4, 9, and 10" and insert "2, 3, 10, and 11"; on page 7, to strike out lines 14 to 18, inclusive, and insert:

SEC. 3. That nothing herein contained shall affect the rights of the Havasupai Tribe of Indians to the use and occupancy of the bottom lands of the Canyon of Cataract Creek as described in the Executive order of March 31, 1882, and the Secretary of the Interior is hereby authorized, in his discretion, to permit individual members of said tribe to use and occupy other tracts of land within said park for agricultural purposes.

On page 8, line 14, after "Park," to insert "the Secretary of the Interior may, in his discretion and upon such conditions as he may deem proper, grant easements or rights of way for railroads upon or across the park"; and on page 9, after line 7, to insert:

SEC. 9. The Executive order of January 11, 1908, creating the Grand Canyon National Monument, is hereby revoked and repealed, and such parts of the Grand Canyon National Game Preserve, designated under authority of the act of Congress, approved June 29, 1906, entitled "An act for the protection of wild animals in the Grand Canyon Forest Reserve," as are by this act included with the Grand Canyon National Park are hereby excluded and eliminated from said game preserve.

Mr. ASHURST. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

AMERICAN EXPEDITIONARY FORCE.

Mr. WADSWORTH. Mr. President, I desire to state that on Thursday at the conclusion of morning business I shall seek an opportunity to address the Senate on the American Expeditionary Force.

SENATOR FROM MICHIGAN.

Mr. POMERENE. I desire to present from the Committee on Privileges and Elections a favorable report upon Senate resolution 415 and to ask that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LODGE. I object to the report. It is out of order. It is morning business.

The PRESIDENT pro tempore. Objection is made.

Mr. POMERENE. Permit me to observe that I can readily distinguish courtesy from discourtesy. I find that one matter is presented and no objection is made, and then an objection is made to another report on the ground that it interferes with the custom of the Senate.

Mr. LODGE. Mr. President, I made objection to this report because I think it is improperly made, to begin with, and it is a very different character of report. There is no question of courtesy or discourtesy about it.

Mr. KNOX. I may say that an additional reason why the objection of the Senator from Massachusetts should have been made in this case is that this report comes from a meeting of the committee held this afternoon against the protest of some of the members of the committee and against the rules of the Senate which prohibit the holding of a meeting of a committee during the sessions of the Senate and against the objection of members.

Mr. POMERENE. Permit me to say that at this session of the committee there were 11 present out of the 15 members of the committee. Objection was made by two members of the committee on technical grounds that I shall discuss at the proper time.

RECESS.

Mr. MARTIN of Virginia. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, January 22, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 21, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Oh, Thou Infinite Spirit, above all, through all, and in us all, a potent influence, the inspiration of all that is truly noble, give to all, especially those who hold influential positions in our Government, great thought and impel them to great acts, that the genius of our Republic may more and more obtain, till truth and right, justice and liberty shall reign supreme and brotherly love prevail everywhere. In the name and spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

BRIDGE ACROSS PEARL RIVER, MISS.

Mr. SANDERS of Louisiana. Mr. Speaker, I ask to take from the Speaker's table the bill H. R. 11948, for the purpose of concurring in a Senate amendment.

The SPEAKER. The Chair lays before the House the bill with the Senate amendments. The Clerk will report the bill by title.

The Clerk read the title of the bill (H. R. 11948) granting the consent of Congress to the Great Southern Lumber Co., a corporation of the State of Pennsylvania, doing business in the State of Mississippi, to construct a bridge across Pearl River at or near the north line of section 22, township 8 north, range 21 west, west of the basis meridian, in the land district east of Pearl River, in the State of Mississippi.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Page 1, line 11, strike out the word "and."

The SPEAKER. The question is on concurring in the Senate amendment.

The Senate amendment was concurred in.

THE CENSUS.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, to disagree to the Senate amendments, and agree to the request of the Senate for a conference.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take this bill from the Speaker's table, disagree to the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

Mr. ELLSWORTH. Mr. Speaker, reserving the right to object, I am interested in having consideration by the House of Senate amendment No. 12, which provides—

That after the passage of this act preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, in making appointments to clerical and other positions in the executive departments and in independent governmental establishments.

The SPEAKER. What does the gentleman from Tennessee say about that?

Mr. HOUSTON. I am willing that the House shall have a separate vote upon that amendment if it is not agreed to in conference.

Mr. ELLSWORTH. Will the gentleman consent to exclude that in his motion to disagree?

Mr. HOUSTON. Oh, no. I think it is sufficient to let it be the understanding of the House that we shall have a separate vote upon that if it becomes necessary.

Mr. ELLSWORTH. I would like to have it considered at this time, so that a motion can be made to concur in that amendment.

Mr. HOUSTON. Does the gentleman mean at this time?

Mr. ELLSWORTH. At this time.

Mr. HOUSTON. Mr. Speaker, I think we had better get this bill into conference. I think we will have no trouble about this amendment, and I do not think we ought to act on different propositions, which will cause unnecessary delay.

Mr. ELLSWORTH. If the gentleman will assure the House that this will be brought back and that the House will have an opportunity to vote on it unless the conferees agree to the amendment, that will be satisfactory to me.

Mr. HOUSTON. I shall do that, as far as it is in my power; and I take it that will be the understanding of the House.

Mr. MANN. Does the gentleman make the same agreement as to amendments 13 and 14?

Mr. HOUSTON. I do.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, as to amendment numbered 26 and other kindred amendments that seek to provide for a quinquennial census rather than a decennial census, I think, in view of the tremendous expense occasioned by taking the censuses, the House should be given the opportunity to vote upon the question of taking a quinquennial census rather than a decennial census before that is agreed to. I question whether the House wishes to agree to that, because it is such an important matter, involving a burden of $15,000,000 on the Treasury. I think the House conferees will realize that such an important matter should be brought back to the House before it is agreed to, so that the House may have a chance to vote upon it.

Mr. HOUSTON. I fully agree with the gentleman as to the importance and magnitude of that amendment.

Mr. STAFFORD. I think on such an important matter the House should be given an opportunity to express itself before the amendment is agreed to in conference. We have never expressed ourselves heretofore in favor of taking a quinquennial census.

Mr. ASWELL. If the gentleman insists on the conferees making promises in advance as to every item, it will leave them in a very embarrassing position when they go into conference. We have already agreed to submit two or three matters to the House.

Mr. STAFFORD. This quinquennial census would impose a burden of $15,000,000 upon the Treasury. It is a proposition of such magnitude that I think it is only a fair request that it be submitted to the House. Of course these little minor matters as to the civil service, and so forth——

Mr. ASWELL. I do not think the gentleman need fear about that.

Mr. STAFFORD. I do not wish to bind the conferees, but to have it understood that the House will have an opportunity to express itself before it is agreed to.

The SPEAKER. Does any other gentleman want to save out anything?

Mr. STAFFORD. I have others in my system, but will reserve them.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. HOUSTON]?

There was no objection, and the Speaker announced as conferees on the part of the House Mr. HOUSTON, Mr. ASWELL, and Mr. NICHOLS of Michigan.

The SPEAKER. The Chair will state that the gentleman from Kentucky [Mr. HELM] is chairman of the committee and has been on the conference committee, but he is at home sick.

Mr. HOUSTON. I am glad to state that I telegraphed to the gentleman from Kentucky [Mr. HELM] on two different days, and the answer to my second telegram was that it was impossible for him to be in attendance, and requesting me to go ahead as the ranking member and take charge of the bill.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 12881. An act to increase the cost of the public building at Eldorado, Kans.

The message also announced that the Vice President, under the requirements of the act of August 29, 1916, had appointed Mr. SMITH of Maryland, Mr. KING, Mr. POINDEXTER, and Mr. HALE, members of the Board of Visitors on the part of the Senate to visit the Naval Academy at Annapolis, Md.

The message also announced that the Senate had passed joint resolution and bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 198. Joint resolution to suspend the doing of assessment work on mining claims in Alaska for the years 1917, 1918, 1919, and 1920, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and for other purposes;

S. 3172. An act to provide for the abandonment of Piney Branch Road between Allison Street and Buchanan Street NW., in the District of Columbia;

S. 3258. An act for the relief of Ethel Proctor;

S. 4439. An act to provide for the survey of a national highway connecting certain national monuments in the States of Utah, Arizona, and New Mexico;

S. 2494. An act to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national forest land;

S. 5279. An act to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes;

S. 5236. An act to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States; and

S. 3914. An act authorizing a right of way for the transportation of water for improvement of grazing and development of the live-stock industry upon public and national forest land in Arizona.

The message also announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 13366. An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title, when the Speaker signed the same:

H. R. 11948. An act granting the consent of Congress to the Great Southern Lumber Co., a corporation of the State of Pennsylvania, doing business in the State of Mississippi, to construct a bridge across Pearl River, at or near the north line of section 22, township 8 north, range 21 west, west of the basis meridian, in the land district east of Pearl River, in the State of Mississippi.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 198. Joint resolution to suspend the doing of assessment work on mining claims in Alaska for the years 1917, 1918, 1919, and 1920, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and for other purposes; to the Committee on Mines and Mining.

R. T. COOK.

Mr. HASTINGS. Mr. Speaker, I present a privileged resolution from the Committee on Accounts.

The Clerk read as follows:

House resolution 498.

Resolved, That there shall be paid out of the contingent fund of the House to R. T. Cook the sum of $500 for extra services rendered in the folding room of the House during the Sixty-fifth Congress.

The SPEAKER. The question is on the passage of the resolution.

Mr. MANN. Mr. Speaker, I think the gentleman from Oklahoma ought to give us some explanation.

Mr. HASTINGS. Mr. Speaker, Mr. Cook is employed as a folder in the folding room, and, as the report indicates, is paid $85 a month. Some few years ago there were three assistant foremen, but the number was reduced to one. Mr. Cook is now doing the work, and has been doing the work of a foreman. Since the number was reduced an amount of $500 has been allowed each Congress, and this is the same resolution which was passed at the last Congress. He is doing this extra work, and has been doing the extra work, and for that extra work the Committee on Accounts has recommended this amount.

Mr. MANN. Is this for the entire Congress?

Mr. HASTINGS. This is for the entire Congress, $250 for each session. This folder gets $85, and of course this would be $250 a session added.

Mr. MANN. This is another instance of Democratic economy.

Mr. GARNER. We are following the Republican example.

Mr. MANN. Oh, no.

Mr. GARNER. This resolution has been passed several times.

Mr. MANN. But always by a Democratic House.

Mr. GARNER. On the motion of a Republican Member of Congress.

Mr. MANN. I do not know about that; a Republican is not making the motion here.

Mr. HASTINGS. This is the unanimous report from the Committee on Accounts.

The resolution was considered and agreed to.

SEBE NEWMAN.

Mr. HASTINGS. Mr. Speaker, I present the following privileged report from the Committee on Accounts.

The Clerk read as follows:

House resolution 459.

Resolved, That there shall be paid, out of the contingent fund of the House, the sum of $600 to Sebe Newman for extra services rendered in connection with the sending out of blanks, receiving, filing, and compiling expense statements filed by candidates for Representatives in Congress, in accordance with H. R. 2958 of the Sixty-second Congress, entitled "An act to amend an act entitled 'An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected, and extending the same to candidates for nomination and election to the offices of Representative and Senator in the Congress of the United States and limiting the amount of campaign expenses.'"

Mr. HASTINGS. Mr. Speaker, in explanation of this resolution I will say that a similar resolution was passed since the passage of the act referred to in the resolution six or eight years ago. This is for extra services rendered by Mr. Newman in the Clerk's office. This is for services rendered out of office hours. A similar resolution has been passed each year since this act of Congress was passed which is referred to in the resolution.

Mr. MANN. I do not think the services are rendered out of office hours. These are services which the Clerk is compelled to perform. They are not supposed to be rendered out of office hours. The Clerk is required to perform the services.

Mr. HASTINGS. Let me interrupt the gentleman by saying that the book in which the accounts are kept has to be in the Clerk's office and open for inspection, and I understand that the insertion of these data has to be done at night and out of office hours, because the book has to be kept there for inspection during office hours. That is the explanation made to the committee.

Mr. MANN. The book is kept there like other books are kept for inspection which relate to the filing of statements and work in connection with it. Of course there ought to be provision made by the House for the work. Whether it ought to be in the form of extra compensation for somebody in the Clerk's office I will not undertake to say. It certainly ought to be provided for by the House. The Clerk ought to be given help enough to do the work. These resolutions for extra help year after year, for matters the House requires to be done, is not a very satisfactory method; the Clerk ought to be provided with sufficient help, and was provided with sufficient help until our Democratic friends got control, and now they do it by giving bonuses.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. HASTINGS. I will.

Mr. HUDDLESTON. I would like to inquire what clerk has the duty of having charge of these statements and exhibiting them to the public when the public wants to see them?

Mr. HASTINGS. I understand that this man Newman, whose name is mentioned in the resolution, has charge of the book which is kept in the Clerk's office.

Mr. HUDDLESTON. I will say that I have been there several times to see statements and never found any particular clerk in charge. In fact, they are very loosely kept, and it is mighty hard to get the information you want by looking at the statements. I have found at times that the entries were not made promply in the book. I think we ought to make it somebody's duty to do it and to pay him for it. I am not satisfied with the method in which that is done down there at this time.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

THEODORE ROOSEVELT.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to incorporate in the RECORD two short columns of very laudatory matter passed by the Albany Chamber of Commerce at Albany, N. Y., relating to Theodore Roosevelt. It was passed at the last meeting and published in the Albany (N. Y.) Times-Union January 10, 1919.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. DENISON. What part of the late President Roosevelt's career is it laudatory of?

Mr. FERRIS. It deals with his entire life and characteristics, and lauds him as being a combination of youth and age, that he never grew old, and so forth, and as a hero.

Mr. STAFFORD. Does the gentleman wish to send this out as a public document?

Mr. FERRIS. No; but I assume gentlemen on the other side will want to do that.

Mr. STAFFORD. The gentleman is very accommodating, and we shall not object.

The SPEAKER. Is there objection?

There was no objection.

The publication above referred to is as follows:

[From the Albany (N. Y.) Times-Union, Jan. 10, 1919.]

A MEMORIAL OF THE CHAMBER OF COMMERCE OF ALBANY, N. Y.

(The following memorial, written by former Gov. Martin H. Glynn, was unanimously adopted by the Albany Chamber of Commerce at its meeting last night, and an engrossed copy ordered sent to Mrs. Roosevelt:)

In the death of Theodore Roosevelt the people of Albany mourn the loss of a neighbor and a friend.

The Nation grieves for a statesman, the world for a great dynamic force, but we lament the man. Our grief, though, finds solace in the faith that our sorrow will change into song as time brings to the fame of Theodore Roosevelt the regal coronation it so richly deserves. Here in Albany he served in the halls of legislation, here he lived in the executive mansion, and from here he went on his way to the Presidency, and so we feel that while New York gave him to the Nation, Albany gave him to the world.

As old friends and neighbors we love to bask in the reflected glory of his world-belting honors; but now that taps have sounded, the lights are out, and the leader leads no more; now that the drums are muffled and the flags flutter at half staff, we, of course, exult in his deeds that filled the eye of the world and in his words that fired the hearts of men, but above this exultation, we, his old friends and neighbors, voice our pride in the fact that Theodore Roosevelt died the most distinguished private citizen in the world.

Chance, circumstance, and a kaleidoscopic combination of events may bring a man power and place, but only a great heart, a great head, and a kindly hand can keep a man as great in private life as he ever was in the panoply of power. In all history Theodore Roosevelt is one of the few men whose power did not depend on place. The source of his power was locked within his own breast and made him the most influential man of his time, the most picturesque American since Benjamin Franklin and Abraham Lincoln. In office or out of office he was great because he had in him the stuff which has made men live in the pages of Plutarch for 2,000 years; in office or out of office he was great because he had in him the stuff which Thomas Carlyle says makes hero worshipers out of mankind, in him the stuff Ralph Waldo Emerson finds so commendable in "Representative Men."

Impulsive, brisk, full of intensive vitality, direct and to the point in his consideration of any subject matter, aggressive to a marked degree, ever ready to accept the challenge and fight to the last ditch, convincingly eloquent of speech and entertainingly commanding with the pen, ever doing the unexpected, battering down precedent and brushing aside the conventional, intensely loyal to his friends and unrelenting with his foes, born leader of men, an ardent advocate but a just judge, foremost in the field or on the platform or in the exercise of executive functions, turning from one activity to another with the greatest of dexterity, yet performing each duty thoroughly and satisfactorily—Theodore Roosevelt was one of the most marvelous men, not only of this age but of all time.

His character is his monument and "a square deal" the epitome of his life. He never allowed age to rob him of his youth, and from this sprang his exuberance of spirit whose contagiousness gave him the largest personal following in America. In play time he played, in work time he worked, and in fight time he fought, and fought like a lion. He dealt hard blows, but never dealt a foul one. He made no pretense of being a superman; he was content to be an ordinary, every-day man, with the ordinary man's virtues and the ordinary man's faults. And therein lay his greatness, for he possessed the common traits of the common man to a highly uncommon degree. All his life long, in public life and in private life, he fought "short weights" and "false measures." And to his credit be it said that after 30 years of immunity he compelled interests that had been shortweighting and false-measuring the public to burn their bushels and hide the ashes.

In the sum total of life it is not the isolated deed that counts; it's the grand average, and Theodore Roosevelt's average was handsomely high. He was as versatile as the seasons, as spontaneous as the breeze. From tracing the lineage of a fossil in the rocks to hunting the tiger in his native lair, from the silence and seclusion of the study to the rush of the field and the tumult of the forum, Theodore Roosevelt scored the highest average of any man in public life the whole wide world around. His mental acquisitiveness was insatiable, but avarice for knowledge was his only cupidity. He fled the valley land of the specialist; he sought the mountain top of the generalist; he followed Samuel Johnson's advice "to survey mankind with extensive view from China to Peru," and, though little given to imitation, he imitated Lord Bacon and took "all knowledge for his province." His courage, robust and unbreakable, fed on opposition and grew on strife. Out of difficulties, vexations, and defeats he made stepping stones to higher things. The world loved him for his virtues, and so do we, but we also love him for his faults.

Faults; yes, his heart throbbed warm with pulses human,
But carping envy's self might scarce deplore
The faults that doubly vouched him staunch and true man,
And only made men love him all the more.

Motes in the sunshine, foam on the billows,
Cloud shadows floating o'er the mountain crest,
His faults but marked the mighty play, the motion
Of a grand nature in its grand unrest.

The world has lost a great man, America one of the most illustrious of her sons, and mankind a most ardent benefactor. From the furthermost ends of the earth come messages of regret, sympathy, and condolence. Universal is the recognition of his greatness, universal the grief at his passing. The gleam has gone from his eye, the eloquence of his voice is hushed, the throb of his impulsive but generous heart is stilled, and he lies cold in death. He has entered upon eternal sleep within the quiet precincts of the cemetery at Oyster Bay, and the great problems of life will never more rouse him from his "lowly bed." But he leaves behind him a life memory in which is clustered the work of the mighty. His is "one of the few, the immortal names that were not born to die."

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. KITCHEN, at the request of Mr. HENRY T. RAINEY, for to-day, on account of sickness.

BUSINESS IN ORDER ON CALENDAR WEDNESDAY.

Mr. HENRY T. RAINEY. Mr. Speaker, the gentleman from North Carolina [Mr. KITCHIN] has advised me that it is exceedingly important to finish the consideration of the Diplomatic and Consular appropriation bill to-morrow, and he has requested me to ask unanimous consent that the business in order on Calendar Wednesday be dispensed with to-morrow.

The SPEAKER. The gentleman from Illinois asks unanimous consent that business in order on Calendar Wednesday, to-morrow, be dispensed with. Is there objection?

There was no objection.

HOUR OF MEETING TO-MORROW.

Mr. HENRY T. RAINEY. Mr. Speaker, in order to expedite the consideration of the Diplomatic and Consular appropriation bill, I ask unanimous consent that when the House adjourns to-day it adjourn to meet to-morrow at 11 o'clock a. m.

The SPEAKER. The gentleman from Illinois asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, what time will the House adjourn to-day?

Mr. FLOOD. Mr. Speaker, we have had requests on this side for a good deal of time in general debate, probably five hours.

Mr. MANN. Is it intended to hold an evening session? I do not think that the House ought to meet at 11 o'clock in the morning if we are to be kept here late.

Mr. FLOOD. No; I thought we would get through by 6 or 7 o'clock.

Mr. MANN. There is a Republican conference called for to-night, and we would like to have the House adjourn in time, so that Republicans may have opportunity to go home to their dinners and be back here at 8 o'clock.

Mr. FLOOD. What time would the gentleman suggest?

Mr. MANN. Half past 5 or 6 o'clock.

Mr. GARNER. Say not later than 6 o'clock.

Mr. FLOOD. Very well.

Mr. STAFFORD. Is it the understanding that we are to consider the bill other than in general debate to-day?

Mr. FLOOD. Yes; if we get through with the general debate. General debate may not take up all of the time. Let us run on until 6 o'clock, and then we will rise.

The SPEAKER. Is there objection to the request of the gentleman from Illinois that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow?

There was no objection.

PURCHASE OF EMBASSY AND LEGATION BUILDINGS ABROAD.

Mr. HARRISON of Mississippi. Mr. Speaker, I present a privileged report from the Committee on Rules, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 504.

Resolved, That after the adoption of this resolution and when the House resolves itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 14516, a bill making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, it shall be in order (the general rules of the House notwithstanding) to consider the following item in said bill:

Lines 16 to 24, inclusive, on page 25, and lines 1 to 5, inclusive, on page 26, reading as follows:

"For the purchase or erection, and the alteration, repair, and furnishing of embassy and legation buildings in the principal capitals of the world, and consular buildings at the principal ports in China, $3,000,000; and the Secretary of State is hereby given authority to acquire, for the purpose specified, as soon as may advantageously be done, suitable buildings, and to alter, repair, and furnish said buildings or acquire appropriate sites, and to erect and furnish suitable buildings thereon, or to acquire options upon suitable buildings or appropriate sites, as may, in his judgment, be for the best interests of the Government: *Provided, however*, That not more than $250,000 shall be expended at any one place, except that in cities containing 1,000,000 or more inhabitants the limit of cost shall be $500,000."

Mr. HARRISON of Mississippi. Mr. Speaker, I would ask the gentleman from Kansas [Mr. CAMPBELL] if he desires any time on this rule?

Mr. CAMPBELL of Kansas. Mr. Speaker, I suggest that the gentleman move the previous question and we then will have 20 minutes on a side.

Mr. FOSTER. Mr. Speaker, is the gentleman from Kansas opposed to this resolution?

Mr. CAMPBELL of Kansas. I have some hesitation as to its wisdom.

Mr. FOSTER. Some of us who are on the Committee on Rules are opposed to the resolution.

Mr. CAMPBELL of Kansas. I think the gentleman and I will not disagree.

Mr. FOSTER. If the gentleman is opposed to the resolution, I think he ought to have control of the time, but if he is in favor of the resolution I do not think he ought to control the time in opposition to it.

Mr. CAMPBELL of Kansas. I shall yield time to anyone who desires it in opposition to the resolution.

Mr. FOSTER. If the gentleman is opposed to the resolution, of course he is entitled to time; but unless he is opposed to it I do not think he has any right to control the time in opposition to the resolution.

Mr. MANN. That question does not arise now.

Mr. FOSTER. Of course it does not, but it is just as well to understand it now as later.

Mr. HARRISON of Mississippi. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The gentleman from Mississippi is recognized for 20 minutes.

Mr. FOSTER. Mr. Speaker, before we begin let us have an understanding in respect to who shall control the time upon the resolution in opposition to it. I do not want to be contentious about it, if the gentleman from Kansas really wants to control the time.

The SPEAKER. Is the gentleman from Kansas in favor of the resolution?

Mr. CAMPBELL of Kansas. Mr. Speaker, I stated my position on this to the Committee on Rules, just as I shall state it here. I do not think we ought to take up matters of this kind at this time.

The SPEAKER. Is the gentleman opposed to the resolution?

Mr. CAMPBELL of Kansas. I am.

The SPEAKER. That settles the matter.

Mr. HARRISON of Mississippi. Mr. Speaker, this rule provides for making in order the last provision of the Consular and Diplomatic appropriation bill, touching the appropriation of $3,000,000 to construct embassies and consulates in capital cities throughout the world. It occurred to the Committee on Foreign Affairs that if there was ever a time when liberal appropriations should be made to build residences for our diplomats abroad it is now.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. HARRISON of Mississippi. Yes.

Mr. DENISON. What was it that made it so strike the committee?

Mr. HARRISON of Mississippi. If the gentleman will hold his soul in patience, I shall try to enlighten him. In Washington, for instance, Great Britain pays her ambassador $50,000 a year and provides a magnificent residence for him, as well as an expense account. The little country of Cuba pays its ambassador $21,600 a year and provides a suitable residence for him. France allows its representative here $35,000 and full rental and expense allowance. Italy pays its ambassador here $25,000 a year and provides $12,000 a year for rental of a residence and expense allowance. Every ambassador and minister to this country from every country throughout the world allows either its representatives a rental and expense account or residence in which they may live.

Mr. DENISON. Will the gentleman yield?

Mr. HARRISON of Mississippi. I yield to the gentleman.

Mr. DENISON. Admitting, of course, that is true, but what I wanted to know particularly was why it struck the committee at this particular time that we ought to do this?

Mr. HARRISON of Mississippi. For the reason that at this particular time if American diplomacy has ever stood high among the people of the world it stands high to-day, and if we want to retain that high standard among the peoples of the world it is now. Only rich men can now hold these positions. I want to make it possible to see men of ability, irrespective of their wealth, hold these positions. In 1911 the Congress passed what was known as the Lowden Act, by providing that Congress might appropriate each year not over $500,000 to build at least three embassies or legations, but in no instance should any legation cost over $150,000. Under that act we have appropriated, I think, for three places, and only three legations have been constructed under it. We found this situation to exist, that in Paris, for instance, Great Britain has an embassy that is worth approximately $1,500,000; Germany an embassy that is worth approximately $700,000 or more; Italy, something over $400,000; Austria-Hungary, perhaps $1,000,000; and I am sure that no American Representative who desires to see his country's representatives in foreign capitals stand as high as the representatives of other countries would want to erect a residence in Paris that would cost no more than $150,000, and it is to carry on this high standard that our diplomats representing the United States have taken, that we want to build these residences in capitals abroad. Surely, if we are to cope in the rivalry of trade and commerce with foreign nations, we want capable representatives throughout the world. Let us go after trade everywhere. Let us impress on the world the greatness of our country.

Mr. HAMLIN. Will the gentleman yield?

Mr. HARRISON of Mississippi. I yield.

Mr. HAMLIN. I think the gentleman is correct in his statement that the diplomacy of the United States has never stood higher than now, and it has reached that point without these buildings and without these enormous expenses. Is there any reason to believe it may lose caste in case we do not saddle upon the taxpayer this additional burden at this time when we have already placed upon them an indebtedness that your children and my children, and perhaps their grandchildren, will not see wiped out? Does the gentleman think this is the time to add this additional expense to the burdens they already bear?

Mr. HARRISON of Mississippi. If there was ever an opportune time to build these embassies, it is now if we want to continue to hold the trade of the world that we have gained. We are appropriating large sums of money to send commercial attachés and commercial agents throughout the world to obtain trade. We have spent billions in constructing ships to carry that commerce after we have obtained it. The $3,000,000 provided for in this provision is about a sixth of what a battleship will cost, and battleships last only 8 or 10 years, and then they are thrown into the scrap heap, while these embassies will continue to grow in value.

Mr. HAMLIN. The building of these residences will not do away with a single battleship——

Mr. HARRISON of Mississippi. That is very true.

Mr. HAMLIN. And I can not understand how the building of an embassy building in which our minister may live will increase the foreign trade. I think we had better expend that money in employing other agencies to visit these countries and work up that trade.

Mr. HARRISON of Mississippi. The gentleman knows there are over 99 per cent of the people in foreign capitals who never visit the United States, but they form their opinion in a less or greater degree by the way our ambassadors and our ministers conduct themselves abroad. I submit that now is a very opportune time to build these embassies and hold the high place our diplomacy has now gained.

Mr. MANN. Will the gentleman yield?

Mr. HARRISON of Mississippi. Yes.

Mr. MANN. The item in the bill which it is proposed to make in order, of course, the gentleman is familiar with, because he is a member of the Committee on Foreign Affairs. That appropriates $3,000,000, and, as I understand it, puts no limit of cost at all as to the amount that may be required to be appropriated hereafter except the $250,000 or $500,000 at a place.

Mr. HARRISON of Mississippi. That is true.

Mr. MANN. It authorizes the Secretary of State to incur such expenses as he may desire or such obligations as he may desire, to be paid for hereafter.

Mr. HARRISON of Mississippi. That is true.

Mr. MANN. It entirely removes that limitation of the so-called Lowden Act?

Mr. HARRISON of Mississippi. I think it does. I reserve the balance of my time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I have two objections to the resolution. The first is that we are approaching the 4th of March and the business of the session has hardly been commenced. We have scarcely commenced even with the supply bills. The great burden of the work is yet before us. This resolution will make in order a matter that will provoke discussion that will delay this bill at least a day, in my judgment. We must adjourn on the 4th of March whether the supply bills have been passed or not. Making matters of this kind in order on supply bills is going to make it impossible for the majority of the House to complete the work of this Congress before the 4th day of March. Now, if it is the purpose of those responsible for supplying the Government with the necessary means to keep it alive for the next fiscal, before the 4th day of March they must adopt a different program and not saddle upon appropriation bills legislation and matters of this kind that will provoke discussion.

The appropriation bills from this on must be stripped of everything in the nature of legislation, in the nature of new matter that will provoke discussion, if it is the purpose of the majority to pass the appropriation bills before the adjournment. It is a matter of policy—of expediting the business of the Congress—with a view of avoiding a special session of Congress if it is the intention of the majority to avoid a special session.

Upon the other hand, I doubt very seriously, however desirable it may be to have embassies, splendid buildings, in the capitals of the world, that this is a time to add that additional burden to the burden now carried by our people. The people of this country have been burdened within the past two years to the amount of over $30,000,000,000 that they must pay interest upon. They must provide for paying the principal. And if you ask a few millions here and a few millions there and keep adding other millions upon all these appropriation bills for every matter that looks feasible, upon every matter that looks as though it really ought to be done, upon every matter that looks as though it would promote our interests in this direction or in that, we will continue to pile up millions until they reach hundreds of millions and to billions of dollars. We must call a halt somewhere. We have proceeded in the past to fairly get our case before the world in foreign countries, and if there have been faults or shortcomings they have not been due to the fact that we have not had suitable buildings. If our diplomacy has been wanting it has been because we have no foreign policy that has been continuous, that has proceeded one year after another upon a given line, but has changed with the whim of the administration from one policy to another and has changed ambassadors and ministers because of political affiliations.

Men who have had no diplomatic training at all have often been sent to represent us because they have had money, and one administration after another has thought that because they contributed to campaigns these men should be rewarded by giving them positions as ambassadors and ministers. And that has been true not through this administration alone but through all administrations. So I say whatever of shortcoming attaches to our diplomacy is not because of the condition of our embassies, but because of our want of a policy, of a foreign office with a foreign policy that continues from one year to another without regard to change of political administration in the country.

Our finances are being burdened, I repeat, far beyond anything that has ever been looked forward to by the American people. We have been cautious about making large appropriations for these embassies in years when our expenditures were within a billion of dollars. Next year our expenditures, it is

said, will run beyond $11,000,000,000, and yet it is proposed here to add three more millions of dollars. We shall make in order a bill within a few days, which should have been done long ago, appropriating $10,000 000 for necessary hospitals for our wounded and disabled soldiers now returning from the war. Some things must be done. But this is one of the things that can be postponed. It is for these two reasons that I think this is an inopportune time to make this item in order on this appropriation bill.

Mr. STAFFORD. Mr. Speaker, I make the point of order there is no quorum present.

Mr. CAMPBELL of Kansas. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has used eight minutes.

Mr. HARRISON of Mississippi. Mr. Speaker, how much time have I remaining?

The SPEAKER. Twelve minutes.

Mr. CAMPBELL of Kansas. Have I eight minutes remaining, or did I use eight?

The SPEAKER. There are 12 minutes remaining on each side.

The gentleman from Wisconsin [Mr. STAFFORD] makes the point of order there is no quorum present. The Chair will count. [After counting.] Forty-eight Members are present, not a quorum.

Mr. FLOOD and Mr. FOSTER moved a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called and the following Members failed to answer to their names:

Anthony	Edmonds	Kreider	Sanford
Ashbrook	Esch	Lee, Ga.	Saunders, Va.
Austin	Estopinal	Lever	Scott, Mich.
Bacharach	Fairchild, G. W.	Littlepage	Scully
Barnhart	Farr	McClintic	Sears
Beshlin	Fess	McCulloch	Shackleford
Blackmon	Fields	McKenzie	Shallenberger
Booher	Flynn	McLaughlin, Mich.	Sherley
Borland	Focht	McLaughlin, Pa.	Sims
Bowers	Francis	Maher	Slemp
Brand	Fuller, Mass.	Miller, Minn.	Smith, C. B.
Britten	Godwin, N. C.	Mondell	Smith, T. F.
Browne	Gordon	Montague	Snell
Brumbaugh	Gray, N. J.	Morin	Snook
Caldwell	Greene, Vt.	Mott	Steele
Candler, Miss.	Gregg	Mudd	Stephens, Nebr.
Carew	Hadley	Nicholls, S. C.	Sterling
Carter, Mass.	Hamill	Nolan	Strong
Chandler, N. Y.	Hamilton, Mich.	Norton	Sullivan
Church	Hamilton, N. Y.	Olney	Swift
Coady	Harrison, Va.	O'Shaunessy	Switzer
Collier	Haskell	Overstreet	Tague
Cooper, Ohio	Haugen	Padgett	Taylor, Ark.
Costello	Hayes	Park	Templeton
Cox	Heaton	Parker, N. Y.	Thomas
Crago	Heintz	Pratt	Thompson
Curry, Cal.	Helm	Price	Treadway
Dale	Helvering	Ragsdale	Vare
Davey	Holland	Rainey, J. W.	Vestal
Davis	Hood	Rayburn	Voigt
Decker	Howard	Reavis	Waldow
Delaney	Hull, Iowa	Riordan	Ward
Dempsey	Hutchinson	Robbins	White, Ohio
Dent	Johnson, Ky.	Roberts	Wilson, Ill.
Dooling	Johnson, S. Dak.	Rowe	Winslow
Doremus	Kahn	Rowland	Wood, Ind.
Doughton	Keating	Rubey	Woods, Iowa
Drane	Kennedy, R. I.	Russell	Woodyard
Drukker	Kettner	Sabath	
Dunn	Kiess, Pa.	Sanders, Ind.	
Eagle	Kitchin	Sanders, N. Y.	

The SPEAKER. On this roll call 269 Members—a quorum—have answered to their names.

Mr. HARRISON of Mississippi. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

Mr. HARRISON of Mississippi. Mr. Speaker, I yield two minutes to the gentleman from Wisconsin [Mr. COOPER].

The SPEAKER. The gentleman from Wisconsin is recognized for two minutes.

Mr. CLARK of Florida. Mr. Speaker, will the gentleman from Mississippi yield to me for a moment?

Mr. HARRISON of Mississippi. I will, provided it does not come out of my time.

TITLE TO A LOT AT EUREKA, UTAH.

Mr. CLARK of Florida. The gentleman from Virginia [Mr. FLOOD] stated he would yield to me for the purpose of trying to get a little bill through, of immediate importance.

The SPEAKER. For what purpose does the gentleman rise?

Mr. CLARK of Florida. I wanted to ask unanimous consent for the present consideration of the bill S. 3384. I want to state that it is a bill which has passed the Senate, authorizing the Secretary of the Treasury to accept title to a lot at Eureka, Utah, waiving the mineral rights. I want to say that the urgency of it comes about by reason of the fact that a case is now pending in the court out there to condemn the lot. The matter has been held up. The case has been postponed, and the court has been awaiting the action of Congress.

The SPEAKER. Is the gentleman asking unanimous consent?

Mr. CLARK of Florida. Yes. I wanted to make a statement.

The SPEAKER. The Chair knows; but the gentleman must get the time to make a statement.

Mr. CLARK of Florida. I am asking unanimous consent for the consideration of this bill. I want to state the urgency of it. Mr. Speaker, if the condemnation proceedings proceed it will cost the Government about $120,000 to get that lot.

Mr. MANN. Why was not the gentleman here when the House opened to-day to make that request?

Mr. CLARK of Florida. I want to state to the gentleman that I was sick last night, and took a pretty thorough course of medicine, and was delayed this morning—if the gentleman wants to know. [Laughter.]

The SPEAKER. Is there objection?

Mr. HARRISON of Mississippi. I shall have to object.

Mr. CLARK of Florida. It will take only two minutes.

PURCHASE OF EMBASSY AND LEGATION BUILDINGS ABROAD.

The SPEAKER. The gentleman from Mississippi is recognized for 12 minutes, and he yields two minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Mr. Speaker, this rule ought, I think, to be adopted. The subject involved is of exceptional importance. The State Department is very insistent, and, in my judgment, rightly so, that these proposed appropriations are absolutely necessary in the interest of our vastly important foreign service. But the question of whether we shall or shall not make the appropriations is not now before us. If we adopt this resolution, we simply say that Members shall have an opportunity to hear the arguments for and against making the appropriations. If after hearing the arguments on both sides the House should decide to reject the proposition, very well. But it ought not, before making a decision, to refuse itself the opportunity to know the facts. Such an opportunity this rule, if adopted, will afford the House. It can do nothing more.

Mr. STAFFORD. Mr. Speaker, will my colleague yield for a short question?

Mr. COOPER of Wisconsin. I regret that my time is too short to yield for a question.

Mr. Speaker, the consuls of the United States are business agents for the American people. They ought to be properly housed, but it is well known—it is notorious—that in many important places they are very inadequately housed. American consuls will tell you that every day they lose business in competition with the agents of other Governments because they themselves are housed as if they were not there to do business. Everyone who was in the House when we appropriated to purchase the site for our consulate on the water front in Shanghai remembers how it was denounced as extravagant. And yet experience has already demonstrated, and will in the future more and more demonstrate, that that purchase was an investment which pays dividends. It was a wise appropriation. It has given our consuls—our Government's business agents—in the great port of Shanghai, the London of the Orient, greatly needed facilities to compete for business in the rich market of China with their rivals from other countries.

The rule should be adopted and the proposed appropriation be fairly discussed.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. MANN].

The SPEAKER. The gentleman from Illinois is recognized for three minutes.

Mr. MANN. Mr. Speaker, it might be well in passing to say the appropriation involved here does not cover consulate buildings anywhere in the world, as suggested by the gentleman from Wisconsin [Mr. COOPER], except in China. There is a proposition in the Diplomatic and Consular appropriation bill to appropriate $3,000,000 for the purchase or acquirement of embassy and legation buildings to be owned by the United States throughout the world, with no limit of cost whatever on the amount which may be obligated by the Secretary of State. He is not limited by the amount of $3,000,000, but can purchase buildings to any extent that he pleases all over the world, with the one limit not

to exceed $500,000 in a city of a million inhabitants and $250,000 elsewhere.

But this is what I want to call to the attention of the House: We have been seven weeks in session. There are just six weeks more of this session, almost to the minute. There are 14 general appropriation bills which must be passed or left over for an extra session. There have been six of these appropriation bills reported to the House and but four passed.

Now, I do not know whether the President has directed the Democratic side of the House to force an extra session of Congress or not; but it looks as though he had. Here you are bringing in controversial propositions all the time. In addition to the appropriation bills we have an unusual bill, a census bill, yet to be disposed of, and the revenue bill yet to be disposed of, and a bill providing money for the purchase of wheat at the price guaranteed by the Government yet to be disposed of, and a number of other unusual bills yet to be disposed of. The Diplomatic and Consular appropriation bill ought to be passed in a day's time, and probably would be but for this rule and this item in the bill. If this rule does not prevail this item in the bill will go out on a point of order.

Unless our Democratic friends are going to force an extra session of Congress, the Committee on Rules should stop bringing in rules to make in order controversial matters on appropriation bills at this session of Congress. It has been the practice of Congress for many years that the controversial items on appropriation bills in the main shall come in at the long session of Congress, when they can be considered with ample time. To bring them in at the short session of Congress is contrary to the practice and ought not to be indulged in. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. HARRISON of Mississippi. I yield two minutes to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Speaker, I heartily favor the adoption of this rule. I am sorry that it should be a matter of controversy, as suggested by the gentleman from Illinois [Mr. MANN]. To me a measure of this sort seems absolutely necessary if this Nation is to take its proper place in the councils of the nations of the world. This is the wise thing to do, gentlemen. It is the democratic thing to do. Unfortunately, this Nation, among all the nations of the world, has singled out its Diplomatic Service and made it peculiarly a service in which nobody except the very rich could engage. This is absolutely true in the case of ambassadors. No American citizen, no matter how great his ability, no matter how great his experience, can afford to be an ambassador of the United States unless he be a very rich man. Some years ago Congress put in the entering wedge by authorizing the erection of embassies and of legations and of consulates; but, unfortunately, in the case of the large cities of the world the limit put on by Congress is too small. It is utterly impossible to acquire the land and buildings suitable for an American embassy for the limit of cost now imposed in our legislation. The result of the passage of this bill will be to enable us to acquire dignified residences for our representatives in the great European capitals and will go a long way—will go most of the way—toward relieving the undemocratic situation where these great posts are solely within the reach of men of great wealth. I say that is un-American and undemocratic, and this proposition will do much to relieve the situation. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Speaker, for the benefit of those who came in after the proposition was first presented, it may be proper to say that the matter before the House is a resolution reported from the Committee on Rules to make in order a provision contained in the Diplomatic and Consular appropriation bill as reported from the Committee on Foreign Affairs, which otherwise would not be in order, that appropriates outright $3,000,000 and authorizes expenditures unlimited in character except as to the price of the properties that may be purchased for the construction of homes for ambassadors and ministers of this country in foreign countries. Now, I do not propose to enter into any discussion of the merits of the proposition itself. It is no new question in this House. It has agitated the House ever since I have been a Member of it, and at various times has been presented, and once or twice at least has been passed upon; but, so far as I recall, it has always been presented and passed upon as an independent proposition. It has not been contained in an appropriation bill.

Let me say, furthermore, that the division upon the question has never been along party lines, and the division at this time in the Committee on Rules was not along party lines. My opposition to making this in order at this time upon this bill is based on the principle that we ought to stop loading down the appropriation bills with riders at this session of Congress [applause] in order that we may pass those vital appropriations that are necessary to enable the Government to live. Surely we do not wish to place ourselves in a position where, by reason of the failure of an appropriation bill, a special session of Congress may be necessary. A special session of Congress may be necessary. I am not prepared to say about that; but I am prepared to say that, in my opinion, it will be a reflection upon the business capacity of the Congress if we fail to pass the appropriation bills and for that reason render a special session necessary. Because of that, and without entering upon a discussion of the merits of the proposition, I feel constrained to disagree with some of my colleagues on the Committee on Rules on this resolution.

Mr. HARRISON of Mississippi. I yield two minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker, I realize that we consume some time with this resolution and with the discussion of this proposition, but it is one which I feel is of vital interest to the country at this time. We are entering upon an age never before experienced in the history of the world. We are to take our part in the affairs of the entire world. We are to show those people of other countries whether we have entered into world affairs or whether we propose to continue isolated as we have been in the past. One of the ways to do that is to select men to be our representatives abroad because of brains and ability and not because of their wealth. We can not select men for their brains—unless they have great abundance of wealth—until you provide homes for them abroad or very largely increase their salaries. The committee has given this matter very serious consideration. It has been discussed for years, and there is no time better than the present to start if we propose to take our place in world affairs. I certainly hope that this committee will at least adopt this resolution, so that the matter may be in order on the appropriation bill and that we may discuss it before the House upon its merits. It will not take us very long to do it. It will not take as long to do it as it did the gentleman from Illinois to discuss that proposition the other day of $75,000 for conciliatory men in the Labor Department, where he charged that a number of Congressmen were employed, and it was found that there were only two——

Mr. MANN. Does the gentleman refer to me?

Mr. LINTHICUM. I do.

Mr. MANN. I never said a word on the subject.

Mr. LINTHICUM. You certainly spoke about it.

Mr. MANN. I did not.

Mr. LINTHICUM. And said it was a good place for Democrats who were not reelected—see CONGRESSIONAL RECORD, page 1677.

Mr. MANN. I did not take the floor on it at all. You are just as far off on most things as you are on that.

Mr. LINTHICUM. I am right on that proposition, because I was right here and heard the discussion. I think we ought to take up this proposition at this time and decide it on its merits, and we can do that by adopting this resolution. [Applause.]

Mr. HARRISON of Mississippi. I yield two minutes to the gentleman from Illinois [Mr. Foss].

Mr. FOSS. Mr. Speaker, I desire to state that I am heartily in favor of this rule, which simply makes in order the question of whether or not we will purchase or build embassies abroad. It is not a new proposition in this House. The distinguished governor of my State when he was a Member of this House introduced a bill in favor of building embassies and consulates abroad. That bill passed Congress February 17, 1911, but a limitation was placed on it of $150,000 at any one place, and all this rule does is to make in order the modification of that limitation so far as it affects $3,000,000 appropriated in this bill.

It has been the policy, in accordance with this law, to build consulates abroad, and we have already built them abroad. This Government ought to establish embassies in foreign countries. It is a shame to our country that we only pay our ambassadors abroad—to London, Paris, and Rome—$17,500 a year. That salary was fixed when? March 3, 1875. Think of it! And yet what is the result? The result is, as stated by the gentleman from Ohio, only millionaires or men of large means can afford to accept these positions. I think I have known most of the ambassadors of our country to these places during the last 20 years, and I have had private conversations with them. Nearly every one of them has stated to me that it has cost them double, sometimes three and four times as much as the salary which the Government pays them to maintain their establishments with the dignity commensurate with our Government. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER. Mr. Speaker, I am opposed to this rule, and I hope the House will vote it down. It seems to me that this is not the time to enter upon a great undertaking such as laid down in this bill, appropriating $3,000,000 to build embassies and consular buildings. This Government can well afford to wait until some of the most pressing needs of the Government are disposed of. We are now taxing the people to the limit. It occurs to me that to put $3,000,000 more on this bill than is absolutely necessary at this time is not treating the people fair whom we represent on the floor of this House. [Applause.]

This provision of the bill will also permit, as has been stated here, the Secretary of State to provide buildings, nobody knows to what limit of cost. I remember a few years ago when we passed the Lowden bill it was then stated that within a few years our foreign service would cost us $50,000,000 a year. We have not gotten to that amount yet, but we are branching out now upon a scheme that will sooner or later entail an enormous increase of expense. Not only will we have to build buildings at a great expense, but it will require vast sums of money to provide for the upkeep of all these buildings throughout the world. I believe we ought to wait until conditions are more normal at home and throughout the world.

I am sure that so far as the diplomacy of our country is concerned it is recognized to-day by all the people of the world as the very highest. Our country has taken a position which makes it unnecessary that we should spend $3,000,000 at this time to bring our country up to the dignity that some think it ought to occupy. Our country has that dignity now. [Applause.] We are not going to need great buildings to show to the world that we have the dignity and power this Government has earned.

I think this rule ought to be defeated now, and that this provision of the bill ought to be stricken out on a point of order when we get to it, so we can then go ahead with the regular appropriations that we are expected to make before the 4th of March. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, at this particular time when we are going out over the country begging the people to buy liberty bonds and insisting upon the people supporting the Government in the condition in which the Treasury finds itself, it seems to me it is the worst sort of business to ask the people at this particular moment in our history to embark on this method of taking care of our ministers abroad.

This bill will permit the Secretary of State to obligate the Government to an unlimited number of propositions. The appropriation now carries $3,000,000, which will all be spent. Let me appeal to this House; we have gone 135 years, and our dignity has not suffered abroad. Benjamin Franklin did not have to have a magnificent palace to cause him to be respected in Paris, nor did Thomas Jefferson, nor will any man of proper character need it.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. SISSON. No; I have only three minutes' time, and the gentleman knows it.

At this time we do not need to buy royalty abroad. In view of the fact that we are going out to beg the people to take $6,000,000,000 of liberty bonds to pay our debts—and notwithstanding that fact the committee brings this bill in here and asks you to make in order on this bill not simply an expenditure of $3,000,000, but the proposition to give the Secretary of State authority to contract for an unlimited number of buildings—let the matter be postponed until we pay our debts and know where we are going to get these billions of dollars. Let me appeal to you that if you were directing your own business, and you were deeply involved, as the United States Government is, not knowing whether the notes of the Government issue are going to be always received readily, not knowing whether this six billions is going to be sufficient, without any fault on the part of the Treasury, you would not favor an unnecessary increase in your indebtedness, and it looks as if gentlemen ought not to put this new proposition forward. Let us let it wait awhile, because when the Treasury is in better shape you may take these matters up and build these embassies, if the Congress so desires. Let us not make this in order at this time. We have begged the people to economize in order to buy liberty bonds in the past, and we will beg them to economize in the future in order that they may be in a position to buy these bonds, and this is no time to burden them with unnecessary expense. [Applause.]

Mr. HARRISON of Mississippi. Mr. Speaker, I yield the rest of my time to the gentleman from Virginia [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, I trust the House will adopt this rule and give its membership an opportunity to vote on the proposition submitted in the Diplomatic and Consular appropriation bill. If the House does not wish to enter into these expenditures, to which my friend from Mississippi [Mr. SISSON] is so opposed, the House can vote the proposition down when that item is reached in the bill. But surely there can be no sound reason why the House should not be allowed to vote on this proposition.

I do not think there is any strength in the suggestion that we are wasting time and may cause an extraordinary session of Congress by the consideration of this important measure. It will not take long when it is reached.

This is an important measure, and the House should have an opportunity to pass upon it. The United States has emerged from the war with a new place among the nations, with a prestige of which she must in the future be very jealous, and a responsibility in international affairs to which she must be deeply sensitive.

The gentleman from Illinois [Mr. FOSTER] says that our diplomacy stands at the very top now. That, Mr. Speaker, is so, but it is so not because Congress has been liberal with our diplomats, but it is so because in spite of our lack of liberality we have secured a splendid corps of representatives through the patriotism of gentlemen who are willing to sacrifice their private fortunes in the interest of their country and because we have in the White House as the guide of our diplomatic corps the profoundest international mind and the most far-seeing diplomat of the world. [Applause on the Democratic side.] We wish to maintain the high standard we have achieved by enabling the President and his successors in office to call on the best-fitted men for these positions, regardless of their wealth.

The gentleman from Ohio [Mr. LONGWORTH] has long been an advocate of the policy which this appropriation carries out. The present governor of Illinois, Gov. Lowden, introduced in a Republican Congress and secured the enactment of a measure the policy of which this provision is carrying into effect. The trouble about the Lowden Act is that under the conditions we find to-day, because of the increased price of real estate all over the world, we can not buy an embassy or legation or a consulate anywhere, except in the unimportant capitals and consular cities of the world. We desire the limitations of that act taken off. That is all the appropriation does. It does not inaugurate a new policy. It simply enables Congress to comply with a policy it inaugurated years ago by taking off the limitations of the Lowden Act. It permits the purchase of embassies and legations at a price at which they can be secured in Europe and the purchase of consulates in China, where they must be obtained soon if we expect to get proper locations at all.

I trust the rule will be adopted. We have begun the fight to-day to democratize our foreign service, and we are going to keep it up until that object is accomplished. [Applause.]

The SPEAKER. The question is on agreeing to the resolution.

The question was taken.

Mr. FOSTER. Mr. Speaker, I demand a division.

Mr. ROGERS. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 106, nays 173, answered "present" 5, not voting 147, as follows:

YEAS—106.

Baer	Foss	Lundeen	Siegel
Barkley	Freeman	McArthur	Slayden
Beakes	Gallagher	McCormick	Slemp
Benson	Gallivan	McKinley	Small
Bland, Ind.	Garland	McLaughlin, Mich.	Stedman
Bland, Va.	Gillett	Mapes	Steele
Britten	Good	Mays	Stephens, Nebr.
Burnett	Goodall	Merritt	Stiness
Burroughs	Goodwin, Ark.	Miller, Minn.	Temple
Campbell, Pa.	Gould	Montague	Tilson
Cantrill	Gray, Ala.	Moores, Ind.	Tinkham
Carlin	Griffin	Mott	Towner
Clark, Fla.	Harrison, Miss.	Neely	Van Dyke
Coady	Hayden	Nolan	Walsh
Cooper, Wis.	Hilliard	Oldfield	Walton
Crosser	Husted	Oliver, N. Y.	Wason
Dallinger	Igoe	Parker, N. J.	Watson, Pa.
Denton	Ireland	Peters	Watson, Va.
Dill	Kelley, Mich.	Phelan	Weaver
Dixon	LaGuardia	Platt	Webb
Donovan	Lazaro	Porter	Welling
Dupré	Linthicum	Pou	Whaley
Ellsworth	Lobeck	Rainey, J. W.	Williams
Fairchild, B. L.	London	Raker	Wilson, La.
Fairfield	Lonergan	Rodenberg	Young, N. Dak.
Fisher	Longworth	Rogers	
Flood	Lufkin	Shouse	

NAYS—173.

Alexander	Bell	Brand	Buchanan
Almon	Birch	Brodbeck	Butler
Aswell	Black	Browne	Byrnes, S. C.
Bankhead	Blanton	Browning	Campbell, Kans.

Caraway	Garrett, Tenn.	Langley	Rubey
Carter, Okla.	Garrett, Tex.	Larsen	Rucker
Cary	Glynn	Lea, Cal.	Schall
Chandler, Okla.	Graham, Ill.	Lee, Ga.	Scott, Iowa
Clark, Pa.	Graham, Pa.	Lehlbach	Sells
Classon	Green, Iowa	Lesher	Sherwood
Claypool	Greene, Mass.	Little	Sinnott
Cleary	Griest	McFadden	Sisson
Connally, Tex.	Hamlin	McKenzie	Sloan
Connelly, Kans.	Hardy	McKeown	Smith, Idaho
Cooper, Ohio	Hastings	McLemore	Smith, Mich.
Cooper, W. Va.	Haugen	Madden	Snook
Copley	Hawley	Magee	Snyder
Crisp	Heflin	Mann	Stafford
Currie, Mich.	Hensley	Mansfield	Steagall
Darrow	Hersey	Miller, Wash.	Stephens, Miss.
Davey	Hicks	Mondell	Sweet
Denison	Hollingsworth	Moore, Pa.	Switzer
Dewalt	Houston	Morgan	Tillman
Dickinson	Howard	Nelson, A. P.	Timberlake
Dies	Huddleston	Nelson, J. M.	Venable
Dillon	Hull, Iowa	Nichols, Mich.	Vinson
Dominick	Humphreys	Oliver, Ala.	Voigt
Doolittle	Jacoway	Osborne	Volstead
Doughton	James	Overmyer	Ward
Dowell	Johnson, Wash.	Overstreet	Watkins
Dyer	Jones	Paige	Welty
Eagan	Juul	Polk	Wheeler
Elliott	Kearns	Powers	White, Me.
Essen	Kehoe	Purnell	Wilson, Tex.
Evans	Kelly, Pa.	Quin	Wingo
Ferris	Kennedy, Iowa	Ramsey	Wise
Fordney	Key, Ohio	Ramseyer	Woods, Iowa.
Foster	Kincheloe	Rankin	Woodyard
Frear	King	Rayburn	Wright
French	Kinkaid	Reed	Young, Tex.
Fuller, Ill.	Knutson	Robinson	Zihlman
Gandy	Kraus	Romjue	
Gard	La Follette	Rose	
Garner	Lampert	Rouse	

ANSWERED "PRESENT"—5.

Cramton	Moon	Randall	Saunders, Va.
Emerson			

NOT VOTING—146.

Anderson	Eagle	Kennedy, R. I.	Sanders, La.
Anthony	Edmonds	Kettner	Sanders, N. Y.
Ashbrook	Elston	Kiess, Pa.	Sanford
Austin	Esch	Kitchin	Scott, Mich.
Ayres	Estopinal	Kreider	Scully
Bacharach	Fairchild, G. W.	Lever	Sears
Barnhart	Farr	Littlepage	Shackleford
Beshlin	Fess	Lunn	Challenberger
Blackmon	Fields	McAndrews	Sherley
Booher	Flynn	McClintic	Sims
Borland	Focht	McCulloch	Smith, C. B.
Bowers	Francis	McLaughlin, Pa.	Smith, T. F.
Brumbaugh	Fuller, Mass.	Maher	Snell
Byrns, Tenn.	Godwin, N. C.	Martin	Steenerson
Caldwell	Gordon	Mason	Sterling
Candler, Miss.	Gray, N. J.	Morin	Stevenson
Cannon	Greene, Vt.	Mudd	Strong
Carew	Gregg	Nicholls, S. C.	Sullivan
Carter, Mass.	Hadley	Norton	Sumners
Chandler, N. Y.	Hamill	Olney	Swift
Church	Hamilton, Mich.	O'Shaunessy	Tague
Collier	Hamilton, N. Y.	Padgett	Taylor, Ark.
Costello	Harrison, Va.	Park	Taylor, Colo.
Cox	Haskell	Parker, N. Y.	Templeton
Crago	Hayes	Pratt	Thomas
Curry, Cal.	Heaton	Price	Thompson
Dale	Heintz	Ragsdale	Treadway
Davis	Helm	Rainey, H. T.	Vare
Decker	Helvering	Reavis	Vestal
Delaney	Holland	Riordan	Waldow
Dempsey	Hood	Robbins	Walker
Dent	Hull, Tenn.	Roberts	White, Ohio
Dooling	Hutchinson	Rowe	Wilson, Ill.
Doremus	Johnson, Ky.	Rowland	Winslow
Drane	Johnson, S. Dak.	Russell	Wood, Ind.
Drukker	Kahn	Sabath	Young, Tex.
Dunn	Keating	Sanders, Ind.	

So the resolution was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. BOOHER with Mr. TREADWAY.

Mr. SCULLY with Mr. COSTELLO.

Mr. SIMS with Mr. ESCH.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. RIORDAN with Mr. BACHARACH.

Mr. ASHBROOK with Mr. PARKER of New York.

Mr. BLACKMON with Mr. STRONG.

Mr. NICHOLLS of South Carolina with Mr. DUNN.

Mr. CAREW with Mr. HAYES.

Mr. CALDWELL with Mr. WINSLOW.

Mr. HAMILL with Mr. HUTCHINSON.

Mr. MAHER with Mr. HADLEY.

Mr. PARK with Mr. ROWE.

Mr. SANDERS of Louisiana with Mr. VESTAL.

Mr. BRUMBAUGH with Mr. GEORGE W. FAIRCHILD.

Mr. HELVERING with Mr. FARR.

Mr. HELM with Mr. HASKELL.

Mr. LITTLEPAGE with Mr. KENNEDY of Rhode Island.

Mr. LUNN with Mr. KIESS of Pennsylvania.

Mr. MCCLINTIC with Mr. AUSTIN.

Mr. PRICE with Mr. MUDD.

Mr. OLNEY with Mr. HAMILTON of Michigan.

Mr. SABATH with Mr. SANDERS of Indiana.

Mr. SEARS with Mr. SANFORD.

Mr. CHARLES B. SMITH with Mr. FULLER of Massachusetts.

Mr. THOMAS F. SMITH with Mr. DALE.

Mr. SULLIVAN with Mr. HAMILTON of New York.

Mr. FIELDS with Mr. REAVIS.

Mr. HARRISON of Virginia with Mr. KREIDER.

Mr. PADGETT with Mr. KAHN.

Mr. TAGUE with Mr. DAVIS.

Mr. HOLLAND with Mr. GREENE of Vermont.

Mr. O'SHAUNESSY with Mr. SANDERS of New York.

Mr. KETTNER with Mr. SNELL.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. SAUNDERS of Virginia. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the Hall when his name was called?

Mr. SAUNDERS of Virginia. I can not say I was. I vote "present."

The name of Mr. SAUNDERS of Virginia was called, and he answered "Present."

The result of the vote was announced, as above recorded.

LEAVES OF ABSENCE.

Mr. CARAWAY. Mr. Speaker, I desire to ask unanimous consent for leave of absence for my colleague, Mr. TAYLOR, indefinitely, on account of illness.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent for an indefinite leave of absence for my colleague, Mr. MCCLINTIC, who has been ill for many months and is still ill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14516, the Diplomatic and Consular appropriation bill, and pending that I would like to ask the gentleman from Wisconsin [Mr. COOPER]——

Mr. STAFFORD. My colleague was here just a moment ago.

Mr. FLOOD. I had an understanding with the gentleman from Wisconsin as to the time for general debate.

Mr. MANN. What was the understanding?

Mr. COOPER of Wisconsin. What was it the gentleman desired?

Mr. FLOOD. I was just asking if we could not agree on time for general debate.

Mr. COOPER of Wisconsin. Mr. Speaker, on yesterday the gentleman from Virginia and I had an understanding that we would have four hours of general debate, to be equally divided.

The SPEAKER. Does the gentleman make that request?

Mr. FLOOD. I will say to the gentleman that since I talked with him I had a conversation with the gentleman from Pennsylvania [Mr. TEMPLE], a member of the committee, and he said he was going to ask the gentleman for 30 minutes more.

Mr. COOPER of Wisconsin. I promised him yesterday the 30 minutes, and that was included in the request for 2 hours.

Mr. FLOOD. I have requests for and have promised two and a half hours, and, if it is agreeable to the gentleman from Wisconsin, I ask that general debate be limited to four and a half hours——

Mr. MANN. Oh, make it even on both sides.

Mr. FLOOD. I will say that last year I gave the gentleman from Wisconsin about twice as much time as we occupied on this bill, and if there be any objection I make it four hours——

Mr. COOPER of Wisconsin. Mr. Speaker, I have just had a request for another half hour from a member of the committee.

The SPEAKER. What is the gentleman's request.

Mr. FLOOD. My request is that general debate be limited to five hours, two and a half hours to be controlled by the gentleman from Wisconsin [Mr. COOPER] and two and a half hours by myself.

The SPEAKER. The gentleman from Virginia moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14516, the Diplomatic and Consular bill, and pending that he asks that general debate be no longer than five hours, half to be controlled by himself and half by the gentleman from Wisconsin. Is there objection?

Mr. DYER. Mr. Speaker, reserving the right to object, will the gentleman yield for a question?

Mr. FLOOD. Yes.

Mr. DYER. Is it the intention of the gentleman from Virginia to press for a vote on the bill to-day or have it go over until to-morrow?

Mr. FLOOD. No; I have agreed to move that the committee rise at 6 o'clock.

Mr. GARRETT of Tennessee. I was about to ask the gentleman—it is now 12 minutes after 1—could not the gentleman run to 12 or 15 minutes after 6, which would close general debate?

Mr. MANN. It would not close at that time, but would probably run some time after; and there is a Republican conference set for to-night, and the gentleman agreed to quit at 6 o'clock.

Mr. GARRETT of Tennessee. That is the only thing I had in mind. There is no desire on my part to interfere with the conference, but I was wondering if we could not get 15 minutes more.

Mr. MANN. It is always probable that there will be more than 15 minutes lost during the day.

The SPEAKER. There is always some time lost. Is there objection? [After a pause.] The Chair hears none.

The motion was agreed to; accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14516, the Diplomatic and Consular appropriation bill, with Mr. FERRIS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14516, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Chairman, I yield 20 minutes to the gentleman from Washington [Mr. DILL].

Mr. DILL. Mr. Speaker, never before in history have the people of the civilized world desired permanent world peace so strongly as they do to-day. They have lost faith in the old methods of trying to prevent war. They demand the adoption of some new plan based on principles in harmony with the new spirit of democracy that is engulfing autocratic and arbitrary power all over the world. To meet this demand and to harmonize with the new conditions, I propose a world league of peoples for peace.

DIFFERENT FROM LEAGUE OF NATIONS.

When I use the term world league of peoples for peace, I do so to differentiate this plan from the league of nations plan which the rulers of the countries victorious in the world war are discussing. A league of nations such as they propose will in reality be a league of governments and therefore of government officials. The men who would be in charge of such a league could and would prevent many wars. It is because the free peoples of the world believe such a plan will prevent future wars that they so strongly favor its formation.

But even though such a league would prevent many wars, it could not guarantee permanent world peace, because under that plan the rulers of the various nations would continue to have the power to start a war without submitting the question of declaring war to the people. If we are to insure permanent world peace, or at least prevent all wars not desired by the people themselves, which will prove to be the same thing as the years go by, we must form a world league of peoples whose rulers can not start a war which will break the peace of the world until the people by majority vote have authorized them to do so.

TAKE POWER FROM RULERS.

Just as long as any man or set of men, and I care not who they are or what they are called, whether they be kings or emperors, presidents or premiers, members of houses of deputies, or of congresses, I say just as long as any man or set of men who are not required to do the fighting or the dying have the power to start a war which will break the peace of the world, that long we shall have war. [Applause.]

RULERS STARTED WORLD WAR.

The terrible world war which has just ended was started by the arbitrary act of one ruler, or at most of a few rulers, of the countries of central Europe. The people of Austria and Germany had nothing to say about its beginning. I confidently believe that if the Austrian people, held in subjection and kept in ignorance as they had been even, had been allowed to vote on the question of whether or not Austria would go to war against Serbia because a Serbian had shot an Austrian the Austrian people would have voted against war. If they could have prevented that declaration of war, the world conflagration would not have started. For, be it remembered, it was the Austrian Emperor's declaration of war on Serbia, July 28, 1914, that precipitated the world conflict.

But the Austrian Emperor was not the only ruler who had and exercised the power to declare war. The Kaiser declared war for Germany. The Czar declared war for Russia. The French cabinet declared war for France. The British ministry declared war for England.

When Austria declared war on Serbia, Russia mobilized to protect Serbia, as she was bound to do under her treaty with Serbia; and Germany mobilized to assist Austria. Then the Kaiser declared war on Russia and ordered his armies to invade France, because France was an ally of Russia. England was bound by treaty to protect the coast of France and maintain the integrity of Belgium, and entered the war when Germany invaded Belgium. Thus the act of the Austrian Emperor forced all of these nations into the war almost simultaneously.

CAN NOT VOTE ON SELF-DEFENSE.

This result was inevitable when Austria attacked Serbia, and Germany and Russia entered the war. War was a matter of self-defense and the fulfillment of treaty obligations. These questions could not be submitted to the people. There was not time to submit the question of self-defense to the people for a vote if national existence were to be maintained. Nor would there ever be time for that. But there was time before the beginning of this war, and there is always time before the beginning of any war which breaks the peace of the world, to submit the question of whether or not one nation will attack another, will invade another, will start a war against another.

IN UNITED STATES CONGRESS DECLARES WAR.

Yet in not a single country which afterwards entered the war would the people have been called upon to say by their votes whether or not their country would have started this war had it been their country, instead of Austria, that was faced with taking such a step. We boast of our democracy in the United States, but even here the people can not start or prevent a war. We have taken one step toward democracy, however, by placing the power to declare war in the hands of the representatives of the people. History shows, though, that while Congress does possess that power, in reality, the President exercises it.

CONGRESS ALWAYS OBEYS PRESIDENT.

Congress has always declared war when the President desired war and Congress has never attempted to declare war unless the President wanted war. That was true of the war of 1812. It was true of the Mexican war. It was true of the Spanish-American war. It was true of this war. It will probably be true of every war in which the Nation engages so long as the present method of declaring war continues. If we would prevent war we must place the war-making power of our Government under the direct control of the people themselves, just the same as must be done in other countries.

PEOPLE SHOULD CONTROL.

Why should the people not say for themselves whether or not their country shall go to war? They must do the fighting and the dying. They must make the sacrifices and bear the burdens. They and their children and their children's children, even unto generation after generation, must pay the cost of the war, not only in money but also in a physically and morally weakened race resulting from the loss of the flower of the Nation's manhood in war. Why should the people not vote on a question that affects so vitally not only their happiness and prosperity but the actual continuation of civilization itself and their own very existence on this earth?

PEOPLE WILL LEARN ABOUT INTERNATIONAL RELATIONS.

If it be said they do not know enough about international relations, I answer that placing in their hands the responsibility of deciding the greatest international question that can arise will of itself cause them to learn more about international affairs. Not only will the people of this generation become better fitted to pass upon international questions, but governments will find it necessary to provide for better education of the children of all the people in order to fit them for their enlarged responsibilities, and instead of teaching them the glories of war we shall teach them its horrors, its destruction, and its savagery. [Applause.] It will put an end also to secret international agreements, so often the hidden source of war, by forcing diplomacy into the open and compelling government officials to deal with foreign countries in such a manner that their conduct will square with the people's desires.

International affairs need be no more complex than national affairs. One of the methods which rulers have used for mystifying the people in the past has been to make international affairs as complex as possible and the results have been terrible. During the past 400 years the rulers of the nations have had complete control of international affairs and also of the power to declare war. And what has been the result? According to Frederick A. Wood and Alexander Baltzly, who have made a most painstaking study of the history of wars during the last 400 years, practically all of the leading nations of Europe have been in a state of war more than one-half of that time. Spain has been in a state of war 257 years; Russia, 238 years; Turkey, 232 years; Austria, 211 years; England, 207 years; France, 192 years. Surely the people could do no worse. [Applause.]

PEOPLE AGAINST WARS FOR TRADE AND TERRITORY.

If it be said the people will make mistakes, I answer that it will be better to let the people make their own mistakes than to force them always to suffer for the mistakes of others as in the past. There are those who fear that the people might vote against wars which certain rulers or particular interests that might profit by them would want. Their fears are justified too. For instance, I believe the people would never vote to start a war for securing new territory or more trade. Achille Loria, the noted Italian sociologist, after studying the causes of 286 wars decided that 258 were due to trade, territorial, and other economic causes, and that the other 28, while said to have been religious, were greatly influenced by economic causes. Thus, if the people should refuse to be guilty of trying to secure land at the cost of human lives or to win trade by the shedding of human blood most wars would be averted.

If a mistake is to be made regarding a declaration of war it is better it should be made on the side of preventing war rather than on the side of starting war, because if the people vote against war and it proves to be a mistake they can always rectify it by voting for war, but if a mistake is made by beginning a war and a nation becomes involved in the struggle there is no human power that can draw it out until the war has been fought to a decisive conclusion with all its attendant suffering, horror, and death.

PLAN IS DEMOCRATIC.

In fact, every objection that can be raised against the people's voting on the question of declaring a war that will break the peace of the world, when considered from the standpoint of democracy, becomes a new reason for the exercise of that power by the people. This proposition is not revolutionary. It is simply an extension of democracy to the war-making power. [Applause.]

PEOPLE VOTE ON EVERYTHING BUT WAR.

The people vote now on questions affecting them in minor ways. They vote on the question of prohibition. They vote on the question of woman suffrage. They vote on questions of taxation. In fact, there are practically no great questions affecting the people's welfare on which they can not vote directly or indirectly except the question of whether or not the men and boys of their country shall go to another country to kill and be killed by the men and boys of that country and thereby orphan the children, widow the wives, and mortgage the lives of the unborn generations of both countries. On that question they never have a chance to vote, because their rulers declare war, and once war is declared it becomes their patriotic duty to win the war. When the people are in the midst of a fight or have won it they can not go back and decide whether or not it should have been begun.

PEOPLE OF ALL NATIONS MUST HAVE POWER TO VOTE ON DECLARATION OF WAR.

For the people of one nation or of a number of nations to exercise the right of voting on the question of declaring a war when all the world is at peace will not be sufficient to insure world peace. That right must be exercised by the people of all the great nations of the world, so that no ruler or set of rulers can secretly agree to prepare and when prepared begin a war on the rest of the world, as will be possible under the league of nations plan by which it is expected to enforce peace.

I am not speaking against a league of nations. We want such a league established, because it will be a great step forward in the development of internationalism. But if it depend entirely upon force as the last resort to prevent war it will some day plunge the world into a world war worse than the one which has just ended. Sooner or later some rulers with the power to start a war will become so ambitious for military glory and world power that they will unite to defy and, if necessary, lick the league.

MAKE PUBLIC OPINION MORE POWERFUL THAN ARMAMENTS.

In order to meet such situations, reaching beyond the agreement which binds the governments into a league of nations, there must be another international agreement which lodges in the people of the respective nations the power to say finally whether or not, when the government officials of different countries can not agree, they shall be allowed to start a war which will break the peace of the world. When the threat of force contained in the army and navy of the world league can not prevent certain rulers from starting a war, the peoples of the world must then be able to call into operation a still stronger power to control those rulers, namely, the power of public opinion, quietly and unpretentiously expressed in little voting booths scattered all over the country in every community and hamlet of the land whose rulers desire to start a war.

LEAGUE OF PEOPLES WILL COME AFTER LEAGUE OF NATIONS.

The fact that the league of nations will not always prevent war is not an argument against its formation. It is simply a reason for providing further means of preventing war after a league of nations has been formed.

It would be impossible at this time to make complete the formation of a world league of peoples such as I have discussed. The present rulers of the nations could not be induced even to consider its formation immediately. Once the league has been established, though, the free peoples of the world can then bring organized public opinion to bear in such a manner that they can democratize the league of nations sufficiently that its officials will formulate an international agreement embodying the principle of the people's direct control of the war-making power and submit it to the various Governments for ratification. Such agreement must provide also for the right of the people to repudiate unfriendly acts by a Government official toward another nation and to make full recompense to the injured nation for any wrongs that may have been done in cases where an official acted without authority.

TWO METHODS OF FORMING LEAGUE OF PEOPLES.

I believe this is the quickest, easiest, and most orderly way of bringing about this world-wide reform. But if such an international agreement can not be secured through the league of nations, the people themselves in the various countries can bring it about eventually by first compelling such changes in their respective Governments as will enable them to exercise the right of voting on the question of declaring a war when the world is at peace and their country is not in danger of invasion or torn by revolution or insurrection. Once the people win this power, they can easily force the making of treaties between the nations, providing each will not start a war against the other except by a vote of the people.

PEOPLE MUST ORGANIZE BRANCHES OF WORLD LEAGUE NOW.

But whichever method is used, the people will find it necessary to form branches of this world league of peoples in the various countries for the purpose of organizing public opinion to make it effective in bringing about the democratization of the war-making power of the nations at the earliest possible date.

MOVEMENT WILL BE OPPOSED BY THOSE WHO FEAR TO TRUST THE PEOPLE.

I realize the tremendous task to be performed in getting this movement under way. I know something of the forces that will fight it. Leading statesmen of the world, so called often because they are steeped in the precedents of the past, will declare the idea impractical and Utopian. Noted newspaper editors will ridicule it. Those who are afraid to trust the people will call it socialistic and bolshevistic. But that will not affect its progress seriously [applause] because it will be rooted in the hopes and purposes of the masses of the people everywhere who hate war and are determined to abolish it. [Applause.] More and more they will come to realize that the only certain method of abolishing war is to take into their own hands the control of the power to start war. When once they have become convinced of this truth throughout the world no human power will be able to prevent them from working their will, and its adoption will be the greatest advance of democracy in the whole history of popular government.

ABOLITION OF WAR IN HARMONY WITH DIVINE LAW.

War must end. The mother heart of the world pleads for it. The voices of humanity preach for it. The war-burdened millions of earth demand it. But only the votes of the plain people of the world can command it. [Applause.] It may take 10 years, it may take 20 years, or 50 years, or even 100 years to work this reform, but it will come. It will come because it is in harmony with the divine law, "Thou shalt not kill," and the human law, "The people shall rule." [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I yield 30 minutes to the gentleman from Massachusetts [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, with the close of the world war the United States finds itself in the largest sense a great world power. Indeed, it is perhaps not too much to say that we are to-day the great world power. Hitherto we have, as a Nation, thought and dealt in terms of a continent. Henceforward we must inevitably think and deal in terms of a planet. The transition means many a readjustment, many a realignment, of our national programs. The basis of our future world life must be a constant and an accurate store of information concerning our copartners in world trade, world thought, and world enterprise. Only as we possess this information can we advance intelligently and build wisely.

The source of the information must necessarily always be primarily our diplomatic and our consular services. Then it follows that the improvement at every point of these services is of the first consequence to our sound national and international development.

With this preliminary word, I come at once to the subject of my remarks to-day, a suggestion as to how to build up the personnel and efficiency of our diplomatic service. My suggestion should not be deemed to involve a criticism of the present; it is predicated simply upon the undoubted fact that the present is always capable of improvement. Reduced to lowest terms, the proposal is this: That so far as is legally possible vacancies in the ranks of our ministers abroad should hereafter ordinarily be filled from the ranks of secretaries in the diplomatic service who have demonstrated their fitness for promotion to the grade of minister.

At the top of our Diplomatic Service are, of course, the chiefs of mission—ambassadors and ministers. There are about 40 of these. Below them there are now some 88 secretaries, grouped into four classes. The pending bill provides for the increase of this number to 110. The ambassadors and ministers of the present moment are, as I shall hereafter show in some detail, generally men who have been appointed for some reason other than diplomatic experience. That is, they are, with few exceptions, men who have been appointed chiefs of mission directly from private life. The natural consequence of this is that they are untrained in the machinery of diplomacy. They must, then, depend largely upon their secretaries—men who have been in the service for years, who have made diplomacy a career rather than an incident, and who have the mechanics of their profession at their fingers' tips. Without in any way reflecting upon the ambassadors and ministers, we can instantly deduce the importance to the United States of having the right men in our corps of secretaries.

The secretarial force of to-day is not wholly satisfactory. There are many admirable men, but there are others who are not suitable representatives of the Nation in the complex, delicate, and important matters with which they are constantly dealing. Our problem is to weed out these latter men and to fill up the service with the highest possible type of secretary. How can we do this? Obviously by making the service more attractive to the right men.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. YOUNG of North Dakota. The concluding remark of the gentleman has answered the very question I was about to ask, and that was: If there was promotion possible for secretaries, and if it should be generally understood that an appointment to that character of position would mean, if they made good, that they could ultimately hold even the position of ambassador, would it not attract a much higher grade of men to the position of secretary?

Mr. ROGERS. I will say to the gentleman from North Dakota that that is exactly the theme I am about to develop.

The limited appeal of our present service to the young men of the Nation whom we want and need to represent us is based upon two facts: First, the smallness of the salary, as compared with the cost of adequately maintaining the position at most of the world's capitals; second, because the position is to-day a "dead-end" occupation, with little or no outlet at the upper end.

At the present moment, as I have said, there are 88 secretaries, subdivided into four classes—16 in class 1, at $3,000; 16 in class 2, at $2,625; 36 in class 3, at $2,000; and 20 in class 4, at $1,500. The committee recommends an increase of $500 a year to each secretary, but this increase is subject to a point of order, and last year the point of order was actually made in the House upon a similar committee recommendation. The present scale of salaries is, of course, absurdly inadequate, in view of the very great importance of the position and of the expenses devolving even upon a bachelor to maintain it. For a man who is married, or who expects to be, it is a mere pittance—always remembering the high cost of maintaining the position and its grave responsibility and importance.

The State Department recommends a salary scale for the four classes of $6,000, $4,000, $3,000, and $2,500, respectively. Secretaries now in class 1, at $3,000—the goal for the lower grades—have served at least 11 years, and in some cases as long as 18 years. Secretaries in class 2, at $2,625, have served from 8 to 18 years. Secretaries in class 3, at $2,000, have served as long as 10 years. The appeal under these conditions is a very narrow one. No one not a rich man—or at the very least a man with considerable private means—can afford to apply. That this is undemocratic and undesirable for the Republic needs no argument. That the choice of the State Department in selecting secretaries is unduly constricted is equally clear. An adequate salary scale, as a matter of fairness and of efficiency, is essential.

But the other consideration, that the secretaryships are at present "blind-alley" occupations, is an even more potent cause of the present difficulty in attracting the right men. An ambitious young man, especially if he were a bachelor, might enter the service, even if doing so involved a considerable sacrifice, provided he saw a chance to rise when a few years had passed, and when he had made good, to something worth while. But when he sees first-rate men—men of the type of Butler Wright, Bliss, Grew, and Laughlin—receiving a salary of $3,000 after 15 or 18 years, he simply says, "No; I can not afford it; there is no future in it."

The wonder is, considering the low salary and lack of advancement, that the personnel of our service is as good as it is. It can never be better as long as the present method continues.

But if a man about to choose his career could see that merit might be rewarded with a ministership, the appeal would be much wider and more compelling. I propose, therefore, that so far as law can do it, we provide for promotion from secretary to minister. [Applause.]

There is nothing revolutionary in this proposal. When President Wilson was inaugurated in 1913 there were 41 United States ambassadors and ministers. With respect to previous diplomatic experience these were classified as follows: One had been ambassador at a previous post; 5 had been promoted from minister to ambassador; 4 had been ministers at a previous post; 14 had been secretaries in the Diplomatic Service; 3 had been consuls; 1 had been both secretary and consul; 13 had been appointed without previous diplomatic experience. Combining these we see that 10 had been ambassadors or ministers at a previous post; 18 were service men, promoted from secretary or consul; and only 13, less than one-third, were appointed without diplomatic experience.

What has been the history of the last six years? Four of the forty-one are still in the service. Fifty-one men have been appointed ambassador or minister since March, 1913. Only 2 of the 51 so appointed have been secretaries or, indeed, have had previous diplomatic experience of any kind. One of the two service men was appointed to Colombia and the other to Haiti. Neither post would be regarded as a prize.

Many of the new men appointed have been entirely creditable. But when we look over the appointments to the Latin-American Republics, mostly under the régime of Secretary Bryan, we can not fail to be startled at the complete lack of consideration given to merit, ability, or useful experience.

The darker side of the picture is, however, the discouragement to excellent men in the service when they saw themselves passed over time and again for party hacks and political hangers-on. No wonder they resign. No wonder it is difficult to induce the right men to enter the blind alley.

The solution is simple—to provide an outlet for the promotion of good secretaries to the grade of minister.

How far can Congress do this? Article II, section 2, paragraph 2, of the Constitution of the United States provides, in part, that the President "shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers, and consuls," and so forth. The appointment of ambassadors and ministers being a prerogative of the President, Congress can not prescribe whom he shall appoint or how he shall appoint.

Mr. WATSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield.

Mr. WATSON of Pennsylvania. You said a moment ago, I think, that you were in favor of promoting secretaries to ministers and ambassadors.

Mr. ROGERS. Yes; and I shall develop that idea in a moment. My suggestion at present is that we promote secretaries

to ministers, and leave out for the moment, at least, the question of promoting secretaries to ambassadors.

Mr. WATSON of Pennsylvania. I wish to say that recently, in the consideration of a special case, I was informed that they thought it was important to adopt a policy of appointing consuls to secretaries.

Mr. ROGERS. My query is whether we ought not to go farther than that, and whether we ought not to appoint good consuls general, and perhaps the highest type of consuls also, to the position of minister.

Mr. WATSON of Pennsylvania. Of course, we are getting a higher type now on account of the civil-service examination for consulships, and therefore they are appointed to take the part of secretary.

Mr. ROGERS. There is no doubt about that. There is a larger appeal to men of small means to enter the Consular Service than the secretarial service. But if the gentleman will bear with me for a moment I want to discuss that exact point a little farther on.

Congress can, however, indicate its view of the proper method, and can insure both that the President shall have the information upon which he can appoint upon a merit basis and that the public shall know what that information is. Then, if the President chooses to appoint some one not in line of promotion, as he will always under the Constitution have the right to do, the Congress and the people will have the facts to enable them to decide whether the action was in any given case justified.

Specifically, my proposal is this: That a board of four examiners for the Diplomatic Service be created in the Department of State, composed of an Assistant Secretary of State, the chief examiner of the Civil Service Commission, a law officer of the State Department, and one other officer designated by the Secretary. This board shall from time to time, but at least once annually, certify in writing to the Secretary of State a list of the names of those secretaries in the Diplomatic Service who by reason of character, ability, efficiency, experience, and general availability, and without regard to political or other affiliations, have demonstrated fitness for promotion to the rank of minister. Such list shall, so far as possible, enumerate in order of fitness those so certified, and each list so certified shall be complete in itself and shall supersede all lists previously certified. Whenever there is a vacancy in the rank of minister in the Diplomatic Service, the Secretary of State shall transmit in writing to the President and to the Congress, together with his detailed recommendations, the names of three or more of the secretaries enumerated upon the most recent list so certified whom he deems most worthy of promotion to the rank of minister.

If this plan is to be put into successful operation, the full, pitiless light of publicity must be turned upon it. If the light of publicity had been ready to turn upon appointments to Latin America in 1913 and 1914, it is perfectly safe to say those appointments would not have been made. [Applause.]

This method will not fetter the President. It will simply give him data which are certainly material, but which he may accept or disregard as he deems best. Its value is largely in the provision that Congress shall be furnished with the same data, so that it may form an intelligent opinion as to the wisdom of the President's decision. This provision will be of especial utility to the Senate, which, under the Constitution, has the duty to confirm or reject the President's selections.

If it be said that the provision is useless, the force of public sentiment is overlooked. If it be said that it is needless, we need only survey the appointments to Latin America in 1913 and 1914. If it be said that it is valueless, we need only point to the great incentive it would furnish to secretaries already in the service to persevere, and to the best young men in the land to embark upon the Diplomatic Service as a career.

It will be noted that my proposal does not comprehend appointments as ambassador. My thought is that there ought to be a wide latitude vested in the President's selection of his ambassadors—a latitude which may comprehend considerations of distinction in letters, economics, education, or government. It would be open to objection to throw even a conditional barrier in the way of the appointment of a man like Washington Irving, Bancroft, Motley, or James Russell Lowell, or Lord Bryce, or, more recently, of Walter Hines Page, who as truly and as usefully laid down his life for his country as if he had fallen in Flanders. Furthermore, as we have only 13 ambassadors, all to the great countries of the world, a bad appointment is so notorious as to be avoided at all costs by an administration for the sake of its own repute. These considerations are much less potent when the ministers are being selected, as our experience in 1913 and 1914 proves. So, while many arguments in favor of the promotion of secretaries to ambassadorships, either directly or through the intermediate step of minister, may be adduced, we do not run the same risk here. It may therefore be well, I think, to take the first step and then consider whether we shall later take the second.

It is perhaps fair to say, in view of Mr. Lansing's scrupulous regard for the merit system in the appointment and retention of secretaries and consuls, that if he had been Secretary of State in 1913 the policy of promoting secretaries to ministers, so frequently found in the Roosevelt and Taft administrations, would have been much more common and that we should have avoided the worst excesses of the Bryan régime.

A very plausible argument may be made in favor of extending the principle here advocated so as to encourage the promotion of consuls to the rank of minister. I should personally welcome such an extension. But there are some considerations which make the case of the consul weaker than that of the secretary. In the first place, he is not in direct line of promotion; his work is primarily commercial rather than diplomatic. In 1913 only one of the ambassadors and ministers whom Mr. Wilson found in office and who had had previous diplomatic or consular experience had been trained exclusively on the consular side.

In the second place, the salary range is far higher in the Consular Service than in the secretarial. A consul begins where the secretary stops. The consular salary range is up to $12,000; the secretarial up to $3,000. There is thus a far greater incentive to enter the Consular Service. Further, there are now some 321 consuls general, consuls, and vice consuls, and under this bill, if enacted as recommended, there will be 496. The corresponding figures for secretary are 88 and 110. The field is thus numerically four or five times as large, and the opportunities for promotion on merit more numerous. And, finally, the President would always have power to promote an especially valuable consul general or consul, even if the law here recommended were passed.

As I have before pointed out, there is nothing revolutionary in the proposal here advocated. The United States, under Roosevelt and Taft, saw its practical adoption. Every other great power, so far as I am aware, recognizes the policy. Great Britain adheres to it except when special considerations make it preferable to deviate. It sends Lord Reading and Lord Bryce to Washington without previous diplomatic experience. These men were wanted for special work which it was believed they could perform better than service men available. On the other hand, Great Britain promotes from secretary to ambassador or minister, to cite only a few men now or recently in Washington, Sir Cecil Spring Rice, late ambassador here; Lord Paunce-fote; Mr. T. B. Hohler and Mr. Colville Barclay, lately counsellors of embassy here; and Sir Maurice de Bunsen, who was recently here in transit to South America upon a most important diplomatic mission.

The Diplomatic Service will never thrive unless we give worthy secretaries a fair chance, and this country's foreign relations will never be completely successful without the best possible Diplomatic Service. We should, therefore, at the earliest possible moment, establish upon a firm footing the merit system for promotion of secretaries. Only thus will the best timber in the United States, whether possessed of private means or not, be induced to embark upon diplomacy as a permanent career.

COST OF THE CONSULAR SERVICE.

Members of the committee—to deviate from my prepared remarks—will perhaps be startled at the large increase which is called for in connection with our Consular Service. We propose, as I have just said, to increase the number of consuls and vice consuls from 321 to 496, something like 50 per cent. When that point in the bill is reached, if there is any controversy upon it I think it can be pretty conclusively established that the increase in number and in fact is largely apparent rather than actual. But at the same time I want at this point to call to the attention of the House that the Consular Service is very largely self-supporting; that while in this bill we appropriate considerable sums for salaries of consuls general, consuls, vice consuls, consular agents, and consular clerks and for the operating expenses of maintaining that force, at the same time we get back in actual money from this Consular Service an amount which in ordinary peace times practically compensates us for every dollar expended. And I shall put in the RECORD a table which shows the budget of the Consular Service for the past 12 or 13 years.

In 1906, which is the last instance of the kind, there was an actual profit to the United States from its operation of the Consular Service. In other words, we took in more from fees and from other sources of revenue than we expended in the aggregate for the Consular Service. There was more or less fluctuation from 1906 to 1914, but in 1914 the net cost of operating

the Consular Service, leaving entirely aside the value and the necessity to the country of maintaining it, was something less than $50,000.

Of course since the war it has been necessarily true that the consular fees have fallen off very much, because consular fees depend upon trade, and, as international trade has fallen off, consular fees have fallen off with it; so that for the past two or three years the net cost of maintaining the service has been gradually mounting up. Now that peace conditions are being restored, there will no doubt be a recurrence to the old condition, and it will again be found that the Consular Service will practically take care of itself. [Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD. I yield back the remainder of my time.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Cost of Consular Service.

Year.	Invoice fees.	Total consular fees.	Gross cost of Consular Service.	Net cost of Consular Service.	Gain.
1906	$1,262,060.76	$1,404,940.10	$1,385,217.47	.....	$19,722.63
1907	1,384,319.50	1,672,802.15	1,777,635.72	$104,833.57	.....
1908	1,251,637.12	1,517,304.65	1,808,661.26	296,356.61	.....
1909	1,330,514.24	1,586,047.14	1,835,078.06	249,030.42	.....
1910	1,484,653.65	1,762,133.72	1,928,561.77	166,428.05	.....
1911	1,434,264.00	1,712,345.87	2,017,042.35	304,696.48	.....
1912	1,502,621.93	1,793,166.00	2,053,256.21	260,090.21	.....
1913	1,561,327.23	1,852,535.99	1,972,604.39	120,068.40	.....
1914	1,735,247.30	2,040,234.42	2,083,908.42	43,674.00	.....
1915	1,236,810.91	1,498,029.80	2,073,642.57	575,612.77	.....
1916	1,208,391.29	1,501,210.58	1,971,575.91	470,365.33	.....
1917	1,180,057.66	1,477,936.86	2,177,597.83	699,660.97	.....
1918	1,067,299.71	1,364,300.87	2,903,375.00	1,539,074.13	.....

Mr. FLOOD. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. COOPER of Wisconsin. Mr. Chairman, how much time did the gentleman from Massachusetts [Mr. ROGERS] consume?

The CHAIRMAN. He consumed 25 minutes. He yielded back 5 minutes. The gentleman from Maryland [Mr. LINTHICUM] is recognized for 10 minutes.

Mr. LINTHICUM. Mr. Chairman, it is not my desire nor intention to make a long speech at this time, but I feel it incumbent upon me as a member of the Foreign Affairs Committee and of this House to discuss somewhat the merits of the bill now before us.

The Diplomatic and Consular Service of this Government has played a large part in the conduct of the great war which has now ended. Other departments of the Government have received vast public attention and large praise from the patriotic people of the land. This service, however, performing its duties without publicity, 3,000 miles or more away, without hope of great reward in a financial sense, has perhaps done more than any other noncombatant branch of the service toward the winning of the war. It has engendered in the hearts of the people of the world friendship and good will toward America. It has conducted its business under adverse circumstances and, while the work has been enormously increased, with efficiency and dispatch, and cost the Government proportionately less than any other branch.

It is my desire at this time to focus public attention toward this service through this representative branch of the Government and to call attention to the fact that during the coming years, if we would keep pace with other countries, if we would have our place in the sun, it must be done largely through the Diplomatic and Consular Service. Not alone must we expect the extension of our friendship with the peoples of other lands through this branch, but we must likewise expect the enlargement of our foreign trade through this service in the hands of men abundantly qualified to perform the work, with a willingness and an aptness to meet the people and to establish greater commercial relations with them throughout the entire world.

The Diplomatic and Consular Service represents, as it were, the very hands and brains of the executive department in foreign countries. It assumes that relationship with those countries at first hand which the President endeavors to promulgate through the executive branch of the Government at Washington. Through the representatives of this branch of the service we are enabled to get next to the governments of foreign countries, and through the treatment of this service to obtain their good will or to dispel it.

In the years to come much will depend upon this service as to what benefits we reap from the great war which we have just fought, both in a friendly and financial sense. Our Government has expended billions of dollars in the preparation and transportation of troops, in the conduct of the war, in the manufacture of munitions, in merchant marine, and in loans to our allies. Whether we shall reap a just reward for these great expenditures, whether the name of our country shall stand aloft in foreign lands, will depend largely upon the men of this service.

The war having closed, the great battle for business will surely ensue, and the success of our country in this great endeavor will likewise largely depend upon the service under discussion. I think there is no doubt in the minds of the Members of this House that this service has been admirably conducted during the great conflict, that its members have gathered to us friends in every clime, that our citizens have been cared for and protected, and that citizens of other countries have been given every advantage which it was possible to afford.

It is therefore the duty of Congress to recognize in every way possible this particular and unswerving performance of duty. It has always been my desire to see this service well maintained, extended, and every opportunity given for its betterment and enlargement wherever the circumstances demanded. To that end I have always been an advocate of providing in the various countries homes for our embassies, so that they may have permanent quarters, no matter who may occupy them.

A few years ago we made a splendid purchase in the city of Shanghai, China. This property no doubt is worth to-day a large sum in advance of what our Government paid. This policy should be carried out in all the countries, and I am sorry this bill can not carry the sum of $3,000,000 to be expended by the Government in the purchase or erection of embassy homes. It is a policy which has been adopted not alone by the large countries of the world, but many countries that could less afford to do so have found wisdom in this adoption. The little country of Cuba, for instance, has erected in our city a magnificent embassy, as have many of the other countries. Why should not this country of a hundred million souls provide homes?

We erect fine buildings throughout our land for the use of various branches of the Government, but until this time we have neglected to erect such buildings in foreign lands, where naturally they would be of immeasurable benefit.

During the war we have extended our trade largely in our sister Republics of Central and South America. Surprising as it may seem, even before the war we did a larger business with the Central and South American Republics than any other country. In 1913–14, before the European war began, the United States was doing a business with them of $800,000,000; in 1917 it had grown to the enormous sum of $1,750,000,000, or an increase, approximately, of a billion dollars.

Just before the war broke out the United States was doing a business of $800,000,000, Great Britain $650,000,000, and Germany $450,000,000. At this time the United States finds itself doing a business with Latin America equal to all the other countries of the world combined. Let the great work proceed; let us reach every business man of that 80,000,000 people living, as it were, at our very doors.

Whether or not we shall continue to do this great business will likewise depend upon the men who represent us at those places and upon the great work of the Pan American Union.

The policy heretofore adopted of placing the Consular Service upon a civil-service basis is largely accountable for the wonderful progress we have made. It has given us men of distinction and ability, who could adopt that service as a life work. It has given them an opportunity to give to their country the best that is in them, without fear of removal at each change of administration or the change of mind of any Executive. I hope and I believe that this system will be extended to cover very largely the Diplomatic Service as well, so that we may have in that service men to occupy those positions who have made a long study and practice of the profession, who are able to meet the various emergencies and duties which constantly devolve upon them. Many new nations will be formed. Self-determination will largely prevail, and to meet the requirements of these various countries it should be our policy to have men of large experience and ability. I am therefore in favor of taking some step which will eventually cover this situation, which I believe to be a defect in our present Diplomatic Service.

Some years ago when we appropriated $20,000,000 to pay Spain for the Philippines the amount seemed large and was much commented upon, but to-day under different circumstances and world conditions we appropriate $100,000,000 to feed the starving people of Europe, many of them formerly our enemies,

and we hear little criticism but a vast degree of praise from this broad land of ours. Our people have been educated by war conditions to big and generous propositions.

We are not asking for territory nor indemnities, but we are asking for the friendship and good will of the entire world. It is our great desire to stand aloft as an exemplification of what a well-governed and modern Republic can perform. Man has long since learned that he can be great only through the assistance of his friends; this applies not alone to individuals but to nations as well. The long continuance of the great work of our country and its appreciation by other countries must be brought about through the extension of this friendship and a belief that we will perform those things for which we profess to stand.

This Diplomatic and Consular Service properly manned, as it is, with the splendid support of its Government, can do more toward bringing this to a successful conclusion than any other branch of the Government. Our boys have taught the world what a Republic can do in time of war. It has taught them what they can do fighting for the freedom of the people and the life of democracy. These peaceful troops represented by the Diplomatic and Consular Service can reap great rewards not alone in friendship and good will but likewise in the extension of the commerce and business of our country.

This bill, I believe, goes a long way toward making proper and just provision for this splendid branch of the Government and will encourage them in their magnificent work and tell them that Congress and the people appreciate their wonderful and unswerving duty to the policy and interest of the American people. [Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LINTHICUM. I yield back the remainder of my time.

The CHAIRMAN. The gentleman from Maryland yields back five minutes.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. HICKS].

The CHAIRMAN. The gentleman from New York is recognized for three minutes.

Mr. HICKS. Mr. Chairman, I merely rise to explain my vote on the rule which was voted down an hour ago. I am heartily in favor of the proposition to erect in foreign countries buildings for the use of our ministers and ambassadors. I believe the time has come—in fact, is overdue—when the dignity and the might and the wealth of this country shall find its expression in suitable buildings for our representatives abroad. My reason for voting against that rule was not that I am opposed to the proposition or the principle involved, but because I think at the present time, with the taxpayers of this country suffering under the terrific burden of the war, making every sacrifice for the triumph which has come, they should not be subjected to a further burden by having great appropriations passed for buildings which are not absolutely necessary at this time. This proposition can wait. It can wait three or five years without serious harm, and then when conditions again become normal we can embark on this meritorious project. No one realizes more fully than I the inadequacy of the ambassadorial offices and residences in foreign countries, wholly out of keeping with the dignity of our representatives and out of harmony with the greatness of our country and its position among the powers of the world. Only men of wealth can afford to accept those important posts. For the Government to own these buildings would be a move toward democracy, an advance to that plane comparable with the power of the Nation, and I shall welcome the time when I feel that I can, with justice to the people, vote for this proposition. But, as I do not feel that this time is here, I voted against the rule presented by the committee to-day.

Mr. ROGERS. Mr. Chairman, by direction and under the authority of the gentleman from Wisconsin [Mr. COOPER] I yield to the gentleman from Illinois [Mr. CANNON] two minutes.

The CHAIRMAN. The gentleman from Illinois is recognized for two minutes.

Mr. CANNON. Mr. Chairman, I did not vote because I was not in the House for the rule referred to by the gentleman from New York [Mr. HICKS], by which appropriations for the construction or acquirement of legation buildings in the various countries of the world were to be made in order. I wish that we could acquire or have constructed buildings to house our ambassadors in the principal countries in the world. I would vote for a reasonable bill to that effect, but I do not want any half-million or million-dollar structures. It seems to me the legation building in Washington of the British Government, if I recollect aright, was constructed about 40 years ago at a total expenditure of $50,000. It is a practical building; it is a democratic building. I would be very glad if I had the power to speak into existence a similar building for our Government in every one of the principal countries of the world. Our ministers and ambassadors who are poor spend their all, frequently, while they represent our Government.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman permit a question?

Mr. CANNON. Yes.

Mr. HUMPHREYS. About what would a building similar to the British Embassy here cost in the countries where we want to build embassies? Does the gentleman know—about what?

Mr. CANNON. I do not.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. ROGERS. I yield to the gentleman one minute more.

Mr. FLOOD. Mr. Chairman, I will yield to the gentleman one minute.

The CHAIRMAN. The gentleman from Illinois is recognized for one minute more.

Mr. HUMPHREYS. Would it probably be about $100,000?

Mr. CANNON. I should say that the building, without regard to the site, could be constructed for about $100,000. I feel quite sure of that, although I am not a builder.

Mr. FLOOD. What does the gentleman think the site would cost?

Mr. CANNON. I do not know, because I am not "up" in real estate matters in the various countries of the world. I would say $100,000, probably.

Mr. FLOOD. Our ambassador to France has been here for the last few days. He has been living in a building in Paris that he pays $12,000 a year rent for. That is on a long lease that he has had for some time. When he goes out the rent will be raised to $18,000 a year. That building is valued at $550,000, and it is not as good a building for embassy purposes as the British Embassy in Washington.

Mr. HUMPHREYS. The gentleman says it is valued at that?

Mr. FLOOD. Yes. That is what they asked for it. The least amount that they have been able to get the owners to consider was $550,000.

Mr. CANNON. I am quite sure that the British Embassy Building here did not cost to exceed $50,000.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. ROGERS. Mr. Chairman, I yield to the gentleman two minutes more.

The CHAIRMAN. The gentleman from Illinois is recognized for two minutes more.

Mr. ROGERS. Mr. Chairman, will the gentleman yield for a question?

Mr. CANNON. Certainly.

Mr. ROGERS. The gentleman has referred to the value of the British Embassy property here in Washington. Figures I obtained two years ago from the assessors of the District of Columbia show that the total actual value of that property is $308,000.

Mr. CANNON. I think very largely for the ground.

Mr. ROGERS. It is broken up. The assessed value of the land is rated at $111,000 and the assessed value of improvements $94,000, or a total assessed value of $205,000. The assessed value is based on two-thirds of the real value, so that in this case the real value would appear to be $308,000.

Mr. CANNON. I would not split on $50,000 or $100,000, so far as that is concerned. The rich men—and I might call some of their names—can go abroad. They can have legation buildings, and they can have buildings that they either own or lease for the hot weather. You put it out of the power of a man of modest means, frequently more competent perhaps than somebody who has $10,000,000 or $20,000,000 to serve the Government, whatever his capacity may be. I have in my mind's eye now a former Member of this House. I am not acquainted with his wealth, except by hearsay, but I am very glad that he represents our country in one of the principal capitals of the world. My understanding is—not from him, and I do not know that he would thank me for saying what I now say—that the savings of a lifetime, so far as his life has progressed, procured from his profession, will be gone when he is superseded by somebody else.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROGERS. Mr. Chairman, I yield 30 minutes to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER of Minnesota. Mr. Chairman, all the world knows that in times of great stress great characters are revealed. Never before, perhaps, has it been given to any man

to labor for such great causes and for such masses of mankind as during this great war period, now so victoriously ended. These days have witnessed weak men fall, but they have seen rise to power men of such splendid character and transcendent capacity as glorify the human race.

To-day the happy nations of the world are heroizing those whose deeds through the long dark hour have made those nations great and safe. It is well that it is so. A grateful nation will never lack heroic sons when the crisis comes. Our country, the mother of true democracy, should excel all others in doing honor to its citizens—those sons of freedom that have so lately determined the destiny of mankind. Immortal glory has been won by our brothers on the battle field of the world. So long as shall endure a record of man's achievements, so long shall the ages know the deeds of America's sons on the blood-soaked soil of France. The world was staged for the great act. A *cruel, insolent* and haughty foe sought to conquer and crush the world. The resources and the heroism of the allied nations could not defeat him. With successive, hurculean blows he was beating those nations to the earth in one last supreme effort when the sons of America, a mighty host, reached the scene of conflict and knew not how to retreat. When those boys of ours turned against the Germans at Chateau-Thierry they turned the tide of human history. Belleau Wood, Vaux, Chateau-Thierry, the Argonne, the Ardennes will be to the schoolboys of the future what Bunker Hill, Saratoga, and Yorktown have been to us. Not Miltiades on the plains of Marathon; not Martel on the field of Tours; not Richard pounding at the gates of Jerusalem, played in the human drama a part more heroic, more glorious, than that of the sons of America who fought along the Marne, the Meuse, and the Meerthe. All honor to these fighting sons; all glory to their deeds. But America's work has not all been done, nor some of it the most important, by those who were clad in America's uniform.

There is another son of our country, of whom I would speak to-day, one whose service to this land of ours during the long period of war stands out conspicuous even in these days of greatness and achievement, one who died for his country, as resolutely, as nobly, as any soldier ever died for the country he loved. I speak of Walter Hines Page, late ambassador to Great Britain. He was truly a remarkable man, a wonderful man. The smoke of battle must disappear from the earth, the perspective of a distant year when his work shall be better known must come, before the world will know him and measure his deeds.

The Court of St. James has been the most important diplomatic post under the American flag. The line of illustrious men who have represented our country there presents many of the greatest names in our history. In truth, their lives form a large part of the history of our country. Five of these—John Adams, James Monroe, John Quincy Adams, Martin Van Buren, and James Buchanan—later became Presidents of the United States. In the list are also found the names of Rufus King, William Pinkney, Albert Gallatin, John Jay, and Thomas Pinckney, among the most brilliant intellects our Nation has produced. In this list are many of the foremost names in American letters—George Bancroft, James Russell Lowell, Edward Everett, and Charles Francis Adams.

In recent times we find such names as John Hay, Joseph H. Choate, and Whitelaw Reid. Walter Hines Page was the last of this illustrious line and, in my judgment, the greatest, if service is to measure greatness. No other diplomatic representative of our country in all our history ever had as many and as difficult burdens laid upon him. Hardly had he adjusted himself to the duties of his exalted position, acquainting himself with the English people and all branches of their government, when the great war like a thunderclap from a clear sky struck Europe. There were more than 50,000 Americans abroad, frantically struggling to escape from the scene of conflict. Letters of credit were valueless and all were in financial straits. Means of transportation were uncertain and often unobtainable. They managed somehow to get to London and there found asylum under the protection of Ambassador Pagė. Great mobs besieged his home and the American Embassy. He and his staff—in fact, his entire personal and official family—worked night and day during weary weeks and months. The multitude had to be fed, housed, and a passage home secured. Yes; even though passenger ships had nearly ceased to sail, a passage home somehow had to be found. What a motley throng they were! Millionaires, teachers, negroes, Indians and cowboys from stranded wild-west shows, elbowed and surged in one great American throng. Millionaire and negro, teacher and cowboy, looked alike to Mr. Page. It was enough that they were Americans, and each received the best Mr. Page could do or give. Many a poor cuss, penniless and stranded, without credit at home or abroad had his passage home paid by the American ambassador with no possible hope of return.

But this was only a part of his work. During those whirlwind days, and during all the days for nearly three years, the diplomatic relations between America and Great Britain were at fever heat. America was the only great power of the world then not engaged in the great conflict. The fleet of mighty Britain dominated the seas of the world, and the rights of our great neutral country were often jeopardized as Britain fought for her life. Distant as we were from the zone of conflict, and feeling it our duty to be perfectly neutral, we could not and did not appreciate the necessity which England believed made legitimate many acts of hers on the high seas. It is not too much to say and to say it is not divulging any secret that ought to be hid, there was a time when our relations with Great Britain reached practically an impasse.

Then, too, Great Britain was forced to look to this country for her food supplies and for prodigious quantities of war material. Amidst these difficulties and these enormous burdens, Ambassador Page represented our country so skillfully, so tactfully, and in a manner so broad and high minded, that in the end America and Great Britain were more friendly, more closely knit together, more zealous, each in good will toward the other than at any time since Jefferson wrote the Declaration of Independence.

The cementing of these two great branches of the Anglo-Saxon race, their union in point of view as to world affairs, and their determination to cooperate toward democracy and the betterment of humanity is likely to be the greatest result of the world war. This reunion, if I may use the term, of America with the mother country was occasioned in no small degree by the work of Mr. Page. No lesser man could have achieved so important a result. To understand how it were done we must regard the man who did it. And this brings us to the wonderfully human qualities this representative of our country possessed. Usually an ambassador, being a most august personage, dwells in a court or governmental circle, meets a limited blood or governing aristocracy, and orders his life according to strict court etiquette and time-honored precedent. But that was not the kind of an ambassador Mr. Page was at all. Probably no other representative we ever sent to the Court of St. James knew the Government officials of that country as intimately as he did, but he did not stop there. His broad sympathies, his cosmopolitan Americanism caused him to like all humanity, and he became acquainted with the English people. When we consider the constitutional and native aloofness of the English character, we are ready to understand how great an achievement this really was. He not only became acquainted with them, but they with him. Their relations verged on the intimate. In revealing himself to the English people he unconsciously revealed to them America at her best. Most of those people knew nothing of America, but they came to know him and ascribed to America and Americans those splendid qualities he so continuously displayed. His character was the most perfect exemplification of ideal Americanism our age has presented to a foreign country. He ceased to be a personage in England, he became an American institution. His influence pervaded everywhere. The men in the factories, the boys on the street, the million and more women toiling in Britain's war industries, financiers, and statesmen could all talk almost intimately of the American ambassador. They all knew him and honored him, and in him they felt they had a friend. And they did have. I measure my language when I say the English people learned to love Ambassador Page. We should therefore be prepared to hear that the British Government, when the war hour was the darkest and some sections of their country were dominated by pacifists, sent this American out among the people to counsel with them, inspire them, nerve them to the conflict. Some of his speeches to the people were printed and circulated throughout the land. A moment's reflection would disclose what an extraordinary rôle this was for a foreign ambassador to play, and he did it without once violating any of the rigid proprieties of his position or in any way offending the most sensitive taste. This was not the work of a diplomat. It was the work of a great human heart, one big with sympathy, one zealous to serve his fellow men.

When in London a year ago I observed to a group of Englishmen that the most interesting thing I noted in their country was that England had again discovered America. We, whose homes have never been in immediate danger from the savage Hun, we whose country we have never thought for a moment in danger of destruction, can hardly appreciate the feeling of the English people when America came to their aid. They haven't said much, but they have thought a lot. The flower of their kingdom had gone to France and fallen in the great conflict.

The thunder of the German guns could at times be heard reverberating among Albion's hills. From the heavens at night were continually dropping missiles of death and destruction. The deadly submarine had brought England almost to the hunger point. Then the young giant of the west came to their aid. Instantly anything American became intensely interesting to the English. The wealth, the manpower, the national characteristics, the purposes, and the plans of the mighty Republic became matters of the deepest interest to the English people. Ambassador Page at this critical moment gave to the English an ideal conception of the American people. The regard in which he was held by the English caused them to accept in full every expression he uttered. For nearly a century and a half the two great English-speaking races have been separated, sometimes by conflict, often by misunderstandings, all the time by latent suspicion. Happily for us and for the world, these days are past. It has been given to no man to perform so conspicuous a service in thus reuniting these two great peoples as that performed by Ambassador Page. A work of this character stands preeminent in the statecraft of our time.

Mr. Page quickened the thought and touched the life of the English in many ways they knew not of. The greatest result of this war to England herself will be the social and economic transformation that is now occurring. The social strata of old England have been sadly shaken up by this strife. Many of the families of the aristocracy have practically ceased to exist, and all have been terribly decimated. The flower of English chivalry was the first to rush to England's defense, and most of it now lies buried beneath the soil of France. The ancient privileges of birth will not henceforth be as hallowed as they have been heretofore. Men of all classes have stood on the same level and fought in the same way for their common country. Class distinctions under such service in such a time must inevitably fade away. In the industrial life of England the workers henceforth will receive a larger share of the profits of industry. The morrow is to be a very much brighter day for the common people of England. This movement upward on the part of the English masses has come from a better and wiser understanding of true democracy by all classes of English society. During the past two years America has exerted a very marked effect upon English thought, whether the English knew it or not. There can be no doubt that the democracy of America spoke through Ambassador Page to the democracy of England. The result will be far-reaching. President Wilson was no doubt surprised, as all America was surprised and pleased, at the warmth of the reception recently accorded him by the English people. Much of this unquestionably was a tribute personal to the President, but much of it was a tribute to the American people springing from an appreciation of America's help and of those American qualities they have seen revealed in the character and deeds of Ambassador Page. It appears likely there will be singular harmony between the two great English-speaking peoples at the peace table in Paris. Let us not forget that this unity of feeling, thought, and purpose has been produced in no small degree by the years of labor, sacrifice, and achievement of our late representative in England. It is not too much to hope that the influence of his life will abide with the sons of England and America about the council board, ever keeping their hearts in sympathy, their purpose fixed on the betterment of the masses of mankind.

I have jogged pretty well over this world, one time and another, and have met in foreign lands many representatives of our country. Among them many stand out in memory for splendid courtesies extended and for the most excellent Americanism they displayed. But Ambassador Page was in a class by himself. Never at home or abroad have I met a man like him. I recall distinctly the evening I landed in London. Cold, wet, hungry, for I had been moving from France with troops for 24 hours and without water, food, or sleep, I presented myself at one of the leading hotels and signified my ambition to register and secure accommodations. It evidently was a matter of deep concern to them whether they should take me in. Perhaps I looked suspicious, even though I displayed my passport and my permission from the British Government to land on British soil. Several austere employees looked me over and very critically. The flunkeys looked at my baggage dubiously. They wrote down all the facts in my history and of my ancestry on both sides back to a time when memory runneth not. They sent me to the adjacent police station to be registered and more thoroughly examined by specialists. When I returned these solemn-faced clerks held a brief consultation and then somewhat dubiously consented to take me in. I was profoundly grateful. I was willing to kiss the hem of their garments for this token of marked condescension on their part. On the following morning I called at the American Embassy to pay my respects and was advised that Ambassador Page was confined to his home sick and had been suffering acutely for nearly a week. Returning somewhat leisurely to the hotel, perhaps two hours later, I seated myself in the lobby to read a newspaper. I had not proceeded far when a pompous voice rolled out over the throng, "Congressman MILLER." Panic seized me. Surely they had reconsidered my case and decided to throw me out. But there was nothing to do or say but to face it, so I stood up and answered. To my astonishment, a most gorgeously liveried flunkey, flanked by one of the clerks, who had been particularly haughty and unapproachable the night before, stepped up, both bowed nearly to the floor, and with great unction the flunkey cried out, "The American ambassador to see Congressman MILLER." It was literally true. Upon being advised by telephone that I had called he got out of the sick bed and came directly to the hotel. He had never seen me in his life, and I doubt if he had even ever heard of me. It was enough for him that a Member of the Congress of his country had arrived in England. He rose from a sick bed and came instantly to put himself at the service of the Congressman. In all the world this is unique in my experience, and I am ready to believe that no other ambassador of any country ever did such a thing. His call had a profound effect upon that hotel. During the two weeks I was there I was really embarrassed with attentive service. This incident gave me my first glimpse of the position our ambassador held in England and among the English people.

Usually, diplomatic and consular officials of ours are very courteous in responding to any reasonable request a traveler may make. And in this they are distinguished among all foreign representatives, but Mr. Page went out studying up ways in which he could be of service. His whole force of trained and expert assistants, his home, his friends, were all placed at the traveler's disposal. Within two days from the time I landed in London he had brought me into relationship, under the most advantageous circumstances, with practically every person in the British Government who could help me in the work I had on hand. And every day thereafter he was constantly on the alert for opportunities to be of service.

This treatment was in no sense exceptional to me; I am certain he accorded the same to all of his countrymen. One day he called and handed me a list of 14 American Congressmen. He had just received the names by cable from his home Government, with word they had sailed for England. He was full of energy. "Now, tell me, MILLER," he urged, "all about every one of these men. This is a great event. Never before has a great body of American Congressmen journeyed to England. I am going to see to it that this is a real event in England and that every honor is accorded them." How splendidly he succeeded every one of those Congressmen will, I am sure, bear willing witness. It was his great purpose to bring the English and American people into closer relationship, that they might become companions in the world's work. He labored for the one, the country whose representative he was, but at the same time he knew that this course would promote the welfare of the English people. How striking is the contrast between this purpose and this work and that of the recent ambassador of the German Government to the United States!

As Mr. Page was the most perfect American in character and conduct I have ever found in our country's service, so he was the ablest executive and wisest adviser our country has had in its Diplomatic Service in modern times. Our embassy in London during recent years has been a marvel of organization, efficiency, and lofty dedication to the country's service. It was "a Little America" in the heart of London. Mr. Page had taken the best secretaries that had been attached to Vienna, Berlin, and St. Petersburg and added them to his force. They constituted a remarkable collection of trained, diplomatic agents, excelling in zeal, spirit, and pure American ability. To these were added some specialists, selected with excellent judgment. The military attachés were up to the minute in all departments of their work. And there was Admiral Sims next door, with his unexcelled bureau; he and they writing a glorious chapter in the naval history of America. Then, in the same row, the American Red Cross. The organizing and presiding genius of this wonderful American colony was Ambassador Page. The amount of work to be done was enormous, and Mr. Page was never idle. To little things and big things that were worth while he zealously gave his best. And the work began to tell on his health. As the years went by he gradually weakened, but he kept steadily at his work. When urged by solicitous friends and fellow workers to go away for a rest he refused, saying there was too much to do and his country needed him there.

Our men alone could never have won this great war. The part woman has played constitutes a striking event in human

history. Mr. Page alone could not have performed his great mission. This typical American man was blessed with a typical American wife. The sweet simplicity, the elevated dignity, the unfailing tact, the deep sympathy, the wonderful charm of this magnificent woman were of incalculable aid to the ambassador and brought to herself a distinct reputation in England. Her home was the best place in London to meet people worth while. The womanhood of England during this struggle has displayed a heroism that will challenge the admiration of the ages. With no sign of mourning, though their loved ones had fallen, with no sign of fear, though death fell from the heavens, with their great homes closed and living in comfortless quarters, they worked on for their country and their country's soldiers.

They cooked and they scrubbed and they washed for the fighting boys of their land. Their conduct, frankly, is the sublimest thing I have ever seen. Splendid as this was to see, an American was still more greatly thrilled as he beheld working beside them, vieing with them, yet often excelling them in service and sacrifice—for her talents, in the main, were greater—this representative of American womanhood. With a duchess on one side and a Scotch lassie on the other, she was ever present where service was needed and ever helping in those hard and difficult tasks that brought comfort to the soldier boys of England and America. Some day I trust an American woman, sensitive to the nobility of a woman's soul, will write of Mrs. Page's work and life in England during the great war. It is worthy the pen of a Tarbell.

It may be if one caught only a fleeting glimpse of this ambassador of ours he would be thought homely in form, but no one that knew him ever thought that of him. The bigness of his character and the splendor of his mind only were thought of. Like the woman who came from the presence of the great Lincoln, with a pardon for her son in her hand, and amid her happy tears, exclaimed, "And they told me he was a homely man." Mr. Page possessed many of Lincoln's elements of greatness. He was simple in manner, direct in expression, lofty in thought, and filled with human sympathies. To inspire love in one's fellow man, one must love that fellow man. And Page loved his fellow men. To be of service was as natural to him as to live. In a very human heart there reposed a lofty soul. In his presence you felt vastly more than your mind interpreted from what he said. He lived thought and feeling, and in this way exerted a powerful influence. He personified America as our ideals want America to be. After Mr. Balfour returned from his memorable mission to America, and that was his first visit to this country, Mr. Page called at the foreign office to welcome him home. As Mr. Page entered the inner room there sat the French ambassador on the right, the Russian ambassador on the left. Mr. Balfour rose quickly, advanced across the room to meet him, grasped both his hands, and silently looked him long, full in the eyes. Then, with voice that betrayed emotion, in degree, perhaps, greater than that veteran statesman ever evidenced before, he uttered these words, as though they welled from his soul, "Mr. Page, your people, your people; they are just like you; they are just like you." No higher tribute was ever paid to a man; no truer tribute ever paid to a nation.

When the news flashed over England 3,000 miles across the sea that Mr. Page was dead all England went into mourning. It is probable that there has hardly passed from the life of England any person in the last 25 years on account of whose death such deep sympathy, solemn regret, and universal love were expressed by the English people as occurred in the case of Ambassador Page. All of England mourned for him as for one of their favored sons. In these stirring times we have not yet paused to pay him proper tribute, both as to his character and his great work. It is that I may give you, if you please, the picture that I have of him and all that he stood for in England that I have taken these moments of your time.

Mr. Page knew nothing of the intrigue of diplomacy. His method was direct, straightforward, honest. His word was relied upon as soon as it was spoken. This standing before the English people was of the greatest value to them at the time we entered the war and enabled him to place our own position before the English people on the highest possible plane. Early in 1917 the English, looking ahead, saw ultimate defeat unless help came. Russia was crumbling; France was being exhausted; England and Italy had reached the zenith of their power. And yet they could not crush the German horde. The entrance of America into the conflict promised to change everything if America only would send her fighting strength to the field of battle. For a time France and England really wondered if America was in earnest; if our men really would come to fight. England had her jaw set and was fighting grimly on without complaint, without mourning, with no thought of giving up, but her people were praying in their hearts that America would come. Mr. Page was more than ambassador in this hour. He represented to them the incarnation of America's power. With serene confidence he whispered to these heroic and dying souls "Be not worried, my countrymen will come; they will come." A kind Providence lengthened his days, so that he saw them come, these stalwart sons of great America, these crusaders under freedom's cross, and turn the tide of victory. But he knew the end was near. He knew his days were numbered. For months he worked on, looking ahead straight into his open grave. Yet he faltered not, nor did he complain. He felt himself a soldier of his country, and it was his duty to serve that country, even unto death. At last that worn-out body could carry the burden no longer, and he took to his couch, saying, "I am tired and must rest." He knew it would be a long, long rest. And his heart yearned for the hills and the valleys of Carolina he so loved when a boy, and they bore him there, quietly and reverently. Those eyes, with a vision death had not yet dimmed, once more saw the clear skies and the sunshine of his native State, the land he loved so well, the hills he climbed when a boy, the old home that was associated with so much that was dear in his life. Then, with the bells of victory ringing throughout the land, with the world saved and again at peace, with the country he loved and served advanced high in grateful thought of mankind, his work ended, he went to sleep.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield 15 minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, a year ago when this bill was under discussion I took the liberty of suggesting to the committee the propriety of certain changes in the bill. These changes did not meet with their approval at that time, but they now have. I am going to make another suggestion of a similar nature, in the hope that it may commend itself to the committee without waiting a year to find out that it is right.

Last year the bill contained an item for minister plenipotentiary and envoy extraordinary to Bulgaria, Roumania, and Serbia, $10,000. On the 7th of February last I suggested, in some remarks that were printed March 4, that Roumania, Bulgaria, and Serbia were not on such terms that they should have one minister; that, as a matter of fact, each of them ought to have one of its own; and that nobody could acceptably meet them all. I am glad to see that after the lapse of 12 months and some frightful fighting between our ministers—chargés in the Balkans—the State Department has learned that they are separate nations with conflicting interests, and has given each of them recognition with a minister of its own. I felicitate and congratulate the department upon the rapidity with which they get information with regard to foreign countries. I notice, however, that they have assigned one minister to Greece and Montenegro, and call the attention of the Committee on Foreign Affairs and of the State Department to the fact that Greece and Montenegro are located some distance apart. Anyone proceeding by the shortest route from Greece to Montenegro would have to go through Albania. Most of the people of Albania are laying for the Greeks. The other day I talked with a lady and a gentleman who spent considerable time last year in Albania—themselves Albanians—fighting the Greeks.

The only method by which anyone could get from Greece to Montenegro with any facility now would be by water, and under the conditions existing there that might be dangerous. I would suggest to the State Department and the Committee on Foreign Affairs that the people of Montenegro are Serbians. They speak the same tongue as the people of Serbia. Furthermore, their territory lies immediately adjacent to that of Serbia. It is quite likely that they will all be made one country; but, at any rate, they lie side by side and the facilities for getting across the border line are not bad. If this minister is assigned to two countries, he should be assigned not to Greece and Montenegro but to Serbia and Montenegro. I am going to offer that amendment, and I hope the committee will take into consideration the suggestion I make and confer with the State Department, and if the State Department, after months of investigation, find out that the relative geography of the countries which I have stated is correct, the State Department will perhaps permit them to accept that amendment. In the event that Serbia and Montenegro should be united, as they probably will be, then the minister will remain accredited to one country, and there will be no complications to iron out. I hope the committee will think that over and arrange it so that that can be attended to to-morrow without serious difficulty.

I notice, too, here that there is an ambassador extraordinary and minister plenipotentiary to Austria-Hungary. I call the attention of the Committee on Foreign Affairs to the fact that there is no such country as Austria-Hungary. That country

has been totally demolished. The Emperor of it has lost his throne and there is no unification. Hungary has declared its absolute independence. Bohemia and Slovakia have declared their independence as one country—Czecho-Slovakia. The Italians have taken possession of considerable of Austria-Hungary. Yet you are arranging for an ambassador to Austria-Hungary with a salary of $17,500. He could not find that country if he should go there. Where is its capital?

I think the State Department ought to take judicial knowledge of that state of facts, which is so well known. We could take judicial knowledge of it anyway. The territories of Czecho-Slovakia, Hungary, and Austria constitute three distinct nations at this moment. Immediately adjacent is Poland. Nobody in the world questions this fact except this bill. I do not think the department should come and ask for an ambassador to Austria-Hungary. If they wish to assign one person to that position at Budapest or Warsaw or Prague or Vienna, perhaps he could be assigned to Austria, Hungary, Poland, and Czecho-Slovakia, and it seems to me that it ought not to be necessary to make such elementary suggestions to the committee or to the State Department. You might as well send an ambassador to Babylon. The Austro-Hungarian Empire is wrecked and ruined, totally demolished and destroyed, and everybody knows there is no such country. Hungary has declared its independence. It has set itself aside. The Emperor has retired and they are going to sue him for a million dollars. Austria is simply a German Province and Vienna, I presume, its capital. Everybody knows it. Slovakia and Bohemia will be one country. Why pass such legislation as this? It will make us the laughingstock of the world. I hope that this suggestion will be sufficient.

Mr. COOPER of Wisconsin. Will the gentleman from Kansas permit a question?

Mr. LITTLE. I will.

Mr. COOPER of Wisconsin. The recognition of a foreign government by this Government is exclusively within the jurisdiction of our executive department. Can the Congress of the United States, until the peace treaty shall be signed, do otherwise than follow the recommendation of the State Department as to the existence or nonexistence of foreign governments?

Mr. LITTLE. The Congress of the United States can make any appropriations it wants to that are not in opposition to the law of the land. The State Department will obey the instructions of Congress, because that department is loyal. The gentleman from Wisconsin says "can" we appoint a minister to Austria, Hungary, Poland, and Bohemia, one for all.

Mr. COOPER of Wisconsin. I will change the word "can" to "ought."

Mr. LITTLE. Yes; I think we certainly ought to. The only possible question to my mind is whether we can. That does not apply to my suggestion to attach Montenegro and Serbia. That is a simple matter. About that there is room for debate, but I think if you call up the State Department they could suggest some way out to the committee that would be mutually satisfactory to the legislative power and to the executive force.

It is true that we depend on treaties, but when we know that the treaties are dead and that there is no such country, why should we appoint an ambassador at a salary of $17,500 a year to such a place? It is preposterous. Suppose the State Department should ask us to send a minister to Judea, which has been dead 2,000 years.

Mr. COOPER of Wisconsin. Will the gentleman permit another question?

Mr. LITTLE. I will.

Mr. COOPER of Wisconsin. How does the gentleman know that there will not be a government recognized as the Government of Austria-Hungary by the peace conference?

Mr. LITTLE. I am sure there can not be, because there is no such country. There is no demand for that anywhere.

Mr. COOPER of Wisconsin. It may not have the same territorial jurisdiction that existed before the war, but can the gentleman say, as the State Department did not say to the committee, that there will be no Austria-Hungary?

Mr. LITTLE. Yes, I can; and I think that any intelligent man that reads the papers, whether he believes everything they say or not, must realize that there will be no such country and is not now. Hungary has asserted and settled its independence. It will have nothing to do with Austria. The Emperor is deposed and the ministers are dismissed. There is no possibility, as the gentleman from Wisconsin seems to suggest, that they may recognize such a country as Austria-Hungary. As a matter of fact, Austria will most likely be made a part of Germany in some way or other; at any rate, it will be independent of Hungary. I think it is much more intelligent to say that we will send some one to Austria and some one to Hungary and some one to Poland and Czecho-Slovakia, which really exist, than to send some one to Austria-Hungary, which does not exist.

Mr. COOPER of Wisconsin. That would mean that the Congress of the United States is anticipating the action of the peace conference. We would be declaring, if we enact such legislation, that Austria is to be one government, Hungary is to be another government, and that Serbia and other countries are each to have individual governments. In other words, the Congress of the United States would be specifically by legislation anticipating the action of the peace conference.

Mr. LITTLE. On the contrary, when you attempt to put this legislation through you are anticipating the conference by saying that the Austrians and Maygars have no rights of their own. They say that they are absolutely divorced, and you insist that they are not. What right have you to say that Austria and Hungary shall take the same minister, as one country? Hungary says she is a government by herself. Here you say Hungary is not; that Austria-Hungary are one. Where do you get the right to proclaim an empire across the sea which has no existence? You might as well proclaim Atlantis. What right have you to prejudge the case of the Bohemians? When you do that, you say the United States is against the freedom of Bohemia, for which they fought; against the freedom of Hungary, for which they have declared.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. HARDY. Can the gentleman inform the House just what kind of a government there exists to-day in Vienna and who is the head of it?

Mr. LITTLE. No; I can not.

Mr. HARDY. Is there any definite government?

Mr. LITTLE. I gather from the newspapers that the city administration is in control.

Mr. HARDY. No republic, no empire, no kingdom.

Mr. LITTLE. I do not think so. The Emperor has gone; he is out of a job; and the local council of some kind simply meets and holds the fort. In Bohemia—that is, Czecho-Slovakia—they have a President; in Poland they have a prime minister and a general in chief; in Hungary they have a government as well established as ours.

Mr. HARDY. And in Vienna?

Mr. LITTLE. I can not give the gentleman any information about that.

Mr. HARDY. At least, it is not now the capital of the Austro-Hungarian Government.

Mr. LITTLE. No; there is no capital. I do not think we owe any allegiance to the dead past. Let it bury its dead. I see that the Empire of Turkey is to have an ambassador at $17,500. Why should we put the stamp of our approval upon an empire already dishonored and dismembered? You and I know, as well as anybody, that that country will be split up into two or three parts, and Turkey will only be a very small part; that Constantinople will no longer be its capital. Why send an ambassador, at $17,500, to people who have demonstrated they are not fit to receive any courtesy or attention, and whose territory is largely in other hands permanently?

Mr. EAGLE. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. EAGLE. From the gentleman's long and intimate knowledge of that Far East situation, may I ask if it is not the gentleman's hope that when this peace conference shall have finished its deliberations it shall result in putting Turkey entirely out of Europe, and the taking of Constantinople and making a civilized community out of it, rather than leaving it to those brutes who have disgraced civilization and the world for five centuries?

Mr. LITTLE. The gentleman is undoubtedly right. Every heart in Christendom beats with that hope. A year ago, on this floor, I spoke for a considerable time in favor of that proposition. Time has developed that my suggestions were not so far from what has happened. Constantinople will probably be a free city. Armenia, Anatolia—that is, Turkey in Asia—will be independent countries. England will take Mesopotamia, and something will be done with Palestine, to divorce it from Turkey. Turkey will be a little nation of four or five million people, and we should change from an ambassador there to a minister, at $10,000 a year. I hope the chairman of the committee will take this up with the department.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. FLOOD. I will say to the gentleman that the committee provided for the diplomatic corps almost as it has been provided for heretofore. Not wishing to anticipate the action of the peace conference in determining what shall be the future

of these different States, we appropriate for an ambassador to Austria-Hungary, just as we did when we had no diplomatic relations with that country, just as we did when we were at war with that country. We will do that until the conference determines what these countries are going to be, before we anticipate what is going to take place in the future and undertake to change things ourselves rather than wait for the peace conference to make these changes.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield the gentleman five minutes more.

Mr. LITTLE. Mr. Chairman, on the contrary, when you assign an ambassador at $17,500 to Turkey and at $17,500 to Austria-Hungary you do prejudge the action of the peace conference. You are apparently endeavoring to bolster up the government of dead empires, of ruined nations, that ought to be ruined and demolished. You seem to take sides with them. There is no reason in the world, there is no technicality that insists upon it; and when you say to Turkey that you will send her an ambassador at $17,500 you appear to be backing her up as against Armenia. There is a Republic of Ararat, around the Mount of Ararat, which has been recognized by Germany, by Turkey, by Russia, a free and independent republic. There is not a word in this bill about it. You have never recognized it. Why should you insist that Turkey should have an ambassador when your friend the little free Republic of Ararat, which won its independence on the battle field, does not even get a minister or any recognition?

Mr. FLOOD. We do not appropriate for ministers and ambassadors until our Government has recognized a country.

Mr. LITTLE. I am not offering an amendment in respect to Ararat. Everybody else has recognized it; we should. I notice here that the agent and consul general at Tangier is provided with $7,500 and the agent and consul general at Cairo with $6,500. The work of the agent and consul general at Cairo is with a much better settled government, better civilized, better adjusted government than that in Morocco. He has a great deal more to do. I heard this morning a great deal about sending rich men to these places. Cairo is the greatest social center in the wintertime in the world. There is more society there than anywhere in the world of the kind that appeals to rich men and women. If you are going to pay these big salaries, you ought to give this representative at Cairo another thousand dollars. He gets $6,500. He lives in a city of half a million people, a great city and a great social and diplomatic center. England and France and Russia and all those countries for years have fought out the battles of diplomacy there. Our man's English colleague resides in a palace that probably cost $250,000. It has been the battle ground of world diplomacy, with Lord Cromer as the center. The diplomatic agent there ought to have more money. The French agent has a palace. It is a job where a fellow could spend a good deal of money.

I want to say in that connection I am sorry to see this continual repetition of the theory that nobody but a rich man can be an ambassador. There never was a more nonsensical theory. The greatest ambassador we ever had was Benjamin Franklin, and he hardly had enough money to keep his shoes shined. It is like every other job.

A man's success depends upon the ability, the scholarship, the culture, the tact, the courage, and the luck of the man, just as in the Congress of the United States. The greatness of America does not consist in its wealth, but in the freedom of its people, the equality of its citizenship, the grandeur of its ideals, and the splendor of its history. These great fortunes are simply the burden-bearing servants of the Republic, like the machinery in the factories. They seek these diplomatic posts that they may get away from the democratic surroundings at home and bask in the artificial light of a useless social environment, which is one of the things we fought against in this war.

When you in this bill again provide for liveried ambassadors to the empires our soldiers fought to destroy, you lend encouragement to every king hiding in exile, to every enemy of common men who is biding his time in the anticipation that something may happen, to set back kings on their thrones, and throw back the world a hundred years. When you provide ambassadors to Austria and Turkey again you bring sadness and sorrow and fear to every brave and gallant soul in Bohemia, Croatia, Serbia, and Armenia. You give the world to believe that you stand for a European continent of kings and kaisers, emperors and tyrants, and that as the sun of liberty seems to rise in golden splendor upon a waiting world, upon quivering nations, this mightiest of all Republics doth frown and lower upon the hopes of half the world for the same rights and privileges and immunities we have in America. Are you here to merely repeat the views of some conference or is this the Congress of the American Republic competent to express the ideas of the American people?

The theory that you must send a rich man to Paris or London is all nonsense. When the campaign is on each side gets some rich man socially prominent to give them a lot of money and then rewards him with this job. Why, there is not much to it. And then they say to the scholars and orators, "You are too poor; otherwise, we would like to give you the job." There is no place in the world where character and ability do not set the status of the man, the hall mark on him. What does it amount to, a big house? You do not need a big house. That is simply a society matter of no consequence whatever, except to fat old dowagers and pretty girls. When I was appointed to a diplomatic post in Egypt I went and saw Gov. Osborn, of Kansas, shortly after he returned from Brazil, where he was an American minister, the most courtly gentleman in the State, and said, "Governor, I want a little advice. What have I to do?" He said, "Not a damn thing." I said, "What arrangements have I to make?" And he said the same thing. These diplomats have very little to do and cut very little figure in the world's affairs, and when there is anything to be done it is done from the State Department here, anyway; it is but a little social distinction that does not amount to anything. But when you talk about a consulate it is different. I will back every dollar that is put into them. The business of the country is done through consulates. I do not care about the spending of that money at Shanghai. You must remember that the consul general of Shanghai is a judge of as great importance as a Federal circuit judge of the United States and he has as important a jurisdiction.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. May I have another five minutes?

Mr. COOPER of Wisconsin. I yield the gentleman three minutes.

Mr. LITTLE. Where you want to put your expenditures is upon the consulates to build up the business of the country. A man pops up here and wants to spend $5,000,000 on houses for ambassadors. What is an ambassador? He is the personal representative of a monarch, and what has become of monarchs? They have gone to hell, the whole bunch of them. It is just that, they are all done for. Then some one bobs up and says we need rich ambassadors all over the world. It is merely a social business, just a suit of clothes and a knowledge of how to turn down the corner of a coat. The governor said, "Have you a dress suit?" I said, "No." He replied, "That is all you need." Why should you, just when the countries of the world are killing off kings and abolishing them and putting the peoples of the world upon a democratic foundation, turn in and build great big houses that only a rich man can live in? This great Republic should be too big and powerful to do a thing of that kind. You should send men, simple, unaffected, direct men, like Benjamin Franklin was. You remember how he hung the key on the kite string in the bottle and brought the lightning down. My mother used to tell me the story of how, as he walked through some aristocratic salon in Paris, a disdainful duchess inquired sarcastically, "Who is that queer old man?" And the reply was, "Hush; he is the man who bottles up thunder and lightning." My friends, your ambassador wields the power of this great Republic—the thunderbolt of Jove. He is a man who bottles up the thunder and the lightning of modern authority and power. He does not need fine clothes or fine buildings. His word is a law to nations, for he speaks for 100,000,000 free men. This great Republic should stand upon the dignity of American citizenship.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. HUDDLESTON. And Franklin made his quaint garb the fashion of Paris.

Mr. LITTLE. Yes. He was the observed of all observers, the center of every social circle, the power behind the throne. John A. Anderson, a grand Member of this House, was appointed to Egypt. They came to present a beautiful sword to him, an ancient custom, showing respect to him and his country, as they had to all his colleagues. He said to them as he looked over the present, "My country does not need the sword; you take it back to your monarch and tell him to use it for his own country." The custom terminated because our country laughed at it.

For 6,000 years the mankind has patiently waited for this hour. Destiny has designated our Nation to lead the way to a better future. For four years the world has been aflame with war and the earth has rocked and quaked with the woes of its

citizens. Lincoln's name flames in the sky to tell us to strike down old and idle forms and inaugurate a diplomacy of common sense. Franklin long ago set us the example. Let the millionaires stay at home hereafter and manage their millions, while statesmen represent us who are typical Americans. My friends, this is the time for us to set a better example of economy and simplicity and dignity of character with our ambassadors instead of still sending men simply because they gave great sums of money as campaign funds to both parties. [Applause.]

Mr. FLOOD. Mr. Chairman, I yield 30 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, I wish to discuss the propaganda that is being carried on in this country which takes the form of asserting labor has profiteered out of the war.

They say that labor has profiteered out of the war. They are charging that the men who work with their hands have taken selfish advantage of the war emergency to gain for themselves an unfair increase in wages. They say that the workers have not been patriotic, but have taken advantage of the situation to practically hold up industry and the Government itself in performing war work.

These charges are coming from various quarters, sometimes by direct statement, but more often by insinuation. A nation-wide propaganda, it appears, is being carried on. My mails are full of it. Scarcely a day passes that I do not receive some printed matter that directly or indirectly makes the charge of profiteering against labor. In the report of the proceedings of a recent convention of a great civic body a prominent spokesman for industry is quoted as saying:

> To-day I find men of great force in this Nation who, now that this war is over, talk about a surplus of labor, and that now is the opportunity for capital to reassert itself, because labor has prospered way beyond its share because of the war.

A prominent corporation lawyer has sent me a copy of his address delivered at a recent meeting of a bar association, in which he said:

> The workers are having a prosperity the like of which few of them ever dreamed was possible, even under the absurd promises of the professional architects of verbal Utopias. A very large percentage of the billions expended for war purposes in this country in one form or another has gone into the hands of workers—of those who labor with their hands.

An organ of big business, in its issue of December 15, 1918, makes an attack on labor organizations, from which I quote:

> Union labor attempted to capitalize the war for its own purposes, and succeeded to a very great extent. * * * The war did more for the unions than they were able to accomplish for themselves in many years, but a return of peace may imperil the spoils. This the unionists will not permit if they can help it, and they are trying to help it by compelling a governmental autocracy, a paternalism which they believe will be entirely for their own benefit, irrespective of its effect upon the country.

And so this reactionary propaganda goes on day after day. My table is littered with it. It appears in the newspapers. It is being sent to public men, the press, and employers of labor over the whole country. Usually this stuff carries with it a patter about "bolshevism," as though every workingman was an anarchist in disguise.

This propaganda costs money, lots of it. It has a purpose, evidently the selfish purpose of those who are paying the bills. It is important that public attention should be called to it, that the public should be warned and put on guard against accepting this stuff at its face value. If labor had profiteered, I should not attempt to defend it. The profiteer has been a public enemy during the war; he has hampered our country in its efforts; he has dissipated its strength; he has been a great hindrance in carrying on the war. The profiteer should be held up to scorn and execration.

SINISTER MOTIVES BACK OF PROPAGANDA.

It is not easy at first to fathom the purpose of this campaign of propaganda against the toiling masses of the people, but when we consider the sources from which it comes and analyze the innuendoes and arguments which accompany it we are able to discern that it has one or all of three purposes:

First, to discredit the laboring classes generally, to destroy public confidence in them and their leaders, and to create a public opinion which will justify harshness in handling labor disputes;

Second, to discredit public ownership of railroads and other public utilities, which is assumed to be favored by the masses; and

Third, to combat radical democratic movements and the assertion of political rights by the poor, whom the propagandists choose to dub "the proletariat" and to picture as being ready to leap at the throats of the rich.

The illiberal interests never sleep. They have a peculiar and inexplicable hatred and distrust of the common people. These interests are dissatisfied with the swing of the past decade toward an interest in the betterment of the condition of the common man and a fuller recognition of the rights which belong equally to all. They let no occasion pass to push the pendulum back the other way.

In the processes of readjustment, the stress of high prices for the common necessaries of life, with a surplus of labor already appearing, there will probably be industrial friction and strife. So that by this propaganda the big employers are seeking to create public sentiment which will excuse them for harsh measures toward those in their service. There can be little doubt that they have decided to make a determined effort to force down wages and to take away favorable conditions which workingmen have been able to obtain. This effort naturally will be resisted. If it succeeds the workers must accept lower living conditions and be put to greater economy and hardship. The great employers desire a state of public opinion favorable to their side. They want to have it ready-made when trouble comes. This is one of the meanings of the propaganda that is being carried on.

KNOW THE TRUTH.

It is important that the public should know the truth. I have investigated the subject of wages during the war and feel it my duty to give the facts. *Labor has not profiteered but has been moderate and patriotic.* Even with the number of workers greatly reduced on account of men taken for military service more work and better work has been done than in normal times. Men who work for wages have enthusiastically supported every war activity. They have gone into the war themselves; they have sent their sons into the camps. They have skimped in their food beyond any other class. Generally speaking, they have been thrifty and economical far beyond peace times. They have worked overtime and on holidays without complaint. They have invested their savings in liberty bonds and contributed to war charities to a degree beyond comparison with those more fortunately situated.

Charles M. Schwab, the great ironmaster, who can not be charged with being unduly favorable to labor, will be accepted by the most reactionary as a fair judge. Mr. Schwab took charge of the construction of ships for the Government during the war. In an article in the January, 1919, number of The Nation's Business Mr. Schwab says:

> When I undertook, with my associates, who have been so loyal and so able, the construction of a merchant marine for the United States, I realized that there was just one possibility for success, and that success was not to come about by reason of the shipyards or the engine works or the boiler works, or anything else that we might construct, because that would require time and years of development. It could be brought about in an emergency quickly only by appealing to the best energies and the patriotic endeavor of the citizenship represented by the workmen of the United States. That we succeeded in this undertaking, I am happy to say, has been beyond doubt.

But it is said that labor has been overpaid; that it has profiteered. Let us see. It is true, of course, that there has been an increase in wages, but it is also true that there has been an increase in the cost of living. An increase in income means much to the man of wealth, for he may lay it aside as a saving and use it when normal prices have been restored, where the increase is not all consumed in the added cost of his living. For instance, an increase of $20,000 a year in profits to a manufacturer means $10,000 put aside as a saving if his prior cost of living was $5,000, even though the latter has doubled. But to a workingman whose income is all used up in paying for his living an increase in wages means nothing if there is an accompanying increase in the cost of the things that he must buy. The average workingman is able to save very little. His wages merely represent so much food, clothing, and other necessaries of life for his family. If he is to continue to live on the same scale as before, it is necessary, therefore, that his wages should be increased to the same extent that the cost of the common necessaries of life advances.

Wages, it is true, have been bettered during the war, but the increase has not kept pace with the rise in the cost of living. *Translated into terms of food and clothing and other necessaries for his family, the average workman in the United States has received less for his labor during the period of the war than he was getting prior to that time.* This statement is no mere assertion on my part. It is supported by the indisputable facts and statistics. I have investigated the matter. I give information which I have drawn from numerous sources upon the subject. In a letter dated December 18, 1918, Mr.

Royal Meeker, Commissioner of Labor Statistics of the Department of Labor, makes the following statement:

The changes in union wage scales as a whole per hour and per week in May each year in the United States are indicated by the following index numbers:

	Index rates per hour	Index rates per week.
1907	100	100
1908	101	101
1909	102	102
1910	105	104
1911	107	105
1912	109	107
1913	111	109
1914	114	111
1915	115	112
1916	119	116
1917	127	123
1918	148	142

The index numbers of per capita earnings in the tables relate to earnings, not to wage rates solely. These earnings are affected by overtime and the speeding up of pieceworkers as well as changes in time and piece rates.

Mr. William F. Ogburn, of the National War Labor Board, in a letter dated January 3, 1919, says:

Wages, as measured by wage rates in the building trades, in the printing trades, have not increased probably more than 20 to 30 per cent.

From data recently furnished me by Mr. W. B. Colver, chairman of the Federal Trade Commission, I take the following comparison of wages between December, 1914, and December, 1917, for a number of occupations. This includes the first eight months of the war:

Occupation.	1914	1917	Per cent increase.
Pattern makers	$5.00	$7.15	43
Sheet-metal workers	4.00	6.60	65
Bricklayers	5.43	5.83	7
Machinists	4.00	5.77	44
Blacksmiths	4.00	5.77	44
Riveters and calkers	3.60	5.77	60
Structural-iron workers	4.97	5.62	13
Plumbers and gasfitters	4.96	5.59	13
Steam fitters	4.86	5.56	14
Cement workers, finishers	4.74	5.33	12
Stonemasons	4.74	5.21	10
Loftsmen	3.12	5.16	65
Inside wiremen	4.22	5.07	20
Shipfitters	3.52	4.80	36
Carpenters	4.06	4.72	16
Coppersmiths	3.68	4.72	28
Pipe fitters	3.44	4.72	37
Linotype operators	4.33	4.66	6
Compositors (newspapers)	4.33	4.59	6
Electrotypers, finishers	2.64	4.40	11
Boiler makers	3.29	4.09	24
Granite cutters	3.37	4.00	19
Electricians	2.40	3.96	65
House painters	3.41	3.94	16
Decorators	3.45	3.92	14
Paperhangers	3.38	3.91	16
Shipsmiths	3.52	4.72	34

Mr. BAER. I understood that for all the wages in the United States the increase is only about 18 per cent. Do you speak of just the mechanics there?

Mr. HUDDLESTON. The figures last given refer only to mechanics.

Mr. BAER. Where it is said that certain workingmen are getting from $10 to $15 a day in some plants we know that most families are getting about that much a week, just generally speaking?

Mr. HUDDLESTON. It will not do to cite solitary instances. That is not the way to show what wages are all over the United States. It is the usual method of those who wish to exaggerate what labor gets for its toil. But we must take all callings and all conditions into consideration. Men have been taken far away from their homes and into swamps about shipyard works, living at unusual expense, under most uncomfortable and unhealthful conditions, and doing temporary work. Necessarily men working under such conditions must receive beyond what would be the ordinary rate of wages. But to take an instance of that kind and point that out as general wage conditions speaks little for the intelligence of those who use such an argument or less for their desire to be fair.

Mr. REED. Will the gentleman yield?

Mr. HUDDLESTON. I yield to the gentleman.

Mr. REED. The great majority of the manufacturers of the country who manufactured war material, you would take it, were not profiteers, but that there were only special cases here and there?

Mr. HUDDLESTON. The gentleman asks a question that involves a digression, and while I can not undertake to go into it I want to say that in a great majority of cases, if not all of them, there was actual and deliberate profiteering throughout the country on the part of war contractors.

Mr. REED. I want to say that somebody has accused labor of profiteering. Some of these people have taken isolated cases. You have heard of riveters who got $200 a day. Would such a laborer be a profiteer?

Mr. HUDDLESTON. I would say that $200 a day for a man's personal labor is a most unreasonable figure, and I can not believe it to be true. I can not think it possible.

Mr. REED. The great masses of labor were not paid the compensation that was paid in those isolated cases, I agree with the gentleman.

Mr. HUDDLESTON. I do not approve the man if there was one who got $200 a day. I would heartily condemn the incompetency of the official who made it possible for a man to get such pay. He is the one who is most to blame. While I do not for a moment approve of a mechanic taking more for his services than is fair and right, at the same time I reserve my greatest indignation for the big profiteers from whom our country has suffered on a much larger scale during this war.

I have also collected information from a number of private sources. All of it bears out and verifies the official statistics that I have quoted. It is accurate to say that the letter from the Commissioner of Labor statistics fairly show the wage increase for the period covered. That letter takes 1907 as the base, and shows that where the working man earned $1 in 1907, in 1914 he earned $1.14, and in 1918 he earned $1.48. The increase of 1918 above 1914 is 34 points, which equals 33⅓ per cent. So that from these figures we see that for every $1 a workman earned in 1914 he earned in 1918 $1.33⅓. This represents the increase in wages for the period. From the time we entered the war until the armistice was signed the increase in wages was 21 points—about 20 per cent.

A DAY'S WAGES MUST BE MEASURED BY WHAT IT WILL BUY.

As I have already said, the wages of a laborer must be measured by what it will buy in the way of food, clothing, and the necessaries of life for himself and family. No matter how much he may get in dollars and cents above what he previously received, if the money will not buy more of the necessaries of life that he has to spend it for than before, no increase in pay is shown. This must be clear to everyone.

Judged by this standard not only has labor not profiteered but to the contrary it has made a sacrifice because of the war. Labor is getting less, measured in terms of food and clothing, than was paid as wages in 1914. Instead of there having been an increase in wages there has been an actual decrease. The fact is plain to an unprejudiced observer that the families of laboring men would have actually suffered for the necessaries of life had not war conditions given labor a chance for steady work without loss of time. The workingman's family has been able to live because he has worked steadily during the war and has worked on holidays and after hours, and in this way has been able to earn as much of the necessaries of life as he received prior to the war.

There has been shameless profiteering by certain interests, of course. This has driven the price of the common necessaries of life, such as the masses have to have, very high. The inflation of circulation and supply and demand have also greatly aggravated high prices. The result is that there has been a tremendous increase in prices especially of the common necessaries. In the letter from the Commissioner of Labor Statistics, dated December 18, 1918, to which I have referred, he says of the prices of food:

Taking July, 1914, as the base or 100, retail prices of food in the United States have changed relatively as follows:

July, 1914	100
July, 1915	98
July, 1916	109
July, 1917	143
July, 1918	164
October, 1918	177

In Mr. Ogburn's letter dated January 3, 1919, he makes this statement:

The cost of living has increased about 70 per cent since 1914 pretty generally all over the United States.

I have before me the report of Messrs. Hathaway and Bowen, special statisticians for the Railroad Wage Commission, in which they say:

The increase in the various items of the family budget from January 1, 1916, to January 1, 1918 were ascertained to be:

	Per cent.
Food	52
Clothing	44
Fuel and light	31
Sundries	35

This report was made after an exhaustive inquiry. The Railroad Wage Commission, referring to the investigation, says:

The commission instituted an exhaustive inquiry reaching into all parts of the United States. It sent special agents into various sections of the country to gather original data respecting the existing increase in the cost of living. A canvass was also made by many newspapers of the country among the working classes, and the data thus obtained, together with information gathered and submitted to the commission by those who spoke on behalf of the employees, was compiled by the Bureau of the Census, under the supervision of Special Statisticians W. A. Hathaway and J. C. Bowen. That compilation and the records of the Bureau of Statistics of the Department of Labor form the basis of the attached report, wherein the statistical information respecting the existing cost of living in America thus assembled is summarized and analyzed.

Of course, there was a considerable rise in prices between the date of this report and the close of the war.

We see that while there has been an increase of only 33⅓ per cent in wages during the entire war period, from 1914 to 1918, there was during the same period an increase of 77 per cent in the price of food, or, as Mr. Ogburn says, of about 70 per cent in the entire cost of living. The working man who earned $1 in 1914 now earns $1.33⅓. The food for which he paid $1 in 1914 now costs $1.77. The general cost of living which was $1 in 1914 is now $1.70. These are stern figures. They were made up by governmental bureaus, by disinterested statisticians. The matter was investigated by these bureaus to ascertain the facts, not to prove a theory. No honest man can study these figures and still contend that when the armistice was signed labor generally was receiving a greater return than before the war.

But I will perhaps be answered by someone who knows of some particular instance in which a laborer is receiving an undue return for his services. Of course, such instances exist. There are boys who are receiving men's wages, there are unskilled or half-skilled workmen who are getting the pay of skilled men. There are instances in some particular occupation or job of work where there are extraordinary conditions. In some cases men have been taken by their jobs away from their homes and into remote communities where living conditions are bad and extreme discomfort exists or where the work is only temporary and large increases of wages have been given in some of these cases. But such instances are unusual. They are not general to the average workman. They do not affect the vast mass of men who live by the toil of their hands, and such cases can not honestly be cited to support the general charge that labor has been avaricious.

MINERS' WAGES IN THE BIRMINGHAM DISTRICT.

I thought it desirable to make some investigations in my own district because it is fair that we should talk about our own home folks and home conditions while we are talking about conditions that exist the country over.

In the course of my investigations I wrote a letter to Mr. William L. Harrison, president of the Alabama Federation of Labor and an official of the United Mine Workers and thoroughly familiar with labor conditions among coal miners in my own district. I asked Mr. Harrison for a statement upon the subject, believing that conditions among my home people, in whom I feel the deepest interest, would be valuable. In reply to my request Mr. Harrison wrote:

HEADQUARTERS ALABAMA STATE FEDERATION OF LABOR,
December 13, 1918.

HON. GEORGE HUDDLESTON,
Member of Congress, Washington, D. C.

MY DEAR SIR: I have yours of the 9th instant, and contents carefully noted. In reply will say that I will give you all the information that I have at hand relative to the miners' wages in this district.

I may say that prior to the Garfield agreement there was no uniformity of tonnage prices or day-work prices for mining coal in this district; in fact, there is very little uniformity at the present time.

In the year 1914, and from July of that year, the basic tonnage price in this district was 57½ cents, and daywork prices ranged from $1.50 to $3.50 per day, the major portion of which was from $1.75 to $2 per day. The increases in wages started on February 1, 1916, when tonnage price was advanced from 57½ cents to 60 cents per ton, making a 2½ cents per ton increase. In December, 1916, an advance of 2 cents per ton was received, making the price 62 cents, and on May 1, 1917, an advance of 6 cents per ton, making the price 68 cents; July 1, 1917, an advance of 7 cents per ton, making the mining price 75 cents; November 15, 1917, an advance of 5 cents, making the price 80 cents; and the Garfield agreement, effective May 15, 1918, giving an additional advance of 5 cents per ton, and making the price 85 cents per ton at the present time. I am inclosing copy of the Garfield agreement which shows you the uniform prices for certain classes of daywork that now obtains in the district, also the amount of increase that was given to other classes of labor over and above what was being received prior to May 15. You will observe that the tipple men, which includes all men handling and dumping coal on tipples, received $3 per day. You will observe the drivers inside the mine receive $3.44 per day. Ninety per cent of the men on company work inside the mines are paid on this basis of $3.44 per day. Mine machine runners working by the day receive from $4 to $5 per day.

When iron was selling for $11.50, the maximum price for mining coal was 57½ cents, which was made effective by Judge Gray in his award in 1903. The selling price of iron was made the basis for computing the miners' wages. The mining price increased at the ratio of 2½ cents per ton for every dollar increase in the selling price of iron. Taking that as a basis, iron is now selling at the price fixed by the Government in this district of $32.50, or $21 higher than when the mining price was 57½ cents per ton. At the above ratio the mining price would be $1.10 per ton, but the mining price is only 85 cents per ton.

The prices for run-of-mine coal range from $2.15 per ton for the big seam to $4.25 per ton for the lower seams and seams that are more difficult to mine. The prices of prepared sizes, which is the domestic coal, range from $2.45 to $4.50 per ton. For the year 1910 up until February 1, 1916, when the advances in wages started, the selling price for run-of-mine coal in this district ranged from 85 cents per ton to as high as $1.50. You will observe that the selling price of coal has advanced more than a hundred per cent. You may contrast these figures with those that obtain at the present time and be able to draw some fairly accurate conclusions as to who is profiteering in the mining industry, particularly in this district—the coal operators or the coal miners. Especially when you compare it with the abnormally high cost of living that now obtains over the cost of living that obtained before the war. From the standpoint of the high cost of living, the increases in wages have nothing like kept pace with the increases in the cost of living, and you can readily observe from the figures given above in contrasting the selling price of iron and the selling price of coal that the operators or employers are realizing far greater profits than they ever did in their lives. So far as the wages of the coal miners in this district are concerned, they are far below the basic wages of the coal miners of the rest of the country.

Yours, very truly,

WM. L. HARRISON, *President.*

So that while the wages of coal miners in the Birmingham district have been increased a total of only 47 per cent they have spent their wages for necessaries of life which have increased 70 per cent, and meanwhile their employers' prices for coal have advanced an average of over 100 per cent, and for iron about 300 per cent.

FEWER STRIKES DURING THE WAR.

Labor can not profiteer without friction, and labor troubles are a good index either of the employers' effort to reduce wages or of the workingman's effort to increase his wages. Having this in mind, I have made investigations as to labor troubles during the war period. On that subject, under date of December 28, 1918, I received a letter from the Commissioner of the Bureau of Labor Statistics of the Department of Labor which states that for the period from January 1 to October 31, 1916—before the war—there were 2,796 strikes in the United States, and that from January 1 to November 11, 1918—the heart of the war period—there were only 2,540 strikes. *So that for a longer period in 1918 during the war there were 256 fewer strikes than in 1916.* Also the information was given that the strikes for the 1918 period lasted only an average of 16½ days, while the average for the 1916 period was 22 days.

And I should also like to call attention to the fact that this period of fewer strikes occurred at the time when labor was under the greatest pressure on account of the rapidly advancing cost of living, an advance that the increase in their wages did not near keep up with. Notwithstanding that fact and a greatly increased pressure on account of the shortage in labor and the opportunity that labor had, if it only chose to do it, to go out and get whatever wages it chose to demand—notwithstanding these facts, labor accepted inadequate wages, and there was not nearly so much loss of time from strikes as occurred during peace times.

These figures further establish the fact that labor has not only made its sacrifices but has made them willingly and without resentment; that labor has appreciated the fact that the war was to be won at home, in the workshop, on the farms, and wherever there was work for men's hands to do, no less than on the firing line in France. *So that we find that the workingman has toiled long hours, has given up his holidays, has restrained his desire for better conditions and fairer treatment, and has accepted for his labor a smaller return in the things that he spends his money for than before the war times.* This is a splendid record. It is one to which every worker may point with pride and satisfaction. It challenges the admiration of every class and citizen. Surely, no fair-minded man would take from the humble toiler the credit that is justly due him for his splendid and patriotic spirit.

There has been profiteering out of the war. Alas, that is too true, and the country has suffered from it. It has been hindered in carrying on the war. It has been made less efficient. Our blows upon the faces of our enemies have been weakened by it. The advance of our brave boys has been retarded, all by the shameless avarice of men seeking to make money out of the war. They have succeeded in making money. They have heaped up their millions in unjust and extortionate profits, and now I fear that the profiteers are going to be allowed to get away with a good part of their gains. I fear their loot is not going to be taxed out of them, as I have advocated all the while.

They are going to be permitted to lay it away, and we shall never be able to get at it any more after this tax year.

I may say further, that this propaganda against labor—and I want to be fair even to the profiteers—this propaganda against labor comes from those who have made millions out of the war. It is financed and is carried on by them for a deliberate purpose, namely, to distract attention from their own iniquity and place the blame on labor for any friction that may occur hereafter.

It illy becomes them to point the accusing finger at the sweating toilers of the land and seek to distract attention from their own misconduct by lying insinuations and selfish propaganda.

There has been profiteering. It is only too true. Profiteering in food, in lumber, in iron, in coal, in the necessaries of life, in war supplies—everywhere that greed found its opportunity. I have repeatedly called attention to this profiteering in my speeches in the House. By exposing the profiteers I have won the bitter enmity of such of them as operate in my own district, and they have not hesitated to show their hatred. But I remain unafraid. Truth needs no apology. Honesty of purpose requires no defense. Devotion to the public welfare is its own shield.

LET US BE FAIR.

I greatly fear that the lying propaganda against labor shows the purpose to beat down wages without regard to the cost of living—that it anticipates labor troubles, strikes and disorder, which it is expected will result from the contemplated measures. Of course, there will be labor strikes if wages are reduced while the cost of living soars. Naturally the laborer will resist the reduction of his wages below what he can live decently on. If that is what the propagandists contemplate, then, of course, there will be trouble. I hope there will be no such trouble. I trust that the workingman and the employer will each proceed with due regard to the rights of the other, and that industry in our country may go on in a regular way along the lines of peace-time progress.

But if there is to be trouble, let it not come in an artificial atmosphere charged with false public opinion molded by selfish interests for their own purposes. If there is to be friction between employer and worker, let us be fair to both. Let not the case of either be prejudiced in advance by the sinister propaganda of his adversary. The public should bear in mind labor's splendid war record, and in the interest of right should give its unprejudiced sympathy and support in any labor controversy to that side which has its position based on justice. The workers are poor. They are, in the main, unorganized and weak. They can not bring powerful influences to bear upon public opinion. We must be careful to see that they are heard and their arguments fairly considered. It is with the view to do justice to labor and to present these facts to you, gentlemen, who are before me and to the public of the United States that I have made these remarks. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. LITTLE. Mr. Chairman, may I ask leave to extend and revise my remarks?

The CHAIRMAN (Mr. RAGSDALE). The gentleman from Kansas asks unanimous consent to extend and revise his remarks. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Chairman, I yield 30 minutes to the gentleman from Texas [Mr. SUMNERS].

The CHAIRMAN. The gentleman from Texas is recognized for 30 minutes.

Mr. SUMNERS. Mr. Chairman and gentlemen of the committee, it is my purpose to-day to make some observations upon the great subject which is now pending before the world for settlement.

In attempting to reach a correct conclusion as to what should be done toward the proposition to establish a league of nations for the maintenance of the world peace there are a number of facts of primary importance, a correct understanding of which should help us. The first and most important is that government is a creature of development. As necessity has required, government has developed, not in a haphazard sort of way but under clearly defined laws, extending its scope from the individual family to the tribe, from the tribe to the principality, from the principality to the petty kingdom, from the petty kingdom to the great nations, and from the great nations to the loosely constructed and weakly constituted international government, in which government, for years past, custom has been crystallizing into a sort of international common law, which constitutes most of what has become designated as international law.

Not only has government progressed in that direction, but as we look back we see government beginning with a strong man, with the power of life and death in his hands, and through the exercise of that power he welds warring, disorganized elements into government. Tyranny is a bad thing in the abstract, but tyranny and oppression have stimulated the people to think upon the wrongs inflicted by government, and as they have thought they have acquired ability to participate in government; and as they have acquired ability to participate in government they have taken into their own hands the power to govern.

Up through the process of the ages we have come to the point where the peoples in the dominant nations of the earth have taken control of government. That is an important fact to consider. There could never have been hope for world peace which rested upon a contract made among kings. Not only is it true that the people have come into control, but out of the mire and murk of deceptions which have characterized the world's diplomacy there has grown an international conscience. This is the general preparation of the world with which it confronts the stupendous problem of organizing the world's governments for the preservation of the world's peace.

It is clear that the next step in this series of progressions, whenever it shall come, will be in that direction which will give substance to this shadow of world government which we have now, that it may finally exercise authoritative jurisdiction over many of those matters which have been provocative of war and may extend international protection to those peoples who may be illegally imperiled. How far we are from the consummation of this government it would be profitless to speculate.

The fact is there is a wide latitude in which there may be freedom of human action and in which there is definite, independent human responsibility.

But in so far as the big outlines of world movement are concerned, they do not depend upon the independent will of men. What men are to do is suggested to them by necessity. With one hand necessity points the way; with the other it wields the lash. That fact must not be forgotten in dealing with this matter.

That there is need of such a government for the world no one will question. The only question is whether or not we have reached the point in world development and have reached the point in world necessity which make this the proper and feasible time to begin the formation of such government.

Mr. Chairman, it is idle to dream of national disarmament until there exists some sort of international police force. In the communities the private citizenship did not disarm until there was a constabulary to carry arms for the community.

Until there is some tribunal to which an imperiled country may go for protection or an aggrieved country may go for redress it is absurd to imagine that wars have ceased. In the communities of the world violence of this character did not cease until governments were established in which peaceable adjustment was made possible and to which appeal could be made for protection against the vicious.

We have just emerged from the most destructive conflict ever waged among men. This conflict grew out of international differences or was inspired by the selfish ambition of one man or of a group of men; it matters not.

This conflict and its consequences differ only in degree from the conflicts that in former days occurred between tribes or principalities, which, after years of bloodshed, discovered that it was possible to heal their disorders by the establishment of a government dealing with the causes over which they had previously fought, a government which had the power to adjust the cause of their conflicts and to restrain the vicious who had disturbed the peace of the community.

When another such war is to come to the earth is, of course, a mere matter of speculation; but that wars are to recur among nations, until there be a government established to adjust the differences which arise among nations, is absolutely certain.

It would be just as reasonable to abolish our courts and dismiss our police forces and expect peace and safety in our communities as it would be to expect peace and safety in the greater international community where there are no courts and where there is no police force.

In determining what we shall do with regard to this intensely practical matter we must not be guided by any untried theories or depend upon the existence of any controlling virtue among the nations which we do not find controlling within the nations.

It would be equally disastrous to reject, in reaching our conclusions, the guidance of those fundamental principles which up to this time have shaped the course of men's activities in governmental development.

If an international government is to be attained, it must be reached by the same road by which the nations of men have reached intranational government. The constituents of the

international world are the same sort of human beings who constitute the nations of the world and will require for international control the application of the same governmental principles that are essential to national control.

While there are certain characteristics common to men, there are vast differences, racial and otherwise, among the nations of men. In government we find some have advanced far, while others are in the kindergarten of national government, not yet having demonstrated the ability to establish a free and orderly government among themselves. We must entertain no foolish delusions as to the place which these peoples must occupy under any world government.

To give to any nation suffrage in a world government the free suffrage of whose citizenship does not control its national affairs would incorporate in such world government an element of weakness and of danger, with regard to which we are warned by the lessons of history and the dictates of our own caution and sound judgment.

This is one of the points at which the greatest difficulty will be encountered, but it can be met just as the nations have met the same difficulty. It is sufficient to know that the mere fact that there are some nations unfitted for full share of responsibility in world government is not even persuasive that we are unready to begin the establishment of such government. In our own scheme of government the recognition of the existence of this unfitness is found and provided for. Note our Indian policy, our Philippine and general insular possessions policy. But to such of our people definitely grouped we extend the benefit of our institutions and hold about them the arms of our protection, and that must be the attitude toward those who may become the wards of the world.

Mr. Speaker, if the people who constitute any democratic government had waited until all to be admitted to full citizenship were fitted for full participation in such government the government would not have been established. It is quite clear that in the beginning only a small part of the citizenship—with but few exceptions, perhaps only the leaders—are qualified by both character and mental attainment, and some leaders not qualified.

It is only necessary for the successful maintenance of a government that the masses admitted to citizenship be fitted by character and native ability and consent to the general plan of the government. While experience has demonstrated the wisdom of excluding the unfit when they can be definitely grouped or classified and the necessity of preventing the incorporation of a percentage of the unfit large enough to constitute a balance of power between rival political organizations seeking governmental control, we must not lose sight of the fact that it is only after years of participation under the guidance of leadership that the independent judgment of the masses may control. The fact is that mass development never overtakes the progressive intricacies and difficulty in government.

So, I say, the fact that there are peoples unprepared to share equal responsibility in world government or unprepared to share responsibility at all is not even persuasive that we are unready to begin the establishment of such government. Let us come now to a closer consideration of the subject.

There is no question that the recent war has tremendously impressed the world with the need of a better method for settling international differences and a better method of world protection than that which we have recently been compelled to resort.

We are now confronted with the necessity of making a choice between two methods, and in choosing we must balance the objections to, the dangers from, and the virtues of one against the objections to, the dangers from, and the virtues of the other.

It would be difficult to conceive of a plan for world government under which there could develop greater peril, greater suffering, and greater destruction than has developed during the past four years under the present plan. And it must be conceded that the present plan does not incorporate even the possibility of protection against a repetition of the experience of the past four years.

I am not foolish enough to imagine that an international government could be now formed which would forever banish war or prevent international violence; but that would be the immediate tendency of a definite movement in the formation of such a government, and at some point in the years to come conflicts among the nations would cease.

We may not be able at this present time to establish a government of the world or even a government for the world. How long in the economy of things that task, unfinished, is to challenge to higher levels of efficiency the heart and mind of the world I have no guess. That is not our business. Our business is to begin and to work earnestly through our day. We may not be able at this time to do more than associate the allies into a sort of world vigilance committee for regulation and protection in the general community of the nations. This would not be an unusual preliminary to organized governmental establishment; and just as an organized vigilance committee is an improvement upon anarchy, organized government is an improvement upon the vigilance committee and follows it in the course of progress. Other nations should be permitted to join this group, if it shall constitute the nucleus—and clearly it should—and share power with it, but they should not be permitted to join this group until they join in its purposes and policies and share in its ideals. We must not wreck the great possibilities of the present by an overload of dead weight which at any time may add to the burden of its carriage the peril of its positive antagonism. But it must be the purpose and the policy of this group, now in world ascendency, to welcome into full international citizenship every nation fitted in a substantial degree for the responsibilities of such citizenship and to guide the other nations, yet unqualified, toward such qualification.

Mr. Chairman, we should not be disturbed by the fact that the contemplation of the formation of such a government discloses the presence of great difficulties. Difficulties are everywhere. They constitute in the scheme of life the gymnastic paraphernalia necessary for human development. The history of the world is the record of difficulties overcome. The world's greatest epochs are those times when the races of men, with courage and high purpose, have struggled through the world's greatest difficulties to victorious conclusions.

This is one of those rare but clearly defined times in the world's history when the current of world movement runs deep and swiftly. Everywhere it is felt and known. Everywhere there is indisputable evidence that this is the natal day of a great epoch which has been coming to birth through the travail of the world.

As we contemplate the situation we ask ourselves what great difficulty overcome shall mark the time; what task is at hand to challenge to greater genius the world's statesmanship, to give to its patriotism new strength; what act, what achievement shall conserve and keep for the world that which the blood and treasure of the world has bought; toward what objective turns the quickened spirit of the world? Can there be any question as to the answer?

What sort of an epoch is this to be? As we look about us we find neither prospect of nor need of greater progress in the realms of the arts of sciences, discovery, or invention. We see that progress in things purely material has for a long time been moving under unprecedented momentum.

It is true that we have already brought a great military task to successful accomplishment. But this can not make an epoch. Primarily that task, viewed apart from its influence upon the successful actors therein, was not creative nor constructive. It did not advance; it was protective and preventive and preparatory merely. We fought not to gain, not to advance, but to preserve, to hold that which the world had gained through the ages past. In man power, in industrial resources the world has gone backward during this struggle. In complexity its problems have increased. We face the new year with much of the world in industrial and political chaos. If a great advancement shall mark this time, that advancement is yet to come. What task is at hand? For what definite thing has the work of the past four years tended to fit the dominant nations of the world?

As we look particularly at our own Nation we see that the policy of nonentangling alliances, which has been as distinctive and as fundamental with us as our Constitution, and which has held us to a continental sphere of primary influence, has yielded under the pressure of recent events, the preference of any of us or of all of us to the contrary notwithstanding. Whether we would have it so or not, it is a fact that to-day we sit in the council of the world the most potential of the world's powers, dealing with the world's most stupendous problems. Into what involvements we are yet to be drawn no human mind can forecast; but it is evident that we are not now to withdraw from the responsibility which has come to us. There is no suggestion from any respected source that we should now attempt to withdraw.

It is an interesting and an important fact, as I view it, that these responsibilities are not ours by independent choice. Our position in the world to-day is due to no voluntary abandonment of our traditional policy with reference to international entanglements, which policy was contemporaneous in adoption with the formation of the Republic. Our disposition to adhere to that policy is fully attested by the fact that it alone held us from the conflict when the blood of the Nation was hot with

indignation. It held us while the months passed into years, and every instinct of a chivalrous people impelled us toward the conflict.

We did not by the act of entry into this war, with the allies as our associates, even for the time technically abandon this policy. Overt acts of war against us as a Nation prior to our entry were committed.

Our present position, therefore, is due to no change in our national policy which we have willed to make. We were caught in the grip of the rising tide of war and torn from the strongest moorings which has ever held a nation within a fixed policy. Our will to remain where we were could not hold us there. There is no will to return which can carry us back. How it happened we may speculate, but the fact is the strength which we had gained on the Western Continent, protected by our isolation and a wise national policy, had fitted us for world service, and in some way into the service of the world we have been carried.

I do not want to appear as a dreamer or as a theorist or as a fatalist, and I believe that I do not evidence that by the assertion of the clearest fact of history, that in so far as the big outlines of world policy are concerned no generation can choose its work. The general direction of the movement of an age comes not from the independent choice of the actors within that age. A given nation may destroy itself by steering its policy against the current moving under the impulse of infinite purpose, and a nation, by reason of its position of leadership and power, may even halt the current, but only long enough for the standard of leadership to be transferred to other hands. History leaves no doubt as to the truth of that statement. And, in the light of the record left by the nations of men, there can be no doubt as to what would have been our fate as a Nation if we had failed at this world crisis.

Destiny—that destiny which apportions to each generation its task—does not ask us to choose; it commands us to act. Oh, we have a choice, just the same sort of choice that we have between obeying the laws of our country or violating them and going to the penitentiary; just the same sort of choice I had as a boy between obeying my parents or disobeying them and receiving a chastisement. A man who lives in the Tropics is not forced to screen his house; if he prefers to have yellow fever it is his privilege to have it. The people of a community are not compelled to provide themselves with an organized government with the power to protect, to adjust, to punish; if they prefer they may have anarchy and violence, but the only way to avoid anarchy is to establish and maintain a government. Anarchy and violence is the lash of destiny driving the races of men toward the establishment of effective governmental authority through which larger and larger groups may be brought into unity of effort.

Aside from the danger resulting from conflicting national and personal ambitions, which has always been a peril to peace, there has come a new complexity and a new danger from the inventions and discoveries of the past two generations and from our own generation.

These inventions and discoveries have eliminated distance, destroyed national self-sufficiency, increased the effectiveness of instrumentalities of destruction, and, by overlapping and entangling national economic and governmental interests, have made imperative the necessity of establishing some tribunal for the adjudication of disputes growing out of this complicated relationship. At the same time these inventions and discoveries facilitate such establishment.

In no community of the world, large or small, have the generations of man been able to devise any method for the preservation of peace, for the orderly adjustment of differences, than through some kind of governmental machinery combining justice and force. Justice without force is impotent. Force without justice is destructive. Where law does not obtain, anarchy may manifest itself at any time.

As we look at the international situation, with the conflicting interests obtaining there—industrial, racial, conflicts of ambition—we find that there is not in the midst of all this peril a single tribunal to which an aggrieved nation may go for redress nor an imperiled nation for protection.

We talk of international law, but as law is commonly understood there is no such thing as international law; no more than there could be, in a popular sense, intranational law without a national government to enforce it. We tried that ridiculous experiment at The Hague. We turned our backs upon the lesson of history; we dismissed from our council our own common sense and closed our eyes to the daily demonstrations in our various governments that right devoid of power is impotent to restrain the vicious. We know the peril which the absence of international government imposed, but we cowered before the difficulties incident to its establishment. That is the danger now. That Hague experiment grew out of our realization of the danger, and we paid for the folly, for the failure to provide that which our actions demonstrated we knew was needed; we paid by the most destructive war that has ever come to the earth. We will pay again if we permit all this sacrifice to be for naught; we will pay again with blood and with treasure, and we will pay with the loss of world leadership, and maybe with the loss of national liberty. Never in the history of the world did a great nation fail in a great crisis and retain its greatness.

Instructed by the experience of men in the realm of government, humbled by the sense of our responsibility, conscious of the difficulties which interpose and of the dangers which must be avoided, with a purpose so unselfish that we may trust to a divine guidance, with that sublime courage which has won for us national leadership, it is ours by the clearest imaginable designation to lead the world toward the establishment of peace by extending authoritative government into that unoccupied realm of conflicting interest, that "no man's land" which lies between the governments of the world, that breeding place of the world's wars.

With this achievement we shall crown the greatest of the world's epochs. [Applause.]

By unanimous consent, Mr. HICKS was given leave to revise and extend his remarks in the RECORD.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, I regret that there are not more Members present at this time, not because of anything that I may say myself, but because I have two letters from soldiers just returned from the front, in which I am satisfied every Member of the House, if he were present, would be deeply interested.

I shall spend no time in advance with reference to them, except to say that they are written by members of the famous One hundred and sixty-eighth Regiment, a part of the equally famous Forty-second Division, soldiers who have been wounded and have been returned to Camp Dodge, Iowa. I read now as follows:

DES MOINES, IOWA, *January 16, 1919.*

Congressman GREEN,
Washington, D. C.

DEAR SIR: As we are soldiers of the American Expeditionary Forces, and just returned from France wounded, and about to be mustered out of service, I would like to call to your attention this most needable favor from you, as we are some boys from Iowa. This favor is as follows:

First of all is where we stand, up until this date, is about six months' pay coming at the least to the majority of us.

Second. We have old clothes that we came from France with, and all patched up, not worth while giving away, which we are supposed to be mustered out of service with.

Third. Some of us have no money in the banks at home to buy new civilian clothes with.

Fourth. The clothes sold in camps for soldiers is way above cost, as it would take our whole six months' pay to buy only a suit.

Fifth. We all as soldiers, indeed, think that we at least can be given a good and worthy suit to go home with after being in France and away from home so long, to approach our mothers and sweethearts with clothes all patched up and don't fit; a good army, as we are, should wear good clothes; our appearance shows our standard.

We are writing to you, as we are in need of your help and think you'll be the one to help the boys of the American Expeditionary Forces, as we are actually in distress and helpless.

I read also from the other letter, omitting some matter personal to myself:

CAMP DODGE, IOWA, *January 16, 1919.*

Congressman GREEN,
Washington, D. C.

DEAR MR. GREEN: I take it upon my shoulders to tell you about the boys who gave up everything in home life to go to the colors at the first call for men. These boys are from the One hundred and sixty-eighth Infantry and have been wounded, and are the advance guard of what is left of the old outfit; and, as you probably know, there are very few left. But we who are left feel that we are entitled to at least a decent uniform to go home in to greet our mothers, fathers, sisters, and sweethearts, as the uniforms that we are wearing now are the same that we were issued in France, and are in terrible condition from the effects of the sterilizers that they have been put through. They are so full of holes and so wrinkled that they do not resemble a uniform in any manner, shape, or form, but like a gunny sack. Now, if that is the way that Uncle Sam welcomes his soldiers home, why, all right; but do you think it fair and square? The boys who are located here permanently at the camp can get anything in the shape of clothes that they desire, while we can get nothing but abuse. Now, I am not crabbing, but just telling you something that you should know of. When the boys have asked for clothes they were told that we could buy them at the Q. M. exchange or at clothing stores in Des Moines.

Mr. COOPER of Ohio. Will the gentleman yield right there?

Mr. GREEN OF Iowa. Yes.

Mr. COOPER of Ohio. I received a letter from a young man last week who enlisted in the service last July. This letter was written in France on December 15, and he said he had not received one cent of pay from the Government since he enlisted in the service. Now, how are the boys going to buy clothes when they are not getting their pay?

Mr. GREEN of Iowa. That is what these young men say, that most of them have not had any pay for six months. I do not know why it is that the War Department insists that they are receiving their pay. I am satisfied that these boys are not misrepresenting the situation in relation to their pay. If they were getting their money, they would be glad of it.

Mr. COOPER of Ohio. I feel sure that this boy to whom I refer would not misrepresent the facts, for I know him pretty well.

Mr. GREEN of Iowa. This young man asks:

Now, how is a fellow going to buy a uniform when we haven't been paid for eight months; and, then, why should we have to buy our own uniforms? If we were officers it would be different, but we are enlisted men.

I intend to go home in overalls, so do some of the rest. Three of us live in Council Bluffs.

The remainder of the letter is personal to myself, and I omit it for that reason.

Now, Mr. Chairman and gentlemen of the House, I submit that this condition of affairs is a disgrace to our great country. Here are men who have fought in the trenches, who have slept in the mud and mire, men who have gone over the top at Chateau-Thierry and St. Mihiel and other places, who have received their baptism of fire time and again, who have withstood shot and shell. They have been beset by machine guns; they have come home, finally, wounded and in tattered uniforms. They can not make themselves presentable at home. That such a condition should obtain is simply a disgrace to this great country.

Mr. EMERSON. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. EMERSON. Do I understand that enlisted men have been required to buy uniforms?

Mr. GREEN of Iowa. If they get two uniforms, they are required to buy them. These men have their old uniforms, which they wore in their campaigns in France. These uniforms have been put through sterilizing machines. These boys have climbed through barbed wire with them, and they have gone through machine-gun fire. They are tattered, torn, worn, and out of shape.

Mr. EMERSON. They have not been given any other uniforms?

Mr. GREEN of Iowa. They have not been given any other uniforms. That is the condition. I present it to the House in the hope that some action may be taken.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. GREEN of Iowa. Yes.

Mr. COOPER of Wisconsin. How long have the troops in that camp been here?

Mr. GREEN of Iowa. I can not say how long they have been on this side. The gentleman is aware that the Rainbow Division went over a year ago last fall.

Mr. COOPER of Wisconsin. What explanation has the gentleman ever heard for the nonpayment of the boys?

Mr. GREEN of Iowa. There can be no excuse for nonpayment; it is impossible that such a condition of affairs should be excused.

Mr. COOPER of Wisconsin. What explanation has been given?

Mr. GREEN of Iowa. The explanation that has been given is that the men went to the hospital and they could not find them to pay them. I can not see that that is any excuse at all.

Mr. COOPER of Wisconsin. Are not the records of the men taken to the hospital?

Mr. GREEN of Iowa. They should be; but I will say that I have tried to find men over there in the hospitals and have tried to get mail to them, but for some reason or other I could not get any mail to them. I had a letter to-day from a lady who said that she knew her son had altogether as many as 200 letters over there. He had been there a year or more and not one had ever reached him. He has been in the hospital, and he wrote home, "Why don't you write; why can not I hear from you?" He gets no mail and he gets no pay, and he is to be sent home in tattered clothing and told to go out and shift for himself. He has no money to get a new suit.

Mr. COOPER of Wisconsin. As far as the clothes are concerned, he can not have anything on that would confer greater honor on him than his old suit; but he ought to have his back pay, and I can not understand what excuse can be given for not paying him. I have two such cases myself.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. COOPER of Wisconsin. I yield the gentleman five minutes more.

Mr. EMERSON. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. EMERSON. Has the gentleman made any investigation as to why the letters to soldiers are not forwarded to hospitals where they are wounded. I wrote to my son last August, and four or five weeks ago the letter came back to me, and on the envelope was stamped "Wounded, at some place in France." Why could not they have forwarded the letter to that place? I have received letters from him from that place.

Mr. GREEN of Iowa. The whole matter is unexplainable and I can not understand it. Resolutions have been introduced for an investigation, but, as the committees now stand, that will not be permitted.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. GREEN of Iowa. Certainly.

Mr. COOPER of Wisconsin. I have been informed just now by the gentleman from Texas [Mr. CONNALLY] that the Secretary of War informed him that the commanding officer will pay these men all the money that is due them upon their affidavit being filed. Does the gentleman from Iowa know anything about that?

Mr. GREEN of Iowa. I had not heard of that. I am glad the War Department is getting some action. I did intend to mention another matter, and that is that for some reason or other the records have not been following them to the hospitals and consequently the commanding officer did not have at the hospital sufficient records to determine the exact amount of pay due to the soldier. That is one reason why they were not paid. But the gentleman suggests a way that this might be corrected. I am glad to say that what has occurred in the House has aroused the War Department and the Government in this matter, and also with reference to the discharged soldiers. I suppose the department was not fully aware of the condition of things.

Mr. FORDNEY. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. FORDNEY. I had a letter from a soldier at Camp Shelby, Miss., who has not had his back pay for five consecutive months. He is in perfect health; the records are there; he is answering the roll call every day.

Mr. GREEN of Iowa. The gentleman knows that it is not the fault of Congress. We have voted the money, and it is there in the appropriate place to pay them. In the case the gentleman mentions it is absolutely inexcusable. I trust that the War Department will give attention to these cases and not simply make a public statement that the men are paid, when they are not paid.

Mr. CONNALLY of Texas. May I inquire if the gentleman from Iowa has taken up with the War Department one of these cases?

Mr. GREEN of Iowa. No; I have not taken up the cases of the young men who wrote these letters; they did not sign them.

Mr. CONNALLY of Texas. The gentleman from Iowa has not taken up the question of back pay with the War Department?

Mr. GREEN of Iowa. Not at all; but I heard of an instance the other day where a private was called up before the officer and told that if he undertook to have the matter investigated and looked into by Congress, he would be severely disciplined.

Mr. WELLING. Did the gentleman from Iowa announce that the letters he read were anonymous letters?

Mr. GREEN of Iowa. They are anonymous; but I can find out who they are, for I know where they live. They do not sign their names, and I think they have good reason for that.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. SHALLENBERGER. I would say that Gen. Lord, who has charge of the entire pay department of the Army, was before the Military Committee and made a statement in which he went into a detailed explanation of the matter which the gentleman has just discussed, and it will appear in the printed hearings. In a general way it was that the men in this country have been paid promptly, as promptly as they were in the time of peace; that there was no real amount of complaint for nonpayment in any of the camps here.

Those men who were not paid in Europe, of whom we have heard so much, were paid here, upon the filing of an affidavit. The minute that the department discovered these men were coming back, some of them without pay because of the fact that their records were not complete, every officer was instructed, upon the statement of the soldier of the amount due him, and his affidavit, to immediately pay the soldier that amount.

Mr. GREEN of Iowa. I wish that Gen. Lord would better inform himself as to the facts.

Mr. GARNER. Mr. Chairman, with reference to the integrity of the gentleman's letter——

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. COOPER of Wisconsin. I yield five minutes more to the gentleman from Iowa.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. GARNER. With reference to the integrity of the letter, I noticed the statement that it takes six months' pay to buy a suit of clothes. I do not believe that.

Mr. GREEN of Iowa. The gentleman is aware that the man is not speaking of the amount of pay, except as to what he could save out of it in that time.

Mr. GARNER. He did not put it in that way. He said it took six months' pay to buy one suit of clothes at the prices they were selling; that they were selling the clothes higher than the cost. That would be $180, and I do not believe it.

Mr. GREEN of Iowa. I do not think the gentleman ought to indulge in that kind of an insinuation. He knows the ordinary private in writing a letter of this kind would not be as exact as a lawyer. He ought to be able to understand that fair meaning of that letter. A soldier going into civil life would have to buy a complete outfit.

Mr. GARNER. I put a fair interpretation upon it.

Mr. COOPER of Ohio. Mr. Chairman, it seems to me as if there were a great many soldiers in Europe who have not received any pay since they have been in the service.

Mr. GREEN of Iowa. Many on this side also.

Mr. COOPER of Ohio. It is all well and good for the War Department to say that they pay them as soon as they get home. They do not need the money over here as much as they do over there. They have no home or friends over there, and are there without a dollar in their pockets. It seems to me the War Department ought to pay those boys who have come from good homes; who have always had money in their pockets; who are over there five or six months at a time without any money to spend. The parents can not send the money to them because the letters do not reach them.

Mr. GREEN of Iowa. The gentleman has stated the situation correctly, except that the same situation exists on this side, as the gentleman from Michigan has recently stated.

Mr. GARNER. Who is responsible for the payment of the men in France?

Mr. GREEN of Iowa. The War Department.

Mr. GARNER. What does the gentleman mean by the War Department? Is Gen. Pershing responsible? He is at the head of the War Department in France.

Mr. GREEN of Iowa. He is not in charge of the paymaster's division there.

Mr. GARNER. He is in charge of the Paymaster Corps over there, is he not?

Mr. GREEN of Iowa. In one way, yes; and the gentleman knows all about those matters. He does not need to question me about them.

Mr. CURRY of California. The Secretary of War is in charge of Gen. Pershing, is he not?

Mr. GREEN of Iowa. Yes.

Mr. CURRY of California. Why is it necessary for these men to make an affidavit that they have served in the Army, when they have been drafted from private life, put into the Army, sent across, and have fought our battles in Europe? What kind of a record establishment have we got in the War Department? I have complaints of that kind myself; and in reference to the proposition of the sick, I have a letter in my office on my desk from the War Department telling me to take the matter up with the Red Cross, that they have better records than has the War Department.

Mr. TEMPLE. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Just a moment. In regard to the suggestion that you should take the matter up with the Red Cross, after you do so you are informed that the orders from the War Department are that the Red Cross can not give you the information.

Mr. TEMPLE. Mr. Chairman, I was about to call attention to that, that communications of that sort from the Red Cross, referred to them by the War Department, inform me that they—the Red Cross—have orders from the War Department not to give me that information.

Mr. SHALLENBERGER. The affidavit of the soldier is as to the date of his last payment, not as to his being in the Army; simply an affidavit as to the amount due him.

Mr. CURRY of California. Would the gentleman from Nebraska require one of his employees to make an affidavit as to when he was paid last before he would give him his wages?

Mr. SHALLENBERGER. In this case, the records upon which these men are to be paid are in Europe, and the man comes here without the record. There is no other way of knowing what is due him.

Mr. CURRY of California. The soldier is not supposed to bring his record with him.

Mr. GREEN of Iowa. No; but it should have been sent with him.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. FLOOD. Mr. Chairman, has the gentleman from Wisconsin any more time that he desires to consume?

Mr. COOPER of Wisconsin. I think that completes it. How much time have I remaining?

The CHAIRMAN. The gentleman from Wisconsin has 30 minutes and the gentleman from Virginia 58 minutes.

Mr. COOPER of Wisconsin. Those 30 minutes were reserved for the gentleman from Pennsylvania, Dr. TEMPLE, but I understand the gentleman does not wish to occupy them.

Mr. FLOOD. I had some reserved for the gentleman from Texas [Mr. SLAYDEN] but he is not here.

Mr. COOPER of Wisconsin. May I reserve mine until to-morrow?

Mr. FOSTER. Oh, let us read.

Mr. FLOOD. Let us read the bill.

The CHAIRMAN. The Clerk will read the bill for amendment under the five-minute rule.

The Clerk read as follows:

SALARIES OF AMBASSADORS AND MINISTERS.

Ambassadors extraordinary and plenipotentiary to Austria-Hungary, Argentina, Brazil, Chile, France, Germany, Great Britain, Italy, Japan, Mexico, Russia, Spain, and Turkey, at $17,500 each, $227,500.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I believe the committee has added Turkey to the ambassadorial list to receive the highest salary paid ambassadors. I was not here during the entire discussion when the gentleman from Kansas [Mr. LITTLE] pointed out the need of having ambassadors at different countries than those designated in the bill. I rise now to inquire what is the policy of the committee, for instance, in providing for envoys extraordinary and ministers plenipotentiary to Bulgaria, Roumania, and Serbia, when in the last bill we only had one envoy extraordinary and minister plenipotentiary to those three countries? We all know that the map of Europe is going to be rearranged very shortly. There will be need of diplomatic representatives to German Austria, Jugo-Slavia, Czecho-Slavia, and any States that are going to be created as the result of the peace conference. Now, I desire to ascertain the viewpoint of the chairman, as expressing the view of the committee, as to whether they thought it was advisable to defer the appointment of these additional ambassadors until it was actually ascertained by peace negotiations. If that is the fact, why is the committee, in a measure, providing for representatives to some of those countries?

Mr. FLOOD. The policy of the committee is to provide ambassadors and ministers to countries whenever the executive department of the Government recognizes the ambassadors and ministers from those countries. The cases of Bulgaria, Serbia, and Roumania are different from other cases cited by the gentleman in that our country has recognized those countries for years and have received their representatives. The territorial limits of Serbia will probably be very much changed, but there is a Serbian Government which has been recognized by our Government, and it does not make any difference so far as this item is concerned whether she is made larger or not; Roumania is recognized by our Government and so is the Bulgarian Government.

It is impossible under the conditions existing in those countries to have one minister accredited to those countries at this time, and we have received ministers from those countries, and the Executive will appoint ministers to them as soon as the appropriation is made. With reference to the other countries the policy of our committee is to wait until the peace conference has determined the existence of those countries and their territorial limits and our Government has recognized them as existing countries before it recommends appropriations for the Diplomatic Service there.

Mr. STAFFORD. Am I correct in my recollection that Turkey did not have the highest rank of ambassador as carried in the last Diplomatic appropriation bill?

Mr. FLOOD. The gentleman is not right about that. Turkey has had an ambassador for some years. We had an ambassador to Turkey for a number of years. Of course, since Turkey ceased diplomatic relations with us we have had no ambassador there.

Mr. ROGERS. Will the gentleman yield?

Mr. STAFFORD. I will.

Mr. ROGERS. Is it not a fact that this paragraph is identical with the paragraph of the preceding Diplomatic and Consular bill of last year?

Mr. FLOOD. The one about ambassadors, exactly the same.

Mr. STAFFORD. I wished to obtain the viewpoint of the committee as to what their policy is as to representatives for the newly created countries of Europe to be created at the peace conference. I withdraw the reservation of the point of order.

Mr. LONDON. Mr. Chairman, I move to strike out the last word. I desire to ask the gentleman from Virginia if an appropriation should be made for an ambassador to Austria-Hungary in view of the fact that Austria-Hungary has ceased to exist. By the recognition of the Czecho-Slovaks Austria-Hungary has completely ceased to exist as a country.

Mr. FLOOD. We have no official information to that effect. We are making appropriations for this ambassador just as we made it when we were at war with Austria-Hungary. We made the appropriation, but no ambassador was sent to that country.

Mr. LONDON. I understand the situation has radically changed and that as a fact Austria-Hungary does not exist to-day. Germany does, but Austria-Hungary does not.

Mr. FLOOD. Well, officially, we do not know that fact; it has not been communicated to the Congress.

Mr. LONDON. The State Department has recognized the Czecho-Slovaks.

Mr. FLOOD. We have not given them full recognition. We have no representative from that country here and have accredited no representative to that country.

Mr. LONDON. I did not quite get the reply of the gentleman from Virginia to the query about providing an appropriation for ambassadors or envoys to the countries which are to be carved out of the now existing central countries.

Mr. FLOOD. As soon as those countries are established and recognized by our Government, appropriations will be made to pay our representatives to those countries. The executive department of the Government will accredit representatives to them, and we will make appropriations to pay them and pay their expenses.

Mr. LONDON. There is no general appropriation anywhere to enable the Department of State to make appointments?

Mr. FLOOD. No.

Mr. LITTLE. Mr. Chairman, I have an amendment to offer on page 2.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LITTLE: Page 2, line 5, after the word "Spain," strike out the words "and Turkey," and after "each" strike out "$227,500" and insert "$210,000."

Mr. LITTLE. Mr. Chairman, my purpose is, a little farther down in the list of $10,000 ministers, to insert "Turkey." I can not understand any justification for maintaining an embassy for the next two years in the ex-Empire of Turkey at $17,500 a year. There will be probably a nation of Turkey left, but if it gets a minister at $10,000 a year it will be treated like similar nations, and even stronger and bigger nations are. It will not be any injustice to us even now if it is reduced to such a grade as it was before. It is not one of the great empires of the world, anyway. Seventeen thousand five hundred dollars was probably always too much for its merits. I am not asking that anything be done to this at all except that it be placed in the rank of other nations of similar importance, just as it stands and has stood. But if, as we all anticipate, Turkey is moved into Asia, we shall feel ourselves then more than justified. I can not conceive why the ambassador to a country like that should be given the same salary as one who goes to London. There should be no such expense. It looks like an effort to encourage Turkey along the line of bad conduct, and we should not be doing anything to put a premium on the bad conduct of the Turks. What will the Christian Armenians, who fought for you, think when a gilded ambassador goes to Constantinople and the shrines of 1,500 years of Christians are forgotten? Ten thousand dollars a year is enough.

Mr. FLOOD. Mr. Chairman, our legation to Turkey was raised to an ambassadorship by act of Congress, and Congress has not seen fit to reduce it, and it does not seem to me it would be at all wise to take such action in this irregular way. If the gentleman desires to reduce our mission to Turkey from the position which it now occupies, he ought to introduce a bill in Congress and let it pass, repealing the existing law. No ambassador has been accredited to Turkey since Turkey broke off diplomatic relations with us immediately after we declared war against Germany. We have not a representative there, and we have not had a representative there. But our law provides at this time for an ambassador to Turkey, and the salary for an ambassador is $17,500, and we are carrying that in this bill now just as we carried it at the time we were at war with the allies of Turkey. There is a regular way to do this thing, and when the conditions in Europe are adjusted, when the peace conference has fixed the boundaries of the different nations, the old nations, and the new nations that will be created in Europe, then the executive department of our Government can determine the class of representatives they propose to have in these different countries, and if Congress approves of that determination they will be fixed by law. But now there is no reason why the provision to which the gentleman objects should not go in this bill. It does not give any particular prestige to Turkey any more than it gave at the time we were at war with Turkey's allies.

Mr. LITTLE. It does not interfere with the matter. But this country has the right to give or appropriate any salary it wants to, and can cut it to $1,000 a year if it wants to. There are many reasons why we should reduce this fellow's salary to $10,000. It ought to be reduced a good deal further. Suppose we call him an ambassador, and give him the right to wear all the furbelows he wants to wear, let us show definitely that we want to save money.

Mr. FLOOD. There is no ambassador at all.

Mr. LITTLE. Then there is no occasion to appropriate anything, and no harm can be done by cutting it to $10,000.

Mr. FLOOD. It will be much more in accordance with the proprieties of the situation to strike it out altogether.

Mr. LITTLE. Very well. The gentleman keeps telling us what the Executive would do. The executive department will think about it as Congress thinks about it, and if we will indicate what we want to do, the department will do that. The executive branch of this Government will do what Congress tells it to do. They are all loyal men and will obey the laws.

Mr. FLOOD. Last year we appropriated for ambassadors and ministers $534,500 and expended $423,161, showing that a good deal of this money that we appropriated is not spent.

Mr. LITTLE. Then, there is no harm in cutting it off.

Mr. FLOOD. The time might come when it will be necessary.

Mr. LITTLE. It will never be necessary to have an ambassador to Turkey at $17,500.

Mr. FLOOD. But if we have an ambassador to Turkey he ought to be paid the same as other ambassadors.

Mr. SISSON. Will the gentleman advise me who is the ambassador to Turkey?

Mr. FLOOD. We have not any ambassador there now.

Mr. SISSON. Did he resign, or is he drawing the salary?

Mr. FLOOD. He is not drawing any salary.

Mr. LITTLE. He is drawing the money unless he has been dismissed or resigned.

Mr. FLOOD. He is not in the service now, at any rate.

Mr. SLAYDEN. I am strongly of the opinion that Mr. Morgenthau resigned.

Mr. FLOOD. He is not in the Diplomatic Service now.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. LITTLE].

The question was taken, and the amendment was rejected.

Mr. LITTLE. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Kansas offers another amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 3, strike out "Austria-Hungary" and insert "Austria-Hungary, Poland, Czecho-Slovakia."

Mr. FLOOD. Mr. Chairman, I raise a point of order on that.

The CHAIRMAN. The gentleman from Virginia raises a point of order on the amendment. The Chair sustains it.

Mr. LITTLE. Oh, I guess not! You have to tell what the point of order is. Mr. Chairman, I ask what the point of order is.

Mr. FLOOD. We have not recognized any such country as that at this time, and there is no law authorizing the appropriation.

The CHAIRMAN. The Chair thinks it is new legislation and sustains the point of order. The Clerk will read.

The Clerk read as follows:

Envoys extraordinary and ministers plenipotentiary to Bolivia, Bulgaria, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Greece and Montenegro, Guatemala, Haiti, Honduras, Nicaragua, Norway, Panama, Paraguay, Uruguay, Persia, Peru, Portugal, Roumania, Salvador, Serbia, Siam, Sweden, Switzerland, and Venezuela, at $10,000 each, $230,000.

Mr. LITTLE. Mr. Chairman, I offer an amendment.

Mr. FLOOD. Mr. Chairman, I move to correct the total of that amount. It is $230,000 in the printed bill. It ought to be $260,000.

The CHAIRMAN. Without objection, the total will be corrected.

There was no objection.

Mr. ROGERS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. ROGERS. I do so, Mr. Chairman, for the purpose of asking the gentleman from Virginia [Mr. FLOOD] a question concerning the item appropriating $10,000 for the United States minister to Costa Rica. According to the Diplomatic Register, that official, appointed in 1913, is Mr. Edward J. Hale. I am informed that for the past two years or more Mr. Hale has been enjoying life at his home in North Carolina, that he has not visited his post in Costa Rica during that time, but that he has been drawing his full salary during the entire period. Can the gentleman give the committee any information on that point?

Mr. FLOOD. I do not know about the statement that the gentleman makes, but I know if the minister to Costa Rica is in America, away from his post of duty, he could only draw pay for 60 days in a year. If he has been here for two years, away from his post of duty, he could not be drawing his salary.

Mr. LITTLE. He could if he is on leave.

Mr. FLOOD. He could get a leave of absence and draw pay for 60 days.

Mr. ROGERS. Is it not a fact that by the extension of his leave his salary may be continued to him after the expiration of the 60 days?

Mr. FLOOD. No. He can only get leave with pay for 60 days in each year.

Mr. ROGERS. I think the gentleman will find, on looking into this particular case, that Mr. Hale has been drawing his salary for the entire two years.

Mr. FLOOD. I am not familiar with the case of Mr. Hale. I know that we have not recognized the present Government in Costa Rica, and that may account for the fact that our minister has not been there.

Mr. ROGERS. Can the gentleman inform the committee upon what grounds recognition has been declined?

Mr. FLOOD. It was a revolutionary government. It was the policy of the administration not to recognize administrations that gain power through revolutionary methods.

Mr. ROGERS. Was not President Tinoco, who, I believe, is the present incumbent of the Presidency of Costa Rica, elected at a regular and lawful election held some two years ago, and has he not been fulfilling all the duties of the office since that time?

Mr. FLOOD. He has been filling the duties of the office, and they had an election there, but it was not considered to be a regular election.

Mr. ROGERS. Why does the gentleman consider it a revolutionary government if the President's incumbency followed a regular election?

Mr. FLOOD. They had an election in Mexico, as the gentleman will remember, when Huerta was elected, but it was considered to be a revolutionary government all the same.

Mr. ROGERS. The gentleman surely does not cite the case of Mexico and the policy of the United States toward Mexico as a guide for the conduct of the United States in Costa Rica?

Mr. FLOOD. I think the policy of the United States Government with respect to Mexico has been a wise one and has been thoroughly approved by the American people. The time may have come to change that policy, but that does not affect its wisdom in the past.

Mr. ROGERS. Does the gentleman think that this Government's policy in Mexico was approved by the American people in November, 1918?

Mr. FLOOD. The Mexican policy of this present administration was not an issue in that election. It was an issue in 1916 and was approved by the people of America in the election that year.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. ROGERS. I want to state the situation as I understand it with reference to Costa Rica, and if I am misinformed I shall be glad to be corrected.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. LONGWORTH. There is no representative of Costa Rica in this country.

Mr. ROGERS. I think that is true. That has been so for a considerable time.

Mr. LONGWORTH. Therefore there is no possible use for our representative there, and certainly no excuse for his drawing a $10,000 salary.

Mr. ROGERS. Those things are usually correlated.

I do not remember the exact time when the election in Costa Rica was held, but it was something over two years ago. Gonzales was the retiring president, and the present incumbent, Tinoco, was the candidate against him. So far as I am aware, subject to correction by any member of the committee, that election was in all respects duly called and Tinoco was apparently duly elected. But the United States Government declined to recognize him and has steadfastly declined to recognize him ever since. In that respect it may be analagous with the Huerta case in Mexico; but in Costa Rica the question at issue in the election was pro-Germanism versus anti-Germanism. Gonzales was the pro-German candidate and Tinoco was the anti-German candidate. For that reason we had every reason to rejoice at the success of Tinoco and recognize him, especially when under his régime, within three days after the United States went to war with Germany, the Costa Rican Government passed a resolution offering to the United States every possible facility of its ports, at the same time expressing regret that they could not take a larger part in the war than they did on account of the country's size. Costa Rica even subsequently severed relations with Germany as a protest against the German Government and as an evidence of its friendship for the United States.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. GOOD. What have the other countries, such as France, Great Britain, and Italy, done so far as recognition of the present incumbent is concerned?

Mr. ROGERS. I do not know what the European countries have done toward recognizing the present Tinocan Republic, but every Republic on the American Continent, except our own, as I am advised, has long since recognized the Tinoco Government. Every Latin-American Republic, I am informed, early recognized the Tinoco Government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLAYDEN. Mr. Chairman, I move to strike out the last two words. I want to ask the gentleman from Massachusetts [Mr. ROGERS], who seems to have been a student of Central American troubles, if it is not usually the practice of Governments to recognize the de facto government of a country?

Mr. ROGERS. That has been my understanding. That was certainly the precise policy that we followed in Peru, where the situation was quite similar to that in Mexico and Costa Rica, except that the new ruler had gained his seat as president as a result of the murder of his predecessor.

Mr. SLAYDEN. Mr. Chairman, I have no information as to the virtue or lack of virtue in the de facto government in Costa Rica; but since reference has been made to it I want to call attention to the case in Mexico. I remember very well when Mexico was in the state of greatest turmoil and the question of what government to recognize was being considered, the practice of governments was stated in a very terse way in an English newspaper, which said that the purpose of the recognition of a government was to have order maintained and to protect life and property and international rights, and the writer said it had been the policy from time immemorial and was the proper policy to recognize the government of to-day if that government promised a restoration of order and the protection of life and property of the internationals. The writer of this article went on to say that if the rascal of yesterday became the dominant rascal of to-day, and under his administration promised reasonable security, it was the duty of the world to recognize him, and if another rascal promised better to-morrow and should have control of the government, then it was the duty and the practice of nations to recognize him. I do not know anything at all about the Costa Rican case, never having investigated it, but I believe that any government de facto which promises order and protection to life and property ought to be recognized.

Mr. GARRETT of Tennessee. Mr. Chairman, I wish to see if I understood the gentleman from Massachusetts [Mr. ROGERS] correctly, that some one had succeeded to the Presidency by reason of having murdered his predecessor?

Mr. SLAYDEN. That was in Peru.

Mr. ROGERS. In the case of Peru, what I intended to say and what I did say was that the new President succeeded to

the presidency as a result of the murder of his predecessor. He was not himself the murderer.

Mr. LITTLE. Mr. Chairman, I have an amendment that I should like to offer.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 2, lines 11 and 14, after the word "Greece," in line 11, strike out "and Montenegro," and in line 14 insert, after "Serbia," the words "and Montenegro."

Mr. STAFFORD. I reserve a point of order on the amendment if the gentleman from Virginia [Mr. FLOOD] does not wish to do so.

Mr. LITTLE. Mr. Chairman, a very peculiar thing is being done here by the committee. I happen to be familiar with the facts, so I feel it my duty to suggest to the House to correct it. If the committee do not want to accept my suggestion, I suppose they can run the steam roller over me, but I will say that I have just as good a steam roller as they have. I can make the point of no quorum any time I want to, but I do not propose to act foolishly if the committee does. If the committee does not want to correct this thing, that is in their power.

This Government formerly had the habit of saving money in the case of a group of small countries by appointing one minister to represent us in all of them. At one time all of these five Central American republics had only one American minister, but now they have one for each of the five.

If we should appoint one minister to Holland and Belgium, he could handle the business very well, because he could slip back and forth from capital to capital without any trouble. On the other hand, if we should appoint one minister to Holland and Portugal he would find it very difficult to handle the business at all. You can see that such a thing would be nonsense, although you could just as well appoint one minister to Holland and Belgium.

Last year I suggested that Serbia, Bulgaria, and Roumania ought to have a minister apiece instead of one for all three, but the State Department paid no attention to the suggestion. But they have it in the bill now. They have followed my suggestion after a year. The suggestion which I make here is just as pertinent. Serbia and Montenegro are people of the same tongue and the same race. They will probably soon be one nation. The minister who goes to Belgrade to represent us in Serbia can very easily find his way across to Montenegro and represent us in that country. There will be no difficulty in transacting business in both places. On the other hand, if you put Greece and Montenegro together they have nothing akin, do not get along together, do not speak the same language; they are very far apart, and the difficulties are of such a nature that it would be hard for the minister to Greece to visit Montenegro. The suggestion I make is sensible and would save money, time, and trouble. It would make it possible for one man to attend to both duties, whereas under the proposition the committee has offered it is impossible for the minister to Greece to be of service to Montenegro. I do not think because the committee has the power that they should neglect or refuse to accept this suggestion. This is no place for pride of opinion. There is no use in saying, "I can do this" or "I do not care what you say, we will do this or that." Anybody will tell you the geographical conditions, and any child at school will laugh when he sees what you have done. Why not arrange this matter so that the best results will be secured with the smallest amount of money? Why not appoint a minister to Montenegro and Serbia together instead of to Greece and Montenegro? He can go from one capital to the other and do business with both readily. I am not on the committee, and I can not, I guess, do anything more than make the suggestion. It is time we should have legislative discussion, not steam rollers.

Mr. FLOOD. Mr. Chairman, I think the gentleman from Kansas is right in many of his statements, and perhaps they will be adopted finally by the departments; that the separation between Greece and Montenegro will take place.

Mr. LITTLE. Why not do it now?

Mr. FLOOD. Because we are in an unsettled condition; we can not tell what will be the geographical lines to be determined at the peace table. We are making the appropriation as we made it heretofore.

Mr. LITTLE. No; before you had in Roumania with Bulgaria and Serbia.

Mr. FLOOD. Yes; we recognized other countries.

Mr. LITTLE. If the gentleman will permit, there is no injury done to the plan of the State Department by adopting my suggestion of putting Montenegro with Serbia instead of with Greece. It is evident that this was a mistake anyway, probably clerical.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask that the gentleman have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Now, I would like to ask the gentleman a question. The gentleman from Pennsylvania [Mr. TEMPLE] has just reminded us in conversation here that a few weeks ago, when Montenegro proposed a king, the assembled government passed a resolution uniting Montenegro with Serbia, just as now suggested by the gentleman from Kansas, ought to be the provision in this bill, so far as a minister is concerned. But, Mr. Chairman, I would say to the gentleman from Kansas that we are legislating here now and can not anticipate, just as the gentleman from Virginia has intimated, the action of the peace conference on the relations between these countries.

Mr. LITTLE. But the gentleman from Wisconsin does not get my suggestion. I am not anticipating any action of the peace conference. I am not now seeking to unite Serbia and Montenegro. My motion will leave them as two distinct and independent nations if they wish, as far as we are concerned. It says here that we shall send a minister to Greece and Montenegro. I say send one to Montenegro and Serbia, which leaves Montenegro and Serbia just as distinct as Montenegro and Greece.

Mr. FLOOD. Does not the gentleman think it would be wiser to wait until we know a little more about it?

Mr. LITTLE. If the gentleman will permit, it makes no difference what happens at the peace conference, as far as my suggestion is concerned.

Mr. FLOOD. We have a minister assigned to Montenegro and Greece.

Mr. LITTLE. In the bill of last year you had one assigned to Roumania, Serbia, and Bulgaria, and one to Greece and Montenegro; formerly it was Roumania, Serbia, and Greece.

Mr. FLOOD. That was some time ago. For some years it has been the same as it is here.

Mr. LITTLE. At that time Montenegro was separated from Serbia by a few miles of Austrian territory, but now Serbia joins Montenegro. At that time there was no access from one to the other without crossing Austria, but now it is just a matter of a few hours' travel to get across there. You will have the two nations side by side, and a man can go back and forth in a few hours at any time, whereas the way you are arranging it they never can go back and forth, all one race and tongue.

Mr. FLOOD. I understand that Montenegro in all probability will be part of Serbia.

Mr. LITTLE. It will be probably.

Mr. FLOOD. Then the Serbian minister would represent us with that whole people, but the policy of the committee was not to undertake to make these changes until they had actually occurred, and, when the changes have occurred, then appropriations can be made, if there are additional ministers, for those ministers and meet any changes that have been made.

Mr. LITTLE. But you have changed from last year and given Roumania, Bulgaria, and Serbia each a minister.

Mr. FLOOD. Those are separate and distinct countries that we have recognized.

Mr. LITTLE. This is not a question of recognition; it is just a question of traveling back and forth. They always were separate and distinct countries, just as now—or have been for years.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

Without objection, the amendment was again reported.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word, for the purpose of getting some information. Did I understand the gentleman to say that we have different ministers each for Bulgaria and Serbia?

Mr. FLOOD. We are providing in this bill for separate ministers for Bulgaria, Roumania, and Serbia.

Mr. LONGWORTH. Have they been appointed as yet?

Mr. FLOOD. No.

Mr. LONGWORTH. We have still one minister there.

Mr. FLOOD. We have a minister in Roumania.

Mr. LONGWORTH. He was acting before the war?

Mr. FLOOD. Yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The question was taken; and on a division (demanded by Mr. LITTLE) there were—ayes 8, noes 11.

So the amendment was rejected.

The Clerk read as follows:

Total, $534,500.

Mr. FLOOD. Mr. Chairman, I move that the total be changed to "$554,500."

The CHAIRMAN. Without objection, the Clerk will correct the total.

There was no objection.

The Clerk read as follows:

For secretaries in the Diplomatic Service, as provided in the act of February 5, 1915, entitled "An act for the improvement of the foreign service," as amended by the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1917, approved July 1, 1916: *Provided*, That secretaries in the Diplomatic Service shall hereafter be graded and classified as follows: Secretaries of class 1, $3,500 per annum; secretaries of class 2, $3,125 per annum; secretaries of class 3, $2,500 per annum; secretaries of class 4, $2,000 per annum; $294,125.

Mr. STAFFORD. I reserve the point of order on the paragraph. I do not recall the grades carried in the appropriation bill of 1915. I do recall that last year we discontinued the lowest grade of pay of secretaries. Have we increased the original rates since they were graded back in 1915?

Mr. FLOOD. No; they are the same. The Committee on Foreign Affairs last year brought in a recommendation increasing the salaries of the first, second, third, and fourth grade secretaries $500 each. I think the gentleman from Wisconsin [Mr. STAFFORD] made the point of order against the increases, and they went out on that point of order, and the committee has brought in the same recommendation this year.

Mr. STAFFORD. Under the existing practice all of these consulate employees are receiving some allowance based upon the higher cost of living.

Mr. FLOOD. Yes; all of them.

Mr. STAFFORD. So that allowance equalizes the salaries occasioned by the higher cost of living in these respective countries?

Mr. FLOOD. Yes.

Mr. STAFFORD. In this bill you seek to reduce the total amount of the allowance for that purpose?

Mr. FLOOD. No. The view of the committee in making this increase was not based on the increased cost of living but upon the fact that there should be a permanent increase. The view of the Committee on Foreign Affairs is that the secretaries in all embassies and legations get too little. Even under normal conditions their salaries are not sufficient to support them. All of these gentlemen get from the post allowance fund anywhere from 50 to 100 per cent of their salaries.

Mr. SLAYDEN. Will they get that this year?

Mr. FLOOD. Yes; this year, because the cost of living is as high now as it ever was and in some countries higher.

Mr. STAFFORD. The gentleman is aware there is quite a decided trend downward in the cost of food products. For instance, Argentine wheat is being sold in the market at Liverpool at $1.55. If the cost of living is going to be reduced——

Mr. FLOOD. Then the post allowances will be reduced.

Mr. STAFFORD. The fund at the disposal of the Secretary of State is the same?

Mr. FLOOD. The fund is the same, but it does not follow that the allowances of individuals will be the same; for example, if the cost of living in the current year would be 100 per cent greater than it was before the war, the secretary would get twice what his salary is. If the cost of living of the next year comes down 50 per cent, his post allowance would be just half.

Mr. STAFFORD. Has the gentleman any assurance officially from the State Department that there will be any money of the post allowance fund turned back because the cost of living will be reduced in the respective foreign capitals?

Mr. FLOOD. Yes.

Mr. STAFFORD. Where is such testimony?

Mr. FLOOD. This is what the State Department officials say. I do not know whether it is in the published hearings or not, but this is the rule and this is what they stated, that the post allowance is made to officials at a particular place with reference to the increased cost of living at that place, and if the cost of living goes up the post allowance of the official at that point is increased; if it goes down, the allowance is decreased. They are not going to expend any more than necessary.

Mr. STAFFORD. Will the gentleman permit. Has the gentleman made any inquiry as to whether any part of the $700,000 post fund which is provided for in this year's Diplomatic and Consular act——

Mr. FLOOD. What page?

Mr. STAFFORD. Page 22 of this year's bill—is going to be turned back to the Treasury because the State Department officials found that it was not necessary to pay all of that amount? It will be a cause celèbre in the disbursement of lump-sum appropriations if they can state anything of that kind.

Mr. FLOOD. Of course, they can not tell. The gentleman asked me a question?

Mr. STAFFORD. Yes.

Mr. FLOOD. The State Department can not tell now what will be the result of this fund. For the year ending the 30th of June, 1918, they spent out of the post allowance fund $438,614.71, leaving a balance of $261,385.29. I say I have no information as to what will be left in the fund next July out of the current appropriation.

Mr. STAFFORD. Has the gentleman any testimony as to the status of this appropriation at the time the hearings were held on this bill?

Mr. FLOOD. No; I do not think we have, except it was said it would all be needed. I believe they will use most, if not all, of this fund this year.

Mr. GOOD. Was there any spent to add to or augment the salaries of secretaries of classes 3 and 4?

Mr. FLOOD. Yes.

Mr. GOOD. To what extent?

Mr. FLOOD. To the same extent as in other cases. There was a regular system in the department of ascertaining at a particular place the increased cost of living, and they increased the secretaries and the clerks a per cent equal to the increased cost of living.

Mr. GOOD. Can the gentleman give the committee any idea of the range of that percentage?

Mr. FLOOD. It ranged from 50 per cent to sometimes over 100 per cent.

Mr. GOOD. Of their salaries?

Mr. FLOOD. Of their salaries. We had the case before us in reference to a consul in Russia whose salary was $5,500 and his post allowance $4,500, and in some instances it was fully as much as the salary.

Mr. GOOD. Secretaries of class 3 receiving a salary of $2,500 per annum and secretaries of class 4 $1,200 per annum would also receive during the present year the $120 additional compensation?

Mr. FLOOD. Oh, no.

Mr. GOOD. They are included in the provisions of the legislative bill and are entitled to the $120 increase.

Mr. FLOOD. No, indeed; they do not get anything on the legislative bill at all.

Mr. GOOD. They are included.

Mr. FLOOD. Oh, they never come under the legislative bill.

Mr. GOOD. They are Government employees?

Mr. FLOOD. The legislative bill does not embrace the people in the foreign service.

Mr. SLAYDEN. Any more than it does us.

Mr. GOOD. It embraces all the people in the foreign service.

Mr. FLOOD. It does not embrace our foreign service.

Mr. GOOD. It embraces all Government employees having a salary of $2,500 or less, except certain classes, and my recollection is—and it is only recollection—that the employees in the foreign service are not among the excepted classes.

Mr. FLOOD. I do not know whether the language of the bill excepts them or not, but they do not come within the legislation.

The CHAIRMAN. Does the gentleman withdraw the point of order?

Mr. STAFFORD. I make the point of order.

Mr. FLOOD. The point of order against the increase?

Mr. STAFFORD. Against the increase; against the proviso carried in the first paragraph upon page 3.

The CHAIRMAN. The point of order is sustained.

Mr. ROGERS. That means the total should be reduced by $55,000 both on line 12 and on line 23.

The CHAIRMAN. Without objection, the Clerk will be authorized to correct the total in accordance with the amendment agreed to.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. First, I want to register a protest against these anonymous points of order. Every time an amendment is offered some gentleman, who has three or four of these anonymous points of order in his pocket, gets up and offers one, and we do not know what it is. I shall raise the point of order against every point of order after this, unless a man tells us what it is. Unless you state what is your point you have made no point of order.

Mr. FLOOD. What is the point of order made by the gentleman from Wisconsin?

Mr. LITTLE. Nobody knows. It is anonymous.

Mr. STAFFORD. Has the gentleman any doubt that the paragraph is subject to the point of order?

Mr. FLOOD. Not the slightest.

Mr. STAFFORD. I made a point of order to the provision increasing the salaries of the secretaries.

Mr. GOOD. And making it permanent law also hereafter.

Mr. LITTLE. I have the floor. I would like to ask the gentleman from Virginia a question. I have been reading this paragraph, on page 22, calling for $700,000 to adjust their official income to the ascertained cost of living at the posts.

Mr. FLOOD. I wish the gentleman would wait until we get to it.

Mr. LITTLE. It is apropos of the clause we are under now. I want some information. Would that take into consideration the difference in exchange springing from the fall in value of moneys in foreign countries? Has there been anything done in this bill to meet that?

Mr. FLOOD. Nothing in this bill. I understand from the officials of the State Department they have tried to adjust it in China, with consuls in China and officials of the court in China.

Mr. LITTLE. I understand, as to the minister to Persia, that the money has changed so much in that country, and therefore the exchange, that he, who has been drawing his salary according to the old rate of exchange, is now several thousand dollars in debt to this Government, and they are asking him to pay the money back. There ought to be somewhere in this bill, it seems to me, an adjustment to meet such a situation. For example, in Persia——

Mr. FLOOD. Exactly the same situation occurred with reference to the officers of our court in China.

Mr. LITTLE. In Shanghai?

Mr. FLOOD. In Shanghai; yes. We did adopt an amendment to protect those gentlemen. We heard nothing about this case in Persia. The case of these court officials was a very meritorious case, because they had been informed that they were embraced under the post allowance, and received the post allowances accordingly, and it was afterwards determined by an official of the Treasury Department that they were not entitled to it and they were required to pay the post allowances back.

Mr. LITTLE. I do not want to urge my requests on the chairman when he does not give them any consideration, but I am going to ask him again to take into consideration the idea of the cost of exchange. It puts a minister to Persia, for example, at an expense of several thousand dollars, I understand.

Mr. FLOOD. I do not know about the minister to Persia, unless his salary has less purchasing power.

Mr. LITTLE. They have been paying him according to the old rate of exchange.

Mr. FLOOD. What they paid him was paid him in gold, and his gold was worth a great deal more over there at that time than it is now.

Mr. LITTLE. I understand now the department is asking him to pay a lot of that money back.

Mr. FLOOD. I never heard it. I do not see how it can be, because he was not entitled to anything under the post allowance.

Mr. LITTLE. My information is pretty reliable. I think it is as good as that of the State Department.

Mr. FLOOD. If the gentleman informs the department of that fact, the department will certainly be disposed to treat him fairly, and the Committee on Foreign Affairs will treat him fairly.

Mr. LITTLE. I wish the chairman of the committee would consider that matter to-night and inquire about it from the department.

Mr. FLOOD. I will inquire of the department.

Mr. LITTLE. I think this ought to be adjusted. I think section 22 is the place to do it, and I have no doubt, if the gentleman will take it up with the department, it can be remedied.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Assistant secretary-interpreter to the embassy to Turkey, to be appointed from the corps of student interpreters, $2,000.

Mr. LITTLE. Mr. Chairman, I move to strike out lines 20, 21, and 22. I simply want to say that I notice up above a secretary-interpreter to Turkey gets $3,600, and they have an assistant t $2,000.

The reason why I move to strike out is that I happen to know it is a pure waste of money.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kansas.

The Clerk read as follows:

Amendment offered by Mr. LITTLE: Page 3, strike out lines 20, 21, and 22.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. FLOOD. All the information that I have or that the committee had was obtained from the officials of the State Department, and they tell us that these interpreters are very essential and necessary. They will be necessary in that country when conditions are restored to normal. They are not paid unless they are rendering service there. They may be transferred to some other place now.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. LITTLE. I suggest that they might have been necessary at Constantinople, but they will never be necessary there again, and it is pure foolishness to be paying out that money now. They have a Sultan at Cairo, and he will be more powerful than the Sultan of Turkey has or will have. The Sultan of Egypt is now caliph of the faithful, successor to Mahomet.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Total, $310,925.

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: Page 3, line 23, insert the following as a new paragraph:

"The following persons formerly connected with the American Embassy at Berlin be, and they are hereby, authorized to accept pieces of plate presented to them by the British Government in recognition of services rendered by the embassy while in charge of British interests in Germany: Mr. Joseph C. Grew, counselor of embassy; Messrs. Hugh R. Wilson, Albert B. Ruddock, Alexander C. Kirk, L. Lanier Winslow, Lithgow Osborne, Oliver B. Harriman, Robert M. Scotten, and Charles H. Russell, jr., secretaries of embassy or legation; Brig. Gen. Joseph E. Kuhn and Maj. George T. Langhorne, United States Army; Lieut. Col. C. L. Furbush, Medical Corps, National Army; Maj. Albert H. Roler, Medical Reserve Corps, United States Army; Lieut. Grafton W. Minot, Ordnance Reserve Corps, United States Army; Lieut. Jerome P. Webster, Medical Reserve Corps; Mr. H. R. Pyne, Aviation Service, United States Army; Commander Walter R. Gherardi and Surg. Karl Ohnesorg, United States Navy; Director A. E. Taylor, War Trade Board; Mr. Christian A. Hertel, Department of State; Mr. E. L. Dresel and Miss G. de Courcy, employed at American Legation at Berne."

Mr. FOSTER. Mr. Chairman, I make a point of order on that.

Mr. CONNALLY of Texas. I reserve a point of order on that, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Texas reserve his point of order?

Mr. CONNALLY of Texas. I reserve a point of order.

Mr. ROGERS. Mr. Chairman, this is subject to a point of order. I will admit that. Possibly the gentleman from Kansas [Mr. LITTLE] will care to debate the point of order, and I would be glad to have him do so if he is in doubt about it.

Mr. LITTLE. If the gentleman will come around to my office later, I will discuss it with him.

Mr. ROGERS. The amendment which I have offered is in the exact language of a bill that passed the Senate on May 15 last, was referred to the Committee on Foreign Affairs, favorably reported by the Committee on Foreign Affairs on June 26, and has been on our Private Calendar for the last nine months.

Gentlemen know the condition of the Private Calendar and the extreme difficulty of getting any bill considered which is upon it. I therefore hope that the merits of this measure are such as to lead the House to allow it to be comprehended within this appropriation bill. The men who are enumerated here were all connected with our embassy in Berlin during the period when we were protecting British interests in Germany. It has become customary after a service of that kind for the Government that has been thus cared for to present trifling remembrances to the individual members who rendered this service. Great Britain had more use and more need for the services of our American representatives in Berlin than had ever been witnessed in the history of the world in a similar cause. Consequently, very naturally and very properly, Great Britain sent to the State Department silver articles, in value from $15 up to $85, designating the articles for presentation to the different individuals, corresponding in a general way to their rank in the Diplomatic Service. These articles are at the State Department, and they may be inspected by any Member interested.

Legislation, however, is necessary to permit the acceptance of these articles by the recipients. You are all familiar with the provisions of the Constitution of the United States, which makes such congressional action a necessary prerequisite. It is to provide the congressional sanction that this amendment is being offered. The bill has been carefully considered by the Committee on Foreign Affairs.

Mr. LITTLE. What are they going to get?

Mr. ROGERS. An inkstand, or the like, from the British Government, as a mark of appreciation for their service to that Government for two and a half years during our period of neutrality.

Mr. LITTLE. Is that all they get?

Mr. ROGERS. That is all, I hope. The articles are of trifling value; most of them are inkstands, worth about $15. It is not the intrinsic value which appeals to the gentlemen enumerated in the amendment; it is the fact that after they have worked two and a half years under the most terrific strain and pressure they naturally would like to have some permanent recognition which they can put on their tables or mantelpieces to show to their children and grandchildren. The Committee on Foreign Affairs has favorably recommended this proposition to the House, very much influenced, I think, by the letter which the Secretary of State wrote and which is printed in the report on this bill. He says:

> We should recognize the spirit of gratitude which induced the British Government to offer this plate, and that as an act of international comity it would be appropriate and courteous to permit its acceptance by the beneficiaries.

This same report cites about 100 different cases, some of recent years and some of a more remote period, where Congress has granted the sanction required by the Constitution. In view of the circumstances I hope the gentleman will be induced to withdraw his point of order.

Mr. CONNALLY of Texas. Mr. Chairman, I desire to say that in reserving the point of order, which I expect to make, I intend no reflection on the services of these distinguished gentlemen, but I am absolutely opposed to the principle of the amendment as it is offered by the gentleman from Massachusetts. If these gentlemen rendered distinguished services as employees of the Government of the United States it was as representatives of the United States and not by reason of the fact that, incidentally, they were called upon to represent the interests of Great Britain. If they desire a recognition of their services it should be extended by the Republic in whose service they were employed. I think that in this time of all times it would be bad policy, indeed, for the American Congress to sanction the practice of representatives at foreign capitals accepting favors or gifts at the hands of foreign governments, however slight the recognition might be.

Mr. ROGERS. Will the gentleman yield?

Mr. CONNALLY of Texas. I do.

Mr. ROGERS. Would the gentleman be willing, in view of the fact that this imposes no charge on the Treasury, to withdraw his point of order and allow the amendment to be voted on upon its merits?

Mr. CONNALLY of Texas. It is not a question of a charge on the Treasury which is involved in the point of order. It is opposition to the principle of permitting our representatives abroad or at home accepting any recognition in the way of gifts from any foreign power or potentate.

Mr. ROGERS. This principle has been recognized by Congress scores of times.

Mr. CONNALLY of Texas. I am not responsible for the acts of any Member of Congress prior to this Congress, but I am responsible for my vote and my position on this floor, and I make the point of order for the reasons stated.

The CHAIRMAN. The point of order is sustained.

Mr. LONGWORTH. Mr. Chairman, I am in favor of the passage of this bill at the earliest possible moment, as I am in favor of the passage of other appropriation bills at the earliest possible moment consistent with proper discussion. I call attention to the lateness of the hour only because there is to be a conference this evening.

Mr. FOSTER. A conference or a caucus?

Mr. LONGWORTH. A conference.

Mr. FOSTER. Public or private?

Mr. LONGWORTH. A conference at 8 o'clock.

Mr. GARRETT of Tennessee. It was agreed that we should rise at 6 o'clock. That is only seven minutes from now.

Mr. WALSH. We were going to rise at 6 o'clock if we were in general debate.

Mr. FLOOD. No; whatever was going on.

Mr. LONGWORTH. The gentleman contemplates rising at 6 o'clock?

Mr. FLOOD. Yes.

The Clerk read as follows:

> For the employment of necessary clerks at the embassies and legations, who, whenever hereafter appointed, shall be citizens of the United States, $688,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Here is quite a decided increase in the appropriation over that carried in the current law, an appropriation of $688,000, which is $200,000 more than was carried in last year's appropriation act. Yet we carried a provision last year that the money should be immediately available. I assume that at the time this bill passed the House last year the fund was depleted and that it was necessary to use some of the amount then estimated for the remainder of the then fiscal year. What is the occasion of this very large increase of appropriation, nearly 50 per cent?

Mr. FLOOD. There is really no increase, but only an apparent one. The Diplomatic and Consular appropriation bill passed last year carried $488,000 and the deficiency appropriation act of November 4, 1918, added $200,000 to that sum, making a total of $688,000, which is the amount this bill carries this year, and it is the amount the department needed and asked for clerks at embassies and legations. They got $488,000 last year from the Foreign Affairs Committee and afterwards $200,000 from the Committee on Appropriations because they needed it, and they say they need exactly the same amount this year, so we have given them that amount.

Mr. STAFFORD. What salaries do these clerks receive at the respective embassies and legations?

Mr. FLOOD. The salaries vary from $1,000 to $2,500.

Mr. STAFFORD. Is $2,500 the maximum?

Mr. FLOOD. I do not know of any clerk who gets more than $2,500. I think that is the highest amount.

Mr. STAFFORD. Do these clerks also receive an allowance from the post-allowance fund?

Mr. FLOOD. Yes; they do.

Mr. STAFFORD. Perhaps the explanation for this large increase is due to the policy recently established by the department of requiring that the clerks at embassies and legations shall be citizens of the United States rather than citizens of foreign countries.

Mr. FLOOD. These clerks are all citizens of the United States.

Mr. STAFFORD. That is, as I recall, a recent requirement of the law?

Mr. FLOOD. Yes.

Mr. STAFFORD. Will not the gentleman now move that the committee rise, in view of the fact that the next item is going to provoke some discussion?

Mr. FLOOD. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FERRIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ROBBINS, indefinitely, on account of illness (at the request of Mr. ROSE).

To Mr. BANKHEAD, for one day, on account of important business.

To Mr. EAGLE, for four days, on account of illness in his family.

FEDERAL JUDGES.

Mr. WEBB. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12001) to amend an act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, disagree to Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to take from the Speaker's table the bill H. R. 12011, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

There was no objection; and the Speaker announced as conferees on the part of the House Mr. WEBB, Mr. CARLIN, Mr. STEELE, Mr. VOLSTEAD, and Mr. GRAHAM of Pennsylvania.

ADJOURNMENT.

Mr. HENRY T. RAINEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p. m.), in accordance with the order heretofore made, the House adjourned until Wednesday, January 22, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of War, submitting

a supplemental estimate of appropriation required by the War Department for a sanitary fill at Coco Solo, Canal Zone (H. Doc. No. 1704); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting a paragraph of proposed legislation extending for the fiscal year 1920 the appropriation made by the sundry civil act of August 1, 1914, for expenses of unveiling and dedicating the memorial to Gen. Ulysses S. Grant (H. Doc. No. 1705); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Assistant Secretary of War, submitting a supplemental estimate of appropriation for salaries and expenses of the joint munitions patent board of the War and Navy Departments, fiscal year 1920 (H. Doc. No. 1706); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of communication from the superintendent of the State, War, and Navy Buildings, submitting supplemental estimates of appropriations required for expense of heating the buildings under his control for the fiscal year 1919 (H. Doc. No. 1707); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of Commerce, submitting a paragraph of legislation providing that the unexpended balance of the appropriation for developing aquatic sources of leather made by the act of June 12, 1917, be continued and made available for the fiscal year 1920 (H. Doc. No. 1708); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting copy of communication from the acting chairman of the Federal Board for Vocational Education submitting supplemental estimate of appropriation required by the Federal Board for Vocational Education for the fiscal year 1920 (H. Doc. No. 1709); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination and survey of harbor at Brazos Island, Tex. (H. Doc. No. 1710); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

8. A letter from the Comptroller of the Currency, transmitting annual report of the Comptroller of the Currency (H. Doc. No. 1453); to the Committee on Banking and Currency and ordered to be printed.

9. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Executive Secretary of the Interdepartmental Social Hygiene Board submitting a substitute estimate of appropriation for 1920 (H. Doc. No. 1711); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required by the War Department to increase the salary of the superintendent of the Arlington Cemetery from $1,200 to $1,800 (H. Doc. No. 1712); to the Committee on Appropriations and ordered to be printed.

11. A letter from the Acting Secretary of the Treasury, submitting a supplemental estimate of appropriation required by the Treasury Department for telegraph and telephone service for the fiscal year 1919 (H. Doc. No. 1713); to the Committee on Appropriations and ordered to be printed.

12. A letter from the Acting Secretary of the Treasury, transmitting schedules of claims allowed by the several accounting officers of the Treasury Department (H. Doc. No. 1714); to the Committee on Appropriations and ordered to be printed.

13. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting supplemental estimate of appropriation required by the War Department for the fiscal year 1920 (H. Doc. No. 1715); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the joint resolution (S. J. Res. 194) directing the United States Housing Corporation to suspend work upon all buildings where construction is not more than 75 per cent completed, and to cancel all contracts for furniture, and for other purposes, reported the same with amendment, accompanied by a report (No. 958), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GOULD, from the Committee on the Library, to which was referred the bill (H. R. 6887) to acquire the manuscript of Charles Chaillé-Long, containing an account of the unveiling of the McClellan Statue, reported the same with amendment, accompanied by a report (No. 959), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DENTON: A bill (H. R. 14818) to incorporate the World War Veterans of America; to the Committee on the Judiciary.

By Mr. TIMBERLAKE: A bill (H. R. 14819) donating a captured German cannon or field gun and carriage to the city of Englewood, Arapahoe County, State of Colorado, for decorative and patriotic purposes and to commemorate the participation of the boys there in the Battle of Chateau-Thierry; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 14820) to amend an act entitled "An act to regulate commerce, approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission, approved June 29, 1906"; to the Committee on Interstate and Foreign Commerce.

By Mr. FESS: A bill (H. R. 14821) authorizing the Secretary of War to donate condemned cannon and cannon balls to the Paint Township Cemetery, in Madison County, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 14822) authorizing the Secretary of War to deliver to Wilberforce University, in the State of Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14823) authorizing the Secretary of War to deliver to the city of London, Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14824) authorizing the Secretary of War to deliver to the City of Washington Court House, Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14825) authorizing the Secretary of War to deliver to the village of Belle Center, Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14826) authorizing the Secretary of War to deliver to the village of West Liberty, Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14827) authorizing the Secretary of War to deliver to the village of Milledgeville, Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14828) authorizing the Secretary of War to deliver to the village of Blanchester, Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. MORIN: A bill (H. R. 14829) providing for the conversion of liberty bonds of the first, second, and third issues into bonds of a similar issue bearing a higher rate of interest at any time after the public offering of such bond for sale; to the Committee on Ways and Means.

By Mr. MAGEE: A bill (H. R. 14830) authorizing the Secretary of War to donate to the county of Onondago, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BROWNE: A bill (H. R. 14831) authorizing the Secretary of War to donate to the city of Grand Rapids, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14832) authorizing the Secretary of War to donate to the city of Shawano, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14833) authorizing the Secretary of War to donate to the city of Stevens Point, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14834) authorizing the Secretary of War to donate to the city of Waupaca, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14835) authorizing the Secretary of War to donate to the city of Wausau, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14836) authorizing the Secretary of War to donate to the city of Marshfield, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14837) authorizing the Secretary of War to donate to the city of Wautoma, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KENNEDY of Iowa: A bill (H. R. 14838) authorizing the Secretary of War to donate to the city of Washington, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GRIEST: A bill (H. R. 14839) authorizing the Secretary of War to donate to the borough of Columbia, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14840) authorizing the Secretary of War to donate to the borough of Elizabethtown, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14841) authorizing the Secretary of War to donate to the borough of Christiana, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14842) authorizing the Secretary of War to donate to the city of Lancaster, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SAUNDERS of Virginia: A bill (H. R. 14843) authorizing the Secretary of War to donate to the city of Danville, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14844) authorizing the Secretary of War to donate to the county of Henry, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14845) authorizing the Secretary of War to donate to the county of Franklin, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14846) authorizing the Secretary of War to donate to the county of Halifax, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. THOMAS: A bill (H. R. 14847) authorizing the Secretary of War to donate to the county of Muhlenberg, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CLARK of Florida: Resolution (H. Res. 511) for the consideration of House bill 13026; to the Committee on Rules.

By Mr. EMERSON: Joint resolution (H. J. Res. 394) to provide for the marking of the positions held by the American Expeditionary Forces in Europe during this war; to the Committee on Appropriations.

By the SPEAKER: Memorial of the Legislature of the State of Washington, requesting that the name of the Panama Canal be changed to the Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Washington, favoring the submission of an amendment to the Constitution of the United States giving woman the elective franchise; to the Committee on Woman Suffrage.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DENISON: A bill (H. R. 14848) granting an increase of pension to Lucinda Harris; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 14849) granting an increase of pension to Amos Langfield; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 14850) for the relief of John Healy; to the Committee on Military Affairs.

By Mr. SHERWOOD: A bill (H. R. 14851) granting an increase of pension to Darwin H. Hamilton; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolutions by Oregon State Reconstruction Convention, Portland, Oreg., relative to allowance and transportation, etc., of discharged sailors and soldiers; to the Committee on Military Affairs.

By Mr. CLARK of Pennsylvania: Petition of Mrs. L. B. Kimberly, Mrs. S. S. Ryan, Mrs. Baumgartner, Mrs. James J. Schmitt, of Erie, Pa., asking for repeal of postal-zone rate bill; to the Committee on Ways and Means.

Also, petition of citizens of Erie, Pa., for repeal of postal-zone bill; to the Committee on Ways and Means.

By Mr. EMERSON: Resolutions by Unit Lodge of Amalgamated Association of Iron, Steel, and Tin Workers, of Cleveland, Ohio, in favor of eight-hour law; to the Committee on Labor.

By Mr. LOBECK: Resolutions by Brotherhood of Boilermakers, Iron-ship Builders, and Helpers of America, Omaha, Nebr., favoring Government ownership of railroads for a period of five years; to the Committee on Interstate and Foreign Commerce.

Also, petition of Omaha Post Office Clerks' Union, Local No. 134, in support of House bill 13308; to the Committee on the Post Office and Post Roads.

Also, petition of theaters of Omaha, Nebr., protesting against 20 per cent ticket war tax; to the Committee on Ways and Means.

By Mr. MERRITT: Resolutions by citizens of Meriden, Conn., urging the return to the United States of the Twenty-fifth Division of the American Army; to the Committee on Military Affairs.

By Mr. MORIN: Petition of the Harris Amusement Cos., of Pittsburgh, Pa., protesting against the increase of tax on amusements, thus crippling the business and entailing an unjust burden on patrons; to the Committee on Ways and Means.

By Mr. POLK: Resolutions of Wilmington (Del.) Jovians, favoring Federal control of wire system, etc.; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDALL: Resolution of Ebell Club, of Los Angeles, Cal., favoring passage of Smith-Bankhead bill, retaining men crippled in industry equally with men crippled in war; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of Mrs. Minnie W. Hines, postmaster at Roosevelt, Minn., urging increase of compensation for fourth-class postmasters; to the Committee on the Post Office and Post Roads.

SENATE.

WEDNESDAY, *January 22, 1919.*

(Legislative day of Monday, January 20, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Moses	Smith, Ga.
Bankhead	Johnson, S. Dak.	Nelson	Smith, S. C.
Borah	Jones, Wash.	New	Smoot
Chamberlain	King	Nugent	Spencer
Colt	Kirby	Overman	Sterling
Culberson	Knox	Page	Thomas
Cummins	La Follette	Penrose	Thompson
Curtis	Lenroot	Pittman	Townsend
France	Lodge	Poindexter	Trammell
Gay	McCumber	Saulsbury	Walsh
Hale	McKellar	Shafroth	Warren
Harding	McLean	Sheppard	Watson
Henderson	McNary	Sherman	Weeks
Hollis	Martin, Va.	Smith, Ariz.	Wolcott

Mr. SAULSBURY. I desire to state that the senior Senator from Maryland [Mr. SMITH] is unable to be present at the session of the Senate to-day and will not be for a few days hereafter because of a serious accident.

Mr. CURTIS. I wish to announce the absence of the Senator from West Virginia [Mr. SUTHERLAND] on account of illness in his family. I will let this announcement stand for the day.

I wish also to announce the unavoidable absence of the senior Senator from Massachusetts [Mr. LODGE], and I will let this announcement stand for the day.

Mr. FRANCE. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK] and the Senator from Kentucky [Mr. BECKHAM] on official business of the Senate.

Mr. KIRBY. I announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON] on account of illness.

Mr. McKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] owing to illness. I will let this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the Senator from Mississippi [Mr. VARDAMAN], the Senator from Missouri

[Mr. REED], the Senator from Rhode Island [Mr. GERRY], the Senator from California [Mr. PHELAN], the Senator from New Mexico [Mr. JONES], the Senator from Alabama [Mr. UNDERWOOD], the Senator from Louisiana [Mr. RANSDELL], and the Senator from Florida [Mr. FLETCHER] are detained on official business.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WEBB, Mr. CARLIN, Mr. STEELE, Mr. VOLSTEAD, and Mr. GRAHAM of Pennsylvania managers at the conference on the part of the House.

The message also announced that the House insists upon its amendments to the bill (S. 3220) authorizing the Secretary of the Interior to make investigation, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel, and in producing commercial products, disagreed to by the Senate; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FOSTER, Mr. WINGO, and Mr. DENISON managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 11948) granting the consent of Congress to the Great Southern Lumber Co., a corporation of the State of Pennsylvania, doing business in the State of Mississippi, to construct a bridge across Pearl River at or near the north line of section 22 of the basis meridian, in the land district east of Pearl River, in the State of Mississippi, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. NELSON presented a petition of the Commercial Club, of Red Lake Falls, Minn., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

Mr. COLT presented a resolution adopted by the General Assembly of the State of Rhode Island, favoring the granting of additional pay to discharged soldiers, sailors, and marines, which was referred to the Committee on Military Affairs.

Mr. LODGE presented a resolution adopted by the Chamber of Commerce of Springfield, Mass., favoring the establishment of a department of education, which was referred to the Committee on Education and Labor.

ALLOTMENTS OF ENLISTED MEN.

Mr. McKELLAR, from the Committee on Military Affairs, to which was referred the bill (H. R. 13306) to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued, reported it with an amendment and submitted a report (No. 655) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH:

A bill (S. 5404) providing for the conveyance to the State of Montana of Fort William Henry Harrison Military Reservation for educational and other purposes; to the Committee on Military Affairs.

By Mr. HALE:

A bill (S. 5405) authorizing the Secretary of War to donate to the town of Harrison, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

A bill (S. 5406) for the relief of Frank Vumbaca; to the Committee on Claims.

By Mr. THOMPSON:

A bill (S. 5407) granting an increase of pension to Levi M. Starne (with accompanying paper); to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 5408) granting an increase of pension to Matthias V. Bridges (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 5409) granting an increase of pension to M. Cecelia Allen; to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 5410) granting an increase of pension to Dallas Thurman (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 5411) granting a pension to Catharine Derstine (with accompanying papers); to the Committee on Pensions.

By Mr. KING:

A joint resolution (S. J. Res. 216) looking to the construction of ships for foreign governments or corporations in the shipyards of the United States; to the Committee on Commerce.

FOOD SUPPLIES FOR EUROPE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

The VICE PRESIDENT. The question is on the amendment of the Senator from Pennsylvania [Mr. PENROSE].

The amendment was rejected.

Mr. ASHURST. I offer the following amendment to add a new section, and I ask that it be read.

The VICE PRESIDENT. It will be read.

The SECRETARY. It is proposed to add a new section, as follows:

That every soldier, sailor, and marine in the Army, Navy, and Marine Corps of the United States, upon receiving an honorable discharge shall be entitled to keep and retain as his own property the uniform, overcoat, and other articles of apparel he is wearing at the time of such discharge from the service, and no charge or debit whatever shall be entered against the account of any such discharged soldier or sailor or marine by reason of his retaining said uniform, overcoat, and other articles of apparel. And there shall be paid to every such soldier, sailor, and marine full pay for the 90 days next ensuing after the date of his honorable discharge.

Mr. KNOX. Mr. President——

Mr. ASHURST. I yield to the Senator from Pennsylvania.

Mr. KNOX. I wish to inquire of the Senator from Arizona whether this is to apply only to soldiers who are discharged after the passage of the bill or to what soldiers and sailors does the privilege extend?

Mr. ASHURST. It is impossible to hear the Senator's questions, there is so much confusion in the Chamber.

Mr. KNOX. I want to know whether this applies only to soldiers and sailors who are to be discharged after the passage of the bill or whether——

Mr. ASHURST. I may not have been very happy in the use of language, but it was the intention of the amendment that it should apply to all honorably discharged soldiers of the war with Germany, and I thank the Senator for calling attention to it. I think the amendment is lame in that respect, and I would welcome an amendment from the Senator making it certain, so that there can be no doubt about it.

Mr. KNOX. The Senator from Arizona can perfect his amendment to cover the idea if he approves of it. I think all should be included.

Mr. CHAMBERLAIN. May I interrupt the Senator from Arizona?

Mr. ASHURST. Certainly.

Mr. CHAMBERLAIN. There was a bill of that kind which passed the House some days ago and came to the Senate, and it was passed in the Senate with some amendments. I think it covers the very situation proposed by the amendment of the Senator from Arizona. I think it may lead to confusion if we undertake to add the amendment at this time.

Mr. ASHURST. I think the Senator's observation is correct. Therefore I further modify my amendment by striking out that part of the amendment which relates to uniforms and other articles of apparel. I ask leave to modify the amendment so as to add a new section, as follows:

There shall be paid to every soldier, sailor, and marine in the Army, Navy, and Marine Corps of the United States, upon his receiving an honorable discharge, full pay for the 90 days next ensuing after the date of his honorable discharge, which said sum of money shall be paid to him without regard to whether he was discharged before or subsequent to the signing of the armistice.

Mr. CHAMBERLAIN. There was a provision added to the very bill to which I have just referred allowing the men one month's pay. The Senator's amendment differs from that in that he proposes to give them three months' pay.

Mr. ASHURST. Three months' pay.

Mr. CHAMBERLAIN. There has been a bill already passed by the Senate for one month's pay.

Mr. ASHURST. There was, it is true, an amendment adopted on the revenue bill providing for one month's pay; but I apprehend that it will be some time before the conferees agree on the revenue bill. Moreover, while one month's extra pay was

proper, I feel persuaded, as I said the other day, in view of the fact that this $100,000,000 is a gift, a bounty, a charity, and I gladly support it, it is going to feed persons who if they come here will come to destroy, not enjoy, our institutions. It is going to men who know nothing, and most of them care less, about civil liberty as we understand it on this continent.

But, as I said the other day, better no charity than that grudgingly given, and so I am going to vote for the appropriation of $100,000,000.

Pardon me for a moment while I repeat what I said the other day. It is doubtful whether we have a right to use public funds for charity, but charity is so sweet, so gentle, and so merciful an attribute that we can not refuse to dispense any charity, especially when it is the other fellow's money that we are giving out.

But, as I said the other day, justice not charity builds government. You can not build governments on mercy and charity. It is justice that makes one love his country.

These young American soldiers of the great war were touched by the mysterious finger of duty. They left their gainful occupations. Many of them will have the currents of their entire lives diverted and changed.

I apprehend that probably 40 or 50 per cent of these soldiers do not at all need this $90 which would be paid to them, but there are many of them who will appreciate it and who can make immediate use of it in obtaining for themselves another position or in reassuring their old positions and putting themselves back again into the activities in civil life they once exercised. Had these young American soldiers not stepped into the breach and hurled back the Huns and saved us from the atrocity of the Bulgar, the Magyar, and the Turk we would have had no charity to dispense. We would have had no law and order and no civil liberty.

Mr. BORAH. Mr. President——

Mr. ASHURST. I yield, but I was going to yield the floor in a moment.

Mr. BORAH. I will wait until the Senator concludes.

Mr. ASHURST. I am glad to yield now.

Mr. BORAH. I was only going to say that I agree with the Senator from Arizona as to the attributes of charity, but I think with the Senator from Arizona also that as to this particular charity the amendment which he now offers helps to make it palatable.

Mr. ASHURST. I do not know what construction my friend places on my remarks. I said twice I regard this appropriation of $100,000,000 as a charity that is going to starving men, men whose indolence and neglect have lost a large amount of the world's supply of food.

Mr. BORAH. I do not disagree with the Senator. I say, then, the Senator regards it as a charity and also regards it as essential to sugar-coat the charity by this amendment.

Mr. ASHURST. If I can sugar-coat a nauseous pill, which pill is good for the physical body, I shall certainly sugar-coat it. I appreciate the humor of the able Senator. I repeat these young soldiers left civil life. They are going to be demobilized. It was wise and proper that they should have their uniforms. The amendment giving them their uniforms is not original with me. That was introduced by the senior Senator from Iowa [Mr. CUMMINS] two or three months ago. It is a worthy amendment, and I am glad it has passed both Houses of Congress. But I do insist, and I feel very earnest about it, that if we can afford, in view of the enormous drains upon our Federal Treasury, to give charity to those who do not understand our Government, do not appreciate it, and do not love it, surely we can do some meed and measure of justice to those American soldiers who have been taken out of civil life and have saved our civilization.

Mr. THOMAS. Mr. President——

Mr. ASHURST. I will yield to the Senator. I yield the floor.

Mr. THOMAS. Mr. President, I had not intended to take any part in this debate, for if the pending bill is to be passed at all, it should be passed as soon as possible. I have not yet determined whether I shall vote for or against it, because I have serious misgivings both as to the justice and the validity of our proposed action; but I can not allow an amendment of this sort to reach a vote without recording my protest against it. It is, in my judgment, the first of a series of measures designed to transform our splendid Army into a huge band of mercenaries, and to define their ideals of duty and patriotism by standards of monetary compensation. It is the introduction of a sinister feature into legislation as one of the aftermaths of this war, the fruits of which will be bitter, if, indeed, they do not ultimately spell financial ruin.

Mr. President, I yield to no man in my devotion to the American soldier, in my recognition of his magnificent performance of his duty, in the breadth and depth of his sacrifice, in the debt which civilization owes to him for its preservation; but I will not believe that an American Army every fought for a money compensation. If so, then duty becomes a sordid subject of financial reward and not of right or of conscience.

Mr. President, if it be true that because of the sacrifices which the soldiers at the front have made for the salvation of our institutions, we should place our hands in the Public Treasury, now almost empty, and take from it $350,000,000 and distribute it among them whether they need it or not—and the Senator says that a great many of them do not need it—why should we not recognize that principle of justice which the Senator invokes for his amendment and reward others who are equally entitled to consideration?

This war, Mr. President, was not fought in the trenches or at the front only. It was fought in this country; it was fought by every man manufacturing munitions; by every man in the shipyards; by every individual engaged in the performance of public service in the city of Washington; by every farmer sowing grain; by every planter raising cotton; by every woolgrower tending his herds and flocks; by every stock raiser increasing his herds; in other words, by every woman and every child engaged in the great work of winning this war in whatever capacity. This was a war not between armies, but between nations. It consisted of the mobilization not of men alone, but of material, of women and children; of the man behind the front as well as the man at the front.

Justice is said to be even-handed, and nothing is justice which is unequal in its operation. Why not, when these people at home have done all these things, give them each a suit of clothes plus $90? Instead of stopping at $350,000,000, why not do this thing by wholesale and devote $3,500,000,000 to this work of representing justice and paying men and women for the performance of their duty.

Mr. President, after all, this money is at our disposal. We can squander it if we will, but it comes from the taxpayer, who also has had something to do with the winning of this war. He labored harder than ever and the burden of his public contributions was multiplied many fold. It its last analysis, with a few exceptions, it falls upon the backs of the producer and the consumer.

Mr. President, if this country has been preserved only to enable us to pass on huge quantities of our revenues obtained by taxes to the soldiers, if we are to bankrupt what war has secured, I have some question whether it was worth saving.

I dread, Mr. President, to contemplate the effect upon the morale in civil life of this proposed congressional policy, which recognizes and establishes a money standard for public service. I by no means would oppose, on the contrary, I would advocate, and do advocate, that this Government care for every man who has, through disease or wounds, been so incapacitated for self-support and for the support of his family, the extremes of liberality; that is an obligation we owe. I want to see the Government exercise itself, as far as it can consistently do, to secure such employment for these men when they come home, but I do not want to look these boys in the face and say, "You have done well; what shall be the size of your tip? Uncle Sam has millions of money and expects to raise millions more; we will pay you in accordance with what you think the measure of your duty commands."

Mr. President, we hear of profiteers in this country and some patrioteers. If this amendment carries we shall soon have an army of pensioneers—a greater army of pensioneers than we ever had before. We may begin this practice of voluntarily giving these enormous sums of money to returning soldiers, but the time is not far distant when they will demand other sums as a right and not as a bestowal of congressional bounty. I do not believe in it.

I am appalled, Mr. President, at the enormous sums which are represented by bill after bill introduced into this Congress appropriating untold treasures for this, that, and the other object. A million dollars used to be a fair average for special appropriation bills. Then it became ten millions, and now it is a hundred millions. A bill was introduced yesterday, I believe, appropriating $100,000,000 for a very desirable object the Secretary of the Interior recommends. The pending bill calls for the appropriation of $100,000,000. And the Senator from Iowa wants another $100,000,000 for employment bureaus.

Mr. President, where are these funds coming from? We are extremely generous and liberal with other people's money; we pay our political debts with public money. We yield to the persuasions, the entreaties, and the threats of our constituents who want money out of the Public Treasury for unnumbered projects, and we give it to them. How long will this thing continue? There is great unrest in the country. Every scheme which can not finance itself comes to the Treasury and finds advocates

either at the other end of the Capitol or here, or both, and inasmuch as under our system of legislation a bill, regardless of its title, may contain legislation of any sort whatever, we load bills down with riders carrying appropriations for objects which are utterly foreign to the mind of the Senator or the Representative who drafted the original bill.

I do not want to see this policy of voting money to soldiers begun, but if it shall be, let us not confine our liberality with the public money to the man who wears the uniform. Let us give it to every man, woman, and child in the country who has served the Nation in its time of need. When you apply this policy of legislation to the present Army, I want to warn the Senate and the public that no man can foresee what the end of it will be. It will increase in mathematical progression as time goes on and taxes will increase correspondingly. While the taxpayer has been quiescent, marvelously quiescent, paralyzed, it would seem by his inaction, you will hear from him sooner or later; he will have enough of it before he lives very much longer; and when he rouses himself I predict that those who have been most liberal with the Public Treasury will be the first to announce their change of heart and seek atonement by insisting upon a frugality so rigidly economical as to arrest the machinery of administration. I trust, Mr. President, that this and all similar bills and amendments will be defeated, in the Senate, at least.

A Senator near me asks the pertinent question, "Have these boys asked for this gratuity?" I do not believe they have. I believe that the young American boy at the front, native and naturalized, feels ample compensation in the consciousness of duty performed in the maintenance of American standards and the contribution of his part to the salvation of his country's institutions.

Mr. KIRBY. Mr. President, I indorse much of what has been said by the Senator from Colorado [Mr. THOMAS], and I am opposed to this and to all other amendments to this bill. The government that adopts a system of procedure that will cause the individual citizen to lose his initiative and depend upon the Government for support and assistance rather than to rely upon himself has done its citizen a great injury, and when it has caused that sort of an opinion to prevail amongst all its citizens it has done itself an injury that ultimately will result in destruction. This is not the time or place, however, to settle our soldiers' compensation, and no Senator here is disposed to be more liberal to them than am I.

But without regard to that, the time has come, it seems to me, when we should proceed about this matter as it ought to be proceeded with. We have finished this war so far as the fighting is concerned, we understand, but the most important part of it still remains to be done; we must settle the matter finally and for the future, for our own and the world's benefit.

Our representative is yonder, in the greatest world's conference of all the ages. Our representative has committed us to this policy; he has said it will improve conditions to such an extent that we may bring about a successful termination of the conference, and that we may procure what ought to be obtained for the United States of America and for the world; that it will conduce and contribute to that end greatly. We have been committed to this policy by the President of the United States of America, the representative of this body and the Nation and of our entire people in the world's peace conference, and it seems to me the time has come when we should treat it upon that broad ground. If we do not propose to support this measure, then vote it down as a whole, but do not tie other amendments on to it. Let it be an expression of the Congress of the United States as to whether we will back up our representative and strengthen and extend his influence in the peace conference, as he has suggested should be done, in order to bring about a successful termination and ending of the war for us and for the world.

We are there insisting upon certain things for the benefit of the nations of the world. We fought this war for the freedom of the seas. Our declaration of war shows that; our entire policy shows it. We have fought other wars for the freedom of the seas, and we will fight yet other wars hereafter, if necessary, for the freedom of the seas for the United States of America if the principle is not properly recognized, adjusted, and concluded by the peace conference now in session in the Old World. That is what we have been insisting upon. Now we are there to finish the negotiations and conclude the matter. It has been thought by our representative that this appropriation will improve the conditions and our standing there; and I repeat that we ought to vote it up or vote it down without regard to anything else or any other question that might be tacked on to it.

There is a growing fear in this country, because of dissension expressed here, that we are not going to insist upon our rights in the peace conference. Why do I say that? Has not the head of the Navy Department of the United States of America already said that we must build the greatest Navy in the world? Why? Because of the fear, evidently, that the freedom of the seas will not be properly safeguarded yonder in the world's peace conference in session now. That sentiment has been voiced by the head of the Navy Department. There has been distrust manifested by the military branch of the Government in saying what? That we must maintain a large Military Establishment, and also by some of the Senators here in saying that we must have universal military training. What is the purpose of it all? In order that we may be prepared and able to protect ourselves against any and all of the nations of the world when the necessity arises, at any and all times. Why have the greatest Navy on earth? Only to protect our rights and secure the freedom of the seas, which can and should be safeguarded in the world's peace conference. Freedom of the seas means that all of our merchantmen, all our liners, and all our Navy shall have the right to the unrestricted use of all the seas of all the world in peace times and in war, subject only to those well-defined rules and practices that have from long usage grown up, been adopted, recognized, and established by international law and such others as shall be determined upon by the peace conference now in session. If we shall have the greatest Navy in the world, it will make no difference to us, of course, about the principle of the freedom of the seas. That is the condition that confronts us yonder. Our representatives are on the ground; our treasure has been expended; our soldiers have nobly laid down their lives at our country's call; the war has been fought and won; and now let us conclude the peace terms and close it out successfully. Our representative, the President, has said that it can best be done by this contribution to alleviate the starvation and want of the people of the nations of the world, who must have help now, and we are the people to supply it. Shall we disparage the influence of our representative, the President of the United States, by refusing to follow his recommendation at the very time when it ought to be greatest?

We are committed to this policy by him, we are committed to this recommendation; we are able to carry it out; I believe it will be worth the money; and I say here to-day and now that we ought to pass on this bill alone, by itself, absolutely separate from all other questions, and either vote for it or vote against it; and, so far as I am concerned, I am going to vote for it.

Mr. JONES of Washington. Mr. President, whatever my personal views may be with reference to the amendment of the Senator from Arizona [Mr. ASHURST], I do not believe that it ought to be put on this bill. We have already acted along the lines of the amendment, not going so far, however, as the Senator from Arizona would go, and probably not so far as I would go; but, as I have said, I do not think that it ought to go on this bill.

In connection with certain discussions that have been had with reference to it, I think it quite appropriate that I should read a letter that I received this morning from a soldier with reference to the proposition involved, and especially referring to a proposition being advanced in the country, which seems to have a great deal of support behind it. It is being urged very strenuously that the Government of the United States should pay $300 to every soldier upon his discharge. I am getting letter after letter urging this. I received several such letters this morning.

As I have said, I have a letter here from a soldier which I wish to read. I believe that it expresses very largely the views of the soldiers themselves, and I am going to read it. It is dated January 15, 1918, but it evidently means 1919, and is from a place in my State.

> I might preface my remarks by saying that I am a returned soldier, and as such I believe my opinion has more weight than that of a number of people who are advocating giving the soldiers who are discharged something for nothing. I refer to the agitation to give each man $300 to assist him in reestablishing himself in civil life. It is my opinion that while each man who is discharged should receive some extra compensation, that sum of money, above mentioned, given to the men would serve more to promote idleness than to encourage a keenness for seeking positions of usefulness in civil life.
>
> The men in the camps awaiting their discharge are at the present time practically wasting their time doing "bunk" fatigue, as we called it, and idleness started in this manner should receive no further subsidy after a man is discharged.
>
> I do not believe, however, in the present policy of sending the men away from the camps practically penniless, because a fellow needs about $100 to outfit himself with civilian clothing and support himself during a reasonable period of time prior to employment.
>
> A sum which is comparatively small to the $1,200,000,000 necessary to pay each discharged man $300 could be spent far more effectively in enlarging the activities of the Federal Bureau of Labor, and cooperating with the States in reclaiming lands, stimulating land settlement, and making permanent public improvements, and in many other ways aiding in the employment of returned soldiers, unable otherwise to secure work.

This man does not even ask the Government to give them that gratuity of $100. He says that they are ready and willing to work for it.

When I entered the service I sacrificed much, but feel that the self-satisfaction from making the sacrifice would be largely counteracted by any money I am not entitled to now. When I was discharged I felt that all the country owed me was enough money to get out of the uniform and support for a month while I was locating some work which I was fitted to do.

That letter comes from a returned soldier. He signs his name to it. I shall not put the name in the RECORD, however.

Mr. THOMAS. Mr. President, I was going to ask the Senator to put the name of that writer in the RECORD, because he is a typical American soldier and I think deserves the thanks of the Senate for expressing himself so candidly and so patriotically upon a very important proposition.

Mr. JONES of Washington. He signs his name. He does not give it in confidence. He does not ask me to withhold his name, and I appreciate the suggestion of the Senator from Colorado and sympathize with it; but I also know what he might be subjected to if his name were published, and I believe I shall withhold the name at this time, at any rate.

Now, Mr. President, I am going to take just a few minutes in connection with the bill.

I do not know of any measure that has disturbed me so much as this measure. The more I examine the detailed reasons given for the passage of the bill the less reason I find for voting for it; and yet, when I look at the situation as it is, I am rather inclined to think that I shall support it, but not on the grounds of charity; not upon the detailed reasons set out in the various cablegrams that have been read to the Senate as to why it should pass, and what it will accomplish, and what it will bring about. I do not believe that the passage of this measure will hinder the growth or development of bolshevism. Really, I am afraid that it will encourage it rather than retard it, for reasons that I shall not take the time of the Senate to go into; but, Mr. President, this is the situation as it appears to me:

The war, no matter what we may say, is not yet ended. It has not been concluded. The President of the United States is striving to secure a peace that will conclude the war. He is our constitutional representative, acting within the limits of the Constitution and, I think, within the powers given to him. He has seen fit to place himself upon the peace commission, and he has gone to Europe to negotiate, upon the part of the United States, a peace that will conclude the greatest war that the world has ever experienced. He is there as our representative. As a matter of fact, he is our real representative on that commission. The other members of the commission are simply puppets or dummies upon the commission. The President is the commission. Whatever he says, so far as the action of this country is concerned, will be done. He represents us and our country. Now, he says to us this in his cablegram:

Food relief is now the key to the whole European situation and to the solution of peace.

Mr. President, I may not agree with that utterance; I may not believe that the President is right in expressing that opinion, or that his judgment is correct, but he is on the ground. He ought to know the situation better than I do; and as the representative of this Government, as the Commander in Chief of our Army, as the constitutional representative of this country in the negotiation of a treaty of peace, he solemnly states to Congress that the food situation is the key to the solution of peace, and he asks us to pass this measure as a measure to help in bringing about peace. In other words, he asks the passage of this bill as a war measure, as a measure to properly conclude this war.

I have voted during the conduct of this war for many measures the wisdom of which I doubted. I have supported every proposition that was considered necessary and essential to the proper prosecution of this war; and if the President is right in this statement, this measure is just as essential as a war measure, as a measure to conclude the treaty of peace that we hope will end war hereafter, as any other measure that has come before Congress during the last two or three years.

Mr. President, if I vote for the measure—and I rather think now that I will—it will be solely upon that ground. I hope the amendments that have been put in the bill will be eliminated. They ought not to be in this measure. If this is necessary, the President ought to have it without any strings on it. If it is not necessary, if we do not believe that it ought to be passed, then we ought to reject it outright.

Now, Mr. President, I am going to take the time of the Senate for just a few minutes to discuss briefly a matter that was referred to incidentally yesterday, a matter that I think is of tremendous importance, and the facts regarding which the American people should know.

I am not disposed to criticize the administration for every mistake made in connection with the war. Mistakes were bound to be made in the carrying on of such a huge undertaking. We may justly be more critical now, although mistakes will occur now for which no one can be justly blamed. The winning of the war, however, will not now furnish an excuse for failures that common prudence and reasonable business judgment would have avoided.

There is a great deal of talk about reconstruction and the problems of reconstruction. The problems that confront us are not the problems of reconstruction, but the problems of readjustment. Our cities, properties, and industries have not been destroyed. Growth and development have simply been stopped or checked. Industry, energy, and resources have been diverted from their usual activities into war production and activity. The problem now is to readjust and get back to normal.

Labor must go from war work to peace work. Its hours must be rearranged. The demand for it will doubtless affect wages. Capital must seek new lines of employment. Its use and activity will depend much upon the prospect of a good return. Its activity will greatly affect labor. If capital is idle, labor is unemployed.

There is much agitation now for undertaking all sorts of governmental works in order to furnish employment for war workers and returning soldiers. We may have to resort to some such means as a sort of reservoir to care for surplus labor until reasonably normal conditions come about. Whenever and wherever capital desires to make a legitimate investment that will employ American labor and demand American material, can anyone imagine a good reason for denying it the privilege of doing so?

Governmental agencies, however, are doing that very thing right now, and I hope this will receive attention. It deserves attention. It deserves the attention of Congress, and it seems to me it ought to command the attention of the people of the country, when they know what is being done. With men by the thousands going without work, capital is denied the right to engage in work that would employ thousands of laboring men and keep them employed for months to come. For such action I can see no justification. It is more than a mistake. It is utter incompetency. The facts are undisputed, and the responsibility is clear. I propose to call to the attention of the Senate and of the country a few of these facts, and I also propose to show where the responsibility lies.

We are engaged in carrying on a great shipbuilding program. Three billion or more dollars of the people's money are being put into shipyards, docks, and ships. The old American spirit that helped put American ships in every port and our flag on every sea is awakening. With an eye to the future, American capital has gone into American shipyards or is ready to go into the shipbuilding industry, notwithstanding governmental activities. While the war was on these yards were a great national asset. Now that the war is closed why should they be denied work that seeks them and that would in no way interfere with the Government's program?

What are the facts? When the war ceased Norway wanted a million tons of wooden ships built. Her tonnage had been ruthlessly destroyed. She wanted to replace it. To her seafaring people the world's sea commerce was most inviting. Her capitalists came to our shipyards. The yards were ready to build these ships, but permits to build for foreign account had to be secured from the Shipping Board. They could not be secured. These contracts went to British builders. American labor was idle, American capital unemployed, American material unused.

On December 6, 1918, the Shipping Board removed the restrictions against building wooden ships for foreign account without a permit, and since then American yards can build wooden ships for foreign accounts without waiting for permission from the Government. This opportunity is gone, however. One or two hundred millions of dollars that should have gone to our labor and producers has gone to a foreign country that was wise enough to act for her own interests as soon as the war closed. Forty wooden ships are to-day building in British Columbia that would have been built at Tacoma, Wash., if a permit could have been secured. Is this a mere mistake? Is there any reasonable excuse for it? Thousands of American laborers are idle who would have had months of employment at good wages. Does this aid in reconstruction, in readjustment?

There are idle shipyards in this country to-day. Capital wants to let contracts for the construction of steel ships. These idle shipyards can not take these contracts. Why not? Because these ships are for foreign account, and these yards can not take

contracts for foreign account without a permit from the United States Shipping Board, and the United States Shipping Board will not give the permits. Perhaps it would be better for me to say it can not give them, for the reason that I shall show just a little bit later.

Mr. WEEKS. Mr. President, I wonder if the Senator is going to refer to an article that appeared on the first page of the Washington Post this morning, which indicated that there was a difference of opinion between the President and Mr. Hurley as to what the policy should be in this matter.

Mr. JONES of Washington. Mr. President, I did not intend to refer to that article. I saw it. It is the surmise of a newspaper man. He does not know anything about it. There are all sorts of surmises around here as to why this policy is being pursued. I have had no intimation from any source that Mr. Hurley believes differently, or believes in a different policy; but I have an authoritative statement showing how the other members of the Shipping Board feel about it, and I shall refer to it a little bit later on.

The Foundation Co. put in a wooden-ship yard at Tacoma, Wash., and other yards elsewhere. This yard was put in with French money and took a contract to build 20 wooden ships for France. It completed its contract a short time after the armistice was signed. France wants steel ships. She wants them in a hurry. She began negotiations with the people who had invested their money in the shipyards at Tacoma and Portland and at other points in this country. She wanted one hundred and fifty 8,800-ton ships. These wooden-ship yards could be converted into steel yards in 60 days. The owners wanted to do it. They could not get a permit, however, to build these steel ships. The Tacoma yard is idle to-day, although it is anxious to construct these ships. American labor is unemployed and American material is unused. I am reliably informed that the French have let contracts to British shipbuilders for over 300,000 tons of these steel ships, and it is very likely that contracts will soon be let for the whole amount. Our policy may be wise, but I can not see it. The American people may applaud it, but I do not believe so. Such a course may assist in readjustment, but it seems to me it will make it more difficult.

The Norway-Pacific Construction & Dry Dock Co. has put in a splendid yard at Everett, Wash. I had an opportunity to visit that yard two or three months ago. It is up to date in every respect. They have invested hundreds of thousands of dollars in getting ready, hoping, of course, to get contracts from the Government for the building of ships, as well as contracts from private people. It is ready and anxious to build ships. It can get no contracts from this Government. Norwegian interests are anxious to give it contracts for several large steel ships, ships of 12,000 tons and over, costing a million and a half or two million dollars. It can not take them because it can not get a permit from the United States Shipping Board. That shipyard is idle.

Mr. HARDING. Mr. President——

Mr. JONES of Washington. I yield.

Mr. HARDING. Does the Senator know of any good reason why these permits should not be granted?

Mr. JONES of Washington. I am going to give the reasons in just a little while.

The labor of that community is unemployed, and these contracts will doubtless go to another country and the employment of other labor.

I want to read an extract from a letter that I received the other day from this company. It says:

> Our yard is now practically completed and we are in a position to take on contracts for three years' work the minute we are authorized to construct for foreign account, and, as you know, our yard will alone employ from three to four thousand men, and as we are going to give preference to returned soldiers, there seems to me to be an additional legitimate reason why the Shipping Board should act.

Talk about the necessity for reconstruction and the necessity for readjustment, where is there a better aid to readjustment and reconstruction than to permit our capital to work when it wants to work and when demands upon it are being made that it can fulfill?

Mr. President, Italy wants steel ships built. She needs as many as France. Her capital has come to our shipyards. It has sought contracts from them. They can not build for her. Why? They can not get any permit from the United States Shipping Board.

I may be wrong, but it seems to me almost criminal that our people can not take these contracts. It is past belief that any Government would deny to its labor and its capital such opportunities for employment. Contracts of a half billion dollars or more would have been let in this country for this kind of work if this policy had not been pursued.

Why does the United States Shipping Board follow this policy? Why does it deny these permits? Why does it not aid in our readjustment problems by allowing these hundreds of millions of foreign capital to come in here and employ our labor and buy our materials? Let it speak for itself. In a letter to the Commerce Committee of the Senate regarding S. 5292, "Making it unnecessary to secure permits from the United States Shipping Board for the construction of ships in American shipyards for foreign account," introduced by me, it says, through its acting chairman:

Now, listen. This comes from the Shipping Board itself; and I have the letter in my hand, dated January 18, 1919, addressed to Hon. DUNCAN U. FLETCHER, chairman of the Committee on Commerce, United States Senate, signed by John A. Donald, acting chairman. He says:

> I may say that ever since the signing of the armistice the board has been constantly giving its interested attention to the subject touched upon by this bill. Those of us who are here—

And, Mr. President, the great majority of that board is here—

> Those of us who are here are quite firmly of the conviction that permission should be granted to American yards for constuction therein of vessels for approved foreign account.

So the United States Shipping Board would grant these permits. It would remove these restrictions. Why does it not do it? Woodrow Wilson, President of the United States, will not let it do it. How do I know that? In answer to my resolution, Senate resolution 389, the United States Shipping Board, called on for information with reference to these matters, submitted a report. The report is now in the hands of the Senate, Senate Document 334, that any Senator can get. The Shipping Board says, and it refers to this in the letter to Senator FLETCHER:

> On the same day war-time restrictions upon the construction of steel ships in American yards—

Referring to the date when the restrictions were removed with reference to the building of wooden ships—

> On the same day war-time restrictions upon the construction of steel ships in American yards for domestic account were removed, but the restriction upon such construction for foreign account have not been removed.

Listen!

> This restriction remains in force temporarily by direction of the President, whose delegate the Shipping Board is in the exercise of his authority.

There is the reason why the Shipping Board, notwithstanding its firm belief that these restrictions should be removed, does not remove them.

Mr. President, I shall not speculate upon why the President does not remove these restrictions. I shall not speculate as to why he prevents our people from getting these contracts and allows the contracts to be turned to foreign yards that will be competing with us not only in the building of ships but in the operation of ships in the world trade in the very near future. He has not thus far seen fit to give any reasons to us or the people for this policy.

Mr. President, we were asked to give up our just rights in the Panama Canal to help the President solve mysterious problems between this country and another country. We did it, and to this day no one knows what benefit it was to us.

Mr. POINDEXTER. Mr. President——

Mr. JONES of Washington. I yield to my colleague.

Mr. POINDEXTER. In this connection, at the time that under the peculiar request of the President Congress repealed the so-called free-of-tolls law, which had been placed upon the statute books, giving the benefit of this great waterway to American ships, it was asserted that treaties which we had with Great Britain required American ships to be upon the same basis as foreign ships. The sham and the fiction in that proposition is obvious from the fact that to-day and at all times since that proposition has been made American naval vessels pass through the canal without paying toll, while the naval vessels of other nations are required to pay toll, thereby demonstrating in actual practice that they do not believe and do not put into effect the proposition that there is any treaty requiring ships of America to be put upon the same basis as those of foreign nations.

Mr. JONES of Washington. My colleague is entirely right. After the armistice was entered into, and the war was practically over, Mr. Redfield, Secretary of Commerce, recommended that the United States should stand back and allow other countries to have the first chance at the world's export trade in order that they may rehabilitate themselves.

That seems to be the policy of reconstruction and readjustment that this administration would follow. It does not make any difference what the party designation of the administration is, I ask is such a policy in the interest of the American people

and American industry and American labor? Does it meet, can it meet, with the approval of any patriotic American?

And now, when we are confronted with the perplexing problems of peace, the President himself refuses to permit our shipyards to take contracts to build steel ships for foreign account. Foreign shipbuilding contracts are sought in American shipyards. These shipyards can not take these contracts because they can not get a permit to do so from their own Government. American shipyards are closed. American labor is idle. American resources are unused. Hundreds of millions of foreign capital wanting to come here is directed to foreign countries. Why? Because an American President, using the power given to him to carry on the war, refuses, for undisclosed reasons, to permit our people to take these contracts and build these ships. No reason is given to justify this action. None can be given to justify it.

It may be all right to try to rectify all the wrongs suffered by any country or people in Europe. It may be necessary to appropriate millions of dollars to enable the President to consummate a peace in harmony with his idealistic hopes and aspirations, but while we are doing this we have a right to ask him to have some regard for the rights and interests of our own people. Other peoples and governments are looking after their own interests. They expect us to look after ours, and our people have the right to expect and to demand that an American policy be followed, protecting, safeguarding, and promoting the rights, interests, and welfare of the American people, labor, and industries.

Mr. ASHURST. Mr. President, in reply to the distinguished Senator from Washington, he will bear in mind that my amendment is not an amendment proposing to pay $300.

Mr. JONES of Washington. No; I understood that.

Mr. ASHURST. I now ask unanimous consent to further perfect the amendment. I strike out the words "90 days" and insert "60 days," so that it will be only 60 days' pay. I wish further to perfect the amendment by adding at the end of the amendment the following proviso:

Provided, That payments made hereunder shall be confined solely to privates and noncommissioned officers.

I do not wish to say anything further.

Mr. THOMPSON. The two Houses of Congress have already passed a bill providing for one month's pay?

Mr. ASHURST. Yes.

Mr. MARTIN of Virginia. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Moses	Smith, S. C.
Bankhead	Hollis	Nelson	Spencer
Borah	Johnson, S. Dak.	New	Sterling
Calder	Jones, N. Mex.	Nugent	Swanson
Chamberlain	Jones, Wash.	Overman	Thomas
Colt	Kenyon	Page	Thompson
Curtis	Kirby	Pittman	Townsend
Fletcher	La Follette	Poindexter	Trammell
France	Lenroot	Pollock	Underwood
Frelinghuysen	Lewis	Pomerene	Warren
Gay	McKellar	Saulsbury	Weeks
Gerry	McLean	Shafroth	Williams
Hale	McNary	Sheppard	Wolcott
Harding	Martin, Ky.	Smith, Ariz.	
Henderson	Martin, Va.	Smith, Ga	

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. A quorum is present.

Mr. McLEAN. Mr. President, so many reasons have been urged by my colleagues in opposition to the pending bill that seem to me to have no bearing whatever upon the merits or demerits of the measure that I desire to state my reasons for voting for it. I think I can do so in a half dozen sentences.

It is an opportune time, no doubt, to call the attention of the Senate to the fact that there are a great many people in this country to-day who feel that our official charities, our national charities, are beginning and ending a very long way from home. We have given by voluntary contribution hundreds of millions of dollars to save our friends in Europe from disease and hunger. We have loaned to our allies billions of dollars for the purpose of enabling them to sustain their fighting strength during the war and to sustain their industrial fabric after the war until it can be readjusted to peace conditions. I am informed that the munition factories in France are still in operation, and that the bills are being paid with money which we have loaned to France. It is not strange, therefore, Mr. President, that the fifteen or twenty thousand munition workers who have been summarily discharged from the munition factories in the State of Connecticut should wonder why this Government should not be able to extend to them the same consideration that the French Government is extending to its war workers. If it had not been for the munition workers of Connecticut, the Germans would have been in Paris by Christmas, 1914.

We have been informed in this debate that there are two or three hundred thousand men in this country who have already been discharged from their employment and are unable to find reemployment. I know that Mr. Gompers, the president of the American Federation of Labor, testified only a few days ago before the Committee on Education and Labor that little or nothing had been done to carry labor from a war to a peace basis; to use his exact language, he said that we were worse prepared for peace than we were for war when war was declared. This situation is to be lamented; there is no doubt about that. The lack of vision and the surplus of incompetency that has characterized the executive departments of this Government for the past six years are to be regretted; but it does not seem to me that this fact argues that Congress should abdicate its responsibilities in the premises. The fact that we have left undone in this country a great many things that ought to have been done does not argue that we should continue that policy in this country or extend it across the water.

I do not look upon this appropriation as a charity. I look upon it as a war measure. If the President accomplishes what he tells us he expects to accomplish, it will be the best investment that the United States of America has ever made. As a taxpayer, and, I believe, representing the taxpayers of this country, I shall vote for this bill because the taxpayer knows that it is a great deal cheaper to buy peace than it is to fight for it, if it can be done honorably—and there is nothing dishonorable in acting the good Samaritan.

We hope that the war against imperialism has been won. It has been a war of destruction; it has cost the allies, including this Government, more than $100,000,000,000 and more than 10,000,000 precious lives. Now, it seems to me, Mr. President, that it will be very much wiser for the United States to invest a hundred million dollars a month for the next two or three months if it is necessary to win the war that is now on—the war against anarchy and ignorance—than it will be to decline to do it until possibly our honor is again involved, for that will mean the killing of more American boys and the expenditure of billions of dollars. We have had enough of that. It seems to me, sir, that this is no time for penny wisdom. We must see this thing through, for every taxpayer in this country knows, and I think every patriot knows, that if ignorance and anarchy are permitted to throttle democracy in Europe in the next six months there will be no peace anywhere for anybody during the next 25 years. That is the reason why I shall vote for this bill.

I believe this legislation is wise from a purely humanitarian standpoint, but I also believe that it is wise as a pure business proposition. I think it is wise because I do not see how we can expect to fulfill the mission which we undertook in April, 1917, unless within the next few months we secure not only armed peace but also industrial peace in Europe.

It is all very well for the eloquent Senators who have preceded me to state their belief that we ought to have an American policy; that we ought to protect our soldiers, and so forth. So we ought, and we are trying to do it this morning. We ought to protect our civil liberty in this country, as was so ably presented by the distinguished Senator from Ohio [Mr. HARDING] yesterday. All these things we ought to do, but in doing them why should we postpone a simple proposition like that presented by the President of the United States, calling for what I believe to be a wise investment, an insurance that within a reasonable time we may expect to have industrial peace and law and order established in Europe, without which the future of this country might be such that I dare not attempt to describe it?

The Senator from Pennsylvania [Mr. PENROSE] has introduced an amendment, the purpose of which is well enough, but the effect of which will be to postpone ultimate action upon this measure beyond the time when it will do any good. He ought to know that, if it is adopted, it will not in any way change the personnel of the men who will administer this fund. The President will nominate Mr. Hoover as the chairman of the commission, and he will either be confirmed or this bill will never become a law. For that reason I shall vote against the amendment. I believe that time is the essence of this transaction if it is to be of any benefit to this country.

Mr. TOWNSEND. Mr. President, like other Senators, I have had much difficulty in making up my mind as to how I should vote on this measure. When it was first submitted to the House, indeed after it came to the Senate, my heart prompted me to support it because I confess that I looked upon it more as a matter of charity than in any other light, and I knew there must be great suffering in Europe; but the discus-

sion of the matter since it has come here has disillusioned me. Now, its proponents all claim, I believe, that charity has nothing to do with it; that we are about to vote this appropriation upon the request of the President, because he has stated that this action is necessary in order to enable him to carry out his plan as the representative of this Government at the peace conference.

I have read his reasons, if they can be called such, as stated in his cablegram, in which he says that food is now the key to the situation, because Bolshevism can be stopped not by force but by food. I take it, therefore, that this is the object he has in asking for this appropriation. It seems to me scarcely thinkable that any amount of money which we might appropriate now would stop Bolshevism, because, if it is simply a proposition to buy off the people who are against law and order, the money which they thus easily obtain will have to be duplicated many, many times, and we shall get no such results as are anticipated, and this appropriation is but the beginning of a scheme involving the expenditure of billions of money.

Since the war began I have voted, as other Senators have, for very many measures on the ipse dixit of the President. We have felt in our hearts that many of those measures were wrong, and I submit that experience has demonstrated that we were right; but yet we were told they were necessary to win the war, and therefore we were practically coerced into supporting measures which our judgment told us were not proper ones to pass.

The President has said several times that the war is over, and yet he now presents this proposition to us as a war measure. We knew nothing about what the policy of the President was when he started on his self-appointed mission to Europe. We have learned nothing authentic about it since. We know more about royalty in Europe than we ever heard of before, and of the overloads of generosity to our President and his estimable wife, but we know nothing of the peace plans. We read now and then of secret conferences that are being held by our President and certain prominent people in Europe, but "open covenants openly arrived at" have not been obtained and, it seems to me, have not even been seriously attempted; so that the Congress of the United States knows absolutely nothing about what policy the President may have in mind. It is this doubt which causes me to hesitate in this matter.

It is claimed that he is over there for the purpose of setting up governments. There are many eminent Senators in this body who believe that that is a proper thing to do. I have never had any sympathy with that idea myself, Mr. President, because I have felt that our business after destroying the Imperial German Government was here at home, and that we could not afford to set up governments all over Europe, doubtful experiments, to be maintained by armed forces supplied by citizens of the United States. I think it will develop into a very bad policy; and yet, if we are to believe the press and the advocates and the supporters of the President here, that is one of the things the President is trying to do.

It was reported that he was passing over Europe for the purpose of creating public sentiment in Europe in favor of his ideas of what ought to be done at the peace convention. I have forgotten who it was, but one Senator expressed my thought, on yesterday, I think, when he asked, What would we think here in the United States if that conference had been called at Washington and peace representatives of France, Japan, and England were here traveling through our country addressing our people for the purpose of creating sentiment in favor of such propaganda as they might see fit to inaugurate? I have felt that it was the duty of our representative—because we have only one—to go to Europe to confer with the representatives of the allied nations, not to confound them by inciting public opinion against them.

Mr. LEWIS. Mr. President——

Mr. TOWNSEND. Did you notice this morning in the press—I have not the paper with me, but Senators will recall its glaring headlines in the Post—where it was stated "Wilson, France, and England" are conferring over the disposition of Russia?

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Does the Senator from Michigan yield to the Senator from Illinois?

Mr. TOWNSEND. In a moment. Think of the proposition for a minute. An individual is named—not the United States but "Wilson," as the paper calls him, in conference with France and England! Our one representative over there, whose plans and policies are unknown to the people of the United States, suggests this doubtful proposition, as it seems to me, which proposes to appropriate $100,000,000, not for charity, not to relieve the suffering people of Europe because they are suffering, but to be used as a bribe for the purpose of buying Bolshevists into good behavior.

Now I yield to the Senator from Illinois.

Mr. LEWIS. Mr. President, in justice to history, and conscious of the very eminent fairness of the able Senator from Michigan, replying to the observation which attracted the Senator's attention, asking what our people would think if some foreign representative came to us to inculcate his doctrines, I beg to call the eminent Senator's attention to the fact that we sent Henry Ward Beecher, one of the eminent divines of the earth, to England, and there he espoused and presented the cause of our Republic and the doctrines of Mr. Lincoln to the people of England, with a view of avoiding their sympathy with those who were seeking secession and destruction of the Republic.

I also invite my eminent friend to recall that Kossuth, of Hungary, came to this country, and was entertained, as he should have been, to present the doctrines of liberty for people rising against an imperial despotism, and we received him gladly, as I am sure any other delegate upon a similar mission would be received.

I merely ask my able friend, knowing his eminent fairness and scholarly attainments, if he does not recall those illustrations as very pertinent to the occasion?

Mr. TOWNSEND. I do, Mr. President, now that the Senator has brought them to my mind; but the cases are not parallel. Beecher was sent to a neutral nation that was not interested in a controversy between the two divisions of the United States. It was perfectly proper to create sentiment in favor of a proposition on the part of neutral nations; but France and England and Italy are vitally interested in the questions that we are interested in, and have all selected delegates to meet in common council to represent their Governments. In my judgment, it is entirely improper for a representative of this Government to that conference to try to influence the constituents of the representatives at the peace conference of a foreign country. The cases are entirely different.

But, Mr. President, I do not wish unduly to criticize the President, although now it seems to me the ban is off, and we as a Congress ought to act according to our judgment. We have a right to demand that there shall be light thrown upon this subject before we vote these hundred million dollars. The Senator from Connecticut says it is a cheap investment to appropriate $100,000,000 for the purpose of establishing law and order in Europe. Oh, indeed, it would be. If that were assured, if that were the probable outcome of the investment, I should say by all means it was the proper thing to do. I feel sure it will not even contribute to that result.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Virginia?

Mr. TOWNSEND. I do.

Mr. SWANSON. I hope the Senator desires to be fair in stating the proposition of the President. As I understand, the proposition of the President resolves itself into two heads. First, he states that there is a necessity for food, there is starvation, there is want, in Europe. He makes that proposition. He is there. He has made an investigation. On the question of charity alone, it seems to me, we should respond to that. But he goes further. Outside of a question of charity, the self-interest of the world demands that a condition of starvation, of lack of food, of want, should be eliminated, because if it is not, the people who are in want, and starving, and lack food, are dangerous. They have Bolshevism. They are anarchistic. Consequently, the President submits to the American people two propositions. From the standpoint of charity this should be done. From the standpoint of self-interest alone it will be wise to make this appropriation. It seems to me that would be a fair interpretation of the President's message.

Mr. TOWNSEND. Mr. President, the junior Senator from Virginia is the only proponent of the measure whom I have heard who admits that one of the objects of this bill is charity. Every other man whom I have heard—I presume there are other Senators who have said it; perhaps the chairman of the committee did, but I did not hear his statement—all of the other Senators who have spoken on this subject, in favor of the appropriation, said that it was not charity and that they would not support it if it was.

Mr. SWANSON. I am not discussing the other Senators. I am not discussing what other Senators say. The Senator was criticizing the position of the President of the United States. I say that any fair, just interpretation of his message would have two points in it. There is want, there is lack of food, there is starvation, in Europe. Charity ought to justify us in

making the appropriation. But, further than that, the President takes the position that even if we did not do it for charity, wisdom, sense, and judgment require us not to have Europe in a state of starvation, because starvation produces anarchy; starvation produces conditions that are opposed to order and the best interests of humanity. It seems to me that any fair interpretation of the message sent by the President would convey those two ideas.

Mr. TOWNSEND. Mr. President, in the discussion of this question I have been trying to answer some of the arguments that have been presented in favor of the passage of this measure; but, as the Senator suggests, I certainly do not wish to be unfair to the President. As disclosed by his cablegram to his private secretary, Mr. Tumulty, he said this—it has been placed in the RECORD several times:

I can not too earnestly or solemnly urge upon the Congress the appropriation for which Mr. Hoover has asked for the administration of food relief. Food relief is now the key to the whole European situation and to the solution of peace. Bolshevism is steadily advancing westward, has overwhelmed Poland, and is poisoning Germany.

I supposed that Germany was about as thoroughly poisoned as it was possible to imagine; and if this argument is of any effect, that you are going to stop the spread of Bolshevism—because that is the object of this appropriation, whatever the Senator from Virginia may state; the object is to bring about peace through the checking of Bolshevism, which——

Mr. SWANSON rose.

Mr. TOWNSEND. I will ask the Senator not to interrupt me until I finish this statement—which the President states has spread over Poland and is poisoning Germany; and yet Germany is one of the parties to be considered in this peace convention. It is to make a peace growing out of the war with Germany; yet Senators admit here that no part of this money must be expended in Germany. No part of it must be expended there, but the poisoning process must be continued, for by amendment the money can not be used to check Bolshevism or to prevent starvation in the central governments. Yet, I submit, if there is any logic at all in this proposal, if there is any reason for this appropriation, some of it ought to be spent in Germany for the purpose of feeding people there and stopping Bolshevism, in order that a government may be established which can be dealt with by the United States; for whatever treaty is made affecting all the nations of Europe, it must take in those governments which will grow out of Germany when it is reconstructed.

Mr. SWANSON. Mr. President——

Mr. TOWNSEND. I yield now for a question.

Mr. SWANSON. I was suggesting that the Senator had not entirely interpreted properly the message of the President. He says the issue in Europe is food. Lack of food encourages anarchy and Bolshevism. Now, those are the two propositions, it seems to me, from the very sentence that the Senator read from the message of the President.

Mr. TOWNSEND. I will put it all in, and let the Senate and the country decide whether I am right or wrong in my interpretation.

Mr. SWANSON. Let me ask the Senator this question: If Germany is not included, the Senator can correct that very easily. If that is the reason why he does not favor it, he can very easily correct that by offering an amendment to include Germany.

Mr. TOWNSEND. No; I do not oppose it for that. I do not favor it at all; but I say the bill has already been amended so as to exclude the expenditure of any money in Germany, Austria, Bulgaria, or Turkey.

Mr. SWANSON. But if the Senator thinks that is wrong, he can offer an amendment to correct it.

Mr. TOWNSEND. I do not think it is wrong.

Mr. SHAFROTH. Mr. President, will the Senator indicate from what page of the RECORD he is reading?

Mr. TOWNSEND. I am reading from page 1753. I supposed that everybody had read the President's message to his secretary. I desire, Mr. President, to have the whole of that cablegram inserted. I read only part of it. I want it all printed in the RECORD, so that the RECORD may be complete on that subject.

The PRESIDING OFFICER. Without objection, the request will be granted.

The matter referred to is as follows:

PARIS, *January 11, 1919.*

TUMULTY,
The White House, Washington:

Please convey following confidential message to Senator MARTIN and Congressman SWAGAR SHERLEY:

"I can not too earnestly or solemnly urge upon the Congress the appropriation for which Mr Hoover has asked for the administration of food relief. Food relief is now the key to the whole European situation and to the solution of peace. Bolshevism is steadily advancing westward, has overwhelmed Poland, and is poisoning Germany. It can not be stopped by force, but it can be stopped by food, and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance. The money will not be spent for food for Germany itself, because Germany can buy its food, but it will be spent for financing the movement of food to our real friends in Poland and to the people of the liberated units of the Austro-Hungarian Empire, and to our associates in the Balkans. I beg that you will present this matter with all possible urgency and force to the Congress. I do not see how we can find definite powers with whom to conclude peace unless this means of stemming the tide of anarchism be employed."

WOODROW WILSON.

Mr. TOWNSEND. I also desire to insert, in connection with the reference that I made a little while ago to an article in the Post, which has just been handed me, the heading of the article in the morning Post, on the first page.

The PRESIDING OFFICER. Without objection the request will be granted.

The matter referred to is as follows:

Wilson, France, and England to Present League Memorials. (By the Associated Press.) Paris, January 21.

Mr. TOWNSEND. Mr. President, I do not like to stand in the Senate or elsewhere and protest against sending relief which this country can afford to send under proper conditions to distressed people anywhere. There may be some doubts as to our constitutional power to do that as a matter of charity, and yet it appeals to my heart very strongly; but the reasons which have been given in support of this proposition do not meet with my approval—scarcely any of them at all, in fact—and I do not wish to carry on further this practice or custom of voting the people's money to and conferring power upon the President simply because he demands that it be done. I want information. I think we have a right to know what is to be done with the appropriation and why and where it is to be expended. The Senate can no longer stultify itself by stifling its judgment and abandoning its prerogatives.

I could dwell to great lengths upon the financial needs of our country at this time, although I think our Government is able to grant this money if it is necessary and at the same time supply the necessities of our own people; but the fact is that we are neglecting our own home interests, and that condition will continue so long as this peace parley lasts. More than 10 weeks ago the President and his party landed in Europe. What has been done there we only know from conflicting newspaper reports. All agree, however, that our distinguished President has been royally entertained. There have been held secret conferences by separate little groups throughout Europe. Up until a few days ago, however, the conference had not been convened. During the last week meetings of an hour's length have been held almost daily. If we are to have normal conditions restored in this country, this peace question must be settled, the plans of which are entirely locked in the brain of the President, so far as our interests are concerned.

The country has a right to know what is going to happen over there in Europe, and the sooner it is known the better. When we pass a bill here at present we have to send it by special messenger across the sea over to the President, and after he has considered it in due course of time it comes back. I do not know how many emergency bills have been enacted weeks ago that have not yet been approved, but I believe there are many. The President ought to finish his business at Versailles, which is the peace treaty, settling the war with Germany, and then leave all other questions to be settled later. There is no danger of war in this country in the immediate future. The four great allied powers that were engaged in the war have the absolute control of peace and war for years, if not centuries, to come; although, Mr. President, I am not objecting to the consideration of a treaty or of a plan for a league of nations, if it can be properly drawn. I confess I do not see how one can be drawn that will be of much consequence and protect the rights of the United States, in which I am greatly interested. I do not know, but I think it is possible through months of deliberation to form an effective and safe league of nations to enforce peace, and I am favorable to it; but it will and should take a long time to get up a proposal for a league that will be recognized as safe and proper by the leading nations of the world. I want my country protected; but I protest against the United States entering into compacts which will oblige us to keep our soldiers in the Eastern Continent to defend with armed force these little experimental nations which it is proposed to set up all over continental Europe and in Asia. Those are their problems. We have problems of our own here. We have quite enough to do to solve them in accordance with our traditions and ideals. Our Government can help the world by an example of true, representative democracy here. Hasty action in these disturbed times might, and probably would, prove disastrous to the ideals of our Republic. What are the President's plans for Russia and Germany and Turkey? Should we vote $100,000,000

of the people's money to carry out those plans, which are unknown to us?

So, Mr. President, while I have arrived at my conclusion slowly, having some doubts as to what I ought to do, I am now convinced, after hearing the arguments of practically all the proponents of this measure, that it is my duty as a representative of the people of the United States to vote against this experiment simply on the request of the President of the United States, who is living and has been living for 9 or 10 weeks under peculiar environments, nobody knowing exactly what they are, but living in an atmosphere unlike our own, alienated to some extent from the very pressing needs which are here at home.

Mr. SHERMAN. Mr. President——

Mr. TOWNSEND. I yield to the Senator.

Mr. SHERMAN. I noticed in the communication from the President to the President's private secretary, in the latter part of it, it is insisted that the use of this money which is to be appropriated by the bill if enacted, with other funds contributed by the allies, is the only means of stemming the tide of anarchism. I wish to ask the Senator in view of this whether there is any such tide in this country, if we are to take the word of certain distinguished gentlemen about our own domestic affairs. Last fall, some time before the President left our shores, he said in a letter to the central committee of his party in the State of New Jersey that he hoped he would be able when the men were mustered out of the service to see that they did not return to economic serfdom in this country. Normal Angell, an Englishman of some note, a publicist, a short time before that came to this country and delivered himself of an address in New York City, in which he said that the United States Constitution was the worst constitution in the world. Louis F. Post, the Assistant Secretary of Labor, upon divers occasions has taken occasion to remark that labor was oppressed; that a laboring man had no rights in this Government; and that unless something was done an explosion would occur in our own country. What does the Senator think about these distinguished authorities, beginning with the President, as to whether we have anything worthy of attention at home, especially in view of an authority of the American Federation of Labor not long ago, wherein he said that before spring came we would have bread lines and great armies of unemployed in our own country?

Mr. TOWNSEND. Mr. President, I believe we are living under most serious conditions, but I am not so apprehensive as very many men are over the future. I confess that my mail contains many letters which are quite disturbing. A great many demands are made which it seems to me are unwarranted, and there is a general feeling on the part of a great many people that many of the returned soldiers are going to be a source of great disturbance to the country.

I do not believe these soldiers are now being treated properly. Many of them are held in cantonments and camps when they ought to be at home. Many are denied opportunities to engage in profitable employment by being held in the Army when they are no longer needed. I am told, although I have not been able to demonstrate its truth, but I confess I have some faith in the statement, that there are certain officers in the Army who like to have their units retained. These officers never had so prominent a position before in their lives and they would like to keep their men in line as long as possible. Some of the soldiers are almost in rebellion because of the treatment they have received and are now receiving. Their allotments to their loved ones have not been paid, their mail does not reach them, and their requests for discharge are contemptuously treated.

But, Mr. President, I have such faith in the boys who constituted our Army, that did so much to save the world from Prussian despotism, that I believe they are going to constitute the balance for law and order in this country after the war is over and the works of peace are again resumed. I know how many of them feel about the conditions to which the Senator from Illinois [Mr. SHERMAN] has referred. They have seen cantonments built throughout the country. They have seen the loafing on the job, the attempts to wrest money from the Treasury without rendering compensation in return. They have suffered from the profiteering of capital and labor and know where the blame lies. Their memories will be long, but their patriotic loyalty will also be long and true. Our soldiers feel deeply, but we can trust them. I do not like, however, to see indignities heaped upon them. I have protested against them, with little avail, and I will not in time of peace grant further autocratic power to this administration. We have on these shores stupendous tasks to perform. We have delayed already too long. I will not by vote of mine defer action on the domestic problems which require solution in order that our time and Treasury may be devoted to the setting up and maintenance of governments for a score, more or less, of fleeting revolutionary nations in Europe and Asia.

Domestic problems, I say, require our attention. We are not giving it to them. There is a difference between the President and his Cabinet or subordinates here on certain great propositions, and, of course, they can not be settled until the President settles them. These things ought not to be in this critical hour when there are so many possibilities of danger arising on every hand; patriotism at home should be encouraged, because we need it quite as much now as we have needed it heretofore. There was no chance to make a mistake then. The country must be preserved. The flag was endangered and each must do his duty; but now after the war is over the people who fought that war are not going to be content with petty politics or with following out the dreams of some ambitious man or men who may seek notoriety and greater influence through doubtful experiments.

Mr. President, I have given as much attention to the subject as I could. I was prejudiced, as I have said, in favor of the bill when it was first presented and felt that I would vote for it, but the facts disclosed in the Senate discussion have convinced me that my duty to my country now compels me to vote against it.

I hope the Senator from Arizona will not attempt to complicate this measure by insisting upon an amendment which might possibly receive some votes if it stood on its own bottom and was not tied up with a measure that some of us at least feel in conscience bound to oppose.

Mr. LENROOT. I send to the desk a cablegram which I received day before yesterday, and I ask to have it read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

PARIS.

Senator IRVINE LENROOT,
United States Senate:

Leaving for Scandinavia to-morrow in charge of northern relief. Everything depends upon Senate passing $100,000,000 appropriation to provide food and prevent starving people from lapsing into bolshevism. Conditions extremely critical. Please help.

MAGNUS SWENSON.

Mr. LENROOT. Mr. President, the sender of this cablegram was until he left for Europe the food administrator of the State of Wisconsin. He is a man of very excellent judgment and of very high standing.

Mr. President, I expect to vote for this bill not as a charity, because I do not believe that Congress has any constitutional right to vote money for pure charity. I shall vote for it because I believe that the appropriation of this money will bring a resulting benefit to the people of the United States commensurate at least with the money that is involved.

Much has been said concerning the constitutional authority to appropriate this money. We will all concede, I think, that Congress has no right to appropriate money out of the Public Treasury for a pure charity, but I think we must also all concede that if there be a benefit flowing to the people of the United States from the appropriation of public money it is within the constitutional authority of Congress to make that appropriation.

A distinction should be made between the right of Congress to legislate upon the rights of persons and the right of Congress to legislate with reference to taxation and the appropriation of money. Our right to levy taxes is conferred by the Constitution, and the purposes for which we may do it is to pay the debts and promote the general welfare of the people. We have the constitutional right to appropriate money for any purpose that it can be fairly said will promote the general welfare of the people.

This question has been up a number of times in the Supreme Court of the United States, notably in the sugar-bounty cases, arising out of the act of 1890, in the case of Field against Clark, but the constitutional question was not decided.

Later the question came up with reference to the right of Congress to appropriate money to pay the claims of those who had incurred losses growing out of that legislation. That question came before the Supreme Court of the United States in United States against Realty Co., One hundred and sixty-third United States, and the syllabus contains this language:

It is within the constitutional power of Congress to determine whether claims upon the Public Treasury are founded upon moral and honorable obligations and upon principles of right and justice; and having decided such questions in the affirmative and having appropriated public money for the payment of such claims, its decision can rarely, if ever, be the subject of review by the judicial branch of the Government.

It is true that in the opinion in that case this language is used:

It is unnecessary to hold here that Congress has power to appropriate the public money in the Treasury to any purpose whatever which it may choose to say is in payment of a debt or for the purposes of the general welfare. A decision of that question may be postponed until it arises.

I can well imagine, Mr. President, that if it were a case of a pure charity, admitted to be such, the court might hold that that was beyond the power of Congress; but if the appropriation be made because of the belief of a resulting benefit to the people of this country, thus promoting the general welfare, it is clearly within our constitutional authority. I admit that Senators who regard this as purely a charity are correct in their position that so regarded it is not within our constitutional power, but those of us who believe that there is a resulting benefit to the people of this country can vote for this bill, satisfied that it is within our power.

In my view the appropriation of this $100,000,000 or the appropriation of any other sum of money will not cure bolshevism. We can not cure bolshevism with food; we can not destroy bolshevism with bullets. But the appropriation of this money will do this: The distressed and starving peoples of these liberated countries, so long as they are starving, are not in a position to think and to reason concerning any stable form of government. They go with Bolshevists not because of any theory of government which the Bolshevists have but because of that portion of the Bolshevist theory, direct action and destruction and taking from those who have and giving to those who have not.

So long as peoples are starving and hungry, whether we call it bolshevism or not, we will have riots, we will have disorder; they will get food wherever they can get it; they will take it from those who have it; and they will not be thinking about what is the best form of government for their country. Relieved of that condition, those peoples then will begin to think of what form of government is best for them. Our hope is and must be that when the peoples of these liberated countries have an opportunity to think and to reason they will establish such a government as will be permanent and that will be for their own welfare.

I am not afraid of bolshevism being a permanent condition any more than I am afraid of anarchy being a permanent condition. The Senator from Ohio [Mr. HARDING] yesterday in his very admirable address said if we must choose between the autocracy of Germany and anarchy he would prefer autocracy. That is true if we should assume for a moment that anarchy anywhere could be a permanent condition. But that is impossible. It never has been and never will be true. Anarchy, bolshevism, or whatever you choose to call it, is a temporary condition, and out of it will come sooner or later always either an autocracy or a representative government.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LENROOT. I yield.

Mr. WATSON. At various times in the not remote past we have had bread lines in the United States. The condition was very serious in 1893 and 1894, and, as the Senator will recall, in 1913 and 1914 millions of people were out of employment, with soup houses everywhere and hunger staring everyone in the face. Was any proposition introduced into either body at that time to take money out of the Treasury with which to relieve that situation?

Mr. LENROOT. No; not that I know of.

Mr. WATSON. If that condition should come again, as we now have it freely prophesied throughout the country, and some proposition were to be introduced here to relieve the situation by taking money from the Treasury, would the Senator feel free to support it?

Mr. LENROOT. I will say in reply that depends entirely upon the conditions which then exist. I can conceive that I would be willing to appropriate money out of the Treasury of the United States for such a purpose, and I believe the Senator would, too. But that is not the question before us now.

The question before us now is whether the use of this money will assist in the formation of stable, permanent, well-organized governments and thus assist an earlier conclusion of the peace conference. Will any Senator say that if the liberated peoples in the Balkans, in Austria-Hungary outside of German Austria, in Poland, could have stable, organized, permanent governments the work of the peace conference would not be very much easier than it will be if chaos and anarchy reign?

Mr. BORAH. Mr. President——

Mr. LENROOT. I yield.

Mr. BORAH. Does the Senator think the delay in the peace conference for the last six weeks has been by reason of those conditions in the liberated countries?

Mr. LENROOT. I do not.

Mr. BORAH. What Europe is dying of is procrastination.

Mr. LENROOT. I think so.

Mr. WATSON. May I ask the Senator as to the converse of that proposition? Does he think the condition he is so aptly describing here is in any part due to delay in arranging the terms of a peace treaty?

Mr. LENROOT. I think it very likely may be due in part to that, because I think the sooner a conclusion can come at the peace conference the sooner we may look for permanently organized governments over there.

But to return to my proposition, every Senator will admit, I think, that if we can hedge Germany about with organized government, either such as our own or upon the representative principle, the German menace for the future is very much lessened; and, after all, it is our business primarily at the peace conference to secure such a treaty of peace as will, so far as possible, remove for all time to come a repetition of the German menace that has confronted the world. So if feeding the hungry of those peoples will enable them to think about forming a permanent system of government that will stand, then food has assisted materially in bringing about a treaty of peace which will be permanent and one which may be ratified.

In addition to that, we have this proposition: The United States, we believe, is the best and highest form of government existent. We hope that these peoples over there will look sooner or later to the United States as their pattern and example for the formation of governments of their own. I think, Mr. President, with the action taken upon this bill, feeding the hungry, enabling them to think upon the kind of government that they shall have, they will be much better disposed toward this country that has done this thing and much better disposed to look upon our form of government as the most desirable than they otherwise would be.

Bolshevism, as I said a moment ago, to my mind is not a permanent menace. It can not long exist. I have in my hand an address delivered by Lenine, the premier of the so-called Russian Soviet republic, delivered a few months ago. Lenine is not an ignorant man. He is a very able man. He clearly recognizes in this address the difficulties which now confront his theory of government. In this address, after describing the first two stages of the Russian revolution, he says:

We are now in the third stage. Our gains, our decrees, our laws, our plans, must be secured by the solid forms of everyday labor discipline. This is the most difficult, but also the most promising problem, for only its solution will give us socialism. We must learn to combine the stormy, energetic breaking of all restraint on the part of the toiling masses with iron discipline during work, with absolute submission to the will of one person, the Soviet director, during work.

Here he recognizes that the government which they now have can not last long without a dictatorship. He proposes in the quotation which I have read a dictatorship only during work, and would permit them to go on unrestrained by any law, human or divine, when they are not at work.

A little later in the same address he uses this language:

The more firmly we now have to advocate a merciless and firm rule and dictatorship of individuals for definite processes of work during certain periods of purely executive functions the more diverse should be the forms and means of mass control in order to paralyze every possibility of distorting the Soviet rule in order to repeatedly and tirelessly remove the wild grass of bureaucratism.

In the same address he uses this language:

It is not hard to see that during any transition from capitalism to socialism a dictatorship is necessary for two main reasons or in two main directions. In the first place, it is impossible to conquer and destroy capitalism without the merciless suppression of the resistance of the exploiters, who can not be at once deprived of their wealth, of their advantages in organization and knowledge and who will, therefore, during quite a long period inevitably attempt to overthrow the hateful—to them—authority of the poor.

I was very much surprised, and I am sure Senators will be surprised if they have not already read this address, to find this socialistic Lenine in Russia advocating the application in Russia of the Taylor system of efficiency in the United States. I read as follows:

The Russian is a poor worker in comparison with the workers of the advanced nations, and this could not be otherwise under the régime of the Czar and other remnants of feudalism. To learn how to work, this problem the Soviet authority should present to the people in all its comprehensiveness. The last word of capitalism in this respect, the Taylor system, as well as all progressive measures of capitalism—combine the refined cruelty of bourgeois exploitation and a number of most valuable scientific attainments in the analysis of mechanical motions during work, in dismissing superfluous and useless motions, in determining the most correct methods of the work, the best systems of accounting and control, etc. The Soviet republic must adopt valuable scientific and technical advance in this field. The possibility of socialism will be determined by our success in combining the Soviet rule and the Soviet organization of management with the latest progressive measures of capitalism. We must introduce in Russia the study and the teaching of the Taylor system and its systematic trial and adaptation.

This means, Mr. President, that Premier Lenine clearly recognizes the difficulties which confront his system of government, difficulties which can not be overcome, because the Soviet system of government, even in its ideal form, is only one step removed from a pure democracy, and a pure democracy is absolutely impracticable for any nation. As I said, he recognizes that there must be a dictatorship under his proposed system, and a dictatorship never has endured and never will endure for any great length of time resting upon the consent of the people.

So it seems very clear to me that the Bolshevist system of government, if it can be called a system, is doomed to failure. If it shall make progress in the United States, the cause will not lie in Russia or any European country. If a time shall ever come when we shall go through in the United States a temporary stage of bolshevism, the fault will be our own because the remedy lies with us, and in an ever-increasing degree, in assuring the producer a greater share of that which he produces. If bolshevism is a menace to any of the European countries, it is not because of its origin in Russia, but it is because the conditions in the countries themselves have become intolerable and should be remedied by the governments there.

Mr. President, if I may be permitted to say it, the pomp and ceremony that is daily attending this peace conference in Paris, in my judgment, is doing almost as much to feed bolshevism as food can do to prevent it. The occurrences at Buckingham Palace a short time ago, with dinner plate costing $15,000,000, the ostentatious display, the bowing and scraping, the emphasizing of class distinctions over there, I say, Mr. President, were most unfortunate at this particular stage in the history of the world. I am sorry that President Wilson when he went to Paris did not stay there and attend to the stupendous work—the important work—in hand.

True, the governing sovereigns of those countries have been showing President Wilson honor, but it is unfortunate, Mr. President, when millions of people are hungry and starving that all this pomp and display should be daily going on, emphasizing to them that here is a class that has much and here is a class that has nothing. I hope that during the balance of this peace conference all the negotiations may be conducted at Paris, and the less of this display in the future the better prospect there will be for a successful peace conference.

Mr. President, I shall vote for this bill for the reasons that I have given. I believe that it will assist in more quickly securing stable and more permanently organized governments of these liberated peoples. That being so, I believe it will assist the work of the peace conference if they can be assured that Poland is not only to be free but is to have a stable government, and so as to the different peoples of Austria and Hungary and the Balkan States.

So far as Russia is concerned, I am frank to say that, in my judgment, the Russian people must work out their own salvation. We can not cure the condition in Russia by force from without. We shall only feed the condition there if we attempt that. In Russia they will in time, as well as in these other countries, themselves evolve, through evolution and not through continued revolution, a stable government; but if we are to go in there with force we shall drive those Russian people together, and they will look upon this, the greatest democracy in the world, instead of being a government to pattern after, as one to avoid. Their only alternative, then, will be to go back to some form of autocracy.

In this connection, Mr. President, I desire to say that I hold in my hand a pamphlet which came to me yesterday—I presume it came to all of the Senators—entitled "The Russian democracy in its struggle against the Bolshevist tyranny," by Col. Vladimir I. Lebedeff, former secretary of the navy in the Russian provisional government and member of the all-Russian constituent assembly. He uses this language:

> We may truthfully say that in the liberated regions of Russia bolshevism has ceased to exist. Only an insignificant minority of workingmen still clings to it secretly. And this can be understood. The ideology of bolshevism has long been cast aside by the workingmen themselves at all labor conferences and by the socialistic parties, which lead the labor movement in Russia. The present-day bolshevism preserves its power only by the fact that while pretending to benefit the working class it gives the small minority which supports it the privilege of idleness, high salaries, and other advantages of the leisure class. Having printing presses at their disposal, the Bolsheviki issue enough paper money to be able to bribe their supporters as well as their soldiers.

In passing, Mr. President, I wish to call attention to another paragraph in this pamphlet. The writer, after speaking of the operations of the anti-Bolshevist forces upon the Volga River last July, says:

> We are certain we could execute this plan since we knew of the landing of allied troops in Murmansk and Archangel, of their battles and movements toward Vologda, and of the proclamation in Archangel by the American ambassador, Mr. David Francis, in which he called upon the Russian people to fight the Bolsheviki, pledging the aid of the allies.

I should like to inquire—but I assume it is useless to inquire—where our ambassador to Russia received his authority to pledge the aid of the allies to this movement? I merely mention that in passing.

Mr. President, in concluding I desire to say that I shall vote for the bill for the reasons which I have stated.

Mr. SHAFROTH. Mr. President, the Senator from Michigan [Mr. TOWNSEND] a short time ago stated his position on this question and condemned this bill on the ground, first, that, if it were a charity, it ought not to be granted; and, second, if it were intended to stop bolshevism, it should also not be passed by the Congress of the United States, because he did not think it would produce any such result.

Mr. President, there are ample precedents, as was shown by the Senator from Virginia [Mr. MARTIN] in the opening of the discussion on this bill, which have established that, even as a pure act of charity, this appropriation may properly be made. There have been any number of such precedents which have been passed by the Congress of the United States for the purpose of charitably aiding and assisting other governments. Notably, there was the one in the case of Italy, another for Venezuela, and a number for Cuba. In fact, I think the Senator from Virginia cited some half dozen instances in which the Government of the United States had passed measures of this kind purely as charity. Any Senator who desires to found his opinion and determination as to the vote he shall cast upon the pending measure can do so in view of the precedents for such action which have heretofore been established.

As has been shown by the Senator from Wisconsin [Mr. LENROOT], a position in favor of the measure may be taken on the second ground; that is, the tendency it will have to stay the spread of bolshevism—to aid in creating stable governments in Europe. There is ample reason to sustain a vote in favor of the passage of the measure on that ground.

But, Mr. President, the Senator from Michigan did not call attention to one passage in the message of the President, and I desire to read merely that line of the cablegram for the purpose of making a statement with reference to it. In that message is contained this language:

> I can not too earnestly or solemnly urge upon the Congress the appropriation for which Mr. Hoover has asked for the administration of food relief. Food relief is now the key to the whole European situation and to the solution of peace.

President Wilson is over in Europe as our agent, as the man to whom is intrusted the power of making a treaty of peace, which may or may not involve many questions which would have to be ratified by the Senate of the United States. President Wilson has been in Europe over a month; he has been looking into the conditions there, and he has come to the conclusion that this appropriation is of vital importance in the determination of the question of peace and the terms upon which peace shall be made. It is true he specifies further than that, that this appropriation is also necessary upon another ground.

Mr. President, we have spent in the prosecution of this war over $30,000,000,000. Some Senators take one position as to the reasons for which we entered the war and some take another, but unquestionably one of the causes was for the purpose of extending democratic governments through the nations of the world and invoking the doctrine which has been the cornerstone of our great Government, namely, that the just powers of government are derived from the consent of the governed. We have spent this enormous sum of more than $30,000,000,000, and the man we sent to Europe for the purpose of closing up this war on the best terms for the United States that can be obtained, and in order to obtain the best possible terms for the objects and purposes for which we entered the war, now says that this is of supreme importance.

What is a hundred million dollars contrasted with the amount of money that we have already expended in this war? One hundred million dollars is simply one-third of 1 per cent of that amount; that is all. Is it possible that we are going to have anything modified or changed with relation to the treaty of peace from what we would want by refusing to give an appropriation of one-third of 1 per cent? Should we not give in order to aid in consummating the kind of agreement which we desire?

Mr. President, it would simply be refusing the most insignificant thing, which might cause the failure to consummate and obtain one of the most vital concessions that may be asked by us in connection with the treaty.

Looking at it from that view, knowing that the President is earnest in this matter, knowing that he has better knowledge concerning the situation than have we, knowing that he says in this very dispatch that all of the allied nations have stated that this measure is imperative, I do not see how we can decline to make the appropriation. I do not care upon what

ground it is placed, whether it is that of pure charity or to stay the progress of bolshevism, or upon that higher ground which is specified in this very telegram, namely, that it is indispensable in order to make the most effective treaty of peace.

Mr. President, for these reasons I shall vote in favor of the appropriation.

Mr. MARTIN of Virginia. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Henderson	Martin, Va.	Smith, Mich.
Bankhead	Hollis	Moses	Smith, S. C.
Beckham	Johnson, Cal.	Myers	Smoot
Borah	Johnson, S. Dak.	New	Spencer
Chamberlain	Jones, N. Mex.	Norris	Sterling
Colt	Jones, Wash.	Nugent	Swanson
Culberson	Kenyon	Page	Thomas
Cummins	Kirby	Poindexter	Thompson
Curtis	La Follette	Pollock	Townsend
Fletcher	Lenroot	Pomerene	Trammell
France	Lewis	Saulsbury	Underwood
Frelinghuysen	McCumber	Shafroth	Warren
Gay	McKellar	Sheppard	Watson
Gerry	McNary	Sherman	Weeks
Harding	Martin, Ky.	Smith, Ariz.	Williams

Mr. GAY. I desire to announce the unavoidable absence of my colleague, the senior Senator from Louisiana [Mr. RANSDELL].

Mr. LEWIS. I wish to announce that the Senator from Mississippi [Mr. VARDAMAN] and the Senator from Missouri [Mr. REED] are detained on official business.

Mr. GERRY. I desire to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Delaware [Mr. WOLCOTT], the Senator from Utah [Mr. KING], and the Senator from Minnesota [Mr. NELSON] are detained on official business.

The PRESIDING OFFICER. Sixty Senators have answered to their names. A quorum is present.

Mr. TRAMMELL. Mr. President, at the outset of my remarks I may relieve a little embarrassment to myself by saying that I did not suggest the absence of a quorum, so that it was not done for the purpose of calling in Senators to listen to any remarks that I might make.

Mr. President, for some two months I have felt intensely interested in the matter of providing some additional compensation to our soldiers who have carried on so successfully and to a triumphant conclusion the great war in which we have been engaged. Within a week or 10 days following the signing of the armistice I introduced a measure providing for them one month's additional pay. I did not restrict it to one month, because I felt that our men were not worthy and deserving of a greater amount, but as the situation confronted me at that time I felt more assured of success by limiting it to one month's pay. At that time the War Department was willing to approve the payment of 30 days' additional compensation.

The distinguished Senator from Arizona [Mr. ASHURST] during the present week has introduced an amendment to the pending bill providing for 90 days' additional pay, and has modified it, as I understand now, to provide 60 days' additional pay. I wish to support most heartily his amendment. I believe that those who left their homes and firesides, gave up the pleasures and comforts of their associations, and went forth to bear arms in the interest of this country, the privates, at least, for the small pittance of $30 a month, have not been amply paid for the service which they have rendered in behalf of the Republic, and that to give them an additional two months' pay is at least as little as we should do in recognition of the gratitude of the Nation and in commendation of the brave and heroic service which they have rendered.

This amendment restricts the payment to the privates and noncommissioned officers. I am anxious to see this policy successful and the allowance made upon the pending bill. So far as I am concerned, however, I would also be willing to make a certain allowance to the commissioned officers, say, an allowance of one month's additional pay. I do not quite understand why the commissioned officers, who have fulfilled their mission as a part of the war machinery of the country, who have acquitted themselves creditably and brought honor to the Nation they have represented upon the battle fields, should not be recognized in this tribute. No braver, more courageous, and loyal officers ever commanded upon a battle field.

But, as some of my colleagues seem to differ with me upon this question, I am giving my hearty support to the amendment in its present form providing for two months' additional pay for privates and noncommissioned officers.

This amendment suits me a great deal better than the one which I submitted some two months ago, and which I have been trying for the past 60 days to get enacted into law. Within a week after the armistice was signed I offered the amendment to which I have referred. I felt that we should act quickly, and that we should have the law enacted so that, as our soldiers returned and were demobilized, and as those who were in our own camps were being demobilized, they could then be paid this additional sum.

I have found from my contact with a great many discharged soldiers that they are leaving the service almost penniless. A few days ago I was riding on a train with one who told me that while he was in the service he had contributed toward the allowance for the support of his parents and in the payment of his insurance all of his salary except $7.65 per month. So Senators may well realize that that patriotic, brave, heroic young man when he returns again to private life needs a helping hand. Who should more properly extend to him that helping hand than the Government which he has been serving?

I was very much surprised in talking with him to find that upon being discharged from the service he had not been furnished with suitable equipment in the way of shoes. He had returned from overseas, where he served 9 or 10 months. He had worn there, of course, the heavy field shoes worn by those upon the battle front; he had no other shoes; and I was touched very much when he told me that when he was discharged he had only those field shoes, and that from the few dollars that he drew as his last payment from the Federal Government he had been required to expend seven or eight dollars for the purpose of purchasing shoes which were suitable to wear as he again returned to private life.

I think that when we consider the billions and billions of dollars that we have expended in connection with this war and the different steps that have been taken requiring the raising of revenue, and then consider that our success depended entirely upon our Army—that is, the ultimate success, because if we did not have these men who went to the front to do the fighting, then all of the other expenditures would have been useless and futile—we must come to the conclusion that as a recognition to our soldiers and in order that they may have a little pittance with which to attempt to rehabilitate and establish themselves in civil life, common justice and simple recognition of the performance of a patriotic, loyal, and heroic service not only justify but demand that the Congress of the United States adopt this amendment allowing these men this additional 60 days' pay.

Mr. BORAH. Mr. President, I shall vote for the amendment offered by the Senator from Arizona [Mr. ASHURST], although I am frank to say that I would prefer to have had it proceed as a separate proposition, because I shall not be able to vote for this bill even with the amendment. Of course I realize that what the Senator from Florida [Mr. TRAMMELL] has just said is true, that many of our young soldiers are coming home with practically no means whatever to maintain them until they can secure employment. Therefore I do not wish to be placed in the position of refusing to assist them to the extent provided by the amendment of the Senator from Arizona. But we can pass that kind of a provision here at any time without any difficulty whatever, in my judgment. I do not believe that it is necessary to tie it on to a proposition which otherwise is somewhat objectionable to me.

Mr. President, I listened with more than ordinary interest to the argument of the Senator from Wisconsin [Mr. LENROOT], recognizing in him, as I do, a man of sound judgment and high purpose in all matters of legislation. The grounds upon which he proposes to support this bill, as I understand them, are these: That it is calculated to stabilize social and industrial conditions in the countries where we desire to found a stable government in order that we may enter into the negotiation of treaties of peace with them.

There is an argument to be based upon those grounds that it is worthy of consideration. If I could have sufficient information as to how this desirable object was to be effectuated and some reasonable assurance that the desirable result would follow, I might be able to support the measure upon that ground alone. But I venture to say that neither the able Senator from Wisconsin [Mr. LENROOT] nor the able Senator from Massachusetts [Mr. WEEKS], who supported the bill upon yesterday, would be willing to invest a single dollar as a business proposition upon any such information as they have with reference to the manner in which this fund is to be applied, or as to the probable effect it will have if applied. What I object to, so far as that feature of the argument is concerned, is that we are legislating upon a mere sentimentality, without any practical facts to warrant the appropriation.

Mr. President, we are the only department of the Government that has the tremendous power to go into the pockets of the people and lift therefrom $100,000,000. We are the only depart-

ment of the Government which has had conferred upon it that almost transcendent power, and we ought not to exercise it unless we can be advised of those concrete facts which justify the application of the principle. I have listened to the debate now for two days; and if there has been a single practical proposition enunciated or stated with reference to making effective this fund, or how it is to be done, where it is to be applied, and what is the probable machinery by which it is to be made effective, I have yet to hear it. It is a serious matter to appropriate $100,000,000 in violation of the Constitution of the United States, at best, and certainly a strong and plain case ought to be made out.

Let me say to my able friend from Wisconsin [Mr. LENROOT] that there is another side to this proposition of feeding men without any corresponding obligation upon their part to repay or to refund, or without any corresponding obligation upon their part to become individually liable for the amount which is donated to them. I read in the Washington Post of January 19, 1919, an article entitled "Belgians won't work." I shall not read the entire article, but I call attention to a single paragraph in it.

Another grave economic difficulty arises out of what is called the unemployment fund. This was created during the war to aid the workmen, employees, and others; to enable them to subsist without having to be dependent upon the Germans. In the first instance, the fund worked advantageously; but after a while a different state of things arose. A workman who was being fed gratuitously by the relief organization received from the unemployment fund regular pay of about 100 francs a month for doing nothing; and numbers of these workmen, well content with their lot, refused to return to work.

That is characteristic of the indiscriminate, ill-advised application of charitable funds. It is a very dangerous proposition, and unless the Congress can be advised in detail as to how this appropriation is to serve these people, and do them more good than harm, and how the fund is to be returned, and security had therefor, and obligations created therefor, it is a very dangerous scheme upon which we are now entering. Do Senators really think that the taxpayers of the United States ought to enter upon the boundless sea of feeding Europe without a detailed plan and chart and specifications as to how and where we are to apply it? Where will it all end?

Mr. President, what are the conditions which confront this country at this time? Now, let us not indulge in sensational matter but state the plain facts as they are. Is there a Senator here who does not receive daily any number of letters from the ordinary business men of this country telling us that they have about reached the end in business affairs—any number of them—advising you that they are borrowing money to pay their taxes at the present time, and that they are unable to see in the future any prospects of relief, in view of the things that Congress is doing and which it is promising to do? We know that these people throughout the United States feel—all men engaged in the ordinary occupations of life, in the ordinary business walks of life—that they have about reached the limit of their capacity to take care of this burden. I am perfectly aware that that does not apply to some business men in the country, who have been fortunate in making profits out of the war, but it does apply to the vast body of business men in the United States. And remember, my friends, that when you lay this burden of $100,000,000 you lay it upon the man who is bearing all that he can possibly bear, as well as the man who is able to respond to it. It is not like going into a community and saying to Mr. Jones: "You are able to subscribe, and we ask you to exercise your charitable disposition toward the suffering people of Europe," and passing by the man who we know is unable to meet the obligations of his family and to discharge the duties of citizenship as they should be discharged in a Republic. We are now engaged in laying upon these people a burden of $100,000,000 which will affect every citizen, if not in the actual payment of taxes, in raising the prices of the articles which he must buy; and therefore, without discrimination as to capacity to respond, this burden is being placed upon those who are able as well as those who are unable and unprepared to meet it.

That is the first situation which confronts us—that is to say, the taxes which are already extraordinarily heavy in this country.

Mr. President, this may not be an argument against doing charity, but I maintain that it is an argument in favor of the proposition of doing the charitable act in a most economical and businesslike way; that if it is going to be done, in view of the situation which confronts us, we must do it with due regard for economy and the saving of every possible dollar of expense to the taxpayer.

What is the second situation in this country? We know that already riotious meetings are being held in some parts of the country. In the city of Boston the other day—I believe the Senator from California [Mr. JOHNSON] called attention to it—we read that the city hall was stormed, and in the crowd were some 250 soldiers lately returned. We read in the Associated Press dispatch carried only five days ago from the city of New York that over 200,000 children in New York are underfed and underclothed; that in the city of Chicago more than 150,000 children are out of school because they have neither the food nor the clothes to go. We read in this same dispatch that in one little room 22 human being were huddled together, and that they did not have, as the dispatch said, sufficient clothing upon them to warrant a second-hand clothes man in paying 10 cents for all that they wore. We know that throughout the country this feeling of unrest, of dissatisfaction with these conditions, is growing day by day.

Now, my friends, in dealing with this let us not forget the psychology of the hour through which we are passing. It is different from any confronting of labor difficulties which we have ever had before in this country. The great war has shaken society at the roots, and men will not go hungry and will not beg for bread with the same docility and regard for order that they have in previous days.

Again I say, Mr. President, it may not be an argument against charity to your neighbor; but it is the most solemn and convincing argument, to my mind, that if we are going to do it, it must be upon such practical plans and terms as will warrant you in saying to the people whom you represent that every precaution and safeguard has been had to protect the situation from waste and extravagance.

I shall not stop to read the articles to which I have referred, but, by permission of the Chair, I shall insert them in the body of my remarks.

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

NEW YORK.

Aroused by reports that, with Christmas approaching, East Side children are "fainting in school and dying at home from hunger" because their parents can not pay the prevailing high prices for milk and staple foods, representative citizens Saturday organized a committee to "feed them first and investigate afterwards."

A plea that something be done for her pupils, who were "slowly starving to death," was made recently by a teacher to Joseph S. Markus, a banker, who now heads the relief organization. Mr. Markus himself visited schools, hospitals, and tenements, and Saturday issued a statement dealing with conditions on the East Side.

HUNDREDS STARVING TO DEATH.

One settlement, he said, has the names of 150 babies who, recovering from influenza, now face death from pneumonia because their parents can not buy milk needed to restore them to health. Every hospital in the district, he continued, knows hundreds more underfed children, many of whom are physically unable to continue their studies. Of his visit to one school, he said:

"In one room there were 22 children. A ragman would not have paid 5 cents for all the clothing they wore. Many had no undergarments, and those who did could hardly call them by that name. Many were without shoes and others had heelless and soleless ones.

"We learned most of them came there without any breakfast. Some kind people were giving the teacher a little money every week, and with that she purchased some milk and cereals, preparing gruel over a small stove in the room. She said with the high cost of milk now she was not able to buy much, and that several of the children had fainted right in the classroom. Others were too weak to leave home and died there. Malnutrition was the cause—starvation."

Mr. BORAH. What is the third proposition, Mr. President? It is this question of expenditures, of extravagance. The able Senator who is in charge of this bill [Mr. MARTIN of Virginia] will sympathize with these remarks. No one has been more earnest and persistent in his efforts to curtail these extravagances, but they are here. They continue to grow. We have now entered upon the proposition not only of enlarging many expenditures which it seemed to me was unnecessary to enlarge, but, in the face of the condition which confronts the country, of raising salaries and enlarging the debt which we are gradually placing upon the people of this country in one way and another. The extravagance of the Government—and I say this regardless of the aisle which runs between the two parties—the extravagance of the Government at this time is something which is calculated to sterilize the industry and paralyze the initiative of business men throughout the entire land. Men hesitate to venture forth into new enterprises, or to put their money out into new industry, when they see the Congress of the United States shutting its eyes to the fact that they are already loaded down with debt, and still passing extravagant measures, larger and larger in amounts, and day by day.

After this comes what we are going to ask for the liberty loan, in a few days, six billions of dollars.

So, Mr. President, everything enjoins us when we propose to do this—if we are going to do it—to be sure that we are not making mistakes, if it is possible for human ingenuity to devise a plan by which no mistakes will be made.

The Senator from Massachusetts [Mr. WEEKS] said yesterday that Mr. Hoover and the President were upon the ground, and

they knew. Of course I eliminate the President entirely from this discussion. The President practically eliminates himself, because he says, "I indorse the demands which Mr. Hoover is making upon the Congress"; and I say to you that the evidence is in existence, if it can all be secured, which will show that this plan for feeding Europe and the appropriation of a hundred million dollars, or some amount, originated before Mr. Hoover left for Europe.

It was not a scheme which had its birth after he discovered the facts in Europe. It was a scheme originated here, and he went to Europe to discover the facts after he had originated it. The evidence is in existence that this entire matter was talked over and arranged and provided for, one of the parties even stating that the probable amount was suggested which would be called for after Mr. Hoover had visited Europe.

Mr. President, I want to say again, as I said the other day, that as for Mr. Hoover individually I have no discussion whatever. I do not care anything about him. What I am objecting to, sir, is the system, the manner in which he distributes his funds and carries on his business—the interested parties whom he permits to realize unconscionable profits.

I want to ask Senators here who are supporting this bill, Do you want the same man that administered the Food Administration here in this country to administer this fund in Europe in the same way and upon the same principles? Do you understand, sir, that these same men, or some of them, and this same policy and this same system have been transplanted to Europe, and are now going to feed the Europeans upon the same theory, upon the same line of conduct, that they have administered the food administration in this country?

The Senator from Illinois [Mr. SHERMAN] in his speech day before yesterday said, if I understood him correctly, that the meat packers of this country did business on less profit than any other of the large business institutions of the country. The Senator from Massachusetts [Mr. WEEKS] said that while their profits might be big, they only got about 2½ per cent upon a turnover. Well, Mr. President, a man operating in a monopolistic field may turn over his capital ten times without any risk whatever of losing anything; but what has that to do with the fact that after he has turned it over as often as he can, his profits are so enormous as to stagger even the most liberal in regard to such matters.

I want to read some figures which I did not have with me the other day, but which I have here now, and I do it because these are the sums which are made under the advice and by the consent and authority of the men who wish to administer this fund. I claim that when I go forth to do charity with another man's funds I should protect him to the extent of demanding not only honesty—and I am willing to concede that to Mr. Hoover—but a plan which will not permit, even under the cover of honesty, the gathering of unconscionable profits from a charity fund.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I do.

Mr. THOMAS. I merely wish to recall to the mind of the Senator that during the administration of Mr. Roosevelt, and before the creation of the Department of Commerce, Mr. James R. Garfield, who was the Commissioner of Corporations, was assured by the packers that their profit upon their sales was something like 2 per cent or a little over, which Mr. Garfield accepted and announced to the country, all unconscious of the fact that the 2 or 2½ per cent represented merely a turnover, and, as the Senator says, these turnovers occur at the rate of 10 or 15 per year, the total annual profit, therefore, being many times the 2 or 2½ per cent represented to him.

Mr. BORAH. I thank the Senator for that statement. It only shows the prolongation of the outrage that has long been practiced upon the American public.

Mr. President, in 1912 the five great packing companies realized in the way of profits $18,715,000. In 1913 they realized $20,217,000. Now, if I should say to you that these men demanded in the way of profits during the progress of this war twice the amount which they enjoyed in time of peace you would be inclined to think that they were rather exorbitant in their demands. No man ought to ask twice the profit in war that he was making in peace, when the profit which he was making in peace enabled him to gather a vast amount of wealth, as we know it had with the packers.

In 1912 and 1913 these great corporations were known as among the wealthiest in the world. They had extended their enterprise not only to the ramifications of the particular industry in which they originally started, but they had gone into a multitude of other industries; and they were considered, and indeed were, among the wealthiest corporations in the United States, and were making and had gathered that wealth and realized this fund from profits which amounted to from $18,000,000 to $20,000,000 per annum. So, I say, that under those circumstances they ought to have been satisfied with their $20,000,000. Do you not think so? When the soldier boys were being stood up in the camps, and it was demanded of them that they subscribe for liberty bonds in order to maintain the Government; when the employees in these different departments who were securing for their livelihood only about $100 a month were called to the front by the head of the department and told that they must subscribe for liberty bonds; when local councils of national defense were calling men before them and fining them the amount which the council thought they should buy; when the soldiers were going forward at $30 a month and enduring all kinds of hardships and sufferings for their country, ought not the packers to have been satisfied with twice their peace profits? But when I say to you that they were not satisfied with twice their peace profits, and when I call your attention to the fact that they made it three times, they made it four times, they made it five times the amount of their peace profits, will men still insist upon the floor of the Senate that we shall go down into the pockets of the taxpayers and administer charity under an organization which permits such profiteering?

That is what we are voting for here. This money will not administer itself. And take into consideration, my friends, that practically every dollar of the food which is purchased in this country is either owned or controlled or manipulated by these five great combinations, or the two other combinations which have had so much to do with the administration of the Food Administration.

So, sir, we find that these corporations in 1912 had a combined profit of $18,715,000. In 1917 they had a combined profit of $95,639,000. How did they get it? They got it under the administration of the Food Administration. Ninety-five million dollars; within $5,000,000 of the amount which we are going to appropriate!

This is not a party question; but I want to say to the Republicans that the voters of this country may reflect that they made a mistake last November if we are going to return, like the sow to her wallow, and surrender to the same powers which once dictated the course of the Republican Party.

Let me read now from the figures of 1918. We have only one report thus far. This is from the Christian Science Monitor, a paper recognized for its accuracy in reference to its news items:

> The earning power of the smallest of the American meat packers in the present period appears a subject of interest, for one thing because the greatest food distributors in the world to-day are, naturally, more than ever before in the public eye; and then, again, because this packer, the Cudahy Packing Co., is the first of the "big five" to report on the first year under Government profit regulation. By earning power is taken to mean the total earnings of the company, that figure which the Food Administration regulation was set to limit, that amount on which the Federal war tax will be levied. By earning power, in short, is meant, in this connection, the total profit the company made in its dealings with the public.
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> This earning power of the smallest of the packers was shown in a previous article on the Cudahy annual report in these columns (Dec. 20, 1918) to be larger for 1918 than ever before. Sales of the company also were much larger than in the previous history of the Cudahy Co.
>
> Now, it may be of interest to measure this earning power of the smallest packer against the capital stock, to show what this earning power is equivalent to in terms of the common stock.
>
> The total Cudahy profits, as represented in the term "earning power" as here used, may be assumed to have been $6,000,000 in 1918. The company's net profit of $3,376,808.58, plus its big reserve of $2,785,412.78, set aside for "Federal income and war-profits taxes and contingencies," amounts to more than $6,000,000, but that round figure may well be taken as representative of the year's total profits or the company's earning power. The capitalization is $20,000,000, divided into $2,000,000 of 6 per cent preferred, $6,550,500 of 7 per cent preferred, and $11,449,500 of common stock. After paying the regular dividends on the preferred stock the $6,000,000 profit would represent an earning power of 47.4 per cent on the common stock.
>
> Now, there were two stock dividends declared by the Cudahy Co. in the last three years prior to the end of the 1918 year. The first of these was in November of 1915, amounting to $2,000,000. The second came a year later, amounting to $2,724,750. Together they amounted to $4,724,750. If these two stock dividends be subtracted from the total of the capital stock, which, of course, they helped to bring to its present figure, this leaves a balance of common stock of $6,724,750. If the 1918 earning power of the company, namely, at the rate of $6,000,000, were to be computed on the common stock remaining after that portion representative of stock dividends were deducted, it would be equivalent to an earning power of 80 per cent.
>
> Should it be remarked that it is unusual to compute earning power in the sense used against the common stock, because the common stock does not share in such earning power, but only in what remains after Federal taxes are paid, which makes a large deduction from gross earnings, it may be said that this is perfectly true as far as the stockholders are concerned, but the public may nevertheless be interested in such a comparison. Up to the last few years there were no large Federal taxes to make such deductions, and it is possible that within a few years more Federal taxes may be much smaller, in which case that much more of the total profits will go to the stockholders. The public, so students of the packing industry here pointed out, is naturally interested in the total profits packers make and what they may represent as measures

against the ownership of the company, because the public makes those profits possible; because, one of these students has put it, "the consuming power of the public is the vital breath of this and every other great corporation."

As to what stockholders do get, after the big tax reserve has been subtracted from profits, leaving net profits of $3,376,808.58 to be computed against the capital stock, the rate of earnings on the common stock is 24.44 per cent.

Then, again, as to the deduction of the amount of stock dividends from the total of common stock and the calculation of rate of return on the remainder. Stock dividends have been a favorite device of big corporations to make their profit look small, and a word in general about the usual packer stock dividends will perhaps not be amiss.

A stock dividend represents capitalized profits. It represents money made by the company, over and above cash dividends paid, which remains in the business in the form of surplus, and of which stockholders are given ownership through the issue of so much new stock free to them. This new stock, of course, increases the company capitalization by that much. Since a concern's rate of earning is based on the company's capitalization, particularly on its common stock, given a fixed amount of profits, the rate of earning will appear high or low, according as the amount of the common stock is small or great. For instance, Morris & Co., another of the packers, still retains a capitalization of $3,000,000, though the business is worth many millions more than that, and the company is considerably larger than the Cudahy company. If Morris & Co. made no more profit than Cudahy did in 1918, still it would show more than 100 per cent profit on its capital stock, though the smaller Cudahy company, with a larger capital stock, evidences a very much smaller rate of earnings. Hence a stock dividend, by enlarging the amount of the divisor in the fraction, to wit, the capitalization, may have a decided influence on the aspect of profits.

If the two stock dividends of the Cudahy Co. previously referred to be deducted from the common stock, and the rate of return to stockholders is calculated on the basis of the 1918 "net profits"—that is to say, $3,376,808.58, the amount available for dividends and surplus after provision was made for war taxes, etc.—it is noted to be 41 per cent. The rate of return on the common, without the stock dividend deduction, has already been observed as 24.44 per cent.

Not every stock dividend may be subject to criticism, as, for instance, where a concern has been making reasonable profits and turning back a portion of them into the business, eventually to set up this portion of past reasonable profits into common stock. In the case of several of the meat-packer stock dividends and of the Standard Oil stock dividends, there has been a suspicion on the part of the public that the profit there reposing represented, in the aggregate, an undue amount.

The Cudahy Co. in 1918 showed the largest earning power, as heretofore defined, in its history. Its net profits were larger than in any previous year with the exception of 1917. The company has had some hard sledding in several past years. The Cudahy profit figures are of interest, now and for the future, in the view of local students of the industry, in regard to the Cudahy Co., and more particularly in regard to the earnings of the leaders of the "big five," whose sales and profits run much higher, indeed, than those of the last of the quintet.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. KENYON. I should like to suggest to the Senator, in reference to the Christian Science Monitor and these figures, that the testimony before the Agricultural Committee shows that the packers are spending $1,000,000 a month advertising in the papers of the country, a large part of it being advertisements of their small profits, but the Christian Science Monitor does not receive these advertisements, I understand.

Mr. BORAH. I thank the Senator.

Now, Mr. President, I come to another feature of this administration. I read from a letter from Alfred H. Benjamin, of New York, under the date of January 20, 1919. He says:

I represent one of the largest independent packers, operating plants in Argentina and Uruguay during the last 20 years, who have no interest at all with the Chicago packers.

We have been very important factors in reducing the cost of living in this country at a time when it was badly needed. We have been the largest importers of fats for the independent soap makers of this country, but owing to an embargo that was placed into effect on the 13th of May we were precluded from bringing in such fats as required by the soap makers, on a statement of the Food Administration that there was ample fat in the country. Notwithstanding the appeals of the independent soap makers of this country, this embargo was kept on.

In the meantime the market advanced 25 per cent and the Chicago packers had ample opportunity of selling their tallow at the record prices of 20 to 20½ cents per pound. As soon as the embargo was removed the market breaks to 10 cents per pound.

Mr. President, the men who manipulated that embargo are working for the Food Administration at a dollar a year and working for the packers at $10,000 a year; and yet you ask me to take $100,000,000 from the pockets of the taxpayers of this country and administer it by the same infamous machinery. Does the President of the United States know these facts? I do not know. I know them, and it is my conscience that must be satisfied, not that of the President, in the vote I shall cast on this bill.

Mr. FLETCHER. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. FLETCHER. I desire to ask the Senator whether the figures and the statistics from the Christian Science Monitor differ from the statement given in Document No. 248, at page 14, by the Federal Trade Commission with reference to the packing industry and their net profits? If the Senator has not access to that document——

Mr. BORAH. I have it, but I could not from memory now compare the figures.

Mr. FLETCHER. In this document the Federal Trade Commission say:

An exposition of the excess profits of four of the big meat packers (Armour, Swift, Morris, Cudahy, omitting Wilson as not comparable) is given in the fact that their aggregate average prewar profit (1912, 1913, and 1914) was $19,000,000; that in 1915 they earned $17,000,000 excess profits over the prewar period; in 1916, $36,000,000 more profit than in the prewar period; and in 1917, $68,000,000 more profit than in the prewar period. In the three war years from 1915 to 1917 their total profits have reached the astounding figure of $140,000,000, of which $121,000,000 represents excess over their prewar profits.

I believe that statement has been challenged, but I do not know whether the Senator has taken the trouble to verify it or not.

Mr. BORAH. I could not say as to whether those figures have been verified. I thank the Senator from Florida for putting them in the RECORD.

Mr. President, may I read another statement? I read from the testimony before the Agricultural Committee on the 18th day of January, 1919. This is the statement of the attorney who was selected by the President to investigate the condition with reference to the packers. It has not been controverted that I know of, and I presume it was under oath and the witness would be responsible. I am not certain as to its being under oath. I simply call attention to that as an incident. Mr. Heney said:

Mr. HENEY. I am telling you all that I know about it, Senator.

Along in March I was in Washington. I was summoned here by the Federal Trade Commission because I had been making public some correspondence from Swift's files, which showed that Swift had packed the Food Administration in its own interests in the Council of Defense. They had Mr. Heyl, who was the head of Libby, McNeil & Libby, which was owned by Swift & Co. Mr. Heyl was in the Food Administration directing the regulation and fixing the prices for canned goods, and canned vegetables had been under his particular direction with Libby, McNeil & Libby.

Mr. Collins, one of the most important men in Swift & Co.'s organization, was here with the Food Administration also. They were drawing a dollar a year from the Government, and Collins was drawing $10,000 from Swift & Co., and Heyl was drawing. I think, $10,000—I have forgotten the exact figures—from Libby, McNeil & Libby.

Senator NORRIS. They were with the Food Administration?

Mr. HENEY. In the Food Administration. And Priebe, of Priebe & Co., Chicago, was with the Food Administration in charge of the fixing of prices and regulations for poultry, and I think he included eggs and cheese and butter, but at any rate poultry. I am not at all certain that he had anything but poultry. I rather think it was poultry, although it may have included the other things.

I was furnished correspondence that showed that Priebe—let me go back a moment—I received complaints from small poultry concerns all over the country to the effect that Priebe was using his position to enable Swift & Co. to monopolize the poultry market and in doing so was forcing a loss upon the small poultry dealers, and they based that upon the proposition that about the middle of September, 1917, Priebe had issued an order that all poultry must be out of cold storage by December 1 of that year.

Do you know who gave Mr. Priebe authority to issue that order? The Congress of the United States by one of those glittering generalities crystalized into a statute under which a man can do anything in the world that he desires to do, and Mr. Hoover desired to do this. Now we are asked to give another unlimited, undefined grant of power—a power to do as his unbridled discretion suggests; a power under which he can permit fortunes to be made again out of the taxpayers of the United States.

They explained to me that the poultry pack of 1916, which commenced to come in in September, 1916, and to be packed, Swift & Co. disposed of practically all their holdings, and Swift & Co. are probably the largest dealers in poultry in the United States, in frozen poultry, cold-storage poultry. And Priebe handled that department for them—

Mr. Priebe handled that department for them, exercising the powers of the Government, issuing orders like a dictator, fixing embargoes, and turning loose cold-storage products according to the interests of his master. Dost thou like the picture? Are you so proud of what you have already permitted that you want to see it repeated, and repeated by your authority? Are you going to indorse such practices by your votes—

under the name of Priebe & Co., a separate corporation, but the entire 100 per cent of the stock is owned by Swift & Co.

The claim was that Priebe and Swift & Co. had disposed of all the poultry; that the fresh poultry was just about to commence coming in; that Swift & Co. wanted to capture the greatest part of the pack; that it wanted to get them for lower prices than it could get them if the poultry in cold storage was not thrown on the market, and by forcing this poultry on the market it would immediately depress prices so that Swift & Co. could buy the largest part of this pack at a much lower price than it otherwise could; and that Priebe, in order to accomplish this, had put out an order that the banks should not loan over 70 per cent of the cost prices of these turkeys.

War Power? War powers used to destroy competitors and build up private fortunes. No man who has such perverted views of decency ought to be entrusted with unlimited power to deal with $100,000,000.

Senator NORRIS. He was doing that as an official of the Food Administration?

Mr. HENEY. As an official of the Food Administration. And then they came to me——

Senator KENYON. Was he at that time drawing this dollar a year here and $10,000 there?

Mr. HENEY. He was not drawing $10,000—that was Collins. Priebe was drawing $275 from Priebe & Co. and 25 per cent of the net profits of Priebe & Co., after 7 per cent had been paid on the capital stock.

Senator NORRIS. He was doing that while representing the Food Administration?

Senator KENYON. He was getting a dollar a year here, was he not?

Mr. HENEY. He was getting a dollar a year here. And that Priebe & Co. had disposed of their stock—one minute—that the banks should not loan over 70 per cent, yet there is testimony that many of the banks had loaned customers who had good credit 100 per cent on the poultry they had put in storage that preceding year.

It seems that the large packers had made a good deal of money in the poultry business the preceding year; and so the small dealers had all plunged a little on poultry that year and there was such a demand for poultry that Swift & Co. wanted to secure this pack, as much of it as it could, and at as low a price as possible.

So, on account of this order, there was great complaint, of course, made, and finally the time was extended some. But on this order that the poultry should go out of cold storage on September 1, the dealers held back on buying stocks of poultry, and naturally. So that the smaller dealers who had poultry had to get rid of it as fast as they could, and not only did it depress prices somewhat, but Swift & Co. bought up a considerable part, as shown by the testimony, of the pack of the poultry held by small dealers whenever they put it out, besides buying the greater part of the new pack as it came in.

Of course, Armour bought heavily also.

Then he describes a convention of poultry men at Kansas City in which Swift & Co. ran the convention. It throws some light on the subject, and reads as follows:

A convention of poultry dealers took place in Missouri, in Kansas City, shortly after I commenced putting out these letters publicly in Chicago. And, by the way, I put out a letter that showed how Heyl came to get into the Food Administration and how Louis Swift and the other Swifts were very active in the matter of helping him to get there, and how a man named Brooks, of Swift & Co., wrote a letter to Swift telling him how his friend Chambers was to come on here and be in charge of shipments on the railroads. He is a Santa Fe Railroad man, and Chambers was the best friend that he had in the world, and Chambers had told him that when their interests came up they could rely on him to the limit. Of course, the Santa Fe was undoubtedly anxious to have the good will of Swift & Co., who are such heavy shippers; and shortly after Chambers got here he managed it so that the Food Administration, through Mr. Hoover, asked Swift & Co. to please loan them Mr. Brooks, so that Mr. Brooks came and got on the job himself. He was one of the dollar-a-year men, I think; I am not sure about his being a dollar-a-year man.

Senator NORRIS. You mean that you are not sure he got a dollar a year?

Mr. HENEY. No; I mean that he got a little more than that.

Senator NORRIS. He may have done it for nothing?

Mr. HENEY. He may have got a little more.

So at this poultry dealers' meeting, or convention, in Kansas City a man named Lightfoot, who is in the poultry business in Missouri and has some thirty-odd plants, a very successful man, one of the most aggressive of the smaller dealers, and who tells me that Swift & Co. told him in 1905 that they were going to put him out of business if he did not sell out to them or come under their control, at the same time they told it to Priebe, and that they did put Priebe out of business in 1905—they told him prior to 1905—and he went into insolvency or bankruptcy or something of the sort. They then acquired Priebe & Co., and then employed Priebe, and he had been running that ever since, and making large profits for Swift & Co. under this arrangement now, as I told you, of $275 a month and 25 per cent on the net profits after 7 per cent had been paid on the capital.

Senator KENYON. And then the dollar a year more here?

Mr. HENEY. Yes; and then the additional dollar a year here.

Lightfoot said that what he objected to most strongly was that Priebe was demanding that these dealers should make a statement each month telling exactly how much poultry he had bought, and from whom he bought it, the price he paid, et cetera; and Lightfoot said he had succeeded in maintaining himself against Swift & Co.'s attempt to put him out of business all these years, but, with the knowledge that Priebe would have if he answered those inquiries of the Food Administration—made those reports each month—that, of course, Swift & Co. could put him out of business as soon as the war was over; that if they were to give him—Lightfoot—the same information about Swift & Co.'s business that they were attempting to get about his, that he would guarantee that he could come pretty near taking away a large part of the business of Swift & Co.; that if he could get the financial backing he could take it all away in that particular line.

Lightfoot went to a hearing of these poultry dealers—I had not seen him up to that time—at Kansas City and he introduced a resolution condemning Priebe and calling for his removal.

Senator KENYON. Asking for his removal from the Food Administration?

Mr. HENEY. Yes. And Mr. Hoover had been invited to go to Kansas City and address this convention, and he had sent Priebe there as his representative; and Lightfoot did not want to take any snap judgment—throw him out on one morning of the convention—that he intended to introduce this resolution on the following morning and press it to a vote, Mr. Priebe being there. Mr. Lightfoot made a talk in support of his motion and attacked Mr. Priebe in Priebe's presence, and accused him of using his position for the purpose of destroying the smaller dealers, of injuring their business, and aiding Swift & Co. to accomplish the monopolization of these things, and challenged Mr. Priebe to reply to it. But Mr. Priebe did not reply. And that night Lightfoot and a lot of others who were there told me the Kansas delegates were busy running around seeing everybody, sending them to vote against the resolution, insisting that they had invited Mr. Hoover there, and he had sent Mr. Priebe as his representative, and that it would not do to slap him in the face then; that if this was true, that was not the time to do it; and many of the dealers on that ground, or the representatives of the dealers on that ground, agreed to vote against it.

In addition to that, the big packers brought in 20 or 30 or more, as I recall it now, men who were under their influence—dealers, and some of their own employees—and had them pay in the $5, I think it was, initiation fee in order to be able to vote that morning; and the resolution came very near passing. I have forgotten the number of votes, but it was quite small, which it was defeated by.

And then Mr. Lightfoot after that got in communication with me. I was then in Chicago, holding these meetings and putting this correspondence forth.

When I got here to Washington on the summons of the Federal Trade Commission I was told that Mr. Hoover had complained to the President that the publication of these letters was impairing his influence and not getting the country to save food, etc., and that it ought to be stopped.

While I was here, or a day of two afterwards, Heyl resigned from the canned-goods division of the Food Administration.

Senator KENYON. Which one of the commissioners of the Federal Trade Commission took it up with you?

Mr. HENEY. All of them.

Senator KENYON. At a meeting?

Mr. HENEY. Yes; at a meeting.

Senator NORRIS. Did they order you to drop that?

Mr. HENEY. No. It seems that Mr. Hoover had gone to the President and that the President sent word over to them that he had no instructions to give in the matter, but he hoped a head-on collision could be avoided; that was the way it was put up to me.

So they wanted to know if I would talk with Mr. Hoover, and I said that I would—in their presence; and so an appointment was made, and Mr. Hoover came over and brought his attorney with him.

Senator KENYON. Who was that?

Mr. HENEY. I have forgotten his name. I think he is a Philadelphia man.

Senator KENYON. Was it Glasgow?

Mr. HENEY. Is that the name?

Senator KENYON. Yes.

Mr. HENEY. I told Mr. Hoover I thought that Priebe should be removed, and he said that he was satisfied that Mr. Priebe was absolutely all right; that Mr. Priebe had severed his connection with Swift & Co.; that he had an interest in four other concerns which had no connection whatever with Swift & Co.; that he was no longer drawing any salary from Priebe & Co., and the salary there was the smallest part of it, because he was getting 25 per cent of the net profits, which were quite large, after the 7 per cent had been paid on the capital.

Senator GRONNA. Did Mr. Hoover know that these other men—Heyl and Collins and possibly Brooks—were getting large salaries from the packers?

Mr. HENEY. Yes; because I brought that out at the public hearing in Chicago before this, Senator, and that was what brought about this condition that sent Mr. Hoover over to the President. He then told me, too, that Mr. Hoover had been indorsed by a convention in Kansas City as to his actions; as I recall it, he said "unanimously."

Senator KENYON. You mean Mr. Priebe?

Mr. HENEY. Mr. Priebe, I should say. At that time I did not know about the action of that convention, and that is the action I have been just telling you about.

I went back and investigated that, and I sent for Mr. Lightfoot to get the story, and I also took it up with Mr. Seymour Newman, who is the editor of the Chicago Produce News, and I found that the Chicago Produce News and a paper over in New York owned by the same man—not by Newman; Newman's employee, editor and manager at Chicago; this man's name I have forgotten, but he has a produce paper in New York—that he had been threatened for publishing editorials. He had been publishing editorials demanding that Priebe be removed and accusing Priebe of these things, and he had been threatened—a man had come over there from the Food Administration and said that his paper would be refused admission to the mails if he continued. I have learned that through his representative in Chicago.

Senator KENYON. How could the Food Administration deny the mails to a publisher?

Mr. HENEY. They were going to have it done through Burleson, under that law.

Senator KENYON. This messenger was not from Burleson's office?

Mr. HENEY. No. I happen to know who he was. It was Mr. Powell, of California, who was with the Food Administration.

I wrote a letter then to the owner of the paper, and Newman did not want me to—well, I wrote a letter to the owner of the paper in New York, and told him that Newman had told me that he had been approached, and asked him who approached him, and what was said, and said that if he would write me frankly and fully I would present the matter to the President; that I was satisfied that the President would not tolerate any such bulldozing to prevent a man from expressing his convictions in regard to a matter of this kind. I got a reply from him, but he did not tell me—but in the meanwhile he wrote an editorial taking back what he said about Priebe.

In this talk with Mr. Hoover I was asked if it was necessary—Hoover said all he wanted to know was that a man was crooked or not the right man for the place, and he would put him out immediately, but that he knew these other facts about Priebe. I said, "Mr. Hoover, I do not question your integrity one iota, but I do question your viewpoint not only in this matter but others," and I had in mind Joe Cotton. I questioned it very seriously, and I say Priebe is not fit for the job, and that Swift & Co. are interested in these other matters—business firms that he claims that he is interested in——

Senator KENYON (interposing). Is this Cotton the Wall Street lawyer?

Mr. HENEY. Yes. He had charge of the regulations of the packers, and whom I believe to be a man of the highest integrity but absolutely unfit, because of his viewpoint and environment, to have anything to do with regulating the packers; and that was demonstrated by the result of his regulation. I understand that he testified before a committee of the Senate that the regulations had cut the profits of the packers in half, and weeks later he got a report from the rate expert on the books, the checks of those 20 weeks' period, and the result showed that all of the packers but one were making more money up to that time, under the regulations, than they had made in 1917, and he had personally told me—Cotton had—that the profits in 1917 were "scandalous" and could not be described by any other term.

Now, I ask you from all these facts who ran the Food Administration? I ask you how and by whose consent these great profits were made? It was by consent of the Food Administration, under authority assumed by reason of the general terms of a law we passed. Shall we go further in this affair?

Mr. President, this of itself precludes my giving my vote for this bill. This same organization, these same representatives, this same system has been transferred to Europe, and they are now there to administer a charity fund made up by the taxpayers of the United States. The only people with whom they will have to deal in the purchase are the people with whom they have been dealing for the last year and a half. The people who are fixing the prices now are the people who have been fixing them for the last year and a half, and the people who will adminster the fund are the same people who have been administering it for the last year and a half.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. GAY in the chair.) Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. KENYON. I know the Senator wants to be accurate, and I call his attention to the fact that they are not exactly the same people. They are not all there. Mr. Thomas Logan, who was on a salary of the packers, maintaining an expensive suite here at the Willard Hotel, and also employed by the Standard Oil Co. and other corporations and running a bureau contributing to papers and magazines, went over with Mr. Hoover and Mr. Hurley, sat in all the conferences with them, discussing the food situation at a time when he was an employee of the packers. He has returned, so that the Senator is not exactly accurate in saying that all are there.

Mr. BORAH. Mr. President, I have no doubt that the cables will be open to Mr. Logan in case his advice becomes necessary in Europe.

Mr. CURTIS. May I ask the Senator a question before he closes his remarks?

Mr. BORAH. Certainly.

Mr. CURTIS. I understood the Senator to say a few moments ago that there was an understanding before Mr. Hoover went abroad that this money would be asked for, and that he went abroad to gather the facts to justify asking for it. Will the Senator give us his authority for that statement?

Mr. BORAH. I do not want to take the time to read it, but I will insert it in the RECORD. If the Senator will read the CONGRESSIONAL RECORD of January 20, 1919, on page 1746, he will find what I had reference to.

Mr. CURTIS. In whose speech is it?

Mr. BORAH. It is in the testimony of Mr. Taliaferro before the Agricultural Committee. The Senator will find that Mr. Taliaferro states that the packers and Mr. Hoover talked over the matter of finding a market or stabilizing prices for their reservoirs of food supplies in this country, that the subject matter was discussed, and he states plainly, it seems to me, that it was understood that the market was to be found in the European situation, and that the matter was discussed in its fullness before Mr. Hoover went to Europe at all. I can not construe it any other way.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Pennsylvania?

Mr. BORAH. I yield.

Mr. KNOX. Will the Senator from Idaho go a step further and tell us whether during that conversation there was a discussion or an understanding that an appropriation of this character was to be asked for in order to make that market? I think it raises an extremely important and interesting question here.

Mr. KENYON. I can assist the Senator, I think, about that.

Mr. BORAH. I would be very glad to have the Senator's suggestion. I will look for the specific statement. It is here.

Mr. KENYON. I do not think the specific statement is there, but at the conference there was an agreement that this appropriation should be asked. The situation was this, according to the witnesses: Britain had ceased to buy pork products. The packers either sought a meeting with Mr. Hoover or he called them here in October, some 25 or 30 of them, including the witness. The whole situation was talked over, and the question of stabilizing the prices was discussed, so that there would be no loss to the packers, and keeping, rather, an agreement of honor that had been made between the Food Administration and the packers as to keeping up prices under the arrangements which had theretofore been made. The witness said he did not know at that time that Mr. Hoover was going to Europe, but that Mr. Hoover had now gone there, and he expected him to carry out the understanding of that meeting. That is the substance of his testimony.

Mr. BORAH. I will read from Mr. Taliaferro's testimony:

Mr. TALIAFERRO. So far I have no objections. If the present price is maintained and there are not sufficiency of orders forthcoming the packers are going to be compelled to stand the biggest loss, in my estimation, that they ever stood, and probably a great many of them will be seriously crippled.

Senator KENYON. Just what do you mean by that? Are there great quantities of meat products in the cold-storage houses now?

Mr. TALIAFERRO. At the present time the products, while ample, are pretty well taken care of by allied orders.

* * * * * * *

Senator GRONNA. In reality, there is an oversupply of meats at the present time?

Mr. TALIAFERRO. There is an oversupply immediately available for the amount of consumption that is apparent.

Senator KENYON. And if we do not get rid of that oversupply the packers are going to be in a bad way?

Mr. TALIAFERRO. They are going to be compelled to stop. We are only operating in one door and carrying it out the other. If any links of that chain is broken, the weakest one, the whole thing stops.

Senator GRONNA. Has that oversupply caused any change in prices?

Mr. TALIAFERRO. Has it made any change in prices?

Senator GRONNA. Yes.

Mr. TALIAFERRO. Not yet, Senator; but it is likely to make an awful change in prices if the outlet is stopped. If you dam the river up at its outlet instead of its source, you are going to have trouble.

The CHAIRMAN. You figure if this meat can be used and disposed of to the southeastern Europeans that that demand will relieve this congestion of meat and it will enable the packers to keep running and supply the demand for fresh meat in England?

Mr. TALIAFERRO. It will; that is the secret of the whole thing, Senator, that the continuity of events must not be interrupted in any one particular, not from the producer on the farms to the consumer in Europe.

Senator KENYON. If they did not get the consumer in Europe and these products were thrown upon the market the consumer would get meat a little cheaper, would he not?

Mr. TALIAFERRO. He certainly would.

Senator KENYON. But you think it would make a smash among the packers?

Mr. TALIAFERRO. It would make a smash among the producers and packers, too.

Senator KENYON. Both together?

Mr. TALIAFERRO. You can not pare that potato without taking off something from each fellow. Everyone will have to suffer if that happens. The apparent suffering will be, of course, on the man who owns the biggest amount of product, which will be the packer. The packer has no guaranty that this stuff he is paying 17½ cents for is going to be taken off his hands. There is no guaranty. The Food Administration has not given us a guaranty on that. They have just told us, "Go ahead. You are a patriotic bunch of fellows, and pack these hogs on the basis of 17½, and we are going to get orders for you." But they do not give us any insurance policy.

The CHAIRMAN. Mr. Hoover was instrumental in giving those assurances?

Mr. TALIAFERRO. I want to say one thing for Mr. Hoover; that I have been under him—in connection with the license—and I have seen that gentleman under the most adverse circumstances, the most trying circumstances, and I want to say that he is one of the grandest men I know of; that he has done more good to the producers of this country than any other man in the country.

The CHAIRMAN. The packers pretty generally agree in that opinion?

Mr. TALIAFERRO. I do not know. They know worth when they see it.

Senator KENYON. Was meat and money the only things he talked over with the packers?

Mr. TALIAFERRO. It has all been a matter of our risking our money against their promise of their ability to relieve us of the product.

Senator KENYON. Do you not think, now, with Mr. Hoover over there insisting on this $100,000,000, that he is keeping faith with you?

Mr TALIAFERRO. I certainly do, or I would not be buying hogs; and I will go the limit on what he says, and that is the reason I am spending my good money on hogs. I know I will lose a lot of money on it if anything should slip

I also insert in this connection the statement of Glasgow, representative of the Food Administration, in testimony before the House committee on this bill:

We also at this time, because of the stimulation of the production of hogs throughout the hog-producing sections of the country, have accumulated in the hands of the packers, by reason of the run on hogs at this particular time of the year, a large surplus that we must work off as we can to Europe, and one of the purposes of Mr. Hoover has been, if possible, to provide a safe and regular drain of such edibles as fats, oils, and cereals that we have a surplus of to Europe, with due regard to protecting our own population by holding control over the export of them.

Mr. KNOX. Mr. President, I attach so much importance to the judgment of the Senator from Idaho that I want to be perfectly clear about it, if he is willing to make himself a little more clear. The impression that I received from his statement was that it had been prearranged that this $100,000,000 appropriation should be asked for in order to relieve the packers. I have heard here on the floor of the Senate that we should appropriate this money because of the sending of this cablegram from the President to the Acting Secretary of State, in which he points out the distress and hunger which exists in various sections of Europe and particularly among the urban population, and asks for money to be expended by him as he shall see fit, and where he sees fit to expend it. Those are two entirely different propositions. I would never in the world vote for an appropriation of $100,000,000 to enable Mr. Hoover to stabilize packing products in Europe by virtue of a preconceived arrangement. I might, in connecting the situation in Europe with the war, be persuaded to vote for the appropriation upon the theory the President puts it. I would like to know what is the deliberate judgment of the Senator from Idaho upon those two propositions?

Mr. BORAH. The Senator from Pennsylvania is an able lawyer and a sound judge of evidence. Let us review briefly,

therefore, the facts and circumstances which warrant the conclusion I have drawn. First, let it be remembered that men in the employ of the packers, drawing large salaries from the packers, were in control of matters in the Food Administration having particularly to do with the packers' interest; that upon the signing of the armistice the packers were left with a large food supply on hand which they had acquired during the war; that if a market was not found for this food they stood to lose a large sum of money, as prices would fall and they would have to sell on a falling market; that the point, therefore, was to find a market and thereby stabilize prices, and in this the packers were supremely interested; to this end a conference was called between the packers and Mr. Hoover, and the entire subject matter was discussed, although we have not the details as fully as we should like; shortly after the conference the newspapers carried the statement that Mr. Hoover was going to Europe to look after the food situation and might become the food dictator of Europe; that on this trip to Europe with Hoover, sitting in with him and advising about the situation, were men in the pay of the packers; that within less than a week after Mr. Hoover arrived in Europe, and before he could have surveyed the situation, before he had been outside of Paris or London, the newspapers carried back here, in substance, his plan; then came his demand for a hundred million dollars; this was followed by a telegram from Mr. White, a member of the peace commission, urging a hundred million dollars more and referring to the fact that we had large food reservoirs in this country, the prices for which should be stabilized; that afterwards Mr. Glasgow, representative of the Food Administration, stated specifically that the packers had accumulated large supplies of pork, and that it was necessary to work this off as we could to Europe, and that that was one of Mr. Hoover's purposes; that Mr. Taliaferro, representative of the packers, testified before the committee that in demanding this hundred million Hoover was simply keeping good faith with the packers, or, in other words, carrying out the understanding, express or implied. Add to this the fact that we went in search of an opportunity to expend this money, and did not wait for the petitions or pleas to come from the distracted countries. Others may take what view they will; I can not close my eyes to such a set of facts, to my mind intolerable and indefensible.

Mr. KNOX. Can the Senator from Idaho tell me whether or not it is the same evidence upon which the Senator from Oklahoma [Mr. GORE] made the statement day before yesterday that a part of this money was to be used for this purpose?

Mr. BORAH. It is part of the same evidence.

Mr. President, I can not recall the witness's name, because I am not a member of the committee, but there was a witness who appeared before the House committee several weeks ago and testified with reference to this reservoir of foodstuffs which are on hand. I can not recall the witness's name, but as to the necessity of taking care of it and to avoid loss upon the part of the packers——

Mr. KNOX. To what Mr. White did the Senator refer?

Mr. BORAH. I referred to Mr. White, the member of the peace commission.

Mr. KNOX. Can the Senator indicate where that cablegram can be found?

Mr. KENYON. I will say that it can be found in the House hearings. It is the cablegram to Senator Lodge. It is not all there, but the portion the Senator from Idaho referred to is there.

Mr. SMOOT. May I interrupt the Senator?

Mr. BORAH. Certainly.

Mr. SMOOT. The Senator speaks of the food reservoir, and from his remarks I judge that the food in that reservoir in France belongs to the packers. Am I correct in that?

Mr. BORAH. In France?

Mr. SMOOT. Yes.

Mr. BORAH. I do not know where it is located. It is supposed to belong to the packers wherever it is located.

Mr. SMOOT. I wish to say to the Senator that from all the testimony we have had that I have heard the food products in France that are to be drawn from belong to the United States. The packers have been paid for every pound of it, and it is there now in great quantities. It was sent there for the purpose of feeding the Army, thinking that the war would go on for months and months longer. The selling of that product can not give the packers any benefit whatever.

Mr. BORAH. Neither is it necessary to appropriate $100,000,000 to get it.

Mr. SMOOT. That is another question. All I wanted to know was whether the packers had over there products which were not sold and paid for. In that case I certainly would not vote a single dollar to purchase the products of the packers that were over there and not liable to be used because of the Army returning home. But I understand the Government of the United States has paid for every pound of meat products, and every pound that is now in France has been purchased from the packers.

Mr. BORAH. That may be true, but we are not appropriating $100,000,000 to get that food supply.

Mr. SMOOT. I wish to say, if I understand the situation aright, the food supply is to be bought by a portion of this appropriation.

Mr. BORAH. Bought of the United States?

Mr. SMOOT. Certainly; not only the food supply we have in France, but the millions of suits of clothing and all the acres and tens of acres of trucks and automobiles.

Mr. BORAH. You are not going to feed those to the Bolshevists?

Mr. SMOOT. No; but I will say to the Senator that those things are there, and they are to be sold by the United States.

Mr. BORAH. But that has nothing to do with this fund whatever. Let us not mix up automobiles and trucks with pork.

Mr. SMOOT. I will simply say that we have pork there in great quantities. We shipped over 2,500,000,000 tons of beef for the feeding of our Army. We have lard and lard products in large quantities, and we have all manner of food provisions there for the Army. They are not to be used, and can not be used, by the time the Army is supposed to leave France, and they have got to be sold. Whether they are sold for this purpose or some other purpose, they have to be sold, and whatever we get out of them, of course, will go into the Treasury of the United States.

Mr. LA FOLLETTE. If I might inquire——

Mr. BORAH. I shall yield in just a moment. I desire to ask the Senator from Utah what construction he places upon this:

Mr. TALIAFERRO. It has all been a matter of our risking our money.
Senator KENYON. Do you think now, with Mr. Hoover over there insisting upon this $100,000,000 appropriation, that he is keeping faith with you?
Mr. TALIAFERRO. I certainly do.

What construction does the Senator from Utah place upon that?

Mr. SMOOT. Mr. President, I was not discussing the question as to whether or not they had an agreement. I asked the Senator the question if he knew whether the packers had any meat products over in France that were unsold? I understand they had no reservoir of food in France, and that the only meat products in France, which are held in any quantities at all, are either owned by our own Government or by the English Government or by the French Government.

Mr. BORAH. That is veering away from the proposition which I was discussing. I say that the evidence is ample to satisfy any reasonable mind that this plan to appropriate money to feed the people of Europe resulted from an interview and conference with the packers of this country who wanted to get rid of their extraordinary food supplies that were on hand.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. CUMMINS. Does not the Senator from Idaho see that exactly the same result would be accomplished; that is, the maintenance of the prices of foodstuffs? Suppose the Government has—that seems to be a disputed matter, but the papers have so stated it—$55,000,000 worth of foodstuffs in Europe; suppose it belongs to the Government, and we take $55,000,000 of this appropriation and pay it back to the Government for the food we already have there at those prices, the result is just the same; the prices are maintained, and the packers are benefited accordingly, although in that event the bill ought to be changed so that it would simply be a donation of this food which we have accumulated instead of an appropriation.

Mr. BORAH. Yes; I do not see any reason for appropriating $100,000,000 and taking it out of the pocket of Paul and putting it in the pocket of Peter.

Mr. CUMMINS. I intend to discuss that phase of the matter presently, when we reach it.

Mr. SMOOT. I will state the only reason for that. Suppose this Government, if we pass this bill, appropriates $100,000,000 and it is distinctly understood that England, France, and Italy will make an appropriation of $200,000,000 more, so that the fund will be $300,000,000; then whatever products are purchased will be purchased out of that fund as a whole, whether it is purchased of England, of France, or of the United

States. That is the only reason I can see for making an appropriation of money rather than a direct appropriation of the products themselves.

Mr. BORAH. Well, Mr. President, all this is getting away from the proposition that I do not want forgotten and the proposition which I have stated.

Mr. President, I would not be so absolutely certain of this proposition—although the evidence was in my possession when I spoke the other day, but it was in my possession in such a way that I was under obligation not to use it, and the only reason I feel justified in using it to-day is because Mr. Taliaferro let the cat out of the sack—if the evidence were not in existence; but it can be had, and, in my judgment, before the committee gets through it will be beyond peradventure. I do not propose, sir, to cast my vote even when there is a well-founded doubt.

If there is a way to administer this fund beyond question, so that it will be administered straight and clean and to the best interests of the taxpayers of the United States, why, in the name of justice, should men under their oath take a chance in administering a trust fund? Would you do it with your business affairs? If you were standing here as a guardian of a trust fund, would you for a moment undertake to have it administered with such facts as these staring you in the face by such a machinery as that? And you should be 10 times more careful with a trust fund which may cause trouble in this country before we are through.

Passing a hundred million dollar appropriation upon a telegram! There is no more determination in the mind of Mr. Hoover since he visited the depopulated and crushed people of Europe to feed them than there was when he left here. He is not any more convinced now than he was when he took boat from New York that it would be necessary to do so.

Why did not we wait until the cry from Macedonia came to us? Where are the people of Europe who have petitioned the people of the United States for charity? Where is the supplication? It did not originate in Europe; it originated in Chicago. That is just as true as men tell the truth under oath, as these men have, and there was plenty of evidence in Chicago before Mr. Hoover left, that this was to be the program; yet, sir, you will take it from the people in this country who have reached the limit of their endurance.

I am perfectly willing, Mr. President, for the United States to bend a little further, to take on a little more of a burden, and to assume some further responsibility in order to do justice to those people who have felt the oppression of bureaucracy and kingship for three centuries. I have no sympathy in my heart for any of that remnant of kings and bureaucrats who are fast passing into oblivion and into other places, but I want the people or the taxpayers of the United States to be protected when we take this proposed action. I want men to administer this fund who have a due regard for the people of this country. My desire is to have it administered in such a way that it will serve both those who are to be fed and those who must pay for the feeding.

Mr. MYERS. Mr. President, I was amazed to read in the Washington Post of this morning that we are about to furnish a large quantity of food to Germany and to receive in exchange therefor a certain quantity of Germany's shipping. I read from the article, which attracted my attention this morning and caused my amazement, as follows:

> The armistice conference at Treves between the German and allied shipping and food commissions, which include Sir John Beale Anderson and John A. Salter for Great Britain, and Edward N. Hurley, Lewis H. Sheldon, and Howard Heinz for the United States arranged for the delivery to the starving people of Germany from America 70,000 tons of pork and 200,000 tons of cereals. The Germans can negotiate for transformation of a portion of cereal ration into condensed milk for children. We get about 350,000 tons of shipping, half of the available German passenger ships, with capacity for 70,000 home-bound soldiers.
>
> The British get the other half of the passenger tonnage, smaller passenger ships, needed to move the Australians through the Suez Canal, which the *Bismarck* and *Imperator* could not pass. The remuneration to Germany at the current market rate for the used passenger ships will be its credit against the food they get from us. Two million tons of German cargo ships to be used for food shipments will be divided among the allies. All enemy ships are taken "without prejudice as to their final disposition," in which diplomatic phrase the German's find small comfort.
>
> The German ships are to be delivered at designated ports of Great Britain and France. The German sailors who bring them are to be sent back home at the allies' expense. German entreaties for further use of their sailors were denied by our negotiators, among other reasons being that we are not willing to take the risk of sending German-manned boats into American ports.

This is most astounding to me. I am emphatically opposed to such an arrangement. It does not have my approval. I do not believe there is any starvation in Germany. I believe the people of Germany are far better off than are the people of France and of Belgium. They have not felt the war nearly so much or so cruelly as have the people of France or of Belgium. Immediately after the conclusion of the armistice a great cry and clamor went up from Germany to have foodstuffs sent to her alleged starving people. Immediately that the armistice agreement was completed the first thing which we heard was a great cry and clamor from Germany for us to feed the alleged starving people of Germany. They even had the German women undertaking to get into communication with the women of this country in order that the German cry for food might be heard and heeded here. The matter was investigated by careful investigators, and it was found that there was no starvation in Germany; that starvation was not imminent nor was it threatening. It was found that the German people were not in need of food; that they had just harvested their 1918 crop, and had that crop in their cellars and storehouses. It was ascertained that they had sufficient food to carry them through the winter, at least; that there was no suffering because of lack of food. The false cry being exposed, for the time being the clamor of Germany for food quieted, but now it is renewed.

I do not doubt that every man, woman, and child in Germany would go to work and fill their cellars, storehouses, and bins with food, would store away enough food to last a year, and then would make affidavits that they had no food, that they were starving, if they thought that by so doing they could get something for nothing from the United States and could thereby starve to death a few more women and children in France and Belgium, where there is real and great suffering for the necessities of life. That is just about how much credence I put in the cry for food from Germany. I believe nothing that comes from Germany. I believe in nothing in Germany.

We should not furnish the Germans with food in return for ships. We should, as a conquering Nation, take those ships from Germany as a conquered nation. The trouble is that Germany does not feel that she is conquered; she does not feel that she is beaten. The people of Germany feel that they have never surrendered; that they are an unconquered, an unbeaten people. That feeling is paramount in their breasts to-day. I think we made a great mistake in not prosecuting the war until there was an unconditional surrender of Germany on German soil, until there was a smashing military victory over the Germans on German soil. Germany should not only have been beaten to the ground but she should have been beaten into the ground. Germany should have been subjected to a devastating invasion of fire and sword and been made to feel some of the terrible suffering she imposed upon innocent people. The guilty people of Germany should have been made to feel some of the hardships that they imposed upon the innocent.

Germany is not entitled to any consideration from us. Germany violated every principle of international law, of civilized warfare, of humanity and decency, and put herself beyond the pale of consideration. Not only were the German war dogs guilty of such conduct, but the people of Germany backed it up with their hearts, their pocketbooks, and their efforts. I believe that every time a woman or young girl was ravished by a brute of a German soldier in France or Belgium it caused a thrill of joy in the heart of every person in Germany to whom it became known. I believe that every time a little boy had his hands cut off at the wrists, every time a baby was impaled on a bayonet, every time a baby was grabbed out of its mother's arms and had its brains dashed out on the floor by a brutal German soldier, it caused a thrill of joy in the heart of every person in Germany who heard about it. If 1,000,000 German people heard about it, I believe there were 1,000,000 thrills of joy over it; if 10,000,000 people heard about it, I believe there were 10,000,000 thrills of joy over it; if 70,000,000 people—the population of Germany, I believe—had heard about it, I believe it would have caused 70,000,000 thrills of joy in German hearts.

I believe we are starting out to be entirely too soft in our treatment of the people who plunged this world into the most horrible war and devastating outrage upon humanity that has ever been known. The people who waged a wicked, infamous, criminal, and fiendish warfare upon the civilization of the world should be punished for it; they should be punished adequately; they should be punished severely. There is merit and justice in adequate and severe punishment under such circumstances. Yet I find from this morning's Washington Post that the people of Germany are renewing their oft-repeated whimpering and whining about the terms that are apparently in store for them. I read that Prince Lichnowsky, former German ambassador to Great Britain, yesterday gave the following statement to the Associated Press:

> A peace of right and justice, provided it is not merely to be a phrase behind which a peace of violence conceals itself as a pax Britannica, can only be such a peace as neither enslaves nor mutilates the conquered and which leaves him the possibility of recuperating, of paying his debts, and of entering with complete confidence into the peaceful competition of a society of nations. A league of nations which has its roots only in statutes and is not in the hearts of peoples is worthless.

Further down in his statement he says:

Hence a peace of justice would be only such a one as neither boycotts us nor lays upon us intolerable financial burdens which would make us dependents for all time, nor one which creates untenable borders and robs us of lands which we require geographically and economically.

It is the constant cry and refrain of the Germans that we must not be hard on Germany; that our terms to Germany should not be severe; that we must not humiliate Germany; that we should permit Germany quickly to recuperate her power and resuscitate her resources and take her place among the nations of the earth. That is the talk of a nation that assumes to speak to the other nations of the earth as an equal, on an equal footing, and not as a conquered nation, beneath the notice and almost beneath the contempt of the decent peoples of the world; not as a nation that has violated every precept of humanity and decency and which is entitled to no consideration except such as its conquerors see fit to give to it. I believe that cry will be kept up time after time, in season and out of season, until Germany will manage to obtain terms which she does not deserve and should not receive. That is evidently now the game of Germany. It is her deliberate plan, by trickery, deception, falsehood, appeals to pity, to obtain that which she could not win by war. I fear she may partially succeed.

If we vote the $100,000,000 proposed to be appropriated in the bill now before this body for consideration, I believe it will only be a short time until we will be called upon to vote $100,000,000, or more than that, to the alleged starving people of Germany, when there will be no necessity for it, when there will be no starvation in Germany, and when her alleged starvation will be merely a sham and pretense, a wicked deceit and falsehood, mere camouflage.

I am opposed to anything which approaches it or may lead to it. I believe that the people of Germany and the people who helped her to perpetrate a monstrous outrage on the world should be made to feel the hard heel of justice, and justice of the right kind. I am opposed to taking any step which may lead up to dealing softly or in an unjust manner with Germany. I say "unjust," because if she is given easy terms it will be unjust to all the rest of the world, at least to all countries and peoples not in league with her deviltry.

It seems to me that the United States is about to assume the rôle of being the big rich uncle to all the remainder of the world; that we are going to be a big rich uncle to all of Europe, friend and foe alike; and that if anybody needs help over there or gets into trouble, they will turn to Uncle Sam, their big rich uncle, for assistance. If we make the proposed appropriation which is before us for consideration, I believe it will encourage the unstable, restless, dissatisfied peoples of the remainder of the world to engage in revolution, in uprisings, in civil strife, in internecine warfare; to burn and destroy; to leave their vocations and destroy each other's crops and products; to neglect the cultivation of the soil; and to spend their time in Bolshevism and revolution and contentions among one another. Then, when they run out of food, I fear they will say, "Oh, we do not need to bother about that; Uncle Sam, our big rich uncle, the big rich uncle of all the world, will see that we get food; Uncle Sam will feed us; let Uncle Sam do it."

I am opposed to encouraging any such feeling or setting any such example or creating any such precedent. I am opposed to doing anything or taking any step that will be likely to create any such sentiment or hope in the hearts of the other peoples of the world. If we are going to feed the people of Europe this year, to keep them from becoming Bolsheviki, we will have to do it next year; for just so long as you let people know that you will feed them in order to make them abstain from assaults upon the civilization of the world, they will take you at your word and make you feed them. If we embark upon this policy, I think it will be only a few weeks until we will have to repeat it; and, if we continue it through this year, we will have to repeat it next year and the year after; and just so long as we are willing to feed people, to keep them in idleness, to keep them from becoming anarchists and making assaults upon the civilization of the world, we will have to keep it up; there will be no end to it. This will be merely the beginning and a very bad beginning, in my opinion. I believe the principle is wrong; I believe the policy is dangerous. I think it mistaken generosity. It may do credit to the heart, but I think it fraught with danger. In my opinion it is more good hearted than sound, safe, or just.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Arizona.

Mr. ASHURST. On that I ask for the yeas and nays.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Martin, Ky.	Sherman
Borah	Hollis	Martin, Va.	Smith, Ariz.
Calder	Johnson, Cal.	Moses	Smith, Ga.
Colt	Johnson, S. Dak.	Myers	Smoot
Cummins	Jones, Wash.	New	Sterling
Curtis	Kellogg	Nugent	Thomas
Fletcher	Kenyon	Page	Trammell
France	Kirby	Pittman	Underwood
Frelinghuysen	Knox	Poindexter	Wadsworth
Gay	La Follette	Pollock	Warren
Gerry	Lenroot	Pomerene	Weeks
Hale	Lewis	Saulsbury	Williams
Harding	McKellar	Shafroth	
Henderson	McNary	Sheppard	

Mr. GERRY. I wish to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Delaware [Mr. WOLCOTT], the Senator from Utah [Mr. KING], and the Senator from Minnesota [Mr. NELSON] are detained on official business.

Mr. McKELLAR. I desire to announce the absence of my colleague [Mr. SHIELDS] on account of illness.

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. There is a quorum present. The Senator from Arizona has asked for the yeas and nays on his amendment. Is the demand seconded?

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arizona.

Mr. ASHURST. Then, of course, Mr. President, if the Senate refuses me the yeas and nays I shall be obliged to consume considerable time in order to convince the Senate that it ought to grant the yeas and nays, because of course the bill is not going to pass until the yeas and nays are called on this amendment.

Senators have been very industrious——

Mr. MARTIN of Virginia. Mr. President, the Senator announces that he will annoy the Senate into doing what he wants?

Mr. ASHURST. Yes, sir; I want the yeas and nays.

Mr. MARTIN of Virginia. I raise the point of order that the Senator has spoken twice on this matter, and it is not now in order for him to address the Senate again.

The VICE PRESIDENT. Has the Senator spoken twice to-day?

Mr. ASHURST. Yes, sir.

The VICE PRESIDENT. And twice on the amendment?

Mr. ASHURST. Yes, sir; I have.

The VICE PRESIDENT. Then that seems to be the end of the Senator's rights under the rule.

Mr. ASHURST. Well, I will, of course, submit. I am overpowered. My very learned and beloved friend, the chairman of the committee, has been industriously going about and urging Senators not to grant the yeas and nays.

Mr. MARTIN of Virginia. Mr. President, I should not have made the point of order except that the Senator boldly declared that his purpose was to torture the Senate into doing what he wanted it to do.

Mr. ASHURST. Mr. President, I am defeated, and I yield as gracefully as possible.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arizona. [Putting the question.] By the sound, the "noes" seem to have it.

Mr. ASHURST. I call for a division.

The VICE PRESIDENT. A division is called for. All in favor of the amendment will rise. [A pause.] Those opposed will rise. [A pause.] The amendment is lost.

Mr. McKELLAR. Mr. President, I ask for the yeas and nays.

The VICE PRESIDENT. They have already been refused.

Mr. ASHURST. Mr. President, I reserve the right to offer the amendment in the Senate.

The VICE PRESIDENT. The Senator has a right to do that. The bill is still open to further amendment. If there be no further amendment to be proposed as in Committee of the Whole, the bill will be reported to the Senate.

Mr. CUMMINS. Mr. President, I desire to ask the Senator in charge of the bill whether he expects to get a vote on the bill to-night? I have it in mind to submit certain observations, but I do not want to do so to-night, and I will not do so at great length at any time.

Mr. MARTIN of Virginia. Mr. President, I have been anxious every day for several days to get a vote, and I confidently expected a vote to-day; but the Senate, in the exercise of its privilege, has debated the matter longer than I expected, as Senators had a right to do. At this late hour I would not be willing to pursue a course that would compel the Senator from Iowa to address the Senate when he would prefer to put it off until to-morrow.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. NELSON submitted an amendment proposing to appropriate $15,000, or so much thereof as may be necessary, of the tribal funds of the Chippewa Indians in the State of Minnesota to pay the expenses of the general council of that tribe to be held at Ball Club, Minn., July, 1919, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

RECESS.

Mr. MARTIN of Virginia. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 4 o'clock and 35 minutes p. m.) the Senate took a recess until to-morrow, Thursday, January 23, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 22, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts in gratitude to Thee, our God and our Father, for the endowments of mind and soul with which Thou hast blessed us; for the knowledge which by experience and research we have accumulated; and we pray for wisdom, that we may use the endowments and our knowledge for the uplift of humanity, that Thy kingdom may be advanced upon the earth. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

RATIFICATION OF PROHIBITION AMENDMENT.

The SPEAKER. The Chair has certificates from authorities of certain States that the prohibition amendment has been ratified, from the States of Colorado, New Hampshire, Oklahoma, Florida, Indiana, Washington, Oregon, Nebraska, and North Dakota, and they will be filed in the archives of the House.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14516, the Diplomatic and Consular appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14516, the Diplomatic and Consular appropriation bill, with Mr. FERRIS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14516, the Diplomatic and Consular appropriation bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Interpreter to legation and consulate general to Persia, $2,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. The committee throughout this title, I notice, have increased the salaries of interpreters and student interpreters herein from $500 to $1,000, in a few instances, possibly not aggregating as much as that. I would like to inquire the reason for the committee's action in making this decided increase in these interpreters and student interpreters?

Mr. FLOOD. The reason which actuated the committee was the statement of the officials of the State Department made to the committee that it was impossible to get the proper kind of men to accept those positions now at the present salaries. They are not able to live on the salaries, and they could not get Americans to take up these difficult languages and learn them so as to be efficient interpreters, and if they could not the result would be we would be dependent upon non-Americans to render this necessary and valuable service to our representatives abroad, and that would be the case at times when it was essential to have Americans in all of our diplomatic and consular service. The interpreter to legation and consulate general to Persia is getting $1,000 a year. They just could not expect a man of sufficient intelligence, an American citizen, to stay there for that salary.

Mr. STAFFORD. Will the gentleman inform the committee whether this position has been heretofore filled by an American citizen or whether the position was not accorded to some native who was acquainted with the English language and the native language?

Mr. FLOOD. The attempt has been to fill it with Americans, but they have sometimes been unable to do that on account of the salary.

Mr. STAFFORD. I would question whether it was ever intended to fill the position of interpreter and keep him continuously employed on that work at a salary of $1,000 in Persia.

Mr. FLOOD. The effort has been made to get American citizens in the student interpreter corps. American citizens go in the student corps and study these languages and then they are promoted into interpreters, and the effort has been and desire is to have all Americans. They have been unable sometimes to get Americans for the reason of the inadequacy of the salary and the argument appealed to the committee, and we made an increase for that reason, because we want to Americanize the entire Consular and Diplomatic Service, and I will say to the gentleman most of the increases in this bill are directed to that purpose.

Mr. STAFFORD. What are these student interpreters provided in the second paragraph following doing during their matriculation?

Mr. FLOOD. During the course of study they render some service to the legations as clerks, but not a great deal, because their time is practically taken up in study. We provide a teacher for each student interpreter, and their time is principally taken up in the study of these languages, but such time as they can spare they render services in the way of interpreting and other things at the consulates or legations or the embassies to which they may be nearest.

Mr. STAFFORD. What salary do they receive after they complete the course of study?

Mr. FLOOD. They are promoted from students to interpreters, and they have been receiving a salary of $1,000 to $1,500.

Mr. STAFFORD. Where is the provision in the bill that they have been receiving that salary upon their graduation?

Mr. FLOOD. When they finish their course of study, when they acquire sufficient knowledge of these languages to become interpreters, they are made interpreters, and as interpreters have been getting from $1,000 to $1,500 a year.

Mr. STAFFORD. Where is the item in the bill providing for their payment after they graduate as full interpreters?

Mr. FLOOD. The item the gentleman read, interpreter to legation and consulate general to Bangkok, Siam.

Mr. STAFFORD. This is the only provision in this bill for the employment of two interpreters?

Mr. FLOOD. Oh, no.

Mr. STAFFORD. One as the interpreter to legation and consulate general to Persia and the other as the interpreter to legation and consulate general to Bangkok, Siam?

Mr. FLOOD. No; there are some more.

Mr. STAFFORD. I will be glad to have the gentleman point out any provision for the employment of full interpreters.

Mr. FLOOD. The Consular Service has a number of interpreters.

Mr. STAFFORD. Will the gentleman kindly point out the item in the bill which provides for their employment after they graduate from these classes of instruction?

Mr. FLOOD. That is paid out of the fund providing for the salaries of consular offices, out of a lump sum.

We have in the service now quite a number of interpreters.

Mr. STAFFORD. I am more concerned as to salaries they are receiving on their graduation. Certainly, if they receive $1,500 as students, they would receive more when they qualify to perform the work of the Government as interpreters.

Mr. FLOOD. In some of the consulates they receive $2,000 a year. There are 16 of them in addition to these to whom the gentleman refers.

Mr. STAFFORD. Is it not a fact that no interpreter who is paid out of the lump-sum allowance for pay of consulates receives less than $2,000 a year?

Mr. FLOOD. I think so; yes.

Mr. STAFFORD. Mr. Chairman, to the present paragraph I will withdraw the reservation of the point of order. The chairman has made out a meritorious case.

The Clerk read as follows:

Interpreter to legation and consulate general to Bangkok, Siam, $2,000.

Mr. ROGERS. Mr. Chairman, I move to strike out the last word.

In the course of the debate yesterday afternoon I referred to an item on page 2 of the bill, line 10, being an appropriation for the salary of our minister to Costa Rica. Our minister to Costa Rica is Mr. Edward J. Hale, of North Carolina. I stated

at that time that it was my information that Mr. Hale had returned from Costa Rica two years ago or thereabouts to his home in North Carolina and had enjoyed life in North Carolina ever since. That statement, I understand, was not disputed, but my further statement, that during that entire two years he had been also enjoying the payment of the full salary of $10,000 a year for doing nothing, was disputed by the distinguished chairman of the committee, the gentleman from Virginia [Mr. FLOOD]. I called this morning at the State Department to get the information about the case, because I had no desire to mislead the House even innocently.

I am informed that the facts are these: That Mr. Hale came back from Costa Rica in April, 1917; that he went to his home in North Carolina and has never been back to Costa Rica during the almost two years which have since intervened; that he has done no Government work; that he has performed no diplomatic functions of any kind during that period; but that he has been regularly in receipt of the full salary of $10,000 a year during the entire time.

Mr. GARNER. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. GARNER. Is there not any process by which you can stop such stealing as that from the Treasury?

Mr. FLOOD. Yes.

Mr. GARNER. What is it?

Mr. FLOOD. The process, if the gentleman is correct, and if the State Department officials correctly stated it to him, is that the official who is responsible for it should be impeached, because it is a clear violation of the law. Section 1742 provides that they shall not receive salary for the time during which they may be absent, by leave or otherwise, for a period exceeding 60 days in any one year. If anyone in the State Department has allowed Mr. Hale to stay away from his post of duty for two years without doing any Government work or rendering any service to the Government and draw his salary that official has violated the statute law of this country. Will the gentleman name the man who is responsible for it?

Mr. ROGERS. I do not know who is responsible for it. It is the gentleman's administration.

Mr. FLOOD. Who at the State Department gave the gentleman this information?

Mr. ROGERS. The information is a fact. I do not see why I should bring in the individual's name.

Mr. FLOOD. I called up the State Department this morning and was told that it could not be a fact, owing to the law I have referred to.

Mr. ROGERS. There seems to be a pretty square conflict of authority there.

Mr. GARNER. Somebody has got to come across with the authority.

Mr. FLOOD. We would like to know the gentleman who is responsible for this.

Mr. ROGERS. I do not know, and I do not think my informant is responsible for the situation.

Mr. FLOOD. I called up Mr. Wilbur J. Carr, the director of the Consular Service, on the telephone and told him of the statement the gentleman from Massachusetts [Mr. ROGERS] made yesterday, and he said there must be some mistake—that payment of salaries under the circumstances stated by the gentleman from Massachusetts was prohibited by law.

Mr. GARD. Will the gentleman from Virginia yield?

Mr. FLOOD. I will.

Mr. GARD. After the gentleman has made his frank statement does he not think that the gentleman from Massachusetts [Mr. ROGERS] ought to tell us his informant?

Mr. ROGERS. I have no great objection to telling the name of my informant. But what has that to do with it? He is not responsible for the condition there. This is a question of fact.

Mr. GARNER. It is a question of fact, and the gentleman from Virginia [Mr. FLOOD] says that Mr. Carr, a responsible man in the State Department, says this is not a fact. Now, you assert, as a Member of this House, that you have sufficient information so that you can assert it yourself as a fact.

Mr. ROGERS. I do not assert it as a fact. I say I went to the State Department and consulted the man best qualified to give the information. I simply transmitted to the House that information. If the gentleman from Virginia [Mr. FLOOD], the chairman of the committee, will call up the Acting Secretary of State or the Assistant Secretary of State, Mr. Phillips, he can get the information for the House within five minutes. Mr. Carr is a most admirable gentleman, but he is connected with the Consular Service and not primarily with the Diplomatic Service. If I am mistaken, I will apologize to the State Department. I went this morning to the man whom I believed best fitted to advise me and obtained the information from him. Why should I get him in trouble by giving his name?

Mr. GARNER. I agree with the gentleman as to that.

Mr. ROGERS. Why should I get that man in trouble?

Mr. GARNER. I think it is the duty of some one to get the facts concerning this matter from the highest authority, probably the Acting Secretary of State, and ascertain the facts in the matter. If these facts are true, as stated by the gentleman from Massachusetts, some one is violating the law. It may be the Auditor for the State Department or some one else whose duty it is to certify that this minister has been absent from his post for more than 60 days. But it is the duty of some one there to certify as to that fact.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. DOWELL. How long will it take the chairman of the committee to get before him the proper officers who have this information and place this information before the House officially.

Mr. FLOOD. As I stated, I called up Mr. Carr.

Mr. DOWELL. But that is not the proper way to get at the facts.

Mr. FLOOD. That is the only way we can get information of this kind quickly; that is, by getting it from some official of the State Department.

Mr. DOWELL. Can not the gentleman call these men before the committee and swear them?

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. FLOOD. I called up Mr. Carr, as I said, and told him of the statement made by the gentleman from Massachusetts [Mr. ROGERS], and called his attention to his statement and to my statement in reply. He said I was certainly correct as to the law, but that he would have the facts in the Hale case looked up and would send me a statement this afternoon.

Mr. DOWELL. It occurs to me that this is a question of fact that the committee should lay before the House officially and correctly.

Mr. FLOOD. I have made the statement repeatedly as to what the law requires, but the gentleman from Massachusetts did not raise this matter before the committee. The committee were taken entirely by surprise by the gentleman's statement. We heard no suggestion of the matter from him in committee.

Mr. STAFFORD. Suppose the gentleman did not possess the information at the time he was in attendance in committee. Has he not the right to expose it in the House? The gentleman from Virginia has called up a gentleman who is not thoroughly versed in the matter, although a very estimable man, but he is not charged with the responsibility for this service.

Mr. FLOOD. I called up a man who is very well versed in these matters.

Mr. HARRISON of Mississippi. The gentleman from Massachusetts said he got it from a man who is not responsible.

Mr. ROGERS. I did not say that. I said I could not divulge his name and thus possibly get him into serious trouble. If the gentleman will permit, I said I did not know whether my informant was officially required to pass upon the question of salary or not. He is entirely responsible.

The gentleman from Virginia says I "sprang" this matter upon the committee yesterday.

Mr. FLOOD. I did not use that word.

Mr. ROGERS. That was the fair inference to be derived from what the gentleman said. The fact is I had no information on this matter until about a week after the hearings on the measure were completed. If I had had the information at the time the hearings were held I would have raised the question in committee. I had certainly supposed it was perfectly ethical for me to ask the question of the gentleman from Virginia yesterday afternoon in the course of the debate.

Now, one other word. I do not know this Mr. Hale, of North Carolina, but I do know that he is in his eightieth year. He was born in 1839, and, so far as I am informed, he is perfectly well satisfied to stay on indefinitely in North Carolina. He finds the climate of North Carolina much more salubrious than that of San Jose, Costa Rica. I do not want you to think that it is necessary for his protection or pleasure that this House should take action that would send him back to Costa Rica. Mr. Hale was one of the horde of gentlemen whom Mr. Bryan selected as ministers in 1913 and inflicted upon the Latin American Re-

publics. So far as I know, he is a thoroughly estimable gentleman. But he is not a diplomat and never was a diplomat. I question whether he was ever capable of handling adequately the affairs of state in an exceedingly difficult post such as that of Costa Rica.

Mr. POU. I will say to the gentleman from Massachusetts that this is not the first time that Mr. Hale has been in the foreign service of the Government, if I am not mistaken. I will not say that I am entirely correct, but I think he was consul to Manchester at one time.

Mr. ROGERS. I understand he was consul at Manchester from 1885 to 1889. He was also——

Mr. POU. I do not say that gives him any peculiar equipment, but——

Mr. ROGERS. He was also, I may say, a Confederate veteran of the Civil War, and I think by trade he is a newspaper man.

Mr. POU. And one of the most estimable men in our State.

Mr. ROGERS. I have absolutely no reflection to make upon his character, but I understand there may be some question as to his diplomatic ability.

Mr. GARD. Mr. Chairman, will the gentleman yield for a question?

Mr. ROGERS. Certainly.

Mr. GARD. The gentleman is better versed in these matters than I am, but is there any authority whereby payments of money made under these circumstances may be returned to the Treasury?

Mr. ROGERS. I would rather have the gentleman's judgment, as an eminent lawyer, than mine.

Mr. GARD. I thought perhaps the gentleman would know of it.

Mr. ROGERS. No. I have not looked into that phase of the case.

Mr. STEDMAN. Mr. Chairman, I came in late and have heard some of the remarks just made, but not all of them, concerning Mr. Hale. I deem it my duty to say what I know of Mr. Hale. I have known him all my life, ever since I was a boy. He is one of the most accomplished scholars and ablest men in our State, and has been so regarded always. He was consul to Manchester, England, and won the great approbation of the people of Manchester during Mr. Cleveland's first administration. I think he has never yet held a place of any kind that he has not filled with credit to this country.

Mr. FLOOD. Does the gentleman think his appointment was an infliction on the people of Latin America?

Mr. STEDMAN. No. He is a man of extraordinary ability and estimable character, and is so recognized by everyone who knows him.

Mr. DOWELL. But the question is whether he is in the service or not.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. STEDMAN. Yes.

Mr. LAGUARDIA. Can the gentleman from North Carolina enlighten us about his age? How old is he?

Mr. STEDMAN. He is about 78. He is one year older than I.

Mr. LAGUARDIA. That is rather late to start in a diplomatic career, is it not? He is rather old to start in the Diplomatic Service, is he not?

Mr. STEDMAN. He is as well able to perform his duty as my friend is able to perform his duty here, and he has filled with honor every position which he has ever filled.

Mr. STAFFORD. Will the distinguished gentleman from North Carolina yield?

Mr. STEDMAN. Certainly.

Mr. STAFFORD. Can the gentleman give the reason why Prof. Hale has not been performing his duties at his assigned post?

Mr. STEDMAN. I do not know anything about that.

Mr. STAFFORD. The question at issue here is why he is receiving the salary as minister to Costa Rica when he has been absent from his post for a year or more, and yet the statute directs that no salary shall be paid to a diplomatic representative when he is absent for more than 60 days.

Mr. STEDMAN. I do not know anything about the facts.

Mr. STAFFORD. No one is questioning the estimable character of the gentleman's constituent. The question at issue is what I have stated.

Mr. STEDMAN. Without knowing anything about the facts, I know that Mr. Hale would not be at home without the consent and approbation of the State Department. He is a man of the highest sense of duty. I do not know anything about the facts of this particular case, but I know the man. I know he is a man of marked ability and of the highest character. I do not know why he is at home. Probably the gentleman can find out from the State Department without any trouble; but I know he is there for some good reason, because I know the man.

Mr. STAFFORD. What the membership would like to know is why he is at home.

Mr. STEDMAN. The gentleman should go to the State Department to find that out.

Mr. FLOOD. Mr. Chairman, I intended to bring this matter up again this afternoon when I get the facts fully from the State Department. The gentleman in the State Department with whom I talked had to go to the Senate to appear before the Appropriations Committee there in reference to the legislative, executive, and judicial appropriation bill. What he told me was that Mr. Hale had not been drawing his salary. I will get the full facts this afternoon, and I would like the gentleman from Massachusetts then to give us the name of his informant in the State Department, if his information is in conflict with that which we will get from Mr. Carr, who is going to make a thorough investigation of it. We will find out why Mr. Hale is at home.

The attitude of the gentleman from Massachusetts [Mr. ROGERS] toward the appointees of the Democratic administration in the diplomatic service is perfectly well known to this House. I have never heard him commend any of them except one, and he is dead. [Laughter.]

Mr. STAFFORD. That is a very consistent position for the gentleman to take.

Mr. FLOOD. They have rendered as splendid service as any diplomatic corps ever did. The gentleman is a believer in the idea that all of our diplomats, our ministers, and our ambassadors should be appointed from the list of rich secretaries, whom the Republican Party during the administrations of Presidents Roosevelt and Taft were appointed secretaries. We have classified them, but nine-tenths of them have always been Republicans. They were put in there by Republican administrations. They are in there now, and, of course, they are howling to be promoted to positions that half or three-fourths of them are not qualified to fill. I know we have some secretaries in our Diplomatic Service who are worthy to represent this country in the highest diplomatic positions, but there are dozens of them who are unfit ever to represent this country in these important diplomatic positions, and they are the very ones who are constantly trying to have themselves promoted from secretaries to ministers and thence on up to ambassadors. The gentleman from Massachusetts [Mr. ROGERS] is one of their most ardent advocates and has been for years; but because he wants to promote his Republican friends I do not see why he should make this ungenerous attack—to say the least of it—upon Maj. Hale, of North Carolina. There are no doubt good reasons why he remained in this country, and I will supply those reasons when I get them from the State Department.

Mr. MILLER of Minnesota. I move to strike out the last two words. I should like to ask the chairman of the committee a question. Did we not appropriate the money for some proceedings in Costa Rica two years ago?

Mr. FLOOD. I do not understand the gentleman's question.

Mr. MILLER of Minnesota. Did we not make an appropriation for the legation at Costa Rica?

Mr. FLOOD. Yes.

Mr. MILLER of Minnesota. Has there been anyone there to look after our affairs?

Mr. FLOOD. Oh, we have an acting chargé there.

Mr. MILLER of Minnesota. Is the gentleman sure of that?

Mr. FLOOD. I am not sure of it, but I think so.

Mr. MILLER of Minnesota. I would like to make this further inquiry: Have we officially recognized the present existing government of Costa Rica?

Mr. FLOOD. We have not.

Mr. MILLER of Minnesota. That was my understanding.

Mr. ROGERS. The fact is that we have no diplomatic representation of any kind in Costa Rica, and Costa Rica has no diplomatic representation of any kind in the United States.

Mr. FLOOD. I may be mistaken, but I supposed the secretary would remain there as chargé d'affaires.

Mr. MILLER of Minnesota. If it is a fact that we have no diplomatic representation there, should not Minister Hale have resigned his position long ago? There is really no office for him to fill.

Mr. FLOOD. As I stated yesterday, I have not undertaken to speak with knowledge as to the reasons why Mr. Hale was not in Costa Rica, but my understanding is that it was because our Government had not recognized the existing Government of Costa Rica.

Mr. MILLER of Minnesota. How could a man continue to act as minister to a country when we do not recognize any government in that country?

Mr. FLOOD. We do not recognize the existing Russian Government, and yet the Russians have an ambassador here.

Mr. MILLER of Minnesota. I am glad to know that, for there is no more splendid man to represent them, but I think the gentleman will find that the existing Russian Government does not recognize him nor does it do any business through him.

Mr. FLOOD. The Russian Government does not recognize him but our Government does.

Mr. MILLER of Minnesota. That is entirely different. We unquestionably find him an individual that we can do business with bearing on the Russian situation and the Russian people, but he in no sense assumes to represent the existing Government of Russia.

Mr. FLOOD. He does not represent the existing Government of Russia, but he represents Russia here and we recognize him.

Mr. MILLER of Minnesota. I question his representing Russia here, but he is one of the most splendid representatives that they could have.

Mr. GARNER. Will the gentleman from Minnesota yield for me to ask the gentleman from Virginia a question?

Mr. MILLER of Minnesota. Certainly.

Mr. GARNER. If, as stated by the gentleman from Minnesota, there is no government in Costa Rica that we recognize, certainly it would not be necessary to appoint and continue to pay a minister down there supposed to represent our Government.

Mr. FLOOD. I do not know the facts in the case. When I get them I will give them to the gentleman, and I am satisfied they will be satisfactory to him.

Mr. GARNER. Of course, if we are so situated in this country that we can not find in the country but one man fit to serve as a minister to Costa Rica, and we must pay him $10,000 a year indefinitely for a term of years to hold a particular place, I agree with the gentleman. But when we do not recognize that country I do not think that it is necessary that he should draw the salary and that we should continue to keep him in cold storage for the purpose of sending him there when we do recognize the government.

Mr. STEDMAN. If the gentleman will yield, we are all talking without knowing the facts. I think if you telephone to Mr. Tumulty he will give you the facts about this Costa Rica business.

Mr. FLOOD. We will undoubtedly find out during the day from the State Department.

Mr. GARNER. We are trying to ascertain the facts.

Mr. Chairman, I rise in opposition to the motion, whatever it was. I want to get at this matter, because we are becoming crazy in this country in spending money, and we ought not to be dishing it out at $10,000 a year for some one that is not doing any service. The statement was made on the floor that Mr. Hale, from North Carolina, has been appointed minister to Costa Rica; that he has not been there for two years; that he has been continually drawing a salary although he does no work. Mr. FLOOD read from the statutes where it is positively against the law to pay him a salary if he was 60 days away from his post for any purpose. The statute says "for any purpose." Now, how that can be done I can not understand. Of course Mr. Tumulty, or somebody else, may be able to explain it, but to the ordinary citizen like myself I can not understand why it is necessary to pay a man $10,000 a year to do absolutely nothing in face of the statute which says he can not draw the salary.

Mr. DOWELL. Is it not true in this instance that there is no position to occupy?

Mr. FLOOD. There is a position to occupy.

Mr. DOWELL. We do not recognize the Government of Costa Rica, therefore there is no position as minister there.

Mr. GARNER. I want to say that as quick as I heard this I went in and tried to get the highest official in the State Department. I got hold of Mr. Phillips. He said he did not know, but he would look the matter up and advise me at the earliest moment, and hoped that he could advise me within 10 minutes. This may be one of other cases that exist of that kind; and if it is, the quicker the House finds it out and the country knows it, the better.

Mr. LONGWORTH. Will the gentleman yield?

Mr. GARNER. Certainly.

Mr. LONGWORTH. As to the question of fact whether Mr. Hale has been drawing a salary or not, I called up the State Department and heard from Mr. Phillips, who has made an investigation since talking with the gentleman from Texas. He says that Mr. Hale has in fact been drawing his salary up to the 30th of last December, and hence it is presumable that the salary is now going on. Mr. Phillips did not know exactly how long Mr. Hale had been away from his post, but certainly he has been away for more than a year, and during that time he has been drawing the salary in full up to the 1st of the month. That disposes of the question of fact, and if the law is as stated by the gentleman from Virginia, that the salary could not continue for more than 60 days after the minister or diplomatic officer absents himself from the position, then it is a clear violation of the law.

Mr. FLOOD. Absolutely; and the gentlemen who are responsible for it should be exposed and proceeded against.

The CHAIRMAN. The time of the gentleman from Texas has expired. The gentleman from Washington asks unanimous consent to proceed for five minutes out of order. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Chairman, I do not want to take more than five minutes of the time devoted to the consideration of this bill, but I have here an official memorandum from the headquarters of the Four hundred and seventy-second Engineers in regard to the discharge of soldiers which, I think, should be called to the attention of Congress. Many Members, I know, have had letters written to them since the armistice by privates, who have told of the threats that were made that they would be considered lacking in duty toward the country in trying to get out of the Army, but it remains for me to receive a statement to that effect in writing and with it a threat that if these men do not continue to perform duties here they will be sent to a less desirable place and further delayed in getting out of the Army.

The privates to whom I refer were engaged in making maps here in the city of Washington in the Coast and Geodetic Survey and were especially engaged of late in the making of a great military map of the United States, which might take years to complete. They undertook to secure their discharges to get back to their jobs, and they furnished affidavits that the jobs were waiting for them, but they are met with a letter such as the one I shall read, and I ask the Members of the House to remember as they hear that letter read that the men were induced to enter the service—the Four hundred and seventy-second Engineers—in response to such alluring posters as that which I hold up, calling for enlistment of surveyors, map men, to reproduce military and aeroplane maps, the presumption being that the work would be done abroad.

Mr. MILLER of Minnesota. Do not fail to call attention to the fact that in the picture the dugouts were adjacent, which shows that they were almost in the presence of the enemy.

Mr. JOHNSON of Washington. There is the poster, showing a soldier out maping the war country, as we know had to be done in the war zone.

Mr. GARRETT of Tennessee. It was in fact done.

Mr. JOHNSON of Washington. Yes.

Mr. GARRETT of Tennessee. There were engineers there.

Mr. JOHNSON of Washington. Certainly.

Mr. GARRETT of Tennessee. The fact that these particular gentlemen to whom my colleague is about to refer did not get there does not differentiate them from thousands and millions of others in the different branches of the service who did not get there?

Mr. JOHNSON of Washington. No, sir; of course, not.

Mr. GARRETT of Tennessee. Then, why does the gentleman proceed to bring that poster here?

Mr. JOHNSON of Washington. Let me read the letter, and I know that no Member on either side of the House will do other than join in a demand for an inquiry and possibly a court-martial of the men who authorized and put out this circular letter, which I now read:

HEADQUARTERS FOUR HUNDRED AND SEVENTY-SECOND ENGINEERS,
Washington, January 7, 1919.

Memorandum 1.

It has come to the attention of the commanding officer that men of this regiment on various details in Washington, especially those who have requested discharge, are laying down on their work and not "playing the game."

The attention of such men is called to the fact that they have been enlisted in a service which did not require their encountering the dangers and disagreeable features of overseas duty and which practically insured their returning safe and sound to their friends and relatives. Furthermore, details on duty in Washington, D. C., have been receiving commutation of quarters and rations, which has materially augmented their pay. Except for a short period, they have had very little drill, guard duty, and no kitchen police and other disagreeable duties of camp life. Under these circumstances the commanding officer considers that any man who lays down on the job or fails to "play the game" is a mighty poor specimen of a man, and such men are apt to find themselves still in the service but in some much less agreeable location.

This does not mean that applications for discharge will be ignored, but such applications will be thoroughly investigated, and where the cases warrant, discharges will be made. In any event, discharges are being made as rapidly as the completion of the various projects will warrant.

The commanding officer sincerely hopes that the Four hundred and seventy-second Engineers may come to the end of their demobilization with as clean and as brilliant a record as they have carried heretofore.

GUY V. SWEET,
Captain of Engineers.

Now, the charge is this, that these particular men, quite a number of them, were brought from Florida and set to making a military or defense map of the United States, the making of which would take a long period of time; that they presented proper applications for discharge with proper affidavits; that the discharges were denied and were not recommended on the ground that the work had to be done and was important; and that common comment around the office was that certain officers wanted to hold on to their jobs, and therefore held to the necessity of this grand United States defense map making; and the further charge that they got out that circular, which was offensive, and is, in my opinion, an insult to every man who put on the uniform of the United States and did not get overseas, to every man who was kept here in Army work, whether he was a medical officer, a quartermaster's clerk, a potato peeler, or what not. All were working, and working willingly, at whatever task assigned.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. JOHNSON of Washington. I will.

Mr. LAGUARDIA. But when they did apply they knew they were going to make maps?

Mr. JOHNSON of Washington. Yes.

Mr. LAGUARDIA. That part of the first paragraph is only a statement of facts, is it not?

Mr. JOHNSON of Washington. They presumed, and I think most of the men who went into the Army did, that they would be given service overseas, but when they were not given that service they made no complaint but proceeded to do their duty as part of the Four hundred and seventy-second Engineers; but when on the 9th of January of this year, while they were undertaking honestly and rightly to secure discharges from the Army, they were then told that they were lying down on the job and they are threatened, if they do not go on with the map making, they will be sent to a less desirable place, and some of them were actually ordered sent to some place in Florida. I believe that under congressional pressure all have now been discharged; but that circular letter No. 1, by order of the commanding officer, remains, and I think that the commanding officer and others of his kind had better be discharged, and quickly, at that.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

For 10 student interpreters in China, who shall be citizens of the United States, and whose duty it shall be to study the Chinese language with a view to supplying interpreters to the legation and consulates in China, at $1,500 each, $15,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as interpreter to the legation and consulates in China so long as his services may be required within a period of five years.

Mr. STAFFORD. I reserve a point of order on the paragraph.

Mr. GARNER. Mr. Chairman, under that reservation I desire to ask the gentleman from Virginia a question in reference to the policy of the State Department in issuing passports. How long is the war restriction to continue in reference to the issuance of passports?

Mr. FLOOD. I can not answer that question. I believe it will continue as long as the department thinks there is necessity for it here or our friendly Governments request it.

Mr. GARNER. As to what the department is thinking while the head of it is over in Europe I am not prepared to say, but it looks to me whether they are thinking or not they are not functioning. If the gentleman will permit me, I desire to refer particularly to the question of issuing passports on the Mexican border, about which I do know something. I do not see anything on the face of the earth which requires the people on the border to send up a dollar to Washington to get a passport to go over 50 miles to some ranch and come back the next day. That has never been done heretofore except in war times. Then it was to prevent the sending of spies into Mexico and getting information. Everything was done to keep them out. But this war is over, and so far as we know there is no reason why everybody in this country could not go to Mexico if they want to go, and I do not see the necessity of continuing this restriction of passports as it is now continued along the Mexican border. I had the pleasure a day or two ago of calling the attention of the Bureau of Passports to it, and it suggested that I write the Secretary. I thought I would ask the gentleman so the RECORD would show, at least, some one was observing the fact that we still desire to do business with Mexico; they are watching the border and continuing unnecessary restrictions.

Mr. FLOOD. The gentleman is directing his inquiry to the situation in Mexico.

Mr. GARNER. Particularly with Mexico, not throughout the country, because I know nothing about that more than any other Member of Congress; but I do know something about things down there, because I get from 10 to 25 letters and telegrams a day to hurry along passports, and I find there has got to be a statement made and it has to be transmitted to the Bureau of Passports and back to the Mexican division, and then I do not know where else, before they can begin to issue a passport.

Mr. FLOOD. I agree with the gentleman, so far as the Mexican situation is concerned, that the time has come to change the policy with reference to passports.

Mr. GARNER. That is all I want to get out of the gentleman, and I am very much obliged to the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Chairman, I reserved the point of order to get more detailed information as to why the department has difficulty in obtaining applicants to fill the positions of these student interpreters and also to ascertain in reference to support of student interpreters in China and Japan.

Mr. FLOOD. The gentleman asked if it was difficult to get them. That is the information the committee had.

Mr. STAFFORD. Of course, when the war was on the young men who were likely to be qualified and desirous of filling these positions went into the war. There was a shortage of labor in clerical positions and in all positions, and I am not surprised that college men have not lately been seeking these positions. If that is the only reason for increasing the salary from $1,000 to $1,500 I think it is something ephemeral.

Mr. FLOOD. It is one reason, you know. The gentleman means the difficulty in getting them at this particular time? It is always difficult to get them at $1,000 salary. It was difficult in the past, and it is more difficult now, and it will be in the future.

Mr. STAFFORD. Where is the testimony which shows it has been difficult before the war to get these men into the Government service on being paid $1,000 and their expenses paid? What has been received in allowances in addition to the salary of $1,000?

Mr. FLOOD. They received $1,000 and $125 allowed for a teacher for them, which we propose to raise to $150, because it is very difficult to get the tuition for $125 now. Then, there is some allowance for quarters.

Mr. STAFFORD. What do these students have in all? Is this clear salary, and is expense of maintenance and support borne by the Government in these foreign ports?

Mr. FLOOD. We give them enough to support them over there in the Government service, and they get a salary and allowance, and we pay the teachers. Now, Mr. Carr gave a good deal of information on this subject, and he said, on page 77 of the hearings:

Mr. CARR. These positions are now filled; that is, most of them are filled. But the difficulty is we are not getting the type of men we need. We need as high a type of men as we can get in those places, young men from college, and men who, with study, in two or three or four years can develop sufficiently to go out as first-class vice consuls, and a little later take charge of consulates. The kind of men we have been getting in the last three or four years has not been up to the standard or up to the requirements.

The CHAIRMAN. You take them as students?

Mr. CARR. We take them as students and keep them at the legation for two years until they pass an examination in the language, and then send them out to the consulates.

The CHAIRMAN. Then they become interpreters?

Mr. CARR. Then they become interpreters.

The CHAIRMAN. Then they are promoted to vice consuls?

Mr. CARR. Then they are promoted to vice consuls, and ultimately to consuls.

That was the general statement made time and again before the committee, namely, that it is very difficult to get educated young Americans to go there and study these languages at all.

Mr. STAFFORD. Mr. Chairman, I believe that it is false economy to place too low a salary for applicants for the Government service if it will keep out a higher grade of men who will ultimately be of more value to the Government service. I was of the impression that young men upon graduation from college would be willing to take up this work at a compensation of $1,000 a year.

Mr. FLOOD. I do not think it is the desire to have any boys take it up unless they expect to make this a life work; that is, to become interpreters and vice consuls, and then consuls and consuls general.

Mr. STAFFORD. Believing the Government should seek the very best of our college men, and that perhaps $1,000 is not sufficient entrance salary, I am inclined to withdraw my reservation of the point of order, but if the gentleman has something more to support that position I would be glad to have him give it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FLOOD. Here is something more that was said on the subject:

These men of ours have an opportunity for promotion to a reasonable compensation. For instance, we have in China to-day men who have graduated from the student corps, a number of men who are consuls and consuls general, the highest one at the present time being the present consul general at Tientsin, a post which pays $5,500 a year. We have another one at Canton, receiving a salary of $4,500, and others at different places. At Tsingtau we have a man receiving about $4,000, and at Vladivostok one getting $4,000, and at Dairen one receiving $4,000, and all of them are men who began as $1,000 students. Of course, if they were with some commercial company they would probably, in the same length of time, be getting more money. The average offer of the Standard Oil Co. to our men is as a rule from 50 to 100 per cent more than we pay them.

Then I asked him this question:

Yet it is necessary that the corps be maintained?

He replied:

If it is not maintained, then we will have to go back to employing Chinese or Japanese or Armenians, or other natives to do our interpreting, and I do not think it is a safe thing to do. We can not ever expect absolutely to take the place of the native for interpreting work. We can not expect to send men there and have them become so familiar with the language that they will know it as a native knows it and be able to read and write and speak it perfectly. Indeed, such familiarity with the oriental languages is for the most part unnecessary, though desirable. But we must have American officers sufficiently familiar with the language to act as a check upon the local interpreters whom we are bound to employ. There is where the advantage in having these men lies and makes their employment imperative.

Mr. STAFFORD. So I understand, from the reading of the testimony, that this is a school of instruction whereby they qualify not only for interpreters but, which is more important, for the Consular Service in these foreign countries, where it is essential to have a knowledge of the language?

Mr. FLOOD. Yes.

Mr. STAFFORD. While I have the floor, and desire to expedite the consideration of the bill, may I inquire what is covered by the provision in lines 4 and 5, where you increase the allowances for payment of the cost of tuition of student interpreters at the rate of $200 per annum each?

Mr. FLOOD. Each student has to have an instructor, and they have been paying an instructor $125 a year.

Mr. STAFFORD. One hundred and eighty dollars, I believe, in China, $125 in Japan, and $125 in Turkey.

Mr. FLOOD. Yes. In Japan particularly they find it impossible to get them for that sum, and propose to equalize them all and make them $200 a year apiece.

Mr. STAFFORD. Then a tutor to each student will receive $200 a year for the instruction?

Mr. FLOOD. Yes.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order as to the salary increase.

The Clerk read as follows:

Total, $48,200.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. LAGUARIDA. Can the gentleman inform me how we can possibly recognize the so-called Russian ambassador, Mr. Bakhmeteff, if he represents a government which does not exist?

Mr. FLOOD. We are doing it.

Mr. LAGUARDIA. Then you recognize Mr. Bakhmeteff?

Mr. FLOOD. Yes; as the Russian ambassador.

Mr. LAGUARDIA. I would like to ask the gentleman where Mr. Francis is at this time?

Mr. FLOOD. In London, in a hospital.

Mr. LAGUARDIA. How long has he been in the hospital?

Mr. FLOOD. For several weeks.

Mr. LAGUARDIA. Now, Mr. Chairman, I want to call the attention of the House, and particularly the attention of the gentleman from Virginia and the Committee on Foreign Affairs, to the conditions in Russia concerning our ambassador there. If there is one man in the United States who does not understand, and never did understand, the Russian conditions, it is Mr. Francis. In the performance of his duties there I consider him absolutely hopelessly incompetent.

Mr. FLOOD. I will say to the gentleman——

Mr. LAGUARDIA. One minute, please. If the chairman of the committee will take the trouble to read the reports of Mr. North Winship, our consul general at Petrograd, and compare those reports with the reports of Lieut. Commander Crowley he will get the facts. The fact is that this committee is as wholly ignorant of affairs in Russia as is Mr. Francis.

Mr. FLOOD. I am glad the gentleman is in Congress, so that he can enlighten the committee in regard to affairs in Russia.

Mr. LAGUARDIA. I appeared before the committee in 1917, and the committee refused to be enlightened, and the committee has not learned anything since.

Mr. FLOOD. Because the committee did not think the gentleman knew anything about what he desired to talk about.

Mr. LAGUARDIA. The committee did not know anything about the matter, and were in no position to tell, but the sad feature is that the committee did not wish to be informed.

Mr. FLOOD. The gentleman thinks he knows it, but I think he will find it hard to get anybody to agree with him on that subject.

Mr. LAGUARDIA. I think I have the floor.

Mr. FLOOD. The gentleman must recognize the fact that others, too, accept the gentleman at the value he places upon himself.

Mr. LAGUARDIA. Has the gentleman read the series of reports of the consul general at Petrograd?

Mr. FLOOD. If the gentleman will be really polite enough to let me answer his question, I will try to answer; but I will not engage in such a discussion as this with the gentleman.

Mr. LAGUARDIA. Has the gentleman read the reports?

Mr. CAMPBELL of Kansas. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CAMPBELL of Kansas. Gentlemen should not speak to Members in the House in the second person, as is now being indulged in.

Mr. LAGUARDIA. I am sorry. Has the gentleman from Virginia read the reports of the American consul general at Petrograd, written in 1917 and 1918?

Mr. FLOOD. No; I have not; but——

Mr. LAGUARDIA. Thank you. Now, has the gentleman from Virginia——

Mr. FLOOD. I do not propose to be questioned by you in this way. If you ask for information, I will endeavor to give it to you.

Mr. LAGUARDIA. I do want information.

Mr. FLOOD. Very well, then. Sit down and I will give it to you.

Mr. LAGUARDIA. I have the floor.

Mr. FLOOD. Very well. Keep the floor.

Mr. LAGUARDIA. The chairman of the Committee on Foreign Affairs, at the most critical time in the affairs of this country, has said that he has not read the reports of our consul general in Russia or from our naval attaché there, and yet he claims that he is enlightened on affairs in that country. He refuses to answer questions and then says that the committee and he, himself in particular, has all the information and nobody else has it. I call the attention of every Member of this House to the reports of Consul General North Winship at Petrograd, and the naval attaché at Petrograd, and ask them to compare those reports with the reports of Mr. Francis. I have wondered if the distinguished gentleman from Virginia is aware of the fact that our allies had to call the attention of the Department of State to the personal conduct and associations of our ambassador with certain of his friends of Teutonic tendencies. Is the gentleman aware of that?

I appeared before this committee in 1917. There I found not only that the committee was not informed on conditions in Russia, but it absolutely refused to listen. I will ask, now, the chairman—the distinguished chairman—if he can stand up and give us the names of the Provinces of Russia and their capitals and their races, or explain recent political changes there? If he can do that now without going to the Library, I will stand up here and most humbly apologize before this House.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

Mr. MILLER of Minnesota. Mr. Chairman, this is hardly a time to enter into a discussion of Russian affairs. I know that my extremely delightful and accomplished friend from New York is sincere in what he says, but I beg to say that he has not been correctly informed when he says that the Committee on Foreign Affairs has not been giving Russian affairs their attention, because the committee has been given a great deal of light on the situation which recent months have disclosed in Russia. However, by reason of the fact that the war has

been the paramount issue with the world for some time, and that the President of the United States is not only the Commander in Chief of the Army and Navy but our constitutionally created spokesman in all our foreign affairs, it has not been deemed advisable, in my judgment, and in that of the Committee on Foreign Affairs, to take up a discussion of Russian affairs, either publicly or by the committee.

Very likely the time will soon come, and perhaps is now here, when that can properly be done. Personally I have given many months to the study of this question. I am inclined to believe that perhaps I have given more time during the last year and a half to the study of the Russian question than I have given to any other subject during that same period.

Mr. FESS. Will my colleague yield?

Mr. MILLER of Minnesota. I shall be delighted to yield to the gentleman.

Mr. FESS. I think the question that was asked by our colleague from Pennsylvania on this line was a very pertinent question, because it does involve the duty of the Committee on Foreign Affairs. As I understand from the press dispatches, about $185,000,000 were loaned out of the $375,000,000 that had been promised. That money was not sent to Russia——

Mr. RAGSDALE. Mr. Chairman, I should like to call the attention of the gentleman to the fact that we over on this side can not hear a word that is being said; but there is plenty of room on that side, and I will go over there and sit and listen.

Mr. FESS. I was asking my colleague a question about the disposition of the money that had been loaned to Russia. As I understood, the money was not sent to Russia, but it was used here to purchase munitions when Russia was really an ally, and as soon as the Russian Government broke and Kerensky fell those supplies that had been sent to Vladivostok were taken over by our own authorities, so that even the $185,000,000 that was loaned was not entirely in the hands of the Russian people or the Russian Government.

Mr. MILLER of Minnesota. I think myself that the inquiry was entirely pertinent and a very important one. In answer, speaking generally, I think it can be said safely that when the gentleman to whom reference has been made, Mr. Bakhmeteff, was sent here, he was regularly accredited by the then Government, not only de facto but the constitutionally recognized Government of Russia. The Government of Russia at that time had passed beyond the de facto stage in a sense. A revolution had perfected itself and a government stable in character had been formed, Mr. Bakhmeteff was properly accredited to the United States, and as an ambassador, of course, was clothed with the full power to act for that country in the matter of loans and other things. When the Kerensky government fell—if I can use that term—or when the transformation occurred between the Kerensky provisional government and the Soviet government of Russia, chaos naturally resulted at least in the foreign affairs of the Russian Government, and no attempt was ever made by the Soviet government to establish foreign relations with countries generally throughout the world. They did in some instances, but not generally. They never protested against Mr. Bakhmeteff's representation of Russia here. We had received him and recognized him as the proper ambassador from Russia, and we have, in a sense, closed our eyes to the things that have occurred in Russia since then and have continued to recognize him as the existing authority speaking for the Russian people and Russian Government.

This loan to which reference has been made, a very large sum, was intended to pay for supplies purchased in this country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. May I have five minutes more?

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. And while the proper disposition of this fund was taking place, the change which I have referred to occurred between the Kerensky government and the Soviet. Manifestly somebody had to act and did act, and I understand Mr. Bakhmeteff has continued to represent the Russian people. Whether or not the payment of the interest charges on that loan out of the principal is proper is a question of law and not of politics.

Mr. FESS. Is the gentleman informed as to the law on that?

Mr. MILLER of Minnesota. Well, I have an opinion on that subject, but I would not want to express it here.

Mr. FESS. I wanted to know if my colleague felt free to state what the status of that debt is now, with the Russian Government in the situation in which it finds itself?

Mr. MILLER of Minnesota. Of course we do not recognize any existing government of Russia at the present time. If the gentleman cares for my personal opinion it is this, that that debt is a debt owed by the Russian people, and we do not care whether they have a Czar, a Kerensky, a Soviet, a President, or a Mikado.

Mr. HUMPHREYS. The gentleman means that it does not make any difference so far as the payment of this loan is concerned?

Mr. MILLER of Minnesota. Yes; they may have any kind of government they want, and though we Americans may prefer that they enjoy one kind of government rather than another, that which concerns us here is that this debt is owed by the Russian people, and they have got to pay it.

Mr. HUMPHREYS. The gentleman said he did not care. He means that it does not make any difference.

Mr. MILLER of Minnesota. It does not make any difference as far as the payment of this debt is concerned. They have a right to choose their own form of government, but I am speaking of the repayment of the money that we loaned for the service of the Russian people.

Mr. CAMPBELL of Kansas. What evidence of indebtedness have we from the Russian Government or the Russian people?

Mr. MILLER of Minnesota. I am not in a position to answer the gentleman's inquiry authoritatively, but I am quite confident that the Russian ambassador has given due receipts for the sums loaned and has full authority to perform such an act by reason of his position.

Mr. CAMPBELL of Kansas. Were there any formal instruments issued, bonds or any evidences of that character?

Mr. MILLER of Minnesota. I am certainly of the opinion that there must have been. The gentleman will recall that some of these loans were made to the old Russian Government when the Czar was on his throne, and the business transaction was carried on by the first Mr. Bakhmeteff, who was ambassador under the régime of the Czar.

Mr. RAGSDALE. Will the gentleman yield for a suggestion?

Mr. MILLER of Minnesota. I had something else I wanted to say.

Mr. RAGSDALE. I was only going to suggest to the gentleman that the handling of these loans was not in the Department of State, nor does this matter come within the purview of this particular committee to know the full details of it. The loans were made by the Secretary of the Treasury under the powers given by this immediate Congress, and the full information can be obtained from the proper committee, it seems to me, or from the Treasury Department, much more readily than from the State Department, and they are expected to know about it.

Mr. MILLER of Minnesota. The gentleman's position is well taken in one sense, but in another sense loans from one Government to another are an international matter, having a political significance, and as such come under the jurisdiction of the State Department.

Mr. COOPER of Wisconsin. Will the gentleman from Minnesota permit an interruption?

Mr. MILLER of Minnesota. Certainly.

Mr. COOPER of Wisconsin. I think it is well within the recollection of all gentlemen on the floor who listened to the debate here shortly after Mr. Bakhmeteff came as representative of the Kerensky government that about $185,000,000 was loaned to that government through him. While the gentleman from Pennsylvania [Mr. MOORE] was addressing the House concerning testimony recently given by Secretary McAdoo before the Committee on Appropriations, I asked him specifically what the security was that had been given by Ambassador Bakhmeteff as representative of the Kerensky government for the money that was loaned to Russia by our Government. I asked him in so many words if a bond or any bonds were given. He said no, but what was the equivalent of a demand note signed by Mr. Bakhmeteff, as ambassador representing the Kerensky government, but that nothing in the form of a bond, as I understood it, had been given.

Mr. LONGWORTH. That is precisely what every Government gave. We have no bond for security; they are merely notes of hand made by the proper representatives. So that so far as that is concerned the situation is the same in regard to Great Britain and other countries.

The time of Mr. MILLER of Minnesota having expired, he was given five minutes more.

Mr. COOPER of Wisconsin. Is it not true—at least it was so said on the floor by the gentleman from Pennsylvania [Mr. MOORE] in his remarks—that the law authorizing the loaning of this money to the belligerent Governments required these respective Governments to give as security bonds containing substantially the same provisions as were contained in the bonds of the United States Government?

Mr. LONGWORTH. If the gentleman will pardon me, that was true in regard to the first loan, the 3½ per cent. That was the requirement, but in subsequent loans it was authorized and

not required. The Treasury Department could do it if it saw fit, but as a matter of fact no bonds have been received from any of the foreign Governments.

Mr. COOPER of Wisconsin. Under which law of authorization were these loans made to Russia, to the Kerensky government?

Mr. LONGWORTH. I imagine it was the first.

Mr. McFADDEN. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. McFADDEN. I think there is some confusion here. When the war broke out with Russia there were certain loans floated in this country for Russia through the banks in New York City. These loans were sold to the investing public. What I want to know is whether the subsequent loan made by the Secretary of the Treasury to the new Kerensky government—whether that money was used for the purpose of paying interest on the debt that otherwise would have been defaulted.

Mr. MILLER of Minnesota. I know personally nothing about it, and I can not definitely answer the gentleman's question, but I understand that the principal of the one hundred and eighty-five millions, so called, is being used to pay that interest, but, of course, it is a legal question whether that is proper or not.

Mr. ROGERS. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. ROGERS. I think we can agree that the position of the present Russian ambassador is anomalous and an exceedingly embarrassing one. I suppose he can get no money from Russia, even if the people desired to send it to him. Does the gentleman know whether, in fact, the United States Government pays him for his personal support?

Mr. MILLER of Minnesota. I can not speak personally, but my information is that he has subject to his disposal one hundred and eighty-five millions, and that he can provide for his own expenses.

Mr. ROGERS. He can go into the Treasury Department on any morning and say he wants $1,000 out of his balance?

Mr. RAGSDALE. If the gentleman will permit, the recognition of any foreign ambassador is an executive function. No committee of the House can interfere with it. The sums of money that have been loaned through the Secretary of the Treasury to the foreign governments are entirely controlled by the President of the United States, under the legislation of Congress, and with which no committee can interfere.

Mr. MILLER of Minnesota. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has two minutes.

Mr. MILLER of Minnesota. Mr. Chairman, I ask to proceed for seven minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MILLER of Minnesota. Mr. Chairman, I desire to use these seven minutes speaking somewhat briefly and in general terms only of the Russian situation, and this has been induced by the remarks made by my good friend from New York [Mr. LAGUARDIA]. The gentleman is undoubtedly correct in the suggestion thrown out in his remarks that our diplomatic representation in Russia during at least a year and a half has not been of the most successful character. I say that as I judge of the work that has been done by the American representatives in Russia.

Mr. CLARK of Missouri. I would like to ask the gentleman a question. What is it that Gov. Francis did, or failed to do, that you gentlemen are trying to make capital out of?

Mr. MILLER of Minnesota. If the Speaker will permit, I was about to come to that point, and, while I do not care to enter into a full discussion of it, I think the honored Speaker of the House will understand my position from what I say. I was about to express this sentiment when interrupted: In respect of this character of representation America does not stand unique among the other nations of the earth. No one can study the diplomatic history of the great Russian people during the past two years and come out of it without knowing that the action of all of the allies, including the United States itself, was just one stupendous blunder after another. In my opinion there does not exist in the history of diplomacy in this century two periods and two places where greater blunders, with more far-reaching consequences, occurred than in Greece and Russia, and in Russia is the worst of the two.

Mr. CLARK of Missouri. If the gentleman will permit, Ambassador Francis did not have anything to do with Greece.

Mr. MILLER of Minnesota. Well, I am not criticizing the American ambassador to Russia for anything in Greece.

Mr. CLARK of Missouri. Well, what was it that happened in Russia?

Mr. MILLER of Minnesota. If the gentleman will possess his soul in patience——

Mr. CLARK of Missouri. I will possess my soul in patience.

Mr. MILLER of Minnesota. To quote the gentleman's own estimable language, I will try to enlighten him. I feel embarrassment in speaking too plainly and at all in detail, and I am not going to do it, but I will say this: Mr. Francis, when he landed in Russia, by the associations he made, and they were all innocently formed, and he is perhaps to be forgiven for having made them, was not in a position to be warmly received by the Russian people, who presently took matters into their own hands. He not only had a complete lack of an understanding of the Russian character, and I now speak of the masses of Russian people, but he did not make any effort to understand their character, learn their aspirations, or to cooperate with their democratic movements. Perhaps very likely the environment of our ambassador handicapped him as it did his associates from other countries in this regard. I desire not at this time to enter into a discussion one way or another of the work of Mr. Francis in Russia and simply submit these most general observations.

Mr. CLARK of Missouri. Will the gentleman yield for another question?

Mr. MILLER of Minnesota. I will.

Mr. CLARK of Missouri. How does the gentleman know all this? And then I would like to ask another question while I am at it. Did not the Hon. Elihu Root come back from over there from that celebrated expedition he made and claim in a public speech that there was no more trouble in Russia than there was in the United States?

Mr. MILLER of Minnesota. Well, I am not certain Elihu Root ever made that statement.

Mr. CLARK of Missouri. Well, I am, if the gentleman is not.

Mr. MILLER of Minnesota. I would like further to inquire what has ever been done with the report that Elihu Root made? Nobody outside the executive department has ever seen it or heard of it, and nobody has had a chance to know what it is. Now, if the gentleman will permit, as I can proceed only for a very few minutes, I do not care to enter into anything of a partisan character at all in this, because it is a matter that affects our country as a whole. The fault of the diplomats representing the United States and allied nations in Russia during this terrific period has been this: They have failed to see that the 7 per cent of Russian people heretofore constituting the aristocracy and the governing class, in possession of the land and of wealth and brains, education, culture, and refinement, have ceased to exist, and that the 93 per cent of people who heretofore had never known or found the blessings and privileges of political and economical freedom are now masters of their own fate and should be dealt with as the Russian nation. These diplomatic representatives have clung and are willing to cling to the old wrecked and sinking group of survivors, if you please, of the Czar's régime, and fail to see that the power and blood of Russia is in the masses of Russian people, and until our diplomatic representatives go and meet those people and forget the Czar and his associates and the aristocracy, we will never get on speaking terms and working terms with the Russian people. So I hope it will be understood that I have no special criticism of Mr. Francis, apart from the other diplomatic representatives, for his entire failure to accomplish certain results for which he was sent to labor. But this undoubtedly is true. When Mr. Francis landed in Petrograd he permitted himself to be isolated from the entire Russian situation. I do not like to say that he was filled with fear, I do not like to say that he was filled with hopelessness as to accomplishing anything with the Russian people, but I will say that from the time chaos started at Petrograd——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. May I have five minutes additional?

The CHAIRMAN. Is there objection to the gentleman's request? [After a pause.] The Chair hears none.

Mr. MILLER of Minnesota. He might as well have been on the Island of Malta. Perhaps this is no fault of his and may be the fault of the situation. It is necessary that we send to Russia some man of strength with the masses of the Russian people, some man who will make a sympathetic effort to cooperate with democracy there, if we are going to accomplish results. Now, I had prepared some months ago——

Mr. LAZARO. Will the gentleman yield?

Mr. MILLER of Minnesota. After a great deal of work a rather elaborate address on the Russian situation. I will yield for a brief interruption.

Mr. LAZARO. Does that mean the Bolsheviki?

Mr. MILLER of Minnesota. No; now, the gentleman probably knows about what I think of the Bolsheviki, and what I ought to think of them anyhow.

Mr. LAZARO. What does the gentleman mean by "masses"?

Mr. MILLER of Minnesota. If I had an hour I could certainly express myself fully, but I do not feel disposed to take the time of the committee in such full discussion. I would like to say this, however: Every man conversant with the true condition in Russia knows that the millions there are determined on democracy, and our attitude should be one of sympathy and helpfulness. At the same time I have no sympathy whatever with Lenine, Trotzky, or their Bolsheviki insanity. They are betraying their people by their foolish dreams and cruel methods.

Mr. CLARK of Missouri. I would like to ask the gentleman one question.

Mr. MILLER of Minnesota. All right.

Mr. CLARK of Missouri. If the gentleman has no sympathy with them, who are you going to have sympathy with over there—who is running it?

Mr. MILLER of Minnesota. That, I think, is a pertinent question. In answer to the gentleman I would say this, and I hope I can make my thought clear: There are two great extremes in Russian thought and life in recent times. There is the old aristocracy that is no more, and we all have kissed it goodby with a smile on our lips. There is the new and the present Bolsheviki government in Russia; that is the opposite extreme. It is the final refuge of the mass of mankind, ignorant and improperly led, who are walking to their own destruction. Nothing can justify the conduct of Lenine and Trotzky in their administration of affairs in Russia. But this is true: The great masses of the Russian people when they overthrew the Czar wanted to be fair-minded, to be just, wanted to progress, wanted to be free, wanted to establish a real democracy. They were ignorant and have been misled. I fear the nations of the world did not look upon this great struggling mass of mankind with that sympathetic care they should have done. Foreign diplomats then had been too long accustomed to deal with the old aristocracy to readily take up with the new order of things. Many of them still clung to the hope that somehow out of the chaos the old discarded aristocracy could get back to power. They failed to make the best of the situation, work with this democracy, and endeavor to lead it along a safe pathway. In effect, at least, they abandoned the newly released Russian masses to the radicals and those who cruelly misled them. They left these throngs of people to the vicious German propaganda and to the leadership of extreme radicals. The present deplorable condition of the Russian people, the hundreds of millions that are there, can be charged, first, to their own ignorance; second, to their folly; third, because the civilized nations of the world left them to wallow in the slough of despond.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. LONGWORTH. I think that we all use the term "Bolshevism" rather loosely; but if it is what I conceive it to mean, it consists of a number of people who are organized for the purpose of establishing chaos. If we consider it in that light, what portion of the Russian people to-day, would the gentleman say, are really active Bolshevists?

Mr. MILLER of Minnesota. A very small per cent.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. LAZARO. Is there a middle class in Russia, in the gentleman's judgment?

Mr. MILLER of Minnesota. Not as we understand the middle class in any other place in the world. The Kerensky government, had it been permitted to continue, in my judgment, would have so changed its character that it would have become a meeting ground of the best elements of the two sides and would have formed the middle class that would have solved the situation, but he made some very vital mistakes, and, of course, the unfortunate propaganda of Germany at that time finished the job. Kerensky sought to keep faith with Russia's allies by restoring the Russian Army to a fighting force. He began this, perhaps, too late. At all events, his efforts to restore discipline resulted in disaster.

Mr. POU. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. POU. The gentleman has spoken of Trotsky. I suppose also he has in mind one Lenine.

Mr. MILLER of Minnesota. I also spoke of him.

Mr. POU. Men can not lead unless other men follow, and, so far as I can judge, we are dealing with a race of people who have followed a set of traitors, and for my part I am opposed to sacrificing a single American boy there.

Mr. MILLER of Minnesota. I indorse exactly the sentiment that we should not sacrifice a single other American boy on Russian soil.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Mr. Chairman, I would like to express this with the strongest conviction of which I am capable: When the aristocracy of Russia was overthrown, nearly two years ago, the mass of the Russian people, as all the world knows, were untutored in politics and political self-government. There had been scattered over the world refugees from Russia, there were thousands in Siberia, there for political crimes. They were not a bad kind at all. They were usually the kind that we in this country have felt a profound sympathy for; but there were Russians in other nations of the world, men who were pure anarchists, who had by their conduct elsewhere in the world drifted entirely away from the sanctity of organized society, away and apart from the real principles of civilization. Among these two Trotsky and Lenine may both be numbered. Lenine was exiled in Switzerland and Trotsky in the United States. Trotsky was identified with ultraradicals in the United States. I am advised that as soon as the world knew of the revolution in Russia these men poured back into Russia from the corners of the earth. More than 100,000 came from distant parts of the earth. These men could speak of other civilizations in a glib and flowing tongue. These men could talk that they had lived in America and knew the American free institutions. They could say they had lived in free Switzerland, that they had lived in republican France, and, therefore, they set themselves up as leaders of the people. The people, gullible in the extreme, were seduced from the pathway of true democracy and led toward crime and disaster. This is the reason, in my judgment, why the masses of the people have been led astray. Russia will in the end achieve her democratic ideals, but the way has been made long and hard by the failure of the allies to save her from her foes within.

Even when Lenine and Trotsky captured the Russian control we should have tried our best to keep up relations with the Russian people, never ceased our efforts to help them to a better condition. Proper work of America and the allies, I feel sure, would have saved Russia from the awful state into which she has fallen.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. FESS. It came to me from a very high source that the Root Commission had recommended the expenditure of a very large sum of money, specified at $5,000,000, to enter upon an intelligent propaganda in Russia to avoid the danger that Mr. Root himself had announced might appear. I have understood that one member of the commission refused to sign that recommendation. What has become of those recommendations to which the gentleman referred awhile ago without specifying?

Mr. MILLER of Minnesota. I do not know what has become of them. I should be very glad to answer if I did. In conclusion I would like to indorse the sentiment expressed by my friend from North Carolina [Mr. POU]. I do not believe that we are justified in keeping an American soldier in Russia or Siberia another day, and yet I believe the President did the wise thing when he sent them there at the time. I believe he did the wise thing for many reasons, and I heartily approved of his plan at the time. He was justified in taking that course by reason of international complications of the most stupendous character. I know from what I can gather that he resisted the strongest kind of pressure from some nations in the world to send in there a very large force. To have done this would have been unjustifiable from any decent standpoint. Nothing could justify our entering a world war to save democracy and at the same time sending our boys into Russia to shoot democracy out of the Russian people. There were reasons justifying the sending of a few troops there at that time. It was a dangerously delicate situation, and before a man was sent the masses, the people, should have known that the coming of our soldiers contained no menace to their democracy.

In my judgment the one great impelling reason for sending in our men was that within the confines of the Russian Empire were the Czecho-Slovaks, whose deeds during the last year and a half form a page in heroism, sacrifice, and suffering that has no parallel since men marched under the crusaders' cross to the Holy Land. And I was in favor of sending those men to Russia, although I knew it was fraught with danger to our relations with the Russian people. I wanted those men to go

that we might aid those Czecho-Slovaks, whom money could not buy nor threats frighten, heroic souls who crossed desert lands and frozen steppes, forests, and icy streams, starved, naked, bleeding, and dying, that they might again have liberty for their country. And he whose eye stretches back through the centuries to 1648, when their country lost its liberty, can well say in his heart that their country may have lost its independence but their people never lost their heroic spirit, and while they live it is the duty of Americans, who love freedom and liberty, to help them at any cost. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Missouri. Mr. Chairman, I ask unanimous consent for five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Missouri. After listening to the distinguished gentleman from Minnesota [Mr. MILLER] and being told what the distinguished gentleman from New York [Mr. LAGUARDIA] said I think the best thing to do would be to constitute them the entire peace congress at Paris and let them settle this thing right off the bat themselves. [Applause.]

I hold no brief for Ambassador David Rowland Francis. These gentlemen bring general, nebulous charges against him. They should be more specific. What did he do that the representatives of other great powers did not do or what did he fail to do that the representatives of these other great powers failed not to do? The truth is that there is not a man on earth who knows really what is going on in Russia. With 180,000,000 people, divided into about 30 or 35 or 40 nationalities, each one of them at the other's throats, all that those ambassadors over there, Francis among them, could do was to take care of their own people as well as they could.

The gentleman from Minnesota [Mr. MILLER] suggests that Gov. Francis ought to have gone on an electioneering campaign in order to have gotten acquainted with the Russian people. Would he not have been in a beautiful condition had he undertaken a thing like that? It is the law of the world, the international law or custom, that representatives of a country in other countries shall attend to their own business and not mix up with other people's affairs. President Cleveland sent an English ambassador back from here for doing that identical thing. George Washington sent a Frenchman home because he persisted in doing it; President Wilson did the same; and the public opinion of the United States has indorsed all three of them in what they did. I have no sort of doubt that others have departed from our shores upon private intimations to their Governments that they were persona non grata here.

I am going to tell you just a little about Francis; not much. The gentleman intimated that maybe Francis was afraid. Let me tell you something. A man born in Kentucky and raised in Missouri is not afraid of the devil himself. [Applause.] He started in as a clerk in a St. Louis commission house when he was a boy. He got to be the biggest commission merchant in St. Louis. He was made mayor of that great city. He was elected governor of that imperial Commonwealth. He was a member of Cleveland's Cabinet. And there is not a man living who can assert that in any of those high positions he ever failed to do his duty and his whole duty. [Applause.]

He is a man of splendid capacity and high character. While I do not know what he did in Russia, and neither does the gentleman from Minnesota nor the gentleman from New York, it is to be presumed that a man with that kind of record would do what he ought to do. Whether he is a skillful diplomat I do not know. Not being much of a diplomat, I do not profess to be a judge of diplomats. I will, however, state that Ambassador Francis has as much common sense as any other man in the Diplomatic Service. My own opinion is that if Kerensky had called a constituent assembly as soon as he got in power over there they might have a settled government at this time. But he did nothing of the sort. That Russia will some day have a free and stable government we all hope and pray. The road, however, to freedom is long and tortuous; more is the pity. The gentleman from Minnesota [Mr. MILLER] is a man a good deal above the average intelligence, even in the House of Representatives, and he ought to know, and he does know, that France, starting out under almost exactly the same circumstances as Russia, took almost a hundred years to gain a settled government.

In 1789 they had a Bourbon King, and they chopped his head off. Then they had a committee of safety, which they soon kicked out. Then came the Reign of Terror—Robespierre and his bloody gang. Then they had a directory. Then came Napoleon, with his consulate and empire for 15 years. The Bourbons then came back and stayed until 1830, lacking 100 days of the Waterloo campaign. Then Louis Philippe was inducted into office. He stayed 18 years. The second Republic was established; Louis Napoleon was elected President, and stabbed it to death in the house of its friends. Then came the second Empire for 18 years. After that they had the Commune for some months. Then they established the third Republic, which, thank God, seems to be founded on a rock. [Applause.] I would not be at all surprised if Russia goes through as long a revolutionary period as that. An established free government will be worth all it costs in blood, life, and treasure, if the revolution does go on for a hundred years. Of course, we hope their revolutionary period will be shorter.

I suggest to the gentleman from Minnesota and the gentleman from New York that they could be in a great deal better business than backcapping the American ambassador to Russia. [Applause]. Suppose that he was to take their criticisms to heart and resign—which he will not do, if he has half as much sense as I think he has—but suppose he did, and President Wilson wanted to send another ambassador to Russia, to what Government would he accredit him? You have to have a government to which to accredit an ambassador or a minister, and they have none in Russia, except the one that Trotsky and Lenine have established, which is bitterly opposed. They may take it into their heads, so far as I know, those two remarkable men, to really make a republic over there. It can not be done in a day.

The governor of Missouri offered the Senatorship to Gov. Francis. He could not accept it because of the fact that if he resigned there was nobody to accredit an ambassador to.

Then Gov. Gardner offered it to me, and I stayed here with you gentlemen because of the love that this House manifested to me time and time again, and which I fully reciprocate. [Applause.]

I am in favor of bringing every American soldier out of Russia. [Applause.] I will tell you what else I am in favor of. I am in favor of bringing every American soldier out of Europe. [Applause.]

A few weeks ago Gen. du Pont, who made more money selling powder for this war than you could stack up in this room in $1 bills, gave out an interview in New York, in which he said we would have to keep our soldiers over there for two years; one year to tear down the barbed-wire fences and entanglements. We did not put up those barbed-wire fences and entanglements over there, and if the Belgians and French do not want those barbed-wire fences to stay up they will not let them stay up. They are not going to let them stay up, because the metal in those fences is worth millions of dollars, and my observation is that a Belgian or Frenchman never lets a good coin escape him if he can grab hold of it.

Somebody else suggests that we ought to keep them over there to police Europe. After we defeated the Germans for them, they surely ought to police Europe themselves, because there is no doubt but that the sending of our Army over there was what gave them the victory. I was willing for my boy, as every man in this House was for his, to go over there and help them fight, but I am not willing to have my boy stay and have his life work interfered with to tear down wire fences or be a policeman. [Applause.] Among the many wise things President Wilson has said in Europe, the most sensible thing, according to my judgment, is that he intimated to those people over there a week or two ago that he was going to bring those soldiers there back home.

So far as the American ambassador is concerned, I will stand by him, because he has been accredited over there by the chief of Americans now living, and I think gentlemen would naturally praise our American representatives abroad.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Missouri. If I can get time.

Mr. MILLER of Minnesota. Did the gentleman gather that I was making any criticism of Mr. Francis or other ambassadors abroad?

Mr. CLARK of Missouri. I do not know what you were doing if you did not do that. [Laughter.]

Mr. MILLER of Minnesota. I was trying to avoid it, and if I did not avoid it, it was because it is impossible to speak of him and still avoid it.

Mr. CLARK of Missouri. The gentleman ought to give specifications. I think Francis, like every other man on earth, ought to answer for his duties.

Mr. MILLER of Minnesota. I will say to the gentleman that I tried my best to express in general terms my own personal views, based on such personal information as I could get, and I will say to the gentleman that I got a whole lot of it in Europe and some of it here, in general terms, such as would not subject Mr. Francis to personal criticism, and if the gentle-

man thinks I have criticized Mr. Francis he is at liberty to do so, but I assure him that I tried my level best to speak of the Russian situation so that no personal criticism could be made to apply to Mr. Francis or our ambassadors.

Mr. CLARK of Missouri. I will ask you this question: How did you get it into your head that you knew what would happen over there in those countries more than those ambassadors did? [Laughter.]

Mr. MILLER of Minnesota. Well, that is a very pertinent question.

Mr. CLARK of Missouri. I think so.

Mr. MILLER of Minnesota. But that is not anything that I ever had in my head.

Mr. CLARK of Missouri. You talked that way.

Mr. MILLER of Minnesota. I beg the gentleman's pardon. I may have differed with them with respect to their work and the propriety of the work that was done there, but I never assumed to say that I knew more about the situation in Russia than the ambassadors of foreign Governments there. But I think that the viewpoint that I secured from the information that was given me was better than their viewpoint, and it is the viewpoint now held, including that of those ambassadors themselves.

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for five minutes. Is there objection?

Mr. WINGO. Reserving the right to object, Mr. Chairman, I would like to hear these gentlemen all the time, but when are we going to get down to business and pass the appropriation bills?

Mr. LAGUARDIA. I hope the gentleman will not object.

Mr. WINGO. Has not the gentleman already spoken on this Russian business?

Mr. LAGUARDIA. Yes; I did make the criticism that the distinguished Speaker referred to.

Mr. WINGO. I think we ought to get down to business, but I will not object.

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. LAGUARDIA. Mr. Chairman, it was I who made the criticism of Mr. Francis, and I think I owe it to the distinguished Speaker to give the specifications and particulars he requests. Now, if Mr. Francis was born in Kentucky and raised in Missouri and is fearless, I was born in New York and was raised in Arizona, and I am not afraid to answer. [Applause.]

I do not agree with the distinguished Speaker that Mr. Francis did as much or as little as the diplomatic representatives of the allied countries. My first point to the bill of particulars is this, that Mr. Francis did not work in accord and in sympathy and in harmony with the diplomatic representatives of France and England, and did not cooperate with them. He did not even advise with them judging from his action. All of that is a matter of record in the State Department.

My point No. 2 on Mr. Francis is this, that Mr. Francis in the beginning was not in sympathy with the revolution in Russia, and when the revolution did take place and there was a de facto government established, Mr. Francis did not familiarize himself with the conditions in Russia, and his reports to the State Department will bear me out that he did not have accurate information. The distinguished Speaker says neither did anybody else. Yes; the answer is the British and French ambassadors advised their Governments correctly and so did our consul general at Petrograd, North Winship, and our naval attaché at Petrograd, Lieut. Commander Crowley. They reported to the State Department and to the Navy Department, and their reports are a matter of record. Both of those gentlemen, I will say to the distinguished Speaker, informed this Government that Kerensky could not hold the Government. They knew he was misleading our ambassador. They knew he was not sincere in his effort to keep the army in fighting condition at the front. Kerensky was weak and did not have the courage of his convictions, and they knew he was going to play into the hands of the mob.

We would have no business interfering with the internal affairs of Russia under normal conditions, as the distinguished gentleman from Missouri stated. At that time, however, we were engaged in war, and we had an interest in keeping the eastern front intact, and both Winship and Crowley informed our Government that the eastern line would break, and that we would lose the entire eastern front, thereby releasing 50 or 60 divisions of German and Austrian soldiers to be used at the other fronts, if Kerensky continued unchecked in power. You all remember that shortly after Kerensky took possession, or was in power, there was a conflict within the Russian Government as to abolishing the death penalty for desertion. That was the first break in the Kerensky government. One faction claimed that with the establishment of the republic only such soldiers should serve as wanted to stay at the front, and that all punishments for desertion should be abolished. Now, any man could see that no Russian soldier was going to stay on the eastern front unless he had to.

Kerensky at first opposed this. He was, as you will recall, the minister of war. After his inspection at the front, when, as you will also remember, he fraternized with the soldiers, entirely ignoring commands and the officers, encouraging the formation of company and regimental committees, he returned to Petrograd with new ideas. He then lined up in favor of the abolition of the death penalty for desertion. France and England seem to have known this from their ambassadors. Our consul general at Petrograd and our naval attaché knew it, and they reported it. You will find, gentlemen, that our ambassador failed entirely to report actual existing conditions on this point. You will all recall the anxious moments in Russia pending the decision of this vital question. Gen. Korniloff was opposed to Kerensky and did everything within reason to convince Kerensky that everything would crumble unless the army was maintained and the eastern front held. It became a fight between Kerensky and Korniloff. France and England backed Korniloff, because Korniloff would have kept the army on the eastern front, but, I am informed, on Mr. Francis's report to the Department of State we backed Kerensky and backed the wrong horse. Not only did we do that, I will say to the distinguished Speaker, but we brought pressure to bear upon our allies, and they were guided by our judgment.

The distinguished Speaker of this House spoke about the Root Commission. The Root Commission did not have full information. They were in Russia for only a few weeks. They could not grasp the situation in that time.

Mr. CLARK of Missouri. Why did they not get it? That is what they were sent over there for.

Mr. LAGUARDIA. Yes; I personally do not consider the work of that commission a howling success. They spent two weeks in getting from Vladivostok to Petrograd. Take that out of the time that they were away and you will see that they did not have the opportunity to carefully observe conditions or carefully size up men. Was that not the duty of our ambassador? Should he not have intimate knowledge of the various men then in power? If Mr. Francis had worked in harmony and cooperated with his colleagues, the British and French ambassadors, or if he had been willing to listen to his own subordinates, Consul General Winship and Commander Crowley—two keen, bright, able, energetic Americans—he would not have permitted the Root Commission to see but one side of the picture. I believe Kerensky fooled Mr. Root and the whole commission, the same as he did Mr. Francis himself. Why, to give you an idea, in order to get a "Socialist" audience for the Socialist representative of the commission, Mr. Russell, I am told that Mrs. Pankhurst got up a meeting of servant girls working in families of the Petrograd aristocracy who were brought to the ballroom of one of the fashionable hotels by their mistresses to listen to Mr. Russell's lecture. They knew no English; he knew no Russian. If this is a sample of the direct contact and communication with the people of Russia can you imagine what sort of information must be filed in the archives of the American Embassy in Russia?

Mr. IGOE. Whom did Mr. Root address when he was over there?

Mr. RAGSDALE. Who was it that gave this information to the gentleman from New York?

Mr. LAGUARDIA. Mr. North Winship, our consul general to Russia, and Commander Crowley.

Mr. RAGSDALE. Will the gentleman tell us where they gave him that information?

Mr. LAGUARDIA. Certainly. After North Winship put in these reports Mr. Francis said, "I don't want this man here," and he was recalled.

Mr. RAGSDALE. Which man?

Mr. LAGUARDIA. North Winship.

Mr. RAGSDALE. Where did they inform the gentleman from New York?

Mr. LAGUARDIA. I am coming to that. Commander Crowley was recalled. I saw North Winship at Milan, Italy. He is our consul there now, and I saw Commander Crowley at Madrid, Spain. He is our naval attaché there, and I personally interviewed him on the subject.

Mr. RAGSDALE. Will the gentleman permit a further interruption?

Mr. LAGUARDIA. Anything.

Mr. RAGSDALE. Did the gentleman at that time advise the State Department of the information he had and as to the very poor handling of our foreign affairs in Russia?

Mr. LAGUARDIA. Why, certainly not. It was too late then. Everything was over as far as the front went. Our good men had been recalled. I had all I could do holding down the job I then had on my hands. Past experience had taught me that the Department of State did not desire information of that kind. The reports I referred to were all sent to the department.

Mr. HARDY. Will the gentleman yield for just one question?

Mr. LAGUARDIA. Certainly.

Mr. HARDY. As I understood the gentleman from Minnesota [Mr. MILLER] he thought this Government failed in not upholding Kerensky.

Mr. LAGUARDIA. I do not agree with the gentleman.

Mr. HARDY. There seems to be a difference of opinion between the gentleman from Minnesota and the gentleman from New York.

Mr. LAGUARDIA. I can not go into the details of that with the gentleman. Perhaps he misunderstood the gentleman from Minnesota.

Why, gentlemen, these very conflicts of opinion, all this lack of information, is proof positive that this House is not in possession of the facts, and from what source are this House and other departments of our Government to get information if not from our diplomatic representatives abroad? This Mr. Francis failed to do.

I agree with what has been said on the floor to-day and repeated many times during the past weeks that our Army should return home. We have accomplished our task. I am glad to hear that the distinguished Speaker says that they will soon all be on their way back. I hope that no time will be lost in getting all of our troops out of Russia. No matter how careful or tactful we may be in our conduct of these troops in Russia, we are bound to get mixed up in the factional fights now going on in that unhappy country. Even in endeavoring to preserve order, are we not liable to play into the hands of one of the factions? And would it not be most embarrassing to us and our purpose in this war and our ideals if in the course of preserving order in absolute good faith we were to indirectly assist in the Romanoff dynasty or other undesirable dynasty again placing itself in possession of Russia and her people? [Applause.]

Mr. FLOOD. Mr. Chairman, the gentleman from New York [Mr. LAGUARDIA] criticizes the Committee on Foreign Affairs for not hearing him on the Russian question, and he intimates that they do not know much about the Russian situation. I do not care to discuss that situation to-day. The distinguished gentleman from Minnesota [Mr. MILLER] is a member of the Foreign Affairs Committee. He has demonstrated to this House certainly that some members of the committee are familiar with the Russian situation, whether their conclusions in reference to that situation are correct or not. The other members of that committee are sufficiently well posted on Russian affairs not to desire to hear the gentleman from New York.

But I do want to say this in reference to the statement made here and the intimations thrown out about our ambassador to Russia. I had a talk with the Assistant Secretary of State sometime ago in reference to this gentleman. I had heard these rumors which have been hinted at to-day as to the delinquencies of Ambassador Francis, and I took up the matter with the Assistant Secretary of State, whose business it is to keep posted on these matters and who had these consular reports before him, who was fully aware of everything that was said in the consular reports referred to by the gentleman from New York [Mr. LAGUARDIA], who had all the rumors brought here by people who had traveled in Russia and those who had not traveled in Russia about Ambassador Francis, and he said this: That Ambassador Francis was one of the most efficient diplomatic representatives we had in the service [applause], and the very strongest intellect and character in the diplomatic service in Russia during this period of unrest. [Applause.] He said that Ambassador Francis was the one man around whom all the other representatives of the allied powers gathered for advice and for strength, and that he was the most active diplomatic representative in Russia; that he was everywhere that one man could possibly be as long as his health held out. But when his health broke down his little home was the place at which the other representatives in Russia from the nations with whom we had been associated in the war gathered for advice and support. The only criticism that he ever heard made against Mr. Francis that was supported by investigation made by the State Department was that when he first went to Russia he did not live in the magnificent style that the Russian people and the nobility desired him to live in; that he traveled around Petrograd in a Ford car instead of a Pierce-Arrow, and lived in moderate quarters, quarters that did not appeal to the wealthy people of Russia, and they criticized him for that, because he did not keep up the style they expected and desired him to. That was the only criticism by people who really know Russia and the Russian situation. I wanted to say this in defense of a man who has made great sacrifices for his country and for civilization. [Applause.]

The Clerk read as follows:

To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, repairs, postage, telegrams, furniture, typewriters, including exchange of same, messenger service, compensation of kavasses, guards, dragomans, and porters, including compensation of interpreters, and the compensation of dispatch agents at London, New York, San Francisco, and New Orleans, and for traveling and miscellaneous expenses of embassies and legations, and for printing in the Department of State, and for loss on bills of exchange to and from embassies and legations, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, $1,300,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I have scanned very closely the usually illuminating report of the committee on this bill, and under this item I find this information: Appropriation for 1919, $1,105,585; estimate for 1920, $1,200,000; amount recommended, $1,300,000. Here is quite an unusual increase that has no explanation except the bare figures as carried in the appropriation bill or in the estimates on this bill. I rise in all seriousness of purpose to ascertain the reason why the committee granted $100,000 more than the estimate, and the bill carrying nearly $300,000 more than the current appropriation.

Mr. FLOOD. The committee did add $100,000 to this item.

Mr. STAFFORD. Let me say that the report states it as $1,105,000.

Mr. FLOOD. Yes; the report embraces the deficiency; that is, the Diplomatic and Consular bill carried $1,005,000. The Appropriations Committee, in a deficiency bill, added another $100,000, making $1,105,000. The State Department asked that that be increased to $1,200,000, because there would be an increase in the telegraph service caused by the greatly increased business that would come after the final settlement at the peace table.

Mr. MILLER of Minnesota. I notice in the hearings that the sum expended last year out of this appropriation was $700,000 for cable tolls. Is it not a fact that during the next year, on account of the great activity of that line of work, a greater sum will be needed?

Mr. STAFFORD. Does the gentleman anticipate that during the fiscal year beginning July 1 there will be such activity in the use of the cable as would require a larger appropriation?

Mr. MILLER of Minnesota. Yes; more in the State Department.

Mr. ROGERS. In the hearings, Mr. Carr—page 82—states that the total appropriation for 1918 was $1,180,000; was that a slight error?

Mr. FLOOD. No; $1,105,000 is correct.

Mr. ROGERS. So that the appropriation asked for is an increase——

Mr. STAFFORD. The appropriation for 1919 is $1,105,585——

Mr. ROGERS. I am referring to 1918. The recommendation in this bill contains, as the gentleman will observe, only a very small increase over that appropriation.

Mr. STAFFORD. Mr. Chairman, I direct the gentleman's attention, because he has called attention minutely to these appropriations, that there was only expended in 1918, regardless of the appropriation, $1,034,000. That was last year, ending June 30 last. So we are appropriating nearly $300,000 for the expense of this service for the next fiscal year over what was expended in the last fiscal year, a very considerable increase.

Mr. FLOOD. What I was going on to say was that the State Department is not responsible for all of this increase. The Committee on Foreign Affairs, without any suggestion from the State Department, did add $100,000 to it. The opinion from the State Department was that the telegraphic service during the year 1920, owing to the creation of new countries, the establishment of new embassies and legations, would be probably greater than it had ever been before, and therefore they asked for a small amount more than they got for the current year from our committee and the Committee on Appropriations. The Committee on Foreign Affairs went further and added $100,000. A hundred thousand dollars was added in order that it might be applied to rent. The gentleman will observe that some of the money can be used where necessary for rent, and we thought it was wise to aid our representatives in the most expensive capitals with an allowance for rent, or, rather, to make an appropriation that would enable the State Department

to do so. The committee really had in mind that the department might supply some of these ambassadors at these high-priced places with means with which to rent dwellings. That may not meet with the gentleman's approval, but that is what the committee had in mind, and that is why the committee added the $100,000.

Mr. STAFFORD. Mr. Chairman, the Committee on Foreign Affairs is indulging in a policy that is somewhat unique and exceptional in the legislation of the House. Without any information whatsoever, based largely on surmise, they increased the estimate of the appropriation $100,000. The amount that was expended from this appropriation last year was $1,034,000. The department only asked for $1,200,000, and yet the committee goes ahead in these times when money is scarce in this country and increases it deliberately $100,000 without a word of testimony. I have scanned the brief testimony of about a page upon this item, and not a word is said by the distinguished gentleman from the State Department who appeared to explain the estimate as to there being any need for any additional amount. That is an indication of Democratic economy—not to curtail the appropriation, not to give them the full amount, but to give them $100,000 more, based upon a pure surmise on the part of some of the members of the committee that they could use it by employing it in some other way.

Mr. FLOOD. No; not in some other way.

Mr. STAFFORD. In some other ways than were contemplated by the department, because if the department had in mind the expenditure of this money they would have increased the estimate. I think it is something so out of the ordinary to indulge in this practice in these times when the Treasury is in such need of money, and the public will be called upon continually to reimburse the Treasury for these expenditures, that we are at least warranted in insisting that it be no more than the amount carried in the estimate. Therefore I move to reduce the amount from $1,300,000 to $1,200,000.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 7, line 8, strike out "$1,300,000" and insert "$1,200,000."

Mr. FLOOD. Mr. Chairman, the committee did not take this action without due consideration, and it was not Democratic extravagance, because the Democratic and Republican members of the committee voted alike. The State Department came before the committee with a suggestion to increase the salaries of our ambassadors from $17,500 to $25,000 a year. The committee voted it down. Some years ago this appropriation was increased for the purpose of allowing the State Department to give a contingent fund to the different large embassies in Europe, and I think at London the amount apportioned was $15,000. That item was increased for that purpose at that time by Congress, and the gentleman from Wisconsin, the watchdog of the Treasury, voted for it. That word "rent" was put in this item, authorizing the State Department to permit the use of this money for rent, and the appropriation was increased. The demands upon this fund became so enormous for cablegrams and other expenditures that probably none of it was left that could be utilized for this purpose. The committee, realizing that fact, added this $100,000, so that some of this money could be used to pay the rent at these places where rent is so high and where living is so expensive. The committee submits that to the House, believing that we ought to do something to democratize the embassies at the great capitals of Europe. The situation has been for years and is now that a man of small means, if he accepts one of these places at all, does it at the sacrifice of his personal fortune. I believe I can state—because it was stated here yesterday on the floor—that our present ambassador to Great Britain will go there to serve his country and will stay there just as long as his means will permit him to remain. When the fortune which he has accumulated in the forty-odd years of his life is exhausted in the expenses of that position, he will have to come home. This should not be. This will enable the State Department to help the able and efficient men, without great fortunes, who go to these places to pay the enormous rents they have to pay. The rent that is paid by our ambassador to France to-day is $12,000. If he did not have a lease of that house, if he should go out and another ambassador should walk in, the rent would be $18,000, and that would be $500 more than the entire salary of the ambassador to that country. I hope this item may be left as the committee reported it.

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last word. This item was increased $100,000, and, as I understood it, at the time there was a strong recommendation by the department for an increase of the salaries of certain ambassadors and ministers; in fact, the salaries of the Diplomatic Service all down the line. So far as I was concerned, I felt that salaries in certain sections of the world ought to be increased, because expenses had so very materially increased, but I felt at the same time that expenses in certain other parts of the world had not increased sufficiently to make these large increases of salary necessary. It seemed to me, therefore, that to increase this contingent fund, so that the department could help out the man who was in an expensive section of the world, and not be compelled to increase where the cost of living had not gone so high, would be the wise thing to do. It was my belief that this $100,000 would enable them to level over the matter, to help the man who needed to be helped, and not be compelled to use it to help others who did not need it. Then I realized also the fact that if you once increase the salaries, no matter how much expenses might go down, you could never lessen them. In this matter you could lessen this amount or not give it.

Mr. STAFFORD. I was under the impression that the $700,000 post fund that was carried in the existing bill was for the express purpose of providing equalization of salaries occasioned by the high cost of living.

Mr. LINTHICUM. That, I think, the gentleman will find is largely for the Consular Service.

Mr. FLOOD. It is also in the Diplomatic Service, but it does not apply to ambassadors and ministers. It applies to clerks, and so forth.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. McFADDEN. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman for some information. A few moments ago it was stated that the United States had recognized a Russian ambassador. I wanted to ask the chairman of the committee if that is a fact?

Mr. FLOOD. What I said was that the ambassador from Russia, who is here now, came as the representative of the Kerensky government, and we did receive him and recognize him, and he is still acting as Russian ambassador; and we recognize no other diplomatic representative from Russia except Bakhmeteff, who came as representative of the Kerensky government, and has been recognized by the United States Government as the representative here of Russia.

Mr. McFADDEN. At the present time he is the accredited representative of Russia in this country?

Mr. STAFFORD. So far as our Government is concerned.

Mr. McFADDEN. Just another question. I recollect that prior to our entry into the war there were various amounts of Russian loans floated in this country, to the extent of several millions. I also remember the administration, just prior to the sending of the Kerensky representative here, advanced certain moneys—several hundred million dollars—to the Russian government. Do I understand that Mr. Bakhmeteff has charge of these funds as the accredited representative of the Kerensky government or what government?

Mr. FLOOD. He had charge of them. Most of those funds were paid out in this country for obligations the Russian government owed in this country. But the dealing with those funds was done through Mr. Bakhmeteff.

Mr. McFADDEN. I understand that when trouble broke out in Russia there was something like $180,000,000 of these funds on deposit here, and out of these funds the interest on all the former Russian loans was being paid. Is that correct?

Mr. FLOOD. Up to the fall of the Kerensky government we had advanced Russia over $187,000,000. What was left of that fund when the Kerensky government fell was used to pay obligations due in this country by Russia.

Mr. McFADDEN. Is that how the interest on these foreign loans is being paid?

Mr. FLOOD. The Russian loans?

Mr. McFADDEN. Yes.

Mr. FLOOD. From this source and from other funds which the representatives from Russia had here.

Mr. MILLER of Minnesota. May I inquire if these Russian loans to which reference has been made and attention has been directed are loans made by the United States to the Russian Government or loans by private individuals?

Mr. FLOOD. I presumed the gentleman was speaking of the loans that the United States Government made to the Russian Government.

Mr. McFADDEN. I was speaking first of the various loans made by banking interests in New York and now held by American investors, and then I was speaking in reference to this fund that was advanced by the United States as an additional loan. When the troubles came over there and when the original Rus-

sian Government fell this money seemed to be here and flowing, with no one in charge of it, and since that time we recognized Kerensky. I have wondered upon what authority the Russian ambassador was administering that fund and how he had the right to pay the interest on these loans which were sold to individual investors in this country by these New York banking interests.

Mr. FLOOD. Simply by authority of the fact that he had possession of it, having received it for the Kerensky government, for whom it was intended by our Government.

Mr. McFADDEN. Yes. I wondered, in that connection, whether the United States itself should not properly control that fund.

Mr. FLOOD. I should think this Government loaned it to the Russian Government, but I will get further information and will *put it in* the RECORD to answer the gentleman's question.

Mr. McFADDEN. I shall be glad.

The Clerk read as follows:

TRANSPORTATION OF DIPLOMATIC AND CONSULAR OFFICERS IN GOING TO AND RETURNING FROM THEIR POSTS.

To pay the actual and necessary expenses of transportation and subsistence under such regulations as the Secretary of State may prescribe, of diplomatic and consular officers and clerks in embassies, legations, and consulates and their families and effects in going to and returning from their posts, or when traveling under orders of the Secretary of State, but not including any expense incurred in connection with leaves of absence, $145,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph just read. Last year, as I recall, the House increased the rate of mileage that might be paid for traveling expenses for the diplomatic and consular officers from 5 cents to 10 cents a mile. Now the gentleman proposes to eliminate the limitation entirely, so that there may be paid any amount for expenses of travel, covering their actual expenses it is true, and it further provides for the payment of their subsistence during the time they are traveling and also for the expenses of the transportation for their families and effects. I think there should be some explanation of this radical departure, in this instance, from the limitation which has heretofore been carried on the expenditure of this item.

Mr. FLOOD. This item is unchanged from what it is in the current law——

Mr. STAFFORD. I beg the gentleman's pardon.

Mr. FLOOD. This item is the same as in the current law.

Mr. STAFFORD. I beg to inform the gentleman that it is changed.

Mr. FLOOD. I do not mean the amount.

Mr. STAFFORD. I do not mean the amount; I mean the language.

Mr. FLOOD (reading)—

To pay the actual and necessary expenses of transportation under such regulations as the Secretary of State may prescribe, of diplomatic and consular officers and clerks in embassies, legations, and consulates in going to and returning from their posts, or when traveling under orders of the Secretary of State, at the rate of not exceeding 10 cents per mile, but not including any expense incurred in connection with leaves of absence, $125,000.

Mr. STAFFORD. If the gentleman will compare that language with the language carried in the bill, he will see it is changed in several particulars. The limitation on the amount for reimbursement for mileage is eliminated, and next provision is made for the Government paying for their subsistence——

Mr. FLOOD. Yes.

Mr. STAFFORD. And then you provide for an allowance to be expended for their families and effects in going to and returning from their posts.

Mr. FLOOD. The gentleman is right. We did make very radical changes. I thought we made those changes in the current law last year, but I see it is in the present bill. They were made upon representation of the hardships that these officers sustained under the laws as we have been enacting.

Mr. STAFFORD. Well, last year the committee came before the House and asked as a warrant for increasing the mileage from 5 to 10 cents that it was necessary that the diplomatic and consular officers should have that amount of pay for their mileage. We did so. Now the gentleman seeks to eliminate that and goes further and provides for their subsistence and also for the transportation of their families and effects.

Mr. FLOOD. As I said, I thought we made those changes last year. The State Department urged them very strongly last year, and we raised the mileage from 5 to 10 cents. Now, the statement made to the committee is this:

Mr. CARR. Ten cents a mile in a majority of cases—the flat 10 cents a mile—would, for the officer himself, I think, in practically every case be adequate. But the 10 cents a mile would not be adequate to reimburse the officer for the transportation of himself and members of his family, plus his personal effects, which, of course, have to go with him.

Mr. HUDDLESTON. A departure in that respect is proposed?

Mr. CARR. A departure in that respect is proposed; it has been recommended for a year or so, and is now recommended again.

Mr. MILLER. Then you have also added the words in lines 19 and 20 on page 7, "and their families and effects."

Mr. CARR. We added that last year and the year before, I think. Congress did not receive it favorably, but they did raise the mileage from 5 to 10 cents a mile, with the qualification I have mentioned. The practical working of the transportation appropriation is perhaps better illustrated by some examples I could give you.

Two consuls were transferred from Swatow to Chungking in China. The cost for two officers was $435 and $355 Mexican, respectively. Both of those officers were unmarried. They took no account of the cost of transporting or the disposition of their household goods; that is, the cost of disposing of the goods at the old post and acquiring a new outfit at the new post. They received from the Government $293 and $173 Mexican, respectively. I do not know what the reason for the difference in the expenses, but whatever it may have been, in one case the man spent $435 and the Government gave him $293, and in the other case the man spent $355 and the Government gave him $173. They lost the amount of the difference in obeying the order of the Government in making the transfer.

Mr. MILLER. This was during the last year, when the 10 cents a mile prevailed?

Mr. CARR. I have not the date of it. That was before the rise in exchange.

Mr. STAFFORD. They always wish to be freed from any limitation on expenditures placed there by the Congress.

Mr. FLOOD. No; I think it was to enable them actually to reimburse the officers.

Mr. STAFFORD. Well, Mr. Carr, even in the case instanced, did not know whether all these officers were proceeding under the 5-cent rate or the 10-cent rate; very likely the 5-cent rate, because the 10-cent rate was granted only a year ago.

Mr. FLOOD. Under the old rate it was stated they could not possibly move their families with them without going to extraordinary expense; but my recollection is he cited a great many cases of very great hardship, and the committee thought it wise to except these commissions and——

Mr. STAFFORD. This fund also provides for a transportation charge when the consular and diplomatic officers return home from their posts?

Mr. FLOOD. Yes; going and returning.

Mr. STAFFORD. Does not the gentleman realize there should be some limitation on the amount of expenditure per mile?

Mr. FLOOD. I want to call the attention of the gentleman to the fact, in reference to nearly all the items of expense that commissions and individuals can charge against the Government, that the committee in this bill has provided for an itemized statement. I do not mean it has done that in so many words, but it has made the appropriation so they have to itemize these expenditures.

Mr. STAFFORD. Where is the language to which the gentleman refers?

Mr. FLOOD. For instance, this international commission that settles disputes between this country and Canada. They now under this amendment get $8 a day, but we fixed the language so that they have to render an itemized statement of what they do expend. Up to that time they got $8 a day whether they expended it or not.

Mr. STAFFORD. There is no such requirement in this provision under consideration?

Mr. FLOOD. I think the provision carries that idea.

Mr. MILLER of Minnesota. And it says that the expenditures are to be under rules and regulations to be prescribed by the Secretary, and of course they will have a proper method of accounting.

I sincerely trust the gentleman will not insist on his point of order. If the chairman will permit me to make an addition to that which he has so strongly presented, I wish to say that one thing that was very persuasive to the committee was this, that our consular and diplomatic officers are traveling for the greater part outside of the United States. They are also traveling from one country to another. When a person is traveling in continental North America he can take a train and go to his destination and if he has to change cars it consumes only an hour or two hours to do so. It is stated that in many of these transfers in China and Japan and elsewhere, where means of communication are not numerous, and they have to go over certain routes part by rail and part by boat, and that often occurs at least during these troubled times, when passenger service is demoralized the world over, a man will have to stop at a hotel waiting for a boat, and the boat, instead of sailing on an appointed day, will not sail for a week or longer. Under existing law his expenses at the hotel during that time of waiting he has to pay himself, as his 10 cents per mile does not give him enough to pay for such long stops.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MILLER of Minnesota. The 10 cents a mile which was allowed in the bill last year will not take care of the most of that. We do not appropriate any more than we did last year. We appropriate the same sum, but it will give flexibility and elasticity to this particular kind of service. I would like to urge this on the gentleman's attention, as one interested in the Diplomatic and Consular Service and who has visited countries in most sections of the world, that the greatest need we have, in my mind, now, to get adequate commercial and political representation in these lands, is to provide sufficient money to enable the force in the field to live. They can not live now on the amount they are getting. I know in my own experience of a number of the most brilliant young men who have entered the Consular Service, who were getting before they entered three or four thousand dollars a year, and who entered it, say, at $1,800 or $2,000, and then were obliged to go to Chile, South America, or to Shanghai, China, or into Siberia, and they could not possibly get sufficient money out of their transportation to pay the expenses of their journey there and that of their wives and families. And possibly after three or four years it was found that that particular man was the exact man they wanted in Stockholm, and who if at Stockholm would be of incalculable value to the Government, and they ordered him there. That is a long jump, and the old provision did not give sufficient money to pay his expenses, and men have been quitting the service by reason of it.

Mr. STAFFORD. Five cents a mile was not adequate, and so Congress on the recommendation of the committee increased it to 10 cents.

Mr. MILLER of Minnesota. And 10 cents, in many instances, is more than adequate—perhaps in a majority of cases it is more than adequate—and in many cases, and those the most deserving, it is not adequate, and the department simply asks, not for a greater amount but that it be made more flexible to enable them to take care of it. Certainly the salaries of our consular and diplomatic agents are low enough, usually ridiculously low, and we must pay the actual expenses incident to their necessary travel.

Mr. STAFFORD. You are asking for $20,000 more than appropriated last year.

Mr. ROGERS. Will the gentleman allow me to read a sentence or two from the hearings?

Mr. STAFFORD. I shall be glad to be informed on the subject.

Mr. ROGERS. I want to read from the testimony of Mr. Herbert C. Hengstler, of the State Department, who is chief of the Consular Bureau. While Mr. Wilbur J. Carr is director of the Consular Service, Mr. Hengstler in his work comes more directly in contact with the subject suggested by the reservation of the point of order.

On page 17 of the hearings he says:

> One of the difficulties here that we have experienced is that the present law requires a very complicated system of accounting. In the first place, we have to keep the accounts according to mileage, and, in the second place, we must have another account showing the actual expenses, so that for each trip the consular officer has to render two separate accounts, making a very complicated and cumbersome system.

And then, dropping down a few sentences:

> Even 10 cents a mile at the present time frequently does not cover the necessary expenses of the consul himself. One man sent to Russia recently had to spend almost $900 to take himself and his family to his post. Even if he had gotten 10 cents a mile you could realize he would have received but a small portion of this amount from the Government.
>
> We had a man who was sent a very short distance in Turkey. He had to go overland. I think he got about $50 mileage, as I recall. His actual expenses were almost $200. That is the reason we ask for this change in the bill.

Now, I submit to the gentleman from Wisconsin that if we are to keep the kind of Consular Service the needs of this country and the dignity of this country demand, it must be a flexible and an attractive service. We must enable the State Department to send a man from one post to another post whenever the requirements of the service make it proper to have the transfer made. It is not fair and it is not a thing that will appeal to the right sort of man in the Consular Service, if he has to pay hundreds of dollars out of his own pocket in order to move himself and his family to the new post. This does not give him a cent for himself. It simply pays his expenses.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. I wish to inquire of the gentleman from Massachusetts whether it is the practice now under existing regulations to pay the expenses of travel for the families of our diplomatic and consular officers?

Mr. ROGERS. It has been recommended by the committee for several years.

Mr. STAFFORD. It is not in the present paragraph. It is not in existing law. I wish to have the attention of the chairman. It is, of course, new legislation on this appropriation bill. I now wish to inquire whether under the existing language it is the practice to pay the expenses of the families of these officers?

Mr. ROGERS. I think not.

Mr. STAFFORD. I will direct the inquiry to the gentleman from Virginia as to whether it is the existing practice for the department to pay the expenses of travel for the families of the diplomatic and consular officers?

Mr. FLOOD. The change in this law is for the purpose of enabling the department to do it.

Mr. STAFFORD. Then I have the right to infer from the gentleman's statement that it is not the existing practice?

Mr. FLOOD. They can not do it, as I understand.

Mr. LITTLE. Will the gentleman permit? The practice always has been, as far as I know, that they permit a man when appointed and sworn in at home to begin to draw his salary, and he has a certain length of time to reach his post of duty. He draws his salary during that time—or did formerly—and that was a much longer time than took him to get there. It is the time that took him to get there a hundred years ago, and he would get enough money in the way of salary in the interval to provide his expenses in getting there.

Mr. FLOOD. This is when he is transferred from one place to another.

Mr. LITTLE. That would apply in the same way, I suppose.

Mr. STAFFORD. Mr. Chairman, I make a point of order on the paragraph. I wish to say to the gentleman that I do not wish to restrict the Consular Service in the freedom of transit of the respective officers, but I do not see why we should now inaugurate the policy of paying for the travel and transportation expenses of the families of these consular officers.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman reserve his point of order?

Mr. STAFFORD. I will withhold making the point of order.

Mr. MILLER of Minnesota. I know the gentleman wants to be fair on this, and he would be the last man really to cripple an important service of this kind. I can assure the gentleman——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. I ask unanimous consent, Mr. Chairman, that the gentleman from Wisconsin may have five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MILLER of Minnesota. I believe that this is the most vital thing in the entire bill. I want to call the gentleman's attention to another thing. The gentleman will notice that the law respecting the allowance of military officers contemplates that married men will take their families, and recognition of that is given and provision is made in the law for that.

Now, here it is extremely desirable that men be accompanied by their families to these posts, no matter whether they are consular or diplomatic. In the Army it is sometimes advisable indeed that they be not accompanied by their families, as when they go into field service, but in going from post to post they are allowed to be accompanied, and therefore provision is made in the law for the transportation of the Army officers and their effects and families.

Now, here is a service that much more urgently, in my judgment, requires that men should be accompanied by their families, for efficiency in the service, if for no other purpose, and why should we not enact the item as it is framed in this paragraph?

I believe the gentleman can rest assured that there will be no abuses under it. If he thinks there is any danger in it I would be perfectly willing to join in a request that the amounts be itemized.

Mr. STAFFORD. It is the policy always for the Government to place restrictions around the payment of allowances for the transportation of their officials. Here we are lifting all restrictions entirely and allowing the department to recognize any payment whatsoever that a diplomatic or consular officer may make. The gentleman knows that that may be subject to grave abuse.

Mr. MILLER of Minnesota. That is not what this paragraph permits. It says, "to pay the actual and necessary expenses, under such restrictions as the Secretary of State may prescribe." I am willing to write into the law that the agent, consular or diplomatic, must submit an itemized account, sworn to. That will cover it.

Mr. STAFFORD. Will that meet the approval of the chairman of the committee? We are trying to legislate here.

Mr. FLOOD. The gentleman from Kansas and I are trying to legislate over here.

Mr. LITTLE. The gentleman from Wisconsin is not the only legislator. [Laughter.]

Mr. STAFFORD. I can not compete with the distinguished gentleman, who rendered such distinguished service years and years ago in Armenia.

Mr. LITTLE. On that I will withdraw my remark. [Laughter.]

Mr. STAFFORD. My objection to this paragraph is that there is no limitation on the department as to the expenditure. The policy of Congress is to restrict and limit expenditures. I recognize the need of the consuls visiting around. It is the criticism of the service that they are lodged and anchored too much in the place to which they are assigned. They merely think that their only duty is to do a little detailed office work and draw their salary. If there are some ambitious men among them who wish to go around and obtain useful information, I do not want to restrict them by arbitrary limitations.

Mr. MILLER of Minnesota. I suggest that we insert this language. After the word "pay," in line 11, insert these words: "itemized and verified statements of the actual and necessary expenses of transportation."

Mr. FLOOD. I accept that amendment.

Mr. STAFFORD. With that agreement, I will withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. MILLER of Minnesota. Mr. Chairman, I offer an amendment to line 11, page 7, after the word "pay," by inserting the words "the itemized and verified statements of."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Minnesota.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Minnesota: Page 7, line 11, after the word "pay," insert "the itemized and verified statements of."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service and to extend the commercial and other interests of the United States and to meet the necessary expenses attendant upon the execution of the neutrality act, to be expended pursuant to the requirement of section 291 of the Revised Statutes, $700,000, together with the unexpended balance of the appropriation made for this object for the fiscal year 1919, which is hereby reappropriated and made available for this purpose: *Provided*, That in his discretion the President may employ part of this fund for payment for personal services in the District of Columbia or elsewhere, notwithstanding the provisions of any other law.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on that paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. STAFFORD. Mr. Chairman, I think some explanation should be made of this large appropriation that is carried in this bill, as to the method of its expenditure. If I mistake not, this is the item on which I received the assurance of the chairman of the committee that after the conclusion of the war the proviso, if I permitted it to be inserted last year, would not be continued in the future.

Mr. FLOOD. No. Here was the understanding that I had with the gentleman: That if he did not raise a point of order against it last year I would use my influence with the committee not to report it after the war had ended.

Mr. STAFFORD. Oh, everybody knows that the reason for that proviso is ended with the armistice, and it would be an abuse of the understanding if it is continued.

Mr. FLOOD. I do not think that.

Mr. STAFFORD. I must be shown, then.

Mr. FLOOD. It would not be an abuse of the understanding, because the war has not ended. The understanding was that I would use my influence with the committee after the war was ended.

Mr. STAFFORD. Of course I am not inclined to underestimate the influence on the floor of the gentleman from Virginia.

Mr. FLOOD. The gentleman asks as to the method of expenditure. The emergency fund is included under section 291 of the Revised Statutes, which provides:

Whenever any sum of money has been or shall be issued from the Treasury for the purposes of intercourse or treaty with foreign nations, in pursuance of any law, the President is authorized to cause the same to be duly settled annually with the proper accounting officers of the Treasury, by causing the same to be accounted for specifically, if the expenditure may, in his judgment, be made public; and by making, or causing the Secretary of State to make, a certificate of the amount of such expenditure as he may think it advisable to specify; and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

Now, the requirements of this statute are absolutely adhered to in the expenditure of this fund. Under this proviso this fund can be used for the payment for personal services in the District of Columbia. Of course, we all know that technically the war has not ended. The gentleman from Wisconsin [Mr. STAFFORD] thinks it has ended, and I hope it has, but technically it has not. So far as the State Department is concerned, it is probable that its activities have been increased with the signing of the armistice and its burdens probably may be increased generally after peace is concluded. Of course, so far as this fund is concerned, the necessity for it will not be increased after peace is concluded, but it will be greatly lessened; but we will have a great many visitors coming to this country from the different allied countries during the next 12 months. The papers say the King of England will be here.

At any rate, a great many distinguished visitors will be here who will have to be entertained out of this fund. We still will have to employ a lot of gentlemen to get confidential information for the State Department in reference to conditions in the various countries that have been at war, especially some of those that are to be made into nations out of former existing nations. We have to send confidential agents to get that information, and there is no other fund from which to pay them except this. The State Department, as we all know, has a small secret service corps, which has rendered the most splendid service during the period of the war, and which the department thinks it necessary to keep up during this time. It has to be paid for out of this fund. There is no other fund out of which to pay it. All of these activities necessitate the employment in the department here in Washington of an additional number of employees—not a great many, but some—and since this proviso has been in the law the department has been paying them out of this fund. There is no other fund out of which to pay them, especially since the legislative bill cut down their appropriation for clerk hire from $400,000 to $125,000. I will say again to the gentleman that I do not lose sight of the understanding we had on the floor of the House last year when the gentleman so generously abstained from making a point of order to this proviso.

Mr. STAFFORD. Will the gentleman permit?

Mr. FLOOD. Yes.

Mr. STAFFORD. I recognized then that, as we were at war, there was an absolute necessity to grant to the President a large sum of money to be used as he saw fit.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent for five minutes. Is there objection?

There was no objection.

Mr. STAFFORD. It was necessary to have a fund for the employment of Secret Service men, or in any other way whereby he could obtain that information. These services might have to be employed here in the District of Columbia, and I was not going to raise a point of order against any activity that was necessary to protect the Government through its State Department in ferreting out spies and persons unfriendly to our cause.

Mr. FLOOD. They did splendid work.

Mr. STAFFORD. But now that emergency is past, and there is no justification why we should carry this provision in the Diplomatic bill, an appropriation virtually for clerical services in the Department of State. If the legislative bill has not carried an adequate appropriation the proper place to have that increased is in the other body at the other end of the Capitol, or to come before the Committee on Appropriations for an additional appropriation; but to have in this bill an appropriation that can be utilized for clerical services is not good legislation.

Mr. FLOOD. I agree with the gentleman that it is not good legislation, but so far as the emergency is concerned that the gentleman is talking about, I will repeat—and I hope the gentleman will agree with me—that so far as the State Department is concerned the emergency is just as great as it ever has been. They will have to keep up their Secret Service. They have to entertain all of these people who come here. They have to have people located here in Washington to help do these things, and during the next 12 or 15 months this will go on.

Mr. STAFFORD. Yes; but so far the gentleman has advanced no reason for an authorization to allow this fund to be used to pay for personal services here in the District of Columbia. If the President wants a fund for the entertainment of royalty when they visit this country, that is another question.

Mr. FLOOD. This is the fund out of which that comes.

Mr. STAFFORD. But that does not involve the idea of payment for personal services in the District of Columbia.

Mr. HARRISON of Mississippi. Mr. Chairman, may I suggest that on page 91 of the hearings Mr. Carr makes this statement touching this item:

Mr. CARR. It certainly is not any less important by reason of the fact that the war is supposed to be over, because the security of the future welfare of the United States depends on a great many things being done, a great many loose ends being tied up, a great deal of information being collected, and the failure to do that would be vastly more costly than this small sum of money.

Then in another place in the hearings he says this concerning this item:

I think the unexpended balance at the present time is approximately $400,000.

Mr. ROGERS. With just about half of the year gone?

Mr. CARR. With just about half of the year gone and with a possibility of a great many expenditures in the second half of the year.

* * * * * * *

It is not possible to say what the balance may be. It is natural to suppose that we may need to know a good many things about some of the new countries. For example, it is possible that Austria will emerge from the peace conference very much subdivided into smaller nations and that Turkey may emerge from the peace conference in the same condition, and it is reasonable to suppose that the President and the Secretary of State may find it necessary to hurriedly send somebody to those countries to look into special subjects or to do special things. Those things frequently happen in international intercourse, and this would be the only fund for such expenses. There may be a good many things of that kind that may have to be done, and there is no other fund from which they could be done.

Mr. STAFFORD. What the gentleman has read confirms my position. He has not read language—at least, if he has I have not detected it—which shows the necessity for this fund to be used to pay personal services here in the District of Columbia.

Mr. HARRISON of Mississippi. Mr. Carr said that there are many loose ends that need to be tied up, and so on, and they have people at work. They may work here in the District of Columbia or they may be over in Paris, or the President may need some of them when he comes back here.

Mr. STAFFORD. Every department official always wants to have a reserve fund which he may use in case the funds provided by the regular channel are not adequate. I would like to inquire of the chairman whether this is the fund from which the President is paying the retinue of college professors now with him at the peace council?

Mr. FLOOD. I do not know anything about the retinue of college professors, but they are not paid out of this fund.

Mr. STAFFORD. Will the gentleman kindly direct us to what fund they are paid from?

Mr. FLOOD. The President has a pretty large fund of his own, and I expect they are paid out of that if they are paid.

Mr. STAFFORD. I was under the impression that the $700,000 available fund was used to pay the corps of professors from different colleges who have accompanied the President abroad.

Mr. FLOOD. No; not out of this. They do contemplate sending gentlemen to Austria and Hungary and Turkey and other places expected to be erected into States.

Mr. HARRISON of Mississippi. This is a secret fund and has been so carried for years. Mr. KNOX, when he was Secretary of State, carried it as a secret fund.

Mr. STAFFORD. Yes; until the last year the fund only amounted to $200,000, but since our entry into the war they have asked for larger appropriations, and we have run it up to $700,000, and now that the war is over they ask that it shall be continued. Last year I had the distinct promise from the chairman of the committee that if the proviso was allowed to remain when the war was at an end—and we differ whether it is at an end—this proviso should be eliminated. I am strongly opposed to the idea that we should vest in the Secretary of State in this bill authority for the employment of individuals here in the District of Columbia.

Mr. HARRISON of Mississippi. The gentleman realizes that there will be a very few months before the war is actually over and when all this matter will be settled.

Mr. STAFFORD. Yes; and that is why I am so persistent on my position.

Mr. HARRISON of Mississippi. It might cost the Government a great deal more if it did not have this fund, and it could not do much harm if the provision is left in.

Mr. STAFFORD. Mr. Chairman, I am going to make the point of order. If the gentleman wishes to have it inserted without the proviso, I am willing to make the point of order against the proviso with that understanding, or else I will make it against the whole paragraph.

Mr. HARRISON of Mississippi. Make it against the proviso.

Mr. STAFFORD. With the understanding that the proviso is not to be offered again.

Mr. HARRISON of Mississippi. It could not be offered again unless subject to a point of order.

Mr. FLOOD. I do not know what the gentleman means by not being "offered again."

Mr. STAFFORD. Is it agreeable to the gentleman to have the paragraph remain in the bill as it is without the proviso?

Mr. FLOOD. Yes.

Mr. STAFFORD. Then, Mr. Chairman, I make the point of order against the proviso.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

Mr. HARRISON of Mississippi. Mr. Chairman, I move to strike out the last word. The gentleman understands that if the State Department should insist that the proviso be written in the bill the Committee on Foreign Affairs might offer it again.

Mr. FLOOD. It could not be offered again.

Mr. HARRISON of Mississippi. Suppose the Senate should insert it. I do not want gentlemen to misunderstand our position about it.

Mr. STAFFORD. We had an understanding last year—although there is a difference as to the interpretation of it—that when the war was at an end the proviso should be eliminated. I am making the point of order to carry out that agreement as I understand it.

The Clerk read as follows:

To Mrs. Natalie Summers, widow of Madden Summers, late consul general to Moscow, $5,500, one year's salary of her deceased husband, who died at his post of duty.

Mr. STAFFORD. Mr. Chairman, I make a point of order against the paragraph just read.

Mr. BYRNS of Tennessee. Will the gentleman reserve his point of order?

Mr. STAFFORD. Certainly; I am very glad to accommodate the gentleman from Tennessee.

Mr. FLOOD. The gentleman makes a point of order against the appropriation to Mrs. Summers?

Mr. STAFFORD. To reimburse Mrs. Summers.

Mr. FLOOD. Mr. Chairman, the committee recommends one year's salary, amounting to $5,500, to be paid to Mrs. Natalie Summers, widow of Madden Summers, late consul general to Moscow. This gentleman died there at his post of duty. He sacrificed his life in the cause of his country and these countries with which we were associated in the war. It has been the practice in this country—at least there are numerous precedents for it, and I say it has been the practice—that where a diplomatic and consular officer of the United States died at his post of duty in the discharge of his duty, to make an appropriation for his widow or heirs, and it has generally been one year's salary—just about what we do for the widows of Members of Congress.

Mr. STAFFORD. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. STAFFORD. Do I understand it is the uniform practice when a consular officer dies to pay a year's salary to his surviving widow or relatives?

Mr. FLOOD. I did not say it was the uniform practice, but I believe it is the practice, because there are so many precedents for it.

Mr. STAFFORD. Will the gentleman refer me to any item having been reported from the Committee on Foreign Affairs of the House in the Diplomatic bill of that character in the last 10 years?

Mr. FLOOD. I do not know about its being reported in the Diplomatic bill.

Mr. STAFFORD. I suppose there have been some instances where other consular officers have died at their posts of duty leaving surviving relatives.

Mr. FLOOD. I do not know.

Mr. STAFFORD. Then, they are pretty good livers if no one has died at his post of duty within the last 10 years.

Mr. FLOOD. The only case that I am advised of just now, since I have been connected with the committee, was that of Mrs. Sorsby, whose husband did not actually die at his post of duty.

A claim was presented and a bill was introduced allowing Mrs. Sorsby one year's salary, and the difference between her situation and the situation in this case and the other cases was that her husband had been separated from the service for quite a number of years, but she undertook to prove that the

disability of which he died resulted from the unhealthy location at which he had exercised the duties of minister.

Mr. SLAYDEN. Mr. Chairman, may I submit a question to the gentleman from Virginia?

Mr. FLOOD. Yes.

Mr. SLAYDEN. One of my constituents, who was the consul at the city of Guadalajara, Mexico, recently died of pneumonia. I saw in the papers a few days ago that the Government, through the State Department, had directed that the remains be brought back home to be interred. I do not know what notice the gentleman would require before taking such a step, but if it is to be done in the case of Mrs. Summers, why should not this bill also carry an appropriation of one year's salary of the consulate at Guadalajara for Mrs. Silliman?

Mr. BYRNS of Tennessee. There are different facts.

Mr. SLAYDEN. Oh, there are different facts, of course.

Mr. FLOOD. I think a bill making provision for Mrs. Silliman ought to be introduced, and the committee ought to consider it, and if it comes within the rules that the committee has acted on it ought to be reported.

Mr. SLAYDEN. Let me call the gentleman's attention to one or two facts of history——

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman from Virginia may proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Chairman, I want to call the attention of the gentleman from Wisconsin [Mr. STAFFORD] to some cases that I happen to have investigated. The general deficiency act approved June 8, 1896, Statutes at Large, volume 29, page 268, carried an appropriation of $8,750 for Mrs. Eliza Gray, widow of Isaac P. Gray, late United States minister to Mexico.

The general deficiency act approved July 28, 1892, Statutes at Large, volume 27, page 283, carried an appropriation for the widow of Alexander Clark, late the minister to Liberia, amounting to $4,000, which was the amount of one year's salary.

In the deficiency act of March 3, 1893, an appropriation of $5,375 was carried in behalf of Mrs. Sarah O. Hanna, widow of Bayless W. Hanna, late a minister to the Argentine Republic.

An act for the relief of Mrs. Lizzie Phelps, widow of Seth Ledyard Phelps, late minister of the United States to Peru, was approved on August 3, 1886, for one year's salary.

An act of July 8, 1898, for the relief of Verona E. Pollock, appropriated $6,840, she being the widow of Alexander L. Pollock, late consul of the United States to San Salvador.

There are quite a number of such cases. I received a letter from the Secretary of State in reference to Mrs. Sorsby's case, which said that it has been the practice to make these appropriations, but drawing the distinction between Mrs. Sorsby's case and the cases in which the appropriations had been made, the difference being that Mr. Sorsby did not die while in the service. There is no doubt about the fact that Mr. Summers died at his post of duty while in the service of the United States. I do not recall that Congress has refused, when requested to do so, to make an appropriation for the relief of the widow of a representative, especially when that widow was greatly in need of financial assistance. The committee would not take the matter up and make an appropriation without a request in the shape of a bill being introduced to that effect, or a request before the committee, and in this case the facts were presented to the committee and were certainly most meritorious. This gentleman died at his post of duty, died from overwork for this country and for the allied countries, and died after having expended everything that he possessed, and he had actually expended his wife's fortune, or what was left of it from the Russian revolution. This widow is a Russian woman who married this American consul. She had a considerable estate of her own, but that now has been swept away by the Russian revolution.

The income from the estate had been used in maintaining this consul in his position. The post-allowance fund allowed him was expended, his salary was expended, everything he had was expended in maintaining his position as consul and in helping Americans who were stranded over there and who needed financial aid. On the whole, the committee thought that no more meritorious case could be presented for the consideration of Congress than this case. It stood on all fours, so far as the technical rights were concerned, with the cases which Congress had heretofore made appropriations in, and was probably more meritorious in fact than any of them. The committee recommended this appropriation, and I trust that the gentleman will not raise the point of order against it and that the Committee of the Whole will vote this deserving lady this amount of money. As I said, she is absolutely without means now. She has come to America and has secured a position in the State Department and is working for her living. Whether her salary is sufficient to support herself and child I do not know; but, at any rate, this would certainly help her in the effort she is making to support herself and her child. If Congress would vote the amount of one year's salary, the interest from that could be used to supplement the small salary she is getting in the State Department.

Mr. LINTHICUM. Mr. Chairman, I sincerely hope the gentleman will not press the point of order against this item, because if there ever was an item of this kind that came before Congress which was meritorious this is it. When you realize that these people were there during the revolution and during the time that living was dangerous and everything was extremely high, you can readily see how that little fortune, or what they had, was consumed. I read from the testimony of Mrs. Summers:

> You will perhaps better understand how expensive it was when I tell you that we had to pay $7 for a pound of bread, and that bread was made of straw. Then when you bought sugar it cost $15 a pound, and a pair of shoes cost you $100. So it was impossible to save anything there. An egg cost $1, and you can judge from those things how much it cost to live there.

This lady had a fortune of her own, and they used the income from that to help live upon, but when the Russian revolution took place, that fortune was swept away, and they no longer had any income from it. With these prices it is no wonder that they had absolutely nothing when Mr. Summers died. Mrs. Summers did not come to Congress and ask for the payment of money when doing nothing, but she came to America and asked for a position and procured a position in the State Department, earning $150 a month, and with that money, and with that money solely, she has been able to eke out an existence for herself and her boy. There are plenty precedents for this appropriation. When we vote the widows of deceased Members of Congress a year's salary, we ought not to refuse this woman a year's salary after what she and her husband endured in Russia. He stood to his position until death severed his relations, and during a most trying time in the history of the world. Can we do less than make this small appropriation to the widow and orphan son of one of the Consular Service's most able men?

I do not think there is a man on the floor of this House who would want to go through with what this family did. I am sure that any man who had done so would have had his fortune eaten up by the expense. Now, it is a meritorious case, and every other country, probably every country in the world, pensions the widows of its deceased consuls. This country, said to be the richest and the best of them all, does not grant such pensions, and all this woman will ever get for the great service which her husband has performed in the 15 years of their married life, and she helped him perform his duty, will be the $5,500 which we vote in this bill. There are plenty precedents for it; it is a meritorious case of the highest order and certainly one which Congress ought to recognize, and I sincerely hope that the gentleman from Wisconsin [Mr. STAFFORD] will not press his point of order against it.

Mr. BYRNS of Tennessee. Mr. Chairman, I hope the gentleman from Wisconsin will not make a point of order against this paragraph. There is but little I can say to supplement what the gentleman from Virginia [Mr. FLOOD] and the gentleman from Maryland [Mr. LINTHICUM] have so well said in reference to this particular case, but I want to go on record, gentlemen, as saying that no man during this war more truly gave his life for his country than Madden Summers, consul general to Moscow. He served as consul for probably 20 years. His record in the State Department was of the best. He served in many different countries during that 20 years at a small salary, and, moving from place to place, it was impossible for him to accumulate any money. He married a lady who had a small fortune, but that fortune, as the gentleman from Virginia said, was wiped out by the Russian revolution.

He was sent to Moscow some time ago by this Government, having been specially chosen to represent our Government at that place during the important period of the war. He served there during dark and dangerous days of the revolution, giving his time and jeopardizing his life in behalf of his country. It was stated by the American ambassador and by other ambassadors from other countries at the time of his funeral in Moscow, as will be shown by the record, that he forfeited his life by overwork and his anxiety to serve his country and the people who had claims upon him as a representative of this country. He left not a dollar save a small sum which was invested in liberty bonds, the interest from which he turned

over to his old widowed mother, who lives in the State of Alabama. He left a widow and a young boy of 12 or 13 years of age. As soon as his wife could obtain transport to this country she came here and brought that boy, and they are now living in the city of Washington, it being her intention to bring him up as an American citizen. And I say, Mr. Chairman, that having sacrificed his life for his country it seems to me it is little enough for Congress to do to give her one year's salary in order to aid her in giving that boy an education, so that he may be better fitted to become a useful American citizen.

As the gentleman from Virginia said, there are numerous precedents in the Diplomatic Service for this sort of action. The gentleman from Virginia has called attention to these precedents. I desire to call the attention of the gentleman from Wisconsin [Mr. STAFFORD] to the fact that his own committee, the Committee on Appropriations, only a year or two ago brought in a bill which gave the widow of a United States Supreme Court judge $14,000, a year's salary, and a little prior to that another appropriation of the same amount was made for the family of another United States Supreme Court judge, and before that for the family of Mr. Justice Brewer, of the United States Supreme Court. No point of order was raised against those. There are many precedents that could be cited for this, and I wish to say that since I have been in Congress, knowing the facts as I do, knowing the necessities of that good woman and her fatherless boy, I know of no case which is more worthy than this one which is now presented to the House.

I knew Madden Summers from childhood. A truer, finer, more loyal man never lived. He was exceedingly capable, and if he had devoted his talents and energy to private affairs rather than in the service of his country he would not have died a poor man. No man had a higher conception of duty. It was that sense of duty which caused him to remain at his post in Moscow when others were leaving, and in spite of threats against him, and to at last suddenly fall a victim to overwork and worry on account of the many official duties which were pressing upon him. Mr. Chairman, I hope the gentleman from Wisconsin will not insist upon his point of order, but will permit the House to vote upon the proposition to make this slight recompense to Mrs. Summers and her bright, fatherless boy. Madden Summers, if he is permitted to know, will appreciate it more than he would the most costly monument that could be erected to his memory.

Mr. SLAYDEN. Mr. Chairman, I only want to occupy the floor for a minute or two to say that the suggestion I made in reference to the widow of John R. Silliman is justified in every argument that has been made in behalf of Mrs. Summers. Mr. Silliman was not only consul during the revolution in Mexico but during a revolution that has continued so long that it makes the Russian revolution look like a brief May-day picnic. Mr. Silliman, because of his conscientious, courageous adhesion to his duty and his efforts to protect the rights of citizens of the United States, was arrested and put into a vile prison and sentenced to be shot. Of course, the authorities then controlling Mexico thought better of it and did not shoot him. Mr. Silliman acted practically as our ambassador in Mexico for a long time. He was the only reliable agent that the Government had to look after diplomatic affairs, although he did not have diplomatic rank. Subsequently, when things quieted down a little in Mexico he was made consul or consul general at Guadalajara, and there died at his post a few days ago. If this item is justified the other certainly is, and I agree with the gentleman in saying that I believe this is a proper appropriation.

Mr. STAFFORD. Mr. Chairman, I have listened attentively to all that has been said in defense as a warrant for this private claim being carried in this appropriation bill. I have scanned the testimony that was given before the committee and have since reviewed it. I do find cases dating from 1896 back where the Congress did vote a year's salary to widows of diplomatic officers. I only find one instance where an appropriation has been voted for the widow of a consular officer. Now, there is a statute which has been referred to in the previous paragraph providing for the payment to widows and heirs at law of diplomatic and consular officers of an allowance equal to the amount of the salaries during the period of the transportation of the remains back to their residence in the United States. That amount of money has been paid to this widow. The widow is now employed at the department. I assume she is giving full value to the Government in the service she is rendering; but, Mr. Chairman, here we have an instance cited by the gentleman from Texas, and there are many instances, where similar action will have to be taken if we recognize this claim. I question whether it is good policy to establish a precedent, the first I have been able to find since 1896, nearly 25 years, and therefore I make the point of order that it is legislation not authorized on an appropriation bill.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

To enable the commission to continue its work under the treaties of 1884, 1889, 1905, and 1906 between the United States and Mexico, $62,700.

Mr. MILLER of Minnesota. Mr. Chairman, I move to strike out the last word.

I think this item, of course, should be continued in the bill. I am not going to advocate any particular amount that should be contained in the paragraph, although I have some views of my own on the subject. But I do want to call the attention of the committee to the elements that are included in the amount that the bill carries. This international commission that is supposed to be fixing the boundary line between Mexico and the United States has had a most precarious existence. No matter which party seems to be in power, there is always an international boundary commission, and the boundary line seems to be about as unsettled and undetermined now as it was in the beginning. The Rio Grande River moves a little now and then one way or another, and I presume it is advisable to determine whether the boundary line has shifted a few feet this way or that way from year to year. In many instances where the Rio Grande has made considerable of a change in its location the matter is still undetermined whether the territory that has thus been cut off belongs to Mexico or the United States. I believe they have now a tentative program whereby they propose to swap horses—a little land we lost for a little land they lost. That is, we propose to do so. Whether we can accomplish it or not I do not know. Some of the most fantastic things imaginable are pervading the atmosphere of this boundary at this time.

Part of the city of El Paso is in dispute. I do not state this as an indication that there is no work to do, but as an indication that no work has been done, going back through the years until the memory of man runneth almost not to the contrary. This has been a sinecure position. It is now. Treaties have been made which, I suppose, require to be kept going. It is now proposed by the gentleman in charge—and I wish to state here that the committee listened to him, I think, with a great deal of interest, and he really impressed me as being a man who really wanted to do something, and it was quite refreshing and quite unique in the history of international boundary commissions between this country and Mexico, but whether the views he presents will accomplish something or not is a different question—it is proposed by the gentleman to use a large part of this money for the purpose of determining the possibility of irrigation on each side of the boundary line, and particularly in the United States along the rivers that flow into the Rio Grande. Manifestly that has nothing on the face of this earth to do with the purpose for which the commission was created. It has nothing to do with the fixing of the boundary, except in a most remote sense.

Now, I join with the Members of the House generally in favoring strongly the irrigation of arid lands wherever they may be found, and I am in favor of irrigating any land within the United States that is capable of being irrigated and open it up to settlement. But we have a service in the United States whose specific business it is to do that very thing, and that is the Reclamation Service. Now, the Reclamation Service has engineers, it has experts, and that sort of men; and it is proposed now that this international boundary commission shall employ additional engineers and experts. Manifestly, to me it appears to be a duplication of work. I do not think the amount carried in this bill can be wisely expended, but I am not going to make any motion to cut it down. I am going to content myself with stating the facts briefly to the committee and express the fond hope that I trust some day we will make a treaty with Mexico that will end this infernal nuisance of a continuing commission that does nothing. Now, I imagine some people will say that some commissioners have done something. Yes. From the reports they have made they have gauged water in the streams and listened to the twittering of the swallows and observed the movement of the sunbeams down there, and all to no practical purpose. I do think this sort of a thing ought to be ended.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLOOD. Mr. Chairman, I do not think the gentleman does the gentleman who now occupies the position of commissioner, and those who preceded him, justice. This commission was organized under a treaty between this country and Mexico. The last modification of it was made during the last Roosevelt administration. This treaty obligates this country to appoint

a commissioner and an engineer and a clerk to meet similar appointees from Mexico to fix, from time to time, the boundary line between this country and the Republic of Mexico. As we all know, the Rio Grande is a shifting stream. Its bed is here to-day, while some time in the future it will be 50 yards or 100 yards or maybe a mile away, running all around the territory that belongs to the United States and putting it on the Mexican side of the river, or vice versa. And this treaty is made to establish a place to which these pieces of land that are cut off by the change in the stream of the river, called bancos, belong. It was realized when the treaty was made that the commission would remain in existence for a long time and, indeed, as long as the Rio Grande continued to change its course and until some system could be devised by which the Rio Grande could be kept in its bed. For a long time the American commissioner was Gen. Mills, a retired Army officer, who received no salary. The other officials of the commission did receive salaries. Questions of large moment have arisen by reason of the shifting of the Rio Grande River. They involve possibility of war and involve the citizenship of a great many——

Mr. MILLER of Minnesota. Can the gentleman point to any specific, affirmative conclusion at which the commission has arrived in fixing the boundary at any one spot in the last 10 years?

Mr. FLOOD. At Nogales, a town that has grown up on the American-Mexican boundary, nobody knew where the boundary line was. This very gentleman who is commissioner now, and his Mexican associate, went there and fixed the boundary line of that town.

Mr. MILLER of Minnesota. Is it not true that that is still in process of adjustment?

Mr. FLOOD. It is not. It is absolutely and definitely settled. As to the bancos, the question arises whether these bancos have been settled. It has been agreed upon and put in a subsequent treaty that where there were less than 600 acres of land in a banco it should be considered as belonging to the country on the side of the river on which that banco was.

There are a great many questions of large moment that have been settled. There is a question in El Paso, involving 600 or 700 acres of land, thickly built up, constituting the southern end of El Paso, known as the Chamizal tract, about which Gen. Mills and his Mexican associate had many conferences, reaching different conclusions, and finally brought down a Canadian, and he did not agree entirely with either one of them. That is unsettled, it is true, but the Mexicans as well as Americans have come to realize that that is American territory, and the people who live on it will have no fear of its being thrown into Mexico.

Mr. MILLER of Minnesota. If the gentleman will permit an inquiry, I want to say that we have had a controversy for a century or more with Great Britain as to the boundary line between the United States and Canada. At last a boundary commission was appointed to locate the line. That commission has been working for a very few years, and they have the work all done with the exception of the map-making. Some of them are up in Alaska now. Field work there may require another year, and office work for two or three years may be needed, but it is a fine, complete job.

Mr. GARNER. Is that the Tawney Commission?

Mr. FLOOD. No; that is the Barnard Commission. That has done good work.

Mr. MILLER of Minnesota. That is a job that was well done. Is this boundary between the United States and Mexico always going to be an elusive and undetermined thing?

Mr. GARNER. Mr. Chairman, if the gentleman will permit me to interrupt, I will say that just as long as the Rio Grande rises and at different times changes its course, you have got to have somebody to adjust these differences existing there.

Let me say to the gentleman from Minnesota that when I first came to Congress I went on the Committee on Foreign Affairs, and I was under the same impression that he is now under, that this was money wasted. I went on there with the determination to have this item cut out, assuming that I knew all about it, and I thought I was going to do a very statesmanlike and economical thing, and I thought I would put this off. I was green and inexperienced then, but when I heard the facts of the case, when three Secretaries of State made statements before the Committee on Foreign Affairs to the effect that these questions arising from the boundary of this stream between these two countries could be handled more economically in this way than through the State Department, I was disarmed.

I make this statement now: Three different Secretaries of State—Mr. Root, Mr. Knox, and Mr. Bryan—each stated that from the economical viewpoint it was more desirable to have this boundary commission than to do the work through the State Department.

Mr. FLOOD. I will go further than the gentleman from Texas, and say that of course as long as the Rio Grande continues to shift its course, some such arrangement as this will have to be kept in existence to determine where the true boundary line is. But the gentleman who is now the American commissioner came before us and submitted a proposition which may lead to results that will not necessitate this commission longer, if his plans are successful, because he proposes to keep the Rio Grande in its present bed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLOOD. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. FLOOD. And that is what this additional appropriation is for. He proposes to have a survey made of the rivers that are tributary to the Rio Grande in America and in Mexico. The gentleman from Minnesota wants some other service to do it. The service that he has in mind, the Irrigation and Reclamation Service, has no right to do it. These commissioners, representing America and Mexico, under the authority of this treaty, can go into Mexico and make their survey. They can make a survey of the rivers that are tributary to the Rio Grande in these two countries, and make a report to these two Governments, and then, if the Governments initiate a treaty by which proper appropriation can be made to build dams to control the flood waters of the tributaries of the Rio Grande River, the Rio Grande will flow down its present course and constitute a permanent boundary between the two countries, and there will be no necessity for a future commission to determine from time to time the boundary line. It seems to me that is a most sensible thing to do. When the tributary waters of the Rio Grande are controlled there will be no reason for fixing a new boundary. That is what the appropriation is for.

Mr. MILLER of Minnesota. Mr. Chairman, I do not for a moment share the gentleman's optimism, that the carrying out of the present program outlined by the commissioner will produce the results expected. In other words, I do not believe that the regulation of the tributaries and the regulation of their flow for irrigation purposes will result in the Rio Grande maintaining a permanent course. There are going to be practically the same operations of nature. The Rio Grande will keep on shifting.

Mr. FLOOD. The gentleman's view does not accord with that of the Mexican engineer and the American engineer on the subject.

Mr. MILLER of Minnesota. Well, I remember what James J. Hill said, a living truth that no one then believed, and it is true now, that "There is only one way to keep the Mississippi River from changing its course, and that is to lath and plaster the bottom of it from one end to the other."

Mr. FLOOD. This is not as big a river as the Mississippi.

Mr. MILLER of Minnesota. No; but it is more apt to change its course. The Rio Grande is in a more level country and more subject to floods, and it moves back and forth.

What I want to inquire particularly about is this: Does not the gentleman think it would be a wiser thing for us to propose a treaty with Mexico to fix some kind of a boundary line that would be stable, so that a man on the line could know whether he was on the American side or on the Mexican side?

Mr. FLOOD. I do not see how we could give away American territory or take Mexican territory. Certainly I see no constitutional way by which we can cede American territory to another country.

Mr. MILLER of Minnesota. We could certainly take a spot and say, "That is the boundary line," and keep it there, just as we have done with respect to the Canadian boundary line.

Mr. LINTHICUM. Is it not a fact that each country must get water from the river, and in order that they may do that the boundary line must go along the river? If the river goes over the boundary, the people of the other country do not get the water they need for irrigation purposes. That is a very essential matter, it seems to me. That is where the great fight will come.

Mr. FLOOD. I think it is essential to give the river a permanent bed before we can make a treaty defining where the boundary line of the river is. This proposition is in the right direction. Part of this appropriation also goes to pay gaugers, to show how much water we are entitled to and how much Mexico is entitled to. That work certainly ought to be done, because if we use water that belongs to Mexico it creates a liability—it might be a large liability—on the part of our Gov-

ernment. We have already had to settle one large claim of this kind.

Mr. SLAYDEN. Each country is entitled to half, is it not?

Mr. FLOOD. Yes. So I think the appropriation is not at all extravagant. The commissioner, Judge Hill, of Tennessee, was before the committee, and showed exactly what he wanted to do with the whole amount. I hope the committee will adopt the item just as it is.

Mr. MILLER of Minnesota. I should like to invite the attention of the gentleman from Texas [Mr. GARNER] to the fact that the $35,000, to which he referred, has been increased to $62,700, which indicates that this seems to be a growing project.

Mr. FLOOD. No; it is not growing .

Mr. MILLER of Minnesota. Developing?

Mr. FLOOD. No.

Mr. MILLER of Minnesota. Getting to be a bigger river?

Mr. FLOOD. Not at all. The appropriation in 1912, the last year of the Taft administration, was $50,000. Since then we have cut it down, and this is only a small amount more than what it was the last year of that administration.

Mr. STAFFORD. We have here an increase of appropriation of $766,000 from that carried in the present appropriation act.

Mr. FLOOD. Yes.

Mr. STAFFORD. I think that the chairman should give some information to the House as to the reason for this unusual increase in the appropriation.

Mr. FLOOD. The principal increase in appropriations in this bill, Mr. Chairman, is in the Consular Service. The committee tried to carry into effect the plans adopted by the State Department for the improvement and development of our Consular Service and in that effort we have made this increased appropriation here, and in other items with reference to the Consular Service we have recommended similar increases.

Mr. STAFFORD. As I understand it, if the gentleman will permit, the salaries of consuls general, vice consuls, and consuls are established by law.

Mr. FLOOD. Yes.

Mr. STAFFORD. And the department can not increase those salaries except by a change of the substantive law?

Mr. FLOOD. The department can not increase those classes, but they can appoint consuls to higher classes than they have now. But what I was going to say was that the department proposes—and we are in sympathy with that purpose—to add to the Consular Service 150 vice consuls at salaries ranging from $2,000 to $3,000. Then the department proposes to have 25 consular assistants and to increase the regular consular force by 25, and to abolish the consular agents who draw fees. There are 127 of them. There is an apparent increase of 200 in the Consular Service and a real increase of some 75, because the consular inspectors are increased from 5 to 7. Then the purpose was to appoint more consuls to the higher grades up to that of consul general, and to have no consuls under $3,500. They can accomplish that by appointing consuls only to the sixth grade. The vice consuls will get up to $3,000, and the consuls will begin at $3,500 and go up to the salaries allowed consuls general.

That plan, as worked out, will give 200 addition in the paid service, and to increase these salaries will necessitate an increase in this bill of $766,000, which the committee has recommended.

Mr. STAFFORD. I notice that the committee in this instance gave the department its full estimate.

Mr. FLOOD. Yes, sir.

Mr. STAFFORD. Is there any instance in the bill where the committee declined to give the department the full estimate?

Mr. FLOOD. The committee was disposd to cut the department estimates in several instances, but we were always confronted with the proposition that where we have done that the Committee on Appropriations, of which the gentleman is a distinguished member, had come along with a deficiency appropriation bill and given them what they had asked for.

Mr. STAFFORD. So that was the warrant for the gentleman's action in closing his eyes and granting them, in accordance with the estimate made and in one particular case $100,000 more than the estimates, when there was no request for it?

Mr. FLOOD. I did not say that.

Mr. STAFFORD. There was no request from the department for that.

Mr. FLOOD. I have given you a reason, and a good reason, and it was not the reason the gentleman quoted on the floor. I say we were confronted with the fact when we wanted to keep the estimates down the gentleman's committee had gone on and given them what they asked for.

Mr. STAFFORD. The gentleman ought not to indulge in hyperbole of statement.

Mr. FLOOD. It is not hyperbole of statement.

Mr. STAFFORD. The record shows that you did increase this item.

Mr. FLOOD. I cite the record, which shows that the Committee on Appropriations has increased appropriations to the full estimates of the department and gave large amounts in addition to what the Foreign Affairs Committee had given for the same purpose. I said that as to the items we proposed to cut down we found that when there had been a reduction the department went to the Committee on Appropriations and got from that committee the amount they asked from us.

Mr. STAFFORD. Oh, in some few instances.

Mr. FLOOD. In the instances we wanted to cut down.

Mr. STAFFORD. Not in every instance.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

Mr. STAFFORD. Mr. Chairman, I offer an amendment to strike out "$62,700" and insert "$37,500."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. STAFFORD: Page 10, line 8, strike out "$62,700" and insert "$37,500."

Mr. STAFFORD. Mr. Chairman, this item provoked some discussion a year ago, and it was called to the attention of the House that the item was then sought to be increased from $25,500 to $37,500, the amount then carried in the bill. If my memory serves me right, though the item remained as recommended by the committee, the Senate reduced the amount to $25,500, but the conferees restored it to the original amount.

Now, what do we find here? We have a useless commission, which was in innocuous desuetude for several years. It was so useless that the Democratic administration under Mr. Bryan failed to appoint a commissioner for several years, and there was so little usefulness that a former Member of this House, Mr. John Wesley Gaines, predecessor of the Representative from Tennessee, Mr. JOSEPH BYRNS, said that there was hardly any work whatsoever to do, and he resigned because he got ashamed of taking the money from the Treasury of the United States.

Mr. FLOOD. Where did the gentleman get that idea?

Mr. STAFFORD. I happened to have the pleasure of the company of Mr. John Wesley Gaines when we stopped at the same hotel.

Mr. FLOOD. He told the committee that he almost worked himself to death on it.

Mr. STAFFORD. I know Mr. Gaines had the reputation of being a most erudite Member, searching out information on more subjects than we had ever known before, but on this commission he found no work to perform.

What do we find here as a justification for this commission to determine the elusive and ever-changing boundary line of the Rio Grande between the United States and Mexico? Why, they want to constitute themselves into a commission to establish reclamation projects along the Rio Grande.

Mr. SLAYDEN. Will the gentleman permit a question?

Mr. STAFFORD. I do not want to be diverted from this line of thought, but I will later on be very glad to yield.

Mr. SLAYDEN. Go on.

Mr. STAFFORD. We find that this additional appropriation is for that purpose, to determine surveys of the river. We find Commissioner Hill, when explaining the reason for this additional appropriation, using this language:

I was speaking about this additional appropriation; $10,000 of that appropriation is for the purpose of establishing some eight or nine gauging stations on the river, so as to take the water measurements at different points, in order to find out where the water comes from that forms the Rio Grande River, and find out what part comes from tributaries in the United States.

If we are going to launch into the project of converting a boundary commission into a commission to erect large reservoir dams, so as to keep this ever elusive and evasive stream within bounds, why, this appropriation will mount and mount until it reaches the millions. Now, I am speaking seriously. We have a Reclamation Service and we have a Geological Survey. The Geological Survey has a large appropriation to determine the flow of the streams throughout the country. We have a Reclamation Service that can be called upon by this commission; but this commission, like other commissions that have no real work, want to magnify their importance and want to engage in some work that is not in keeping with the original purpose of the law.

I am not surprised that the committee recommends everything that is asked for by the department. So far as we have

covered the appropriations recommended by this committee, there is no evidence of a disposition on their part to curtail expenditures—none whatsoever. Here we are virtually doubling the appropriation to embark on the extravagant policy of seeing whether it is feasible to erect impounding dams on the Rio Grande. They are going to employ expert men whose services can be obtained from other activities of the Government. I think there should be some check on the activity of these useless commissions. Mr. Hill may be very sincere and conscientious in his work, nevertheless the committee owes it to the House in these times to try and keep these activities within reasonable bounds. If, as I remember, this commission did not have a commissioner for three years, why can we not now keep the appropriation down to the amount carried in last year's appropriation bill, which was $12,000 more than was carried in the previous bill, $12,000 more than they expended in the prior year? Why can we not adhere to that amount, rather than go into this extravagant policy of almost doubling the appropriation and rambling off into these outside agencies, which have no real merit at the present time? Are we going to use this investigation as a warrant for expending millions and millions of dollars upon irrigation projects on the Rio Grande? I do not think anybody is in sympathy with such an idea in these present times, when the money of the country is needed for so many pressing undertakings.

Mr. SLAYDEN. Mr. Chairman, it happens that I have some familiarity with the section of the country out yonder "Where the Rio Grande ripples when there's water in its bed," and I know a little about the problems confronting these gentlemen on the commission. The gentleman from Wisconsin [Mr. STAFFORD] calls the commission useless, and says that the work done by them is without value. I can not agree with him. In the first place, we are commanded by a treaty to do it, and we have to maintain a commission to determine the boundary line between Mexico and the United States. That boundary has been defined along the line that divides northern Mexico from New Mexico, Arizona, and California, but the real difficulty is in determining the boundary from the city of El Paso down to the mouth of the river below Brownsville. Along that border we are confronted with a condition that neither the wisdom of Congress nor the skill of the engineers can cope with successfully. We define the boundary to-day, and to-morrow there will be a flood in the river from the melting of the snows of Colorado, and a large amount of water will come from the streams on both sides that flow in and the boundary is shifted by nature. We can not help that.

During the period when the revolution made it impossible to continue the work intelligently appropriations were lessened, and lessened, I suppose, to as small an amount as we could make in view of the fact that we are bound by treaty to help support the commission. Now comparative quiet has at last come to Mexico, and she has announced herself ready to take up the work.

Mr. FLOOD. They have been at work for a year.

Mr. SLAYDEN. I know, but they are ready now to go to work more assiduously. We can not refuse to keep the commission alive; we are bound by the treaty.

With reference to what is claimed as reclamation projects, I do not understand it to be that at all. In the State of Texas there are two or three considerable streams that are tributary to the Rio Grande, the Pecos River and the Devils River being the principal ones. On the other side are the Conchos, the Sabinas, the San Juan, and other rivers contributing to the Rio Grande. Of course, Mexico could build dams there and could, if she pleased, permanently lessen the supply in the Rio Grande by absorbing all the waters contributed by the Conchos, which are the largest tributary streams. She could shut off the water of the Sabinas and other streams, and so ultimately, if inclined to do it, she could permanently injure the people of this country by lessening the amount of water available for irrigation. Under the treaty, each is entitled to one-half of the flow of the river.

I dare say that the purpose in the mind of the commissioner is that dams should be erected on the Pecos and the Devils Rivers and other streams worthy of putting dams across. The Mexicans would put them on their rivers, and by withholding from the flow into the Rio Grande a large part of the water contributed by those streams it would have the tendency to make more permanent the boundaries that may have been defined.

Mr. FLOOD. The flood waters which cause the stream to change its bed would be impounded.

Mr. SLAYDEN. That was the statement which was made, but I do not think it is entirely true, because the flood frequently comes from the melting of the snows in Colorado.

Mr. FLOOD. The streams that come from the mountains will be impounded.

Mr. SLAYDEN. No; there are no mountains on the Pecos and on the Devils River to amount to anything. They are the biggest streams on our side. There are mountains back in Mexico, near the Conchos. This boundary work also serves a useful purpose in helping to preserve the peace.

Mr. STAFFORD. My amendment carries the same amount that was carried in the current year, but what I want to prevent is these irrigation projects.

Mr. SLAYDEN. The gentleman could specifically forbid anything being done in that way.

Mr. STAFFORD. I limit it by putting in the amount carried in the present bill.

Mr. CONNALLY of Texas. Mr. Chairman, I move to strike out the last word. I desire to call the attention of the committee to the fact that the amendment offered by the gentleman from Wisconsin, if adopted, will so reduce the appropriation as to make it impossible for the commission to carry on the proposed work with reference to investigating the stages of the river at various seasons of the year and the source of water supply which flows through the river. The purpose of these investigations is intended to secure information expressly with reference to irrigation. In the southern Rio Grande Valley in Texas is a very large area that in the last few years has begun to be irrigated. This section of the country is developing very rapidly, and the interest in irrigation is increasing. As this work goes on and more and more water is diverted from the Rio Grande, necessarily the United States will become involved in controversy with the Republic of Mexico and the citizens of Mexico with respect to the amount of water diverted from the river on the American side and the Mexican side.

Mr. SLAYDEN. Let me say that so much water was taken out in southern Texas that the Mexicans protested that we were getting more than our share.

Mr. FLOOD. Let me call attention to the fact that when the dam above El Paso was built we had to agree to furnish Mexico enough water to irrigate 60,000 acres of land.

Mr. CONNALLY of Texas. If the committee will bear with me a moment, I desire to say that if we await the time when Mexican subjects and the Republic of Mexico make claims against the United States with reference to the diversion of these waters, and if we are not in possession of any facts whatever, the Government of the United States will be in a very embarrassing position with reference to these claims. If, however, the boundary commission, which is international in character, and which is empowered to make these investigations not only on the American side but upon the Mexican side, is permitted to go ahead with this work, it will have on hand information and data with which to meet these claims, and upon which an equitable and fair adjustment of the relative rights of the two countries can be based.

I want to say in this same connection that this information will not only be desirable from the standpoint of irrigation, but incidentally it will be valuable along the lines of the strictly boundary proposition, because, unless the boundary is definitely fixed from time to time in accordance with the changes of the river, citizens of Mexico will present claims against the United States Government at inflated valuations, and unless we have accurate and concise data at hand the Government will be placed in an embarrassing position in meeting these claims. I hope the committee will retain the item in the present form, because to reduce it, as the gentleman from Wisconsin proposes, would seriously handicap the commission in carrying on this proposed work, and so far as irrigation is concerned would absolutely render it impossible.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

The Clerk read as follows:

BOUNDARY LINE, ALASKA AND CANADA, AND THE UNITED STATES AND CANADA.

To enable the Secretary of State to mark the boundary and make the surveys incidental thereto between the Territory of Alaska and the Dominion of Canada, in conformity with the award of the Alaskan Boundary Tribunal and existing treaties, including employment at the seat of government of such surveyors, computers, draftsmen, and clerks as are necessary; and for the more effective demarcation and mapping, pursuant to the treaty of April 11, 1908, between the United States and Great Britain, of the land and water boundary line between the United States and the Dominion of Canada, as established under existing treaties, to be expended under the direction of the Secretary of State, including the salaries of the commissioner and the necessary engineers, surveyors, draftsmen, computers, and clerks in the field and at the seat of government, rental of offices at Washington, D. C., expense of printing and necessary traveling, for payment for timber necessarily cut in determining the boundary line not to exceed $500, and commutation to members of the field force while on field duty or actual expenses not exceeding $5 per day each, to be expended in accordance with regulations from time to time prescribed by the Secretary of State, $40,000, together with the unexpended balances of previous appropriations for these objects: *Provided*, That hereafter advances of money under the

appropriation "Boundary line, Alaska and Canada, and the United States and Canada," may be made to the commissioner on the part of the United States and by his authority to chiefs of parties, who shall give bond under such rules and regulations and in such sum as the Secretary of State may direct, and accounts arising under advances shall be rendered through and by the commissioner on the part of the United States to the Treasury Department as under advances heretofore made to chiefs of parties: *Provided*, That when the commissioner is absent from Washington on official business he shall be allowed actual and necessary expenses of subsistence, not in excess of $8 per day.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I wish to inquire the reason why the committee increased the amount of actual expenses that may be paid to the members of the field force from $3.50, as carried in existing law, to $5. I presume that is because of the higher cost of living.

Mr. FLOOD. Exactly. Dr. Barnard, the commissioner, did not appear before the committee, but he made a statement to me—he may have written me a letter—and I made it to the committee, to the effect that expenses along this boundary line were very high, and that the field force could not get along and pay their expenses on $3.50 a day. The increased cost of living along the boundary line was very considerable. It is expensive to maintain themselves there at any time.

Mr. STAFFORD. Is this a flat per diem voted to them regardless of the amount they spend for actual expenses?

Mr. FLOOD. No; the commissioner requires an itemized statement, and he can not allow them exceeding $5 a day.

Mr. STAFFORD. What per diem do they receive?

Mr. FLOOD. They receive a monthly salary. The commissioner himself gets $5,000 a year, the engineer to the commissioner gets $3,300 a year, the chief clerk and disbursing officer $1,700 a year, and he stays here. The surveyor gets $2,200 a year, and then they have another surveyor at $2,160, some topographers, who I suppose stay here most of the time, and then they have a lot of young axmen and rodmen and employees of that kind. They are paid $75 and $80 and $100 a month when actually engaged on the line.

Mr. STAFFORD. In what part of the Alaskan boundary is the field force at present engaged?

Mr. FLOOD. Oh, they have finished that entirely.

Mr. STAFFORD. Then what is the need of providing this $5?

Mr. FLOOD. The field work of the location of the 4,150 miles of boundary, the location of which was intrusted to these commissioners, namely, from the Arctic Ocean to Mount St. Elias and thence to Cape Muzon, and from the Pacific to the Atlantic Ocean, excepting through the Great Lakes and the St. Lawrence River, is practically completed, there remaining to be done during the coming season only the erection of some range marks in Passamaquoddy Bay, the setting of some monuments for a short distance on the St. Croix River, the examination of part of the located boundary line east of the summit of the Rocky Mountains by the United States parties, and the survey of 16 miles of boundary line along the Maine Highlands by Canadian parties. The work has been done jointly under the direction of one United States and one British commissioner by the United States and the Canadian survey parties, and one-half of the expense has been borne by each Government. The field work will be completed during the coming season, but as the gentleman from Minnesota [Mr. MILLER] said, it will take several years after that to complete the office work and make up their report.

Mr. STAFFORD. Mr. Chairman, if the gentleman will permit, I believe this is a pretty large amount to be granted to members of the field force in the territory that the gentleman has just referred to. Everyone realizes that the cost of living in Alaska is out of all comparison to the cost in the States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. I am directing attention to the commutation and per diem allowance for the field force.

Mr. MILLER of Minnesota. Mr. Chairman, the gentleman from Wisconsin will appreciate that these men have to go into the interior, into inaccessible places, where communication is not easy, where lines of transportation even do not exist. Subsistence has to be carted in, sometimes by horse, sometimes by men on their backs, sometimes by canoe. It is exceedingly expensive. These field parties locating the boundary are obliged under the necessities of the case to operate in areas usually remote from where lines of communication exist. It is just like fitting out an expedition to penetrate into inaccessible places. It is mighty expensive. The amount heretofore allowed was $3.50 per day, and I am sure the gentleman will appreciate the fact that if we increase it by $1.50 a day, that is not an unusual increase, having in mind the increase in all things of that character.

Mr. STAFFORD. Well, we have a standard for such allowances and we are voting $4 a day on account of field activities, and why should we vote $5 a day to this fund?

Mr. MILLER of Minnesota. The gentleman will quite appreciate that $4 a day may be all right for a person living in a civilized region, but——

Mr. STAFFORD. That was the amount voted for the field force in the forest reserves out in the Rockies and mountainous districts.

Mr. MILLER of Minnesota. This is much different from that in every way, because they have established places from which supplies can be secured in the forest reserves, and they have roads, and so forth, but these men have to go into the wilderness——

Mr. SLAYDEN. Hundreds of miles away, perhaps.

Mr. MILLER of Minnesota. For instance, in operating between Minnesota and Canada, although the distance from the end of the railroad was not perhaps more than 75 miles, they had to go by canoe and overland, and it was a trip which took a long time, even from a distance, as the gentleman from Texas has observed, of about 50 or 75 or 100 miles.

Mr. STAFFORD. Is not the expense of transportation borne by the Government and not by the individual members of the field party?

Mr. MILLER of Minnesota. That is true, but I am advised by the commissioner, and as I said before I wish we could always get as efficient a man as this commissioner to do the Government's business, for he just delivers us dollars for every cent we give him—he informs me he simply can not keep up the subsistence within the amount allowed.

Mr. STAFFORD. When does the gentleman believe the field force of this commission will be ended?

Mr. MILLER of Minnesota. This year; this will be the last bill.

Mr. STAFFORD. Under those circumstances, Mr. Chairman, with the assurance given by the gentleman, who is well versed in the work of this commission, I withdraw the point of order.

The CHAIRMAN. The gentleman withdraws the point of order.

The Clerk read as follows:

INTERNATIONAL BUREAU AT BRUSSELS FOR REPRESSION OF THE AFRICAN SLAVE TRADE.

To meet the share of the United States in the expenses of the special bureau created by article 82 of the general act concluded at Brussels, July 2, 1890, for the repression of the African slave trade and the restriction of the importation into and sale in a certain defined zone of the African Continent of firearms, ammunition, and spirituous liquors, for the year 1920, $125.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I rise for information. We are all interested in the effort of the administration to establish democracy the world over. We see here an item for the repression of the African slave trade. I think the committee would be interested in information as to the extent that there is some activity on the part of our Government in conjunction with any other in the suppression of the African slave trade referred to in this item.

Mr. FLOOD. Our Government is a party to a treaty for that purpose, signed at Brussels, July 2, 1890, and proclaimed about two years later. Now, this treaty——

Mr. STAFFORD. Has this some reference to the slave trade for which King Leopold of Belgium was criticized so severely a few years back and which appeared in the public press?

Mr. FLOOD. I do not know about that. There has been a species of slave trade going on in Africa, and a number of nations, through their accredited representatives, met at Brussels in 1890, later in 1899, and again in 1906 and entered into an agreement to suppress that slave trade, and also agreed to provide a certain amount of money for this purpose. I understand that it has almost been entirely suppressed, but the treaty is still in effect.

Mr. STAFFORD. I suppose the officer is still being paid out of this money, and it is a continual appropriation, because an officer never gives up, even after the work is ended.

Mr. FLOOD. If he is being paid, he is being paid very little by this country, and if he can live on that he is a very economical official.

Mr. STAFFORD. Mr. Chairman, after receiving the informing information from the gentleman from Virginia, I withdraw the pro forma amendment.

The Clerk read as follows:

Pan American Union, $100,000: *Provided*, That any moneys received from the other American Republics for the support of the union shall be paid into the Treasury as a credit, in addition to the appropriation, and may be drawn therefrom upon requisitions of the chairman

of the governing board of the union for the purpose of meeting the expenses of the union and of carrying out the orders of said governing board: *And provided further*, That the Public Printer be, and he is hereby, authorized to print an edition of the monthly bulletin not to exceed 6,000 copies per month, for distribution by the union during the fiscal year ending June 30, 1920.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. This appropriation of $100,000 is increased $15,000 over that carried by the present act. Will the gentleman inform the committee—because we are all more or less interested in the activities of the Pan American Union—as to the cost of maintenance of that association, the amount that our Government contributes, and the amount the other associated Governments contribute for maintenance of that work?

Mr. FLOOD. I think the other governments contribute about $60,000 and we contribute, up to this time, $85,000. That constitutes the appropriations for the maintenance of the buildings and the force that they have.

Mr. SLAYDEN. Why is it increased?

Mr. FLOOD. These officials in the bureau, and there are quite a number of them, have got no increase in salaries in recent years—for a great many years—and the governing board felt, owing to the increase in the cost of living in Washington, that they were entitled to an increase. They do not participate in this $120 or $240 which Congress appropriates, as they are not officials of the United States Government.

Mr. STAFFORD. What is the salary expense of those connected with this bureau here in the city?

Mr. FLOOD. It is something over $100,000.

Mr. STAFFORD. How is it proposed to increase the salary of the respective officials, which entails an additional burden upon the United States of $15,000?

Mr. FLOOD. It is proposed to get about $12,500 from the other Governments, making something like $27,500, and that will be apportioned among the employees.

Mr. STAFFORD. Has the gentleman any information as to what salaries the officials are receiving under this new schedule of estimates?

Mr. FLOOD. Mr. Barrett appeared before the committee——

Mr. STAFFORD. What salary does the director receive today?

Mr. FLOOD. Mr. Barrett—I think his salary is $10,000.

Mr. STAFFORD. And it is proposed to increase it to what amount?

Mr. FLOOD. I do not think it is proposed to increase his salary at all.

It is supposed to increase the salary of the clerks of different grades. They have some interpreters and clerks and people of that kind in the bureau. Mr. Barrett filed a very lengthy statement, which was printed as a part of the hearings. I do not think he gave a detailed statement there of the salaries as they are now or as they would be, but he did state that during all this period of the increase in the cost of living the salaries of the clerks and laborers and officers of that bureau have not been increased, and the governing board thought they ought to be increased, and this suggestion was taken up. And if we get the appropriation, the ministers or ambassadors from the South American countries will take it up and get their countries to contribute their proportionate share of the increase.

Mr. STAFFORD. It is a pretty liberal increase that is going to be provided if we are not going to increase the salary of the director to any amount.

Mr. FLOOD. I understand that his salary is not going to be increased. The property has been maintained out of this appropriation, and the cost of maintaining that splendid building down there has also increased.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

BUREAU OF INTERPARLIAMENTARY UNION FOR PROMOTION OF INTERNATIONAL ARBITRATION.

For the contribution of the United States toward the maintenance of the Interparliamentary Union for the Promotion of International Arbitration at Brussels, Belgium, $2,000.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word. Will the chairman of the committee inform me, if possible, if there are any delegates to this International Interparliamentary Union? Has this body ever sent official delegates? And what is the purpose of it at this time?

Mr. FLOOD. The Interparliamentary Union?

Mr. LAGUARDIA. Yes, sir.

Mr. FLOOD. Every Member of Congress who desires it is a member of it, and every Member of Congress can attend any of its meetings, as can every member of any parliamentary body.

Mr. SLAYDEN. If the gentleman will pardon me, they can become members without the payment of dues, and there are about 185 Members of this House who are members.

Mr. LAGUARDIA. I see. As I understand the French Parliament and the English Parliament—I may be wrong—have selected from their bodies certain men——

Mr. FLOOD. That is a different proposition. That is an interallied parliament. This is an organization that existed before the war.

Mr. LAGUARDIA. That is the one I have reference to. Did we at any time send delegates? They met once at St. Louis, did they not?

Mr. FLOOD. Yes.

Mr. LAGUARDIA. Did we at any time send delegates to that union?

Mr. FLOOD. Yes. The gentleman from Texas [Mr. SLAYDEN], who, I think, was chairman of that convention, can tell you all about it.

Mr. LAGUARDIA. A good many of the French and English and Italian members told me that this body took no interest in this Interparliamentary Union, and they were complaining of that fact.

Mr. FLOOD. Well, we have an appropriation in this bill to provide for a meeting in this country.

Mr. SLAYDEN. Does the gentleman from New York desire an explanation?

Mr. LAGUARDIA. Yes.

Mr. SLAYDEN. I will give him in a few words the history of the organization. In 1888 certain members of the French and English Parliaments met in Paris and organized an association known originally as the Interparliamentary Union for the Promotion of Arbitration. The title was so long as to be awkward, and it was reduced to Interparliamentary Union. That organization has been actively engaged ever since 1888 in promoting arbitration and the justiciable settlement of international disputes. As to the central bureau, the Government of Italy is an adhering and supporting member, and so are France and Great Britain, and before the war Germany and Austria and other countries as well. Before the war a central bureau was established in Brussels with Mr. Christian Lange as secretary. I am not certain on this point, but I think that each of these Governments, with the exception of Austria-Hungary, Germany, Bulgaria, and Turkey, have been contributing during the whole war to keep up the organization. There has not been a meeting of the union since 1913, which was held at The Hague. There was to have been a meeting in Sweden in 1914 and delegates went, but something happened, as the gentleman knows, and the meeting was not held.

As to delegates, as the gentleman from Virginia [Mr. FLOOD] said, any Member can go and can be a delegate and participate in the proceedings of the union who cares to go. It would not be possible to get an appropriation to transport delegates to an association of this kind, because it would be too expensive an undertaking with no limitation on the number of delegates who might go.

Mr. LAGUARDIA. What is the purpose of the $2,000 appropriation?

Mr. SLAYDEN. It is to help maintain the central bureau. All of these countries in which there is a group of the union make a contribution toward its support. Italy gives not quite so much as the United States—probably about $1,200.

Mr. LAGUARDIA. Do they have a publication?

Mr. SLAYDEN. Oh, yes.

Mr. LAGUARDIA. I wanted to bring out the facts. The members of the parliaments that I met when abroad complained that we were not sufficiently active in it.

Mr. SLAYDEN. I think the gentleman has confused it with the Interallied Parliament, which was purely for war purposes and restricted to three or four countries.

Mr. LAGUARDIA. Oh, no.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

INTERNATIONAL INSTITUTE OF AGRICULTURE.

For the payment of the quota of the United States for the support of the International Institute of Agriculture for the calendar year 1920, $8,000;

For salary of one member of the permanent committee of the International Institute of Agriculture for the calendar year 1920, $3,600;

For the payment of the quota of the United States for the cost of translating into and printing in the English language the publications of the International Institute of Agriculture at Rome, $5,000;

Total, $16,600.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Mr. Chairman, I believe this is the item that almost failed in the other body at the last session. I believe it was resuscitated by the close vote of one.

Now, since the illustrious promoter of this item, the Hon. David Lubin, who had his genesis, I believe, in California, has passed to the other land, does the gentleman think there is much need of continuing this appropriation?

Mr. FLOOD. I think the agriculturists of the country think this Institute of Agriculture is of great benefit to them. Our adherence to it is by treaty. The appropriations are made in accordance with the treaty of 1905, signed by ourselves and 40 other powers.

Mr. STAFFORD. What information, may I ask, is furnished to the Government of the United States that is not already possessed by the Agricultural Department?

Mr. FLOOD. Well, it furnishes the farmers of the country with a great deal of information about European methods of marketing, and the suggestions of marketing systems made by the Institute of Agriculture have, as I understand, been adopted by the bureau of markets of a good many States, and I know they hold the institute in very high esteem, and held Mr. Lubin in very high esteem.

Mr ROGERS. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. ROGERS. Is it not a fact that since this bill was framed Mr. Lubin has died?

Mr. FLOOD. Yes.

Mr. ROGERS. And is it not a fact that for many years this has been very largely a one-man undertaking, that one man being Mr. Lubin?

Mr. FLOOD. I do not think so. Mr. Lubin, as I understand, went to Rome at his own expense and organized an institute, and then after he had organized it he drew to his assistance the farmers of 41 countries, which countries sent representatives to a conference and made a treaty and established this present Institute of Agriculture. He was put at the head of it. For a number of years, being a man of wealth at that time, he did not ask any salary and did not receive any. Subsequently I understood he lost a good deal of his fortune, and we voted him $3,600. But the institute has developed from the time it was a one-man affair, and I happen to know from agricultural organizations in this country that they hold this institute and the work it does as of very great value to agriculture.

Mr. STAFFORD. Do you know in what estimate it is held by the officials of the Department of Agriculture?

Mr. FLOOD. Mr. Houston, the Secretary of Agriculture, holds it in the highest esteem, as he did Mr. Lubin, and I understand the Department of Agriculture regards the institute as being very beneficial to the agricultural interests of the country.

Mr. STAFFORD. I was under the impression that all the practical men connected with the Department of Agriculture regard this as merely a useless appendage, of no value whatsoever to the farmers of this country, but merely of value to the founder, Mr. Lubin. Now that he has passed away I suppose there will be an effort made to discontinue this work, because I question whether it has any real value.

Mr. FLOOD. We will have to abrogate the treaty, and I think you will find the farmers of the country, and particularly the organized farmers, will make a great protest against abrogating the treaty, doing away with the International Institute of Agriculture.

Mr. STAFFORD. I hope the effort made to discontinue it, which was nearly successful in another body last year, will be successful this year. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

SALARIES AND EXPENSES, UNITED STATES COURT FOR CHINA.

Judge, $8,000; district attorney, $4,000; marshal, $3,000; clerk, $3,000; stenographer, $1,800; printing and binding opinions of the court, $1,000; court expenses, including reference law books, $9,000.

Mr. FLOOD. Mr. Chairman, I offer an amendment on page 15, line 2. This amendment was adopted by the committee, and in some way was omitted from the printed bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the figures "$9,000," on page 15, line 2, insert: "In the settlement of salaries for the fiscal year ending June 30, 1918, by the disbursing officer to the officials of the United States Court for China the same rate of exchange used in the payment of salaries to consular officials in China for said fiscal year is hereby authorized and approved, these settlements to be made from the total amount for salaries and court expenses for the fiscal years ending June 30, 1918, and June 30, 1919."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. STAFFORD. I think some information should be given as to the reason for this provision.

Mr. LINTHICUM. Mr. Chairman, for some reason the bill which appropriated the money for the court officials for China, and for the Consular Service as well, omitted to make provision for that court, as it did for the Consular Service, in the matter of the changing rates of exchange in China.

Just before the war the rate of exchange was $2.59 Mexican for $1 American, and it has gone down to such an extent that it is now $1.15 Mexican of silver for $1 American. The State Department of the Government saw that it was impossible for these men to get along on their salaries with this rate of exchange, which cut their salaries more than half. They accordingly paid the Consular Service at an established exchange rate of 43 cents American for $1 Mexican, which they adopted.

Now, according to an order issued by the department, or instruction issued, the United States court officials for China were paid at the same rate as they had always been paid, but when the year was up the Treasury Department refused to accept that rate for the court officials, because they said they had not been specifically mentioned in the bill, as the Consular Service had been, and the consequence is that, although these men have received their money according to the orders of the State Department at the same rate the Consular Service received it, they are now asked to make good that difference, and must do so unless this amendment is adopted.

Now, they were paid, as I say, according to the consular rate. They are all Government officials in the same place, and some of them occupy the very same building. Had not the Treasury Department or the State Department made that mistake and paid them according to the rate which they had established of 43 cents, these men could have gone along and received their salary according to the prevailing rate; but the rate has been falling constantly, and now we would be taking advantage of them, because they had been told that we would pay them according to the rate established by the department, and then later, at the end of the year, we say, "We can not pay you according to that rate because the bill does not provide for it," and then ask these men to go on the market and make good that difference at a very high rate of exchange, now about $1.15 Mexican for $1 American. It would be a very great hardship on them.

In fact, I am more closely in touch with the Attorney General for the court, and he tells me that it would take an entire year's salary to make good this difference, whereas if he had been paid according to the rate which prevailed at the time it would have made a difference of probably $1,500 or $1,600 to him in his salary. The year 1919 was provided for, but the provision was omitted for the fiscal year ending June, 1918. This would simply place the court officials in China on the same basis as the Consular Service and on the same basis they have always been. They have always been paid according to the consular rate of payment, and this is merely to rectify a mistake which Congress made and not penalize them because of an omission by Congress and a misinterpretation or error from the State Department.

Mr. Holcomb tells us in his testimony:

Mr. COOPER. What percentage of loss was there?

Mr. HOLCOMB. When I went there we got $2.59 for each gold dollar, and then it went down to $1.33, and now it is $1.15. If we do not get relief, we will have to buy the silver and pay it back, and that will take about $3,600 gold, one whole year's salary, to repay that, and it was not our fault that the mistake was made. I am penalized every day. I assure you, gentlemen, that the money was taken by the officers of the court under the mistaken idea that they had been taken care of.

It would merely rectify a mistake which Congress made, and pay them according to the consular rate, which they had always been receiving.

Mr. STAFFORD. Do I understand the gentleman to say that in the existing act there is specific provision made for the payment of the exchange?

Mr. LINTHICUM. The rate is established by the department, which is 43 cents American for $1 Mexican. That was provided in the emergency bill or the general deficiency bill.

Mr. STAFFORD. Are there any other instances where the conditions cited by the gentleman apply to persons connected with the Diplomatic and Consular Service?

Mr. LINTHICUM. No; there are none that I know of.

Mr. FLOOD. The gentleman from Kansas [Mr. LITTLE] mentioned to me a very similar case in Persia.

Mr. MILLER of Minnesota. There are similar conditions in Persia, India, and China, and I am sure that the gentleman will agree with me that in certain other portions of the earth where the silver standard dollar is in vogue the price of silver has been going up rapidly, and therefore relatively the value of the American dollar has been declining, and the condition

throughout China and the Orient extends down into the Dutch East Indies and into India. It is even found in Japan, although in a much less degree, because Japan has the gold standard.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Unanimous consent is asked that the time be extended five minutes. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. The silver dollar has been going up in value relatively, and the condition in China is probably worst of all. It has reached a point where unless something like this is done our men there absolutely can not live on their salaries. The judge instead of getting $8,000 will be getting $4,000.

Mr. STAFFORD. I understand the effect of this amendment is retroactive, that the future is provided for.

Mr. MILLER of Minnesota. Yes. The Department of State, recognizing that situation, took care of the diplomatic and consular officers in China and elsewhere out of post allowances, and under the impression that the provision of law authorized them to take care of the court officials in China, because the appropriation is contained in the diplomatic bill, they extended the same privileges to the court for China, but later found that they had no legislative authority for doing so, and this is to validate their action. I am sure everyone in possession of the facts will agree with the gentleman from Maryland [Mr. LINTHICUM] that this is a very necessary and essential thing to do. It means almost the very life of the judicial tribunal in China. If after two or three years there comes to be a parity between the silver dollar and the gold dollar, of course this will not be necessary.

Mr. STAFFORD. If the gentleman will permit, as I understand, this amendment takes care of a condition that existed some years ago.

Mr. MILLER of Minnesota. That is entirely true, and the law now takes care of their salaries for this year and the year to come.

Mr. LINTHICUM. This does not involve any additional appropriation. These men have already received the money, and they received it according to the rate established by the department. Had they been told at that time that they were not entitled to it the difference in the rate at that time was not so great; but now to compel them to turn back this money which has already been paid them will be a great hardship, because they will have to go into the market and purchase it at the present low rate of exchange, which will penalize them for acting in good faith with the department. It will penalize one man $3,800, because the department had misinformed him. The gentleman from Wisconsin was asking whether there were any other cases. I do not think there is any other case on record or in existence where the department has told these people that they were entitled to it when they were not and then demands repayment.

Mr. MILLER of Minnesota. The gentleman is correct in that.

Mr. LINTHICUM. And where the department afterwards told them they were not entitled to it and asked them to refund.

Mr. MILLER of Minnesota. I thought the gentleman's query was in reference to the recent rise in the value of silver.

Mr. STAFFORD. Oh, no.

Mr. MILLER of Minnesota. This is the only case of this kind that I know of.

Mr. STAFFORD. My inquiry was directed to the point whether this would be a precedent for other cases.

Mr. LINTHICUM. No; there are no other cases.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

The judge of the said court and the district attorney shall, when the sessions of the court are held at other cities than Shanghai, receive in addition to their salaries their necessary actual expenses during such sessions, not to exceed $8 per day each, and so much as may be necessary for said purposes during the fiscal year ending June 30, 1920, is hereby appropriated;

Total, $29,800.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I notice that the committee have raised the allowance that may be paid to the judge and the district attorney when absent from their stations from $5 a day to $8 a day. I am unacquainted absolutely with conditions existing in China, but I was under the impression that living there cost much less than in the United States.

Mr. FLOOD. The information we get is that it is the most expensive place in the world just now.

Mr. STAFFORD. Even more so than the city of Washington?

Mr. FLOOD. I understand very much more.

Mr. STAFFORD. Then you ought to double this amount if that is the case. That is a pretty strong statement to make. On what authority does the gentleman make such a strong statement, that the cost of living in China is greater than in the city of Washington?

Mr. ROGERS. I should like to refer the gentleman to page 139 of the hearings, where there is printed a report from one of our consular inspectors who had at that time just returned from a tour of inspection in the Far East. He says:

No inspector can now travel in the Far Eastern inspection district without paying from his own pocket one-third or more of the actual necessary and unavoidable expenses of subsistence for himself and really one-third of the total expense, exclusive of telegrams. He is limited to an average of United States $5 per day for subsistence (in making which the days not spent in hotels are not allowed to be used in computing the total number of days to be averaged). This in a district where at almost no port can three meals, a bed, and a bath be obtained for less than United States $7 to United States $8, and cost United States $15 to United States $25 at many of the larger places. Hotels at Kobe and Yokohama now charge from United States $7.50 to United States $10 (15 to 20 yen) per day, at Shanghai United States $16.20 (Mexican $18) and up, and at Hongkong United States $18 to United States $22 (Mexican $20 to Mexican $24). In addition, one has necessary tips and laundry to pay, as well as numerous other charges, which the auditor classes as subsistence.

I have in my hand a letter which came to me yesterday from the judge of the United States Court for China. I may say that it is a tribute to the postal service of some country—it may be China's or it may be Mr. Burleson's—that that letter, which is dated October 11, 1918, reached me yesterday after a transit of three and one-half months from Shanghai.

Mr. STAFFORD. Give the credit to the man in America who deserves it so much.

Mr. ROGERS. Judge Lobingier writes:

It is impossible at the present time to journey in China at an expense of $5 a day. I have just returned from holding a special session at Tientsin, where my expenses, with the most rigid economy, will amount to more than three times that figure.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order.

The Clerk read as follows:

PAYMENT TO THE GOVERNMENT OF PANAMA.

To enable the Secretary of State to pay to the Government of Panama the eighth annual payment due on February 26, 1920, from the Government of the United States to the Government of Panama under article 14 of the treaty of November 18, 1903, $250,000.

Mr. FESS. Mr. Chairman, I move to strike out the last word. This annuity of $250,000 for Panama raises the question as to the business transaction of the building of the Panama Canal. Has the chairman any figures as to the amount of business that goes through the canal and as to its profits?

Mr. FLOOD. I have not.

Mr. FESS. I do not want to take up the time of the House on this matter of information, but I was wondering whether the business is growing or not.

Mr. FLOOD. I have no information in regard to it whatever.

Mr. FESS. I will take no time, then. I thought the chairman might have the figures. I withdraw the pro forma amendment.

The Clerk read as follows:

The appropriation of $15,000 for the payment of compensation to and the necessary expenses of the representative or representatives of the United States on the International Commission of Jurists, organized under the convention signed at the Third International American Conference August 23, 1906, approved by the Senate February 3, 1908, and ratified by the President February 8, 1908, for the purpose of preparing drafts of codes of public and private international law; and for the payment of the quota of the United States of the expenses incident to the preparation of such drafts, including the compensation of experts under article 4 of the convention, made in the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915, and extended and made available for the fiscal years 1916, 1917, 1918, and 1919, not having been expended, is hereby extended and made available for the fiscal year ending June 30, 1920.

Mr. FESS. Mr. Chairman, I move to strike out the last word in order to ask the chairman what progress has been made in regard to codifying international law, as provided for in this paragraph?

Mr. FLOOD. No progress has been made in the last three years. The work has been entirely suspended. The conference has done no work since the European war began.

Mr. FESS. The chairman will remember that a meeting was held by representative international lawyers, and they recommended some sort of a code, and when we published a compilation of documents on the restraint of trade that particular recommendation was included in the document. Secretary Lansing told me in a conference over the matter that it had not received the approval of the State Department; in fact, he had never seen it, and therefore it could not bear the insignia of our own country. I was wondering whether that was the product at all of this proposed expense.

Mr. FLOOD. No.

Mr. FESS. That seems to have been merely voluntary.

Mr. AUSTIN. Mr. Chairman, I was out of the House a short time, and I wish to ask the chairman of the committee if any provision is made for the increase in the salary of consuls?

Mr. FLOOD. We have just got to it.

Mr. AUSTIN. Did the committee follow the recommendation of the State Department?

Mr. FLOOD. The committee did.

The Clerk read as follows:

SALARIES OF THE CONSULAR SERVICE.

For salaries of consuls general, consuls, and vice consuls, as provided in the act approved February 5, 1915, entitled "An act for the improvement of the foreign service," and for economic assistants at salaries of not more than $5,000 each per annum, $1,974,500. Every consul general, consul, vice consul, and, wherever practicable, every consular agent shall be an American citizen.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment. On page 21, line 3, strike out the words "wherever practicable."

The CHAIRMAN (Mr. HASTINGS). The Clerk will report the amendment. Does the gentleman from Wisconsin insist on his point of order?

Mr. STAFFORD. I may and I may not.

Mr. AUSTIN. What is the gentleman's point of order?

Mr. STAFFORD. That there is legislation in the paragraph not provided for in existing law. If it will accommodate the gentleman from Tennessee for me to make the point of order now, I will do so. Mr. Chairman, the gentleman is quite willing that I do not press the point of order at the present time.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

Mr. STAFFORD. I have not withdrawn my point of order, Mr. Chairman. I wish to inquire as to these new positions of economic assistants as provided for in this paragraph.

Mr. FLOOD. They are to be expert commercial men to be attached to the consulates in different parts of the world for the purpose of advancing our trade in those countries. There are 25 of them provided for in the bill. They perform a similar function in the consulates that the commercial attachés do at the embassies.

Mr. LITTLE. Mr. Chairman, may I interject a suggestion there? I understand the consular agents are appointed by the consul general. They are appointed in any town where there is no consul and where it is necessary that there should be some representative. That is what a consular agent is. The gentleman is asking about page 21, is he not?

Mr. STAFFORD. Line 1, economic assistants.

Mr. LITTLE. Oh; I beg the gentleman's pardon.

Mr. STAFFORD. Mr. Chairman, this work of the development of our foreign commerce is lodged with the Department of Commerce. In the legislative, executive, and judicial appropriation bill authorization is made for the employment of a number of additional commercial agents. There should not be duplication of work. It is true that the Consular Service performs some work of aid in the expansion of our foreign commerce; but there should not be any duplication of work, nor should there be any rivalry between two departments of the Government. We have the assurance of the Secretary of Commerce that there is no rivalry, so far as the heads of those departments are concerned. It is a great work that is being performed by the Department of Commerce. A million dollars nearly is being expended under the Bureau of Foreign and Domestic Commerce. Because I believe there should be no overlapping of activities, no duplication of work, I am going to insist upon the point of order to that part of the paragraph—

and for economic assistants at salaries of not more than $5,000 each per annum.

Mr. AUSTIN. Mr. Chairman, will the gentleman withhold his point of order for a moment?

Mr. STAFFORD. If the gentleman from Tennessee desires me to withhold the point of order for a moment I shall do so.

Mr. AUSTIN. Mr. Chairman, I was connected with the Consular Service before entering Congress, and I have always taken an interest in legislation affecting that service. While it is quite true, as the gentleman from Wisconsin [Mr. STAFFORD] states, that the Department of Commerce has its representatives in various foreign countries, I believe, in all seriousness, the work recommended by the State Department is vitally important and will be a splendid investment. The Department of Commerce, for instance, had, when I was in the Orient four years ago, one commercial attaché for all of China, a country larger in extent than America, with more than 400,000,000 of people. The task to be performed by one man was absolutely out of the question, and we had a very capable man in that division and still have, but it was impossible for him to care for all the commercial interests in that section of the world. There will be no duplication of work if this plan so well worked out by the State Department is carried forward. There will be cooperation between the Department of Commerce and the State Department. We have not given the Department of Commerce a sufficient force of men to cover all foreign countries where we are going to seek to extend American trade with our new and modern merchant marine which we propose to establish and maintain for the advancement of the business interests of America. The State Department and the Department of Commerce will act jointly in this matter, and will place these new officials where they will render needed and valuable service. Knowing as I do the Director of Consuls, Mr. Wilber J. Carr, I want to say that there is not a better equipped or more conscientious official in the service of the Government. I have visited the State Department with a view of looking into the program which they propose to inaugurate if this legislation is going to be granted, and I appeal to the gentleman from Wisconsin not to insist upon his point of order. I do so realizing that if he understood as I understand, and had made an examination as I have, there would not be in his mind the slightest doubt that this proposed legislation is for the benefit of our country. I have always found the gentleman from Wisconsin [Mr. STAFFORD] open to reason, and I sincerely trust that he will let this legislation go forward. I am about to close a 10-year service in this House——

Mr. STAFFORD. Oh, I am in the same position as the gentleman in that respect, with a little longer service to my credit.

Mr. AUSTIN. No more important piece of legislation in the way of an amendment to an appropriation bill has ever been proposed to Congress than this. I am in earnest about this, and I hope that the gentleman from Wisconsin will not insist upon his point of order.

Mr. STAFFORD. Mr. Chairman, it is not my privilege to lay claim to the parentage of any legislative child. Nevertheless the Bureau of Foreign and Domestic Commerce, as carried in the legislative appropriation bill, has received my close study ever since I have been a member of the subcommittee reporting that bill. It is a subject very dear to my heart, and I want to see that bureau increase in its activities. Because of my interest in it, because of my study—and I have studied it closely—and because I believe that this work is merely duplication and will overlap——

Mr. FLOOD. Will the gentleman reserve his point of order for a moment? To what does the gentleman make the point of order?

Mr. STAFFORD. I make the point of order to the language—

and for economic assistants at salaries of not more than $5,000 each per annum.

Mr. Chairman, I make the point of order.

The CHAIRMAN. Does the gentleman insist upon it?

Mr. STAFFORD. I do.

The CHAIRMAN. The point of order is sustained.

Mr. LAGUARDIA. Mr. Chairman, I have an amendment, which I send to the desk, which I will ask the Clerk to read.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from New York.

The Clerk read as follows:

Page 21, line 3, after the word "and" strike out the words "wherever practicable."

Mr. LAGUARDIA. Mr. Chairman, I had above five years' experience in the Consular Service a good many years ago. It has been my experience that wherever we have had a consular agent not a citizen of the United States the work was not performed to the best interests of this country. It is very frequently abused, because it is used to further personal or social ambitions. I know the chairman will tell me that it is very difficult to find American citizens to go to small places as consular agents because there is no salary and the fees in some places do not amount to much. I believe it has been the practice to detail clerks to such small places and appoint them consular agents. That is one way of getting around it. If the place is so unimportant that we can not afford to pay a man, let us have nobody there. I am very strong for keeping everybody who is not a citizen of the United States out of the Consular Service. I would even go as far as messengers and clerks. I can not understand why we should have a consular representative in a foreign country who is not a citizen of the United States.

Mr. FLOOD. Mr. Chairman, the committee considered that very carefully. The committee has done a great deal to Americanize the entire Consular Service, but the committee did not think, and the State Department does not think, it would be wise in reference to these assistants to so legislate that it would be

impossible at any time to employ a person who was not an American citizen, and it does not do so whenever it is possible to get an American citizen; but there are a few cases when it is not possible, and therefore we leave those words "whenever practicable" in there. The committee has done everything in its power to Americanize the entire consular system.

Mr. LAGUARDIA. These words "wherever practicable" apply only to consular agents; that runs to the port——

Mr. FLOOD. It may.

Mr. LAGUARDIA. Then, in every instance, why should we be represented in any part of this world by any man who is not an American citizen?

Mr. FLOOD. There are some ports where it could not be possible to get an American citizen to go upon the salary given them.

Mr. LAGUARDIA. Then abolish the office.

Mr. FLOOD. If the gentleman desires to abolish these offices, let him make a motion to abolish them.

Mr. ROGERS. Mr. Chairman, I rise to oppose the amendment offered by the gentleman from New York. I am in entire sympathy with the purpose of the gentleman in seeking to Americanize in every possible way our Consular Service. The Committee on Foreign Affairs has gone a little further, each year I have been on the committee, to bring about that entirely beneficent result. I have been somewhat active in the several steps. This year we are taking a step further than we have ever taken before in that for the first time we absolutely require that every vice consul shall be an American citizen. Previously we had stipulated that "whenever practicable" every vice consul or consular agent should be an American citizen. We have not hitherto made it absolutely a rule of law in the appointment and retention of vice consuls. This bill for the first time does that. I very much hope that it will be possible in the immediate future to make every consular agent representing this country abroad an American citizen. Most of them are American citizens now. I should say about one-third of them are still foreigners. This bill in this very item which we are now discussing provides for the creation of 150 career vice consuls. If the gentleman will look at the hearings on page 108 he will find a tabulation submitted to the committee by Mr. Carr, showing how the appropriation asked for in this bill of nearly $2,000,000 for consular salaries is to be divided. The last three items of the tabulation show that there are to be 50 vice consuls of class 1 at $3,000, 50 vice consuls of class 2 at $2,500, and 50 vice consuls of class 3 at $2,000. Those vice consuls are to be placed in the positions which are now pretty generally occupied by consular agents. The intention of the State Department and the intention of the committee is that these men shall supersede non-American consular agents in every post where there is a real volume of business, where there are American interests of any importance.

At the same time there are some posts where American trade is of such small magnitude and of such small consequence that it would not be economically desirable, it would not be advantageous from a business point of view, to appoint a $2,000 or a $2,500 or a $3,000 vice consul and put him in that position to administer the very small volume of American trade which is there. I have taken from the latest register of the Department of State some of the places where the volume of business done by our consular agents is very small. Take the case of Caldera, Chile, where the total annual volume of fees taken in by our consular agent there for the fiscal year ended June, 1917, was $92. At Cruz Grande, in Chile, the annual volume of business was $91; at Camaguey, Cuba, $42,50; at Boulogne sur Mer, $67.50; at Dunkirk, $48; at Dieppe, $92.50; at St. Vincent, in the West Indies, $69; at Freemantle, Australia, $71.50; at Townsville, Queensland, $78.50; and at Flushing, Netherlands, $27.50. When we come to Oaxaca, Mexico, the volume of business was $2.50 a year, and at Bloemfontein, South Africa, there is a magnificent total for the year of $1.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROGERS. I ask for two minutes more.

Mr. LAGUARDIA. I ask that the gentleman's time be extended five minutes. I want to ask him some questions.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ROGERS. Now, that, I say, is the total volume of business done at the several places. The salary, the munificent salary, which our consular agent receives is in each case one-half the amount that I have read. Those places are not unique. I could enumerate a number of others where the total fees collected are less than $100, and where the consular agent's salary is consequently anywhere from 50 cents to $50. Now, under those circumstances I think the Committee on Foreign Affairs feels, and I think this committee would agree that it would not be a wise, businesslike policy, while entirely in accord with the purpose of the gentleman from New York, that we should lay down as a rigid rule that every one of those people must be replaced by a permanent official at a salary of $2,000 or more.

Mr. TEMPLE. Will the gentleman yield?

Mr. ROGERS. I yield.

Mr. TEMPLE. Speaking of the volume of business, does that mean the total volume of business done by American citizens or the total value of fees collected by the consular agent?

Mr. ROGERS. The latter is what I should have said. The figures read represent the fees taken in at the several places I have enumerated.

Mr. LAGUARDIA. Those fees are constituted from consular invoices, bills of lading, applications for passports, and so forth. Now, is it not true the consul's business is the protection of American trade and to look out for opportunities for American capital, and is it not true that a consular agent has a district sometimes as large as that of a consul general?

And is it not also true that he has access to commercial reports and confidential information concerning our industry and commerce? And is it not dangerous and against the interests of American industry to have them representing the business interests of this country in foreign ports?

Mr. ROGERS. That is rather an elaborate question, but I would say, generally, the answer is "Yes." At the same time the alternative, when we get to a post of the type I have enumerated, is either that we shall have nobody or that we shall have a foreigner. It would not be wise to close those agencies. My opinion is that it would be a misfortune to the United States to maintain a foreigner there a moment longer than is necessary. But you can not get an American citizen to go out there for any sum which is at all commensurate with the importance of the place. We are wisely Americanizing the service very rapidly, but it can not be done in a day.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word of the amendment. I wish to say a word in favor of this amendment. It was my privilege at one time to appoint seven of these consular agents. Four of them were Arabs, who could not speak a word of English. Now, you can imagine, gentlemen, very readily, I think, how anybody would feel that wandered up to an American consular office, seeing the eagle sign there, and finding an Arab that could not speak a word of English in charge of the American interests. In the first place, as the gentleman from New York [Mr. LAGUARDIA] suggested, it is a dangerous thing to do. You do not know who they are. They might be friends of America and they might not be. They have access to American records. I know of one instance where a man spoke good English and was a member of a nation as civilized as ours, who was at Port Said, and, as a matter of fact, his interests were absolutely opposed, diametrically opposed, to those of American business men, and he would injure our business undoubtedly. I visited him and suggested his removal to the department. You can not follow these fellows around and check them up. It is a dangerous proposition. There is only one way for this Republic to do, and that is to put American citizens on guard and make them understand what America is. All that business can be done by correspondence with the consul, a little way off. That matter can all be handled. If you lost a little business down there, you would not lose as much as if you were to put your business in improper hands.

I withdraw the pro forma amendment.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last two words.

I do not agree with the gentleman from New York [Mr. LAGUARDIA] and the gentleman from Kansas [Mr. LITTLE] in reference to this amendment.

I have contended here in Congress for an increase in the salaries of consuls and consular clerks and for substituting Americans for foreigners wherever they were available in the Consular Service, and for the last 10 years the Committee on Appropriations and the State Department have been working out that solution.

Now, when I was appointed consul to Glasgow, Scotland, the vice consul for 20 years was a native of Great Britain. I immediately made an investigation and found an American citizen and had him appointed as vice consul. But in that consular district there were two consular agencies located where we were without American citizens, and it meant either the reappointment or the continuation of the men in the service with good records or an abolishment of the offices. And the official fees were insignificant. They would not sustain an American, and no American could afford to leave the United States to accept the appointments.

Mr. LITTLE. Permit me to suggest that the gentleman's experience was among people of the same type as our own, and it was much easier to find somebody of a sympathetic character there than in Siam or in South America or Mexico. Foreigners acquire disrespect for America by seeing such people in charge as I have referred to. In your district the consular work would have been done through your office.

Mr. AUSTIN. I think not; not without great inconvenience, trouble, and expense to the interested parties.

Mr. Chairman, if we are going to abolish consular agencies, then we must provide an appropriation which will carry salaries which will justify Americans in accepting appointments or practically do a great hardship to people who are interested and must use this service. And we certainly ought not to do this without the recommendation of the State Department, charged with the responsibility for this service.

Mr. FLOOD. Mr. Chairman, I think it would be unwise to adopt this amendment. This bill is carrying a well-worked-out plan of the State Department for the reorganization of the Consular Service, and that plan provides for the absolute abolition, as soon as it can be accomplished, of these consular agents. They propose to increase the service by 150 vice consuls, who are to take the place of the consular agents; but that may take some months after this law goes into effect, and during that time it is best to leave the consular agents where they are, whether they are American citizens or not. They have in the service now 127 consular agents, many of whom are not American citizens. The very purpose of this increased appropriation is to get rid of all these people and authorize the State Department to appoint 150 vice consuls, who will take the place of the consular agents. Therefore, until that plan is worked out, it is unwise to hamper the administration in the carrying out of the plan which they have carefully and laboriously formulated. I hope that the amendment will be voted down.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. LAGUARDIA. Mr. Chairman, there are a good many men in the service who are growing old, and as they grow older they become inefficient. The promotions in the Consular Service are rather slow, and we have, perhaps, in some important posts now men who are beyond 75 years of age. What is the policy of the department as to getting more active and younger men in these higher places and putting aside the older men who are not able to do the work?

Mr. FLOOD. They are under the civil service, and there is no law compelling them to retire and you can not put them out.

Mr. LAGUARDIA. As time goes on we will have in Paris, London, Rome, and all these places men who have grown old in the service and who can not do the work. Does not the gentleman believe some provision should be made for these men so that we can promote those who are able to do the work?

Mr. FLOOD. It might be wise to give the Department of State the right to retire them at a certain age.

Mr. AUSTIN. We can take care of them under the general bill that is now pending in Congress, to provide retirement for the civil employees of the Government. This is another reason why that measure should pass.

Mr. LAGUARDIA. I think the department will be embarrassed on account of the existing situation.

Mr. FLOOD. We have nothing in the bill on that subject.

Mr. SLAYDEN. Mr. Chairman, I move to strike out the last word. I shall detain the House for only a few minutes, and I must apologize in advance for a brief reference to a proposed item in this bill which the House has predetermined not to entertain. I refer to the matter of legation buildings. Fifteen years ago I proposed such a bill. In fact, I introduced the bill in two or three Congresses, and I believe it would be wise to enact it now. I think we ought to provide reasonable homes for our diplomatic representatives abroad. I do not believe that we ought to provide palaces, because a man with an income limited to $17,500 a year, the salary of an ambassador, would hardly be comfortable in a $500,000 residence, and I oppose that feature of the bill. But we ought to make some provision for them, because it is scandalous and inexcusable, in my judgment, that these high diplomatic positions can only go as a rule to gentlemen of means who contribute largely to presidential campaign funds. Without legation buildings poor men, however talented, can not generally accept high diplomatic appointments. The sin rests on both parties alike. There is no difference in that respect. It is a scandalous fact that these great appointments to exalted diplomatic rank should go to the heavy contributors to campaign funds.

And, Mr. Chairman, I want to say a word with regard to the intimations I have heard in this debate that we should have a trained diplomatic corps. I am inclined to think that we ought to have a permanent consular force, but I do not believe we ought to have a permanent diplomatic corps. If we do, we are going to find that under the meager salaries paid to the subordinate officers in the Diplomatic Service we will soon have promoted from the positions of secretary and attaché only the sons of very rich men, and then we will get them in these places even without contributions to campaign funds. I do not believe in it. Moreover, my observation and limited experience in travel are that the underofficers in the diplomatic stations are not usually men preeminently qualified for the positions. They know the conventions, of course, and are, I dare say, courteous to their own caste, but too frequently not so to their traveling fellow countrymen. Some of the greatest representatives that we have ever had abroad were men without diplomatic training. Benjamin Franklin had never had any. Adams had never had any of any consequence, nor had Phelps nor Bayard nor Lowell, to come down to more recent times. Yet these are names that have shed luster on the Diplomatic Service of this country. I am pleased to say, Mr. Chairman, that we have recently had appointed to the post of ambassador to London a man of a very high order of ability, with whom many of us are personally acquainted.

I believe that the standard fixed by Adams and Lowell and Phelps and Bayard and others at the Court of St. James will be maintained in every respect by John W. Davis, recently appointed. [Applause.] I know him to be a man of high character. We all know him to be a man of great ability. He has already made for himself a position as a speaker, and a gracious, agreeable personality, and in his care the affairs of our Government of a diplomatic nature will be just as safe as they ever were in the hands of anyone. I am told that a distinguished citizen of the State of Ohio, formerly a Member of this House, will soon retire from the Diplomatic Service. I refer to our present ambassador to France. I regret that circumstances have made it appear necessary to Mr. Sharp to retire from that position at this time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLAYDEN. I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. SLAYDEN. Most of us recall with some degree of pain the severe, almost insulting, criticism that was made by his enemies when he was suggested for that position. I would not take a single leaf from the laurels gathered by his predecessor, but most of us who have watched the career of our former colleague in Paris will agree that the occupancy of that great position by Mr. Sharp has been with as much usefulness and as much distinction and as much credit to the country as that of any of his predecessors. [Applause.] He is a typical, high-class, clear-headed, common-sense American citizen, the sort of representative a republic should have, a man of ample dignity; he is educated, and I congratulate the country and I congratulate—I was going to say the Democratic Party, but it is not a political position—I congratulate the people and all political parties that we have had such a diplomatic representative of the American citizenry at Paris during these trying times, and I think we feel that there is a loss to the Diplomatic Service and to the country when he retires. [Applause.] He has conducted himself with tact and dignity, and he will retire with honor.

The Clerk read as follows:

EXPENSES OF CONSULAR INSPECTORS.

For the actual and necessary traveling and subsistence expenses of consular inspectors while traveling and inspecting under instructions from the Secretary of State, $25,000: *Provided*, That inspectors shall be allowed actual and necessary expenses for subsistence, itemized, not exceeding an average of $8 per day.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

Mr. COOPER of Wisconsin. Mr. Chairman, I think this ought to become a law, and I trust that my colleague will not raise the point of order, for this reason: The testimony before our committee as to the expenses over there that these inspectors have to meet was astonishing. For example, hotels in Kobe and Yokohama, Japan, now charge $7.50 to $10 a day in United States money, which is gold. At Shanghai they charge

$16.20 a day to $18 a day in gold. At Hongkong they charge $18 to $22 a day in gold.

Mr. STAFFORD. That information was called to the attention of the House in connection with the item providing for an increase of allowances for the judge and the district attorney to the court of the United States in Shanghai.

Mr. COOPER of Wisconsin. I was at my office at that time and did not know of it.

Mr. STAFFORD. I rose to make an inquiry as to the peculiar phraseology of this allowance. It is not in the customary phraseology "not to exceed $8 a day," but "not to exceed an average of $8 a day." I do not recall a similar authorization where we have granted a per diem allowance for expense of subsistence.

Mr. COOPER of Wisconsin. My understanding is that in some places they can possibly get subsistence and accommodation for less than $8 and in others you can not get it for less than twice that sum. Therefore the committee used the word "average."

Mr. STAFFORD. I suppose under this authorization it is the purpose to allow an inspector a greater amount than $8 a day if for the year it does not average more than that amount. Has the gentleman any information as to what the average expenditure is?

Mr. FLOOD. Let me say that the average expenditure for these gentlemen, especially those in the East, would be more than $8 a day. Those in Europe and South American countries would be $8 a day, probably.

Mr. STAFFORD. In one bill, the legislative, we are only authorizing a per diem expenditure of $5 a day. Here you authorize not a per diem of $8, but an average throughout the year of $8.

Mr. FLOOD. These gentlemen do a very valuable work, and it is difficult to keep them in this branch of the service. They are on the move all the time. Eight dollars a day was thought to be enough to cover their expenses and not too much in all the countries except the East, and the department insisted on $10 a day in that section. The men are constantly on the go and want to get out of this branch of the service and get into the regular Consular Service. They have five men and they want to add two more to them. They are very efficient men and they want to keep them there. They have to go into their salaries to help pay their expenses.

Mr. COOPER of Wisconsin. The gentleman from Virginia will remember that Mr. Carr in that connection told the committee of one of these inspectors, by the name of Fuller, who had not had but one leave of absence, and that a very short one, in five or six years; that he had been traveling all the time and been imploring the department to give him a place somewhere where his labors would be reduced. He also said the system of auditing the accounts of these inspectors is so exceedingly strict that it is almost impossible for them to work any fraud on the Government.

Mr. STAFFORD. Mr. Chairman, impressed with the information furnished by my colleague, I withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman withdraws the point of order, and the Clerk will read.

The Clerk read as follows:

To enable the President, in his discretion and in accordance with such regulations as he may prescribe, to make special allowances by way of additional compensation to consular and diplomatic officers and consular assistants and officers of the United States Court for China in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned, $700,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

Mr. LITTLE. Mr. Chairman, I reserve the point of order. I reserve all points of order. I would like to ask the gentleman a question. Under this provision, as I understand it, it is the purpose to add to the laws of the land the proposition to make it possible for the President or the State Department, by his direction I presume, to overcome the difficulties that have arisen among our consuls and diplomats abroad, because of the increased cost of living during the war. That is the purpose, is it not?

Mr. FLOOD. During the war and for the time immediately after the war; yes.

Mr. LITTLE. Is there any legislation now on the statute books upon which this is predicated, or is this new legislation?

Mr. FLOOD. This is entirely new legislation.

Mr. LITTLE. Then it would be out of order.

Mr. FLOOD. It is subject to the point of order.

Mr. LITTLE. I reserve that point of order. I want to ask as to the facts. In certain locations, by reason of the war, the American dollar has ceased to have the value it did, and, therefore, a consul or a minister does not get actually the same amount of money that he did before. Is not that the fact? The rate of exchange has changed, in other words. I am reliably informed that the State Department now sees its way clear under statutes which have been passed to assist the consular officers, but not the diplomatic representatives. Does the gentleman consider that under this provision it would enable the President, if he saw fit, to obviate that difficulty and adjust a man's income out of this $700,000 so that it would overcome the decreased value of the dollar?

Mr. FLOOD. A minister, I think, could possibly be embraced within the term "diplomatic officers," but I would say to the gentleman that it is not the policy of the department or of the President to do it, and I do not believe it would be the policy of the House.

Mr. LITTLE. If it is the policy of the President and the House to assist the Consular Service, why not the Diplomatic?

Mr. FLOOD. It is a little different kind of service. It is a business service, a permanent service. Those men go into it for a life work, and the increased cost of living came on them; and if they had no means of their own, many would have to give up their life's work. An ambassador or a minister under our system has not adopted that for his life work. It is true that men in lower grades of the Diplomatic Service probably have, but the ambassadors and ministers are special appointees, to hold for an administration or two administrations. They accept the places with the understanding that they have to bear a certain financial burden in doing it, and are more prepared to meet emergencies.

Mr. LITTLE. The gentleman realizes that some of them in the smaller appointments are poor men.

Mr. FLOOD. Yes; and, realizing that, we undertook to make a provision here so that homes could be built for them. I do not believe that it met with the gentleman's approval.

Mr. LITTLE. That would not assist them. The Government pays the rent now.

Mr. FLOOD. No; it does not.

Mr. LITTLE. I know that it does, because I have been in the service.

Mr. FLOOD. If the gentleman knows that, he has information that every official in the State Department will tell him is inaccurate.

Mr. LITTLE. I expect that is true, because they have not been there; but every one of them lives in the agency or the consulate that the Government rents for them.

Mr. FLOOD. Every ambassador and minister that we have does that?

Mr. LITTLE. Every consul does, that I ever visited.

Mr. FLOOD. I was not talking about the consuls.

Mr. LITTLE. And it is the same way with the ministers to the smaller countries, or was. The Government rents an office for them, and it is of such proportions that they can live in it. The gentleman is technically correct, that the Government does not rent houses for them, but the Government rents their offices and they live in them, being allowed formerly, and probably now, something like 20 per cent of their salaries for such rent.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. LITTLE. Mr. Chairman, I reserve the point of order, and I desire to offer an amendment——

Mr. STAFFORD. I renew the point of order.

Mr. LITTLE. Oh, I am keeping it up.

Mr. STAFFORD. But the gentleman can not if he offers an amendment. I wish to inquire whether the gentleman is insistent on having this made a permanent authorization, regardless of the existing war.

Mr. FLOOD. Does the wording of the provision make it that?

Mr. STAFFORD. In the phraseology of the paragraph under consideration you eliminate the limitation carried in the existing act—

during the pendency of the existing war and for six months after its termination.

Mr. FLOOD. No; that would be a very good amendment.

Mr. STAFFORD. Of course, if the gentleman is willing to have that incorporated in the bill I withdraw the reservation of the point of order. I believe there should be some limitation.

Mr. RAGSDALE. If the chairman will permit me, does not the gentleman think that so long as this condition of affairs exists abroad by which the American dollar will not buy a dollar's worth that the President of the United States ought to be able to make up that difference in our ministers' salaries, to meet that condition of affairs necessarily changed at the termination of this war or immediately afterwards?

Mr. STAFFORD. Of course, the rearrangement of salaries is a matter for permanent legislation. You are attempting that so far as the consular officers are concerned. I believe this bill by increasing the appropriation some $700,000——

Mr. RAGSDALE. Yes, sir.

Mr. STAFFORD. Now, this appropriation was originally intended only for a temporary purpose?

Mr. RAGSDALE. Yes.

Mr. STAFFORD. To provide for an allowance occasioned by the high cost of living occasioned by the war?

Mr. RAGSDALE. And occasioned by the fact that the American dollar abroad no longer buys a dollar's worth in every country in which it is spent.

Mr. STAFFORD. Changes are being made. The price of Argentine wheat in Liverpool is $1.55, and prices are bound to come down in this country and throughout the world, but as this provision was temporary I think it should be continued temporarily; in fact, as the gentleman remembers, it only applied originally to those countries where the war was in progress and to countries contiguous thereto, and then it was subsequently extended. Now, all that is desired is to provide for its application during the pendency of the existing war and then provide thereafter——

Mr. RAGSDALE. Well, suppose the gentleman offers his amendment to that effect.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order, with the understanding it has the approval——

Mr. FLOOD. Is the gentleman going to offer the amendment?

Mr. STAFFORD. I reserve it for the time being at the request of the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. I understand I have the floor.

Mr. FOSTER. Mr. Chairman, I ask for the regular order.

Mr. LITTLE. The regular order is that I have the floor.

The CHAIRMAN. Does the gentleman from Wisconsin make the point of order?

Mr. LITTLE. Does the Chair ask me? I am informed the gentleman reserves the point of order.

The CHAIRMAN. If the regular order is demanded, the Chair must rule on the point of order.

Mr. FLOOD. If the gentleman from Kansas desires to offer his amendment——

Mr. LITTLE. If I may be permitted——

Mr. FOSTER. I will withhold the demand for the regular order for five minutes.

Mr. LITTLE. If I am not permitted to proceed, I shall make the point of order that it is new legislation, and the gentleman can do as he pleases.

Mr. FLOOD. All right; the gentleman can pursue his own course.

Mr. LITTLE. I shall pursue my own course. I am getting tired of this, for every time a new man endeavors to speak I find that anonymous points of order and rules are invoked against him and nobody else. I am going to do a little of that from now on. Now, this will read as follows if my amendment is carried:

To enable the President, in his discretion, and in accordance with such regulations as he may prescribe, to make special allowances by way of additional compensation to consular and diplomatic officers and consular assistants and officers of the United States Court for China in order to adjust their official income to the ascertained cost of living—

And here is where we get in—

and the changes of the comparative values of American money and the money at the post to which they may be assigned, $700,000.

The point I have in mind is Persia. The salary of the minister to Persia is $10,000, paid in Persia. We are told it is paid in gold. That is the law, but it is never paid in gold. What happens is this, that he sits down and draws upon the United States for his salary, at intervals, probably on London, where the account is kept, or formerly was. Then he takes that paper, a draft, and he sells it to the bank. He does not get gold for it. If he got gold he could take it to the mint of Persia and have it minted and get his money.

Mr. FLOOD. What kind of money would he get?

Mr. LITTLE. If he got gold he would get gold money. He could have it minted into Persian money.

Mr. FLOOD. He would have Persian money?

Mr. LITTLE. Yes; Persian gold. He says there is a great deal of difference between the purchasing power of the Persian gold and silver money. He draws a bill of exchange and goes to the bank and sells it to the bank. The bank has no account in dollars. The bank puts it into Persian money and he sells it for whatever he can get. Before this war began the normal rate of exchange was such that he would get $11,500 for $10,000, and he would go out and buy with that money. Of course, at the present time the values there have risen five times what they were before, and he can buy only one-fifth as much. It does not happen to the consul there for America; it does not happen to the missionaries there, or to anybody else there except this fellow, who happens to come from the district I represent. Now, here is what happens to him: When he takes his money down he finds the rate of exchange has changed, so that instead of getting $11 for $10 he gets $5.50 for $10. That is the rate of exchange now. In other words, instead of having $10,000 in gold he would get $5,500. Now, the purchasing power of that has diminished five times, and this man is actually getting a salary of $1,000. To equalize, he must draw on us for the equivalent of $10,000 in gold. Now, what I ask is this—it is no favor for him: I just ask that when the department figures out what he should have in relation to others by reason of the 500 per cent increase in the value of things there which he has to pay for, that they also take into consideration whatever they deem is wise in regard to fixing his rate of exchange, so that he will not lose everything he has got. The department is not opposed to this, as he thinks. He was getting along all right until it got down to the Fourth Auditor of the Treasury, and there they locked horns. He said this Persian minister would not only have to bear that expense himself but would have to pay back several thousand dollars.

Mr. FLOOD. How would he do that?

Mr. LITTLE. Because the Auditor of the Treasury says that he would. He has taken an appeal to the comptroller.

Mr. FLOOD. Where could he draw on the Treasury of the United States?

Mr. LITTLE. He drew on the Treasury.

Mr. FLOOD. For how much?

Mr. LITTLE. For $2,500, I presume, from time to time.

Mr. FLOOD. A quarter?

Mr. LITTLE. Yes. The Auditor of the Treasury has checked it up and says that he is not entitled to draw the way he has been. The exchange is such that he is not entitled to do this. They want him to pay back something like $6,000. He says:

Every other Government having legations or consulates here allows its minister, consul, and other officials full prewar exchange rates.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Mr. Chairman, I ask for five minutes additional.

The CHAIRMAN. The gentleman from Kansas asks for five minutes additional. Is there objection?

Mr. FOSTER. Mr. Chairman, I ask for the regular order. I do not like to shut anybody off, but——

Mr. LITTLE. I showed it to the Member and he said he would object to it.

Mr. FOSTER. I think we ought to proceed. The gentleman has had five minutes.

Mr. LITTLE. I have had five minutes? Mr. Chairman, has my amendment been reported?

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. STAFFORD] insist on the point of order?

Mr. STAFFORD. With the understanding I had with the chairman of the committee, I withdraw the reservation.

Mr. LITTLE. I offer the amendment then.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LITTLE: Page 22, line 8, after the word "living," insert "and the changes in the comparative values of American money and the money."

Mr. STAFFORD. I reserve a point of order on that amendment, Mr. Chairman.

The CHAIRMAN. The gentleman from Kansas is recognized for five minutes.

Mr. LITTLE. The minister says:

My accounts are settled quarterly by the Bureau of Accounts at the State Department, and they seem to have regularly approved my accounts as rendered. But all accounts must pass muster at the auditor's office in the Treasury Department. It was there that sorrow met me. For two years I had no notice of any settlement of any accounts by the Auditor for the State Department, though I cabled and asked three different times without getting a definite answer, and quite naturally assumed I was correct and my accounts being approved. Imagine my surprise when I got a letter the other day showing that under a governing precedent I was only entitled to whatever $10,000 would buy in the foreign currency, no matter how little that sum was.

It was 5,500 tomans for $10,000.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. ROGERS. I would like to ask the gentleman how his amendment could cure the past if it were adopted? I can see how it could cure the future, but I can not see how it would reach back to the past.

Mr. LITTLE. I have taken that up with the comptroller. There has been an appeal made to him, and I am in hopes that he will be reasonable about it. I do not want to leave the affair open any more.

Mr. ROGERS. Does it not strike the gentleman that the language now in the bill and in this paragraph should be construed liberally enough to take care of the case which the gentleman mentioned?

Mr. LITTLE. I want to be sure it will be.

Mr. RAGSDALE. I understand now that this minister or consul who has been writing to the gentleman——

Mr. LITTLE. He says:

Moreover, during all this time, our consul here, in the same building, received his regular settlement of his accounts, which were made out just like mine exactly, and every account of his was approved.

Mr. RAGSDALE. I am asking who he is.

Mr. LITTLE. He says:

Every account of his was approved. He had figured the kran as of a value of $0.0875, the same as I had; but the same auditor, E. D. Hearne, approved his accounts thus, while in mine he fixes the kran value at over $0.18.

Mr. RAGSDALE. Is this a missionary that is writing to the gentleman?

Mr. LITTLE. No; I can not yield to the gentleman any further.

Mr. RAGSDALE. I am simply asking the gentleman to tell me by whom the letter was written.

Mr. LITTLE. The minister.

Mr. RAGSDALE. Now, I understand the gentleman's contention is that this American minister's position is, in spite of the law, that he shall draw sufficient money to cover his salary in that country, without regard to the amount of money that it takes. Is that the gentleman's position?

Mr. LITTLE. Here is the gentleman's position: Here is $700,000 given in order to adjust their official income to the ascertained cost of living. That is the law proposed here. That means that they will give them $700,000. Now, while they are doing that, I ask that this man should have the same treatment that everybody else gets in every country and which our consul gets in that very town. I ask the man be paid $10,000 in gold there or its equivalent in Persian money. You can send him the gold if you wish; if not, buy him enough tomans to equal it.

Mr. RAGSDALE. Under this law, is not this discretionary power lodged with the President to take care of the difference that arises by reason of the differences in the rates of exchange in the different countries as to the value of the money?

Mr. LITTLE. No; it is not. But I can not yield further. Here you undertake to give away $700,000, and you leave it to the discretion of the President as to where it will be put. I ask you to leave it in the discretion of the President, which is the department, and I say to you there is a consul and a minister at Teheran, Persia, who are being treated in such a way that the consul gets his full salary and the minister does not get half of his. I ask that you apply the same rule to both of them, and to take into consideration the fact that every foreign minister there and every missionary and everybody who does business there, except this fellow from Kansas, gets his money; every man, he tells us. Now, what is the objection to the gentleman from Kansas getting his money?

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. FLOOD. Mr. Chairman, I hope this amendment will not be adopted.

Mr. LITTLE. Why?

Mr. FLOOD. I will tell you if you will wait. I hope it will not be adopted because——

Mr. LITTLE. Because he is from Kansas? [Laughter.]

Mr. FLOOD. Because the rate of exchange in these countries changes almost daily, and we would have to give the State Department a good deal of force to keep up with the fluctuations of exchange. The gentleman is occupying this position: At one time $10,000 American money got him $11,000 in Persian silver. He never returned that extra $1,000 to this country. He put it in his pocket and kept it.

Mr. LITTLE. You might just as well say that he got 11 cows for the $10. The 11 tomans was the same as $10. If he had bought 11 cows you would have him bring back a cow. [Laughter.]

Mr. FLOOD. Then why is not 5½ tomans the same as $10? He got $1,000 more than his salary when he exchanged American warrants for Persian money. Over in China at one time a gold warrant for $10,000 would bring the holder $20,000. Now silver has gotten to be rated as relatively more valuable than gold.

Mr. LITTLE. He could not buy any more for $20 silver than for $10 in gold.

Mr. FLOOD. There are men who do not agree with the gentleman about that. They state they were caught coming and going. They said that the silver dollar then probably brought as much as now. If this amendment were adopted we would have to establish a bureau in the State Department to keep up with the fluctuations in exchange in these silver countries, and it does seem to me that we ought not to adopt an amendment of this kind, which inaugurates a new policy, until we know something about it more than we can gather from a letter from the beneficiary of this amendment.

Mr. LITTLE. Are you afraid to trust the President?

Mr. FLOOD. No; I am not afraid to trust the President.

Mr. STAFFORD. Mr. Chairman, I make the point of order that the amendment is not germane.

The CHAIRMAN. The gentleman from Wisconsin makes the point of order, and the Chair is of opinion that the point is well taken.

Mr. LITTLE. It was agreed, Mr. Chairman, before we began that this whole clause was not proper; that it was subject to a point of order. It was agreed that it was all subject to a point of order; that it was all new legislation. Now you say that my amendment is not germane. You may say that my amendment is new legislation; but to say that my amendment is not germane is pure nonsense. Your amendment is new legislation and mine is new legislation, and mine is germane, and the same point would apply there. And this fact is also observable there, that if the gentleman's amendment is new legislation and is in order, anybody will concede—even the gentleman from Wisconsin [Mr. STAFFORD]—that I could offer an amendment slightly increasing the President's discretion.

Now, there is nothing to this point of order. If he is going to say that I am trying to offer new legislation, of course he has got me; but I do not think there is a parliamentarian in the House who cares to go on record on the proposition that this amendment is not germane. The provision of the bill is that the President can give away $700,000 to make good to our representatives for the losses they sustain by reason of all these troublous days, and that is the provision of my amendment to it.

Mr. STAFFORD. Mr. Chairman, I insist on my point of order.

The CHAIRMAN. The point of order has been sustained.

Mr. FLOOD. Mr. Chairman, I have a committee amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. FLOOD: Page 22, line 5, after the word "allowances" insert: "during pendency of existing war and for six months after its termination."

The amendment was agreed to.

Mr. LITTLE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LITTLE. I withheld my point of order that this was new legislation on the promise that I should have a vote upon my amendment. I rise to make the parliamentary inquiry whether a gentleman in this House is going to make such an agreement, and make it impossible for me to make the point of order, and then refuse to have a vote?

The CHAIRMAN. The Chair thinks that is not a parliamentary inquiry.

Mr. STAFFORD. There was no agreement whatsoever made with the gentleman from Kansas as to having the point of order withdrawn with the understanding that his amendment should be considered in order.

Mr. LITTLE. I had an understanding, as I understood it, with the chairman of this committee, that if I withheld my point of order that the paragraph in the bill was new legislation I should have a vote on my amendment.

Mr. FLOOD. I made no point of order on the gentleman's amendment.

Mr. LITTLE. That was my understanding of the agreement, and I think the record will show it.

Mr. FLOOD. There was no such agreement, but even if there was, I made no point of order.

Mr. LITTLE. The gentleman is forgetting. I think he or some one did make such an agreement in effect.

Mr. FLOOD. Even if the record did show it, I made no point of order against the gentleman's amendment.

Mr. LITTLE. Is the gentleman from Wisconsin [Mr. STAFFORD] insisting on a point of order in view of what I understood to be an agreement?

Mr. STAFFORD. I have been present during this whole proceeding, and if there was a public understanding on the floor of the House between the gentleman from Kansas and the gentleman from Virginia——

Mr. FLOOD. There was not.

Mr. STAFFORD. That if the gentleman's point of order was withheld no point of order would be made against his amendment, I certainly would not press that point of order. Now, I call upon the record to show whether there was any such understanding. I will not be a party to the violation of any gentlemen's agreement, and if there is such I will not press the point of order.

The CHAIRMAN. If the gentleman will indulge the Chair just a moment, the Chair can not be cognizant of private conversations.

Mr. LITTLE. There was none. Mr. Chairman, I will rise to a question of privilege in a minute, and we will take up a heap more time than we will in some other way. I said here on this floor that unless I was allowed to have a vote on my amendment I would make the point of order that this was new legislation, and I was allowed to proceed on that theory, the point being withdrawn.

Mr. FLOOD. Nobody acquiesced in that.

Mr. LITTLE. I had an understanding on the open floor, as I recall the conversation, and I think the gentleman will agree with me. I said unless I was allowed to have a vote on my amendment I would make the point of order that this was new legislation.

Mr. FLOOD. The gentleman certainly said that.

Mr. LITTLE. My understanding was that we agreed that we should go on with that understanding. The point of order against my amendment was withdrawn and I proceeded.

Mr. FLOOD. I do not know what the gentleman's understanding was.

Mr. LITTLE. You said so, as I understood.

Mr. FLOOD. I never said a word.

Mr. STAFFORD. Mr. Chairman, in view of the gentleman's statement, I ask unanimous consent to withdraw the point of order which I made against the amendment of the gentleman from Kansas.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to withdraw his point of order. Is there objection?

There was no objection.

The CHAIRMAN. The question now recurs on the amendment of the gentleman from Kansas [Mr. LITTLE].

The question was taken; and on a division (demanded by Mr. LITTLE) there were—ayes 10, noes 22.

The CHAIRMAN. On this question the ayes are 10, the noes are 22, and the amendment is rejected.

Mr. LITTLE. Well, I feel better, anyhow. [Laughter.]

The Clerk read as follows:

Allowance for clerk hire at consulates; to be expended under the direction of the Secretary of State, $1,200,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Here is an increase of $400,000 in this item of $1,200,000 for clerk hire at consulates. Will the chairman of the committee explain the reasons for such an unusual increase?

Mr. FLOOD. Twenty-five new consulates were provided, and there must be a clerk at $2,000 at each one of these consulates. Then it is desired to have these economic assistants. The provision for economic assistants went out on a point of order, but the appropriation was not decreased, and they will be named as consuls. There must be a couple of clerks to assist each one of these men.

Mr. STAFFORD. What salary do you propose to pay these clerks?

Mr. FLOOD. Two thousand dollars. There are 25 at $2,000, and then 150 vice consuls. The provision was to allow them clerks at $1,000 apiece. I do not know that I am right about both clerks of consular assistants getting $2,000. There are 25 new consuls and economic assistants and a couple of clerks to assist each one of these men. That would be 50 clerks, probably 25 at $1,000 each and 25 at $2,000 each.

Mr. STAFFORD. But that would not account for the $400,000 increase.

Mr. FLOOD. There was $175,000 in addition to that amount appropriated in the deficiency bill from the Committee on Appropriations. The real increase in the amount in this bill over the former appropriation was $207,000, and out of this increase of $207,000, with the old appropriation, the department planned to take care of the 225 additional clerks.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

CONTINGENT EXPENSES, UNITED STATES CONSULATES.

Expenses of providing all such stationery, blanks, record and other books, seals, presses, flags, signs, rent (so much as may be necessary), repairs to consular buildings owned by the United States, postage, furniture, including typewriters and exchange of same, statistics, newspapers, freight (foreign and domestic), telegrams, advertising, messenger service, traveling expenses of consular officers and consular assistants, and economic assistants, compensation of Chinese writers, loss by exchange, and such other miscellaneous expenses as the President may think necessary for the several consulates and consular agencies in the transaction of their business, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, $1,168,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. Here again we have an increased appropriation of nearly $300,000, but I rise not so much to call attention to the unusual increase as to ask the gentleman whether he has any objection to striking out the "economic assistants," in line 9, page 24?

Mr. FLOOD. No.

Mr. STAFFORD. Mr. Chairman, I make the point of order against the words "economic assistants."

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For the purchase or erection, and the alteration, repair, and furnishing of embassy and legation buildings in the principal capitals of the world, and consular buildings at the principal ports in China, $3,000,000; and the Secretary of State is hereby given authority to acquire, for the purposes specified, as soon as may advantageously be done, suitable buildings and to alter, repair, and furnish said buildings or acquire appropriate sites and to erect and furnish suitable buildings thereon, or to acquire options upon suitable buildings or appropriate sites, as may in his judgment be for the best interests of the Government: *Provided, however*, That not more than $250,000 shall be expended at any one place, except that in cities containing 1,000,000 or more inhabitants the limit of cost shall be $500,000.

Mr. STAFFORD. Mr. Chairman, I make a point of order on the paragraph just read.

The CHAIRMAN. Does the gentleman from Virginia desire to be heard?

Mr. FLOOD. I do not.

The CHAIRMAN. The point of order is sustained.

Mr. FLOOD. Mr. Chairman, I move that the committee do now rise and report the bill with the amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FERRIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the year ending June 30, 1920, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FLOOD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

At the request of Mr. WELTY, indefinite leave of absence was granted to Mr. LEA of California on account of the sickness of his wife.

HOSPITAL AND SANITARY FACILITIES FOR DISABLED SOLDIERS AND SAILORS.

Mr. KREIDER. Mr. Speaker, I ask unanimous consent to file minority views (H. Rept. No. 879, pt. 2) on the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanitary facilities for discharged sick and disabled soldiers and sailors.

Mr. GARRETT of Tennessee. Has the majority report been filed?

Mr. KREIDER. Yes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. FESS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill just passed.

Mr. FLOOD. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the two requests?

There was no objection.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920. Pending that motion, I desire to see if we can not come to some understanding as

to the time for general debate. Has the gentleman from New York [Mr. SNYDER] any suggestions to make?

Mr. SNYDER. We would like an hour and a half on this side.

Mr. CARTER of Oklahoma. The gentleman could not make it an hour, so that we can get through with two hours?

Mr. SNYDER. How much time is the gentleman going to use over there?

Mr. CARTER of Oklahoma. We will probably use an hour on this side if any is used at all. If none is asked, we would not have to use any on this side.

Mr. SNYDER. I am just as anxious as the gentleman to expedite legislation, but we shall require an hour and a half on this side.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent that general debate be concluded in not to exceed three hours, one half of that time to be controlled by myself and the other half by the gentleman from New York [Mr. SNYDER].

The SPEAKER. Pending the motion, the gentleman asks unanimous consent that general debate shall not proceed more than three hours, one half to be controlled by himself and the other half by the gentleman from New York. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Oklahoma, that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Indian appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Indian appropriation bill, with Mr. CRISP in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk reported the title of the bill.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. Mr. Chairman, will the gentleman from New York use some of his time now?

Mr. SNYDER. I have no one ready to proceed to-night.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, and had come to no resolution thereon.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title, when the Speaker signed the same:

H. R. 10663. An act to convey a strip of land on the site of the Federal building at Princeton, Ind.

ADJOURNMENT.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Thursday, January 23, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting a tentative draft of a bill relating to the pay of retired enlisted men serving as field clerks (H. Doc. 1716); to the Committee on Military Affairs and ordered to be printed.

2. A letter from the Secretary of War, transmitting a detailed report of all receipts and expenditures of special contingent funds which the United States collects from nonmilitary residents and transportation companies at Fort Monroe, Va. (H. Doc. 1717); to the Committee on Expenditures in the War Department and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. STEELE, from the Committee on the Judiciary, to which was referred the bill (S. 3079) to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes, reported the same without amendment, accompanied by a report (No. 960), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GRIFFIN, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 13912) authorizing the Secretary of the Treasury to accept a correctionary deed for land of new post office at New York, N. Y., reported the same without amendment, accompanied by a report (No. 964), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 4017) for the relief of Catherine Grace, reported the same without amendment, accompanied by a report (No. 961), which said bill and report were referred to the Private Calendar.

Mr. WELLING, from the Committee on Claims, to which was referred the bill (H. R. 14584) for the relief of the widow of Joseph C. Akin, reported the same with amendment, accompanied by a report (No. 962), which said bill and report were referred to the Private Calendar.

Mr. LITTLE, from the Committee on Claims, to which was referred the bill (H. R. 3536) for the relief of Jose Ramon Cordova, reported the same with amendment, accompanied by a report (No. 963), which said bill and report were referred to the Private Calendar.

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 14894) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and to widows and dependent children of soldiers and sailors of said war, which said bill is a substitute for sundry pension bills heretofore introduced, reported the same without amendment, accompanied by a report (No. 965), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FAIRFIELD: A bill (H. R. 14852) authorizing the Secretary of War to donate to the city of Kendallville, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14853) authorizing the Secretary of War to donate to the city of New Haven, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14854) authorizing the Secretary of War to donate to the city of South Whitley, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14855) authorizing the Secretary of War to donate to the city of Waterloo, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14856) authorizing the Secretary of War to donate to the city of Butler, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14857) authorizing the Secretary of War to donate to the city of Churubusco, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14858) authorizing the Secretary of War to donate to the city of Garrett, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GREEN of Iowa: A bill (H. R. 14859) to give officers and enlisted men of the Russian Railway Service Corps the benefits of the war-risk insurance act; to the Committee on Interstate and Foreign Commerce.

By Mr. McFADDEN: A bill (H. R. 14860) authorizing the Secretary of War to deliver to the village of Canton, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, cap-

tured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. SHOUSE: A bill (H. R. 14861) authorizing the Secretary of War to donate to the city of Kinsley, in the county of Edwards and State of Kansas, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14862) authorizing the Secretary of War to donate to the city of Dodge City, in the county of Ford and State of Kansas, two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. McFADDEN: A bill (H. R. 14863) authorizing the Secretary of War to deliver to the village of Sayre, Pa., one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14864) authorizing the Secretary of War to deliver to the village of Troy, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14865) authorizing the Secretary of War to deliver to the village of Hawley, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14866) authorizing the Secretary of War to deliver to the village of Athens, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14867) authorizing the Secretary of War to deliver to the village of Hallstead, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14868) authorizing the Secretary of War to deliver to the village of Tunkhannock, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14869) authorizing the Secretary of War to deliver to the village of Honesdale, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14870) authorizing the Secretary of War to deliver to the village of Susquehanna, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14871) authorizing the Secretary of War to deliver to the village of Montrose, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14872) authorizing the Secretary of War to deliver to the village of Forest City, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14873) authorizing the Secretary of War to deliver to the village of Towanda, Pa., one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 14874) authorizing the Secretary of War to furnish two condemned cannons to the Sixth Wisconsin Battery Association, of Lone Rock, Wis., for use at Lone Rock; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 14875) to donate two cannons of obsolete pattern to the village of Sauk Center, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14876) to donate two cannons of obsolete pattern to the village of Paynesville, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14877) to donate two cannons of obsolete pattern to the village of Park Rapids, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14878) to donate two cannons of obsolete pattern to the village of Wadena, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14879) to donate two captured cannons or guns to the village of Aitkin, Minn.; to the Committee on Military Affairs.

By Mr. THOMAS: A bill (H. R. 14880) authorizing the Secretary of War to donate to the county of Simpson, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FREEMAN: A bill (H. R. 14881) authorizing the Secretary of War to donate to the town of Plainfield, Conn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14882) authorizing the Secretary of War to donate to the town of Middletown, Conn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SIEGEL: A bill (H. R. 14883) to promote the administration of military justice by amending existing laws regulating trial by courts-martial, and for other purposes; to the Committee on Military Affairs.

By Mr. McCULLOCH: A bill (H. R. 14884) to donate a captured cannon or gun to the city of Canton, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 14885) to donate a captured cannon or gun to the city of Shreve, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 14886) to donate a captured cannon or gun to the city of Massillon, Ohio; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 14887) authorizing the Secretary of War to donate to the town of Greenwood, Me., one captured German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McKENZIE: A bill (H. R. 14888) to enlarge, extend, remodel, and modernize the post office and Federal building at Sterling, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. GILLETT: A bill (H. R. 14889) authorizing the Secretary of War to donate to the city of Northampton, Hampshire County, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14890) authorizing the Secretary of War to donate to the town of South Hadley, Hampshire County, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MAGEE: A bill (H. R. 14891) authorizing the Secretary of War to donate to the county of Cortland, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 14892) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 14893) for the relief of contractors and subcontractors for post offices and other buildings and work under the supervision of the Treasury Department; to the Committee on Public Buildings and Grounds.

By Mr. SHERWOOD: A bill (H. R. 14894) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and to certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. BURNETT: A bill (H. R. 14895) authorizing the Secretary of War to donate to the city of Fort Payne, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McKINLEY: Resolution (H. Res. 512) authorizing the appointment of a committee to investigate the taking over by the Government of the wire systems of communication; to the Committee on the Post Office and Post Roads.

By Mr. HAWLEY: Memorial of the Legislature of the State of Oregon, favoring the passage of the woman-suffrage resolution; to the Committee on Woman Suffrage.

Also, memorial of the Legislature of the State of Oregon, favoring appropriation for the Owyhee irrigation project; to the Committee on Irrigation of Arid Lands.

By Mr. KENNEDY of Rhode Island: Memorial of the General Assembly of the State of Rhode Island, urging upon Congress the passage of legislation giving financial aid to soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. STINESS: Memorial of the General Assembly of the State of Rhode Island, urging upon Congress the passage of legislation giving financial aid to soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. McARTHUR: Memorial of the Legislature of Oregon, favoring the passage of the woman-suffrage resolution; to the Committee on Woman Suffrage.

Also, memorial of the Legislature of the State of Oregon, favoring an appropriation for the Owyhee irrigation project; to the Committee on Irrigation of Arid Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. LOBECK: A bill (H. R. 14896) granting a pension to Erastus A. Buck; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 14897) granting a pension to Nathan L. Smith; to the Committee on Pensions.

Also, a bill (H. R. 14898) granting an increase of pension to Fronie Fisher; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Concurrent resolution adopted by the Legislature of North Dakota on January 11, 1919, urging the adoption of the Susan B. Anthony national suffrage amendment; to the Committee on Woman Suffrage.

By Mr. CARY: Memorial of H. W. R. Strong, chairman of flood control and member of law and legislative bureau, Whittier Chamber of Commerce, relative to impounding the waters of Colorado River for irrigation purposes; to the Committee on Flood Control.

Also, memorial adopted by California Chapter of American Mining Congress in San Francisco, urging enactment of Senate bill 5234 and House bill 13497; to the Committee on Mines and Mining.

Also, petition of National War-Service Committee of Retail Dry Goods and Department Stores, protesting against luxury taxes; to the Committee on Ways and Means.

Also, petition of Commercial Telegraphers' Union of America, demanding eight-hour day, increase in salary, reinstatement of men and women discharged for union affiliation, and thorough investigation of wire system; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Resolutions of District Council No. 24, Commercial Telegraphers' Union of America, demanding eight-hour day, increase in salary commensurate with increased cost of living, and reinstatement of several hundred men and women discharged for union affiliation; also thorough investigation of wire system; to the Committee on the Post Office and Post Roads.

By Mr. GRAHAM of Pennsylvania: Petition of furriers of Philadelphia, Pa., for relief from the tax on furs; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Memorial of Ohio State Board of Agriculture, favoring increase of compensation for employees in Bureau of Animal Industry and an increased appropriation for the work of the bureau; to the Committee on Agriculture.

Also, memorial of Ohio State Postmasters' Association, in favor of parcel-post motor routes, as asked for by the department in appropriation bill; to the Committee on the Post Office and Post Roads.

Also, memorial of J. H. McGraw & Sons, Bellaire, Ohio, favoring continuance of Government control of the wire systems until further investigation can be made and additional legislation can be had for resuming private ownership; to the Committee on Ways and Means.

Also, memorial of Ervin Apell, Louis Helbrac, Jacob Leva, and George Leva, of East Liverpool, Ohio, asking for repeal of postal-zone rate bill; to the Committee on the Post Office and Post Roads.

By Mr. NEELY: Petition of H. H. Sonneborn, president of West Virginia Clothiers' Association, protesting against luxury tax; to the Committee on Ways and Means.

By Mr. RAKER: Resolution by the traffic and transportation bureau of the Tacoma (Wash.) Commercial Club and Chamber of Commerce, indorsing Senate bill 5020, and petitioning Congress to restore to the Interstate Commerce Commission certain powers taken away by the Federal control act approved March 21, 1918; to the Committee on Interstate and Foreign Commerce.

Also, resolution by superintendent of public instruction, Sacramento, Cal., indorsing Senate bill 4987, providing for a Department of Education; to the Committee on Education.

Also, resolution by the California Chapter of the American Mining Congress, urging the passage of Senate bill 5234 and House bill 13497; to the Committee on Mines and Mining.

Also, resolution by the San Francisco Labor Council, requesting the Department of Agriculture to investigate the conditions existing in the Alaska fish-canning industry; to the Committee on Agriculture.

Also, resolutions by board of directors of the California Citrus League, urging that common carriers be released from Government control; to the Committee on Ways and Means.

By Mr. TAYLOR of Colorado: Memorial adopted by citizens of Pueblo, Colo., for the recognition of Ireland at the peace conference; to the Committee on Foreign Affairs.

By Mr. WATSON of Pennsylvania: Memorial of Board of Trade of Lansdale, Pa., favoring the control and operation of the telegraph and telephone systems by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed; to the Committee on the Post Office and Post Roads.

SENATE.

THURSDAY, *January 23, 1919.*

(Legislative day of Monday, January 20, 1919.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Nelson	Smoot
Bankhead	Johnson, Cal.	New	Spencer
Calder	Johnson, S. Dak.	Norris	Sterling
Chamberlain	Jones, N. Mex.	Nugent	Swanson
Colt	Jones, Wash.	Overman	Thomas
Culberson	Kellogg	Penrose	Townsend
Cummins	King	Pittman	Trammell
Curtis	Kirby	Poindexter	Underwood
Fletcher	Knox	Pollock	Wadsworth
Frelinghuysen	La Follette	Sheppard	Walsh
Gay	McCumber	Sherman	Watson
Gerry	McKellar	Simmons	Weeks
Gronna	McNary	Smith, Ariz.	Williams
Hale	Martin, Va.	Smith, Ga.	Wolcott
Henderson	Moses	Smith, Mich.	

Mr. GAY. I desire to announce the unavoidable absence of the senior Senator from Louisiana [Mr. RANSDELL].

Mr. KIRBY. I announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON], who is detained on account of illness. I ask that this announcement may stand for the day.

Mr. McKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. JONES of Washington. I desire to announce the absence of the Senator from Ohio [Mr. HARDING], who is detained in committee.

Mr. KING. I wish to announce that the Senator from Mississippi [Mr. VARDAMAN], the Senator from Missouri [Mr. REED], and the Senator from Kentucky [Mr. MARTIN] are detained on official business.

Mr. SHEPPARD. I desire to announce that the junior Senator from Maryland [Mr. FRANCE] is detained on official business and that the senior Senator from Maryland [Mr. SMITH] and the Senator from California [Mr. PHELAN] are detained by illness.

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present.

LABOR CONDITIONS IN SEATTLE, WASH.

Mr. HITCHCOCK obtained the floor.

Mr. JONES of Washington. May I ask the Senator from Nebraska to yield to me for just a moment? I have to attend a meeting of the Committee on Commerce, and I wish to put in the RECORD a couple of telegrams. They are in reference to a statement made by the Senator from California [Mr. JOHNSON] the other day in the discussion.

Mr. HITCHCOCK. I yield for that purpose.

Mr. JONES of Washington. A day or two ago, in the discussion of the pending bill, the Senator from California made a statement based upon a press report in reference to conditions in Seattle. This press report stated that there were soldiers and sailors who were being fed and cared for by the I. W. W., and that they engaged in a riot and demonstration, and so forth. I sent a telegram to the mayor of Seattle under date of January 22, reading as follows:

JANUARY 22, 1919.

OLE HANSON,
Mayor Seattle, Wash.:

Senator JOHNSON stated on floor of Senate yesterday that press dispatch said that after dispersing demonstration of I. W. W.'s at Seattle "it was found that among the outcast I. W. W.'s were soldiers and sailors of the United States, who were being fed by the I. W. W. and who were without resources of money or food" Is this correct? Kindly advise facts immediately.

W. L. JONES.

I have here a telegram from the mayor of Seattle, stating very definitely that this was not correct, that nothing of this

kind occurred. I also have a statement from Hon. Harold Preston, chairman of the King County Council of Defense, to the same effect. Without taking the time of the Senate, unless the Senator from California would like to hear them read, I will ask that the telegrams be inserted in the RECORD.

Mr. JOHNSON of California. I do not care that they shall be read at length. I wish to say in explanation that I recited with absolute accuracy dispatches from Seattle which were published in our daily press here, and referred only to what was thus published and what was thus presented by reputable news agencies in the dispatches to newspapers here.

Mr. JONES of Washington. There is not any question about that. The Senator from California based his statement entirely upon newspaper reports. If the Senator from Nebraska will permit me, I ask that the Secretary may read the two telegrams.

Mr. HITCHCOCK. I will be very glad to hear them.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

SEATTLE, WASH., *January 22, 1919.*

Senator WESLEY L. JONES,
Washington, D. C.:

Sunday, January 12, meeting advertised on handbills signed Labor Council and Metal Trades Council. Metal Trades Council and Central Labor Council were unaware of meeting and not responsible therefor. Meeting ran peaceably nearly two hours. No disturbance at close of meeting; radicals formed parade behind lumber wagon bearing red flag. Red flag is used here as danger signal on lumber wagon in daytime, same as red lantern is used at night. Against city ordinance to have parade without permit. Officers tried to disperse parade; one of marchers struck captain of police, breaking his nose and blacking both eyes; officers arrested this man, who is an I. W. W., and also arrested 12 others. No soldiers or sailors have been arrested here at any time charged with being against law and order. So far as I know, they are with the authorities for the enforcement of law to a man. All employers, city and county government, have opened places for them on their return; there are no soldier and sailor outcasts being fed by the I. W. W. Different organizations here are taking care of returned soldiers and sailors, but strike now on will make it very hard to find employment for anyone if strike continues for any length of time. Seattle is and has been a peaceable city; there has been no disorder except the fracas of January 12; the strikers are peaceable citizens and are making no trouble. I was elected mayor on the platform of enforcing the law. The people of Seattle will not allow the preaching of the overthrow of the government by force and violence in this city; our statutes make such advocacy felony; not 1 per cent of our people favor any such doctrine. Seattle is a loyal city and will stand by the soldiers and sailors who went to the front. State of Washington and all the cities in the State are beginning great public works to employ labor; we hope Secretary Lane's land plan will carry. Now is the time for the Nation to expend large sums of money on development of land, thus employing labor and providing homes. One hundred million dollars for such a purpose is a joke. Not less than $2,000,000,000 should be considered; there has been as yet no unemployment in this city. Up to the day of the strike labor was in good demand. The city is prosperous and conditions are good. I expect the strike to be settled within a few days, although I have no definite information. Soldiers and sailors should be given a bonus to help care for themselves during readjustment.

OLE HANSON, *Mayor.*

—

SEATTLE, WASH., *January 22, 1919.*

Senator WESLEY L. JONES,
Washington, D. C.

Statement in Senate reported in your wire to Mayor Hanson is untrue. Owing to the deplorable neglect of the Government to make proper financial provisions for discharged soldiers and sailors, many of them have come to Seattle in need. County council of defense organize soldiers' and sailors' placement bureau, working in connection with Government employment office. The combination has so far succeeded in placing in positions all or nearly all discharged soldiers and sailors who have applied. The bureau is assisted at the counter by employees of Young Men's Christian Association, Knights of Columbus, Jewish Relief, War Camp Community Service, and Elks, paid by their respective employers, who assist and advise and also furnish free beds and meals to needy. A Red Cross agent is also present, who furnishes cash to applicants when needed. The service rendered is efficient as a temporary expedient, and we claim it very creditable to the community. We have heard of no better elsewhere. The I. W. W. or Bolsheviki element here is small though noisy. Their chief stock in trade at the present time is to foment dissatisfaction among discharged soldiers and sailors on account of Government neglect to make proper provisions for them. Council of defense unanimously recommend immediate action by Congress granting bonus to all discharged soldiers and sailors and at least sufficient to enable them to live in comfort during the time of nonemployment will take in many cases.

HAROLD PRESTON,
Chairman King County Council of Defense.

Mr. JOHNSON of California. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from California?

Mr. HITCHCOCK. I yield.

Mr. JOHNSON of California. Mr. President, I wish simply to suggest, while it may be that the news account that was carried to us as to a particular instance occurring in Seattle, Wash., may have been inaccurate, nothing could better demonstrate the exact point to which I was alluding than the telegrams which have just been read. Those telegrams show, beyond peradventure of doubt, the great problem of unemployment which is confronting us to-day and which is confronting the city of Seattle, from which these telegrams come. With this great problem of unemployment thus confronting us, I insist that corroborative evidence is added now by these telegrams to the argument which I endeavored to make a few days ago—that our first duty is to the men who come from across the sea, our first obligation is to the boys of America who have made the fight for America, rather than to those who are now living in Europe.

Mr. JONES of Washington. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. HITCHCOCK. I yield.

Mr. JONES of Washington. Mr. President, I think that the Senator's statement is entirely correct. These telegrams do reinforce the point that he made. The real reason that they were presented was to refute the specific statement of the press to which they referred. They do, however, reinforce the argument which the Senator made.

SUPPLIES OF POTASH.

Mr. HENDERSON. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Nevada.

Mr. HENDERSON. A few days ago the Senator from Nebraska [Mr. HITCHCOCK] referred to the situation in this country relative to potash. Since then I have received a letter from the vice chairman of the War Trade Board, which I send to the desk and ask to have read.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

WAR TRADE BOARD,
Washington, January 21, 1919.

Hon. CHARLES B. HENDERSON,
United States Senate, Washington, D. C.

MY DEAR SENATOR HENDERSON: Answering your favor of the 18th instant, we beg to advise that shortly after the Associated Press published the dispatch from Paris announcing that potash would be shipped at once in large quantities from Alsace to this country we cabled the Hon. Vance C. McCormick, who is in Paris, asking for reliable and full information regarding the matter. We have been informed by him that the French Government explains that no potash can be shipped from Alsace for several months, due to the fact that such quantities thereof as can be extracted will be needed for agricultural purposes in France during the coming spring.

The report from Mr. McCormick has been confirmed by the French High Commission in Washington, and so it would seem entirely proper to assume that the United States must depend upon its domestic production for the requirements of the coming crop year. The above information has already been given publicity through the daily press, and in conference yesterday with representatives of the potash industry in this country, with whom the situation was discussed, we learned that a definite program will be adopted which will give the broadest publicity to the fact that the United States must rely upon its own domestic supply for its potash needs for the coming year.

Should you desire further information, please call upon us and we shall promptly respond. Assuring you it is a great pleasure to serve you in this or any other connection, believe us to be, my dear Senator HENDERSON,

Very truly, yours, CLARENCE M. WOOLLEY,
Vice Chairman.

Mr. HENDERSON. Mr. President, my reason for asking that the letter be read is to give the information to those interested in the potash situation. The farmer should know the true condition, and I take this means of making public the contents of the above letter.

FOOD SUPPLIES FOR EUROPE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

Mr. HITCHCOCK. Mr. President, I had not expected to take the time of the Senate in discussing this bill appropriating $100,000,000 to purchase food for people in Europe. Had it not been for the course taken by the discussion, I should not have done so.

Senators are entitled to their opinions as to the wisdom of backing the President and the nations with whom we are associated, not only in the war but in the settlement of the war. They are entitled to their opinions upon the wisdom of backing up the President, who is now in Europe negotiating for peace and making every effort to bring those peace negotiations to an early conclusion. There may be a difference of opinion as to the wisdom or justification for voting these large sums of money for food. To my mind, it is justified; to my mind, when Europe is suffering from the aftermath of the war, when a large area of country is still in turmoil, and is almost without an established government, it is a wise thing for the United States, France, Great Britain, and Italy to do as they have done in the supreme war council—direct the expenditure of $300,000,000 for the purpose of bringing immediate relief to people suffering from starvation and struggling in the work of reinstating governments.

I say it is not only a matter of charity, but it is a matter of good business policy and war expediency to remove from these people, if possible, the evils of starvation and to put them in

a frame of mind where they will listen to reason and will support order and government rather than revert to anarchy and disorder. We can not have any peace if Europe is to remain in a perfect welter of disorder and social disturbance and governmental overthrow. The reestablishment of order is the first thing to be considered, and we who eat our three meals a day know very well that starving people can not view things as can people who are not confronted with that danger.

So I say I am willing to take the judgment of the President of the United States, of Mr. Hoover, and of other representatives we have over there, who have already concluded in the supreme war council an agreement by which all these countries are to help bring this relief. Our share is $100,000,000. Are we to hesitate? Are we to discredit our own representatives over there?

Mr. President, I have not been slow in the past from my place in the Senate here to oppose the President when it has seemed to me he was infringing upon the powers and responsibilities of the legislative body. Everyone knows that. You know I have brought myself into discredit at the White House because I have done so, and I do not hesitate even now to exercise my right as a United States Senator to criticize a department when good can come from it. But what possible good, what possible relief, can come from such criticisms and attacks as we have listened to in the Senate during the last few days?

Mr. KNOX. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Pennsylvania?

Mr. HITCHCOCK. I yield to the Senator.

Mr. KNOX. I am only after information in order that I may form a proper judgment on this measure. I am entirely open-minded about it. The Senator from Nebraska refers to the request for this hundred million dollars as being because of the action of the war council. Will he indicate where the information upon that subject may be found?

Mr. HITCHCOCK. The Senator from Virginia [Mr. MARTIN], who is in charge of the bill and who is suffering from a bad throat, has turned over to me certain matters, some of which, I think, has already been read; but the information contained in cablegrams to the Secretary of State from our mission in Paris is to the effect—I will not read it unless the Senator desires me to do so——

Mr. KNOX. I only want the Senator from Nebraska to indicate, so far as I am concerned, where I could obtain the information.

Mr. HITCHCOCK. The cablegram states that the supreme council of supply reported to the supreme war council a proposition for the expenditure of $300,000,000 in food supplies for the starving people of Europe.

Mr. KNOX. Mr. President, will the Senator be good enough to indicate where that cablegram may be found?

Mr. HITCHCOCK. I will read a part of it to the Senator. I do not know that it has been printed. It is dated "Paris, January 14," and addressed to the Secretary of State at Washington:

The following resolutions adopted Sunday, January 12, at meeting of supreme council of supply and relief were presented yesterday at the meeting of the presiding war council and were formally adopted by the representatives of the allied Governments and the United States.

1. That it is imperative in the interest of humanity and for the maintenance of orderly government that relief should be given to certain European countries. It is provisionally estimated that for the furnishing of this relief till next harvest a minimum sum of $300,000,000 may be necessary apart from the requirements of Germany, which will be separately examined.

2. The council is of opinion that this sum of $300,000,000 should be placed at its disposal by the four associated governments.

3. That the financial representatives of the four governments should consider and make recommendations to meet this expenditure.

4. If these recommendations be accepted by the council, they should then be referred to the respective governments for their approval.

Mr. KNOX. Mr. President, what strikes me, if the Senator will indulge me for just a second, is that I have before me the hearings and what purport to be the cablegrams that have been received from abroad in relation to the subject, and I do not find that cablegram.

Mr. HITCHCOCK. It is one of the cablegrams that have been received, nevertheless.

Mr. KNOX. That is what I wanted to know.

Mr. HITCHCOCK. That is the fault I find with the hearings—they have not been sympathetic; they have been antagonistic. There seems to have been more desire to develop causes for criticism and scandal than to develop the reasons for this bill.

Mr. CUMMINS. Mr. President, before the Senator gets fairly started in his speech, I wish to call his attention to the fact, which seems to have been generally overlooked, that this is not alone a proposal to feed people in Europe; it is to furnish them foodstuffs and other urgent supplies. I assume that the Senator has that in mind, and that this money, when appropriated, can be expended for anything which in the judgment of the commissioners those people need.

Mr. HITCHCOCK. I hope it can. I am willing to trust the judgment of the American commissioners; and we have got to trust their judgment if we are going to do anything.

Mr. WILLIAMS. Part of it may be used especially for agricultural implements.

Mr. HITCHCOCK. It may be used for agricultural implements; I do not know. Mr. President, we are represented in Europe, and our representatives are in concert with the other great powers that have been engaged in this war. They have agreed upon a program, and the question is whether we are going to repudiate our own representatives and set up our own judgment when we know nothing about the matter.

So I say, Mr. President, that I am ready, much as I dislike to do so, to vote the $100,000,000 out of the Treasury. I disliked to declare war; I disliked very much to vote thousands of millions of dollars for war supplies; I disliked very much to be compelled to draft American boys and send them into the war; I disliked to do all those things; but they were necessary for the good of the country, and this is necessary if we are to bring about an early conclusion of peace.

Senators on the other side criticize the President because he does not make haste. How much time has been wasted here in irrelevant attacks on this bill? The administration has been attacked for everything under the sun under the guise of opposition to this bill.

But what I particularly desire to say to-day, Mr. President, relates to what was developed yesterday in the nature of an attack on Mr. Hoover and the Food Administration. I am not going to dodge the issue in any respect. The plain inference, if not the practical charge, made here is that Mr. Hoover's errand in Europe is not what it purports to be, to support the President in aiding him to bring about peace as soon as possible, of which the distribution of this relief is a part, but that his real errand in Europe and his purpose in recommending this bill is to use the Treasury of the United States for the purpose of adding to the profits of the packers. That is the charge.

Mr. TOWNSEND. Mr. President, may I interrupt the Senator for just a moment?

Mr. HITCHCOCK. Yes.

Mr. TOWNSEND. Has the Senator any further information that the Senate does not possess relative to the reasons for asking for this appropriation? The Senator has presented something here that I have not heard about before. He referred a moment ago to certain papers that have been handed to him by the chairman of the committee. I am wondering if there is any other authentic information which the Senate ought to have on this subject?

Mr. HITCHCOCK. I think that that is a fair question. I do not know whether or not the cablegram I hold in my hand from the American mission has been read, but it states in some detail, as much as a cablegram can, the conditions in various countries near to and adjoining Germany, the dire need for food; and perhaps if it has not been read I should read it. This cablegram is from the American mission in Paris; it bears no date, but it was received within a day or two, and gives these details:

On area covered by new appropriation general situation of these countries is that their animals are largely reduced, their crops were far below normal, due to man and animal shortage, ravage, and climatic conditions. The surplus harvest above absolute needs is now rapidly approaching exhaustion, and consequently the towns and cities are in dangerous situation. Our reports shows specifically, Finland, that food is practically exhausted in cities; that while many of the peasants have some bread, other sections are mixing large amount of straw. They are exhausted of fats, meats, sugar, and need help to prevent a renewed rise of Bolshevism.

Baltic States' food may last one or two months on much reduced scale. They sent deputation our minister, Stockholm, imploring food.

Serbia town bread ration down 3 ounces daily in north. Not accessible from Salonika. In south, where accessible, British are furnishing food to civil population. We are trying to get food in from Adriatic.

Jugo-Slavia bread ration in many towns 3 or 4 ounces in all classes. Short of fats, milk, and meat.

Vienna, except for supplies furnished by Italians and Swiss, their present bread ration of 6 ounces per diem would disappear. Large illness from shortage fats, ration being 1½ ounces per week. No coffee, sugar, eggs, practically no meat.

Tyrol is being fed by Swiss charity.

Poland peasants probably have enough to get through. Mortality in cities, particularly among children, appalling for lack of fats and milk, meat, bread. Situation in bread will be worse in two months.

Roumania, bread supply entire people estimated to last another 30 days. Short of fats and milk. Last harvest 60 per cent a failure.

Bulgaria, harvest also a failure. Supplies available probably two or three months.

Armenia already starving.

Czecho-Slovaks, large suffering lack of fats and milk. Have bread for two, three months. Have sugar six months.

We have each country under investigation as to total amounts required to barely sustain life, and their resources to pay. Preliminary investi-

gation by Taylor and staff in connection with allied staffs show total above areas will require about 1,400,000 tons imported food to get through until next harvest, costing, say, $350,000,000 delivered.

Mr. TOWNSEND. By whom is that signed?

Mr. HITCHCOCK. That is signed by the American mission.

Now, what does this show? It shows that our representatives, in connection with those of Great Britain, France, and Italy, have investigated the question and have reached a conclusion. It shows that the other nations have already entered upon that work which we are asked to join in entering upon; and shall we be laggards? Shall we sit here and, because we have criticisms to make of the administration, or political profit to get out of an antagonism, hold up this bill?

Mr. President, I want to refer now to what was brought up yesterday. It is charged that a small packer, Mr. Taliaferro, appeared before the Committee on Agriculture and Forestry and testified that he believed Mr. Hoover was going to keep his word with the packers; and that is the charge against Mr. Hoover—that Hoover is going to keep the word he gave to the packers with regard to the price of their products.

Now, I have not any use for the packers' combine. I am glad to support any measure which will result in bringing them under Government control, and I know Mr. Hoover is. I am glad to vote for tax bills which will take out of them their unconscionable profits, if they have made any; but if the word of the United States, or of a recognized official of the United States, has been given to the packers and they have acted upon it, it is our business also to see that it is made good.

What did Congress do, Mr. President? Congress passed an act guaranteeing to the farmers of the United States a certain price on their wheat, not only for last year but for this year also; and wheat not yet planted is guaranteed a price of $2.26 per bushel by the act of the Congress of the United States. Why?

Mr. KELLOGG. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Minnesota.

Mr. KELLOGG. The Senator is not exactly accurate in that statement. The act of Congress guaranteed the price for 1918 only at $2 a bushel minimum, but it did authorize the President, if in his judgment production would be encouraged, and it was necessary, to publish a proclamation guaranteeing the price of wheat in any year, and the President did do it for 1919.

Mr. HITCHCOCK. Yes; it was done under authority of Congress; and why was it done? Not because we wanted to enrich the farmers, because they needed nothing of the sort. It was done for the purpose of winning the war. That guaranty of the price of wheat was put in there as a stimulus to the production of wheat, and the production of wheat was necessary to win the war. That is why we did it.

Now, what did Mr. Hoover do? Hoover, under the powers that were intrusted to him by Congress and the President, was under an obligation. He was under an obligation to use those powers also for the purpose of stimulating all the energies necessary to win the war, and he did it.

Mr. BORAH. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. BORAH. Does the Senator think that when Mr. Hoover, or the men who were in his employ, utilized the powers which were conferred upon them to put independents out of business that was helping to win the war?

Mr. HITCHCOCK. No; and I deny that he did it.

Mr. BORAH. I say that he did.

Mr. HITCHCOCK. I know something of the struggle Mr. Hoover has had with the packing combine in the United States, and I want to say, Mr. President, that if there had not been a Hoover and a Food Administration the packers would have made a great deal more money than they did make.

Mr. BORAH. I say that the evidence is sufficient to show that they did do it.

Mr. HITCHCOCK. I deny it.

Mr. BORAH. I say they did.

Mr. HITCHCOCK. I deny it absolutely, and I say that Mr. Hoover is coming out of this thing vindicated. You have taken him at a time when he is in Europe carrying on his work. He has been vindicated and has won every fight that he has had while he was in the United States. He is a man who comes out of this war, I believe, with a better reputation than any other public official. He comes out clean. He comes out having rendered a great service to the American people. He comes out at the head of a great army of volunteer citizens—men, women, and children—who at his request have saved and skimped and helped him to conserve the food that was necessary to win the war; and I want to say to you that, in my opinion, Mr. Hoover stands in the hearts of the American people equal to any man in the United States. I am very sure that there is no Member of the Senate who, if he ran for President against Mr. Hoover, would be able to poll as many votes as he would poll.

Mr. President, I am aware of the very strong antagonism that certain Senators and others have developed for Mr. Hoover, but the fact remains that from the very day that the war broke out in Europe Hoover has been engaged in self-sacrificing service. He was in London when war broke out, and when the great horde of American travelers, many of them penniless and without credit, came flocking to the American Embassy, Hoover was one of the American citizens who had credit, who went and took the cash out of his bank and himself loaned over $200,000 to the people who came to the American Embassy. He loaned it to hundreds of people, rich and poor, school-teachers and others on vacation trips. Anybody who came there in distress received his money; and then, having shown himself to be not only a public-spirited and patriotic American citizen, but a great organizer, he was put at the head of the great relief work in Belgium and acquitted himself to the plaudits of all the world; and he has followed that up by making a great record in the United States by self-sacrificing service in this war.

Mr. BORAH. Mr. President, I have not attacked Mr. Hoover.

Mr. HITCHCOCK. It sounds to me very much like it.

Mr. BORAH. I said in the beginning that I was not attacking Mr. Hoover's individual integrity. I do not care to go into it. It is not a matter of concern to me. I simply said that the system which he organized was one which I could not approve; and, having organized it upon that basis, I would not vote to turn over a hundred million dollars to him. I said so for reasons given, certain facts stated, and I challenge the Senator to dispute those facts.

Now, I have no objection to the Senator's eulogy upon Mr. Hoover. I do not find fault with it at all. I ask him what he has to say as to the facts which I presented.

Mr. HITCHCOCK. I want to talk about some of the facts that the Senator presented yesterday. That is just what I am coming to.

The changes were rung upon the fact that Mr. Taliaferro, before a committee, testified that he believed Hoover was going to keep his word to the American packers. Now, what was his word? I say that what Congress did with regard to wheat is analogous to what he did with regard to hogs and pork, equally necessary in the war. What he did was almost exactly the same, barring the greater difficulties of the situation.

Mr. HARDWICK. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. HARDWICK. Is there not this difference: When the President fixed the price of wheat for 1920 he did so under express authority of law. Did Mr. Hoover have any warrant of law to fix the price of pork at that time?

Mr. HITCHCOCK. Yes.

Mr. HARDWICK. I wish the Senator would cite it. I am very much interested in that.

Mr. HITCHCOCK. I am coming to that.

Now, Congress had provided for wheat; but early in the war it was discovered that, while we had a normal crop of wheat, the condition of the hog supply in the United States was very alarming. We went into the year 1917, at the time we declared war, with 7,000,000 less hogs in the United States than we had the previous year—a very material shortage of hogs. What could Hoover do to stimulate the production of hogs? Hoover was the man to whom the administration of the United States and the administrations of the associated nations—Great Britain, France, and Italy—intrusted the power to buy their food products; and he has used that power, as well as the authority given him by Congress, to control the packers to a large extent in the supply of food.

Mr. HARDWICK. Mr. President——

Mr. HITCHCOCK. I should like not to be interrupted for a few minutes.

Mr. HARDWICK. If the Senator will kindly cite his authority for the power, I shall be obliged to him.

Mr. HITCHCOCK. I do not want to consider quibbles or technicalities. I am talking of broad facts.

Mr. HARDWICK. That is not a quibble.

Mr. HITCHCOCK. The Senator can make his own speech as to the authority.

Mr. HARDWICK. I thank the Senator for his courtesy.

Mr. HITCHCOCK. What he has done he has done, and it has been done well, and he has saved the country by furnishing food.

Now, I want to get back to February, 1918; and I want to read the letter addressed by President Wilson to Mr. Hoover on that date:

MY DEAR MR. HOOVER: May I not call your attention to this important point:

There is pressing need of the full cooperation of the packing trade, of every officer and employee, in the work of hurrying provisions abroad. Let the packers understand that they are engaged in a war

service, in which they must take orders and act together under the direction of the Food Administration, if the Food Administration requires.

Cordially and sincerely, yours,

WOODROW WILSON.

That came from the President. It called Mr. Hoover's attention to the fact that it was his duty to take supervision over the great food supply of the United States and stimulate it.

As I have said, here was this shortage of 7,000,000 hogs as compared with 1916. What could Hoover do to stimulate that production? There was a German propaganda in this country—at least, there was propaganda which was called German, and I suspect it may have been—which went all over the country, that Mr. Hoover was going to try to hold down the price of hogs to $10; and it was necessary for Mr. Hoover to send out circulars, copies of which I have here, denying that fact, and averring that it was not the policy of his administration to restrict the prices of those products which the world needed below the point where they could be produced.

Mr. Hoover first made his Food Administration organization. He gathered here men from all over the country, skilled in various lines, acquainted with various lines of production. He appointed a food administrator in every State; and I will say that in my State he appointed the man best qualified to discharge its duties, and who sacrificed at it, and did an able service in organizing the people of Nebraska in support of Mr. Hoover; and I presume he did it in other States. He gathered a body here in Washington, numbering at the maximum, something like 1,400 people. He brought in men, advisers from all over the country. He took in also as his advisers the best men in the Department of Agriculture. He took in an officer from the Quartermaster's Department.

He brought in here committees from time to time and producers from every State in the Union—I mean hog producers and cattle producers and agricultural producers generally. He held these meetings repeatedly with these various interests. He brought packers and producers together under the supervision of the Department of Agriculture representatives and his own. The result of those conferences was the development of a plan for the stimulation of the raising of hogs to meet the immediate demand.

There were various plans considered. First, they had to take into account the price of hogs, the price of corn, when the price of wheat was raised, established by the guaranty of Congress; and the effort was made to use various substitutes. We all remember how the price of corn advanced. The hog producers first averred that they would be satisfied with the ratio of 13 to 1; that is, 13 bushels of corn to 100 pounds of hog. It was considered that that would be a fair ratio. But then other changes came in which made that difficult to maintain.

At the first meeting which took a definite conclusion there were something like 50 or 60 persons present. It has been said that it was behind closed doors, but it was a meeting of packers and hog raisers and representatives of the Agricultural Department and provision men and Mr. Hoover's own representative. The result of that first conference in October, 1917, when they had this shortage of 7,000,000 hogs, was to establish a certain price which ought to be paid at the stockyards by these packers for the hogs that they bought; that is to say, it was said that the minimum price—I think it was 15½ cents per pound, live weight—should be paid for hogs in order to induce the farmers of the country to increase the supply.

Now, as the purchaser of the products from the packers, Mr. Hoover was in a position to say to them, "You shall pay 15½ cents per pound for those hogs, live weight." When that word went out to the country the result was a stimulation of the production of hogs, and from month to month the packers paid those prices, and from month to month Mr. Hoover, as the representative of three or four of the greatest nations in the world, paid the packers for their products.

Mr. CUMMINS. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. CUMMINS. The Senator from Nebraska has very correctly stated what occurred in the fall of 1917. Of course similar arrangements were made throughout subsequent months. But what I should like to ask the Senator from Nebraska is this: If hogs are worth $15.50 a hundred, how much is the packing-house product worth? In other words, did the packers sell the products and derive a greater profit from the sale of the products than they ought to have done?

Mr. HITCHCOCK. I will come to that.

Mr. CUMMINS. I hope the Senator will.

Mr. HITCHCOCK. Congress did not intrust Mr. Hoover with power to control the prices of packing-house products. He could not do it. All that he could do was through his power as a purchasing agent to say what he would pay for certain products, namely, these food products. He did have some power which he exercised to limit the profits that the packers could earn upon food products, and he did it. He could not limit the profits they made on their by-products. Therefore he could not control their total profits in any way at all. All he could do was to say how much they could make on their food products, and he did it.

Mr. CUMMINS. Did Mr. Hoover have authority, or did he not, to license the packers and prescribe the terms upon which they could do business?

Mr. HITCHCOCK. He did as far as food products were concerned, and he did it. He limited their profits to 9 per cent on food products, but he could not tell what they should make on glue.

Mr. BORAH. Does the Senator contend that Mr. Hoover did not have the power to extend the license to their entire business?

Mr. HITCHCOCK. Yes. He did not have any jurisdiction over it.

Mr. BORAH. Where is the power which confined his operation or his jurisdiction to food products? He could take in their entire business under the license system just the same as he could take any part of it.

Mr. HITCHCOCK. Mr. President, I will leave the Senator to struggle with his technicalities. The fact was that Congress intrusted Mr. Hoover with the power. There was a great deal of question how far the power went, and many of the Senators on the other side who have been attacking him objected to the very power that Congress vested in him, and limited it.

There was a limitation on the power, but he exercised it in good faith. He told the packers practically that they must pay, to begin with, 15½ cents a pound, because he had to have the pigs. He told them they could not earn more than 9 per cent on their capital in the production of their food products. That is as far as he could go, and he did it.

Mr. Hoover is about through with the packers, and when the American Congress undertake to handle the great packing interests of the country they will probably find, as Mr. Hoover found, that it is a very difficult task, and will need as much sympathy as we should give Mr. Hoover. He had a great many sleepless nights and a great many hard struggles in dealing with that mighty combine.

Mr. CUMMINS. As far as I am concerned, I do not want my question to be construed into any sympathy with the effort to fix prices anywhere upon anything.

Mr. HITCHCOCK. I know that very well, from the Senator's position.

Mr. STERLING. Will the Senator yield for a question?

Mr. HITCHCOCK. I yield.

Mr. STERLING. I should like to ask the Senator from Nebraska if Mr. Hoover's only power was not derived from the food-control act of 1917?

Mr. HITCHCOCK. That is his only legislative power, but I have already pointed out what power he had as purchasing agent of the various Governments.

Mr. STERLING. Food, feed, and fuel are named as the necessaries in the food-control act over which the power to license is given.

Mr. HITCHCOCK. His legislative powers were limited to those, and the packers had a very large business entirely outside of his jurisdiction, and made a great many profits outside of his jurisdiction.

But, Mr. President, I say Mr. Hoover did his duty when he called these representative people here and made his program, an intelligent program, an effective program, because the result of that program has been to increase the supply of the hogs of the country to such an extent that the receipts have almost swamped the packing houses within the last few months.

Mr. President the packing houses are under obligation to continue to pay the prices which have now been raised to 17½ cents per pound live weight, and because the packing houses are under obligation to continue paying 17½ cents per pound for hogs until March, was not Mr. Taliaferro justified in saying that he believed Mr. Hoover was going to keep his word with the packing houses as long as they kept their word with the country? They are buying hogs at the rate of thirty or forty thousand a day and paying these prices, and I do not know but it is more than that. I noticed that the purchases in Chicago alone the other day were about 30,000. They are paying these prices.

Do you want the country to announce to the packing houses that they need not fulfill their obligations until the end of this hog season? Do you want the price of those hogs broken? I say Mr. Hoover has done the right thing, and he is doing it in Europe now, because he is not only keeping his word to the packers but he is requiring Great Britain to keep her word.

I have in my hand a telegram received by the United Press this morning, dated Paris, and I shall read it for what light it may throw on the subject:

PARIS, *January 23.*

Herbert Hoover to-day flatly denied the charges made in the United States Senate, during debate on the $100,000,000 food bill, that he had worked in the interest of American packing industry. Hoover ridiculed the idea that he had benefited the big packers.

He declared he worked to give American farmers a square deal and protect small packers.

The attack on Hoover in the Senate was made by enemies of the bill providing $100,000,000 to feed Europeans other than inhabitants of the central powers. Hoover was assailed as the man who would have charge of spending this money.

"I apparently emerge in a new light as the friend of the Chicago packers," said Hoover. "At the same time the mail brings a report from Swift & Co., blaming the Food Administration for reducing their profits by $10,000,000 during the last year. I don't imagine the packers would appreciate a wide circle of such friends.

"I notice also I committed a crime by holding the October joint conference of farmers and representatives of 40 packers, as well as bringing the packers together with representatives of the allied Governments for the purpose of settling on a price for exports of pork that would give the American farmers a square deal, and a distribution of orders that would protect small packers.

"We have even tried to secure the continuance of these war arrangements through the armistice period"—

That is the arrangement with Great Britain and France and Italy for the purchase of these products, and why not? The hogs were raised. The farmers kept their word. Shall the packers not keep their word with the farmers? Shall the nations not keep their word with the packers simply because they have concluded a war sooner than they expected?

Mr. Hoover continues:

"We have even tried to secure the continuance of these war arrangements through the armistice period and the opening of other markets, because the American farmer did his duty and produced the goods.

"If the small farmer and American packer now feel that these arrangements are wrong, it would be the greatest burden off our shoulders if we could know it quickly. The British Government is particularly anxious to be relieved from these arrangements."

Mr. KING. May I interrupt the Senator?

Mr. HITCHCOCK. Certainly.

Mr. KING. How long did Mr. Hoover agree that the farmers should receive from the packers 17½ cents per pound, live weight, for hogs? In other words, did he require the packers to contract to purchase up to a given period?

Mr. HITCHCOCK. Yes; until March.

Mr. KING. Next March?

Mr. HITCHCOCK. Next March.

Mr. KING. The farmers, then, have gone on the theory that they would find a market, and the packers would be compelled to buy all their hogs for that price, until March of this year?

Mr. HITCHCOCK. They have; and the price was such that it stimulated the production to such an extent that, as I said, it has almost swamped the packers to take the hogs that came to market.

Mr. WADSWORTH. What was the price fixed?

Mr. HITCHCOCK. It was originally fixed at 15½ cents, then raised to 16 cents, because of the advance in the price of corn; for the last month or two it has been 17½ cents; and on the 28th of this month there will gather in Washington another conference for the purpose of fixing it for the next month.

Mr. President, that is about all I have to say. I have taken the bull squarely by the horns and the hog squarely by the ears. I say Hoover is right. If he told the packers they were under obligation to buy these hogs at this price until March, he is under obligations as the representative of the United States, Great Britain, France, and Italy to see that they get a fair price for their product. It is just as important for us to keep our word to the packers as it would be to keep our word to the farmers or anybody else; and I say that this attack, therefore, on this bill, this attack on a man who is off in Europe, is a stab in the back which is utterly unworthy. There is not an official of the United States who has rendered greater services than Mr. Hoover has done; and, to my mind, it is an outrageous thing during his absence to make these attacks which do reflect upon his honor and his character, notwithstanding the disclaimer Senators make.

Mr. WILLIAMS. Mr. President, one really good thing deserves to be followed by another. One of the best speeches I ever heard made in the United States Senate I have just listened to by the Senator from Nebraska [Mr. HITCHCOCK]. One of the best things I ever saw in public print appeared this morning in the Washington Post from the pen of ex-President Taft. It is entitled, "Taft says success of treaty of peace depends on league." I have risen for the purpose of asking permission to insert in the RECORD this letter of Mr. Taft's, published this morning in the Post. I shall not take up the time of the Senate with having it read. I ask unanimous consent to insert it.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

TAFT SAYS SUCCESS OF TREATY OF PEACE DEPENDS ON LEAGUE—ONLY THROUGH UNION OF GREAT NATIONS CAN WORLD BE SURE OF ENJOYING FRUITS OF ALLIED VICTORY—INTERNATIONAL POLICE TO BECOME IN TIME A MERE POTENTIAL FORCE.

[By William Howard Taft.]

The expressions at the peace conference of President Poincare and Premier Clemenceau in reference to the league of nations, and the published rules of the congress, are reassuring to those who look to the growth of an effective and real league out of the situation. The French leaders see clearly, and say with emphasis, that we have a league of nations now and that it must be maintained in order to achieve the purpose of the war. The circumstances of the struggle forced the allies into an interallied council and then into a common command of the armies under Foch; but for that the war might not have been won. Now the situation after peace will be so complicated and critical that similar unity of action between the five great nations who fought the war will be necessary to enable them and the world to enjoy the fruits of victory and the hardly won prize.

GUARDIANS OF WORLD'S WELFARE.

The rules of the congress recognize that the five great nations—Great Britain, France, Italy, Japan, and the United States—are the ones which have an interest in all questions coming before the congress as guardian of the welfare of the world, made so by the logic of their winning the war. They are thus established as the initiating nucleus of a world union, as the charter members of a league of nations.

It is to be noted that the league of nations is the first subject to be considered by the congress. This seems to be at variance with the views of James M. Beck and Senators LODGE and KNOX. Mr. Beck argues that as our fathers waited five years after winning independence before making a Constitution the nations ought to be equally deliberate in discussing and framing a constitution for the world. Most people will agree after reading the description by Hamilton and Madison of conditions existing in the interval between our independence and the convention of 1787 that it would have been much better if the convention could have been called earlier. Of course, it may be said that the state of affairs during the interval was necessary to bring the people to see the necessity for a stronger government. But surely Mr. Beck would not wish a recurrence of the quarrels of nations and another war to convince the peoples of the world of the necessity and advantage of world unity to suppress war and maintain peace. It is now just after this horrible war, when its agonies, its sufferings, its losses, its inhuman character, all are fresh in the minds of men that they will be willing to go farther in making the needed and proper concessions involved in a useful, real league of nations. Delay will dull their eagerness to adopt the machinery essential to organized protection against war.

NO SECURITY WITHOUT LEAGUE.

But another fact which Mr. Beck and Mr. KNOX seem to ignore is that a treaty of peace can not be made at Paris by which the peace of Europe can be secured and maintained without a league of nations. These gentlemen may well be challenged to tell us what arrangements they would suggest to the five nations engaged in framing this treaty for peace and making it work, unless it be by a continuing league of those five nations to maintain it.

How can the objects and purposes of the 14 points, especially those directed to rearranging the map of eastern and central Europe and Asia Minor, be achieved and carried to peaceful realization except through a league of nations embracing the five great powers? No one opposed to the league of nations idea has essayed to answer this very practical question. The Paris conference is confronted with it and must answer it. It has answered it suggestively by making the league of nations the first subject of discussion.

Premier Clemenceau said: "The league of nations is here, it is for you to make it live."

Senator LODGE, in his speech, fully recognized the existence of the league of great nations in the war and the necessity for its continuance. Indeed, it is probable that if Senator KNOX and Mr. Beck were cross-examined, their admissions would show them to be not very far removed from the view that something substantially equivalent to a league of great nations must be definitely formed by this Congress with agreed-upon means of enforcing the stipulated peace.

NEGATION NOT VERY HELPFUL.

The Associated Press informs us that a league of nations is in the forming, but that the supersovereignty of an international police force is to be rejected as part of it. This negation is not very helpful. Except in Tennyson's poetic vision and in the plans of impracticables, no such suggestion as supersovereignty has been advanced. The proposed structure of the league, common to the plans proposed officially by the French and English commissions on the subject and by our own official league to enforce peace, embraces a court, a council of conciliation, an administrative branch to carry on international trusts like the government of Constantinople, and an executive council. It further includes an agreement on the part of the great nations to combine forces when an exigency arises either to compel warring nations to submit differences to the court or conciliating council, or to go further and to enforce the judgment and deal with the recommendations of the council of conciliation as may be deemed wise by the executive council of the league.

INTERNATIONAL POLICE FORCE.

Most opponents of the league idea have assumed that the so-called international police is to be a permanent body under an international commander and subject to orders without invoking consent of the nations contributing to the force. This is a great misconception. A potential international police force will be created by an agreement of the great nations to furnish forces when necessary to accomplish a legitimate purpose of the league. In most instances, no actual force will need to be raised. The existence of an agreement and confidence that the nations will comply with it is all that will be needed. Nations who have judgments against them in a court of the nations will generally perform them. It will only be where defiances of such judgments will lead to a dangerous war that the league force need be raised.

Of course, during the interval after the conclusion of peace the possibility of differences and the danger of Bolshevism may require a retention of some of the war army strength of the allies to see the treaty through to its effective execution. But after normal times come again, the strength of the league to secure compliance with the treaty obliga-

tions and justice will not be in its serried columns, but in its potential power under the joint agreement.

DIVISION OF WORLD INTO ZONES.

In the convenient division of the world into zones in which the respective great powers shall undertake the responsibility of seeing to it that members of the league conform to the rules laid down by the treaty, it will be unnecessary for any nation to send forces to a distant quarter. The United States can properly take care of the Western Hemisphere and need not maintain in normal times a military establishment more extensive than she ought to maintain for domestic use and the proper maintenance of the Monroe doctrine without such a league. This may be well supplied not by a professional army but by a system of universal training of democratic principles, like that of Switzerland or New Zealand. If this be conscription, its opponents may make the most of it. It will help our boys in discipline of character and in a most useful educational way. It will provide for the prompt display of democratic power to achieve justice. The picture painted by Senator BORAH of the Army of the United States needed for the purposes of the league is the result of a lively imagination, but does not find support in the real need of the league.

After the league of the great powers has been established for the purpose of executing the plans of the new treaty, it will be time enough *to take in all* other responsible powers. The lesser league will grow naturally into a larger league. Experience will test the practical character of the lesser league and in this wise and in due course the world league will come into being. But meanwhile as a necessary condition precedent to the success of the treaty of peace it must provide for a league of the great nations.

AMERICAN EXPEDITIONARY FORCES.

Mr. WADSWORTH. Mr. President, on the day before yesterday I made an announcement that on Thursday—to-day—I would seek an opportunity to address the Senate on the American Expeditionary Forces. It is quite possible that such an address would assume some length. The bill before the Senate and now under consideration is of such vast importance, however, and the determination of the issue at an early hour is so desirable that I do not intend to-day to interrupt the proceedings. In the event that the bill under consideration is passed to-day, I shall seek an opportunity to address the Senate to-morrow. If the bill is not passed to-day, I shall seek an opportunity to address the Senate on Tuesday next.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 10663) to convey a strip of land on the site of the Federal building at Princeton, Ind., and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented a petition of Local Union No. 106, International Brotherhood of Blacksmiths and Helpers, of Bay City, Mich., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry Italian citizens of Calumet, Mich., praying that the allies' representatives at the peace conference settle the boundary dispute between Italy and Austria-Hungary, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Education of Albion, Mich., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. HALE presented a petition of the Board of Trade of Presque Isle, Me., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. SHAFROTH presented petitions of the Trades and Labor Assembly, of the Labor Bulletin, of the Building Trades Council, and of Local Union No. 229, Federation of Postal Employees, all of Denver, in the State of Colorado, praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. SMITH of Arizona presented telegrams in the nature of petitions from the Federal Employees' Union of Tucson, Ariz., Cincinnati, Ohio, Albuquerque, N. Mex., Boston, Mass., Charleston, S. C., Montgomery, Ala., Bangor, Me., New Orleans, La., Omaha, Nebr., New Haven, Conn., Atlanta, Ga., Providence, R. I., Dover, N. J., Louisville, Ky., Helena, Mont., Occoquan, Va., Norfolk, Va., Sioux City, Iowa, Des Moines, Iowa, St. Louis, Mo., Kansas City, Mo., Philadelphia, Pa., Pittsburgh, Pa., Wichita, Kans., Fort Leavenworth, Kans., Chicago, Ill., Rock Island, Ill., Detroit, Mich., Port Huron, Mich., Niagara Falls, N. Y., Rochester, N. Y., Brooklyn, N. Y., Milwaukee, Wis., Hayward, Wis., El Paso, Tex., Brownsville, Tex., San Diego, Cal., San Francisco, Cal., Vallejo, Cal., Spokane, Wash., Seattle, Wash., Duluth, Minn., St. Paul, Minn.; of A. C. Weiss, publisher of the Chicago Herald; of sundry Treasury custodian employees of Newark, N. J.; of sundry employees in the Immigration Service, of Chicago; of sundry employees of the customhouse and naval office of Chicago; of sundry employees of the United States Employment Service of Chicago; of the Custom Inspectors' Association of Chicago; of sundry employees of the United States appraisers' stores, of Chicago; of sundry employees of the United States Forest Service, of Missoula, Mont.; of the State Federation of Labor of Kentucky; and of the Trades Assembly of Duluth, Minn., praying for the proposed dollar-a-day increase in salaries of Federal employees, which were referred to the Committee on Appropriations.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 12210) to amend the act of May 14, 1898, as amended by the act of March 3, 1903, entitled "An act to extend the homestead laws and to regulate the sale and entry of public lands along the shores of navigable waters in Alaska," reported it without amendment and submitted a report (No. 657) thereon.

Mr. SHAFROTH, from the Committee on Public Lands, to which was referred the bill (H. R. 5989) to grant certain lands to the town of Olathe, Colo., for the protection of its water supply, reported it without amendment and submitted a report (No. 656) thereon.

Mr. THOMAS, from the Committee on Finance, to which was recommitted the bill (S. 2496) for the refund of duties paid on materials destroyed by fire, reported it with amendments and submitted a report (No. 658) thereon.

AMERICAN SOLDIERS' CEMETERY IN FRANCE.

Mr. SPENCER. I ask that the Committee on Foreign Relations be discharged from the further consideration of the bill (S. 5313) authorizing the Secretary of War to acquire and maintain a cemetery in France in the name of the United States for the reception and interment of the bodies of American officers and men who lost their lives in connection with the European war, and to appropriate $500,000 therefor, and for other purposes, and that it be referred to the Committee on Military Affairs. The chairmen of both committees are agreeable to this action.

The VICE PRESIDENT. Without objection, that order will be made.

PROHIBITION IN THE CANAL ZONE.

Mr. THOMPSON. On December 15, 1918, the Senator from Oregon [Mr. CHAMBERLAIN] introduced a bill (S. 5224) to prohibit intoxicating liquors and prostitution within the Canal Zone, and for other purposes, and it was erroneously referred to the Committee on the Philippines. I move that the Committee on the Philippines be discharged from the further consideration of the bill and that it be referred to the Committee on Interoceanic Canals.

The motion was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCUMBER:

A bill (S. 5412) authorizing the Secretary of War to donate to the municipalities of Bismarck, Devils Lake, Harvey, Carrington, Jamestown, Dickinson, Forman, Minot, Park River, Bowman, Hettinger, Mott, and Bottineau, in the State of North Dakota, captured German cannon, cannon balls or shells, and gun carriages, condemned United States cannon, cannon balls or shells, and gun carriages; to the Committee on Military Affairs.

A bill (S. 5413) to increase and equalize the salaries of veterinarians in the Department of Agriculture; to the Committee on Agriculture and Forestry.

By Mr. MYERS:

A bill (S. 5414) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. KING:

A bill (S. 5415) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. HENDERSON:

A bill (S. 5416) to establish engineering experiment stations for the purpose of further developing that college in each State and Territory now receiving, or which may hereafter receive, the benefits of the act of Congress approved

July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and for the purpose of developing the natural resources of the United States as a measure of industrial, military, and naval preparedness; to the Committee on Education and Labor.

By Mr. TOWNSEND:

A bill (S. 5417) granting a pension to Nathan L. Brass (with accompanying papers); and

A bill (S. 5418) granting a pension to Horton G. Mosher (with accompanying paper); to the Committee on Pensions.

By Mr. JOHNSON of South Dakota:

A bill (S. 5419) conferring upon tribes of Indians the right to recall their agents or superintendents; to the Committee on Indian Affairs.

AMENDMENT TO LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. RANSDELL submitted an amendment proposing to increase the salary of the chief clerk, office of Surgeon General of the Public Health Service, from $2,250 to $2,750, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. WOLCOTT submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

INVESTIGATION OF LIGNITE COALS.

Mr. HENDERSON. I submit a conference report on the so-called lignite-coals bill, which I ask to have printed and lie on the table.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat to determine the practicability of their utilization as a fuel and in producing commercial products, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.

That the Senate recede from its disagreement to the amendments of the House numbered 2 and 3, and agree to the same.

CHARLES B. HENDERSON,
T. J. WALSH,
MILES POINDEXTER,
Managers on the part of the Senate.
M. D. FOSTER,
OTIS WINGO,
E. E. DENISON,
Managers on the part of the House.

HOUSE BILL REFERRED.

H. R. 14516. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, was read twice by its title and referred to the Committee on Appropriations.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on the 7th instant approved and signed the joint resolution (S. J. Res. 187) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

REPORT OF GOVERNOR OF PANAMA CANAL.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying paper, referred to the Committee on Interoceanic Canals:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the annual report of the Governor of the Panama Canal for the fiscal year ended June 30, 1918.

WOODROW WILSON.

THE WHITE HOUSE,
23 January, 1919.

FOOD SUPPLIES FOR EUROPE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

Mr. CUMMINS. Mr. President, I have had the greatest difficulty in my effort to reach a conclusion with respect to my attitude upon this measure. I recognize that there are many reasons which can be urged in its behalf, and there are many reasons which seem to me to make against the wisdom of the proposed legislation. I do not think the solution of the problem depends upon Mr. Hoover or the meat packers. Neither his conduct nor theirs has determined the vote which I shall feel constrained ultimately to cast.

Before I enter upon what I regard as the material elements of the case I want the Senator from Virginia or some other Senator to clear up, if it be possible to do it, what seems to be a confusion with respect to the facts in the matter. It is asserted upon the one side, with very great confidence, apparently, that the purpose of the bill is to make a market for foodstuffs especially that will enable Mr. Hoover to maintain the prices which have prevailed with regard to commodities of that kind. It is asserted upon the other that the United States has now in Europe foodstuffs and other supplies that can be furnished under the bill aggregating in value $55,000,000, accumulated there for war purposes, and that we have in this country as well as in Europe a large quantity of wheat for which there is no apparent market, and it is intended by those who are to administer the bill that the $100,000,000 thus sought to be appropriated shall be simply turned into the Treasury of the United States in alleged payment of property which already belongs to the United States.

I want to know which of these contradictory statements is true, if anyone here, either the chairman of the committee or any of the Senators who have brought forward the other view of it, is able to clarify the situation.

Mr. MARTIN of Virginia. Mr. President, I am suffering from a bronchial throat trouble and am really incapacitated from taking any considerable part in the debate on this bill. Indeed, my physician warned me that I ought not to leave my apartment to-day, and certainly ought not to engage in debate. I am not going to undertake to do it, but I really want to answer the Senator's question.

I say there has not been one single word found in a cablegram from the American commission or the President or Mr. Hoover which undertook to state that this money was asked in order to maintain the price of any product. On the contrary, it was to relieve the starvation and suffering of our friends in European countries. That is the only reason given for it. It has been stated that in meeting that great moral obligation it would incidentally make a market for American products, but the market for American products was not the inducement. The money was not asked for that purpose. The money was asked for the sole purpose of relieving suffering and starvation among our friends in European countries. Incidentally, it was stated, it would make a market for some of our products. Incidentally, it was stated, it would discourage Bolshevism and disorder in European countries, because we all know that men who are starving are in a condition of lawlessness and disorder. We can not expect orderly government from a starving people.

An allusion was made to the indirect and incidental benefit in the way of restoring peace and order in foreign countries, and, also incidentally, that it would create a market for our products; but the motive, the reason, the cause for asking this appropriation of $100,000,000 is to relieve starvation and suffering in European countries among the friends of the United States and our allies.

Mr. CUMMINS. Just one moment further. The question which I have asked—and possibly I did it rather awkwardly—was, Has the United States these supplies on hand now, accumulated for war purposes, and is the appropriation which it is now proposed to make to be returned to the Treasury of the United States in exchange for those supplies?

Mr. MARTIN of Virginia. Mr. President, as I understand, the tribunal which is known as the supreme council of food supplies—I may not give the name correctly—which has been organized under the council of war of the allied nations in Europe, will have the disposition of this matter. They are to go on the market and buy supplies to relieve this starvation and this suffering. There is no string to it whatever. They are not required to spend the money for supplies in the United States, but they are to spend it. Finding that my throat was in such condition that it was impossible for me to talk without great discomfort, I handed the list of the personnel of this commission to the Senator from Minnesota [Mr. KELLOGG]; but I will merely say that that personnel includes Lord Reading and some other distinguished statesmen; that it includes the most distinguished statesmen of France. The Italian

representatives have not yet arrived. Pending their arrival a very distinguished Italian will represent Italy in this supreme council for relief, and Mr. Hoover and Mr. Davis are representing the United States. That council of eight, representing the four great belligerents, have selected Mr. Hoover as president. They are to determine where and how these supplies shall be bought. The money is not to be expended in the market of any particular country. Incidentally, it will inure to the advantage of the United States, particularly in meat products, because the United States is the only country that has a surplus of meat products. However, the United States also has a large supply of wheat on hand that was acquired under this order fixing the limit of price; but whether this money is invested in that wheat or not will depend on the food council, which, as I have said, is composed of eight of the most distinguished men of this country and of the countries of our allies abroad. They are to determine where this money shall be spent. It is to be spent not to create a market anywhere, not to stop Bolshevism anywhere, but it is to be spent to relieve suffering and starvation among our friends in European countries. In doing that incidentally it will make some market for our products and incidentally it will tend to suppress disorder and Bolshevism.

Mr. CUMMINS. Mr. President, I am not interested at this moment in the personnel of the commission which is to manage and distribute the supplies. What I should like to know—and the information does not seem to be accessible—is, Does this bill in fact simply donate property which the United States now has and for which it seems to have no immediate use, or is it intended to be expended in the purchase of food supplies and other supplies which are yet in the hands of private owners?

Mr. MARTIN of Virginia. I thought I made that clear. It is to be used by going on the market and buying these food supplies where the object in view will be best conserved—the relief of suffering and starvation among our friends in Europe. The appropriation is not to be made to take off the hands of the United States Government anything that it has. Whether it will do so or not is to be determined by that commission, which is composed of eight of the most distinguished men in the world. It is not limited to any particular use, but that commission is to determine when, how, and where this money shall be expended, with only this proviso, that the object of spending it is to relieve the starvation and suffering in European countries.

Mr. CUMMINS. Mr. President, I am very much obliged to the Senator from Virginia. I am plagued with the thought that he may exceed his strength, and I hope that he will not continue any effort he is making at the risk of his health. That is a heartfelt wish on my part.

Mr. MARTIN of Virginia. It is a considerable strain on my throat or I would have been more active in the debate; but I will try not to participate in it any further.

Mr. KELLOGG. Mr. President——

Mr. CUMMINS. I yield to the Senator from Minnesota.

Mr. KELLOGG. I suppose that the Senator from Iowa knows that the Government of the United States, through the wheat corporation, is obligated to take the crop of wheat for 1918; that it has purchased all the surplus which has been offered on the market; that it now owns it, is selling it to European countries, and has already sold a large amount of it.

Mr. CUMMINS. The Senator from Iowa knows that. That was the very point of my inquiry. If we are simply donating to the commission or to the helpless people of eastern Europe a certain quantity of material which we have on hand and for which we have no present use, that is one thing; and if that were the purpose, we ought not to pass an appropriation bill; we ought to pass a bill for the donation of these supplies, naming them, to the commission in Europe for such distribution as they may see fit to bring about. While I do not say that is the chief reason that will constrain me to vote against this bill, it is one of the things about the measure which is very repugnant to me.

It does not seem to me a fair, open, and candid movement upon the part of the Government. The purpose evidently is to take the $100,000,000 which we shall appropriate, if we do appropriate it, and pay it into the Treasury of the United States for material which the country has accumulated in this way. I can easily see that there may be consequences in pursuing a course of that kind that would not be possible if the appropriation were to be used, or is to be used, in the purchase of material still in the hands of private persons or corporations. It is not right for the President or Mr. Hoover or anyone else to come before Congress for an appropriation of $100,000,000 to be expended in that way if the purpose is simply a gift on the part of the United States of the material which we have accumulated in this war or through the obligations of the war and which we now desire to dispose of in some way or other.

Mr. SMOOT. Mr. President, will the Senator yield to me?

Mr. CUMMINS. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, I call the Senator's attention to a fact which he already knows, that the bill provides that the money which is advanced shall be returned to the Government of the United States; or, in other words, it is to be used as a revolving fund. I can not see how it will be possible to carry out the theory of the bill if we donate so much pork or so many cases of corn or beans or so many bushels of wheat. I will admit, Mr. President—and I shall frankly say so when I speak upon this bill—that I do not believe that the Government of the United States is going to receive back the hundred million dollars which it donates now as a revolving fund. It will receive back some part of it; but no one can tell what part it will receive. Wherever the money is advanced for the relief of a people who have an organized form of government, that government is to give its obligation for the return of this money; but I believe the bulk of it is going to sources that will never return the money advanced for buying food products for their relief, and I shall never expect it to be returned to the Government of the United States; indeed, if I vote for this measure I shall be greatly surprised if we get 50 per cent of it back.

Mr. CUMMINS. Mr. President, I have not viewed it from that aspect at all. I do not expect that we will be repaid for any considerable part of the advance we now make, but I see no difficulty whatever in adjusting the sale of property to these foreign Governments to the idea suggested by the Senator from Utah. Suppose we have an automobile over there—that is one of the things that we are going to try to dispose of—a large number of motor trucks, automobiles, railroad iron, locomotives, and everything else the people in the eastern part of Europe need for their reconstruction. That is the reason the phrase "urgent supplies" is found in the bill; and I am not criticizing that especially, because I think they need all these things probably quite as much as they need food in order to set them on their way in a prosperous direction. But if the United States wants to sell an automobile to the Serbian Government, and the Serbian Government is able now to give it an obligation, it can sell it for what it is worth and take the obligation of that Government for that amount; but if we make an appropriation in money and that is intended simply to reimburse the Government of the United States for the supplies that have been accumulated, then they will go to the Governments which are to be benefited by the act or to the individuals which are to be benefited by the act at the exaggerated prices representing their cost to the United States. I do not want to qualify or surround this act of charity and mercy with any thought that these people must make good to the United States the cost of the war in which we have been engaged. If we are intending to give them the help which is indicated here, we ought to give it so that they will know that, if they return obligations to us, their obligations will represent the real value of the thing given, or, if it is a donation, that they receive the full benefit of the money which we appropriate for that purpose. I fear very much that in this legerdemain of bookkeeping and in the transmutation of this money into materials or supplies or food a large part of the objects which we have in view will be neutralized, and, not only so, but that in future years we will be subject to very great reproach for having resorted to an indirect method of alleviating misery.

Mr. President, I desire to say, in response to the Senator from Nebraska, that I concur with him in his proposition that the United States must keep faith with the packers and with the farmers, and it does not tend to bring my mind to an adverse conclusion to say that before the peace conference assembled in Europe it was understood in America that faith should be kept. I know something about the meetings that were held in Chicago and elsewhere that had for their purpose the stimulation of the production in America of hogs and of wheat. I would have thought this Government faithless, as many of us did think it faithless, if it failed to carry out the arrangement that was made in the fall of 1917 with the farmers in my State. It did not perform that obligation just as it should have performed it; it did not comply with the exact obligation into which it entered at that time; but there was a fair show of performance, and it had its full effect.

I agree that when the Food Administration required the packers to pay $15.50 for 100 pounds of live hog it entered into an implied agreement that the packers, so far as the Government could control, should be permitted to sell their product at a price that would yield a fair profit upon that basis; and when in October, 1918—I think it was October, 1918—a similar meeting occurred in Chicago, and there were representatives of my own State there—some of the most prominent live-stock producers in the country were there from my own State—and it was agreed at that meeting that the farmers should have and

the packers should pay $17.50 per hundred pounds for live hogs, the commonest honesty required that the Government that took part in that proceeding should redeem its obligations. That agreement has been continued from time to time, until now it expires on the 1st day of February. It ought to be kept, and whatever is a fair price for packing-house products, upon the basis of live stock at the rates which I have suggested, ought to be maintained if the influence of the Government can maintain such prices.

I do not understand, however, that the criticism of the Senator from Idaho [Mr. BORAH] or the criticism of my colleague [Mr. KENYON] upon the subject is based upon any suggestion that bad faith should creep into a vital transaction of that kind. If I understood the Senator from Idaho, his criticism is that, even upon the basis of expenditure controlling the price of live stock, the packers made more profit in 1918 than they ever made before in the history of their enterprises, and that they made more profit in 1917 than they had ever made in any year prior to that time. That is the criticism. It is not that the Government should not help sustain fair and honest and reasonable prices which grow out of the promises with regard to live stock; but what justification is there for fixing a price upon packing-house products that would permit Armour & Co. in 1918 to earn a profit of $15,000,000 upon a capitalization which in itself was accumulated by the profits of previous years in the business?

I do not think it is fair to condemn the Senator from Idaho [Mr. BORAH] or my colleague [Mr. KENYON] because they think that the prices of these products during these years were too high. I do not know enough about the details of the business even to suggest how much too high they were, but the results in war times were too great; and I think that any man who has the love of country in his heart and who wanted and wants to be helpful in the solution of these great problems which are rushing on us in time of peace must agree that the first duty of the American Congress, as well as the American Executive so far as his power extends, is to devise some policy, is to create some system of regulation, that will prevent consequences and results of the kind I have indicated; and instead of trying to establish sovereignties in Europe, with the attending obligation to maintain and protect those sovereignties, the whole force of the American mind, represented in the Executive and in Congress, should be turned to the solution of these problems which not only confront us but which ought to frighten every thoughtful American citizen.

I say this with regard to the distribution of this largess, because I do not intend to found my objection to the bill or my vote against the bill upon the fact that Mr. Hoover is to distribute it. I do not know whether he is entitled to the glowing eulogy pronounced upon him by the Senator from Nebraska or not. He may be. I, at least, have never found anything in his conduct to indicate that he was not guided by a desire to help the American people, and I can have no doubt that he has the same purpose now. Do not think that this means that I agree with everything he has done, for I think that he or those under him have done as foolish things as ever marred the industrial record of a great country. But that is simply a matter of judgment and does not impugn the good faith or intent of those who were administering our laws.

Mr. President, if we believe that the proposed appropriation ought not to be administered by Mr. Hoover, it can be administered by somebody else. The Senate has it in its power to appoint the persons who shall administer its appropriation, if it desires to do so. I mention that simply to indicate that my objection to the bill does not spring out of the fact that Mr. Hoover or Mr. Davis or anyone else who may be specified are not the proper persons to distribute the fund.

A great deal has been said with regard to the character of the appropriation. What is it? Some have thought it is to be a charity. Even the Senator from Virginia emphasized that phase of the question. I do not think it is a charity. I do not think it has any semblance of a charity. I do not mean to say that its effect, when distributed among these people, would not be charity; but we are not asked to make this appropriation simply because it is a charitable, philanthropic thing to do. We are asked to make this appropriation because it becomes, or it is said to become, a part of the negotiations for peace in Europe. We are asked to make it because it is said to be necessary in order to enable the President of the United States to accomplish the purpose he has in mind.

Mr. KNOX. Mr. President——

Mr. CUMMINS. Just a moment; and I say here, lest I omit it a little later, that if I were in sympathy with the thing which the President proposes to do in Europe I would have no hesitation whatever in voting for the appropriation.

I yield to the Senator from Pennsylvania.

Mr. KNOX. I merely want to ask the Senator from Iowa if he will not, before he finishes, indicate where it may be found that the proposition is connected in any way with the war?

Mr. CUMMINS. I will. The question, though, is a little misleading. I did not say "connected with the war." I said "connected with the peace."

Mr. KNOX. Well, I meant the same thing. It grows out of the war.

Mr. CUMMINS. I may as well do it now. I will come to it a little later; but, so that the Senator from Pennsylvania may fully understand what I mean by the words I have used, I observe that the President—and in that respect he is associated with Great Britain and France and Italy—believes that the peace conference should establish—peacefully, I suppose, if possible, but forcibly, if necessary—certain sovereignties in eastern and southern Europe—there are at least 10 of them—and that the United States, together with Great Britain, France, and Italy, should not only establish these sovereignties but should guarantee their maintenance, their protection, their safety; and he intends—and he makes no secret of it; it is as open as any utterance which he ever made, or which the statesmen of Europe ever made—to bind the United States to the maintenance and safety of these sovereignties which are to encircle the old Empire of Germany.

I am not going even to enter upon the question as to whether that may not be the highest duty that falls upon Great Britain, France, and Italy, for they are in Europe; but I question and I challenge the propriety or wisdom of such an undertaking upon the part of the United States. I am not in favor of it; I have no sympathy with it, and I will not vote for an appropriation which is intended to usher in that kind of obligation upon the part of the United States. There is not a Senator here who votes for this appropriation who is not committed then and thenceforth to the plan which the President of the United States has so eloquently and so graphically and so explicitly set forth again and again with regard to the relations which should exist between the United States and these new sovereignties which are to be erected in Europe.

This money, as I understand—and I now come to the question of the Senator from Pennsylvania—this money the President says is needed in order to enable these sovereignties which are to be set up to resist the advances of bolshevism, and thus to be more easily and quickly established. Now, if it is our duty to establish and care for and defend them in the days that are to come, I am willing to accept the judgment of the President with regard to the effect of this appropriation. I am willing to assume that the $100,000,000 which we propose to expend is really necessary to enable this thing to be done. If I want the United States to enter into that relation with Europe, then I should be for the appropriation, and no one ought to question it; but if I am opposed to assuming that attitude toward the affairs of Europe, then I can not in good conscience vote for the appropriation, unless I do it for purely charitable and philanthropic reasons.

Mr. KING. Mr. President, has not the Senator narrowed too much the statement of the President with respect to the rise and spread and operations of bolshevism? As I understand the Senator, he construes the statement of the President to mean that he desires to restrain the operations of bolshevism in the new governments that may be erected out of the central powers. As I understand the statement of the President, he indicates that bolshevism is spreading westward, is poisoning Germany, and that it may prevent the stabilization of Germany, the erection of a government there with which we may negotiate a peace and from which we may exact sufficient and proper guaranties.

Mr. CUMMINS. Mr. President, I do not want to be at all technical in regard to the matter, because I think the President takes a very broad view of these great problems. The Senator from Ohio [Mr. HARDING] the other day complained of him because he was an idealist. I do not complain of him because he is an idealist, if he is one. I think he is the most intensely practical statesman of this or any other day. He knows just what he wants, and he usually knows how to get it. He began his administration in the belief that the Executive office had not the power that it ought to have; and from that day until this we have seen one step after another deliberately taken by Congress, until now the President is invested, I think, with all the powers that could be conferred upon any Executive under the Constitution of the United States. I have no doubt that he has intended to use these powers for a good purpose. I have no doubt that he believes that he is a fitter custodian of these powers than any other body of men or any other man. But I think we entirely misunderstand his character when we at-

tribute to him idealism at the expense of practicalism. He has accomplished more in the direction in which he set his face and his mind than any other man, either in this generation or in any former generation; and the only criticism, if it be a criticism, is that he has not marched in the right direction, and he has done things that he ought not to have done, and that is my objection to this bill. I do not intend to clothe him, if I can prevent it, with the power to enter into the agreements in regard to the reestablishment of Europe which he thinks the United States should make. If anyone here doubts my view with regard to his conception of the situation there, I hope he will make it known. I say that it is his view that the Jugo-Slavs, the Roumanians, the Ukrainians, the Polanders, the Czecho-Slovaks, the Lithuanians, the Esthonians, the Letts, and the Finlanders should be erected into independent sovereignties. I have no doubt he hopes that they will become republics, because I doubt not his fidelity to that fundamental principle, and never have, and I hope I never will be called upon to doubt it.

Mr. KING. Mr. President, will the Senator yield?

Mr. CUMMINS. Just a moment. He knows, and all Europe knows, that when these nations are thus grouped, and thus undertake self-government, they can not stand alone. He knows that many of them are not trained and educated and advanced to the point that will enable them to maintain orderly governments within their several borders. No one appreciates that more than he does, I am sure. No one understands it better than Lloyd George or Clemenceau or the statesmen of Italy.

What is then proposed? It is proposed that if dissensions come from within, or if force comes from without, the United States and Great Britain and France and Italy will undertake to guard and protect them against both internal disorders and exterior assaults.

If you want the United States to undertake to do that, then you ought to vote for this appropriation, because that is its purpose. It can be used, I agree, to forward that purpose. But if you do not believe that America should become enmeshed in the intricacies and in the infinite difficulties of European affairs, then you ought not to vote for the appropriation, because its use must be justified upon that ground or it can not be justified at all.

The real truth is that we are apparently passing into a period in which the distinction between nationalism and internationalism is to be disregarded. To vote for an appropriation of this character means simply that you believe it is just as much your duty to guard, protect, develop, and aid the countries of Europe as to guard, protect, aid, and develop your own country. That is the internationalism of which we hear so much. That is it exactly. The President of the United States has said over and over again in substance that there is no discrimination between the duty of this country to our own people and its duty to all the people of the earth; that we are just as much obliged to fight for liberty in Poland as we are obliged to fight for liberty in the United States; and that we are just as much obliged to maintain the Government of Poland as we are to maintain the Government of the United States. He has very distinguished company in that belief.

Suppose we were asked for an appropriation to aid a rebellion in Ireland, why should we not make an appropriation to pay the expenses of a rebellion in Ireland? Do you not believe that Ireland is entitled to her independence on the same theory exactly that Poland is entitled to her independence, or the Czecho-Slovaks or the Jugo-Slavs? Tell me a single reason which indicates that the countries in eastern Europe should have their independence which does not prove conclusively that the people of Ireland should have their independence. What is the difference between contributing money for Ireland to pay the expenses of an Irish rebellion and paying the expenses that are necessary to set up a government in Poland?

Mr. THOMAS. Mr. President, I am a little afraid the Senator's inquiry will provoke a suggestion and the suggestion may be followed by a bill for an appropriation in the interest of Irish independence.

Mr. CUMMINS. My attitude toward any such bill would be exactly the same as it will be toward this bill. Whatever sympathy I may have with the struggles of the people of Ireland for independence, I would no more think of voting an appropriation to pay the army which was intended to accomplish that independence than I would think of voting for this appropriation which is intended to establish sovereignties in eastern Europe. It rests upon exactly the same foundation.

Why not have an appropriation here for India? For 25 years the people of India have been struggling simply to establish the same relation between India and Great Britain that Canada, New Zealand, and Australia enjoy. Why should we not do something there if we are to take charge of the world and see that justice is done everywhere, to see that self-determination shall prevail everywhere?

Mr. President, it is not a dream, it is a mischievous fancy and a false theory that commits the United States to the guardianship of the world and asks for an appropriation from our people in order to carry out our views of men, eminent men, too, with regard to this subject.

Mr. HARDWICK. Mr. President, while the Senator is discussing self-determination, I wonder what he thinks about San Domingo and Nicaragua?

Mr. CUMMINS. The list is long enough now.

Mr. HARDWICK. I am thinking of our own victims now.

Mr. CUMMINS. I think it was Emerson who said that consistency is the hobgoblin of small men and mean minds. By that token there are some men now holding eminent positions who would instantly be acquitted of being either small men or having small minds. I do not insist upon consistency. No individual is consistent and no nation is consistent; but I do insist that we shall not ratify in advance the proposal that is being made in Paris by contributing money to the forwarding of a movement of which that proposal is a part.

I do not object to Great Britain and France and Italy guaranteeing the existence and maintaining these new sovereignties. I have the greatest sympathy with their establishment. I hope they will be so successful that all the world finally will enjoy the blessings of free government. All that I am insisting upon is that it is not our business, that it is not safe for the United States, that it is not tolerable for the United States to enter an undertaking of that kind.

We have one guaranty in existence. It pertains to Cuba, and it was wise. Let the successful nations of Europe undertake the guaranty that may be necessary in order to hold these new nations in their places. It will be an evil day when the United States shall find itself bound to send her soldiers or her Navy into the uttermost parts of the earth in order to reduce the inhabitants of some region to order. It will be an evil day for the United States when, forsaking the vital problems of our own country, we devote ourselves primarily and permanently to the problems of other countries.

Mr. KING. Will the Senator yield?

Mr. CUMMINS. I yield to the Senator.

Mr. KING. I rose a few moments ago to suggest to the Senator—but that is not what I have risen to suggest now—that I do not think the President has ever stated, officially or otherwise, that he believes each of the Balkan Provinces, including Lithuania and Esthonia, should be separate and independent nations. I think the President entertains the view that if the Russian people prefer a united republic because of geographic and ethnographic lines they should be permitted to have it, or if some of the territory that formerly was a portion of the Russian Empire should, because of geographic or ethnographic reasons, segregate itself and set up an independent government, and they shall desire that, they ought to be permitted to work out their own salvation.

I think what the Senator said with respect to the President's view concerning Poland and the Government of the Czecho-Slovaks and the Jugo-Slavs is entirely accurate, and is based upon statements which he has made.

But if the Senator will pardon me a moment further, does not the Senator think the record of Germany, the multitudinous utterances of her statesmen, warriors, scholars, preachers, and even members of the socialist and proletariat organizations during the war and up until the armistice, and some declarations since, evince a purpose upon the part of the German people not only to rise to power and imperial greatness again, but when they do rise to sufficient strength and power to engage in some punitive expedition against those who have been her adversaries in this conflict? Keeping that view in mind, if that question should be answered affirmatively, is it not the part of wisdom, and would not the allied representatives be guilty of a lack of statesmanship and wisdom if they should not do it, in a prudent and proper and just and righteous way, to encourage the organization of other nations that would hem in, if I may be permitted that expression, Germany, to prevent her from again engaging in warlike activities for the destruction of nations in Europe, and perhaps the destruction of nations in other lands?

Mr. CUMMINS. With the limitation just put upon the statement of the Senator from Utah, of course he is right; but what are righteous measures, what are just measures, what are equitable things for the United States to do? That leaves the whole question open.

It is my opinion that the establishment of lesser sovereignties around Germany, with the privilege upon the part of Germany to arm herself, instead of being an inducement to peace and the

safety of the world from the ambitions of Germany, will be, on the other hand, the easy opportunity for Germany to accomplish her purpose. But I will come in a moment to the German situation. I do not intend to deal with it at length. I will say, though, immediately, that if it is necessary to carry out our purposes against Germany to make this appropriation, then I have no doubt about its wisdom, but from my standpoint the German problem is not difficult and does not involve the expenditure which is here suggested.

Mr. WALSH. Mr. President——

Mr. CUMMINS. I yield to the Senator from Montana.

Mr. WALSH. May I direct the Senator's attention again to Ireland for a moment? The Senator has stated that the aspirations of the people of Ireland for independent government are similar to those of Poland. Is there not an essential difference which the Senator apparently overlooked between the situation of Ireland and Poland and these other countries? As a war measure, and for the purpose of bringing the strife to a more speedy termination, we encouraged the subject nations of the central empires to arise and revolt and assert their independence. We encouraged them to revolt against German domination and to set themselves up as independent governments. That was a very proper course in war. These are subject nations of the countries with which we are at war, whom we incited to establish independent governments. Is there not due from us accordingly a somewhat different obligation than that which arises toward the nations which are held subject to our allies?

Mr. CUMMINS. Mr. President, of course the parallel between Ireland and, for instance, Poland is not exact. I only drew them together in order to indicate their substantial similarity, so far as our encouragement is concerned. We were fighting Germany, and these people were hostile to Germany, and they rose and declared their independence. I do not remember any encouragement or promise from the United States that carried itself to the extent of saying that "If you will rebel and establish an independent government, we will undertake to defend you against Germany or against any other country with which you may be at war."

Mr. WALSH. I remember no such promise, either; but the Senator will remember that we did encourage them to rise, and, furthermore, it is obligatory upon us, as a matter of course, to insure, so far as we can, ourselves against a recurrence of the aggression of Germany. Poland is created as a buffer State between Russia and Germany, as a safeguard against the domination of Russia by Germany. Would it not be quite proper, as a part of the peace arrangement, to insure such a condition of things in order to prevent the possible recurrence of the aggression of Germany and her effort to dominate the world?

Mr. CUMMINS. I know, Mr. President, that Poland, from the standpoint just suggested by the Senator from Montana, is not to be an independent nation. It is to be a pawn, a buffer. That emphasizes what I said a few moments ago, that when this appropriation is made it carries with it a pledge upon the part of the United States that we will protect Poland, that we will come to its defense if attacked. I suppose it involves also an obligation to bring order in Poland if there are internal dissensions, because in order to enable Poland to perform the office which the Senator from Montana has just suggested, it must stand, it must not be overthrown; and who is to see that it stands, who is to see that it is not overthrown? Among others, the United States.

I am in favor of a league of nations or an alliance of nations to prevent war. The Senator from Illinois [Mr. LEWIS], who so beautifully interprets not only the oracles but the silences of the White House, has on many occasions demonstrated that there ought to be an alliance of nations. I am not in favor of the alliance which was foreshadowed in the many utterances of the President before he went to Europe. I have no doubt he has changed his views in that respect, as all wise men will change their views as circumstances change and conditions are altered. But I am not in favor of any alliance of nations or league of nations which will bind the United States to furnish an army or a navy or put an army or a navy in charge of a supernation or superpower in order to overcome either internal disorders in Poland or defend, for instance, against the assault of the Ukrainians. I am not in favor of an alliance of nations proceeding to that extent, and I understand the President is not now in favor of such an arrangement among the powers of the earth.

Mr. WALSH. Permit me, then, to inquire of the Senator if he is in favor of a league of nations that will prevent the aggression of Germany against Poland and the possible reabsorption of Poland by Germany?

Mr. CUMMINS. Yes. We have an alliance of nations now that ought to prevent Germany from making war on any power. That brings me to just a word about Germany.

Departing from the brilliant rhetoric which has no meaning whatever with regard to making the world safe for democracy, which is as illusory and as temporary as the morning mist, and coming to the real reasons for our entrance into this war and the object which we had to accomplish through the war or by the war, let me say that I agree with the Senator from Georgia [Mr. HARDWICK] that the aggravating causes for our war with Germany were the continuous inroads and invasions of American rights upon the sea, the brutal, inhuman, murderous conduct of Germany with respect to our rights and the rights of our citizens upon the sea.

I doubt whether we would have entered the war simply to vindicate those rights, although the Senator from Georgia thought we would. I think we entered the war only when there came to the American people the overwhelming belief that if Germany won in her struggle with Great Britain, France, and Italy she would then turn her arms against the United States and become not only a remote but an instant menace to our institutions and to our liberty. It took the American people a long while to reach that conclusion, but they finally did. They finally did see that Germany and her militarism, her ambitions, meant the overthrow of the United States, her institutions, and her civilization. Our object in entering the war was to end that menace. There is just one way in which we can end it. We won the war. There is just one way in which, so far as Germany is concerned, we can forever remove the fear and the apprehension that urged us into this mighty conflict, and that is to disable Germany, disarm her, and keep her disarmed.

I do not know how long it may require to change the character, the hearts, the hopes, the purposes of the German people, but until the character of that people is changed fundamentally they ought not to be permitted to carry arms save to police their internal affairs. That is the way, from my standpoint, in which we ought to deal with Germany. We ought not to leave her capable of attacking any nation.

Mr. WATSON. In order to get the Senator's viewpoint, I should like to ask him whether or not he means by that that we shall keep our own standing army in Germany until Germany changes her character.

Mr. CUMMINS. No; I do not. I assume that Great Britain, France, and Italy should police Germany, so far as it is necessary to police her. But if Germany, after having agreed to disarm herself and after her fortifications are razed to the ground, after her munitions factories are demolished, and after all her military equipment disappears, then begins to re-create her military establishment, I am willing to go to Europe again to destroy Germany's preparations for another war. I have but one thought, and that is that Germany shall for a long series of years be without an army, without a navy, without a munitions factory, without an establishment that turns out guns or that will enable her to become dangerous to the remainder of the world. We can not do that by establishing a circle of sovereignties around Germany and depending upon them to restrain her ambitions.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER (Mr. KNOX in the chair). Does the Senator from Iowa yield further to the Senator from Montana?

Mr. CUMMINS. I yield.

Mr. WALSH. I understand the Senator from Iowa, however, does not desire that this country shall assume any portion of that burden?

Mr. CUMMINS. I am willing to assume that burden if Germany violates her agreements in that respect or violates the terms we impose upon her. I would not keep a single soldier in Europe for that purpose. I would bring them all home after we have done the thing which I have suggested, namely, to dismantle Germany in a military way and destroy whatever materials she may have already on hand that can be turned in that direction. If, then, Germany refuses or fails to perform the terms which we have imposed upon her and begins again the establishment or creation of her military system, and begins again to manufacture guns and to train armies and to construct vessels, and if Great Britain and France can not prevent that infraction of her agreement with us, I am willing to go again and complete the undertaking upon which we formerly entered.

Mr. KING. Will the Senator yield?

Mr. CUMMINS. I yield.

Mr. KING. Is not the argument which the Senator has just made, namely, that Germany should be prevented again from embarking upon a military career, because if she did it would

be a menace to our country, an argument in favor of some sort of agreement or league of nations, by whatever name you want to call it, with the allied Governments with whom we have been associated, by which the guaranties that shall be exacted from Germany shall be carried out, and she shall be prevented in the future from becoming again an enemy to civilization and to the world?

Mr. CUMMINS. That is precisely what I said. I regard that not as a new obligation which we should assume; that is our obligation now without any league of nations, without any further alliance than we have.

What I have said, I think, is in exact harmony with the suggestion of the Senator from Utah [Mr. KING]. I am not saying that the peace conference should not set up these sovereignties; I hope that they will be given free rein, in order that each of these races, with such modifications as may be necessary, may be given independence; I want to see that happen; but it seems to me that the wise course, so far as Germany is concerned, is to say to her, "We lay no obstacle in your way for commercial development." Indeed, we ought to foster that, for if we are to receive reparation, if Germany is to pay for the infinite destruction which she has caused in the world, the German people must earn the money with which to pay it; Germany must earn what becomes necessary to repair Belgium, to restore France, to indemnify Great Britain, and to reimburse the United States—for I think that ought to be one of the terms—but in order to earn that money Germany must be permitted her commercial activities. Otherwise it would be simply a brutum fulmen to say that she shall pay if we do not give her an opportunity to earn the money with which to pay.

However, so far as Germany's military establishment is concerned, I would destroy it. Whatever may be necessary to enforce internal peace—that is, the peace of municipalities and the like—she ought to be permitted to preserve; but in so far as her military establishment, that could or would be used in a world war, or in a war on any other nation, she ought to have none. That ought to be the penalty which shall be imposed upon her for her wickedness and malice in beginning and carrying on this most destructive war of the ages. If Germany at any time is found to be disobeying the terms which we impose upon her in that respect, then it would become the duty, first, of Great Britain and France, because of their proximity, and, next, of the United States, to whip her again, and see that she does not establish that military strength.

Mr. McKELLAR. Mr. President——

Mr. CUMMINS. I yield to the Senator from Tennessee.

Mr. McKELLAR. What does the Senator from Iowa propose to do with Germany's navy?

Mr. CUMMINS. I go no further in that problem than to say that it should not belong to Germany. The Senator from Tennessee can do anything he pleases with it if it is not permitted to remain the instrument of German destruction.

Mr. McKELLAR. I agree entirely with the Senator from Iowa. I do not want to do anything with it except to keep Germany from using it against civilization.

Mr. CUMMINS. All I insist upon is that Germany shall be left helpless and harmless for the years to come.

Mr. President, believing that these are the principles that should be observed in making peace with Germany, and that these are the principles that ought to be enforced with regard to the new nations that are to be established in eastern and southern Europe, I find no other conclusion possible than to oppose the appropriation which is intended to commit the United States, not only to the establishment but to the guardianship, the protection, and the defense of every country in Europe for all time to come.

Mr. CALDER obtained the floor.

Mr. PENROSE. Mr. President, will the Senator from New York permit me to interrupt him for just a moment, as I have to attend a meeting of the conference committee on the revenue bill?

Mr. CALDER. I yield to the Senator from Pennsylvania.

Mr. PENROSE. I hold in my hand a telegram from C. H. Canby, who, I am informed, was formerly president of the Board of Trade of Chicago, and is one of the leading grain dealers in that city, a man of high standing and wide experience as to the food situation here and abroad. His telegram reads:

CHICAGO, ILL., *January 22, 1919.*

HON. BOIES PENROSE,
Washington, D. C.:

Rumors are current that the Food Administration has already expended over $20,000,000 of the expected appropriation without authority of law. This situation should be investigated to determine if there is any truth in the report.

C. H. CANBY.

I do not know whether there is any Senator on the floor at the present time having charge of the pending bill in the absence of the Senator from Virginia [Mr. MARTIN]——

Mr. McKELLAR rose.

Mr. PENROSE. Has the Senator from Tennessee the bill in charge?

Mr. McKELLAR. I have not the bill in charge. I am merely representing the Senator from Virginia.

Mr. PENROSE. Then I should like to ask the Senator from Tennessee whether or not such rumor has been called to his attention or whether he knows anything about the matter?

Mr. McKELLAR. The reading of the telegram by the Senator from Pennsylvania was the first intimation I had of it.

Mr. PENROSE. In view of the fact that this telegram comes from a gentleman of the highest responsibility and a leader in the food situation in Chicago, nationally and internationally, I should be glad if the Senator from Tennessee and the chairman of the committee would take occasion to look into the matter; and I will call their attention to it later on.

Mr. McKELLAR. I will call the attention of the chairman of the committee to it as soon as he returns to the Chamber.

Mr. CALDER. Mr. President, the debate on this bill has assumed a wide range, and I think it is well that it has, for I believe as a result of this discussion Senators have come to understand some facts with which they were unfamiliar.

The people of this country during the war raised for the Red Cross and other organizations engaged in like work sums totaling nearly $1,000,000,000. This money was spent in the camps in this country and Europe for the benefit of our soldiers and our allies, and to a very great extent to relieve the condition of the people living in the countries associated with us in the war. The American people gave freely to these funds, and my information is that when the armistice was signed great quantities of food were stored in the warehouses of Europe under the control of the Red Cross. I assume, of course, that this food is being used to relieve the hunger of the people of the countries really in need.

From the very beginning of the war England, France, and Italy, and the neutral countries of Europe had located in this country commissions authorized to purchase and forward food to them. These commissions in their work here were associated with the United States Food Administrator, Mr. Hoover. We dealt liberally with these people. Everything was done to give them as much food as we could spare, and at the lowest price under the circumstances. England, I am told, as a result of this liberal attitude on the part of the United States, at the close of the war had stored in her warehouses a food supply for her people and her army that would have lasted four months. France, although not as well supplied, had a large surplus on hand. Much of this was brought about through the willingness of the American people during the year 1918 to give up much of the food to which they had been accustomed. I am told also that the record shows the consumption of wheat in the United States in 1918 was over 100,000,000 bushels less than in the previous year and that the quantity of sugar consumed in this country was much less than the previous year, and, further, in the curtailment of every single food product the American people willingly responded.

During all of this period we were building up a great surplus stock. The splendid crops of last year, exceeding by far the crops of 1917, added much to the surplus. In fact, the failure to realize the extent of this increase and the insistence upon curtailment on consumption gave us a surplus out of all proportion to the needs of either our allies or ourselves for the year 1919. Naturally, with the high prices prevailing, production was encouraged in every line, and when the end of the war came we had in the storehouses of America a supply of food far beyond the anticipations of anyone.

We find ourselves now, with the war over and the stoppage of the flow of foodstuffs to Europe, in a condition where, if things were normal and the Government had not taken over the fixing of the prices of food, the people of this country would be able to buy the necessities of life at nearly one-half of what they are to-day.

Europe has stopped buying from us because they can buy cheaper from other places. I am informed that Argentine wheat can be bought to-day for $1.29 per bushel and that there are over 160,000,000 bushels stored in that country. Australian wheat can be bought for $1.14 per bushel, and there are 200,000,000 bushels available, while 80,000,000 additional bushels can be had in India. As against these prices, American wheat at $2.26, primary market, with freight and terminal charges added, bringing it nearer $2.45, will have no market abroad.

Corn in Chicago sells for $1.23 per bushel, while the Argentine corn can be purchased for half that figure. The same holds good for oats, rye, and other products of the farm. The other day I received the astonishing information that in the city of New York alone there were in the neighborhood of 750,000 barrels of flour in the storehouses, and that this enormous supply was so alarming to the flour merchants of the city that they were offering it at a price lower than was agreed upon with the Food Administrator. These figures, of course, are staggering when one comes to consider the price of food to the consumer.

In connection with hogs, it is of interest to note that the 40 principal packing companies joined in sending a letter to the Food Administration last October, in which they expressed the opinion that the proposed basis of stabilizing the price of hogs would result in unduly high prices to the consumer. This letter appears in the Official Bulletin of October 7, and I quote from it as follows:

> This plan may result in the warehouses being filled up with high-priced products. * * * We feel that the establishing of the basis suggested may result in higher prices to the consumer.

The situation now is that hogs are being offered to the packers at less than the guaranteed price of $17.50 per hundredweight. The packers, however, being completely under the domination of the Food Administration, do not dare buy at any lower prices.

Yesterday's Washington Post contained a report of Tuesday's grain market in Chicago. This shows that the rumor that the Food Administration is to maintain the present artificial high price of hogs resulted in an increase of 3 cents a bushel in the price of corn.

The Food Administration formed a corporation under the laws of the State of Delaware, known as the "Sugar Equalization Board." This board bought the entire crop of Cuban cane sugar. The producers there were given to understand that no other purchasers except the board would be able to secure transportation facilities. The board pays the sugar producers 5.50 cents f. o. b. Cuba. This makes the cost of sugar 6.90 cents, duty paid and delivered to the refineries along the Atlantic coast.

Here comes the "nigger in the woodpile." The board, instead of selling to the refineries at this price of 6.90 cents, charges them 7.28 cents a pound for this sugar, thus giving the board a clear profit of 0.38 cent a pound on each pound of raw sugar brought into the country and increasing the price to the consumer by just this amount. If this procedure is continued, the board will make a clear profit this season of about $30,000,000, which, in reality, is a consumption tax on the American public.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. WATSON in the chair). Does the Senator from New York yield to the Senator from Utah?

Mr. CALDER. I yield.

Mr. SMOOT. I do not know whether the Senator is aware of the reason for that difference of 38 cents a hundred, and if he has no objection I will briefly state it at this time.

Mr. CALDER. I have no objection to the Senator doing so.

Mr. SMOOT. Last year, Mr. President, it became quite evident that there would be a shortage of sugar in all the world, and in order to induce the beet growers of the West and the sugar-cane growers of the South to plant additional acreage for the production of sugar, the price of beets was advanced to $10 a ton. Mr. Hoover and the people interested knew that they could not get the tonnage without that increase, particularly after the price of wheat had been fixed as high as it had been.

There was an agreement reached with Cuban producers of sugar that they should be paid $6.50 for their sugar, and the 38 cents difference, I will say to the Senator, between the cost and the freight of Cuban sugar and the amount for which it is sold to the refiner goes to make up the loss on the sales of sugar produced from $10 beets; in other words, it was equalized by the 38-cent profit made upon the Cuban sugar in order that the Food Administration could take care of the loss of about 60 cents a hundred on beet sugar, thus making the price of sugar uniform throughout the United States, whether produced from beets or produced in Cuba. I simply wanted to say to the Senator that that is how that difference comes about.

Mr. CALDER. Mr. President, let me inquire of the Senator from Utah if he has any information as to the disposition to be made of this profit by the board?

Mr. SMOOT. Mr. President, I hardly think there will be any profit on the whole transaction. The Food Administration purchased all the beet sugar, and the loss on the same is 60 cents a hundred, as I remember now. That applies also to the cane sugar of the South. The 38 cents profit on the Cuban sugar offsets the loss of 60 cents on American-produced sugar in this way: There is more Cuban sugar consumed in the United States than there is sugar produced in this country, and if the Senator will figure out the amount of Cuban sugar consumed and the amount of beet sugar and cane sugar produced and consumed in this country he will find that the profit of 38 cents a hundred on Cuban sugar will just about offset the loss of 60 cents a hundred on the sugar produced in this country.

Mr. FRANCE. Mr. President——

Mr. CALDER. I yield to the Senator from Maryland.

Mr. FRANCE. Mr. President, I should like to ask the Senator from Utah a question while he is on that subject. Can the Senator inform me as to what profits were allowed the beet-sugar manufacturers, and how those profits compared with the profits which they had hitherto been making?

Mr. SMOOT. I will say to the Senator that the profits allowed to the sugar producers of the West were very greatly reduced in the year 1918 below what they had been in 1917. In other words, during 1917 the price of the beets purchased by the beet-sugar manufacturers ran all the way from $6.50 up to $8 per ton, and they sold the sugar for higher prices during that year than they sold the sugar for during 1918. The sugar made in 1918 was made from $10 beets, so that really the profits of the beet-sugar companies in 1918 were nothing as compared with their profits in 1917.

Mr. CALDER. Mr. President, nor is this all. The Sugar Equalization Board have presented contracts to all the sugar refineries, the terms of which specify that the refineries will not purchase any raw sugar except from the board up to December 31, 1919. A very eminent lawyer in New York, Mr. William D. Guthrie, has advised his clients, the Federal Sugar Refining Co., that this contract is clearly illegal and in violation of the antitrust laws. I attach herewith Mr. Guthrie's opinion, which was published in the Journal of Commerce on December 24 last, and ask that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, permission is granted.

The matter referred to is as follows:

SUGAR CONTRACT CALLED ILLEGAL—WILLIAM D. GUTHRIE WARNS AGAINST PROPOSAL—OPINION IS FURNISHED AT THE REQUEST OF FEDERAL SUGAR REFINING CO.—CONTRACT IN QUESTION WOULD GOVERN TRADE FOR 1919.

In the opinion of William D. Guthrie, of Guthrie, Bangs & Van Sinderen, 44 Wall Street, the proposed new contract between the United States Food Administration and the sugar-refining industry would be held invalid by the courts. Mr. Guthrie believes that the creation of the United States Sugar Equalization Board (Inc.), a Delaware corporation, as the instrumentality of the Food Administration for the carrying out of the contract is "plainly illegal," and that other features of the proposed contract are of "doubtful legality." The signing of the armistice, it is held, has radically changed the situation.

The opinion of Mr. Guthrie was sought by the Federal Sugar Refining Co. The proposed contract is dated October 24, 1918, and is to remain in force until December 31, 1919. It provides, among other things, that until December 31, 1919, the refiners will not purchase any sugar except from the Delaware corporation, other than such sugars as are provided under the agreement of October 1, 1917, and Hawaiian sugars, and that the Delaware corporation "may earn a profit on any sugar it may purchase and resell to refiners, or any sugar it may purchase from refiners and resell for export."

TEST OF OPINION.

In part, Mr. Guthrie's view reads as follows:

"I am of opinion that the proposed agreement above mentioned, to be entered into by the American refiners and dated October 24, 1918, would be held invalid by the courts on the ground that it was beyond any power vested in the United States Food Administrator or any other officer of the United States Government, and that it would so held illegal on the ground that it constituted a violation of the prohibitions of the acts of Congress commonly known as the Sherman Antitrust Act and the Clayton Act, approved, respectively, July 2, 1890, and October 15, 1914, as well as of the act of August 10, 1917, itself.

"I am also of the opinion that the proposed agreement would imply and create an obligation on the part of each refiner signatory to buy from the Delaware corporation an amount of raw sugar approximately commensurte with the normal requirements of the refiner's business notwithstanding the provision above quoted from article 6 of the agreement, to the effect that several refiners are 'not in any way limiting their ordinary power or business discretion to determine to what extent they may severally operate their refineries.'"

EFFECT OF ARMISTICE.

"I do not question the patriotic and humanitarian motives which have actuated the Food Administrator and his representatives during the crisis of the war. The conditions existing in October, 1917, may have justified extra-legal methods, to which patriotic refiners were readily willing to accede. But conditions have meantime materially changed. The President—advisedly, as we must assume—declared to the Congress on November 11, 1918, in stating the terms of the armistice, that the war thus comes to an end; for, having accepted these terms of armistice, it would be impossible for the German command to renew it.

"In the light of this official pronouncement by the President, it certainly behooves all Government officers carefully to consult the legal source of their authority and to bear in mind that their powers are limited by the statute, that they can not go beyond its limits, and that no emergency, however grave, can of itself create any source of power. It likewise behooves Government officers now to reflect upon the very questionable propriety of attempting to coerce acquiescence in extra-legal acts by undue pressure or by threats to withdraw licenses or otherwise, however patriotic or benevolent their motives may be.

"I should add that in my opinion section 2 of the act of August 10, 1917, does not empower the President, or the Food Administrator, or any other officer of the Government to organize a corporation under the laws of a State, such as the United States Sugar Equalization Board (Inc.), to act "as an agency of the United States for the purpose in part of equalizing the distribution and selling price of sugar.

IMPOSE A CONSUMPTION TAX.

"The creation by the Food Administrator of a State corporation to be availed of as an alleged instrumentality of the Federal Government, the engaging by him in the business of buying and selling sugar (if in fact it be not speculating in sugar), and the disregard of the letter and spirit of sections 4 and 9 of the act of Congress of 1917, are in my opinion plainly illegal, and other features of the proposed agreement are of doubtful frugality. The Delaware corporation may be, and presumably will be, operated for profit, but no such agency of the United States has been authorized by statute with power to risk the funds of the United States or to collect or extort a profit from the people out of the distribution of a food product. Under this plan the Food Administrator could in practical effect impose a consumption tax. This is not a legitimate method of effectuating any power so far delegated to the President or the Food Administrator, and certainly it is not warranted by the act of 1917.

RESTRAINT OF TRADE.

"The agreement in its provisions, its intent, and its purpose would, in my opinion, be held by the courts to be beyond the power of the Food Administration and invalid, and hence not binding upon or enforceable against any of its parties, and least of all binding upon or enforceable against the Food Administrator. No officer of the Government can reasonably or properly be said to act under color of a law which neither gives him nor any other person authority to do the acts in question.

"The proposed agreement, in my opinion, is a combination in restraint of foreign and interstate trade and commerce, and as such clearly violative of the provisions of the several acts of Congress above referred to, namely, the Sherman Antitrust Act, the Clayton Act, and the act of August 10, 1917. This proposition seems to me to be plain and indisputable, and particularly so in view of the provisions of sections 4 and 9 of the last-named act.

WOULD BE NO DEFENSE.

"The Food Administrator, if he entered into the proposed agreement, would be acting not as an officer of the Government but individually as a self-constituted trustee and guardian of the sugar trade, and his official character and patriotic motives would be no defense even to him if indicted or sued for a violation of the several acts of Congress. Nor would it afford any defense to the American refiners to plead that they had entered into such a combination or agreement from patriotic motives at the urgent request and pressure of the Food Administrator or of the President or were coerced thereto by an official threat of having their business ruined by the withdrawal or cancellation of their licenses. Moreover, it should be recalled that any third person injured in his business or property by the operation of the proposed combination could sue any of the parties thereto and recover threefold damages, as prescribed in section 7 of the Sherman Act. That this might constitute a very serious risk can not be doubted."

Mr. CALDER. Nor is this all. During the war there have been tremendous accumulations of raw sugar in Java, which next to Cuba is the largest producer. Authorities in the trade state that this sugar can now be laid down in New York at about 2 cents a pound under the price at which the Sugar Equalization Board is selling to refineries. This Java sugar, however, can not be brought into this country because the Sugar Equalization Board, in protecting its "corner," has the active cooperation of the War Trade Board. The latter made the public announcement on January 14, as follows:

The War Trade Board announces that hereafter licenses for the importation of sugar will be issued only to the Sugar Equalization Board (Inc.) or its nominees.

We thus see that the Food Administration, acting through its creature, the Sugar Equalization Board (Inc.), has established a "corner" on imported cane sugar; it is levying a tribute of about three-eighths of a cent per pound on every pound of raw sugar; and it is protected in its "corner" by the War Trade Board.

Owing to the importance of tin plate in the manufacture of containers for foodstuffs, the situation in tin is worth noting. Tin is selling in London at about 55 cents a pound. It should be selling here for only a few cents more; as a matter of fact, through the operation of the War Industries Board and of the War Trade Board, tin can not be purchased in this country under 72½ cents per pound. The reason is that the War Industries Board contracted for an enormous supply of tin when prices were at their highest. This tin is now coming into the country and is being offered to the trade at 72½ cents per pound. In order to protect this Government speculation in tin, the War Trade Board will not issue licenses to any private individuals or companies to bring tin into the country, and consumers instead of buying their tin under 60 cents a pound must pay 72½ cents. Here again is an example of the results brought about by clumsy attempts on the part of Government agencies to set aside the laws of supply and demand.

I saw in the newspapers the other day a statement attributed to an officer of the Quartermaster Department appearing before a committee of the House of Representatives, in which he insisted that his department would require a 10 per cent increase in their allowance for food for the Army on the theory that when the Food Administrator ceased to fix the price of food products they would rise at least 10 per cent. This appears to me to be absurd, because with the enormous quantity of food here in this country, and with England and France buying from Argentina and Australia at a price 40 per cent less than we can sell them, there can be but one result, and that is cheaper food for the American people.

My attention has been called, Mr. President, to a statement published in the New York Sun of last Sunday, which shows the extent to which the food supply has been increased in this country compared with a year ago. I quote from that statement as follows:

FIGURES SHOW BIG INCREASE.

Statistics from sources that can not be disputed show that on January 1, 1919, there was an increase of 389,221,075 pounds over January 1, 1918, in storage, of frozen-beef stocks, cured beef, frozen lamb and mutton, frozen pork, dry salt pork, pickled pork, lard, and miscellaneous meats. In the face of these staggering stores many who dispute the wisdom of a continuance of governmental price fixing on hogs with bacon retailing at 60 cents per pound say they can not see any necessity for the present high prices ruling for pork.

The comparative figures of these stocks in pounds tell their own story:

FROZEN BEEF.	Pounds.
Jan. 1, 1919	295,206,748
Jan. 1, 1918	274,073,518
Increase of	21,133,230
Plus holdings not reported	1,240,615
Total increase	22,382,845
CURED BEEF.	
Jan. 1, 1919	35,601,588
Jan. 1, 1918	33,077,346
Increase of	2,524,242
Not reported	564,754
Total increase	3,088,996
FROZEN LAMB AND MUTTON.	
Jan. 1, 1919	12,254,508
Jan. 1, 1918	6,219,298
Increase of	6,035,210
Not reported	190,410
Total increase	6,225,620
(Over 100 per cent increase.)	
FROZEN PORK.	
January 1, 1919	59,854,765
January 1, 1918	30,192,103
Increase of	29,662,662
Not reported	2,220,301
Total increase	31,882,963
(Over 100 per cent increase.)	
DRY SALT PORK.	
January 1, 1919	350,884,441
January 1, 1918	234,055,592
Increase of	116,828,849
Not reported	2,963,940
Total increase	119,792,789
(Over 50 per cent increase.)	
PICKLED PORK.	
January 1, 1919	289,409,761
January 1, 1918	242,295,401
Increase of	56,114,360
Not reported	3,964,906
Total increase	60,079,266
(Increase of 25 per cent.)	
LARD.	
January 1, 1919	100,755,440
January 1, 1918	51,873,806
Increase of	48,881,634
Not reported	3,209,894
Total increase	52,091,528
(Over 100 per cent increase.)	
MISCELLANEOUS MEATS.	Pounds.
January 1, 1919	127,942,489
January 1, 1918	34,965,952
Increase of	92,976,537
Not reported	700,531
Total increase	93,677,068

These figures indicate that there were on January 1, 1919, 389,221,000 pounds of frozen beef, lamb, and pork in storage over January 1, 1918. An analysis of these figures will show that the quantity of these food products in refrigerators in this country will amount to the enormous sum of 1,200,000,000 pounds. What shall we do with such a surplus and the demand on the part of the people for cheaper food? The President has fixed the price of wheat at $2.26 for the farmer in 1919, and the Food Administrator has fixed the price of many other products by regulation. In a few days the Food Administrator's department will determine again just what price will

be placed on some of these commodities for this year. The people of this country will not be willing to continue to pay 75 cents a pound for butter, 45 cents for ham and bacon, 50 cents for beef, 40 to 50 cents for lamb, and $12 a barrel for flour when they know that the country is filled with enormous supplies of these products.

The other day I read in the newspapers, and it was stated on the floor of the Senate, that we will be asked to appropriate a large sum of money, even as high as $1,000,000,000, to make up the difference this year between the guaranteed price of wheat to the farmer and the normal price in the world's market. Mr. President, there are just two ways to determine this matter, in my opinion, either to repeal that provision of the Food Administration act giving the President the power to fix the price of wheat or else appropriate the necessary amount, so that the country may be able to obtain food at fair prices.

It is obvious that unless the regulations of the Food Administrator and the War Trade Board are entirely abrogated, prices of necessities in this country—and therefore the prices of all commodities—will remain close to their present high levels. Among other effects of this artificial condition is that this country will be the worst market for foreigners to buy in and the best for them to sell in; result, a rapid disappearance of the favorable balance of trade which this country had enjoyed the last few years.

This whole question of high prices of food goes with the prices paid for everything else. The junior Senator from Ohio [Mr. HARDING] stated the other day that if we hoped to readjust prices the wage of the workingman must also be readjusted. I concur with him in that statement; but I do insist, Mr. President, that the workingman of the country is not asking any more for what he has to sell than his employer, who is also getting his full share of the profits. The slightest inquiry will develop the fact that while the workingman's pay has been increased materially during the war, it has not been increased out of proportion to the things he is compelled to buy.

If we insist that the price of wheat is to be maintained during the coming year, and with it the price of other food products, then, indeed, it will be difficult for us to insist on the readjustment of the workingman's pay. On the other hand, if we reduce the price of the products raised by the farmer, he has a right to demand that the things he has to purchase be likewise reduced in cost.

Senators have arisen in their places here to denounce combinations of capital and to criticize the business man, and I believe the criticism is just in some cases, for many men have taken advantage of the war emergency to raise prices out of all proportion to the needs of their business. And let me here, today, warn these men that unless there is a disposition here and now on the part of everyone to make some sacrifice in the interest of all concerned, then the whole business fabric will come toppling over our heads. If all are willing to help, then business catastrophe may be averted. If not, who can tell what the future may have in store?

Mr. PENROSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Martin, Va.	Smith, Mich.
Bankhead	Henderson	Moses	Smoot
Beckham	Hitchcock	Myers	Sterling
Borah	Johnson, Cal.	New	Swanson
Calder	Johnson, S. Dak.	Nugent	Thomas
Colt	Jones, Wash.	Overman	Thompson
Culberson	Kellogg	Page	Townsend
Cummins	Kenyon	Penrose	Trammell
Curtis	King	Phelan	Underwood
Fletcher	Knox	Poindexter	Wadsworth
France	La Follette	Pollock	Walsh
Frelinghuysen	Lewis	Pomerene	Watson
Gay	McCumber	Ransdell	Weeks
Gore	McKellar	Saulsbury	Williams
Gronna	McLean	Shafroth	
Hale	McNary	Sheppard	
Harding	Martin, Ky.	Sherman	

Mr. LEWIS. I wish to announce that the Senator from Delaware [Mr. WOLCOTT] is absent on official business.

Mr. CURTIS. I have been requested to announce the absence of the junior Senator from West Virginia [Mr. SUTHERLAND] on account of illness in his family. This announcement may stand for the day.

The PRESIDING OFFICER. Sixty-five Senators have answered to their names. A quorum is present.

Mr. SMOOT. Mr. President, never in my service have I been undecided as to what was the best thing for me to do until the pending measure was under consideration by the Appropriations Committee.

I have served in the Senate now for nearly 16 years. I never had a pair during that whole time. I never have dodged a vote in any way. I always have had my mind clearly made up upon every proposition that has been presented to the Senate of the United States during that term of service. My conscience has been perfectly clear in regard to every vote I have ever cast; but I want frankly to admit now that I am not so clear in my mind as to what is the best thing to do, whether to vote for or against this measure. I have been trying to definitely decide from reading the testimony submitted in favor of it and the remarks made. I know this: I would prefer to make a mistake, if I do make a mistake, in upholding the representatives of our Government now seeking terms of peace in Europe than to make a mistake upon the other side.

Mr. President, I can not believe that before Mr. Hoover left the United States for Europe he had a complete understanding of what he was to do when he reached there, or that he had any understanding whatever with the supreme council of supply and relief or with the allied war council as to what should be done by way of relief for the suffering countries of the Old World. I do not believe I reveal any secret when I say that the day before Mr. Hoover sailed for Europe he asked the chairman of the Appropriations Committee to call a meeting of the members of that committee—and I might add that there were a few other Senators present who were not members of the committee—and at that meeting he stated that he intended to leave for Europe the next day, and he felt that it was his duty to tell the members of the committee the object of his mission. He stated that he had been asked by the President of the United States to go to Europe for the purpose of assisting the allied countries in the distribution of the necessities of life to the starving people of Europe. Mr. Hoover did not go into details as to why that should be done, but he said that it was absolutely necessary that it should be done if the lives of millions of people were to be saved.

Mr. BORAH. Mr. President, do we understand that before Mr. Hoover left here, and before he had made any investigation of his own, he had already determined that this must be done?

Mr. SMOOT. Mr. President, I know that Mr. Hoover had made an examination before he left here, by representatives of the Food Administration.

Mr. BORAH. I know; but I ask the Senator now whether I am to understand that before Mr. Hoover arrived in Europe he told the committee that he was determined upon this program of feeding Europe?

Mr. SMOOT. I would not go so far as to say "feeding Europe." I will say that Mr. Hoover stated to the committee that he had men in every country of Europe, and that he had reports from those men showing the necessity of early assistance to the starving people of those countries.

Mr. BORAH. Mr. President, may I ask if he stated when he had sent those men to Europe, and under what authority?

Mr. SMOOT. He did not tell the committee when he sent them, but I do know that he has had them there for some time. There is no doubt at all about it and no secret about it.

Mr. BORAH. Under what authority did Mr. Hoover send men to Europe, prior to the signing of the armistice, to investigate the conditions?

Mr. SMOOT. Mr. President, I should suppose that he acted upon the power that was granted to him by Congress in the food act. I do not think that that act limits his power to controlling the food situation in this country alone; and not only that, but I wish to say to the Senate that the food that has been shipped to the different countries of Europe has been purchased by Mr. Hoover. The allied countries have given him the power to purchase the wheat, to purchase the foodstuffs of all kinds for England, France, Italy, and other countries as well.

Mr. BORAH. I know that, Mr. President.

Mr. SMOOT. And I suppose it is through that power that he has exercised the right of sending men into Europe for investigating the food conditions.

Mr. Hoover stated to the committee that he had no idea how much money would be required, if any at all; but he did suggest that more than likely he would require a revolving fund of twenty-five or thirty million dollars, and I think the chairman of the committee—and if I am wrong I want him to correct me—said to Mr. Hoover, "If it becomes absolutely necessary for you to have the money you no doubt will cable or write to the chairman of this committee."

Mr. MARTIN of Virginia. The Senator is absolutely correct about that.

Mr. SMOOT. At that time there was no understanding as to how much money it would take. He had not met the allied council of supply and relief. No conferences had been held between him and representatives of the other countries. After he arrived there those meetings were held and counsel taken, and it was decided then by this supreme council of supply and relief that it would take a minimum of $300,000,000 to relieve the sufferings of the peoples that were in dire distress.

Mr. President, as to whether or not $300,000,000 will be sufficient, I do not know, and I do not believe Mr. Hoover knows; but the supreme council has come to the conclusion that it will take at least that amount, and of that amount the President of the United States and Mr. Hoover agree that America should furnish $100,000,000, England and France and Italy to furnish the other $200,000,000, making a revolving fund of $300,000,000. The bill specifically states that it shall be a revolving fund, and I want to state frankly that the evidence that was submitted to the committee went to show that the greater part of the money advanced would be returned, and that it was only a charity in so far as it advanced money to the people who were starving, and charitable in the sense that it saved them from a pending danger, and that they were to pay the amount advanced back to those advancing the money.

Mr. President, I have no doubt but that some of this money is going to be returned to the Treasury of the United States. In fact, I am positive of it. I believe that every dollar of it that is furnished to the people of the northern part of France and Belgium will be returned. I believe that all of it will be repaid that is advanced to people where there is a semblance of government or a government that has been recognized by the allied powers and the United States. I know, however, that millions of dollars of this appropriation will go to people that are living to-day under no form of government recognized by the allied powers or by our Government, and I doubt whether a cent of such advance will ever be returned to the Treasury of the United States. When this bill passes, if it does pass and become a law, and the money is expended for that purpose, I know that it will be impossible for all of it to be returned. As I stated this morning, if we receive back 50 per cent of it, that is all that I shall expect, and more, too. If I vote for the bill, it will be with the distinct understanding that as to the major portion of this appropriation it is in fact a charity.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. POINDEXTER. The Senator spoke of northern France. Does the Senator think that France is now in need of financial relief from the United States to feed its own people?

Mr. SMOOT. I think there are a great many people in northern France that have to be fed; and I was going to say to the Senator that under the arrangement that is made it could hardly be called a case of the United States feeding France, because a part of the $300,000,000 comes from the revenues of France.

Mr. POINDEXTER. Yes.

Mr. SMOOT. The Senator from Iowa [Mr. CUMMINS] objects seriously to the distribution of this appropriation in the way provided, as far as the United States is concerned, and thought that it ought to be distributed as a direct gift of the specific items of food that we intend to furnish and not in the form of the fund provided for.

Mr. POINDEXTER. The Senator spoke just a moment ago about getting back that portion of this fund that will be expended to feed people in northern France. The showing here is that France is contributing money to feed the rest of Europe. France has suffered more than any of the allies in this war, because she has borne the brunt of the war; but France is great in the organization and reorganization of peace, as she was great in war, and is fully able to take care of her own people, and is taking care of them, and taking care of the people in other parts of Europe. She is not asking for charity from the United States.

Mr. SMOOT. Mr. President, so far as northern France is concerned, I do not consider that it is charity, and have so stated; but as to the great part of France that was overrun by the hordes of the Hun, whose cities were destroyed by the hundred, where there is not one stone left standing upon another and every vestige of life is completely destroyed, when those people go to their homes you can not tell me that they are not in dire distress and that they do not need assistance from every source possible.

Mr. President, the only way this can be done properly is to have it done in the way that this bill provides or that the program as mapped out provides, and that is that the money given by each one of the allied countries shall be put into one fund, and wherever goods are purchased, no matter from what part of the world they are purchased, they are to be paid for out of this fund, and when part of the money is returned it is to go into the fund, and when the final conclusion of this undertaking is reached whatever is collected from those that have been assisted will be distributed and paid back in exactly the same proportion that it was paid into the fund.

This is the only logical way that it could be done. It can not be done by England buying a cargo of wheat or of flour and distributing it to the needy somewhere and America sending over her meat products or a cargo of wheat and having that distributed somewhere, and then future payments made for those items thus distributed returned to the country furnishing each article. I say that the only way to do it is to do it in the way that is provided for in the pending bill if we are going to do it at all.

This proposition comes unexpectedly to the American people. The war having virtually ceased, or at least an armistice having been signed, and everyone in all the world believing that the war was at an end, the American people believed that with all the charity that they had extended in the past the calls for foreign assistance made upon them were at an end; but, Mr. President, from those who are upon the ground, those who ought to know, there comes this demand for additional assistance—I may say, in the last hour of the great conflict. When we contemplate the wonderful response that the American people have made to every call on them; when we know and realize the hundreds of millions and billions of dollars that the people have given gladly to carry on this great world conflict and bring it to a successful conclusion; when we know that every State in the Union has not only answered the call of the Government upon every occasion but more than done so; and when now perhaps the last call is made, and the call is for the purpose of saving the starving people of Europe, not brought about by any act of theirs, I want to say to the Senators that if there had been appeals made to the American people that a gift be made for this amount, or a direct donation, I have not a doubt but what it would have been granted.

Mr. GRONNA. Mr. President——

Mr. SMOOT. I yield to the Senator.

Mr. GRONNA. Not for the purpose of controverting any statements made by the Senator from Utah, but simply for information, I wish to ask him as to this fund for which he speaks. If I understood him correctly, France is to contribute a third, England a third, and the United States the other third. I wish to understand if it is to be used for the purchase of food to be distributed in France or England?

Mr. SMOOT. I do not think any of it is to be distributed in England. I think some of it is going to be distributed in northern France. As I have already stated, most of it will go to Belgians, Poles, Ukrainians, and Serbians—people who have virtually lost everything they had on earth and have not a thing to live on.

Mr. GRONNA. Of course, that would be outside of France. If the people of France can contribute $100,000,000 to this fund, what is the necessity for us to contribute? I am not saying now that I am opposed to it, but I ask simply for information. If the people of France are able to contribute $100,000,000, or one-third of the fund, what is the necessity for the United States to contribute, if it is for their use only? Is there any reason to suppose that the fund is to be distributed exclusively outside of the countries which have been named?

Mr. SMOOT. I want to say, as I said before, the program was mapped out by the supreme council of supply and relief and supported by the allied war council, and that program is to take care of the suffering people wherever they may be.

Mr. GRONNA. Of Europe?

Mr. SMOOT. Of Europe. I mentioned the northern part of France, because I have no doubt but what they will require relief, and as long as relief is the program, why say to France that she shall take care of her own sufferers separately from the program of taking care of the peoples of Europe who are suffering?

Mr. GRONNA. I am finding no fault with that. The Senator is a member of the committee having this bill in charge, and it is reasonable to suppose that he can give the Senate some information as to the desire of the commission as to where the food shall go. I should like to know if it was understood by the committee that this mission has asked for this fund that it might be used for the purpose of purchasing food not only for friendly nations, those who have been our friends in this struggle, but also to be used and distributed in those countries that have been our enemies in the war?

Mr. SMOOT. I will say to the Senator that that could not be done under the provisions of the bill. The bill specifically states that it shall not be used for feeding the people of countries that were the enemies of the United States.

Mr. GRONNA. The Senator evidently did not understand my question. I simply wanted to know what the committee understands. I have read the bill.

Mr. SMOOT. That is what the committee understands.

Mr. GRONNA. That it shall be used just for people of the allied nations or of the friendly nations?

Mr. SMOOT. For people of the friendly nations of the world.

Mr. GRONNA. If the Senator will permit me in his time, I will say to him that we had before the Committee on Agriculture and Forestry during this week a gentleman who stated under oath that he sat in all the conferences with this commission, as you may call it, and he named the men, and that Mr. Hoover, Mr. Hurley, the representative of Great Britain, Lord Reading, the representative of France, M. Clementel, agreed that it should be used not only for the allied nations or the friendly nations but for the enemy nations. That is why I asked the Senator the question I did.

Mr. SMOOT. The Senator knows that under the provisions of the bill it could not be used for that purpose. I wish to say to the Senator that the man who testified that way may have gotten mixed as to whether it was this fund or whether it was Mr. Hurley's proposition of selling to Germany and Austria some $70,000,000 worth of food products in return for certain shipping and products that they have for disposal.

Mr. GRONNA. Will the Senator permit me to answer that?

Mr. SMOOT. I do not say that that is the case; I simply say it may have been.

Mr. GRONNA. I think in justice to the man whom I have quoted, I should also state that he said it was understood by this commission that the entire fund should be used for the purchase of food sold for cash.

Mr. SMOOT. Of course that could not possibly be true. I will say to the Senator that I know Mr. Hoover did not think so when he left, because if the Senator was here when I made the statement of Mr. Hoover's appearance before the Committee on Appropriations he will remember that Mr. Hoover then did not make any such proposition. That was before he went to Europe.

Mr. GRONNA. This witness stated that that was the understanding not only of Mr. Hoover but of this commission.

Mr. SMOOT. I will say to the Senator that if it was the understanding at any time it was not the understanding the day before Mr. Hoover went to Europe.

Mr. GRONNA. Let me not be misunderstood. This witness has seen Mr. Hoover later than the committee has seen him. This was after the Senator from Utah and the committee had seen Mr. Hoover.

Mr. SMOOT. Of course I can not say from personal knowledge what happened in Europe, other than what appears in the cablegrams; but I say I know that no part of the $100,000,000 can be used for the relief of the enemy countries of the United States under the provisions of the bill.

Mr. President, I know the time has got to come, and that soon, when Congress must cease appropriating hundreds of millions of dollars. I thought it had arrived before this bill came before the Committee on Appropriations; but, Mr. President, this appropriation of $100,000,000 is asked for at a time when the representatives of our country are undertaking to reach a peace agreement; they say it is absolutely necessary that this shall be done; and I, as an American citizen, feel that I dare not take the responsibility of saying that it shall not be done.

I know that in the years to come taxes will be burdensome upon the American people. That time will be here not only this year, next year, and the next, but I say that my grandchildren will be paying heavy taxes on the obligations incurred by the Government of the United States for participation in the present world war. Rather would I begin with every appropriation bill that comes to the Senate at this session and eliminate from it every dollar that is not absolutely necessary than to make a mistake in defeating this bill. Mr. President, if mistakes are made in an annual appropriation bill they can be rectified within a few months. Such mistakes can not involve the future peace of our Government, but the pending appropriation may have such an effect. If this appropriation is to be made at all, it ought to be made at once. If the money is to be used at all, it ought to be used now. People can not go month in and month out with nothing to eat. If we are going to save the lives of suffering hundreds of thousands and perhaps millions of people, the quicker we do it the better.

I do not know whether it is worth while, Mr. President, to call attention to other matters that have been referred to during this discussion, because it seemed to me they were foreign to the subject. I have no doubt it would be just at this time to say the criticisms of the packers in some respects are unjust. I have no defense to make for them whenever they do aught that is contrary to the rules of honesty and justice, but I say now in justice to them that if they had not been organized as they were at the outbreak of war our American boys would never have been fed as they have been. In justification also of Mr. Hoover, he made his contracts not only with the producers of pork, in which the packers were compelled to pay 17½ cents per pound live weight, but he compelled the packers to buy the same and then limited the profits which they could make upon any sale to an amount not to exceed 2½ per cent. I claim now there is not another class of business in all the world whose sales charges are as low as 2½ per cent. If we want to save the consumers of this country money and bring down the cost of living, let us go to the places where they are not charging 2½ per cent, but in many cases 100 or 125 per cent on many sales. I say there is not a retail store in the District of Columbia which sells at a profit of less than 20 per cent on sales, and it runs all the way from 20 per cent up.

I know it sounds big to say that Armour & Co. made $15,000,000 last year, but do you know why they made it? Their sales were over $861,000,000, and they made less than 2 per cent upon all their sales. They made less than $1 per head on cattle that passed through their plant.

But of course, Mr. President, the amount of business they did was something marvelous and unheard of in all the history of the world. Notwithstanding the great increase in business their overhead expenses were the same, their advertising was the same, and the percentage on sale expenses were greatly reduced. Their ordinary sales of about $250,000,000 increased for 1918 to $861,000,000. Swift & Co. sold over 4,500,000 pounds of beef during 1918. The figures are so startling and so stupendous that we can hardly comprehend them, and we never could have believed them possible unless we had had this world war.

I wish to say now that I can not conceive how it is possible for any man to criticize another for limiting the profits on sales to not more than 2½ per cent. I can not recall, Mr. President, of very many businesses in all the world where organization is so complete that a profit of 2½ per cent on sales will yield an excessive profit on the capital and surplus invested.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. Certainly.

Mr. BORAH. Does the Senator know what per cent the packers made upon their capital and surplus for the year 1918?

Mr. SMOOT. I want to say in this connection—and I am glad the Senator asked the question—that capital and surplus was not the only money used by Armour & Co. during the year 1918. They had over $250,000,000 of borrowed money——

Mr. BORAH. I am asking the Senator a question now: What was the per cent which they made upon their capital and surplus for 1917 and 1918? I do not care anything about this 2½ per cent turnover. If men can turn it over in a monopolistic field, that does not mean anything at all. How much did they make at the end of their year upon the capital and surplus?

Mr. SMOOT. I have not yet received the statement and I can not say what the profits are, but I do say that the contract which was made between the packers and Mr. Hoover was that they should not make more than 9 per cent.

Mr. BORAH. That was on one line of their industry. On all the rest of it they were left absolutely free and untrammeled, and made as high as 47 per cent upon some of their other industries.

Mr. SMOOT. Mr. President, not only their meat products and food products but all the other products produced by them sold for $861,000,000 for the year 1918, and they made less than 2 per cent upon the whole of it, by-products and all.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Iowa?

Mr. SMOOT. Certainly.

Mr. CUMMINS. I am not basing my opposition to this bill upon the profits of the packers, but I do not like to see a false economic principle receive the support of the Senator. I am sure the Senator from Utah will not differ from me with regard to the real principles.

Armour & Co. have $100,000,000 capital stock. They have that because they increased it fivefold, I think in 1915 or 1916, out of the surplus which had been laid aside in the previous years, which represented, of course, their profits. The true way of determining whether Armour & Co. sold their stock at too high a price is to ascertain the return which the business afforded upon the capital invested in the business. If they made $15,000,000 in 1918, that represents a return of 15 per cent upon the $100,000,000 capital. It is true that Armour & Co., and I suppose it is true of other packers, borrowed a large amount of money during the course of that year, but the interest which they paid upon the money which they borrowed is reckoned as a part of the expenses of the business.

Mr. SMOOT. There is no doubt about that.

Mr. CUMMINS. It is all deducted before we arrive at the profits upon the capital actually invested by those who own the business.

Mr. SMOOT. The Senator is perfectly correct.

Mr. CUMMINS. Therefore the question is whether 15 per cent on the capital invested is more than a business should return to capital.

Mr. SMOOT. Mr. President, there is not one of the Senators here who does not know that if it had not been for the wonderful demand created by the war the sales of Armour & Co. would not have been $861,000,000. In proportion to the amount of their sales less than that their gains would have been less.

I know concerns in this country that have in two years during the war not only cleared every dollar of the cost of putting up their plants, every dollar which was invested in any way for operating the plant, but have made hundreds of per cent in addition. I do not believe that was right. I do not believe, Mr. President, that Mr. Hoover did wrong in controlling the packers. If they had not been controlled, with the demand for foodstuffs all over the world, no one can tell where the prices would have gone. If the sugar producers of this country had not been controlled, I believe that sugar would have advanced in this country to 20 cents a pound, the same as many of the foreign countries have been and are paying to-day. The best thing that was ever done for the American people was the control of the production of sugar in this country and the control of the Cuban sugar. I say now that Mr. Hoover could not have controlled the sugar that is produced in Cuba unless he had the power granted him by our allies to buy the whole of the crop, and that they would not have purchased a pound of it.

Has the producer of sugar in Cuba suffered? No. Last year he was paid $6.50 per hundred pounds for his sugar, 100 per cent more than he received before the war. They made millions of money, and it was a mighty good thing that the price was controlled, because there was a scramble for sugar all over the world, and no telling where the price would have gone if it had not been controlled.

Mr. President, there has been a good deal said here in this connection with reference to the reconstruction of our industries in this country, now that the war is over. Would to God that it had been undertaken more than a year ago in this country. Mr. President, on the 11th day of April, 1918, over 10 months ago, I delivered an address before the Industrial Club of Chicago, and among other things I referred to this very matter of the reconstruction of our industries after the close of the war. I do not know whether I could better express it now than I did upon that occasion. The part I shall take the time to read is very short. It is as follows:

"Practical wisdom is only to be learned in the school of experience. The hard facts of existence give that touch of truth to character which can never be imparted by reading or tuition, but only from contact with mankind.

"Fine sense and exalted sense are not half as useful as common sense. There are a host of men of wit to one man of sense. That has been the case in all the ages of the world, and no doubt will continue so until the end.

"When war was declared by the United States against the Imperial German Government we found ourselves totally unprepared, and I am fearful that unless some action is soon taken by our Government we will find ourselves unprepared to meet conditions that will arise in the world's commerce when peace is declared.

"Our leading allies and our enemies as well have already established industrial departments to deal with commercial and economical problems which will arise after the close of the war.

"No such action has been taken to enable our industrial institutions to meet the competition following the close of the war, which will be the most severe of any age of the world.

"I read not long ago an account in a foreign paper of arrangements already made by England, France, and Germany to capture as great a proportion of the commerce of the world as lies in their power.

"I pause here long enough to say that there is a feeling—shall I say of resentment on the part of a few who actually believe that to-day England is thinking more of her future control of commerce than she is of winning the war?

"I know that there is no straw left unturned by England to not only retain her world-wide commerce, but to enlarge it, and we have but to look at the statistics of other countries and we will see her foreign trade has not diminished but increased since the war began.

"We must not forget that when this war closes the industries of all the countries will be highly efficient compared with what they were before the war. There are a thousand problems that will be involved never dreamed of before the war, and we must squarely meet them, or our trade with foreign countries will be lost—what little we had.

"We will find that within a month after the close of the war England and Germany and other countries will have their merchant marines plowing the seas and hastening to carry raw material to their manufacturing plants, at present making munitions of war, but restored to their original purposes.

"Is there any doubt that following this war the question of employing the millions of soldiers released will be one that will demand the greatest wisdom on the part of public and business men, as well as the laboring men themselves?

"In England, for instance, a ministry of reconstruction has been created, and through that agency the minutest details are being perfected for reconstructing their whole economic and social structure.

"Among the subjects the ministry is considering are finance, raw materials, military stores, labor employment, agriculture, education, foreign trade, and public administration.

"Our allies believe that in time of war they should prepare for peace.

"Congress should not adjourn the present session without specific action along these lines. I am not alarmed about internal troubles occurring during the war period, but I am fearful of what is going to happen after the war and before normal conditions are restored.

"I am worried as to what is going to happen when wages must be readjusted in order to meet foreign competition; when we must arrange to maintain our own home markets; when hundreds of thousands of laboring men will be seeking employment; when the American people will fully realize that extraordinary war taxes will continue to be imposed and collected for years after the war is closed."

Mr. President, I do not go further; but I could proceed for hours and tell the people of the United States what a chance we have missed in the last 12 months in not preparing for the reconstruction of our industries with a view to the employment of our laboring men at the close of the war.

Mr. JONES of Washington. Mr. President——

Mr. SMOOT. I yield.

Mr. JONES of Washington. In connection with what the Senator is just saying, it may not be out of place to call attention to the fact that on January 4, 1918, I introduced a resolution in the Senate to provide for a commission to look into the problems of peace. That commission was to have on it representatives of all the leading industries of the country, and it was to do just exactly what the Senator has pointed out the importance of doing. I introduced that resolution, but we could get no action from any of the committees controlled by the majority.

Mr. SMOOT. I remember well the resolution offered by the Senator. Not only that, but I remember well the resolution that was offered by the Senator from Massachusetts [Mr. WEEKS]. But no notice was taken of them. We have been drifting along, Mr. President, with no preparation whatever, and the war coming to an end so suddenly, throwing millions of men back into industrial pursuits, has already brought to the attention of the American people the lack of former action that was so necessary along this line.

Mr. CUMMINS. Mr. President——

Mr. SMOOT. I yield to the Senator.

Mr. CUMMINS. The case is most admirably stated in the extract which the Senator from Utah has read from his speech in Chicago. It is a graphic description of the situation and of our duty. What I should like to know, however, is this: It will require a very large expenditure of the public money—temporarily, at least—to bring about the preparation for peace in our own country. How does the Senator from Utah expect to aid the accomplishment of that purpose by spending a hundred million dollars for reconstruction in Europe?

Mr. SMOOT. Mr. President, there is no proposition here for spending $100,000,000 for reconstruction in Europe. There is a proposition for spending $100,000,000 of American money, together with $200,000,000 of the money of the countries associated with us in this war, for the purpose of preserving life.

I want to say now to the Senator from Iowa that I would not vote to appropriate one single solitary cent of American money if I thought it was going into the development of the commerce of foreign countries. I do not believe a dollar of it will be spent for that purpose. If it is so spent, I will say to the Senator that it will be spent without any authority of law, without the approval of the American people, and it ought to be condemned, and will be condemned by all.

I have voted for many measures in the last two years which in ordinary times I should not have voted for under any circumstance; legislation has been passed here within the last two years which I believe was revoluntionary and socialistic in the most rampant form; and I hope and pray that its enactment will not have the effect of encouraging the people in ordinary peace times to demand such legislation for the future.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Florida?

Mr. SMOOT. Yes; I yield.

Mr. FLETCHER. It occurred to me while the Senator from Utah was reading from his very admirable address delivered in Chicago that we ought not to lose sight of the fact that up to about November 11 we were pretty busily engaged preparing for war and turning out war materials. I do not see that we had much leeway to do very much toward preparing for peace up to that time. I think the Senator will admit that the war ended pretty nearly a year before most of us expected it would end. At any rate, there was not very much we could do except to counsel looking ahead, and that sort of thing, beyond what we were doing to turn out munitions and other means of winning the war.

Mr. SMOOT. Oh, how mistaken the Senator is! When England and France were in a death struggle, drawing every man possible from their industries, three years ago they found men at home with sufficient knowledge and wisdom to consider reconstruction of industries after the war most thoroughly. Did England stop and did France stop the formation of a plan for reconstruction in the darkest days of last April, when it looked to all the world as though the very next day Germany would break through their lines and take Paris? I believe, Mr. President, as much as I believe anything, that if it had not been for an overruling power the Germans would have captured Paris. Last April when Germany was pressing the French Army back each day, and the supreme effort finally made a break in the line, I am told that a dense fog, so thick that a man could hardly see his hand before him, settled over the two great contending armies, and it was for that reason that the Germans did not know that the French line was broken for the width of 8 miles and the road to Paris was open to the German Army. However, it was not to be so; God ruled it otherwise.

I say now that the lack of providing for a reconstruction program is one of the things which will result to the disadvantage of our country more than anything that has happened in this war.

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Connecticut?

Mr. SMOOT. I yield.

Mr. McLEAN. The Senator from Utah calls attention to the fact that France and England more than three years ago anticipated the necessity for preparing for peace conditions. Is he aware of the fact that President Wilson two years ago anticipated this situation and prepared to meet it? Let me call his attention to President Wilson's declaration with regard to this matter. I find in the published volume of his addresses and papers, on page 315, that President Wilson said:

> Besides contributing our ungrudging moral and practical support to the establishment of peace throughout the world, we must actively and intelligently prepare ourselves to do our full service in the trade and industry which are to sustain and develop the life of the nations in the days to come.

I hope the Senator from Utah will mark the succeeding language:

> We have already been provident in this great matter and supplied ourselves with the instrumentalities of prompt adjustment. We have created in the Federal Trade Commission a means of inquiry and of accommodation in the field of commerce which ought both to coordinate the enterprises of our traders and manufacturers and to remove the barriers of misunderstanding and of a too technical interpretation of the law.

Again:

> In the new Tariff Commission we have added another instrumentality of observation and adjustment which promises to be immediately serviceable. The Trade Commission substitutes counsel and accommodation for the harsher processes of legal restraint, and the Tariff Commission ought to substitute facts for prejudices and theories. Our exporters have for some time had the advantage of working in the new light thrown upon foreign markets and opportunities of trade by the intelligent inquiries and activities of the Bureau of Foreign and Domestic Commerce, which the Democratic Congress so wisely created in 1912. The Tariff Commission completes the machinery by which we shall be enabled to open up our legislative policy to the facts as they develop.

I call this to the Senator's attention in order that he may not be unnecessarily concerned about our future.

Mr. SMOOT. Mr. President, all I have to say as to that is, may Providence have mercy upon the industries of this country if they are compelled to rely upon what the commissions named in that address will do for them.

Mr. McLEAN. I understand that there are only three active members now on the Federal Trade Commission.

Mr. SMOOT. That is all.

Mr. McLEAN. But they have some thousand employees, who, I understand, are receiving a living wage out of the Treasury of the United States.

Mr. SMOOT. Mr. President, I do not desire to take the time of the Senate any further. I simply felt like saying what I have said upon this occasion more in explanation of my position than for any real benefit or assistance it might afford in the passage of the bill.

Mr. KELLOGG obtained the floor.

Mr. MARTIN of Virginia. I suggest the absence of a quorum.

Mr. KELLOGG. I wish the Senator from Virginia would not do that. If Senators do not wish to hear me, I do not desire their attendance.

Mr. MARTIN of Virginia. I think Senators ought to be present, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Myers	Smoot
Bankhead	Henderson	New	Spencer
Borah	Hitchcock	Nugent	Swanson
Calder	Johnson, S. Dak.	Page	Thomas
Chamberlain	Jones, Wash.	Phelan	Thompson
Colt	Kellogg	Poindexter	Townsend
Culberson	Kirby	Pollock	Trammell
Cummins	Knox	Pomerene	Underwood
Curtis	La Follette	Ransdell	Wadsworth
Fletcher	Lewis	Saulsbury	Warren
France	McLean	Shafroth	Weeks
Gay	McNary	Sheppard	Williams
Gerry	Martin, Ky.	Sherman	Wolcott
Gore	Martin, Va.	Smith, Ariz.	
Hale	Moses	Smith, Mich.	

Mr. FRANCE. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK], the Senator from Kentucky [Mr. BECKHAM], and the Senator from Wisconsin [Mr. LENROOT] on official business of the Senate.

Mr. WEEKS. I wish to announce that my colleague [Mr. LODGE] is unavoidably absent from the Senate to-day. I ask that this announcement stand for the day.

Mr. GERRY. I wish to announce that the Senator from North Carolina [Mr. OVERMAN] is detained on official business.

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. There is a quorum present.

Mr. KELLOGG. Mr. President, in discussing this measure I promise brevity. I should not address myself to the subject at all but for the surpassing importance of the bill and because I believe it involves the honor of this Nation.

The discussion has assumed a wide range. Much of it has been interesting, but I believe has no direct bearing upon the great question at issue. We have heard discussed the shipping program, price fixing, the Food Administration, and general economic questions bearing upon the prosperity of this country. In my opinion this bill should be considered within much narrower limits.

I do not need to confess that, with other Senators, I have great reluctance in bringing my mind to support this bill. I had hoped, as the Senator from Utah [Mr. SMOOT] has said, that the war was practically ended and that we could stop making these appalling appropriations which are being imposed upon the taxpayers of this country, and I shall join the Senators in doing everything I can to relieve that condition; but, Mr. President, I am not prepared to say that, when the cry of distress comes from a stricken world, we should turn a deaf ear to it.

What are the conditions? For four years a war has ravaged Europe, involving more countries and having greater effect upon the civilization of the world than any conflict since the fall of Rome or the French Revolution—appalling in its losses, in its

waste, in its crimes, and in the trail of want, misery, and starvation which has followed it.

Now, what do we find to be the conditions in Europe? Take Serbia, for instance. As the armies of the central empires swept through the peaceful agricultural valleys of that land they devastated homes, drove off the cattle, destroyed the farm machinery, the food, the very seed, and left the country a desert. The Serbian people were driven into a little corner at Monastir, where was evidenced the greatest heroism of any little nation oppressed and beset by all the mighty power of the central empires.

Look at Poland. We have thousands and hundreds of thousands of industrious Polish citizens in this country. They are good citizens. We have thousands of them in my State. For generations and generations, aye, even for centuries, the hope of an independent Poland has inspired that people; but over her land swept back and forth the contending armies of Russia and Germany until it became a waste. I shall not go into the details of the condition of these friendly people who have sacrificed everything they had for the same cause you and I were supporting. We have recognized them; we have stated that we desire them to establish a government; we have recognized the Slavs of central Europe, and to-day they are starving.

I realize that my first duty is to the American soldiers who went upon the blood-stained fields of France to defend this Nation and to fight for our cause; I have not been remiss in my duty to them, and I shall not be. I realize that my first duty is to the toiling masses of my own country, and everything I can do to insure to them cheaper food, better living conditions, and good wages I shall do.

We have for several years been aiding in feeding stricken Belgium. I need not repeat the story of that people; but if it had not been for little Belgium, which stood at the gates and prevented the onslaught of the Hun, as Charles Martel met the invading hosts centuries ago, I do not know what the history of civilization would have been.

I am confident that the feeling in this country is such that if there were opportunity, if there were time to collect $100,000,000 by private subscription in order to meet the demands of Europe at this time, the American people would gladly give that sum; but, as has been said, relief must come to these people now, if it comes at all, and we are wasting precious moments even while we are debating the question, although I think it should be discussed fully on all sides. I am very glad to hear the opinions of Senators who do not agree with me, for I wish all the light I can procure upon the subject. But, Mr. President, do what we can, let all the civilized nations of the world do what they can, yet thousands upon thousands of people will starve before we can furnish relief. It is impossible to bring to the stricken people of Russia the relief that will prevent starvation.

Now, what is the condition? At the close of this great war the commissions of all of the allied nations have assembled in Paris to meet those of the opposing nations. We also have in Paris the allied committee, which during the last few months of the war was such an important factor in uniting the forces of the four great powers in order to meet the onslaughts of the German Empire. We acted in this fight as one great force, one great nation, each being inspired by the same desire and the same hope to bring about the same object. What have they done? Senators, let me read to you again the resolutions adopted in Paris, and then if any Senator wishes to say that we shall not vote this credit it will rest upon his conscience:

The following resolutions, adopted Sunday, January 12, at meeting of supreme council of supply and relief, were presented yesterday at the meeting of the presiding war council and were formally adopted by the representatives of the allied Governments and the United States:

"1. That it is imperative in the interest of humanity and for the maintenance of orderly government that relief should be given to certain European countries. It is provisionally estimated that for the furnishing of this relief till next harvest a minimum sum of $300,000,000 may be necessary, apart from the requirements of Germany, which will be separately examined.

"2. The council is of opinion that this sum of $300,000,000 should be placed at its disposal by the four associated Governments.

"3. That the financial representatives of the four Governments should consider and make recommendations to meet this expenditure.

"4. If these recommendations be accepted by the council, they should then be referred to the respective Governments for their approval."

Mr. President, that comes from the same allied council which marshaled the hosts of England, France, Italy, and the United States to meet the great final onslaught of the desperate Hun.

Mr. President, have we turned a deaf ear to the demands of that allied council before? Did we hesitate in voting millions and billions to carry on this war? Necessarily much of it was wasted. In the haste with which we made preparation, being an unprepared Nation, we, of course, wasted hundreds of millions of dollars. But whenever that allied council called on us for men, for money, for sacrifice, we met their demands, and because we did there has ended the greatest war that ever cast its shadow over civilization.

Now, Mr. President, who are the men who are to administer this allied fund? Let me read their names. They are not unknown to you or to the American people:

Lord Reading, the ambassador of Great Britain to the United States, and Sir John Beale, chairman wheat executive, London, will represent the English Government. For the French Government the representatives are Vilgrain, undersecretary of state for supply, and Clementel, minister of commerce. Italy at present is represented by Signor Attolico until her regular representatives arrive, and the United States is represented by Mr. Hoover and by Mr. Norman Davis.

I shall not discuss the question whether it would have been better not to have passed the food law or some other laws which have been enacted. I shall not discuss the record and career of Mr. Hoover. I will say that I believe him to be a high-minded, honorable, patriotic, and exceedingly able man. When Belgium had been destroyed before we entered the war and when France and England desired some one to take charge of the great charitable undertaking in feeding their people and keeping them from starvation they selected Mr. Hoover.

I do not think Mr. Hoover believes, in time of peace, in regulating prices or fixing prices or anything of the kind. At the meeting referred to by the Senator from Utah [Mr. SMOOT] Mr. Hoover recommended to the Senators present that whatever pressure might be brought to bear or whatever arguments were made the food law should expire with this war and that economically, in a country like ours, prices should not be fixed except under circumstances such as those to which we have been subjected.

Europe selected Mr. Hoover, who has had vast experience, to be the head of this commission. Not only that, Mr. President, but the representatives of this country in Paris, selected to make peace, have recommended this as a necessity; and, again, the President of this country, who is representing us at that conference, has recommended it in the most earnest manner. So we have the united judgment of the allied council, these gentlemen of the highest standing who are to act as the commissioners to handle the funds, our representatives at the peace conference, and the President of the United States.

I have followed the President in some things which were against my judgment; but I wished to place in his hands all the power which a united Nation could place there, that he might win this war, hoping that it would be the last great destructive war for generations and centuries to come.

Mr. President, I know this: The countries which are organized, the countries which have the semblance of an organized government, stand ready to issue their bonds or other securities to pay for food and aid their people. I was talking with the Minister from Serbia. Little Serbia, with all she has suffered, is ready to-day in Washington to give the bonds of the Serbian Government for every dollar of food and assistance which this allied council may furnish her. Of course, we are not going to give food to France. Belgium is ready to give her bonds, and they will be good, for it is a rich country, inhabited by an industrious people, ready to give their bonds for her aid. I have no doubt that any of the nations of Europe which are organized, which have a semblance of government, will give their securities for any assistance which may be rendered them; but, nevertheless, I have no doubt that with all this assistance there are struggling peoples in Europe over whom hang the horrors of famine, and I am not ready to say that I am going to turn a deaf ear to the piteous sobs of those broken nations.

Mr. SMITH of Michigan. Mr. President, will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Michigan?

Mr. KELLOGG. Certainly.

Mr. SMITH of Michigan. From the Senator's investigations, does he believe that the allied governments and the United States have entered into any form of contract to carry out this plan?

Mr. KELLOGG. I have no doubt whatever that, as arranged and as indicated by this resolution, the council of the allied governments have agreed on a plan to furnish relief to these countries. Now, I should be glad if the committee could have had before it Mr. Hoover and representatives from these countries, who could have given us detailed information as to just what countries food may be sent or seed need be sent or clothing need be sent, and how much, and what countries will be able to pay for them or give their securities for supplies; and I believe it would have been better if more detailed information had been sent to Congress. But I do realize, Mr. President, that the war has not been at an end but a couple of months. I do realize that Europe was in chaos, and likely

they do not know the complete details, which must be worked out from time to time. But, as the Senator from Michigan has just said, I have no doubt that there is an agreement between the allied nations to carry on as one body this relief to the stricken world.

Mr. President, it has been suggested that if we have a surplus of food we should appropriate that food to give to these countries and not appropriate money as a revolving fund. I should be perfectly willing, if the allied council should say at this moment, "We wish so many bushels of wheat, so many pounds of meat, and so much clothing from the United States," and we had it, to appropriate that; but I think it has occurred to every Senator that it is impossible for them to make such estimates.

Certainly the great proportion of this relief must come from this country. Do not forget, Senators, that last year the foreign commerce of this country reached the unparalleled amount of $9,000,000,000—more by three billions than any country ever before realized in any one year in all the history of the world—and that the balance of trade in favor of this country was $3,000,000,000. In other words, Europe paid us three billions more than we paid them.

Why, Mr. President, if labor is to have its just wages, as it ought, if industries are to be maintained, if the farmers of this country are to find a market for their products, that market must be found in Europe, because we are a surplus-producing people. Now, there is no question but that the Government of the United States has purchased most of the wheat surplus and paid for it, and is obligated to pay for any of the balance which is offered. I shall not go into the details of that; but we have a surplus of 319,000,000 bushels this year, and Mr. Hoover has sold to the allied countries 200,000,000 bushels at the price this Government paid for it, plus the carrying charges and expenses, and we undoubtedly will find a market for the balance; for I believe the European countries must buy their surplus wheat from us, because we are in a better position to furnish it and send it to them.

I am not in favor of keeping up the prices of products—not at all. I realize that the war is practically over. I realize that the guaranteed price of wheat was established at a time when no man could foretell the result of this war. It was made after one of the shortest wheat crops in this country and in the world. It was made when the President and the Congress felt as though there must be a greater production of wheat in order to win the war, and it was made, it must not be forgotten, when the price of wheat was $2.50 and $3 a bushel and rising every day, and it was made to insure food to the armies and the peoples of the world fighting in a common cause.

I am not in favor of maintaining that price to the American workingman and to the American people. I would prefer that the Government buy the wheat and sell it in the market, so that our own people may have the benefit of the world's price and food at normal prices; but, come what may, the Congress must keep its pledge to the farmers of this country.

Mr. President, I think I have said all that I desire to say on this bill, with one exception. I am not going to vote for it solely because it is a charity, or solely because it will stabilize the governments of Europe, or solely because it will stop the advance of bolshevism, although I do realize that in those countries where nations are seeking to realize their ambitions toward autonomy you can not set up and maintain a government over starving people; but I am going to vote for it because it is one of the factors in the closing of a great world conflict which has spread starvation, misery, disease, and want over all of Europe, and I wish to do my share and to have my country do its share in aiding to bring about an honorable peace, in maintaining good governments in Europe, and in feeding those stricken people.

I deny that by voting for this bill I commit myself to maintaining for all time the autonomy of the governments of Europe which may be established, large and small. I am not in favor of crossing the ocean to pledge the honor and strength of this Nation to maintain all the governments which may be set up in Europe; but I am in favor, at the close of this war, as to the peoples who have been fighting with us for the same object and inspired by the same hopes, of aiding them in their hour of dire peril and extremity.

And so, Mr. President, when the war clouds have rolled away and the passions of nations have cooled and we can see more clearly the future of these countries, it is my hope that the stricken peoples of Europe will form governments modeled after our own, where the right of the people to govern shall be perpetuated, and that autocratic rule shall have ended in the world.

RECESS.

Mr. MARTIN of Virginia. I move that the Senate take a recess until 11 o'clock a. m. to-morrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until to-morrow, Friday, January 24, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 23, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, our heavenly Father, profoundly sensible of our utter dependence upon Thee, we approach Thee in the sacred attitude of prayer and devotion, that we may express our gratitude for all that Thou hast done for us, as individuals and as a Nation, in the past; fervently praying that Thou wilt continue to inspire, uphold, and guide us, that we may know more of Thy will and better how to fulfill the same. In the spirit of the Lord Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 390) to establish the Grand Canyon National Park in the State of Arizona.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. HAWLEY, for to-day, on account of sickness.

INDIAN APPROPRIATIONS.

On motion of Mr. CARTER of Oklahoma the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14746) making appropriations for current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, with Mr. CRISP in the chair.

Mr. SNYDER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Chairman, few people in this country know the manner or the way in which men are tried by court-martial in our Army; and although 16,000 cases have been disposed of during the past year, little or no attention has been given to the procedure and to the fact that justice has not been meted out to them.

The usual procedure is for the commanding officer of a division to direct a court-martial to assemble, with the members of that court-martial selected by him in person, convened when and where he directs the court to assemble, and although the penalty may be death, the accused soldier is permitted to plead guilty with an officer—usually a second lieutenant—assigned to him to defend him.

Few of our citizens know that on the other side four privates who were found sleeping on post were tried before courts of the kind stated by me, a second lieutenant assigned to defend these men, and in two cases a plea of guilty entered by the second lieutenant, and the convening authority requested that these men be executed, although they were only 20 years of age. The records in the cases show that the judge advocate general of the American Expeditionary Forces asked for full execution in order that other men might be deterred from sleeping on post. Luckily for these men and the good name of the Nation the attention of the President was brought to the cases, the sentences were commuted, and the men ordered back to military duty. In one case a young lad who had distinguished himself at Soissons on July 18, 19, and 20, and who received the distinguished-service cross for bravery, was found sleeping on post after having come out from a hospital. The sentence of the court was four years. The convening authority reviewed it, and then and there it ended so far as any further review of the proceedings were concerned in his case. There have been 16,000 such cases tried——

Mr. LAZARO. Will the gentleman yield in this connection?

Mr. SIEGEL. Certainly.

Mr. LAZARO. Has the gentleman any information as to the number of soldiers who were condemned to death by these courts-martial?

Mr. SIEGEL. No; I have not, because it has been impossible to obtain the proper data. We know that there have been 16,000 such cases tried. We know that the chief officer in each division

selects the military court, and that usually a second lieutenant is assigned to defend the accused.

Mr. LAZARO. Has the gentleman a remedy to suggest?

Mr. SIEGEL. Yes. Senator CHAMBERLAIN has introduced a bill, and I have introduced a bill, providing that each case may be reviewed by a higher authority, that the accused may select his own counsel, whether civil or military, and, what is more important, that when the court is finally through and reaches its decision the defendant may then and there know whether he has been found guilty and what the sentence is. The language of the bill is as follows:

A bill to promote the administration of military justice by amending existing laws regulating trial by courts-martial, and for other purposes.

Be it enacted, etc., That article 11 of the Articles of War is hereby amended to read as follows:

"ART. 11. Appointment of judge advocates: For each general or special court-martial the authority appointing the court shall appoint a judge advocate. No person shall be appointed judge advocate for a general court-martial unless at the time of his appointment he is an officer of the Judge Advocate General's Department, except that where an officer of that department is not available the authority appointing the court shall appoint an officer of the Army recommended by the Judge Advocate General as specially qualified, by reason of legal learning and experience, to act as judge advocate. The officer appointed as judge advocate for a general court-martial shall not be a member of the court, but shall sit with it at all times in open session and shall fairly, impartially, and in a judicial manner perform the following duties and such others not inconsistent herewith as may be prescribed by the President in virtue of article 38 of the Articles of War:

"(a) Rule upon all questions of law properly arising in the proceedings;

"(b) Advise the court and the convening authority of any legal deficiency in the constitution and composition of the court or in the charge before it for trial;

"(c) At the conclusion of the case and before the court proceeds to deliberate upon the finding sum up the evidence in the case and discuss the law applicable to it, unless both he and the court consider it unnecessary;

"(d) Take care, equally with the court, that the accused does not suffer any disadvantage in consequence of his position as such, or of his ignorance or incapacity to present his own case, and for that purpose the judge advocate, with the permission of the court, may call and examine such witnesses as may appear to him necessary or desirable to elicit the truth.

"His rulings and advice, given in the performance of his duties and made of record, shall govern the court-martial.

"If the judge advocate dies, or from illness or any cause whatever is unable to attend, the court shall adjourn and another judge advocate shall be appointed by the proper authority, who shall act as judge advocate for the residue of the trial or until the judge advocate returns."

SEC. 2. That article 17 of the Articles of War is hereby amended to read as follows:

"ART. 17. Appointment of prosecutors: For each general or special court-martial the authority appointing the court shall appoint a prosecutor, and for each general court-martial one or more assistant prosecutors when necessary. The prosecutor of a general or special court-martial shall prosecute in the name of the United States and shall, under the direction of the court, prepare the record of its proceedings. Such prosecutor may be an officer of the Judge Advocate General's Department. In all court-martial proceedings the accused shall have the assistance of and be represented by counsel of his own selection. Such counsel may be either a civilian lawyer or an officer of the Army. If military counsel be not selected by the accused, the court shall assign military counsel to assist in his defense if such counsel be reasonably available."

SEC. 3. That articles 22, 30, 33, and 116 of the Articles of War are hereby amended by substituting the word "prosecutor" for the words "judge advocate" wherever they appear in the said articles, and by substituting the words "prosecutor or any assistant prosecutor of a general or special court-martial" for the words "the judge advocate or any assistant judge advocate of a general or special court-martial" wherever they appear in the said articles.

SEC. 4. That if the authority authorized to appoint general courts-martial has an officer of the Judge Advocate General's Department present for duty on his staff, he shall not refer any charge to a general court-martial for trial unless the said officer of the Judge Advocate General's Department shall indorse in writing upon the charge that in his opinion an offense made punishable by the Articles of War is charged with legal sufficiency against the accused, and that it has been made to appear to him that there is prima facie proof that the accused is guilty of the offense charged.

SEC. 5. That article 18 of the Articles of War is hereby amended to read as follows:

"ART. 18. Challenges: Members of a general or special court-martial may be challenged by the accused, but only for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time: *Provided*, That if the accused at any time before the arraignment shall file in the proceedings an affidavit of prejudice alleging specific grounds to show that the court by reason of matters touching its constitution or composition can not do justice, the court shall proceed no further in the case, but shall report the matter to the appointing authority for his decision.

SEC. 6. That when a court-martial shall find the accused not guilty upon all charges and specifications it shall not reconsider, nor shall the appointing authority direct it to reconsider its findings; but the president of the court or the summary court shall immediately inform the accused and the officer by whose authority he may be in custody of his acquittal, and such officer shall thereupon immediately release the accused from custody, unless he is in custody for reasons other than the pendency of the charges of which he has been acquitted.

SEC. 7. That when a court-martial shall find the accused guilty, it shall forthwith inform the accused of its findings and the sentence.

SEC. 8. That section 1199, Revised Statutes of the United States, is hereby amended to read as follows:

"SEC. 1199. The Judge Advocate General shall receive, revise, and cause to be recorded the proceedings of all courts-martial, courts of inquiry, and military commissions, and perform such other duties as have been performed heretofore by the Judge Advocate General of the Army. The power to revise the proceedings of courts-martial conferred upon the Judge Advocate General by this section shall be exercised only for the correction of errors of law which have injuriously affected substantial rights of an accused and shall include—

"(a) Power to disapprove a finding of guilty and to approve only so much of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when the record requires such finding;

"(b) Power to disapprove the whole or any part of a sentence;

"(c) Power, upon the disapproval of the whole of a sentence, to advise the proper convening or confirming authority of the further proceedings that may and should be had, if any. If upon revision, under this section, all the findings and the sentence be disapproved because of error of law in the proceedings, the convening or confirming authority may lawfully order a new trial by another court-martial.

"Sentences involving death, dismissal, or dishonorable discharge from the service shall not be executed pending revision. If in any case a sentence though valid shall appear upon revision to be unduly severe, the Judge Advocate General shall make a report and recommendation for clemency, with the reasons therefor, to the President or the military authority having power to remit or mitigate the punishment."

SEC. 9. That the Judge Advocate General of the Army shall prepare and submit to Congress, at the earliest practicable date, a revision of the Articles of War consistent with the provisions of this act, and shall also prepare and submit to Congress a draft of regulations providing for the procedure of general courts-martial.

SEC. 10. That all laws or parts of laws inconsistent with this act are hereby repealed.

Over at Leavenworth 12 men were tried and the court reached a decision on the 29th of November. At the present time these 12 men do not know whether they have been sentenced to be hanged or whether they have been sentenced to imprisonment for life. An orderly had gotten into trouble with 12 of these men at this military prison, and the military court tried them, and since July 20 last these 12 men have been kept in close confinement on bread and water, as sworn to by them in their application for a writ of habeas corpus, made to the United States court in Kansas before Judge Pollock a few days ago, and they do not know whether they have been sentenced to hang. Apparently 11 of them have been sentenced to hang and one has been sentenced for life imprisonment. Not a single one of these men knows who of the 12 is to have a life sentence and who are to be hanged.

The objection raised in this case is to my mind a very good one. Their objection is that as they were prisoners at Leavenworth the military court had no authority to try them, that they were entitled to be tried by a civil jury, and that they were entitled to have a chance to be tried separately according to the rights given to them in the various States of the Union. But that is not all.

Mr. GARD. What was the charge against these men?

Mr. SIEGEL. It is charged that these 12 men got into a rumpus with an orderly and that the orderly received blows from them resulting in his death. Over 2,000 pages of testimony were taken, and two former assistant district attorneys who examined the case at my suggestion—because I have not time to go over all these records—state that there is not a scintilla of testimony connecting the majority of these men with the crime.

Mr. GARD. The charge against them is murder?

Mr. SIEGEL. The charge is murder; but what I object to is that under the present procedure the court is convened at the request of the general, who names the men who constitute the court; he is the reviewing authority; and what is more, the men themselves do not know what the sentence of the court is sometimes for weeks and sometimes for months. The effect of such treatment on the men can be readily understood by anyone who will give the matter a moment's thought.

Mr. RAKER. Will the gentleman yield?

Mr. SIEGEL. I yield to the gentleman from California.

Mr. RAKER. Where was this offense alleged to have been committed?

Mr. SIEGEL. At Leavenworth.

Mr. RAKER. Were these men represented by counsel at the court-martial?

Mr. SIEGEL. Some of them were. There is a newspaper article a column and a half long from the Leavenworth Times of January 15 that has been sent to me by some citizen who complains of the gross injustice of the prevalent system. It recites all the facts I have given here and reads as follows:

WILL FILE SUIT TO STOP HANGING OF 12 MEN—PETITION PREPARED FOR HABEAS CORPUS ACTION IN FEDERAL COURT—MILITARY TRIAL ILLEGAL—IMPORTANT ACTION TO BE TAKEN BEFORE JUDGE POLLOCK TODAY RELATIVE TO THE 12 PRISONERS CONVICTED OF MURDERING SHELBY HISLE—CHARGE THAT THEY ARE UNDERGOING CRUEL PUNISHMENT IN SOLITARY CONFINEMENT UNDERGROUND AT THE DISCIPLINARY BARRACKS.

A habeas corpus suit to prevent the probable hanging of 12 prisoners in the disciplinary barracks will be filed before Judge John C. Pollock in the United States district court in Kansas City, Kans., to-day. The petition was prepared and sworn to here yesterday and is ready for filing in court. One Leavenworth and four outside lawyers have been at work on the preparation of the petition for several days, and it is an unusual one.

The petitioners are 12 men—Francis J. Cooney, Donald Fisher, Robert L. Lecoco, Alexander Kahn, Harold J. Keyes, Abraham Garelick, William Schleman, George W. Jerue, William F. Peters, William Cook, George A. Polson, and Millard Bowers—all of whom were convicted by court-martial at Fort Leavenworth in November of murdering general prisoner Shelby Hisle at the disciplinary barracks on the night of July 29.

ALLEGE CRUEL PUNISHMENT.

The petition starts out by saying that Newton D. Baker, Secretary of War, and Col. Sedgwick Rice, commandant of the disciplinary barracks, are holding these 12 petitioners without authority of law in solitary confinement underneath the surface of the earth at the disciplinary barracks, and that in doing this they are violating the eighth amendment to the Constitution of the United States, prohibiting the infliction of cruel and unusual punishment.

The petition then goes on to recite the orders of the War Department for the assembling of the court-martial here by Secretary of War Baker, and it states that on November 4 these 12 men were forcibly dragged before this court, and, in spite of their protests, they were placed on trial before an illegal tribunal that had no right to try them on a murder charge. The jurisdiction of the court-martial is questioned on several grounds. One of the errors alleged is that the court-martial ruled over their protests to try them jointly, when they had a right to have separate trials on a murder charge.

NOT AT WAR HERE.

It is alleged that the court-martial had no right to try them for murder, because the ninety-second article of war prohibited the trial of any person for murder by court-martial within the geographical limits of the United States in time of peace, and that the United States and the district of Kansas were at peace within their borders in July, 1918.

It is further alleged that the 12 men had been discharged as soldiers of the American Army; that they were not in the military service, but were prisoners in confinement and were not subject to trial by court-martial.

It is set out that they should have been tried in the civil courts, which were open and ready to conduct a just trial. Also that they had a right to a trial by a jury, and they ask Judge Pollock to issue an order to have them brought into his court so that they will get a fair and impartial trial.

HISLE KILLED BY A FALL.

It is stated that the trial continued until November 25, when the court-martial, without evidence to justify it, convicted them of killing Shelby Hisle by striking, hitting, stamping, and cutting him with a knife, but that his death was the direct result of a fall which caused his head to come in contact with an iron bar, causing a fracture of the skull, from which Hisle died.

It is alleged that the trial by court-martial of these 12 men was a usurpation of judicial power in violation of the Constitution of the United States. The articles of the Constitution alleged to be violated are set out.

FEAR A QUICK EXECUTION.

It is then stated that the petitioners have reason to believe that they have been sentenced to death or imprisonment for life, and in the event of the approval of said illegal sentences that they are in danger of being executed without having an opportunity to obtain relief from the sentences or to obtain a writ of habeas corpus. In other words, they are in fear of the sentences being carried out before they have a chance to appeal or secure any relief whatever.

An order is asked for directing Newton D. Baker, Secretary of War, and Col. Sedgwick Rice, prison commandant, to take these men out of their present cruel solitary confinement and to have them brought into the Federal court forthwith, where arrangements can be made to give them a fair trial.

IN SOLITARY SINCE JULY.

Seventeen prisoners were tried at one time by court-martial at Fort Leavenworth last November and 12 of them were convicted. Five who were acquitted were restored to ordinary prison duty. These 12 were in solitary confinement from July 29 to the time of the trial, and when it concluded they were returned to the same solitary rooms in the basement of a cell house.

The prisoners and their relatives and friends have been fearful that they would be executed quietly some morning before they would have a chance to do anything for them. The colored soldiers executed in Texas by the military authorities were not given any chance to make an appeal or have anything done in their behalf.

Nothing is known here about the verdict. When the trial ended the judge advocate of the court took the verdict direct to Washington and placed it with Secretary of War Baker. Members of a court-martial take a solemn oath not to reveal anything about a verdict or the way any member of the court voted on conviction.

Mr. SHERWOOD. Under military law these men are entitled to a copy of the proceedings.

Mr. SIEGEL. That is true; they are entitled to a copy of the proceedings. They were tried November 29, yet they do not know to this hour which one of them is to be hung and which one has a life sentence.

Mr. McKEOWN. Does the gentleman know whether or not the department refuses to give any information until the case is reviewed finally?

Mr. SIEGEL. The department does not, and my attention has been called to another fact, that the colored men in Texas were convicted, and then the review of the case took place after the execution.

Mr. DYER. Will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. DYER. Are these men colored men?

Mr. SIEGEL. No; all white men from all over the country.

Mr. DYER. This is a sort of a lynch law they are trying to get into the Army?

Mr. SIEGEL. I would not call it exactly lynch law, but 16,000 men have been tried in that way. I called your attention a few minutes ago to the Mathias case, where a boy got the distinguished bravery cross for bravery at Soissons, and at this time after he had been sentenced to four years it may be possible that he is in some disciplinary camp; in other words, his mother can not find out where he is. The Marine Corps has tried to get the information and can not. All the men tried on the other side were tried under Army regulations and Army rules, and the Marine Corps does not know where the boy is, and his mother in New York does not know where he is at the present time.

Now, I might go on and call attention to a number of other cases along similar lines. There are thousands of these cases.

Mr. McKEOWN. Is there any uniformity as to the amount of punishment in cases throughout the Army camps?

Mr. SIEGEL. There is no uniformity that I know of. We all know that. Men will be sentenced two years for a minor offense, while others will be sentenced for 10 or 15 years. The general in command of the division has supreme authority. He orders the court assembled and selects the men to try the accused, and if the general is not satisfied with the sentence he can reconvene the court. The most objectionable feature of the whole proposition is that the accused does not know, after the court has acted, if it finds him guilty, what the sentence is, and he may be kept for months without knowing what the final outcome is.

Mr. WELLING. Will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. WELLING. Has not the accused the right, under the law, to a report of the findings of the court-martial?.

Mr. SIEGEL. He has practically no rights at all under military law as it stands to-day. All he has is the right to a report of the proceedings, but the proceedings stop at the time the court goes into secret session to determine the guilt or innocence of the accused.

Mr. LITTLE. Will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. LITTLE. In the admirable presentation of the matter by the gentleman, has he discussed the difference between a court-martial on the firing line in time of actual war and at home in a country like this where there is really no war?

Mr. SIEGEL. I have not discussed it, because the same procedure is adopted, whether on the other side or over here. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIEGEL. Mr. Chairman, under leave to extend my remarks on this most important question the following article from the New York World of Sunday, January 19, 1919, discloses part of the conditions to which I have called attention:

THE THING THAT IS CALLED MILITARY JUSTICE—CONCRETE OFFICIAL EVIDENCE WHICH ESTABLISHES THAT THE UNITED STATES MILITARY COURTS-MARTIAL INDORSE AND APPROVE OF OPPRESSION AND ARBITRARILY IMPOSE GROSS INJUSTICE—WHENCE COMES THE LAW WHICH MAKES THIS POSSIBLE?—FROM CONGRESS—IT HAS ITS ORIGIN IN MEDIAEVAL TIMES, BUT ITS BLUNDERING HARSHNESS NO LONGER OBTAINS IN FRANCE, ENGLAND, ITALY, OR BELGIUM—DATA FOUND IN THE 1918 RECORDS IN WASHINGTON, TO WHICH ACCESS WAS HAD BY THE AUTHORITY OF THE SECRETARY OF WAR.

(By Rowland Thomas.)

In November, 1917, 12 old and excellent noncommissioned officers of the United States Army were tried by general court-martial at a camp in Texas. The charge was mutiny, a military offense so grave that the punishment prescribed in the Articles of War is "death or such other punishment as a court-martial may direct."

These men had been engaged in a camp amusement prohibited by a standing order. A young officer, finding them thus occupied and being overquick to assert his authority, ordered them in arrest instead of contenting himself with an admonition. While the men were in arrest he ordered them to drill. That order was in conflict with a general Army regulation which directs that noncommissioned officers in arrest shall attend no formations. The 12 noncoms knew that and declined to put themselves in the position of violating a general regulation.

Upon their respectful refusal to drill they were summarily stripped of their insignia of rank and placed in the guardhouse. The charge of mutiny was preferred against them. They were tried, found guilty, and sentenced to dishonorable discharge and imprisonment at hard labor for terms ranging from 10 years up to 25. The commanding officer, who had appointed the court, reviewed and approved its findings and ordered its sentence executed. And from his arbitrary decision the 12 accused had no appeal whatsoever to any judicial power.

These 12 men had been mistried. They were, prima facie, innocent of the crime for which they had been accused and convicted. Mutiny, by the definition given in the official Manual for Courts-Martial, "imports collective insubordination and necessarily includes some combination of two or more persons in resisting lawful military authority." These 12 old soldiers had not resisted lawful military authority. On the contrary, the act for which they found themselves "broken" and in penal servitude had been an act of upholding lawful military authority—one of the general regulations of the United States Army—against the infraction of a lawless or ignorant officer of that Army.

The other day I brought this case to the attention of an able and very distinguished member of the American bar. "Considering all those facts," I asked him, "do you see any shading of phrases by which a sane man, lawyer or layman, could seriously refer to any part of that transaction as representing the administration of any sort of justice?"

"On the contrary," was his answer, "what you have cited, were it true, would be a perfect example of the arbitrary imposition of injustice. But do you mean to tell me that happened in our Army?"

"By authority granted me personally by the Secretary of War," I answered him, "I have inspected the legal record of that case. What

I have told you is its undisputed substance. The record is in the Mills Building, in the files of what we call our Bureau of Military Justice."

THE BUREAU OF MILITARY JUSTICE.

The Mills Building is in Washington, just across Seventeenth Street from the State, War, and Navy Building. In it are the offices of the Judge Advocate General's Department, which is charged with responsibility for legal matters arising in the Military Establishment of the United States, just as the Medical Department is charged with the equally technical matters of cure and hygiene. And one section of the Judge Advocate General's Department is called the Bureau of Military Justice.

In military justice you—if among the 4,000,000 men who now compose our Army you count a son, a brother, husband, kinsman, friend, or friend's friend or kinsman—have a more immediate and vital personal interest than you probably realize. For on the administration of American military justice depend at this very moment and at every moment while he is in the service the good name, the future prospects, the liberty, and possibly the life of the individual soldier you gave to your country.

In those offices in the Mills Building are preserved the records of 15,719 grave crises which recently arose in the lives of an equal number of American soldiers. They are the harvest of the one calendar year of 1918. And every last one of those almost 16,000 potential and mostly actual personal disasters arose through the working out of the theories and practices of American military justice.

Through the authority granted me by the Secretary of War, I last week inspected a representative portion of those records.

Those 15,719 documents were records of 15,719 cases tried by general court-martial in the United States Army, one year's increment in the process of what is trustingly referred to as the administration of military justice. The Judge Advocate General is the technical law officer of our military establishment. Therefore, presumably, the public assumes that this must be matter of law, and so matter of justice.

Matter of law it is in one way. It is something legalized by action of Congress. But though the right and duty of captains and sergeants to give certain authorized commands under certain authorized circumstances have also been legalized by Congress, and they therefore might also be called matters of law in that meaningless sense, no one ever confuses them with matters of justice. They are described and recognized always as matters of military authority and command. And so should be described and recognized the matters which come up to the Judge Advocate General's office in the form of records of courts-martial.

COURTS-MARTIAL SENTENCES AT PRESENT MERELY MILITARY COMMANDS.

In the course of a speech in the United States Senate recently Senator CHAMBERLAIN said:

"The records of the courts-martial in this war show that we have no military law or system of administering military justice which is worthy of the name of law or justice. We have simply a method of giving effect to the more or less arbitrary discretion of the commanding officer."

If that statement, made on the floor of the senior legislative body of the Nation by the chairman of the United States Senate's Committee on Military Affairs is true, it raises an issue of grave importance. If it is supported by facts, it raises this question: Shall courts-martial in the United States Army sit as mere instrumentalities of military command or shall they sit as courts of justice, administering the law of the land?

And the Senator's statement is fully and amply supported by facts, which my investigation of the records showed. It will be shown you here that while the administration of military justice has been at times progressive and at other times reactionary, like most other phases of human government, it is at this time in this country almost wholly reactionary. It will be shown that though the Bureau of Military Justice in the Judge Advocate General's Department is nominally at the head of the administration of military justice, it is only nominally at the head. It is without legal authority. It does no more than "recommend to a military superior," usually the Chief of Staff, who then exercises his military power of supervision and direction over these recommendations. Under the General Staff act, as construed in present practice, the Chief of Staff exercises the same command over the Judge Advocate General's Department as over the Supply Department. Thereby he has the power to differ, and he does differ, with the head of the Bureau of Military Justice upon matters of pure law and substitutes instead his own judgment, even though that substitution should extend, as in that mutiny case in Texas, to the point of ordering that, for the purposes of command, wrong shall be right, truth shall be falsehood, innocence shall be guilt, and obedience shall be insubordination.

THE POWER OF MILITARY COMMAND.

It will be shown you that in the United States Army at present judicial power is only a concomitant and incident of military power. It is military power alone which determines whether an enlisted man shall be subjected to court-martial. By virtue of the power of command, the military commander determines the sufficiency of the charge and of the evidence upon which a man shall be tried, and other similar legal questions. By power of command he details the court-martial and passes on all questions of law arising in the proceedings and all questions of the legality of the proceedings. By power of command he determines the legality of the sentence and orders it executed. All this without independent legal direction or supervision, except that to be found in the "recommendations" of the Judge Advocate General, who is himself subject to superior military authority.

Further still it will be shown you how, from examination of those records which the Secretary of War formally gave me authority to examine, that, even inside the Judge Advocate General's Department there is an irreconcilable difference of opinion about the proper answer to that tremendous question raised by Senator CHAMBERLAIN—whether in our Army we shall have military law and a system of administering military justice worthy of the names of law and justice, or whether we shall have simply a method of giving effect by courts-martial to the more or less arbitrary discretion of commanding officers. It was clearly evident from official "recommendations" attached to various cases, that in the Judge Advocate General's Department there is a school which believes in the theory that courts-martial are mere instrumentalities of military command, that this is the view of the Judge Advocate General himself, Gen. Crowder, but is not the view held by the officer who, throughout the war, has been Acting Judge Advocate General of the United States Army, nor by most of the officers of the department.

At the beginning of the war the Judge Advocate General's Department consisted of less than a score of officers. It now consists of about 400 officers who have come to it as distinguished lawyers from civil life. These lawyers, I discovered from official indorsements and memoranda attached to records of cases, have found the system not merely antiquated but one admitting on frequent occasions gross injustice and military oppression. Courts-martial try soldiers for all offenses from murder down. They are composed of Army officers ignorant of the rudiments of law; yet, under the present practice of the War Department, their judgments, when approved by their camp commander, are final. And the present Judge Advocate General not only believes that the law makes such judgments final but that the law is wise. In one case, in which his views were strenuously opposed by the officers of his own department, he said that military justice was a kind of justice that had to be administered in the camp by the camp commander without legal supervision. This attitude resulted in the denial of the existence of any power in the War Department to correct error committed during these crude trials, though the error might be as prejudicial and unjust to the accused as that committed during the Texas "mutiny" trial. At the outbreak of the war the assistants in the Judge Advocate General's office, appreciating the need of a remedy for such gross wrong, endeavored to revive the revisory power over courts-martial proceedings believed by them clearly to be found in statutes of the Civil War period. The Judge Advocate General himself, though conceding the frequent gross injustice, denied the existence of such a power.

Notwithstanding that attitude, those who have guided the office of the Judge Advocate General since that time and throughout the war have assumed that remedial power must reside somewhere and in some cases of the grossest injustice have succeeded in inducing the Chief of Staff and the Secretary of War to take remedial action.

The task of persuasion was probably made possible for them by a single timely though tragic incident. Shortly after the Judge Advocate General's Department had strenuously denied to itself the power of review, 13 negro soldiers in Texas were tried, convicted, and were hanged the day after their conviction was reported to the convening authority and approved and confirmed by him. The record of the proceeding in those cases was not forwarded to the Judge Advocate General's Department for the "revision" required by the statute—whatever that term may mean when the power of effective review is self-denied by him—until three months after those 13 negroes had paid the forfeit of their lives. It is important to note here the fact that the camp commander who thus, by the power of military command, made himself accuser, jury, judge, and executioner of those 13 men was the same commander destined later, in the case of the "mutinous" noncoms, to order that inside his jurisdiction right should be wrong.

THE THEORY OF MILITARY JUSTICE.

But, first, a little clearing of the ground is necessary. Just what is military justice? What is a general court-martial?

Military justice, of course, is the process of putting military law into effective action. And military law is the legal system which regulates the government of the Military Establishment. Military law in the United States derives its existence from special constitutional grants of power, and is both written and unwritten. Its written sources are the Articles of War; other statutory enactments of Congress relating to the military service; the Army Regulations; and general and special orders and decisions promulgated by the War Department and by department, post, and other commanders.

Its criminal code of procedure is embodied in the Articles of War, which, as enacted by Congress on August 29, 1916, in their present form, consist of 121 articles which, among other matters, define the limits of military jurisdiction, provide the military tribunals through which that jurisdiction shall be exercised, define the offenses for which persons subject to military law shall be brought to trial before these tribunals, and the punishments they shall suffer if found guilty.

Chief of the criminal tribunals of our American military legal system is the general court-martial, which is given power to try a soldier on practically every charge that can be brought against a human being, and power to sentence him, if found guilty, to extremely severe punishment. Death, or such other punishment as a court-martial may direct, is the penalty prescribed by 13 of the so-called punitive articles, and such punishment as a court-martial may direct under 29 others. "Such punishment as a court-martial may direct," in the case of a soldier and in a "time of war" like the present, may be dishonorable discharge, forfeiture of all pay and allowances due or to become due during an indicated period of time, and imprisonment at hard labor for any period up to life.

WHAT A GENERAL COURT-MARTIAL IS.

A general court-martial is a body of officers, numbering from 5 to 13, the direct appointees of a properly authorized military commander, generally the commanding officer of certain specified military units or areas. It meets, by order of this commander, to try any person whom he orders tried on any charge or charges he may order preferred against that person. The prosecution of the accused is conducted by an officer ordered by the same commanding officer to perform that duty, and called a judge advocate, while the accused is given the right to be represented by counsel of his own selection "if such counsel be reasonably available." Since "civilian counsel will not be provided at the expense of the Government," counsel for the accused is always in practice a line officer, not a lawyer, and generally junior in grade and immature in human experience, who is ordered by the commander who appoints the court to perform the duty of counsel for the defense. He is, if his services be "reasonably available," an officer requested by the accused, and as to his availability the commanding officer has the final decision.

Before a court so constituted, and by a prosecutor and defender so equipped and so appointed, the accused is tried, all questions of law—including pleas, motions, and objections—arising during the proceedings being determined by majority secret vote of the members. After the evidence has been introduced and the statement of the accused and the arguments of prosecuting judge advocate and defending "counsel" have been heard, the court again by majority secret vote, determines its finding on the law and facts. If the finding is "guilty," it then, by majority secret vote, determines the sentence to be imposed, and from this judgment, when duly approved or confirmed, no appeal can be taken, nor can the judgment be set aside or reviewed by the courts of the United States nor of any State.

Such final approval or confirmation—except in capital and a few other specified cases—is the act of the commanding officer who appointed the court, and who, as reviewing authority, has the express power to confirm or disapprove the findings or any part thereof, the express power to confirm or disapprove any part of the sentence, and the power to send the case back to the court for "reconsideration." The final action of the reviewing authority is ordinarily published by promulgation of a "general court-martial order," and after this order has been promulgated the action of the reviewing authority is beyond recall.

SOLDIERS STAND OUTSIDE THE CONSTITUTIONAL GUARANTEES.

All your life you have been safeguarded in certain respects by certain fundamental provisions so complete and so effective that the chances are you never completely realized their existence unless you happen to be a lawyer. You have been so safe you have taken your safety for granted, as you take the daily procession of light and darkness. Under amendments 5 and 6 of the Constitution you, as a citizen of the United States, can not "be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury." You can not "be deprived of life, liberty, or property without due process of law." If you become the subject of any criminal prosecution you "enjoy the right to a speedy and public trial, by an impartial jury—and to have the assistance of counsel"—which last provision has been interpreted, over and over again, to mean the substantial assistance of qualified counsel.

Those are the inviolable safeguards of the life and liberties of every citizen of this country, "except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger." Then everything is changed.

Then any citizen of this country, if he has made himself, or has been made, subject to military law, may be arraigned for a crime which is always potentially infamous and frequently is capital, by order of a single individual. And, having been so arraigned, he will be tried, both on fact and law, not by an impartial jury but by a body of military superiors, and with no substantial assistance of counsel in his defense.

"Consider what has happened in the case of a soldier found guilty and sentenced under a general court-martial order. He has been accused and ordered to trial by a man who is not a lawyer. He has been arraigned and tried before a body of laymen. All legal questions arising during his trial have been settled by a secret vote of those laymen. All evidence for and against him has been admitted or rejected by the same process. The question of fact—the question of his guilt or innocence on the strength of the evidence admitted—has been decided by another secret vote of that body of laymen, without competent judicial guidance. And the laymen, in case their finding was guilty, have determined by secret vote what punishment he shall suffer. The record of their action has been sent to the layman by whom they were appointed, and that layman, at his own discretion, has approved or disapproved their findings and sentence, perhaps a revised finding and sentence, given after 'reconsideration' of his order. And that layman's decision is absolutely final. From it there is no appeal to any person or body."

And now, how do our commanding officers exercise that enormous power? How does the system work out in the day-to-day practice which brings the records of 15,719 general courts-martial cases to the Mills Building as the grist of one year's grinding of the mills of "military justice"?

THE FOUR DEATH CASES FROM FRANCE.

We have already seen how it worked out in the cases of those 12 noncoms in Texas whose commanding officer ordered prima facie innocence to be guilt for the occasion and hanged 13 negroes three months before the legal record of their trial reached the responsible law officer of the Army, who, though he had no power to review the proceedings in the sense of ordering them revised or set aside, was expressly charged with the duty of examining their legality and, by a "recommendation," calling the attention of his military superiors to any points inconsonant with law or justice.

Let us go further. Here are other illuminating cases. All are taken from the official records in the Judge Advocate General's Department:

During last winter in France four men—four boys, of whom the eldest had barely reached 20—were court-martialed and sentenced to be "shot to death with musketry," two for sleeping on post in a front-line trench and two for disobeying an order to drill. Notwithstanding the seriousness of the charges preferred, both carrying the death penalty, the military authorities convened an inexperienced court of minimum membership, the majority lieutenants recently commissioned. A second lieutenant without any knowledge of law was assigned to the "defense." The two soldiers charged with disobedience this "learned counsel" permitted to plead guilty to a capital offense, though at the same time the accused made a statement inconsistent with this plea—to the effect that because of long exposure for many days before to the intense cold of the mountainous section of France it was physically impossible for them to drill. Upon their plea alone these two were sentenced to death.

The two charged with sleeping on post were tried by the same court and "defended" by the same "counsel." They pleaded not guilty and made a formal but ineffective defense. It was shown in evidence, however, and not denied by the Government, that the accused had been in the front-line trench for six nights from 5 o'clock in the evening until 7 in the morning, with an actual stand in sentry post of two hours on and one off. No sleeping could be had in such a brief respite, and night after night of such vigilance must bring exhaustion unless there is a chance for sleep during the short day period. It was testified, and not denied, that it was impossible to sleep in the dugout during the day, because it was used as a place for chopping wood. Furthermore, in one case, the evidence of exhaustion was very convincing, in that the accused had been found asleep once earlier in the evening, about 8 o'clock, and instead of being relieved by the corporal of the guard had been kept on duty, with the result that he was found dozing as he stood against the trench parapet with his rifle to his shoulder at about 4 in the morning.

These matters of extenuation the court made no effort to prove or disprove and should therefore have taken as true. The men were sentenced to be shot to death.

Before the four men could be shot the cases had to come to Washington for action by the President, who in this case was the confirming authority, and the Chief of Staff, and, by formality and courtesy before the Judge Advocate General for his examination and forceless "recommendation." They did so come, and the Judge Advocate General and the Chief of Staff both recommended that the President should uphold the hands of Gen. Pershing and execute the men—the Judge Advocate General stating that it would be unfortunate if the War Department could not agree upon the penalty in those cases.

With the record of those cases I found filed a memorandum written by a high officer of the department who strongly dissented with the Judge Advocate General in this view. As this dissenter is both an officer of the highest personal repute in the Army and a lawyer whose learning and ability are fully recognized at the bar, it is worth while to note the main points of his position. He said that the same court could not fairly try these four men; that the accused had not had their right of substantial assistance of counsel; that they were young (all under 20, and all volunteers); that their military experience had been brief; and that not one of them had made the slightest fight for his life. Such a defense as each had made, he declared, was not worthy of the name, and the trial in the cases was a travesty. He pointed out, too, that Gen. Pershing showed extreme insistence that the death sentences be executed for the sake of example to the Army. Upon this point the dissenter wrote:

"There is an insistence upon the part of Gen. Pershing which tends to prejudice these cases. He seems to have forgot that he is not the reviewing authority. The relation between the appointing authority and the President in these cases is judicial. I do not say that Gen. Pershing may not make recommendations as to the maintenance of discipline in his command; I know he may; but his recommendation in these four cases is a special thing, specially interposed in the course of justice, in a special case, and characterized by great insistence. He asks that he be advised by cable of the act of confirmation, and makes a powerful argument that they should die, the gist of which is after all to be found in his view of the necessity of exemplary punishment in these cases. It may be that punishment, made especially drastic for the purpose of example, at times has its place and value, but exemplary punishment is dangerous to justice. The execution of all military offenders would very likely decrease the number of future offenses and offenders, but such Draconian methods would destroy justice, without which all else in human society is of no worth.

"It is only right for me to say to you," concluded the dissenter, "that the military mind will, in my opinion, almost unanimously approve of confirmation in these cases. I do not say that the military feature is to be ignored by the Commander in Chief of the Army. I myself would not ignore it. But when it offends my well-considered sense of law and justice, I could not follow it."

The "military mind" did approve of confirmation, but the Secretary of War finally came to the partial relief of these soldiers. Two were pardoned. The punishment of the other two, those who had refused to drill, was commuted to three years' penal servitude. In his formal communication to the President as Commander in Chief, recommending this exercise of clemency, Secretary Baker raised two points worth noting. Discussing the death penalty as a military punishment, he said:

"It is fair to assume it arose in time and under circumstances quite different from these, when men were impressed into armies to fight for causes in which they had little interest or knowledge, and when their conduct was controlled without their consent by those who assumed to have more or less arbitrary power over them."

And in commenting on the degree of guilt of the two men who refused to drill he points out a circumstance to which no reference appears in any part of the record of their actual trial—that their company commander was an individual whose notorious and violent pro-German sympathies and open objection to fighting against Germany in the Army of the United States, though he bore its commission and lived on its money, later led to his court-martial, dismissal from the service, and sentence to 25 years' penal servitude. Should not, the Secretary asks, this circumstance have been taken into account by the court in weighing the heinousness of the disobedience of these two boys, and could as high a degree of discipline be justly expected of them as of men whose superiors set them a proper example?

TWO CASES OF "DESERTION."

These, of course, are extreme cases, having to do with military offenses committed in the face of the enemy. Let us take some nearer home.

There was a soldier in a camp in Alabama, with a wife and aged parents. He had an excellent record. In December, 1917, he went home on a three days' pass and found his father desperately ill. He remained home until some time in May. The evidence, unimpeached, showed that his people were very poor and in extreme need of his help; that he expected his father's death at any time; that he wore his uniform and made no effort to conceal himself, and at all times intended to return to his command. In May the father died. Two days thereafter the soldier reported to camp to resume his duties. He was tried for desertion, found guilty, and sentenced to 15 years.

This case is one of a class numbering hundreds which all show courts-martial convicting of desertion when the essence of the military crime—the specific intent to desert, the definite intention never to return to duty—is negatived by the evidence. There are many cases where the evidence shows plainly that boys went home only for a last visit before embarking for foreign service, or for the holidays, or to meet some urgent domestic situation. Such are clearly cases of absence without leave—not the desertion which is, in time of war, a capital offense.

"Too many trivial cases are sent to trial," said Mr. CHAMBERLAIN, in the Senate, "too many unduly severe sentences are imposed, and the punishments awarded for similar offenses vary too widely." That the reader may have an opportunity to judge of that for himself, here is another of these cases of "desertion," this one from Camp Upton, N. Y. It will show, if nothing else, how completely the fate of an accused and convicted soldier is in the hands of the officer who ordered his court-martial.

This soldier was tried for desertion last fall, it being specified that he had left his organization without leave on July 19 and had been absent therefrom until September 19, when he was apprehended by the civil police and turned over to the military authorities. At his trial the following matters were put forward in his defense and no attempt was made to disprove them. About three days before his "desertion" he received word that his youngest sister, whose particular friend, supporter, and counselor he had been, was dying in Bellevue Hospital. He asked for a pass to New York, explaining his reason. After waiting three days in vain he left camp without a pass, and reached the city to find that his sister had died three hours before his arrival. It was found that she had let her small insurance policy lapse and the immediate problem of giving her decent burial arose.

The accused and his brothers and sisters possessed among them one Liberty bond, which an undertaker finally agreed to accept in payment for his services. After that harassing experience the accused was immediately faced with another. The woman with whom he had lived for several years and who was the mother of his two children was his common-law wife. She had had trouble in obtaining the allotments made her from his pay, with the result that she was in dire need, and the feeding and clothing of the children had necessarily been neglected. To top all, her mother, always hostile to the couple because of their irregular marital relation, had threatened to report the condition of the children and have them taken by the Gerry Society. And the young couple knew that since they were not legally husband and wife they stood very slight chance of getting their children back if once they were taken away.

Under these circumstances the young man sought and obtained work at his trade of coal handling and worked at it all summer. The evidence showed that he made no effort to disguise his status, wearing his uniform frequently, though never when it would be exposed to the dust and grime of a coal yard, and that when it was left in his dwelling no attempt was made to conceal it. The evidence also showed that he and the woman made constant effort to find a position wherein she might support herself and the children, and that as soon as such a position had been secured he instantly made preparations to return to his duty at the camp. When he was apprehended his uniform had actually been cleaned and pressed by a tailor in order that he might make a soldierly appearance when he reported back.

In Alabama, you remember, such an offender, with very similar mitigating circumstances, was found guilty of desertion and sentenced to imprisonment at hard labor for 15 years. It seems reassuring and heartening, for the moment, to learn that in New York the charge against the soldier was reduced by the court to absence without leave and the penalty to confinement for six months, later reduced by the reviewing authority to one month. But is it so very heartening, after all? It is good to be thus assured that we have just and merciful men among the officers in our Army. But should that blind us to the fact that there is no power compelling them to be just and merciful, and that even mitigating and extenuating circumstances must mitigate and extenuate, if at all, only by their arbitrary decision, just as it proved, in the case of those "mutineers" in Texas, that innocence itself must change to guilt when a commanding officer gave a military order to that effect? Is that justice? Is it law?

COMMANDERS ISSUE ORDER FOR "JUDICIAL" SEVERITY.

Touching on this matter of "desertions," the file of orders which I found in the Judge Advocate General's Department in Washington shows that at some camps in the United States the military commander has ordered that absence without leave for 24 hours shall be submitted to a special court-martial, which has a punishing power of six months' confinement and forfeiture of six months' pay, and that cases of more than five days' absence shall be submitted to a general court-martial, with unlimited power to punish, and that in such cases the camp commanders have instructed the courts to punish such cases with severity.

The files also show that frequently when courts acquit, the convening authority—i. e., the commanding officer—sends the cases back for "reconsideration," with an argument which, coming from the very source of command, virtually compels a conviction, and that there are many cases tried where every legal or other consideration only goes to show that the trial was a result of a gross abuse of military power. With citation of one more human document, this phase of the discussion may be brought to a close. This also is a case from Camp Upton, tried last fall. The charge was absence without leave, the specification, such an absence lasting from July 1 to September 11, when the accused reported back for duty. The plea was not guilty; the finding of the court was guilty. The sentence imposed was dishonorable discharge, forfeiture of all pay and allowances due or to become due, and five years' imprisonment at hard labor. The action of the reviewing authority was a reduction of the imprisonment to three years and suspension of the dishonorable discharge until that term had been served.

The evidence introduced in behalf of the accused, and not only unimpeached but strongly corroborated, was that the young man, who had been a year in the service and proved a cheerful and dutiful soldier, with a strong desire to get overseas, had been in civil life the main support of an ailing mother, a sister, and three younger brothers, the father being a drunkard, who did not live at home but was in the habit of returning there whenever he indulged in one of his periodical sprees, and setting out to wreck the place, the only member of the family able to exercise any control over him at such times being this elder brother, William.

Between the incubus of this condition in the home he had left behind him and the repeated disappointments after a year in camp of being several times ordered to an overseas detachment and then having the embarkation order rescinded, the accused, as he told the court, "got kind of discouraged all round," and on July 1, having failed to secure a pass, went home without one, to find his father on a spree and his mother in bed with weakness and nervous dread. And in that home, standing between that mother and that father, the young man spent the summer.

He wore his uniform, and did not make any attempt to disguise or conceal his status. Nay, more, he took up with an official and semi-military organization, the home branch of the American Red Cross, the question of finding some adequate means of controlling his father and protecting his mother, short of arrest, the social disgrace of which he was not willing to have his family undergo. This part of his statement was corroborated by the following telegram of the Red Cross to the court which was trying him:

"William ——— (address), overstayed last furlough on account of father on periodical spree. William alone able to control father at such times. Concealed fact prolonged furlough from mother, who is anxious and sickly."

What criminal lawyer would ask to face a judge and jury with a more moving plea for a client? And what upright district attorney—sworn officer of the court to see that substantial justice is done between the State and the erring individual—would not be strongly moved to enter a nolle pros?

What happened during the administration of "military justice"? Amateur "counsel" for the defense summed up these circumstances colorlessly and briefly, humbly admitted that the man he was "defending" had committed a most grave offense, and politely, almostly timidly, asked the court to take the matter of the drunken father into consideration, and, if it could, not to be too hard on the drunken father's son.

Judge advocate for the United States indulged in a burst of oratory. What he said illustrates so well what it is not unfair to term the animus of the military mind that it is repeated here verbatim.

"As I understand counsel, the accused's difficulty in getting a week-end pass led him to be absent for two and a half months. It must have been a great difficulty that he expected to meet when he met his company commander if he had in mind asking for a pass for the entire months of July and August and the first 10 days of September. I can not believe that a man whose one desire is to get overseas to fight for his country is going to be heartbroken at his failure to get over there at the first possible moment. The fact that a man stays absent for two and a half months indicates that he is a deserter. He is charged with absence without leave, but it is the most serious absence without leave that you could possibly have—without any justification, except that there was a drunken father in the family. I think the man should be punished and punished severely."

Five years for William, the civilian in uniform who "got sort of discouraged all around," and then the machinery of our administration of military "justice" took into its maw the next case of those 15,719.

DISCIPLINE IN OTHER ARMIES.

Case after case of similar mold might be added here if space were available. It should be stated definitely, as a part of this record, that from the historic point of view that the so-called military justice of these United States of ours, besides being blundering and senseless, is archaic—the sole survivor in any decent nation of a system of military discipline which originated in medieval times and was brought to its full flower by that ardent democrat, Gustavus Adolphus. This system has been abandoned by France, by England, by Italy, by little Belgium, and the spirit and discipline which said "They shall not pass" at Verdun, which turned the surviving tenth of the "contemptibles" after that fortnight of slaughter and retreat into the offensive force which smashed the German right for Joffre, which swept the routed Italian armies back to victory, which kept the black and red and yellow of Belgium flying for years never to be forgotten over one small, miserable stretch of marsh and sand dune, were founded on quite a different concept—one which recognized the laws of the land and the rights of men and the fundamentals of justice as being always superior to any mere power of military command, however exalted and however necessitous.

It was all this and more that Senator Chamberlain had in mind when on the floor of the Senate of the United States he said:

"The records of the courts-martial in this war show that we have no military law or system of administering military justice which is worthy of the names of law and justice. We have simply a method of giving effect to the more or less arbitrary discretion of the commanding officer."

The American people want to see fair play for their fighting men. They confidently look to Congress to see that these cases are reviewed by an impartial judge and justice done.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Chairman, I want to call attention to a statement in a newspaper, because statements of a similar character are being made and printed throughout the country.

This newspaper article is headed "Certain rich men in the State watched. Cashing in war stamps, and as result are denounced as deserters":

It is stated by Charles H. Huddleston, assistant postmaster at Austin, that an enormous amount of war-savings stamps are being cashed in by the people of Texas.

This officeholder, after having abused the people for cashing their obligations against the Government, says:

If a man in uniform deserts, he is court-martialed and punished as well as disgraced for life, but these financial deserters, whose duty is to furnish funds just as truly as it is the soldier's duty to fight, can desert and go unpunished save for the lashings of their own conscience and the indignation of an outraged soldiery.

Mr. Chairman, I presume it is the wish of every American citizen to uphold the credit of our Government, and I am sure the best way not to do that is to abuse those who comply with the contract made with the Government by buying its obligations and then cashing them in the manner provided by law. Here is a man who holds a liberty bond, and if he needs the money and his condition is such that he feels justified in doing so he has as much right to sell that bond as any other piece of property he honestly acquired. Any man or woman who has these war-savings stamps and who needs the money has a perfect legal right to cash them at the window as the Government contracted they should be cashed.

Mr. Chairman, the war is over, and the Government of the United States, instead of complaining about the payment of its honest obligations, should quit spending so infernally much money through its Congress and through its Treasury. If a man owes me money and I see him spending lavishly, the first impulse to me is that he should pay me his honest debts before he gives the money away or spends it with a lavish hand. Just the other day you donated here in the House $100,000,000 to charity. The Postmaster General says that we are about to buy the telegraphs and the telephones. Mr. McAdoo says we should buy $20,000,000,000 worth of railways and some other man says we should build houses in Washington so that every Government job holder may have a house to live in. A Government which is thus magnificently equipped with power to buy everything and answer every call of charity ought to be able at least to stand up and pay its obligations over the counter to the American people who need their money. [Applause.] I am tired of hearing these little political satraps denounce honest men and women who cash the obligations of the United States Government. I do not know what their particular situation may be. They may need the money and need it badly. If the Government needs the money, let us quit spending with such a lavish hand, let us demobilize the Army and bring our soldier heroes back from Russia and France, and let us demobilize those here at home, many of whom are acting as chauffeurs to little gentlemen who wear spurs and shoulder straps. Mr. Chairman, let us economize and devote the revenues of the Government to the operation of the Government's legitimate functions, and then we will not have to be abusing everybody

who walks up to Uncle Sam and says, "You owe me $100 and I want my money." [Applause.]

Mr. SNYDER. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman, I second the sentiments suggested by my friend from Texas [Mr. DIES]. I fully agree with what he says.

However, that issue is not what I arose to speak upon. I want the attention of the members of the committee this afternoon to a resolution which I introduced to-day looking to the establishment in France of a proposed field of honor. This suggestion has come through a good number of public-spirited men, many of whose names appear on the resolution, some of whom came here to Washington and secured an interview with Secretary of War Baker, and his approval of the purpose they had in mind. Mr. Bailey, of Harrisburg, Mr. Eyre, of Philadelphia, and Mr. Cushman, of New York, were here together and had an interview with the War Department. The result of the interest created by these men was the bill introduced on the 14th of January by the gentleman from Alabama [Mr. DENT], and which bill is now before the Committee on Military Affairs. The resolution I propose is supplemental to the War Department bill. The suggestion came from the Secretary of War that he would be glad to have an association formed for the embellishment of the proposed field. I called up the War Department this morning to get certain figures. I desired to know the number of soldiers who had made the supreme sacrifice in a foreign country. I am told that in action there were 30,000 soldiers killed, speaking in round numbers. Those who died from wounds and other causes number approximately 30,000 more. At least 3,000 others have been reported since the official statements were put out as having died, making something like 63,000 soldiers who will either rest in this country or in a foreign land. These soldiers fought in Belgium, France, Italy, and Russia. They were brigaded, according to the War Department information given to me this morning, from the northern boundary of Belgium to the Swiss boundary, making a stretch of line probably 200 miles in length. They were buried where they fell and their graves are marked with wooden slabs having on them the names of the soldiers. About the neck of the soldier is tied an aluminum tag upon which is his name and the section of the Army in which he fought so that they may be identified. The graves are not now guarded, according to the statement from the department this morning. The policy of the Government is to return these dead if possible. The difficulty in that, as will appear to all of you, is quite apparent. The Government, of course, will do this if it is possible to do it, but because of the scattered condition of these heroic dead and the care which I fear after the glamour of war is over will be dissipated, it appears to be a rational suggestion that we establish in France somewhere not a cemetery but, to get away from that idea, a field of honor, to be beautifully embellished and to be a thing of beauty for all time to come. The idea is not to put it on the battle field but to get from France one of her most beautiful chateaus, of 500 acres or more, in line with what France has already done for Britain.

I have understood that France has given in fee thousands of acres of her soil to Britain to be a resting place for the British sons that will not be taken back to Britain. The idea here is to find in the most beautiful part of France the most beautiful section from the standpoint of topography, a location near a city or a town that would be able to care for the population that might incidentally drift toward this place, as American travelers who would want to go where the heroic dead will abide, and also to make the field the last thing in beauty that an artist can make it, to be developed under the approval of the Association of Fine Arts here in Washington. The idea is to build within the field either one monumental building, to be a hall of records and a chapel, or to erect two buildings, one a hall of records and the other a chapel. This structure, of course, is to be also the last thing in architecture, so as to satisfy the demands of the highest standards of art—nothing inexpensive or commonplace. The field is not to be in the form of a cemetery, with a lot of tombstones, which, as a rule, never respect the sense of artistic taste, but to be laid out with reference to divisions represented in the battles in which the boys died—I mean divisions in the military sense. This would be better than if laid out in accordance with State lines. At the head of the divisions there is not to be a monument nor an inconsequential marker, but a column or an altar that would not be suggestive of any particular religious denomination, but such as could not from any angle offend anyone, and upon that altar to have the name of the division. The graves will be marked by a little headstone, with simply the name or the initial of the soldier upon the headstone.

The hall of records is to be the place where the records of all the boys will be preserved—the place and time of their birth, their enlistment, the division in which they served, where they fought, how they fell—and if there is anything especially out of the ordinary that would mark his life, that event is to be entered, so that anyone desiring to know what this soldier did or to know his history in France can go to this hall and there find a complete record of his service. Such a record will be made of all the boys who rest within the field. Then there will be a chart giving not only the field of honor in full detail, so a traveler at a glance can locate any division, but also charts to indicate the battle fields in which our soldiers were prominent, and it might be well to have mural drawings, not paintings, but charts of battle fields, so that anyone going within the hall could easily read not only the heroism of individuals but get at a glimpse what the battle fields of Europe were. Of course, fellow Members, there would be no effort to prevent any body from being brought back, where the parents or friends wanted the body brought. I do not think Congress would agree to anything of that sort; but I know, if the parent could realize that his loved one was sleeping in the most beautiful place in France, cared for by the Government, which would never allow it to be neglected, a place which will be perpetual, such parent would prefer that his loved one rest there, especially to having the body somewhere yonder in a great battle ground, unidentified and probably entirely lost sight of in time.

Mr. SHERWOOD. Will the gentleman yield?

Mr. FESS. I will.

Mr. SHERWOOD. The gentleman's proposition appeals to me. Has the gentleman introduced a bill on this subject?

Mr. FESS. I have. There was a bill introduced on the 14th of January by Mr. DENT, and I have introduced a resolution to authorize the incorporation of a society to carry out the plan of embellishing this field from the artistic standpoint.

Mr. HUSTED. Will the gentleman yield?

Mr. FESS. I will.

Mr. HUSTED. Is it the purpose to keep a record on this field of honor of those soldiers only whose bodies are left in France?

Mr. FESS. No. It will not be limited to those.

Mr. HUSTED. Or of all the soldiers who have died in France?

Mr. FESS. I am very glad my friend introduces that question, because the idea is that all the soldiers who lost their lives on land or sea, whether the bodies may have been buried at sea or on land, all will be represented in this hall of records.

Mr. HUSTED. It seems to me that is quite right, but I inferred from something the gentleman said that only the soldiers whose bodies were left in France would have this permanent record.

Mr. FESS. No; perhaps my friends could infer that from what I said, but I did not mean that.

Mr. JONES. Will the gentleman yield?

Mr. FESS. I will.

Mr. JONES. I would like to know if the gentleman does not think it would be preferable to have a field of honor established in this country, and does not the gentleman think it would be just about as easy to bring them back here as to convey them to the point where the field is created?

Mr. FESS. I am not committing a breach of confidence when I say it is going to be a very difficult thing to bring the bodies back here. However, I do not want to inject that, because the War Department is going to do that to the very limit of its ability.

Mr. LAZARO. Will the gentleman yield?

Mr. FESS. I beg pardon, I am afraid I will not have time. I yield to the gentleman.

Mr. LAZARO. Has the gentleman given any thought to those who lost their lives in this country, so that there will not be any line of demarcation between those who lost their lives over there and those who lost their lives here?

Mr. FESS. No; I had not given any thought to that.

Mr. LAZARO. The gentleman understands there are thousands and thousands of boys who went into the service anxious to get over there, but who could not get over there, and who lost their lives in this country. Without taking anything away from those who lost their lives abroad, does not the gentleman think something should be done for those who lost their lives here if we are going into anything of the kind?

Mr. FESS. I admit the force of what my friend says in that connection. My purpose is to get the Congress to meet the situation——

Mr. LAZARO. Yes; I understand.

Mr. FESS. Of those who died in France; but, if gentlemen will permit me to proceed, I want to say this: The purpose

of this association was not to put an expenditure upon the Government; that they would proceed to create a fund, perhaps of $15,000,000, to be administered under the authority of the Government, and thus make a permanent endowment, so that there would never be any doubt about the field becoming neglected. This could be raised in various ways, either by membership or by sale of a field-of-honor button, which would not entail any hardship upon anyone; and in order to avoid its being placed as any particular burden on the Government, in the way of an appropriation, the association would like to have that privilege to participate. Then, there is another thing I want to inject at this point.

Mr. ROGERS. Will the gentleman yield?

Mr. FESS. I will.

Mr. ROGERS. Is the gentleman committed to the exact name, "field of honor"? That, to me, has rather an unfortunate connotation of duelling days, and I wondered if the "field of glory" would not be preferable for that reason?

Mr. FESS. I had not thought of the connotation that is suggested. I hardly believe that we are near enough to the duelling days for us to retain that significance. I do not think that I would feel free to accept the word "glory" in preference to "honor," although what the gentleman says may have some significance. I meant to say that in addition to the association making an effort to gather funds, so as to make it perpetual, the Government would insist, of course, on being the final judge as to where the field should be located, which is to be by the permission and consent of the French Government; and, secondly, that the Government, of course, would be required to remove the bodies and place them within the field under the authority of the Government; and, thirdly, the Government would keep a guard of one or more companies of soldiers there permanently—not the same soldiers to remain there, but there is to be such a guard permanently maintained which is to be a symbol of the Government's perpetual presence upon the field.

The grounds should be so consecrated as to be open to Jew and Gentile, Protestant and Catholic, in keeping with the beautiful service which saw all fighting and dying side by side with no thought of religious differences; so may they sleep.

I hope the membership of the House will look into this proposal with a sympathetic viewpoint, because I am sure that the Government, while it will do what it can to bring home the remains of all our soldier dead, is going to have considerable difficulty in bringing the bodies back. And I am afraid that we will get into the position of leaving these bodies wherever they might now be resting, scattered all over that front, from Belgium to the Swiss border. And in time, no matter how beautiful is the devotion to-day of the French people to our soldier dead over there, you know it will be neglected; and I should like to have this thing done now, so that there will be no doubt that this field of honor will be a perpetual thing of beauty and a source of constant unity between our country and the allied countries for whose liberties they suffered and died.

Mr. LITTLE. Will the gentleman yield?

Mr. FESS. I yield to my friend from Kansas.

Mr. LITTLE. I am very much pleased to hear the gentleman's admirable suggestion. The intention is to assemble those that remain in Europe?

Mr. FESS. Yes.

Mr. LITTLE. Has the gentleman reasoned it out quite thoroughly in his mind that it would be better for a corporation to get together the funds than to have the Government do it? Has that been pretty carefully considered?

Mr. FESS. The idea has been that this association, incorporated by the authority of this body, could proceed to gather the funds that must be expended under the direction of the Government.

Mr. LITTLE. It is quite possible that is correct; but I wondered if you had carefully considered as yet whether that would be better than to have the Government expend it?

Mr. FESS. I think it would be better, and I am going to frankly state here that I am afraid if the Government does it alone we will have but little more than a military cemetery, which will destroy much of the spirit of the purpose of this association. [Applause.]

No father or mother who knows his or her precious boy sleeps in a place of beauty under the care of this Government, which will never neglect the cause for which he died nor the grave in which he lies, will regret the inability of the Government to bring back the body. For this field of honor will be a perpetual reminder to all the world of the debt it owes to the service of the son who made the supreme sacrifice.

We all recall the beautiful tenderness of Col. Roosevelt's reply to the Government as to his wishes as to the disposition of the body of Quentin, when he expressed the wish of Mrs. Roosevelt and himself that the dead hero be allowed to rest in the field where he gave his life.

The resolution to carry out the purpose is as follows:

A bill to incorporate the American Field of Honor Association.

Be it enacted, etc., That William E. Bailey, of Pennsylvania; Wilson Eyre, of Pennsylvania; James S. Cushman, of New York; Hon. William Howard Taft, of Washington, D. C.; Dr. John H. Finley, of New York; Bishop Luther B. Wilson, of New York; Alfred E. Marling, of New York; Arthur Curtiss James, of New York; Henry Morgenthau, of New York; James H. Schiff, of New York; Hon. Morgan J. O'Brien, of New York; William Fellowes Morgan, of New York; Dr. William T. Manning, of New York; Cleveland H. Dodge, of New York; Commander Evangeline Booth, of New York; George Wharton Pepper, of Pennsylvania; William Potter, of Pennsylvania; Charles L. Borie, of Pennsylvania; Judge J. Willis Martin, of Pennsylvania; Owen Wister, of Pennsylvania; A. J. D. Dixon, of Pennsylvania; Col. Frederick M. Alger, of Michigan; Dr. George S. Stewart, of New York; Maj. Robert Davis, of New York; Mrs. Robert E. Speer, of New Jersey; Mrs. John Meigs, of Pennsylvania; Violet Oakley, of Pennsylvania; Agnes Repplier, of Pennsylvania; Mrs. Finley J. Shepard, of New York; and their associates and successors duly chosen, be, and they are hereby, incorporated, constituted, and declared to be a body corporate of the District of Columbia by the name of The American Field of Honor Association.

SEC. 2. That the purposes of this association are and shall be: To cooperate with the Government in the selection and beautifying of a suitable and impressive estate in France for the creation of the American Field of Honor and its preservation as the final resting place of those who have made the supreme sacrifice in the cause of freedom and humanity, and to erect thereon such a building as shall serve, in the greatness of its intention and design, as a unified and single monument to the whole Nation and as a perpetual bond of union between America and the nations with whom we have been associated in the world's war.

SEC. 3. That the American Field of Honor Association shall consist of the people of every State in the Union who desire to express through their membership in it their appreciation of the sacrifice made by the Nation's immortal dead and their desire to unite in making that field of honor the country's great and living monument to America.

SEC. 4. That the American Field of Honor Association shall hold an annual meeting at such place in the United States as may be designated and shall make an annual report to Congress, to be filed with the Librarian of Congress, and shall submit before their adoption to the Commission of Fine Arts for any suggestions or for its approval all plans for the necessary monument of the proposed field of honor.

SEC. 5. That the American Field of Honor Association be, and the same is hereby, authorized and empowered to receive by devise, bequest, donation, or otherwise, either real or personal property, and to use the same or to hold the same absolutely or in trust and to invest, reinvest, manage, and apply the same property and the income arising therefrom in furtherance of the objects and the spirit of its creation.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. SNYDER. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. ELLSWORTH].

Mr. CARTER of Oklahoma. I would like to make an inquiry of the gentleman from Minnesota.

The CHAIRMAN. Does the gentleman from Minnesota [Mr. ELLSWORTH] yield to the gentleman from Oklahoma?

Mr. ELLSWORTH. I do.

Mr. CARTER of Oklahoma. Does the gentleman from Minnesota need some more time?

Mr. ELLSWORTH. I would like 10 minutes more.

Mr. CARTER of Oklahoma. I will yield to the gentleman five minutes; and if I find I can spare another five minutes, I will be very glad to yield him that additional time.

The CHAIRMAN. The gentleman from Minnesota is recognized for 15 minutes, 10 minutes yielded by the gentleman from New York [Mr. SNYDER] and 5 by the gentleman from Oklahoma [Mr. CARTER].

Mr. ELLSWORTH. Mr. Chairman and gentlemen of the committee, I almost hesitate to talk of Indian affairs under general debate as it is now progressing, for it seems almost as though extraneous matters were being brought into it. And I sometimes think that it is strange in this day and age, with the conditions in the world pertaining to and insuring democracy on this side and on the other side of the seas, that with more than a quarter of a million of our own people, the original possessors of this country, that in the general debate on Indian affairs in the House there seems to be but very few even of the members of the committee themselves who have anything to say to the Members of Congress upon that subject.

Now, I do not feel that I can enlighten any Members of the House upon Indian affairs. I do not feel that I can straighten out any of the jargon which has grown up through a bureaucratic control of the affairs of the red men of this country, but I do want at this time to say something along the general trend of Indian affairs and their condition.

A hundred years ago five of the tribes, known as the Five Civilized Tribes, had a government as we have a Government. They had their governors, their attorneys general, or those corresponding to attorneys general, secretaries of state, and legislative bodies. They made their laws; they had their judicial, executive, and legislative branches. They were civilized and have always been civilized, and what I say about Indians, by reason of the peculiar civilization existing then, an advanced civilization, and which has been maintained since, will not apply generally to these particular wealthy tribes in Oklahoma.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. ELLSWORTH. I will.

Mr. CARTER of Oklahoma. I just wanted to call the attention of the House to the further fact that during this period of tribal government it was developed among the Five Civilized Tribes by themselves mostly, with their own teachers and with the system of public schools by which not only tuition was furnished to the pupils of the Five Civilized Tribes, but also board and, in many instances, clothes. So that those people have really had a greater chance to become civilized in the last 100 years than has the white man himself. [Applause.]

Mr. ELLSWORTH. I thank the gentleman for the suggestion, and I feel grateful for a double reason, that secondarily——

Mr. SLOAN. I would like to ask the gentleman who is speaking, or the gentleman who has taken his seat, whether that education was an education developed by the Five Civilized Tribes in their special civilization, or was it copied after the system of the ruling people of this country?

Mr. CARTER of Oklahoma. It was copied after the system of the white man, and the textbooks were in the English language, and the teaching was in the English language.

Mr. ELLSWORTH. And from information obtained by an inquisitorial commission in that part of the country a few years ago it may be well to say that there are some things in which the white man might imitate the example of the Indians in that particular community.

I want to turn to another matter. Those civilized tribes were taken by this Government and given what is known as the Indian Territory country to furnish a great buffer against the uncivilization of the Southwest. To-day we have a different system of what I might call bufferism, a new buffer; a buffer and a barrier between Government and an impending and threatening civilized condition of the aborigines; a buffer built upon the supposed incompetency of the Indians, upon the supposed assurance of educational facilities to be provided, and in which not the Indian's poverty but the Indian's wealth stands between him and advancement and progress.

In 1854 the Red Lake Band of Indians in the northern part of Minnesota and through North Dakota journeyed once a year to Fond du Lac, at the head of Lake Superior, where they were met by Indian agents, who doled out their annuities, consisting of $1 each. Each year they met, sometimes two or three weeks or a month before the time of the payment of their annuities, and when the time came for payment of their annuities by the agent they were in many cases in distress and in a condition of famine. That condition continued for 20 years, and during the time that those members of the Red Lake Band of Chippewa Indians in Minnesota expected and looked forward to a pittance to be doled out not one single member of the tribe ever became a self-supporting citizen or a self-supporting Indian.

In 1874 that system ceased, and in that year, when there was no expectancy whatever of any further pittances being paid by the Government to this Red Lake Band of the Chippewa Tribe—from that time until 1889, when the Government stepped in and made another treaty, and the Indians ceded nine or ten million acres of land under a treaty providing that the proceeds from the sale of certain lands reserved would be placed in trust for them and the lands sold for their benefit—for the 15 years between 1874 and 1889, without any expectation at all of help from the Government, the Indians of that band became self-respecting citizens, were absorbed in the general population, and were among the men most sought after as employees on the farms and in the towns and villages and in the several communities in which they lived.

In 1889, after that treaty was made—and I regret I have not time to go into it now——

Mr. GILLETT. Did they give up their tribal life? The gentleman said they mixed with others.

Mr. ELLSWORTH. They gave up their tribal life, but they did not give up their tribal relations in most instances. In many instances they mixed, a large portion of them, with the white population in the towns and villages and on the farms, and carried on occupations such as other men did in the same communities.

Now the bureaucratic control has been restored. There has been a large fund—speaking of the same band and the same tribe of Indians. I want just to give you a bird's-eye view of some of the top-heavy administrative expenses and administrative effort and energy that are being expended by the Government in proportion to the amount of benefit, the ultimate benefit, to the Indian himself. I want to read you what seems to be an important State document. I read:

Check No. 488. Authority sec. 3/20–18. Account 3110.
Red Lake Indian Agency, Red Lake, Minn., Mar. 28, 1918.
The First National Bank (79–1). Pay to the order of Joseph Green, $——— ——— ——— dollars.
Not negotiable until countersigned by United States disbursing agent.
Name ———, occupation ———, post-office address ———.
JOSEPH GREEN.
Name ———, occupation ———.
Signature or thumb mark of Indian depositor.
Father.
For to bal. a/c.
INDIVIDUAL INDIAN MONEY.
Approved for $———.
WALTER F. DICAM,
United States Disbursing Officer.

On the reverse side of this document I read the following:

If payee is unable to write, his indorsement must be a clear, distinct impression of his right thumb (or of left in case of loss of right) after his name. Indorsement to be witnessed by two reputable persons who can write; their names to be followed by addresses and occupations. Whenever possible one of the witnesses must be an employee of the Government or a member of the Indian's tribe.

Now, first, Joseph Green had to ascertain whether any member of the tribe could read or write. He might hire a horse and carriage and go out and find a man who could read, and if he did find such a man and he had a right thumb, he had to make the impression of his right thumb, or if he had no right thumb he would have to make his impression of his left thumb. [Laughter.] When he finally came to the Indian agent with the document properly marked he received the amount.

When I saw this check I said to the member of the tribe who showed it to me, "I do not want to talk about that, because it would be preposterous." He said, "Why?" I said, "It does not represent anything in particular." He said, "It represents exactly what is being done with the Indians." I have seen many checks during the year in which the amount did not exceed this—dozens and dozens of them. The amount of this check in which Joseph Green became the beneficiary of the United States through this great bureau was 11 cents. [Laughter.]

Mr. KNUTSON. What would happen to Joseph Green if he had lost both right and left thumbs?

Mr. ELLSWORTH. If he was not suffering from ptomaine poisoning, he might possibly make his toe mark. [Laughter.]

Now, I want to proceed rapidly, in order to get through, although the gentleman from Oklahoma [Mr. CARTER] is going to give me another five minutes. A year ago, when this bill was under discussion in this House, some of our leading members on the Committee on Indian Affairs, including the gentleman from Kansas [Mr. CAMPBELL], and the gentleman from North Dakota [Mr. NORTON], and the gentleman from Oklahoma [Mr. CARTER], said something about a man who knows more about Indian affairs than anybody else ever connected with Indian affairs still living, and possibly including all those who have gone to the beyond. Mr. NORTON says, speaking of James McLaughlin, a special inspector of the Government in the Interior Department but directly under the Indian Bureau, drawing a salary of $2,500 a year:

The most valuable man in the Indian Service in inspection work to-day is, in my judgment, unquestionably Maj. James McLaughlin, a man who has been in the Indian Service for nearly 40 years; a man who has made more treaties for the Government with Indians than any other living man; a man who has done more for the Indians of the United States and who is better acquainted with Indian affairs than any other man living in this country to-day.

* * * * * * *

To-day he is the most beloved and the most respected man among the Indians in North and South Dakota. His record in the service of the Government is one of which any man could feel justly proud. It is one the emulation of which by others in the Indian Service will bring about much-needed improvement in the administration of Indian affairs. [Applause.]

Mr. CARTER of Oklahoma then said:

I heartily concur in every word that has been said by the gentleman from North Dakota [Mr. NORTON].

A Member just asked me how long Maj. McLaughlin had been on the pay roll. He was on the pay roll perhaps before some Members here now were born, and during all the time I doubt not he was drawing less salary than he might have been able to draw had he been employed in a different capacity. He is one of the men in the Government service with a capacity of from $6,000 to $10,000 a year who has continued working, year after year, for $2,500, and prior to a few years ago for even less than that. There has never been a man in the Indian Service, so far as I am advised, who has rendered more beneficial service, both for the Federal Government and for the Indians, than has Maj. McLaughlin.

* * * * * * *

Maj. McLaughlin has ever been the friend of the Indians, he has ever had the confidence of the Indians. It is worth while for any Member of this House to spend a few evenings reading that very valuable book written by Maj. McLaughlin entitled, "My Friend the Indian."

All praise to Maj. McLaughlin, all honor to this noble, courageous, intelligent, diligent Government inspector, against whose long and valuable public service the tongue of slander has never wagged and who never faltered in the performance of a duty. [Applause.]

Then Mr. CAMPBELL of Kansas says:

Mr. Chairman, I count among my best friends in the public service Maj. McLaughlin, the friend of the Indian. [Applause.]

Then he said:

I got my liking for the Indian and my interest in his behalf through association with Maj. McLaughlin. I have read his book, "My Friend the Indian." It is one of the most illuminating works upon the American Indian that has ever been published. It was written by a man who loves the Indians, who has lived with them, and who has worked with and for them. For more than 40 years Maj. McLaughlin's life has been interlocked with the life of the American Indian. Years ago, when uprisings were imminent in any Indian tribe, Maj. McLaughlin, with that courage that his name would indicate, would go to the tribe, would sit with them in their councils, talk with them in their own language, and he has secured many treaties from unfriendly Indians who were about to go upon the warpath which have resulted in the maintenance of peace. He has rendered great service to the Indian and to the United States in the years of his connection with the Indians and with the Interior Department. Maj. McLaughlin is about 76 years young. I do not know where he is now. Perhaps he is out in the Dakotas or in Wyoming. He is somewhere rendering service to the United States and to the Indians. He works like a steam engine. I have known few men who have his capacity for work. At his age he seems never to tire, and he has the faculty of going right to the gist of a question. A few years ago, when a most intricate and important matter was under consideration, Maj. McLaughlin was selected by the Secretary of the Interior and commissioned especially to make an investigation of the entire subject, and the report made by him in that matter is the last word upon the subject. He has always rendered that kind of service to the Government and to the Indians, and I would like to join with my colleagues on both sides of this Chamber in doing something besides merely giving him words of praise. This House can well afford to spend a few moments in giving recognition to the splendid services that Maj. McLaughlin has rendered. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SNYDER. I yield to the gentleman five minutes more.

Mr. ELLSWORTH. I thank the gentleman. I would like to stop to add my tribute to Maj. McLaughlin, but I shall proceed now to say something of his opinions as recorded in his book written and published in the last few years. I am sure since I have been here there has been nothing in the RECORD of what this man—perhaps the most prominent of all in or out of the service, dead or alive—thinks about the Indian problem to-day. I read from the twenty-first chapter of his book, "My Friend the Indian," dedicated in his own words "To my friend the Indian, whose good traits survive as a monument over the graves of a vanishing race." The last chapter is entitled "Give the Red Man His Portion." I have made extracts from it and shall proceed, without comment, to read them, trusting that you will fill in the interlocking spaces between with a subject supply of what the comment relates to. This book was written in 1910, so that it is not an ancient work.

Speaking of tribal funds—

The fund as it stands might be described as an endowment for the creation of paupers and the perpetuation of the present state of dependence among the people to whose credit it stands. * * * And, resting as he does under the weight of this burden of wealth, getting enough of it from time to time to keep the life in his body and prevent him from exerting himself to any great extent on his own behalf, the American Indian is fated to die in a state of unthrift and indigence, a sort of half breed ward in chancery. It appears to me that it is the duty of the Government to make some provision presently for the emancipation of these unhappy victims, to deliver them from the evils that guarantee a future of ungentle paupery, by giving to the Indian his portion and turning him adrift to work out his own salvation.

The Indian and his condition is not so important a matter to the majority of the people of the United States as the smashing of the trusts and the reformation of the "system," but no question that affects the moral and physical salvation of over a quarter of a million human beings living in this country can be lacking in importance to the rest of the people, and this problem, in which is involved the future of the Indian and the disposition of the wealth that a paternal Government has sequestered for his benefit, is of imminent and practical interest to the people of the West in particular and to all the people of the country in general. Moreover, the Indian problem is involved in a condition created by and for the benefit of the American people. Leaning as he does on a governmental prop that is unstable, the Indian to-day calmly asks, "What are you going to do about it?" And the question must be answered not by the bookman, nor by the missionary societies, but by the practical men who are to-day engaged in giving to the administration of governmental affairs the best thought and the most practical intelligence ever placed at the disposal of the people of the Republic. He might be cowed by a show of military pomp, then fighting him in force and subduing him to the point of making him glad to accept a treaty. The treaty being made, white men broke it. The white men broke all the treaties. Gen. Sherman, who did not love the Indian overmuch, declared that all the Indian wars were chargeable to the white men and their bad faith. Other men—not the faddists who exploit the Indian for advertising purposes—agreed with Sherman, and I know nothing to support a contention that the Indian was treacherous and capable of breaking faith when he had made a fair engagement.

And then he says, speaking of the Indians of South Dakota as typical of all:

This body of Indians might be taken as fairly showing the result of the policy of holding the Indian in wardship and making him heir to wealth that is being gradually distributed.

And I have no hesitancy in saying that the condition of these Indians to-day is not as hopeful as it was 18 years ago, when they had no wealth in expectancy and no payments to depend on. Their advancement has been greatly retarded by the system under which they live. They lack the manly qualities that distinguished them generally 15 or 20 years ago; they have no self-dependence; they lean on the Government or the agent in all their affairs; they are in debt. They squander the money that is given them—I am speaking of the people generally, for there are a few notable exceptions to this rule. The younger people have little pride of ancestry and no care for the future. The older people have neither ambition nor hope—beyond the next payment. They are utterly listless of the passing of time, except as it brings a payment nearer, and are much given to the cheaper amusements of the whites and the inane dances of their ancestors. Fifteen years of annuity drawing has made a people that was struggling to the surface by personal effort a set of paupers in chancery. * * * They would be better off, so far as the future is concerned, if they stood as blanketed Indians on the virgin prairie. They prove incontrovertibly the demoralizing effect of the present system, and they stand as a fair sample of people treated as they have been.

Fortunately not all of the Indians have money in the Treasury upon which to draw. I say "fortunately," for the Indian who has nothing at all, either at present or in expectancy, is much better off than these, and infinitely better material upon which to work. * * * As a matter of fact, the Indians of the trans-Missouri reservations, who have practically no income save that which is produced by leasing their lands for grazing purposes or what they earn by labor, are infinitely better off than these civilized and wealthy cousins of theirs. The Teton Sioux is better physically and morally and of stronger mentality than the annuitant. He has been compelled to exert himself since he was driven out of his hunting grounds, and he has had rather better health than some of his compeers for that reason. He has passed through the transitory stage involved in the change of his manner of life, and he is recovering from the anemic condition to which he was reduced by the change from the tepee to the log house, from fresh meat to cereal goods. For seven years he has had no Government assistance, except for the maintenance of schools and rations for the aged and indigent, and he is now taking his land in severalty. The demoralization will come if the present system obtains.

I would not argue that the economic and social condition of the Indian is satisfactory in the inverse ratio to his wealth; but it appears certain to me that the Indian who attained to the right to draw a dole from the Government before he had developed up to the state of being able to get a living for himself is laboring under a serious handicap and is at a standstill or retrograding.

In another chapter of this same book he says that while we are very slow to violate treaty provisions, so far as keeping the funds is concerned, and not giving the funds to the Indians per capita until the treaties expire, we are not at all squeamish about violating the treaties in any other respects so long as it increases the control of the bureau and perhaps gives still further opportunity of keeping the money from the Indians.

These immense holdings are being doled out to the Indians by a pauperizing system in sums inadequate to their needs yet sufficient to give the annuitants the sense of being provided for. I am not sure but that the average white man, if assured of a sufficient income to scratch along on, would not proceed to become an Indian after his fashion. * * *

This is the problem that confronts the white man: How is the Indian to be saved from himself and his riches?

To me the question admits of but one answer. Give the people the money they have coming; give it to them as soon as possible. So soon as the proper official declares that an Indian is competent to administer his own affairs let that Indian have his portion of the funds, also a patent in fee for his allotment, and let him shift for himself. This procedure would relieve the Government of the care of these funds and build up manhood and individual self-reliance, which can never be realized under the present doling-out process. Do away with the leading strings and checkreins by which the Indian is now handicapped and he will immediately feel the necessity for demonstrating his capacity to manage his own estate. By this means only can the Indian be saved from chronic indigence and ultimate and absolute paupery; and I am sufficiently well acquainted with Indian nature to venture the prophecy that a large majority of those under 50 years of age will develop the capacity to hustle for themselves exactly in the proportion that their needs press them. Take away his annuity by letting him handle the principal and the Indian will be given a start on the road to complete civilization and independence that will land him at the desired goal.

I want to say, in closing, that if the Government should decide to-morrow, regardless of the competency or incompetency of the individual members of the Indian tribes, to give to every single one of them in this country the money or property to which he is entitled, held in trust funds or of tribal funds or allotments, or whatever it may be, there could not and would not in one case out of a hundred be a single instance where the money would be squandered by reason of the fact that the control of the Indian Bureau had been taken away and the restriction removed; or, if it were squandered, the "squanderer," if I may use the term, would then turn his hand to some useful occupation, because the "civilizing" influence of the Government would cease to hamper him.

I say this because I believe that the courts of this land are just as much to be depended upon to protect incompetent persons to handle their own affairs as the Indian Bureau, and because I do not believe that there is a single reason to doubt that every court in the country would give them the same protection as to their allotments and their tribal funds as they would give to any other incompetent persons. They would get the same consideration if they were not competent and not frugal in any State of the Union.

The foundation on which this bureaucratic government is maintained is this: It is a sort of a tripod arrangement. You have the educational proposition, you have the incompetent proposition, and you have the Indian's wealth. These are the three things that stand between the Indian and the Indian's freedom and the right of holding his own property at the present time. But just as soon as you get an item of expense,

whether it be a gratuity or payment, and especially if it be taken from the tribal fund, you run against this proposition, that a part of that money is spent for schools. I make the assertion that if you close every school—and I will except Oklahoma only, because they have their own government, they attend to their own business; the Five Tribes of Oklahoma are like a great corporation, they take care of themselves—if you exclude them and close every school, both day and boarding schools, in the next year, you could start out in very many localities without serious concern as to Indian children not being able to secure an education in the public schools and colleges in the States in which they live. There is no question about that in my mind; but when it comes to a show-down the proposition which affects the cutting out from the Indian bill of an appropriation made you run amuck every time of some one somewhere who draws a salary from some particular fund that may overlap an expenditure for schools. The expenditure may be so remote that it only gets into the schools through a third, fourth, or fifth step arrangement whereby somebody draws a salary as an inspector or supervisor of an Indian school in that vicinity or thereabouts. [Applause.] I should favor a commencement now, in this Congress, in this bill, on a new plan of cutting down items which are top-heavy with administration expenses.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Chairman and gentlemen of the committee, before I begin the discussion of the question that I intend to discuss briefly this morning I want to say, in reply to the speech of the gentleman from Ohio [Mr. FESS], that I am in favor of returning the bodies of American soldiers to America. I think that the Government that is able to take a boy from home when in the vigor of life to go to the place of danger, wherever it may be, and there spill his blood and die for the flag, that that Government ought to bring the remains of that boy back home. [Applause.] I think that those who bade these boys good-by, who went away with their blessings upon them, ought now to be permitted to have their remains returned, wrapped in the flag of our country. [Applause.] Now, I know that a great international cemetery in France would cause thousands and hundreds of thousands of American tourists to go there. Many of our people would want to go there and lay a flower on the graves of their loved ones. That is true, but, gentlemen, you know that thousands of boys went out from our country whose parents are not able to make that journey across the sea. Are they to be deprived of ever standing at the grave side of the one who in the flower of his young manhood died for his country and for civilization? [Applause.]

I am in favor of bringing back the remains of these boys who fell in battle or died with disease upon foreign fields. I think it is a measly contention that this the greatest Government on the globe, the richest Republic on the earth, should now undertake to save its money by allowing these boys' bodies to remain on a foreign battle field when their loved ones want them brought home. [Applause.] I would leave that to the American father and mother, those who brought them into being and who nurtured them to manhood. I would allow them to say whether they wanted them to remain there, and if they did I would permit the boy to sleep where he is buried, if his parents want him to remain there, as was the wish of Col. Roosevelt with regard to his brave boy who died in battle; but if they want the body brought home, it should be done. In the absence of any statement from them on the subject, then I would provide a great national burying ground in the United States and let them sleep in the soil of the land of their birth. [Applause.]

Now, Mr. Chairman, I want to say a few words about the cotton industry of the United States. This industry is of vital interest to thirty-odd millions of American people. In 1914 we exported 9,501,000 bales of American cotton. That was the last year before the war.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. LITTLE. I quite agree with the gentleman's position about bringing the bodies home or leaving it to the parents. But as I understood the gentleman from Ohio [Mr. FESS] his plan is that the field of honor shall be for those whose parents do not care to have them brought back home.

Mr. HEFLIN. I did not so understand it.

Mr. FESS. Mr. Chairman, that was the situation. No one has refused to have the bodies brought back home.

Mr. HEFLIN. Then I did not understand the gentleman's position. I did not hear all of his speech.

I was speaking of cotton. In 1914, the last year before the war, American cotton had become so popular and so necessary to the people of the Old World that they demanded of us that year nine and a half million bales of American cotton. That year the American mills consumed a little over 5,000,000 bales. Last year the American mills consumed 7,500,000 bales. Of course, the spinning industry of the Old World was disturbed during the war. People were compelled to wear old clothes, and they have worn out their old clothes. The people of the Old World were compelled to plant their cotton acreage in foodstuffs, and they have made but very little cotton. In 1914 they had a fairly good cotton crop of the kind they produce, and in 1918 they have made no cotton of any consequence. In 1914 we made the biggest crop in our history. But in 1918 we have made one of the smallest crops in four years. There is a dearth of cotton the like of which I have not seen in my day. The world's cotton crop is nearly 7,000,000 bales short, and yet in spite of that, in spite of the cotton famine that confronts us, the New York Cotton Exchange under a bear raid drove down the price of cotton in one day last week $88,000,000 on an 11,000,000-bale crop. Something has got to be done to stop such wholesale destruction of values. I am in favor of protecting the wheat growers of America against a raid by speculators on the grain exchange, and I am in favor of living up to this Government's pledge to the wheat growers, but, gentlemen, you have got to help us protect the cotton industry against the destructive raids inaugurated by certain foreign and American spinners.

The spinner here and abroad has sold the cotton goods to be made out of this crop. The spinners here and abroad have sold it on a cost price to them ranging from 35 to 40 cents a pound, and upon that basis they will average a profit after every expense is counted of over $235 a bale. What reason is there in justice and fair dealing for beating down the price in such fashion? The consumer is not going to get the benefit of it. The producer is being robbed. Let me show you some figures: The spinning industry in the United States consumed 5,800,000 bales of the 1913 crop. In 1914 the manufactured products from that portion of the American crop brought $701,000,000. The American cotton crop of 1914—16,000,000 bales—sold for $141,000,000, less than one-third of the crop in the manufactured state brought in 1914. So you can see that without any reason the producer is being robbed by a bear conspiracy of certain American and foreign spinners. They broke the price of cotton futures from $25 to $30 a bale in two weeks. Cotton will go back to 30 cents a pound in 15 days. It is now around 23 or 24 cents a pound on the exchange. But the producers are not selling. The spots are 28 and 29 cents. The producer is refusing to sell. He is holding and will continue to hold until he can obtain a fair price. On yesterday bear speculators put out a report that the Federal reserve banks were going to call in their loans on cotton. This was done to stampede the market. The board here says that there is no truth in such a report. All of these things are indulged in to aid a group of cotton spinners in the United States as well as foreign spinners to beat these prices down, and to buy it as low as possible, get it out of the hands of the producer, and then speculate on the exchange and run it up to 40 cents a pound. You mark my prediction; you will see cotton futures 40 cents a pound on the exchange before July 1.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield the gentleman five minutes more.

Mr. HEFLIN. Mr. Chairman, I am pleading for a fair deal for the cotton producers of the United States. The cotton producer paid $250 and $300 each for your western mules to make this crop. He bought grain and meat from the western men, and we have gone to greater expense in making this crop than any crop we have ever produced. We have had to fight the boll weevil, the red spider; and the drought destroyed thousands of bales in Texas and other States. The demand is great and the supply is small, and yet following the war the price is beaten down and down.

Take the history of wool, take the history of flax, or silk and cotton, and always following a war, with no exception in human history, they have gone up in price. Wool has gone up. It is in great demand and it is very scarce. That makes the demand for cotton greater as a substitute for wool, because there is not enough wool to supply the demand, and cotton will. There is not enough cotton to supply the channels heretofore supplied by cotton. Let me give you an idea about the profit Great Britain makes upon her spinning industry. The Philadelphia North American said in 1912 that Great Britain paid

$401,000,000 for her raw cotton. She manufactured it, supplied all of the people of the United Kingdom, and then sold the surplus outside to other countries for $611,000,000. She received over $200,000,000 more for this remnant of the finished product than all of the raw material cost at the outset. That gives you an idea about the profit that the spinner makes. So the spinner can not be justified from any standpoint of justice and fairness for this bear raid upon the cotton exchange. I am simply pleading for justice to this great army of cotton producers in the United States. [Applause.] There must be something done, gentlemen, and done speedily. I am going to suggest a remedy very soon. Let me suggest here that we can raise $100,000 in revenue on the New York Cotton Exchange by turning over the classification and inspection fees to the Government. Let the Government receive the 25 and 50 cents a bale for inspection and classification. Then this inspection and classification will be unbiased, it will be as fair to the buyer as to the seller. We can probably raise $250,000 on the New York and New Orleans Cotton Exchanges. These Government officials would give a fair deal to buyer and seller. The exchange ought to be forced to handle only spindle cotton, and it ought to be compelled to obey the law. The producers will hold between three and four million bales of this crop. Now, the effect of this tremendous break was that there was a loss in the price of futures of $30 a bale in two weeks. What do our producers say? Why, they say, "We can not afford to sell at the low price, and we will not." I have had letters from some of them saying that they do not intend to plant cotton this year; that they can make more money raising pigs and raising foodstuffs, because the boll weevil is there now and they would not have to take any chances with other crops. They will hold what cotton they have and wait for the good price which is bound to come. So the spinners who went into this conspiracy to rob the producer will pay for their folly before this thing is over.

Mr. SLOAN. Will the gentleman yield?

Mr. HEFLIN. I will.

Mr. SLOAN. I appreciate the gentleman's interest in cotton and am somewhat in sympathy with a large portion of it, but would not the producers of cotton now, as they did some months ago, rather resist the interference of the Government tending to stabilize or fix the price of this cotton?

Mr. HEFLIN. The reason the southern producer opposed fixing the price of cotton was because he feared that a reasonable price would not be fixed. You will recall that a gentleman here from Indiana introduced a bill to fix the price at 15 cents a pound, and I say to the gentleman from Nebraska that the passage of that bill would have bankrupted the whole South. It would have brought ruin to our producers. A gentleman from Ohio introduced a bill putting it at 20 cents a pound, and that figure would have bankrupted our people. Anything under 30 cents for this cotton crop would have ruined the producer and every financial interest connected with him. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEFLIN. I ask the gentleman for two more minutes.

Mr. CARTER of Oklahoma. I yield the gentleman two more minutes.

Mr. RAGSDALE. Will the gentleman yield for a question or a suggestion?

Mr. HEFLIN. I will.

Mr. RAGSDALE. When we fixed the price of wheat the Government sought to stabilize it and provided a market for wheat, and when the next wheat crop was about to come into sight there was not 10 days' supply of wheat in America. When the gentlemen in charge of fixing the price of cotton seed, which is two-thirds of the cotton production, the total weight of it, although they fixed the price of wheat and provided a market to the farmers, they found no market for cotton seed; and the fear was that the same regulation would do for the lint as it did for the seed, the fixation of a price without giving a market. It is very different from what it was in reference to the wheat question.

Mr. HEFLIN. Not only that, but I will say to the gentleman from Nebraska that at the time the war came on they fixed the price of wheat at $2.20, and that was more than double the old price. Cotton sold for about 15 cents for five years prior to the war; doubling cotton at the same percentage as was on wheat would make cotton bring about 34 cents a pound.

Mr. ANDERSON, Mr. KNUTSON, and Mr. WELLING rose.

The CHAIRMAN. To whom does the gentleman yield?

Mr. HEFLIN. I will yield to all three. I yield first to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON. The gentleman says the price was fixed when the war commenced. What does the gentleman mean—the European war or when we entered the war?

Mr. HEFLIN. At the beginning of the European war.

Mr. WELLING. At the time we entered the war wheat was more than $2.20.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KNUTSON. Mr. Chairman, I ask unanimous consent that the gentleman be given time to answer a question.

Mr. CARTER of Oklahoma. I yield the gentleman one minute.

Mr. KNUTSON. Am I correctly informed that when there was a movement on foot a year ago last summer to fix the price on cotton the commercial bodies of New Orleans, Atlanta, and different places sent a delegation here to protest to President Wilson against the fixing of such price?

Mr. HEFLIN. That is true, because, as I said, one gentleman here, a Democrat from Indiana [Mr. Cox], offered a bill making the price 15 cents a pound, and another one, a Republican [Mr. EMERSON], offered a bill fixing the price at 20 cents a pound, which scared them almost to death. If the price had been fixed at around 30 cents a pound at that time, I do not think they would have objected, but as three-fourths of the country knew nothing about the cost of cotton production they were afraid that they would not be given a fair price for it.

Mr. KNUTSON. The President could have been depended upon to fix a fair price. What was a fair price on wheat?

Mr. HEFLIN. You all were pretty well satisfied with the treatment of wheat.

It cost more to produce this cotton crop than any previous crop. All we want, gentlemen, is the price that the law of supply and demand entitles us to. We made this crop expecting to get 30 cents and above, just as you people are expecting to get $2.20 for this crop of wheat this year. [Applause.]

Mr. KNUTSON. The gentleman must remember that we got in before it commenced raining.

Mr. HEFLIN. I know you did.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HEFLIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SNYDER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, I am rising at this time in this general debate to call attention to a matter which has recently been brought to my notice and which I think is of such a nature that the country ought to know something about it. When we went into this war and passed certain acts giving control of the railroads of the country to the Government, it was done as an emergency measure only. We concluded that it might be necessary for the Government, in order to carry on this war properly, that it have control of the railroads of the country. It was not the intention, I dare say, of the majority of those who voted for the railroad-control act that it should be made the instrument by those who should execute it to lead the country toward the policy of Government ownership of these public utilities. And yet I believe that most of the orders that have emanated from the Railroad Administration since they have had charge of the railroads of this country have led as far as they could toward ultimate Government ownership. And it occurs to me that, in what I have seen of the majority party in this House, perhaps most of them incline to that view. Personally I do not, for many reasons. I think that so far as private ownership can obtain in this country of any institution—any public utility or anything else—that private ownership should continue to obtain. In other words, as I have said here before, I do not believe the Government ought to ever engage in private business unless it is necessary in the exercise of its police powers or to maintain the health, morals, or good order of the community. We have had very many peculiar and extraordinary orders issued by the Railroad and Food Administrations since this war began, but none, I dare say, gentlemen of the committee, more peculiar than this order I desire to call to your attention.

Mr. SLAYDEN. Will the gentleman permit a brief interruption?

Mr. GRAHAM of Illinois. Yes; though I have but 10 minutes.

Mr. SLAYDEN. I would like to ask the gentleman how much of an investigation leads him to the conclusion that the majority on this side is in favor of Government ownership? My investigation leads to the reverse of that. I am guiltless, at least.

Mr. GRAHAM of Illinois. I know. I have heard the gentleman from Texas express himself and I admire his good judgment in that matter. I think, however, the position of the

Democratic leaders on the committees has been sufficient to convince the membership that there is a strong sentiment, at least in the committees, on your side of the House in favor of that ultimate position.

I assume that the majority of you men represent, in part at least, districts where they ship grain to market, and therefore you are interested in this: This order is an order issued by the United States Railroad Administrator on November 26 last, called General Order No. 57, and which has to do with the filing and adjudication of claims for a loss of bulk grain in transit. The law in my State—and I assume it is the law in most of the States of this Union—is that when grain, or any other commodity, for that matter, is delivered to the common carrier that that is itself a delivery to the consignee. The legislature in our State, and, I assume, in most of your States, has passed laws providing that when grain in bulk has been consigned to some consignee, and has been delivered to the common carrier, it shall be weighed in on proper scales, to be furnished by the railroad, and that it shall be weighed out at the other end, and that any loss in transit shall be chargeable to the carrier and can be made the basis of a claim. This provision of the law in Illinois was incorporated in a part of section 118, in chapter 114, of our statutes. I will read it briefly, because I think it is the statute in most of the States:

At the time such grain—

That is, grain in bulk—

is received by it for transportation—

That is, the common carrier—

such corporation shall carefully and correctly weigh the same and issue to the shipper thereof a receipt or bill of lading for such grain, in which shall be stated the true and correct weight.

Weighing out, shrinkage: And such corporation shall weigh out and deliver to such shipper, his consignee, or other person entitled to receive the same, at the place of delivery, the full amount of such grain, without any deduction for leakage, shrinkage, or other loss in the quantity of the same.

Damages: In default of such delivery, the corporation so failing to deliver the full amount of such grain shall pay to the person entitled thereto the full market value of any such grain not delivered at the time and place when and where the same should have been delivered.

Now, gentlemen, the object of that statute is plain and obvious to anyone who can read. The object of it is that when grain is delivered to a railroad company for transit the railroad company shall take reasonable care and shall deliver that to the consignee as it was shipped. If the rule obtained that the consignor must follow his grain or that the consignee must look after it in transit, it would be absolutely impossible for him to trace that shipment through various ramifications throughout the country and ascertain whether the grain was lost in transit by the negligence of the carrier or not. Notice the language of this peculiar order issued by the United States Railroad Administration. In the first place, it is stated by the administration:

Claims on grain shipped in bulk constitute a large proportion of loss and damage claims. Some of the widely varying practices of both shippers and carriers with respect thereto are of doubtful propriety, and in many cases result in undue preference and unjust discrimination.

* * * * * * *

In view of the foregoing, there is no good reason why carriers should assume responsibility for claims the basis of which is solely the difference between these loading and outturn weights.

Therefore claims for loss of bulk grain will be recognized only where there is evidence of negligence on the part of the carriers. Leaks due to improper coopering of cars or placing of grain-door boards are not to be considered as evidence of negligence on the part of the carrier, and the following rule shall apply until superseded by others that may be adopted as a result of investigation and study of the subject now being carried on by carriers and shippers in connection with the Interstate Commerce Commission.

The true interpretation of that language is this: That claims for loss of grain will be recognized only when there is evidence of negligence on the part of the carrier. Do you see what that means, gentlemen? It means that the burden of proving loss of grain in transit is shifted from the common carrier to the consignor or consignee. It means that no claims for losses will be allowed at any time by the United States Railroad Administration unless there is absolute proof made by the consignor or consignee that the loss was due to the negligence of the carrier. Now, how many claims, gentlemen, do you suppose can be authenticated by that method of procedure?

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. McKEOWN. Does not that order set aside the rule requiring the railroads to furnish suitable cars? Does not that ruling excuse them for failure to furnish suitable cars?

Mr. GRAHAM of Illinois. Yes. I will come to that in a moment. Down in my country—and I expect it is true in the gentleman's country, and in many cases men ship from sidings—cars are furnished by the railroad carriers upon request. The shipper is lucky if he gets any kind of a car. The railroad company puts his car on the siding, and the shipper loads the grain in the car provided for him. If he should demand a better car he might not get one for a long time, and he might not get any at all. He might have to wait for months. So he takes the car that is furnished to him.

Now, when the railroad company furnishes him a poor car, it does not thereby decrease the freight rate, does it? The railroad companies get twice the freight rates they received before, almost. So the shipper loads the car, and when it gets to its destination it is found that there is a loss of weight in transit. But under this order the burden is upon the shipper to prove that that loss of weight is through the fault or negligence of the company.

Mr. DEWALT. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. DEWALT. What is your practice out there about bills of lading? Have you restricted bills of lading or open?

Mr. GRAHAM of Illinois. They are usually restricted.

Mr. DEWALT. If you have a restricted bill of lading, how can you compel the Federal Railroad Administration to pay a loss? How can you compel them to pay a loss on a restricted bill of lading?

Mr. GRAHAM of Illinois. That comes under the provisions of the statute.

Mr. DEWALT. Would not a restricted bill of lading operate against your construction?

Mr. GRAHAM of Illinois. I think the statute would govern. I understand that is practically the rule in every State in the Union, and I think it is true in the gentleman's State.

But, now, under this ruling, when the shipper, whether in Pennsylvania or in Illinois, starts a shipment of wheat to Chicago or to some other point, and it gets there and it is found to be short in weight, in order to get any damage somebody has to prove that it was the fault of the railroad company. How can you do it? The records are in their possession. They can trace the shipment. Sometimes the shipment has taken several weeks. In rule 8, in order to make the defense of the railroad company or common carrier better, observe the language. I read:

a. Clear-record cars. If, after thorough investigation by the carrier, no defect in equipment or seal record is discovered, such record will be considered to show that the carrier has delivered all of the grain that was loaded in the car—

No matter how much is there. If the railroad company's certificate says that they have made investigation and found no defect in the equipment or seal, it is equivalent to showing that the same amount of weight is in the car that was put in the car. Then, again—

If evidence is produced by the claimant indicating a defective record, such evidence shall be investigated and given due consideration.

In other words, the certificate of the common carrier is considered as prima facie evidence that they have done their duty and delivered all the grain, while the claimant's contention to the contrary will be given "due consideration." I insist that the order repeals by implication the laws of practically every State. It overturns the rules of damages of all our courts. It establishes a condition where no one who has a claim on shipments of grain can recover from the Government, and therefore this inures to the benefit of the common carriers, just like the other rules that have been made. I submit that this rule of the Railroad Administration ought to be immediately withdrawn; and, inasmuch as I have no voice that can be heard much anywhere else, I have made this statement here, so that it possibly can give to the country in some way the gist and purpose of this order as I understand it. I have not criticized the administration very much. I voted for the railroad administration legislation, and I voted for the food administration act and other acts in the emergency, and I did it to hold up the hands of the President and do everything I could to help in carrying on this war. But the time has come now when we are embarking on times of peace, and orders of this kind should not be rashly and inconsiderately entered by those who are administering the laws and issuing orders that will redound to the disadvantage of the people of the country.

When the railroad-administration act was passed, as I have said, it was the manifest purpose of Congress to give to the administration the control of the railroads of the country, so that shipment of troops, munitions, food supplies, and other necessary war materials might be coordinated and regulated and expedited. A similar measure was enacted during the Civil War, and as a result of that act President Lincoln took possession of something like 2,500 miles of railway in the United States, which were used for war purposes and immediately turned back to the private owners as soon as the war was ended by the surrender of the Confederate forces. The

administration of the railroads of the country by the Government ought to be such as to unsettle existing rules and regulations and State and Federal laws as little as is absolutely possible. But instead of this the most revolutionary steps have been taken, until no one knows what his legal rights are as regards these public utilities in the way of ownership or legal action against them. Millions of dollars' worth of claims are now pending in the United States, proper and legitimate claims, in which the claimants have no surety that they may be ever able to collect any amounts from the railroads. The Railroad Administration orders have been continually in favor of the railroads and against the general public, and this order No. 57 is simply a continuance of the same discrimination against the public that has characterized the entire administration. Hardly had the administration begun its work before freight rates were suddenly increased almost 100 per cent, then passenger rates were practically doubled; train service was disorganized. The poorest train service that has ever been experienced by this country has been since the Railroad Administration took control of the railroads. The efficiency of the employees has been lessened and the service to the traveling public has been almost indefensible. The Railroad Administration, in its various orders, has absolutely nullified and abrogated the provisions of the Sherman Antitrust Act, and has been permitting consolidations and combinations that we have been trying for 25 years to prevent by legislation. An administration that went into power decrying the trusts and combinations has suddenly created the greatest trust and combination of railroad companies that any country ever saw, and is now insisting through the Railroad Administration on the continuance of this system. If what we have had is a fair example of Government ownership, then the sooner we have done with it the better.

Order No. 57 violates not only the statutes of the State of Illinois and many other States in the Union, but it violates the Federal law as well. It is in direct violation of the provisions of an act relating to bills of lading in interstate and foreign commerce approved August 29, 1916. As I have said, it abrogates and sets aside the established rules of the common law and statutory enactments generally. Every requirement of justice and of orderly procedure in such matters requires the immediate withdrawal of this pernicious order. [Applause.]

By unanimous consent Mr. GRAHAM of Illinois was given leave to revise and extend his remarks in the RECORD.

Mr. TILLMAN. Mr. Chairman, I am authorized to yield 10 minutes to the gentleman from Oklahoma [Mr. MCKEOWN].

The CHAIRMAN. The gentleman from Oklahoma is recognized for 10 minutes.

Mr. MCKEOWN. Mr. Chairman and gentlemen of the House, the remarks of the gentleman from Minnesota [Mr. ELLSWORTH] struck the keynote of the Indian situation when he said that they stand upon a tripod—education, incompetency, and finance.

But I want to say that if the Congress of the United States should adopt a policy that would take the money that belongs to these Indians out of the Treasury of the United States and start them upon a business career you would soon find that the interest of this bureau would diminish immediately. If you remove the financial proposition out of the Indian question you will see how soon the interest that is so manifest now as to the welfare of the Indians would disappear.

In Oklahoma, where many members of these Five Civilized Tribes are the equals of the white men that live among them in intelligence and thrift and business industry, I want to say to you that they are hamstrung by this Bureau of Indian Affairs. A man can not secure in that country the control of his own property. Although he invests thousands of dollars in liberty bonds, he is not permitted to have the interest that is collected from his liberty bonds. In probate matters in Oklahoma it is not sufficient for the probate judge selected by the intelligent citizenship of that State—in which the Indian citizen has equal opportunity with the white man to vote for the judge—it is not enough to have a probate judge set over them to look after their affairs and pass on their accounts. That is not sufficient to satisfy the Indian Bureau. Indian agents must be appointed to go all over their accounts, and although the county judges in the several counties shall approve the accounts of the guardian, yet he can not pay the money out until it has the O. K. of the department.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. MCKEOWN. I will.

Mr. GREEN of Iowa. The gentleman realizes that that would make more places in the departments here, so that that department is like the other departments in that respect.

Mr. MCKEOWN. This department is not the only one here that is overcrowded with employees. Nearly all of the departments with which I have had anything to do have a surplus of employees.

Mr. GREEN of Iowa. I agree with the gentleman.

Mr. MCKEOWN. I want to call attention to the fact that when a guardian in the State of Oklahoma is appointed over a minor or incompetent Indian and gives a surety bond as good as can be given in the United States, he is not permitted to have the funds of his ward turned over to him and administered in the courts of Oklahoma, but he will get the funds if it meets the pleasure of the Commissioner of Indian Affairs, no matter how good the security of the bond. I say to you that this double guardianship is an outrage and a reflection upon the intelligent citizenship of the Five Civilized Tribes.

Now, Mr. Chairman, I desire to read an editorial from the New York Times upon this question of Indians and their affairs:

[From the New York Times.]

INDIAN CITIZENSHIP.

A story of the heroism of two American Indians has been told in the dispatches from France. On a scouting expedition back of the German line they stealthily found their way to a building used as staff headquarters, where a group of officers were smoking and drinking at their ease, with no thought of danger. The Indians, one of whom was a lieutenant and the other a private, threw hand grenades into the room. All the Germans but one were killed or wounded. The survivor, running from the building was shot dead with a revolver by the Indian private. With his officer he reached the American trenches, but both were wounded by the fire of the aroused enemy. At an emergency hospital the Indian private was asked how he felt. "I am all right," he said, but fell as he spoke the words, and expired.

It was perhaps the impression of those who read the report of this daring achievement that the Indian was a rarity in the American Army. The fact is, however, that about 10,000 Indians have served in the Army and Navy, chiefly with the land forces. Most of them volunteered. Our American Indians did a great deal more for the cause of civilization and for America. They bought liberty bonds (not including the fourth issue) of a value of $15,000,000; also thousands of war-savings certificates; they contributed liberally to the Red Cross, and made 100,000 hospital garments for the soldiers and sailors. It would be remarkable if the kindred of the Indians who have fought on land and sea for the Stars and Stripes were not proud of their heroes, and it is quite natural that when our statesmen are pleading for the small nations and talking about self-determination the aboriginal people of America should desire personal independence and the rights of citizenship for those of their number who are still living on reservations under the supervision of the Indian Bureau. In September last the Society of American Indians in convention at Pierre, S. Dak., adopted a platform, in the preamble of which it was said:

"The close of the war should see the legal status and condition of the Indians greatly improved. A grateful Government and people will not withhold from the native American race full rights as freemen under the Constitution. For this primary right and fundamental claim of the original occupants of the land we make renewed demands. It is the greatest anomaly in history that the Indians in this land of their nativity should be deprived of the privileges of democracy, the liberty which they love and crave, and should be subjected to reservation restrictions and petty oversight and control, without a citizen's rights or a voice in the Government."

The Indians in conference urged "the division in severalty upon the books of the Government of all funds held in trust by the United States for all Indian tribes, and that these individual accounts be paid as soon as possible," adding: "Annuities and doles foster pauperism and are a curse to any people capable of independence and desirous of the self-respect and esteem of their fellow men." Congress was asked to abolish the Indian Bureau, which "was never intended to be a permanent part of the Interior Department." These intelligent Indians, of course, understood that many of their people on the reservations were not ready for citizenship, and that therefore it should not be given to the backward by a stroke of the pen. They also knew that under the law of 1887 an Indian could sever himself from his tribal relations and qualify for citizenship, but they were speaking for the reservation Indian under the blight of dependency, handicapped by restrictions upon his liberty and the development of his faculties, who feels a sense of injustice, knows his people have been wronged by the white man, and is helpless if not benighted.

Gentlemen of the House, I say to you that the crying need to-day of the American Indian is simply the opportunity to get out into the world and make his way. As an illustration of it there was an Indian over in France in the American Army. He had $200 coming to him, granted by this Congress, as a per capita payment. It was his money. He wrote and asked that the superintendent of the Five Civilized Tribes send him a portion of this money, as he needed it in France. The reply went back to his wife that it was impossible to send the money over. I received a letter from that Indian, in which he said in his broken way—

It is funny to me, my wife full blood, got more sense than agent. She able to send money to me.

And I say to you that he expressed my sentiments. [Applause.]

Mr. SNYDER. I yield five minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman, I desire to call attention to the matter brought out by the gentleman from Oklahoma [Mr. MCKEOWN] and the gentleman from Iowa [Mr. GREEN] with reference to employees in the Government departments. I have

understood from these gentlemen and from others who have spoken here from time to time that the departments in Washington are overcrowded with employees. I understand that that is generally believed and generally known; in fact, that a number are leaving, although more are staying, of course, than taking advantage of the opportunity to leave and have their fares paid home. But if it is a fact that the departments are full to overflowing with Government employees, then there is no sense for the War Department or the Navy Department to hold here in Washington men who are in the military service, the Army or the Navy, to do mere clerical work. I remember a few days ago I had a request from a widowed mother in my State asking for the discharge of her son, who was here at Camp Meigs receiving $30 a month running a typewriter, acting as a stenographer and typewriter, whereas he had a position at home which he had been compelled to give up, but which is now open to him, by which he might support his widowed mother, paying him $125 a month.

I had another case similar to that here in the Medical Supply Depot, where two young men were seeking to get out in order that they might take advantage of good positions which are open to them. They are working here in the Medical Supply Depot in the Government service, doing clerical work at $30 a month.

When I asked a gentleman in the medical supply depot of the War Department why they had to keep men here who came for the war, who are doing clerical work at $30 a month, and deprive them of the opportunity of going home and getting back into their positions in civil life and supporting their dependents, they told me they must keep these men because they can not get anybody through the civil service to do the work. The colonel out in the supply depot told me yesterday that he had been trying faithfully to obtain from the Civil Service Commission men to do the work—typewriting, bookkeeping, and things of that kind—and after continuous appeals to the Civil Service Commission they had been able to get only two men, and that they had to keep the soldiers there to do the clerical and other work in order to attend to the Government business. If that is true, why not take some of the men who are overcrowding the other departments in Washington and put them into these positions, which are purely clerical ones, so that the boys who want to go home and go to work can do so? In my judgment the Civil Service Commission ought to find some way to improve these conditions. I spoke of it the other day when we were considering the appropriation for the continuance of the Civil Service Commission, and I repeat now what I said then, that in my judgment the Civil Service Commission is not rendering to the Government and to the people the faithful and efficient service that it is supposed to render when it does not furnish men for the departmental work in Washington, so as to relieve the men who are wearing uniforms, who are here for the war, and the war being over ought to be sent home and other men put into these positions who will be paid a proper amount. [Applause.]

Mr. SNYDER. How much time have I remaining?

The CHAIRMAN. The gentleman from New York has 25 minutes.

Mr. SNYDER. Mr. Chairman, I am going to yield a little time to myself.

The CHAIRMAN. The gentleman is recognized for 25 minutes.

Mr. SNYDER. Mr. Chairman and gentlemen, this is a very important measure, consisting in all of appropriations amounting to something over $11,500,000.

In the four years that I have served on this committee it is a pleasure for me to say that in the discussion and investigation of the items contained in the bills which have been offered here there has never been developed any political acrimony or discussion of any kind. Usually it has been the policy of that committee to endeavor to arrange the matters brought before it on a basis that would insure the greatest saving to the Government and to the Indians and at the same time produce an improved operation of the Indian Bureau and of Indian affairs.

What little success has been obtained the members of this committee are fully as well aware as am I. It has been very difficult in the past, and it still is difficult, to bring about improvements such as are suggested from time to time by members of the committee.

In this bill we have increased to some extent the reimbursable items. I might say that the bill is made up of three principal items—treaty items, reimbursable items, and gratuity items. The total amount of the bill which we are now discussing, and of these three items, is $11,580,000. The present law carries $11,066,000, being an increase this year of something like $500,000. That increase is very largely in reimbursable items, due to the fact that during the last year, the period of the war, it was decided by the committee to refrain from new construction, and in some cases we held up improvements. But now that the war is over it has been thought advisable, in view of assisting in every way to reemploy those men who went to the war and those who are being relieved from war activities, to again institute new construction to some extent. There are some other items in the bill involving new legislation that I will discuss a little later.

In the aggregate the gratuities amount to something like $4,668,000, representing 43 different activities through an increase only of $182,000. The policy and theory upon which we worked was that while there was no increase permitted for school-teachers or superintendents, those being cared for by the general law, the committee thought the department entitled to some consideration and some increase in view of the great increase in the cost of living at the present time as compared with the cost at the time we made the previous bill. So we have allowed them on subsistence, transportation, and so forth, a matter of about 12 per cent increase, allowing no increase at all in such items as salaries, superintendents, and so forth.

I have prepared two sheets, one of them dealing with reimbursable items, giving items that have been increased or decreased, so that it will be an easy task for any member of the committee who desires to compare what we are proposing to undertake with the current law, and it will be a simple matter to refer to the figures and secure the desired information.

For instance, I have sat here for several years and heard these bills, as they were being read, and find an item of $250,000 for irrigation, or something of that sort, but I have had nothing before me to show how much was used or what amount exists under the present law. It seemed to me that by having a sheet to compare the items which have actually been changed in the bill anyone can refer to them and then refer to the page in the hearings and get immediately the reason for the increase or decrease of that item.

It will be noticed also that the committee is continuing the policy of a year ago of basing the cost of schools on the actual average attendance of pupils instead of the former policy of basing it on the per capita enrollment. We are continuing the policy again this year, which is a complete check on the total amount of appropriations in each item for the support and maintenance of each school. In other words, if we have an appropriation for an Indian school and a certain amount of money, based on an estimate of average attendance, and it is found the attendance falls below, only the amount we allow in the bill per capita for the support of the schools can be spent.

It will be noted that the limitation under the item "Per capita cost" might appear in the figures to have been increased over department estimates from $200 and $225 to $225 and $250. Attention, however, is called to the fact that the language of the limitation carried in the estimates is based on enrollment, while that carried in the bill as reported is based upon actual attendance. This, your committee thinks, places the limitation of these expenditures upon a more stable basis and in the end works in the interest of economy.

Mr. HASTINGS. Will the gentleman yield?

Mr. SNYDER. I will yield to the gentleman.

Mr. HASTINGS. Would it interrupt the gentleman's argument to call attention to the other reform which we inaugurate, and that is to cut out the words "available until expended"?

Mr. SNYDER. I am glad the gentleman from Oklahoma brought that to my attention. I am pleased to say that the gentleman from Oklahoma [Mr. HASTINGS], a member of the committee, has, in season and out of season, insisted on removing from the bill the words "available until expended." This year the committee has adopted the policy of eliminating those words. For several years we have appropriated for certain items in the bill, and then we would find in a year or two that nothing had been done with the appropriation, or perhaps it had been used for some other purpose.

So that certain activities we have been anxious to have moved and the committee's ideas carried out have been apparently and religiously laid aside until such time as the bureau gets ready to use the money in its own way. Therefore we decided to make the moneys available for this year only. The moneys that we appropriate for certain purposes after investigation are to be expended in the way the committee desires them expended. [Applause.]

Mr. TILSON. Mr. Chairman, before taking up another portion of the gentleman's remarks, will he state from his experience on this committee what is the tendency in regard to the gratuity appropriations, whether there is any indication that

at any time in the future there will be a decrease in these items, so that we may look forward to a time when this whole anachronism in our Government will be removed and the Indians will become self-supporting people like other people?

Mr. SNYDER. Mr. Chairman, I regret to inform the gentleman that the information which I have gained leads me to believe that about the last thing the bureau ever desires to do is to let loose of any Indian or his money; but it has been my policy and practice since I have been on the committee to get the money which belongs to him just as quick as I can and to get rid of the Indian just as quick as I can. [Applause.] I further believe, as some one stated here this morning, that in many sections of the country the Indians for whom we are providing, for whom we are operating activities, are just as capable of operating their own properties and using their own money in their own way as are many, many white American citizens throughout this country. Therefore, I say again that it has been my policy and practice to do as I have stated, and I certainly see nothing now which will lead me to believe that I shall change my ideas about it.

Mr. TILSON. What about those to whom it is a gratuity? Is there any hope that these Indians will become at some time or other entirely self-supporting and be on the same plane with other American people?

Mr. SNYDER. I will say to the gentleman that against my advice and judgment we have, within the past two or three years, taken aboard again tribes of Indians who have been discharged for years and years, I guess nearly a hundred years, and it was due entirely to a sympathetic idea, losing sight of the legal phase, simply because the Indians were poor and because we did not insist upon making the State in which these paupers exist do its share and care for these Indians. We have again entered upon the policy of taking back the Indians who have left us, either from their own desire or because of some limitation placed upon them. I am absolutely opposed to that. I believe that when a tribe of Indians has been finally discharged and put on its own resources within the borders of a State, the responsibility of the Government of the United States has ceased, and the State should take up its burden and handle the proposition as any other State in the Union would and ought to do.

I do not know that I have much more to say. I ask unanimous consent to append to my remarks these schedules which I have arranged here, so that anyone desiring to have the information quickly with regard to any item can find the comparison here.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, the gentleman has called attention to one reform adopted in this bill, seeking to discontinue the life of the appropriations beyond the fiscal year. May I inquire whether the committee has called upon the Bureau of Indian Affairs for the amount of the appropriations that are available, carried in prior acts, which have not been used or have not entirely been expended, and what is the total amount of those appropriations?

Mr. SNYDER. Of course we have that in the hearings, in the justifications for each of these items. The moneys unexpended and available for further expenditure are included in these items, and if the gentleman is interested in any particular item he can find it by referring to the page in the hearings that would cover the item he has in mind.

Mr. STAFFORD. I wish to commend the committee for preparing a report this year which embodies a splendid innovation, and which will prove of great value to the Members of the House in directing the attention of the House to the page of the testimony referring to a particular item, so that a Member need not roam about the hearings as we were compelled to do yesterday in consideration of the Diplomatic and Consular appropriation bill. The report filed here indicates the amount of the current law, the amount estimated, and the amount allowed for the next fiscal year, and in addition thereto gives the page at which the discussion of it may be found in the hearings, a very excellent arrangement, for which the committee deserve commendation.

Mr. SNYDER. I will say that these sheets that I am appending to my remarks have opposite the items also the page of the hearings, so that anyone can refer to them. I do not think that there is a single item in this bill that has not been fully discussed. I think we went to the bottom of every one.

By permission of the committee, I append herewith the papers to which I have referred, and will state that so far as this side of the House is concerned general debate is ended, and we are ready to proceed with the reading of the bill under the five-minute rule. [Applause.]

INDIAN APPROPRIATION BILL.

This measure is divided into three general sections—treaties, reimbursable items, and gratuities—each section containing many items. The total appropriations in this bill as recommended and in the present law under these sections are:

	Under this bill.	Under present law.
Treaties	$834,860.00	$801,120.00
Reimbursable	3,291,514.94	2,984,965.00
Gratuities	7,453,645.95	7,280,400.00
	11,580,019.89	11,066,485.00

REIMBURSABLE ITEMS.

The committee made several changes in this section—some over the estimates and some over the present law and the estimates. The total amount of reductions in these suggested appropriations was $119,000, and the total amount of increases aggregated $1,124,300. The items thus changed, and whether the change is plus or minus, are shown as follows:

Page in hearings.	Item.	Present law.	This bill.	Plus or minus.
4	Surveying and allotting reservations	$50,000	$10,000	−
7	Irrigation, reservations	250,750	268,050	+
66	Industry among Indians	150,000	100,000	+
85	Payment for supplies	None.	500,000	+
123	Irrigation system, Pima Indians	15,000	20,000	+
124	Irrigation, Colorado Reservation	70,000	209,000	+
129	Water supply, Navajo and Hopi	25,000	30,000	+
131	Ganado irrigation project	23,000	20,000	−
133	Pumping plant, St. Xavier Reservation	None.	16,500	+
185	Irrigation system, Fort Peck	50,000	100,000	+
210	Irrigation, Pyramid Lake, Nev	30,000	5,400	−
	Irrigation, Jemez and Zia Pueblos	None.	31,000	+
	Road, Mescalero Reservation	16,000	25,000	+
289	Modoc irrigation, Klamath Reservation	7,000	5,000	−
344	Irrigation, Wind River Reservation	50,000	200,000	+
346	Diversion dam, canals, etc., Wind River	None.	200,000	+

GRATUITIES.

In the matter of gratuities under this bill the committee has changes in a number of items covered in the current law by increasing authorized expenditures in this direction to the amount of $182,878.20. The following tables give the details of the changes both in the items decreased or increased as between the law and the provisions in this bill:

Page in hearings.	Item.	Current law.	This bill.	Plus or minus.
15	Suppression liquor traffic	$150,000.00	$125,000.00	−
21	Relieving distress and disease	350,000.00	375,000.00	+
26	Indian school support	1,650,000.00	1,750,000.00	+
53	Telegraph and telephones	8,000.00	6,000.00	−
63	Inspectors, Indian Service	30,000.00	25,000.00	−
83	Suppressing disease live stock	25,000.00	50,000.00	+
91	Reimbursement A. H. Snyder	None.	27.20	+
91	Development stock water supply	None.	50,000.00	+
117	Indian school, Fort Mohave	35,100.00	38,850.00	+
118	Indian school, Phoenix, Ariz	144,500.00	155,000.00	+
121	Indian school, Truxton Canyon	24,500.00	27,000.00	+
126	Water supply Papagos	20,000.00	52,000.00	+
132	Reservoir and ditches Laguna Indians	None.	5,000.00	+
137	Support California Indians	50,000.00	42,000.00	−
138	Lands California Indians	10,000.00	20,000.00	+
139	Indian school, Riverside, Cal	157,600.00	153,600.00	−
158	Indian school, Lawrence, Kans	166,350.00	167,000.00	+
163	Indian school, Mount Pleasant, Mich	78,000.00	90,750.00	+
165	Indian school, Pipestone, Minn	48,650.00	54,650.00	+
202	Indian school, Genoa, Nebr	88,500.00	92,000.00	+
206	Indian school, Carson City, Nev	70,000.00	92,500.00	+
218	Indian school, Albuquerque, N. Mex	98,500.00	102,250.00	+
220	Indian school, Santa Fe, N. Mex	85,850.00	92,000.00	+
223	Counsel for Pueblos	2,000.00	2,500.00	+
228	Indian school, Cherokee, N. C	39,600.00	43,800.00	+
231	Support Fort Berthold Indians	15,000.00	30,000.00	+
232	Indian school, Bismarck, N. Dak	32,600.00	35,725.00	+
234	Indian school, Fort Totten, N. Dak	98,000.00	89,000.00	−
236	Indian school, Wahpeton, N. Dak	46,800.00	52,800.00	+
	Reimbursement Benson County, N. Dak	None.	(76.00)	+
242	Indian school, Chilocco, Okla	111,600.00	101,600.00	−
271	Cherokee Orphan School, Oklahoma	36,000.00	43,000.00	+
275	Schools in Oklahoma (other than above)	250,000.00	225,000.00	+
286	Indian school, Salem, Oreg	133,000.00	150,000.00	+
292	Indian school, Flandreau, S. Dak	86,500.00	88,750.00	+
294	Indian school, Pierre, S. Dak	63,000.00	64,250.00	+
295	Indian school, Rapid City, S. Dak	80,000.00	71,875.00	−
302	Canton (S. Dak.) Asylum	40,000.00	45,000.00	+
306	Education Alabama Indians, Texas	8,000.00	2,000.00	−
334	Indian school, Hayward, Wis	55,450.00	61,350.00	+
336	Indian school, Tomah, Wis	65,000.00	71,875.00	+
341	Indian school, Shoshone, Wyo	37,500.00	41,250.00	+
	Investigation Indian affairs	None.	15,000.00	+
	Total of items involved	4,485,300.00	4,668,178.20	

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SURVEYING AND ALLOTTING INDIAN RESERVATIONS (REIMBURSABLE).

For the survey, resurvey, classification, and allotment of lands in severalty under the provisions of the act of February 8, 1887 (24 Stat. L., p. 388), entitled "An act to provide for the allotment of lands in severalty to Indians," and under any other act or acts providing for the survey or allotment of Indian lands, $10,000, to be repaid proportionally out of any Indian moneys held in trust or otherwise by the United States and available by law for such reimbursable purposes: *Provided*, That no part of said sum shall be used for the survey, resurvey, classification, or allotment of any land in severalty on the public domain to any Indian, whether of the Navajo or other tribes, within the State of New Mexico and the State of Arizona, who was not residing upon the public domain prior to June 30, 1914.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. The appropriation carried in this item in the pending act is $50,000. I notice that it has been reduced to $10,000. That awakens a query in my mind as to whether the land on Indian reservations has been entirely surveyed at the present time.

Mr. HAYDEN. I can assure the gentleman that is not so. There are vast areas, particularly in my own State, of Indian reservations that have not been surveyed. I tried to interest the surveyor general of Arizona to induce him to do this surveying out of the appropriations available. If the gentleman will note, in the hearings it appeared that there was available, from the unexpended balance from past years, $245,000; $97,000 was expended, leaving an unexpended balance of $148,181. I took the matter up with the surveyor general of Arizona, and he informed me it was utterly impossible at this time to get surveyors to do the work because the engineering profession had very largely gone into the war. The Indian Office gives a similar reason for having this large unexpended balance on hand. It therefore appeared proper to the committee at this time to make only a nominal appropriation of $10,000 for the next fiscal year.

Mr. STAFFORD. I notice in last year's act that the appropriation carried there was to remain available until expended. Of that balance of $148,000 how much is available?

Mr. HAYDEN. I imagine all of it. That language—"to remain available until expended"—has been carried generally in this bill for years, particularly in reference to this item.

Mr. STAFFORD. So the Surveyor General has at his disposal nearly $150,000 for surveying land on Indian reservations.

Mr. HAYDEN. Of the United States as a whole.

Mr. STAFFORD. I suppose until the reservation is open to settlement there is no pressing need of a survey of reservations?

Mr. HAYDEN. But in probably all of the Indian reservations there is a demand on the part of the Indians for allotments. A great many Indians desire to have some land of their own which they can call a home, and an early survey of the land is desired on that account.

Mr. STAFFORD. Can the gentleman give any information of a general character as to how many reservations have been completely surveyed and how many only partially surveyed?

Mr. HAYDEN. On page 5 of the hearings the gentleman will find a long list of reservations marked "opened," "partly opened," "not opened" (containing surplus areas), and so forth. If a reservation is opened it must have had a survey, and if it has been partly opened it must have been partly surveyed.

Mr. CARTER of Oklahoma. If the gentleman will permit, it is also possible for a reservation which has not been opened at all to have been surveyed.

Mr. HAYDEN. Yes; but when a reservation is opened it must have been surveyed.

Mr. CARTER of Oklahoma. The survey is the last step before the opening of the reservation.

Mr. STAFFORD. I withdraw the pro forma amendment.

Mr. ELLSWORTH. Mr. Chairman, I want to oppose the amendment and move to strike out the last word. I want to inquire of the chairman of the committee as to the nature of section 26, and I want to inquire in reference to that at this time because possibly it will save questions, from myself for one, as to the other sections in the bill preceding that. As I understand it, the $2,325,000 provided for in section 26 is to come from funds of tribes in trust. Now, I do not understand from the reading of that whether it means to say sums, as may be required for equalization of allotments, education of Indian children, per capita and other payments to Indians, or whether it means those sums are of that nature——

Mr. CARTER of Oklahoma. Under existing law the bureau is authorized to expend money for classification and allotments and for per capita payments.

Mr. ELLSWORTH. Without any appropriation being made?

Mr. CARTER of Oklahoma. Yes.

Mr. ELLSWORTH. Out of this sum of $2,325,000 are sums which have not been carried in bills in specific appropriations here, but which the department already has under existing law the right to use?

Mr. CARTER of Oklahoma. If the gentleman will permit, he will note that this applies only to tribal funds which, I take it, the gentleman understands——

Mr. ELLSWORTH. I mentioned that.

Mr. CARTER of Oklahoma. Prior to last year there had been built up from the adoption of different treaties and from the adoption of different acts of Congress various standing appropriations from which the department was authorized to use certain amounts of Indian funds. After having those appropriations it was not necessary that they should come to Congress each year to get this amount specifically appropriated, and Congress has no record whatever of those amounts, has no way of knowing how much of the Indian funds they were spending under these standing appropriations.

Some two years ago the gentleman from Washington [Mr. DILL] proposed an amendment which set out that there should not be any expenditure from tribal funds in the future without a specific appropriation by Congress except for equalization, the payment of per capita, payment of schools, and so forth. Last year the department did not bring in a specific estimate, an itemized estimate, so the Indian Committee called on them for the items that had been expended under this, and then their record of the amount that had been expended and would be expended in accordance with the expenditures the year before, and so forth. Now, this year we bring in here a specific itemized statement of every dollar that is to be expended from these particular Indian funds.

Mr. ELLSWORTH. Then is the $2,325,000 included in the estimate of the total appropriations in the bill of $11,000,000?

Mr. CARTER of Oklahoma. No.

Mr. ELLSWORTH. It is in addition to it?

Mr. CARTER of Oklahoma. It is in addition. These are tribal funds, and the $11,000,000 is the amount of the real tax upon the Treasury.

Mr. ELLSWORTH. This is all entirely from the trust funds of the tribes in the Treasury?

Mr. CARTER of Oklahoma. Entirely from the trust funds.

Mr. ELLSWORTH. Take, for instance, in Iowa, Sac and Fox, $1,200 in last year's bill, was that included in any place in the bill at all?

Mr. CARTER of Oklahoma. My recollection is it was not, and while I am answering that question I will say during the time this bill was being made up I was confined to my bed——

Mr. CAMPBELL of Kansas. Last year it was not specifically itemized——

Mr. CARTER of Oklahoma. I have just answered that.

Mr. ELLSWORTH. Are there any amounts taken from specific appropriations?

Mr. CARTER of Oklahoma. If the gentleman will permit, I was confined to my room by illness and not able to be in attendance on the committee, and the other members of the committee very courteously went ahead and reported these items, so there are some items in the bill with which I am not as thoroughly familiar as the House might expect me to be.

Mr. ELLSWORTH. Does the gentleman understand that there are any of these items in section 26 or any part of any items specifically appropriated under the several States which were formerly included that by reason of being included in this bill at this place would in any way decrease the amounts that had been included in other bills under other sections?

Mr. CARTER of Oklahoma. No.

Mr. ELLSWORTH. There are none?

Mr. CARTER of Oklahoma. No.

Mr. ELLSWORTH. All of this amount, then, is in addition to what has been included in sections of former bills?

Mr. CARTER of Oklahoma. Yes; but which should have been spent under standing appropriations.

Mr. ELLSWORTH. But without requiring special authority——

Mr. CARTER of Oklahoma. Without specific annual authority by Congress.

The Clerk read as follows:

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto, when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Will some member of the committee advise us what policy has been pursued in making appropriations for the respective paragraphs which appear on pages 3, 4, and 5, as carried under this general heading?

Mr. HAYDEN. Prior to a year ago this irrigation appropriation was carried in a lump sum of about a quarter of a million dollars. The committee concluded that these projects should be specifically set out, so in the estimate this year the various projects were itemized and then arranged separately in the hearings.

Mr. STAFFORD. And the committee has allowed all the projects that were recommended by the bureau?

Mr. HAYDEN. Yes, sir. You will find on pages 8 to 13 of the hearings a detailed statement relating to these projects—where they are located, and so forth.

The Clerk read as follows:

In all, for irrigation on Indian reservations, $268,050, reimbursable as provided in the act of August 1, 1914: *Provided*, That no part of this appropriation shall be expended on any irrigation system or reclamation project for which public funds are or may be otherwise available: *Provided further*, That the foregoing amounts appropriated for such purposes shall be available interchangeably in the discretion of the Secretary of the Interior for the necessary expenditures for damage by floods and other unforeseen exigencies: *Provided, however*, That the amount so interchanged shall not exceed in the aggregate 10 per cent of all the amounts so appropriated.

Mr. ELLSWORTH. Mr. Chairman, I move to strike out the last word. In the bill for the fiscal year 1918 these items were carried and the amount—$244,700—was carried in one provision without specification of the different projects on which they are to be used. In this bill the projects are specified, and of the total amount carried—$268,050—I find that approximately $89,500 are for the items for necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including salaries, and not including supervising engineers, whereas the remaining amount carried in this bill is for construction, repair, maintenance, and so forth. Will the chairman or some other member of the committee tell me what the idea is for the segregation of the items in the bill at this time?

Mr. HAYDEN. The idea is that the committee wanted information so that they might look into the merits of these various Indian projects, and in case there were any of them where a good explanation could not be made for the expenditure of the money, they might be disallowed. It is only by having the bill submitted in this shape, by having a justification for each individual item, that it is possible for the committee to keep any kind of a check upon such expenditures.

Mr. CAMPBELL of Kansas. Will the gentleman permit me?

Mr. HAYDEN. Certainly.

Mr. CAMPBELL of Kansas. Is it not a fact that these items, specified as they are in this bill, has enabled the gentleman from Minnesota [Mr. ELLSWORTH] to ask these questions as to how much of this will be used for irrigation charges and how much for overhead charges and for other expenses by the Bureau of Indian Affairs? Otherwise nobody would have known how much of it would be used for irrigation purposes and for other expenses.

Mr. HAYDEN. But with a lump-sum appropriation salaries may be increased or decreased, but here we have appropriated specifically for a certain number of persons at certain salaries.

Mr. ELLSWORTH. I am glad the gentleman from Kansas suggested that these specific items for which we appropriate in this bill enable one to understand for what purpose they are being used. The thought occurs to me that possibly where a certain amount being for an Oregon project, or a southern Idaho project, or Nevada or Utah project, where it specifies a certain amount for administration expenses, instead of this having a tendency to cause an elimination of some of the administrative expenses, where it might otherwise do so, they would be transferred from one to another to keep the work going on, and it might have a tendency to have the administration expenses go up to the amount which is specifically provided for in the law, and it might possibly increase the administrative expenses over the proportion of expenditures of the actual work on the irrigation projects.

Mr. HAYDEN. I hardly think that is possible, because we segregate the construction from the salaries and expenses in the various irrigation districts. As far as the overhead is concerned, most of it is appropriated for in one place.

Mr. ELLSWORTH. Just for that very same reason—if, for instance, an item for the overhead expenses and administrative expenses were all included in one, if it were seen there was a thousand dollars left for administrative expenses and, say, about $500 for actual work, which might be a fair proportion in some cases, if there were not two distinct appropriations separating the amount paid for administrative work from the amount for actual work, there might be more work.

Mr. HAYDEN. The total sum appropriated here is not large enough to encourage waste. And we allow the Indian irrigation service some leeway by permitting the transfer of 10 per cent of the total amount from one project to another in case of an emergency.

Mr. ELLSWORTH. The question is whether or not the proportion appropriated in this bill for various projects for administrative expenses is really out of proportion to the amount appropriated for irrigation work.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

SUPPRESSING LIQUOR TRAFFIC.

For the suppression of the traffic in intoxicating liquors among Indians, $125,000: *Provided*, That on and after July 1, 1919, possession by a person of intoxicating liquors in the Indian country or where the introduction is or was prohibited by treaty or Federal statute shall be an offense and punished in accordance wtih the provisions of the acts of July 23, 1892 (27 Stat. L., p. 260), and January 30, 1897 (29 Stat. L., p. 506).

Mr. KNUTSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota moves to strike out the last word.

Mr. KNUTSON. Mr. Chairman, I wish to ask the chairman of the committee, or some member of the Committee on Indian Affairs, whether or not the treaties made with Indians provide for this expenditure of $125,000? Does this come out of tribal funds?

Mr. CARTER of Oklahoma. No. This is a gratuity. No treaty requires it.

Mr. KNUTSON. This comes out of the Treasury of the United States?

Mr. CARTER of Oklahoma. It comes out of the Treasury of the United States.

Mr. KNUTSON. Mr. Chairman, I withdraw my pro forma amendment.

Mr. ELLSWORTH. Mr. Chairman, I notice that one year ago, for the purpose of the suppression of the liquor traffic among the Indians, this bill carried $150,000. A year ago the different legislatures in the different States were then in process of voting upon the question of whether or not the Nation should be dry territory. Before this bill was reported into the House the number of States required by the Constitution for ratification of the amendment submitted to the States had ratified the constitutional prohibition amendment, which, long before the time in which this appropriation ought to be used expires, will make the United States entirely dry territory.

Mr. HAYDEN. Mr. Chairman, will the gentleman yield?

Mr. ELLSWORTH. In a moment. I understand it is not compulsory upon the department to use all of this money, but it seems to me it is a sad commentary upon our action in the House here, in view of liquor legislation in the country and liquor legislation that we shall be called upon to enact here in the future for the suppression of the liquor traffic—it seems to me it is a rather sad commentary to say that with the conditions changing as they have been in the last year the reduction is only from $150,000 to $125,000.

Mr. HAYDEN. That matter was thoroughly discussed in the committee, and the committee realized that, so far as the constitutional prohibition amendment is concerned, it will not go into effect until a year from now. In the meantime it will be necessary for Congress to pass legislation to enforce it. This Indian appropriation bill goes into effect on the 1st of July, 1919, and we wanted to be sure that the Indians would be protected from the sale of intoxicating liquors until the Nation becomes "bone dry."

Mr. ELLSWORTH. I understand that about one-half of all the Indians are in the State of Oklahoma. Is not that true?

Mr. HASTINGS. About a third.

Mr. ELLSWORTH. That State is dry?

Mr. HASTINGS. It always has been; that is, the eastern part. The Indian Territory was always dry. Oklahoma has been dry since Statehood.

Mr. KNUTSON. Is old Oklahoma the Indian Territory?

Mr. HASTINGS. Yes.

Mr. GOOD. Mr. Chairman, I would like to inquire whether Oklahoma is only dry so far as the statutes are concerned or dry in fact?

Mr. STAFFORD. It is like Iowa. It has oases in desert places that are dry. [Laughter.]

Mr. GOOD. Iowa has not always been dry. The gentleman from Oklahoma says Oklahoma is always dry. I remember traveling across the country at a not far distant time, and I traveled through Oklahoma, and I saw gentlemen on the train that did not give evidence that they had always been dry, or that they were dry at that time. [Laughter.]

Mr. CARTER of Oklahoma. As a good citizen, why did not the gentleman give evidence to the court?

Mr. GOOD. I was on the train. I did not want to get into court. [Laughter.]

Mr. STAFFORD. He was desirous of getting out of dry territory into wet. [Laughter.]

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

RELIEVING DISTRESS, AND SO FORTH.

For the relief and care of destitute Indians not otherwise provided for, and for the prevention and treatment of tuberculosis, trachoma, smallpox, and other contagious and infectious diseases, including transportation of patients to and from hospitals and sanatoria, $375,000: *Provided*, That not to exceed $45,000 of said amount may be expended in the construction and equipment of new hospitals at a unit cost of not exceeding $15,000: *Provided further*, That this appropriation may be used also for general medical and surgical treatment of Indians, including the maintenance and operation of general hospitals, where no other funds are applicable or available for that purpose: *Provided further*, That out of the appropriation herein authorized there shall be available for the maintenance of the sanatoria and hospitals hereinafter named, and for incidental and all other expenses for their proper conduct and management, including pay of employees, repairs, equipment, and improvements, not to exceed the following amounts: Blackfeet Hospital, Montana, $12,500; Carson Hospital, Nevada, $10,000; Cheyenne and Arapahoe Hospital, Oklahoma, $10,000; Choctaw and Chickasaw Hospital, Oklahoma, $35,000; Fort Lapwai Sanatorium, Idaho, $40,000; Laguna Sanatorium, New Mexico, $17,000; Mescalero Hospital, New Mexico, $10,000; Navajo Sanatorium, Arizona, $10,000; Pima Hospital, Arizona, $10,000; Phœnix Sanatorium, Arizona, $40,000; Spokane Hospital, Washington, $10,000; Sac and Fox Sanatorium, Iowa, $25,000; Turtle Mountain Hospital, North Dakota, $10,000; Winnebago Hospital, Nebraska, $15,000; Crow Creek Hospital, South Dakota, $10,000; Hoopa Valley Hospital, California, $10,000; Jicarilla Hospital, New Mexico, $10,000; Truxton Canyon camp hospital, Arizona, $10,000; Indian Oasis Hospital, Arizona, $10,000.

Mr. KNUTSON. Mr. Chairman, I would like to ask some member of the committee why no provision is made for hospitals among the Minnesota Indians? I realize that Minnesota is a very healthy State; in fact, one of the most healthy States in the Union; but it would seem that the Indians of our State would be subject to little ailments as they are in other parts of the country. I would like to know what provision is made to take care of sick Indians in Minnesota and the Northwest. I fail to find any items here in this bill.

Mr. CARTER of Oklahoma. They have their hospitals. The sick Indians of Minnesota are taken care of now, as a great many Indians are taken care of in Oklahoma, out of tribal funds.

Mr. KNUTSON. Why should we differentiate between the various tribes? They are using the tribal funds of the Chippewa Indians for every conceivable purpose. They tack every man possible onto the pay rolls where the money comes out of the tribal funds of the Chippewas. They do not get a thing out of the Government. If we are to have a free-for-all grab bag here, I would like to have the Chippewas put onto it. Here is an item of $375,000, and the Chippewas are not mentioned in it at all. Other sections of the country are mentioned—Arizona, New Mexico, Iowa, Washington, North Dakota—but not Minnesota. Were any hearings had upon the situation with reference to Minnesota?

Mr. CARTER of Oklahoma. There was no proposal. It has not been the policy of the Committee on Indian Affairs to invite an estimate for the expenditure of money at any place that the department does not propose, and the department proposes nothing for Minnesota. Therefore the committee had the right to assume that the State of Minnesota was being taken care of without any further expenditure from the Federal Treasury.

Mr. KNUTSON. I do not see why the Chippewas of Minnesota should be compelled to pay for their hospital treatment out of tribal funds when such is not the case in other sections of the West.

Mr. CARTER of Oklahoma. If it were "a grab bag," as the gentleman from Minnesota says, that would be true; but on that hypothesis I do not see why the Five Civilized Tribes in Oklahoma have to pay practically all their own educational expenses while other tribes of Indians get theirs free. But back in 1886 an act of Congress was passed giving the Secretary of the Interior the right to say that the education of the tribes should be conducted at the expense of the tribes. In 1889, I believe, a treaty was made with reference to what should be done with the educational funds of the tribes. The department is pursuing the directions of that treaty, and the Committee on Indian Affairs has gone into the matter as thoroughly as it could here in Washington, but it has not been able to determine just whether the provisions of the treaty are being complied with, and probably it may not be able to determine such facts until some investigation is made by the Committee on Indian Affairs on the ground.

Mr. KNUTSON. Does not the gentleman think a uniform rule should be established in cases of this kind?

Mr. CARTER of Oklahoma. No; you could not do that, because in some cases the Indians have no funds at all, although they are just as much entitled to the consideration of this Government as are the Indians who have funds, because perhaps at an earlier day those Indians owned valuable lands which the Government permitted to be taken away from them by the white settlers of those States, and if so, certainly the Federal Government has a moral obligation to discharge with respect to them, the same as it has in discharging it toward Indians who have tribal funds to their credit.

Mr. KNUTSON. I maintain that the Government owes a moral obligation to the Chippewa Indians.

Mr. CARTER of Oklahoma. Perhaps so. I will not dispute with the gentleman about that, because I do not think there is a man on the floor of the House, I do not think there is a Member of Congress, who knows enough about the Chippewa situation to say exactly whether we are doing the right or the wrong thing in this bill.

Mr. KNUTSON. Does not the gentleman think a thorough investigation should be made of the Chippewa situation by a committee of this House?

Mr. CARTER of Oklahoma. A few moments ago I expressed myself in favor of that as strongly as I could, and said I did not think any equitable and fair settlement of this matter can be made until an investigation is provided and a committee authorized to go and look into the matter upon the ground, and for that reason we have placed the last section in this bill, providing for an investigation.

Mr. KNUTSON. I sincerely hope that will remain in the bill.

Mr. GARD. Will the gentleman yield?

Mr. CARTER of Oklahoma. I yield to the gentleman.

Mr. GARD. I want to inquire whether these hospitals, aggregating $375,000, are exclusively for the benefit of the Indians, or are there hospitals to which this Indian fund applies that admit other people?

Mr. CARTER of Oklahoma. They are exclusively for Indians.

Mr. GARD. No other persons except Indians?

Mr. CARTER of Oklahoma. No. No other person is admitted to an Indian hospital or to an Indian school, as a rule; although I think in some places they do permit a few white children to come into Indian schools on payment of tuition.

Mr. ADOLPHUS P. NELSON. In regard to the inquiry that my colleague [Mr. KNUTSON] made, would this same investigation apply to the Chippewas in Wisconsin as well?

Mr. CARTER of Oklahoma. That was put in for the purpose of taking care of that particular situation and some others, and I hope that the gentleman will see the necessity for this thing, and the inadvisability of making a point of order against it. It is subject to a point of order if made.

Mr. CAMPBELL of Kansas. Just a word upon these hospital items. They are for the benefit of all Indians. If, for instance, there are Chippewa Indians who are sick with tuberculosis, they may be taken to the tuberculosis hospital at the Sac and Fox Reservation located in Iowa, but which is for the benefit of any Indian who may have tuberculosis, whether he comes from Minnesota, from Wisconsin, from Oklahoma, or any other place. And so of other hospitals for like purposes provided for in these items.

Mr. KNUTSON. Do I understand, from the gentleman's remarks, that these are general hospitals open to anyone?

Mr. CAMPBELL of Kansas. Open to the Indians who are provided for by the Government.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

SUPPORT OF INDIAN SCHOOLS.

For support of Indian day and industrial schools not otherwise provided for, for other educational and industrial purposes in connection therewith, $1,750,000: *Provided*, That not to exceed $40,000 of this amount may be used for the support and education of deaf and dumb or blind Indian children: *Provided further*, That not more than $200,000 of the amount herein appropriated may be expended for the tuition of Indian children enrolled in the public schools: *And provided further*, That no part of this appropriation shall be used for the support of Indian day and industrial schools where specific appropriation is made.

Mr. ELLSWORTH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. ELLSWORTH: Page 7, line 22, after the colon insert: "*Provided further*, That no part of this appropriation, or any other appropriation provided for herein, except appropriations made pursuant to treaties, shall be used to educate children of less than one-fourth Indian blood whose parents are citizens of the United States and of the State wherein they live and where there are adequate free school facilities provided and the facilities of the Indian schools are needed for pupils of more than one-fourth Indian blood."

Mr. STAFFORD. I reserve a point of order on that amendment.

Mr. CARTER of Oklahoma. The gentleman is repeating existing law.

Mr. STAFFORD. I was going to call attention to the fact that this was made permanent law in the 1918 bill.

Mr. ELLSWORTH. I did not know whether it was or not. I observed that in the 1918 bill this language was included and in this bill it was not included. The present bill appropriates $1,750,000, while the bill of two years ago appropriated $1,550,000.

Mr. CARTER of Oklahoma. If the gentleman will look at the bill that he is reading from, he will find that it says "hereafter," which makes it permanent law.

Mr. ELLSWORTH. I had overlooked that. I withdraw the proposed amendment and offer to amend by striking out on page 7, line 16, the figures "$1,750,000" and inserting in lieu thereof the figures "$1,550,000."

The CHAIRMAN. Without objection, the former amendment will be withdrawn, and the Clerk will report the amendment now proposed by the gentleman.

The Clerk read as follows:

Amendment offered by Mr. ELLSWORTH: Page 7, line 16, strike out "$1,750,000" and insert "$1,550,000."

Mr. ELLSWORTH. I offer that amendment because I think there is a growing tendency in the Indian Bureau to reach out through their agents and inspectors in communities where Indian schools are maintained, especially day schools, and where Indian pupils have matriculated in the public day schools, in some instances going 15, 20, or 30 miles and taking Indian children who ought to be in the public schools. I do not know whether there is any ulterior motive for it on the part of the bureau; but in the future, as restrictions are removed and Indian funds are distributed per capita, where the competency commission which is now determining the competency of Indians finally removes the restrictions, the expenditures to be made through the Indian Bureau will become so lessened that the Indian Bureau employees, inspectors, agents, and so forth, will not have sufficient work to do to maintain the positions that they now have at the salaries that they now receive. This being so, I think there is, unconsciously, perhaps, a tendency on the part of the bureau to reach out and build up the schools, and use the schools as a sort of a black man Friday to keep expending on to maintain the Indian Bureau service. And because the matter of education always strikes the heart of everyone interested in the Indian subject, either here or outside of this body, it can always be used as a good excuse why the bureau should reach out here and there and take in different children and bring them out of the public schools into the Indian schools.

It is this civilizing influence that we want, to keep the Indian children in the public schools intermingled with the children of the white schools, and in every community where it has been done the Indian has made his greatest progress.

But aside from that I believe that $1,550,000 will give as much school service and will have a tendency toward stopping interference with Indian children going to the public schools.

Mr. TILLMAN. Mr. Chairman, last year there was appropriated $1,650,000 for the Indian schools. The solution of the Indian question is in education. Liquor should be kept from the Indian, and he ought to be educated industrially and otherwise. Supplies are much more expensive than a few years ago, and the bureau and the committee ask for only $100,000 in addition to what was appropriated last year, a very modest sum.

Mr. Meritt, the efficient deputy commissioner, testified that because of the advance in the cost of supplies these schools can not be carried forward properly without this additional appropriation. The Indian Bureau, as well as the committee, is very anxious to economize and cut down expenses. We cut by $25,000 the appropriation for the suppression of intoxicating liquors, and we have added $100,000 for the conduct of these schools. The item does not carry any appropriation for teachers' salaries, but is expended solely for the immediate extra cost and additional requirements.

Mr. HASTINGS. Will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. HASTINGS. The Assistant Commissioner of Indian Affairs stated positively that this was not to provide for increased salaries, but that the increase was asked for solely on account of the increased cost of supplies.

Mr. TILLMAN. I have so stated.

Mr. CAMPBELL of Kansas. Will the gentleman allow me to ask him a question?

Mr. TILLMAN. Certainly.

Mr. CAMPBELL of Kansas. I want to ask if the cost of supplies during the fiscal year should come down, would this item show a balance at the end of the fiscal year?

Mr. TILLMAN. Yes.

Mr. SNYDER. If the gentleman will permit, I would like to say that in considering this item we took into consideration the possible increase in the period we are legislating for, and only allowed about one-half of what we actually thought the department ought to have under this item in case the cost should remain the same as it is to-day; that is, if prices should keep up. But we believe that during the period we are legislating for the cost will go down to such an extent that the amount we gave would compensate for the increase of cost over that period.

Mr. STAFFORD. Will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. STAFFORD. How many schools does this contemplate caring for?

Mr. TILLMAN (reading)—

The amount requested, $1,750,000, is $100,000 more than the amount in the 1919 act. The fund is required for support and education of Indian children in all schools for which no specific appropriation is made or use of tribal funds authorized, including day schools and public schools where tuition is paid. Forty thousand dollars of this amount is requested for payment of expenses in connection with the education of deaf or blind Indian children. Defective children who are unfitted for attendance at schools for normal children are being placed in institutions suited to their needs as rapidly as accommodations can be found for them.

From reports for the school year 1918 it is found that there are, in all, 90,555 Indian children of school age, of whom 4,881 are ineligible for school attendance, leaving 85,674 to be provided for in Government, public, or private schools.

The following enrollment is shown: In Government boarding schools, 10,842; in nonreservation boarding schools, 11,464; in Government day schools, 6,215; making a total of 28,521 enrolled in Government schools.

There are also enrolled in private and mission schools 5,459, and in public schools 29,496, so far as information has been received. This makes a total of 63,476 Indian children in all schools of whatsoever character.

I will state that frequently where it is convenient the Indians attend the public schools, and a sum of money is appropriated for the purpose of paying a portion of their tuition in these schools.

Mr. STAFFORD. This paragraph carries an appropriation as in the act of last year of $200,000, which may be made available for that purpose.

Mr. TILLMAN. For what purpose?

Mr. STAFFORD. For educating the Indians attending the public schools, but my inquiry was directed to the specific information as to the number of schools that receive support out of this appropriation; not the number of Indians that are being supported at Government boarding schools and Government day schools, but the number of schools that were receiving support from this appropriation other than those specifically provided for later on in the bill.

Mr. TILLMAN. The hearings do not disclose the number of schools, but simply the number of pupils.

Mr. STAFFORD. Can the gentleman furnish the information as to how many schools receive the benefit of the appropriation of $200,000 where the Indian children are enrolled in the public schools?

Mr. TILLMAN. Twenty-nine thousand four hundred and ninety-six Indian pupils are thus educated.

Mr. STAFFORD. The gentleman is giving the number of children but not the number of schools. I am asking for the number of schools receiving support.

Mr. TILLMAN. As I stated before, the record does not disclose the number of schools.

Mr. STAFFORD. Can the chairman of the committee furnish information as to whether the $200,000 fund is used only in certain sections of the country, or is it disbursed wherever Indian children are attending public schools?

Mr. CARTER of Oklahoma. It is distributed wherever the Indian children attend public schools proportionately, as I understand from the bureau, with the exception of eastern Oklahoma. The gentleman knows that we carry here an appropriation for the Indian children attending public schools in Oklahoma. That appropriation was $300,000, cut down to $275,000. Last year in the committee on conference I agreed that now, since some of the lands are being sold and the Indian lands were becoming taxable, it would be a good idea to gradually reduce that amount. So we reduced it $25,000 last year and have agreed to reduce it that amount, $25,000, every year until the amount is entirely eliminated. This money is expended in every State—I should say in many of the States, not in every State, because sometimes there are only a few Indians, but in every State where there is a considerable number of Indians this money is expended in public schools, with the exception of the eastern part of Oklahoma.

Mr. STAFFORD. Then I understand that these children, in order for the schools to be entitled to this fund, must be children of Indians who are not citizens?

Mr. CARTER of Oklahoma. No; the gentleman probably gets that impression because of my referring to eastern Oklahoma. No; even children who are citizens, if they are less than a certain degree of blood, could in some States have their tuition paid from this fund, because there is such a thing as an Indian not being a citizen and still having his land restricted and not subject to taxation.

Mr. STAFFORD. Then is that the reason why you make a specific provision later on in the bill allowing the fund that last year for the first time was voted for the support of the Mississippi Choctaws to be used for the support of children in the public schools?

Mr. CARTER of Oklahoma. I do not recall just what the Mississippi Choctaw proposition says.

Mr. STAFFORD. There is new language in this bill, as follows, on page 28:

SEC. 9. That the unexpended balance of the appropriation of $75,000 for the full-blood Choctaw Indians of Mississippi in the Indian appropriation act of May 25, 1918, is hereby reappropriated for the same purposes for which originally appropriated and for aiding the common schools attended by the children of said Indians under rules and regulations prescribed by the Secretary of the Interior.

The new language is "and for aiding the common schools attended by the children of said Indians under rules and regulations prescribed by the Secretary of the Interior."

Mr. CARTER of Oklahoma. In the past the Mississippi Choctaw children have not been permitted to attend any of the schools except the schools that were established by the State of Mississippi for them. So I assume that this is to aid those schools that have already been established by the State of Mississippi for the Mississippi Choctaws.

Mr. STAFFORD. Getting back to the original proposition, Is there any certain amount that the Bureau of Indian Affairs grants to the public schools, based upon a per capita allowance for each pupil?

Mr. CARTER of Oklahoma. All is based on a per capita allowance. I do not know what it is now. It was 10 cents a day up until this year, but I have not looked through the hearings to find out what it is now.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. The question is on the amendment of the gentleman from Minnesota.

The amendment was rejected.

The Clerk read as follows:

INDIAN SCHOOL AND AGENCY BUILDINGS.

For construction, lease, purchase, repair, and improvement of school and agency buildings, and bridges, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $350,000: *Provided*, That this appropriation shall be available for the payment of salaries and expenses of persons employed in the supervision of construction or repair work of bridges and on school and agency buildings in the Indian Service: *Provided further*, That the Secretary of the Interior is authorized to allow employees in the Indian Service who are furnished quarters, necessary heat and light for such quarters without charge, such heat and light to be paid for out of the fund chargeable with the cost of heating and lighting other buildings at the same place: *And provided further*, That the amount so expended for agency purposes shall not be included in the maximum amounts for compensation of employees prescribed by section 1, act of August 24, 1912.

Mr. MILLER of Minnesota. Mr. Chairman, I reserve the point of order on the three provisos and would like to ask the chairman of the committee a question. In what places and in connection with which schools is it proposed that this $350,000 shall be used? Which schools are to benefit by this $350,000?

Mr. CARTER of Oklahoma. All schools where there is a need for an Indian school and agency buildings.

Mr. MILLER of Minnesota. In nearly every instance the committee always has—and I think it does in this case—carried a specific appropriation for buildings and upkeep and repairs for each individual school, as the school is reached and provided for.

Mr. CARTER of Oklahoma. If the gentleman will permit, this provides for reservation schools. We only appropriate specifically for the nonreservation schools.

Mr. MILLER of Minnesota. That is probably the general policy; but it is not quite true. There are some nonreservation schools so provided for specifically in the bill.

Mr. CARTER of Oklahoma. All of the nonreservation schools are provided for specifically; but the so-called reservation school is not provided for but is taken care of in these general items.

Mr. MILLER of Minnesota. That explains it.

Mr. HAYDEN. If the gentleman will yield, the hearings show that the total value of buildings at these reservation schools is $7,500,000. This request for $350,000 for the upkeep of the buildings would amount to 4⅔ per cent of the present value of the property, which is a fair amount for maintenance and upkeep of buildings of that value.

Mr. MILLER of Minnesota. This does not seem to me to be too much. I want to direct attention to one school that I am somewhat personally interested in. The Indian school at Tower, Minn., is never appropriated for specifically in the bill. The upkeep of the school is provided for from some other source. I think they take it out of the revenues that come to the Indians of Minnesota themselves, and I know of one or two other places. The department one year sort of makes up its mind it will perhaps discontinue the school and next year it makes up its mind that it will continue it and enlarge it, and then the next year it changes its mind a little on that. Many of these buildings have gotten into a bad state of repair at this school as well as at some other places. Is there any provision made in the Indian Office for an investigation of these various schools to determine which ones shall be retained and what it is necessary to do to put them in proper condition?

Mr. CARTER of Oklahoma. Does the gentleman mean by the bureau itself?

Mr. MILLER of Minnesota. Yes.

Mr. CARTER of Oklahoma. They have what they call, as I presume the gentleman knows, supervisors of education, who with their other duties have this duty imposed upon them.

Mr. MILLER of Minnesota. I am sure that it is the purpose of the committee, and a splendid one, that wherever a school is to be maintained it ought to be maintained in a reasonably good and sanitary condition.

Some very serious complaints have come, as the gentleman well knows, in the past of the insanitary and unhealthy condition which prevails in some of these schools. I think that condition still exists to a considerable extent. I was in hopes this fund might be used by the Indian Bureau in eliminating those things. They do not seem to be doing it, though.

Mr. CARTER of Oklahoma. Funds which are used for the supervisors can be used for that purpose. I repeat the statement I made a few moments ago, that what is really needed is an investigation of the schools and other branches of the Indian Service not by the bureau itself but by the Congress—by the House of Representatives.

Mr. MILLER of Minnesota. There is not any doubt at all in my mind that is true, and I sincerely hope the House will grant authority for the Indian Committee to make this investigation.

Mr. CARTER of Oklahoma. I will say we have a provision in this bill for an investigation by members of the present House Committee on Indian Affairs who have been elected to the next Congress, and if no point of order is made against that section we will probably be able during the next summer, unless we have an extra session of Congress, to look into a great many Indian matters and perhaps bring back some valuable information to the Congress.

Mr. MILLER of Minnesota. Can the gentleman assure the committee that this is the policy of the Indian Office and of his committee—to get Indian children into white schools as far as possible—if that is the policy which they have?

Mr. CARTER of Oklahoma. That certainly is the policy of the Committee on Indian Affairs.

Mr. MILLER of Minnesota. I think it is a most commendable policy and one that ought to be prosecuted with the utmost vigor. This differentiation in localities between Indian children and white children is a damnable difference and a serious discredit to both races, and I think retards the development of the Indians to have the community look upon them as something separate and apart from the white people of the community. Now, is the Indian Office carrying out this policy?

Mr. CARTER of Oklahoma. Well, that is one of the things we want to investigate. I could not tell the gentleman. The bureau claims it is. We have not any first-hand information on the subject.

Mr. MILLER of Minnesota. I would be in favor of increasing the previous sum of a million and three-quarters and increasing this item to a reasonable sum just to enable the department to carry out that program in every State in the Union where Indians are to be found, especially where they are mixed blood.

Mr. CARTER of Oklahoma. Well, the gentleman knows that as the Indians are placed in white men's schools just to that extent will the Indian problem be solved and to that extent will the bureau be relieved of supervision of the Indian, and, without attempting to reflect upon the head of the bureau or anyone else, the gentleman knows as well as I do that the establishment of a man's full citizenship and taking him out from under the supervision of the Indian Bureau actually means a decrease of that bureau, so we are calling upon the Indian Bureau to do the abnormal thing—to eliminate themselves.

Mr. MILLER of Minnesota. It may be abnormal, but it might be recommended.

Mr. CARTER of Oklahoma. Recommended, but perhaps not accomplished.

The CHAIRMAN. Does the gentleman insist upon the point of order?

Mr. MILLER of Minnesota. I would like to make one further inquiry. I think the gentleman should explain the last proviso and let us know exactly what it means. I was in doubt at first:

That the amount so expended for agency purposes shall not be included in the maximum amounts for compensation of employees described in section 1, act of August 24, 1912.

Mr. SNYDER. The only change from this item of last year, if the gentleman pleases, is the extension of the limitation by adding the words "and bridges." It may refer to that. The bureau claimed that this item was so limited that they were unable out of this money to fix a bridge, so we, as the gentleman will see, page 8, line 2, added after "buildings" the words "and bridges."

Mr. MILLER of Minnesota. It is also added in line 9.

Mr. SNYDER. I was myself disposed to keep the limitation just as the clause is, and it was my belief that this appropriation was sufficient to do all the work that is necessary to do under this heading, provided the work was efficiently and well done.

Mr. STAFFORD. Will the gentleman yield in that particular? Heretofore if the bureau wished to erect a bridge on an Indian reservation it had to come to the Congress for specific authority. There are numerous instances in the bill reported to the House of provisions for the building of bridges on reservations which are to be paid out of the tribal funds. Now, under the authority you carry in the bill there may be constructed bridges out of the $350,000 without requiring——

Mr. SNYDER. No.

Mr. STAFFORD (continuing). Them to be reimbursed from the tribal funds.

Mr. SNYDER. No; it does not contemplate any such thing.

Mr. STAFFORD. It may not be contemplated, but I contend that it does not grant authority to do that.

Mr. SNYDER. I was not intended to grant any such authority. It was the intention of the committee to grant authority to repair bridges.

Mr. STAFFORD. If it was only intended to grant authority to repair bridges, I respectfully submit that the language in line 9 is adequate to meet that condition, and the words "and bridges" in line 3 should be eliminated.

Mr. MILLER of Minnesota. The words "and bridges" in line 3 are in connection with schools, and it would authorize the construction of a bridge——

Mr. SNYDER. Nothing of the sort.

Mr. MILLER of Minnesota. For ordinary purposes?

Mr. STAFFORD. I can not agree with the construction of the committee, and I respectfully submit that that is an erroneous construction.

Mr. MILLER of Minnesota. I read it two or three times, and when I first read it I had somewhat the same idea of the gentleman, but in reading it later I believe the reasonable construction is that it is simply authority to repair and this is a provision in connection with schools.

Mr. STAFFORD. Here we have authority for the construction of agency buildings. These agency buildings do not have to be connected with school buildings.

Mr. MILLER of Minnesota. I did not quite state it fully. I accept the correction—"schools and agencies."

Mr. HASTINGS. Why not knock out "and bridges," in line 3?

Mr. STAFFORD. I made the point of order for that purpose. I have no objection to the repair of bridges. If the chairman of the committee has no objection, I make the point of order to the words "and bridges," in line 3.

Mr. CARTER of Oklahoma. That is satisfactory.

Mr. MILLER of Minnesota. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from Minnesota withdraws the point of order, and the gentleman from Wisconsin [Mr. STAFFORD] makes the point of order against the words "and bridges," in line 3. The point of order is sustained. The Clerk will read.

Mr. CAMPBELL of Kansas. Just a moment. That does not refer to "and bridges" in line 9?

Mr. STAFFORD. Only in line 3.

The Clerk read as follows:

That hereafter, except for pay of superintendents and for transportation of goods and supplies and transportation of pupils, not more than $225 shall be expended from appropriations made in this act, or any other act, for the annual support and education of any one pupil in any Indian school, unless the attendance in any school shall be less than 200 pupils, in which case the Secretary of the Interior may authorize a per capita expenditure of not to exceed $250: *Provided*, That the total amount appropriated for the support of such school shall not be exceeded: *Provided further*, That the number of pupils in any school entitled to the per capita allowance hereby provided for shall be determined by taking the average attendance for the entire fiscal year and not any fractional part thereof: *Provided further*, That all moneys appropriated for school purposes among the Indians for the fiscal year ending June 30, 1919, may be expended, without restriction as to per capita expenditure, for the annual support and education of any one pupil in any school.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. SNYDER. I would like to make a statement in reference to this last paragraph.

Mr. STAFFORD. I reserve the point of order for the purpose of explanation.

Mr. SNYDER. The committee saw fit to put in this reservation here on account of the fact that there has been a great deal of sickness on the various reservations, due to influenza, and so on, and the expense has considerably increased, and since we have adopted the plan in this bill elsewhere of making appropriations available only in the year which we are appropriating for, we thought that under the existing circumstances and the emergency it was not wise to put on a limitation for the balance of the year.

Mr. HASTINGS. If the gentleman will permit me, it could not be greatly abused, because this bill will not likely become a law before the 4th of March, and there would be only three months remaining until June 30. And the Commissioner of Indian Affairs and the representatives of schools everywhere say that these Indian schools must stop unless there is some such provision placed either in this or some other law, and the cost in the schools has gone up, because of influenza and for other reasons, during the present year.

Mr. STAFFORD. This is a relief measure to meet exigent conditions due to the influenza?

Mr. SNYDER. The gentleman is right.

Mr. STAFFORD. What limitation is lifted by this proviso?

Mr. SNYDER. Of course, the appropriation made for this school is based on a certain limit of $200 to $225. The limitation is that.

Mr. STAFFORD. The available remaining appropriation for the respective schools will now be for the remainder of the fiscal year for the support of those schools, regardless of per capita enrollment?

Mr. SNYDER. That is true.

Mr. STAFFORD. I withdraw the reservation of the point of order.

The Clerk read as follows:

GENERAL EXPENSES OF INDIAN SERVICE.

For pay of special agents, at $2,000 per annum; for traveling and incidental expenses of such special agents, including sleeping-car fare, and a per diem of not to exceed $3.50 in lieu of subsistence, in the discretion of the Secretary of the Interior, when actually employed on duty in the field or ordered to the seat of government; for transportation and incidental expenses of officers and clerks of the Office of Indian Affairs when traveling on official duty; for pay of employees not otherwise provided for; and for other necessary expenses of the Indian Service for which no other appropriation is available, $135,000: *Provided*, That $15,000 of this appropriation shall be used for continuing the work of the Competency Commission to the Five Civilized Tribes in Oklahoma.

Mr. ELLSWORTH. Mr. Chairman, I move to strike out the last word. I understand that in the bill providing for the expenses for the fiscal year 1914 the amount carried in this item was $105,000 and for 1913 it was $125,000. I think the chairman of the committee stated a year ago when this bill was up that there were three competency commissions in Oklahoma.

Mr. CARTER of Oklahoma. Two, I think it was, at one place.

Mr. ELLSWORTH. Three individuals on each commission?

Mr. CARTER of Oklahoma. Three individuals on each commission and two commissions at one place. If the gentleman will permit, I have just been advised by a Member of Congress that there were two commissions that came into a certain town in Oklahoma at the same time to do the same work—two competency commissions.

Mr. ELLSWORTH. How many have been declared competent in the last year?

Mr. CARTER of Oklahoma. As the gentleman knows, I was not at the hearings of the Indian Committee and perhaps some of the members who were there can tell you.

Mr. HASTINGS. I think about 1,500.

Mr. CANDLER of Mississippi. There were 1,532.

Mr. ELLSWORTH. To the extent of the number of Indians that are declared competent the number of incompetent Indians is decreased?

Mr. HASTINGS. Among the Five Civilized Tribes there are 101,506. Of these about 75,000 are Indians, and of these about 37,000 were restricted Indians; and it is estimated one-third of those have died, leaving about 25,000 living. The restrictions

have been removed from some, and the testimony in the hearing shows there are estimated to be living about 23,000 restricted Indians among the Five Civilized Tribes.

Mr. ELLSWORTH. Does the gentleman think that in the last seven years the work of the competency commission has or has not increased?

Mr. HASTINGS. We have not had a competency commission out there in the last seven years. A competency commission was down there this year. Heretofore they went before some local agent and made application, and the local agent reported to the Superintendent for the Five Civilized Tribes, and he reported to the Commissioner of Indian Affairs, and the Commissioner of Indian Affairs reported to the Secretary of the Interior.

The competency commission goes out and visits each Indian at his home. They make an investigation concerning him and make a report upon each application direct through the Commissioner of Indian Affairs to the Secretary of the Interior, and if that is approved he is adjudged to be competent and his restrictions are removed.

Mr. ELLSWORTH. The competency commission sometimes hold their meetings in cities and villages and subpœna witnesses before them. Do they have authority to subpœna witnesses?

Mr. HASTINGS. Last year they pursued the policy of going about from place to place in eastern Oklahoma, where Indians came to visit the competency commission and went before them; and I understood they took as much testimony as they thought it necessary to take. Part of it was transcribed; I do not know how much. My understanding is that under the present instructions the present competency commission, of which Maj. McLaughlin has been a member until the last few days, is instructed to go out and visit the home of every Indian making application for the removal of his restrictions. Now, just how much testimony they took I do not know; whether they took any, I do not know; but I know they have been pursuing that policy during the present year.

Mr. SNYDER. Mr. Chairman, will the gentleman let me ask him a question?

Mr. HASTINGS. Yes.

Mr. SNYDER. One of the things that I did not develop in my efforts to develop things before the committee was this: When an Indian desires to demonstrate his competency, does he have to make an application himself, or does the department make the examination on its own account?

Mr. CARTER of Oklahoma. He does it without the competency commission. The competency commission examines all Indians they come in contact with without application.

Mr. SNYDER. That is what I wanted to bring out. Does this commission inquire of these Indians themselves in order to find out whether they are competent or not?

Mr. CARTER of Oklahoma. Yes. That is, as I think, the fair thing to do. In most cases outside of Oklahoma, where the land of the Indian is restricted and where he holds a trust patent, his land is exempted from taxation. Therefore you find the most intelligent Indians in a great many instances are the ones who do not want their restrictions removed.

Mr. SNYDER. Does it not seem absurd that with these competency commissions in operation there are only 1,500 Indians in Oklahoma who have been declared competent?

Mr. HASTINGS. That is what I say. While the competency commission was continued in the appropriation for last year, there was a change in the personnel, and they did not really get to Oklahoma until October, so that they did not work there, as I understand, in July, August, and September, and three months were lost.

Mr. SNYDER. It is difficult to find out just what these competency commissioners did do.

Mr. CAMPBELL of Kansas. Mr. Chairman, if the gentleman will permit, one of the things that the competency commission found among the most intelligent Indians, as stated by the gentleman from Oklahoma [Mr. CARTER], is that they do not want their restrictions removed, and do not want to be declared competent. While they remain under their restrictions they do not have to pay taxes on their land and on their incomes, and many of them have large amounts of money; and they are just competent enough to know that if they remain "incompetent," they will not have to pay taxes.

Mr. HASTINGS. I do not find many people in the States who are very anxious to pay taxes unless they have to.

Mr. CAMPBELL of Kansas. The Indian is not so incompetent as the Indian Bureau here would have the general public believe.

Mr. HASTINGS. I would add that the removal of restrictions from the homesteads of restricted Indians would not make the homestead taxable as long as the allottees held it.

Mr. CAMPBELL of Kansas. That only applies to the homestead?

Mr. HASTINGS. Yes.

Mr. CARTER of Oklahoma. That only applies to Oklahoma. In other sections where an Indian is given a fee patent the land immediately becomes taxable, and he takes upon himself all the duties of United States citizenship. I think there are two others besides this.

Mr. ELLSWORTH. If the condition which the gentleman from Kansas [Mr. CAMPBELL] speaks of is universal this amount ought to be decreased pretty soon.

Mr. HASTINGS. The department insisted on an increase of $10,000 in this item, but the committee did not allow that. It cut it down.

Mr. ELLSWORTH. It seems there ought to be fewer applications in the future than there have been in the past.

Mr. HASTINGS. I think that will be true in another year.

Mr. CARTER of Oklahoma. They do not have to make application with the competency commission.

Mr. ELLSWORTH. They do not?

Mr. CARTER of Oklahoma. No; but that simplifies the matter. When the man goes to the competency commission himself and it determines his qualifications that report is sent to Washington. It does not pass through the hands of a subordinate agency, but comes to Washington to the Secretary, and the Secretary himself either approves or disapproves that application, and I do not believe he has ever disapproved any application that the competency commission has passed upon. That cuts out red tape.

Mr. ELLSWORTH. So the competency commission can determine whether a man is competent or not, regardless of what the Indian himself wants?

Mr. CARTER of Oklahoma. Yes.

Mr. TILLMAN. Mr. Chairman, if the gentleman will permit, does not the gentleman think that in a case like that cited by the gentleman from Kansas [Mr. CAMPBELL] the man should be required to be emancipated?

Mr. CAMPBELL of Kansas. There is a report sent to the department with a recommendation that he be declared competent.

Mr. TILLMAN. That is as it should be.

Mr. CARTER of Oklahoma. In an investigation upon the Yakima Reservation in 1913 there came before our committee a young man who had blue eyes and light hair and did not appear to have any of the characteristics of an Indian. I said to him, "What do you want?" He said, "I have a complaint to make." I said, "What is that?" He said, "The agent has allowed too much consideration and paid too much money for expenses in planting an orchard on my land." I said, "What is your land worth?" He said, "About $2,000 an acre." That sounds unreasonable to anyone unacquainted with that country. I said to him, "Did you take it up with the agent?" He said, "Yes; but I could not get anything out of it; he insisted on paying this excessive amount for the trees." I said, "How much Indian are you?" He said, as I recall, "I am a quarter," or "I am an eighth." I said, "Why don't you get your restrictions removed, so that you can attend to your own affairs." He said, "I do not want my restriction removed. It is too valuable." I said, "Then do not bring your complaints to me." I think whenever an Indian is found to be competent he ought not to be placed on examination at all. He ought to be declared competent absolutely.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

INDIAN SERVICE INSPECTORS.

For pay of six Indian Service inspectors, exclusive of one chief inspector, at salaries not to exceed $2,500 per annum and actual traveling and incidental expenses, and not to exceed $3.50 per diem in lieu of subsistence when actually employed on duty in the field, $25,000.

Mr. ELLSWORTH. Mr. Chairman, I move to amend by striking out the figures "$25,000" on page 13, line 17, and inserting in lieu thereof "$21,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. ELLSWORTH: Page 13, line 17, strike out "$25,000" and insert "$21,000."

Mr. ELLSWORTH. Mr. Chairman, I notice that in the bill of two years ago the salaries were the same as in this bill, $2,500, the number of inspectors was the same, and the per diem was $3. In this bill, with a per diem of $3.50 for the same number of inspectors at the same salaries, the amount appropriated is $5,000 less than it was two years ago. Two years ago the amount carried in the bill for six inspectors at $2,500 each salary and $3 per diem was $30,000. Now, it seems to be perfectly apparent that that means one of two things:

Either the work that these men were doing was not necessary and it was not necessary for them to travel, or if it was necessary then it is not necessary now; and if it is not necessary for inspectors to travel, then it seems to me they would not be doing any work. If it is necessary and if they do travel, if they are doing the same work now that they did two years ago and ought to do it; then the total amount, with the per diem raise and everything else remaining the same, ought to be larger. If these services were rendered in good faith and this provision is inserted in good faith, it seems to me the amount ought to be more. The fact that it is reduced, regardless of the fact that the salaries and number of the inspectors are the same and that their per diem is larger, it seems to me is fair evidence, at least on first blush, that it could be almost dispensed with entirely. Certainly it seems to me that this is the kind of an item that we ought to begin to reduce at this time.

Mr. HAYDEN. The reason the committee made the reduction was because there is on hand an unexpended balance of $10,333.39, which is explained by the Indian Office to this effect:

> There is an unexpended balance of approximately $10,000, occasioned by vacancies in the personnel of the force from time to time, but with the full force now appointed and in active service the amount asked for will be almost entirely hypothecated during the fiscal year.

Mr. ELLSWORTH. What was the unexpended balance two years ago? I do not mean for the fiscal year 1919, but for the fiscal year 1918—the law passed in 1917.

Mr. CHANDLER of Oklahoma. It was $10,300.

Mr. ELLSWORTH. I am told that the unexpended balance at that time was about $10,000 also, so that that would not answer the question at all. It would look as though it were contemplated to reduce the amount, while at the same time the same number of people were employed at the same salaries.

Mr. HAYDEN. Congress may authorize the employment of an indefinite number, but the actual number employed will depend on the amount of money appropriated. We thought, in view of the unexpended balance from the preceding year, it was entirely proper to cut the amount $5,000, which we did, and I think the gentleman ought to commend the committee for its action.

Mr. ELLSWORTH. I do commend the committee for it, and I rather think the amount ought to be cut more. My amendment proposes to cut it more. Inasmuch as the amount remaining unexpended two years ago was about the same as it is now, it seems to me that it is very easy to read between the lines that this sort of service is one which the bureau is very anxious to maintain, and it seems to me that without any injury at all to the service it might be cut to three inspectors and $15,000. I would even be willing to vote for that.

Mr. HAYDEN. If the Indian Bureau was anxious to spend the money, if it was doing what the gentleman suggests, all the money would have been used and there would have been no unexpended balance, which shows that the bureau is likewise to be commended.

Mr. ELLSWORTH. I think perhaps the bureau and the committee both ought to be commended, and I think the amount ought to be reduced.

Mr. CHANDLER of Oklahoma. Mr. Chairman, for the benefit of the gentleman who has offered this amendment I will state that if the amendment were carried it would not provide enough money for the pay of six inspectors. Under ordinary circumstances these inspectors would draw a per diem of about $1,000 a year. Their salaries, at $2,500 each, would be $17,500, which, plus $6,000 for the six inspectors for per diem, would make $23,500. With six inspectors they could not possibly get along with the amount he suggests.

Mr. ELLSWORTH. What do these six inspectors do?

Mr. CHANDLER of Oklahoma. They are supposed to check up these agencies.

Mr. ELLSWORTH. Check them up—to see who is there and whether the Indians are competent?

Mr. CHANDLER of Oklahoma. To see whether these moneys are properly expended and to investigate complaints that are made about the various agencies.

Mr. ELLSWORTH. Do they go into the Indian schools to see whether there are Indian children in the Indian schools who ought to be in the public schools?

Mr. CHANDLER of Oklahoma. They are supposed to do that. Whether they do or not, I do not know.

Mr. HASTINGS. Mr. Chairman, if the gentleman will allow me, these inspectors are really representatives of the Indian Office out in the field, and they go there as representatives of the Indian Office and inspect the Indian Service everywhere and make confidential reports.

Mr. ELLSWORTH. And if they find an Indian child somewhere in the public schools who they think ought to be taken to the Indian schools, do they recommend that that child be taken from the public schools and put in the Indian schools?

Mr. CARTER of Oklahoma. Most of the inspection done by these inspectors is the inspection of agencies and of the officials of the bureau, as I am sure the gentleman from Minnesota knows. In other words, the inspectors inspect.

Mr. ELLSWORTH. Do they inspect the books of the agencies and the accounts of the Indians and so forth?

Mr. CARTER of Oklahoma. They do.

Mr. SNYDER. The chairman of the committee will appreciate that for several years we have attempted diligently to find out what these inspectors did, and it seemed to me that they were a sort of committee that went out and overlooked the situation, if they went at all; and I have tried to reduce the number every year, and made the same attempt this time, but the commissioner seemed to want us to understand that these men were more or less his confidential advisers in the field. We thought that while this was a great plenty, if they worked all the time they ought to get all the information he required. I am in sympathy with the gentleman from Minnesota on his amendment, that it could be safely cut down.

Mr. CARTER of Oklahoma. I agree with the gentleman from New York that we have not before the committee been able to get a great deal of information from the bureau as to these inspectors, but I can understand why that is.

Mr. SNYDER. The chairman will remember that we cut out two inspectors a year or more ago.

Mr. CARTER of Oklahoma. I have had opportunity to observe these inspectors on the different reservations, and from my observation I have made a statement as to what they did. I remember that a Mr. Deming, who was one of the inspectors, inspected the Carlisle school, and inspected before that the school in Washington at the Yakima Agency at Fort Simcoe, and I happened to be present while he was making those inspections. Maj. McLaughlin, whom we all love and whom we have heard the gentleman from Minnesota eulogize, is the oldest Indian inspector in the service, and has made one of the most valuable reports to this Congress of certain phases of the Five Civilized Tribes that could be imagined.

Mr. CAMPBELL of Kansas. May I suggest that Maj. McLaughlin is under the Secretary of the Interior direct, and is sent out by the Secretary of the Interior, to whom he reports direct.

Mr. CARTER of Oklahoma. He is a member of the competency commission, but prior to that time he was under the Indian Bureau.

Mr. ELLSWORTH. Is he paid from this item that we are now discussing?

Mr. CARTER of Oklahoma. I understand that Maj. McLaughlin has just gone off the competency commission. Whether he is now in the Indian Service or not I do not know. I do not know in what capacity he is.

Mr. ELLSWORTH. My understanding is that he is provided for under the Indian department.

Mr. CARTER of Oklahoma. He was a member of the competency commission, but I heard a rumor that he had retired.

Mr. ELLSWORTH. He is now a special inspector under the Interior Department.

Mr. CARTER of Oklahoma. The gentleman has later information than I have.

Mr. CHANDLER of Oklahoma. Mr. Chairman, I wish to correct a statement made by the gentleman from New York [Mr. SNYDER]. The six inspectors provided for here are not the ones that the gentleman from New York [Mr. SNYDER] referred to. The six he referred to were the oil and gas inspectors in Oklahoma. They were reduced to four. The six inspectors here are the ones commonly known in the agency and among the Indians as "Cato Sells's eyes," and I have been reliably informed that two were in Oklahoma fighting my reelection on account of a certain stand I took against the Indian Bureau last year.

Mr. STAFFORD. Will the gentleman yield?

Mr. CHANDLER of Oklahoma. Certainly.

Mr. STAFFORD. Does the gentleman mean to say that an employee of the department engaged in pernicious activity seeking to defeat a Member of Congress because that Member had the courage to express his views on the floor and sought to have his views carried out in legislation?

Mr. CHANDLER of Oklahoma. I have been so informed; and not only that, but I was informed that one inspector went down there opposing in the primaries a Democratic candidate for nomination.

Mr. CARTER of Oklahoma. An oil and gas inspector?

Mr. CHANDLER of Oklahoma. No; not an oil and gas inspector but one of these six inspectors.

Mr. STAFFORD. Such character of conduct should be severely condemned. I never heard before of any employee of the Government using his time, even after office hours, seeking to defeat either the nomination or election of a Democratic or Republican Member of Congress. We all know that under the presidential order he has the right to exercise the privilege of a citizen, but when he becomes so perniciously active as to go out of the way and seek retribution against a Member of Congress because he is doing his full duty in trying to economize and safeguard the interests of the Treasury it is high time that that man should be disciplined.

Mr. TILLMAN. That is as bad as the Security League. [Laughter.]

Mr. STAFFORD. No; this is in the open. Wall Street uses the Security League as a camouflage to carry out their purposes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

VEHICLES FOR INDIAN SERVICE.

That not to exceed $200,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees in the Indian field service: *Provided*, That not to exceed $15,000 may be used in the purchase of horse-drawn passenger-carrying vehicles and not to exceed $40,000 for the purchase of motor-propelled passenger-carrying vehicles, and that such vehicles shall be used only for official service.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. The committee has increased the amount for motor-propelled vehicles for the Indian Service from $30,000 to $40,000. I rise to inquire as to the number of automobiles in the Indian Service in the field and what the average cost of those automobiles is and the life of them.

Mr. HASTINGS. I do not know that we developed from the commissioner the number. Inquiry was directed about the increase from $30,000 to $40,000 of motor-propelled vehicles, and our investigation was along that line. My memory has been refreshed by the hearings. On page 79 the gentleman will find the commissioner said:

There are 339 passenger-carrying automobiles, 60 automobile trucks, 2 automobile ambulances, and 2 motorcycles. We have 900 horse-drawn passenger-carrying vehicles and 300 drayage and farm wagons in the Indian Service.

Perhaps that is the information the gentleman wants.

Mr. STAFFORD. Did the hearings develop the average price for these passenger-carrying automobiles?

Mr. HASTINGS. I believe not; but it was stated by the Commissioner of Indian Affairs that he bought the cheaper kind. They are practically all Fords.

Mr. STAFFORD. I withdraw the pro forma amendment.

The Clerk read as follows:

For initial payment for goods and supplies purchased for the Indian Service, $500,000, or so much thereof as may be necessary, to be immediately available and to be reimbursed, by transfer through accounts of disbursing officers or otherwise, from appropriations and funds which are applicable for the various agencies, schools, and projects to which the goods and supplies are subsequently distributed: *Provided*, That the sums so reimbursed may be reexpended under the same conditions in payment for other purchases made during the fiscal year ending June 30, 1920.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I believe this is a new provision delegating to the bureau new authority that has not been heretofore vested in the bureau. I think some explanation should be made of that item carrying $500,000.

Mr. SNYDER. Mr. Chairman, I will say for the information of the gentleman that this fund is asked for by the bureau in order to create a new method of purchasing the supplies for the various activities under the Indian Bureau. Heretofore the policy has been once a year, at least, to ask for bids upon certain commodities that the bureau has to buy. Those bids are opened in two or three different places within the borders of the United States. A contractor whose bids are accepted has been put to the trouble of waiting for his money for such purchases until such time as the commodity finally arrives at its destination, which may be after it has passed through a Government storehouse, has laid there for several weeks or months, and then finally gets to the school at the reservation, where the articles are finally checked up and the bill finally checked up. It was thought that by giving the Government a sufficient amount of money so that it could purchase in much larger quantities than it ever purchased before, with the understanding that the merchandise is to be paid for on a commercial basis, within 10 or 15 or 20 days after purchase was made, cash discounts might be taken advantage of and better prices might be obtained by reason of the fact of the seller knowing that within a certain reasonable length of time he is going to get the money for the goods that he sold. Therefore they have asked for this amount of money, which is wholly reimbursable, and it really never leaves the Treasury at all except for a short period.

Mr. STAFFORD. This is a fund for the accommodation of the sellers of merchandise to the Indian Bureau.

Mr. SNYDER. It is an accommodation to both of them, and it is thought that it will make a great saving in the purchase of merchandise, not only for the bureau but for the schools.

Mr. STAFFORD. Have any specific instances been called to the attention of the committee wherein contractors have charged the Government higher prices by reason of the system now in vogue, which the gentleman has described?

Mr. SNYDER. Except by the bureau itself. So far as I know, no contractor has complained in the presence of any member of the committee with regard to this usage that is now in force.

Mr. GANDY. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. GANDY. I have had a great deal of correspondence from people who have sold or contracted for various articles to the Indian Service, complaining of the long delay caused by not being able to get payment for the articles sold. It was the understanding of the committee that in creating this $500,000 fund it was simply creating a revolving fund, out of which invoices might quickly be paid for and then the money restored to the fund from the proper appropriation. This is not an increase in the appropriation at all but only provides a revolving fund, from which these purchases may be immediately paid for.

Mr. STAFFORD. I do not know of any other instance where the Government has appropriated half a million dollars for the purpose that is intended in this paragraph.

Mr. SNYDER. It is really not an appropriation; it is simply a loan of a certain amount of capital with which to do business.

Mr. STAFFORD. The gentleman is a business man.

Mr. SNYDER. And this appealed to me as a business proposition.

Mr. STAFFORD. And yet the Indian Bureau is insignificant in the amount of its purchases as compared with other activities of the Government.

Mr. SNYDER. They buy several million dollars' worth of goods per annum.

Mr. STAFFORD. The amount is insignificant as compared with the purchases made by the War and the Navy Departments and by the Agricultural Department, and yet you are here providing a system that has not been adopted, so far as I know, by any of the departments of the Government.

Mr. SNYDER. The gentleman will have to admit, however, that these items that are purchased by the bureau are shipped to infinitely more remote sections of the country, North, East, South, West, and that takes a long time, and during that period one who sells the Government must wait for his pay.

Mr. STAFFORD. That is one of the conditions of doing business with the Government.

Mr. SNYDER. Does the gentleman understand that in this case it is simply a case of the Government having to wait for its money instead of the seller having to wait for his? The Government gets a return for the money it advances from the school itself. The school returns the price of the merchandise, or the invoice, when it receives these goods, and checks them up. It pays the bill just the same, but it pays the bill to the Government, and with that the Government is reimbursing itself for the money it gave to the seller in the first place.

Mr. STAFFORD. Under existing practice the bureau desires supplies and it advertises for them and contractors submit bids. The bids are awarded and then the supplies are furnished, and when the bill is received I presume that the department pays the bill.

Mr. SNYDER. The gentleman's assumption is not well grounded, because it does not.

Mr. STAFFORD. Where is there any law that prevents the bill being paid on presentation of the bill of lading?

Mr. SNYDER. I presume there is nothing in the law, but the policy or the rule is such that it is not paid until the goods reach their final destination. I am not tenacious as to this at all; it is not an invention of mine; but it looks to me like a good business proposition.

Mr. STAFFORD. I would hardly ascribe it to the gentleman from New York, knowing his good business judgment and knowing his desire to protect the Treasury.

Mr. CARTER of Oklahoma. Will the gentleman yield for just a moment to me? Mr. Chairman, I move to strike out the last word of the amendment. When I first saw this item, after it

was placed in by the committee, I was inclined to be alarmed over it, but after having had read to me the reasons suggested by the assistant commissioner in the investigation of him by the gentleman from New York and others, I made up my mind it was a good proposition. Now, what does this do——

Mr. STAFFORD. Would the gentleman have any objection to allowing this paragraph to be passed over temporarily? It is too important a provision, and I have not had time to examine this as I have some of the other items, and I do not wish to urge the point of order, as I would be compelled to do, until I can look further into the matter.

Mr. CARTER of Oklahoma. I would be very glad to do so, and I think if the gentleman does look into it he will not be inclined to make the point of order.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that this paragraph be passed over without prejudice. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Subject to the reservation of the point of order.

The Clerk read as follows:

For reimbursement of A. R. Snyder for expenses incurred by him in repairing his personal automobile which was damaged while used on official business, $27.20.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph beginning lines 3 to 5.

Mr. HASTINGS. Mr. Chairman, this is to reimburse A. R. Snyder, who is superintendent at the Pottawatomie Agency out in Kansas. There was some disturbance occasioned, as I now recall, by some drunken people, and it became necessary for Mr. Snyder to use his own personal automobile in taking some officials from that place out to a point on the reservation, and after they got there some one connected with it set on fire this automobile and it was damaged to the amount of $27.20. He was out there on official business; had to use his own automobile to take some officers out there. He is superintendent of this agency, and the department recommended this item, and we made an investigation and we thought it was fair, and for that reason we incorporated it.

Mr. STAFFORD. The gentleman recognizes the danger of incorporating in an appropriation bill paragraphs for the payment of a private claim as an inducement to another body to load the bill down unreasonably with all kinds and manner of claims.

Mr. HAYDEN. Mr. Chairman, we had this experience before, and I think the committee of the other body understand it thoroughly, that it is the rule that there will be no claims included in the House Indian appropriation bill. This extends no further back than the last fiscal year, and it is only for a small amount. We have had no difficulty in making them understand that rule for a great many years past, and we have gotten along very well.

Mr. STAFFORD. Then, with the assurance that the gentleman will exert his strong and mighty power in preventing any additional claims from being added that might not be justified——

Mr HAYDEN. The House conferees will follow their uniform policy and keep off all of these claims.

Mr. STAFFORD. Mr. Chairman, under the conditions, I withdraw the reservation of the point of order.

The Clerk read as follows:

That the Secretary of the Interior is hereby authorized, wherever in his discretion such action would be for the best interest of the Indians, to cause a final roll to be made of the membership of any Indian tribe; such rolls shall contain the ages and quantum of Indian blood, when approved by the said Secretary are hereby declared to constitute the legal membership of the respective tribes for the purpose of segregating the tribal funds as provided in section 28 of the Indian appropriation act approved May 25, 1918 (40 Stat. L., pp. 591, 592), and shall be conclusive both as to ages and quantum of Indian blood: *Provided*, That the foregoing shall not apply to the Five Civilized Tribes or to the Osage Tribe of Indians.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. I think some explanation should be given as to the reason for this new authorization.

Mr. HASTINGS. Mr. Chairman, if the gentleman will permit, the hearings disclose that the department asked for this authority in view of the fact that on a great many of these reservations they were making up rolls, and they were making allotments and wanted to wind up the affairs of a good many of these tribes, and they said this provision would expedite it. You will note that the committee added some little additional language to that suggested by the department. For instance, we thought future legislation by Congress would be based perhaps upon the degree of blood, ages, and so forth, so that we added to the suggestion of the department that these rolls should be made conclusive both as to ages and quantum of blood, following the custom set by Congress with reference to the making of the rolls conclusive as to ages and quantum of blood among the Five Civilized Tribes, which was done several years ago, as the gentleman recalls.

Mr. GANDY. Will the gentleman yield?

Mr. HAYDEN. I do.

Mr. GANDY. In the Indian appropriation bill of last year there was carried a provision authorizing the pro rating of the tribal Indian funds in order that the department might know and that the Indian might know just what his share or her share is in those funds. The department held after the bill had been passed that it could not undertake this prorating work until the rolls had been completed and that they did not then have authority of law to complete the rolls on a number of the reservations, and this simply gives them the authority to complete the rolls and when they have then they may take up the pro rating of the tribal funds as was authorized in the appropriation bill of last year.

Mr. STAFFORD. What expense will be occasioned by the grant of this authority?

Mr. GANDY. I may say that the rolls—practically the work is completed all over the country.

Mr. HASTINGS. There will be no additional expense other than the employees on the various reservations; that is, there will be no additional employees. There will be no additional expense. It is contemplated that the employees there will do the work.

Mr. STAFFORD. Has not the department authority at the present time to cause the rolls to be made of all the Indians and has not the department such rolls and possibly as minutely as described in this paragraph?

Mr. GANDY. It is my understanding that they do have that authority, but not the authority to complete it, or, in other words, to close it.

Mr. CARTER of Oklahoma. If the gentleman will permit me, here is the difficulty: Suppose you make the roll of a tribe and you have had no congressional expression that that is an official roll. There is not any end of the settlement of an Indian tribal estate. A child that is born to-morrow will assert the right; a child born next year will assert a right and it goes on indefinitely and interminably. Here is a proposition which, I think, if the gentleman had time to give it the fullest consideration, he would agree is really a step toward the winding up of Indian affairs, because you can not allot—you can not divide—tribal funds; you can not take care of the Indians in the schools; you can not do anything of that kind until you have found his status as an Indian.

Mr. STAFFORD. I can agree that in many instances that the roll should be finally concluded, but are there not some Indian tribes in this country which are not so advanced and wherein you do not wish to bar all such children from those rolls?

Mr. CARTER of Oklahoma. Furthermore, Mr. Chairman, let me say to the gentleman, that even if you should close up all the rolls to-morrow you would not do any great violence to any of the Indians, because each Indian child would inherit from its father's, or mother's, or brother's part when they passed away.

Mr. STAFFORD. They might not inherit as much as they would in case they were singled out as entitled to one full quota.

Mr. CARTER of Oklahoma. They might not inherit as much or might inherit more, as the chances go all through life. I agree with the gentleman that the better time to make the roll is just prior to the time you make the division, but the division can not be made until the Secretary has the right to make the roll, because you have not the divisor.

Mr. HASTINGS. And neither the land nor money.

Mr. CARTER of Oklahoma. If we should undertake to divide any estate where Congress had not said the roll was final, then after that estate was divided there would be nothing on earth to prevent the children that were born afterwards coming back on the Federal Government and saying they wanted their share of this estate, because it has not been settled by Congress or by the courts, or anyone else, and they are just as much Indian as the others were.

Mr. STAFFORD. Looking forward 25 years is taking a very radical view of some few tribes being in existence on reservations where their lands are not allotted.

Mr. CARTER of Oklahoma. That will probably be true in 25 years.

Mr. STAFFORD. And yet you would foreclose, perhaps, many persons subsequently born by reason of closing the roll.

Mr. CARTER of Oklahoma. The provision is not mandatory.

Mr. HASTINGS. He is authorized to do this in his discretion.

Mr. GANDY. Let me give the gentleman a concrete example. On the Pine Ridge Reservation in South Dakota the agreement with the Indians was that the Indians then living should be

allotted. Congress afterwards, some 18 or 20 years ago, both increased the size of the allotment and provided that the children should be allotted. Congress has never closed the roll, and as a result the land has all been allotted, and of children—some newly born and some 1, 2, 3, 4, and 5 years of age—there are now about 600 unallotted on that reservation.

Mr. CARTER of Oklahoma. Let me say to the gentleman this: The safe thing to do, both from the standpoint of the Indian and the standpoint of the Federal Treasury, is to have affirmative action by Congress for the closing of any roll. If we do not have that, then these other claims will spring up in the future as I have stated they have sprung up in the past.

Mr. ELLSWORTH. Do either of the gentlemen from Oklahoma think that a commission ought to be created or it ought to be specified in what way the department should make the appointment of those who are to make the determination of those to go on the roll?

Mr. HASTINGS. It will be made by the superintendent. The rolls have been made and they are ready now to be approved, and they want the authority by Congress. It is so testified by the commissioner.

Mr. ELLSWORTH. Would it be made in the usual course, by those under the civil service?

Mr. HASTINGS. Those in charge of the various agencies.

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

That all of the provisions of an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913 (37 Stats. L., p. 1007), as extended by the act approved April 11, 1916 (39 Stats L., p. 48), be, and the same are hereby, extended for a period of three years from and after the 4th day of March, 1918.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. What is the purpose of this legislation?

Mr. HAYDEN. By the act here cited exchanges of lands were authorized in New Mexico, Arizona, and California where Indians have been residing on railroad lands for five years prior to the passage of the act, so that the Indians could obtain title to the lands on which they were residing and the railroad companies might obtain other lands of equal area and value in lieu thereof. The gentleman understands that when the transcontinental railroads were built the alternate sections were granted for 20 miles on each side of the track as a bonus for building the railroad. Certain lands on which the Indians were residing, when surveyed, were found to belong to the railroads. In order that the Indians could retain the land on which they resided, the railroad companies were permitted to select other land equal in area and value in the same State. The Government is not giving the railroad companies any more land than they otherwise would have. It is merely an exchange for the convenience of the Indians.

When this matter came up for consideration in Congress some years ago I discovered that there was no limitation at all as to how much land might be exchanged. I insisted at the time that the acreage in Arizona and New Mexico must be limited, and fixed the amount in the act at 10,000 and 25,000 acres, respectively. I also insisted that a limit of time be placed on these exchanges in order to expedite the transaction. Unfortunately the Indian Office has not completed this work as rapidly as I expected them to do it. The time fixed was three years. The Indian Office reports that there are some 100 Indians still residing on the land where the transfers are not completed. They ask for three years from the 4th of last March, or practically two years from the present time, in which to complete this work.

Mr. STAFFORD. They want the same area and value of lands as those held by the Indians?

Mr. HAYDEN. Yes; that is it.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For continuing the development of a water supply for the Navajo and Hopi Indians on the Navajo, Moqui, Pueblo Bonito, San Juan, and Western Navajo Reservations, $30,000, to be immediately available, reimbursable out of any funds of said Indians now or hereafter available.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. I see the gentleman from Arizona [Mr. HAYDEN] in the Chamber, as usual when this bill is under consideration. I know he has full knowledge about the various projects. I rise merely for general information, to ascertain whether any new projects are carried in these respective items relating to New Mexico or Arizona?

Mr. WALTON. None in New Mexico, as I understand.

Mr. STAFFORD. There is one in Arizona?

Mr. HAYDEN. There is one in New Mexico—the Pueblos. The items here carried are practically the same as those carried in the last Indian appropriation bill. The item for the Ganado irrigation project must be corrected by inserting the sum of $3,000. Another, for the Zia Pueblos, New Mexico, is new. The item following is the same. The item for the San Xavier Indian Reservation, Ariz., $16,500, is new, and all appropriations from Indian tribal funds, amounting to $17,500, proposed at the end of the items, are new.

Mr. STAFFORD. All those projects that the gentleman referred to are not of any very large or extensive character?

Mr. HAYDEN. No.

Mr. STAFFORD. I assume they are minor projects, pumping stations, and the like?

Mr. HAYDEN. Yes.

Mr. STAFFORD. The projects are not intended to involve a very heavy charge upon the Treasury in the future?

Mr. HAYDEN. No; none of them.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

Mr. LITTLE. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last two words.

Mr. LITTLE. I wish to inquire if there is something in the bill in regard to the Zuni Indians?

Mr. HAYDEN. I made no mention about the Zuni Indians.

Mr. LITTLE. I saw a copy of the bill, and I thought there was formerly in the bill a reference to the Zuni Indians in New Mexico. But I am not able to find it. Why is it that it does not appear?

Mr. HAYDEN. Under the head of "New Mexico" there are items for the support of the various Indian schools and certain irrigation ditches at Jimez and Zia Pueblos, N. Mex., and a road and bridge on the Mascalero Reservation. All those items will be found on page 35.

Mr. LITTLE. Since I am on my feet, I would like to ask about the Laguna Pueblos, on page 21. How extensive are the irrigating ditches there?

Mr. WALTON. The water is brought about 25 miles in the ditch.

Mr. LITTLE. Along how much of that are there farms under irrigation?

Mr. WALTON. About 2,500 acres.

Mr. LITTLE. How close is that to the pueblo?

Mr. WALTON. The pueblo is located near the Rio Grande River.

Mr. SNYDER. Mr. Chairman, we seem to be discussing the bill ahead of the reading. I would prefer that we go ahead in the regular order.

The CHAIRMAN. The gentleman from Kansas withdraws his pro forma amendment. The Clerk will read.

The Clerk read as follows:

For operation and maintenance of the Ganado irrigation project, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That any balance of the $20,000 appropriated by the act of May 25, 1918 (40 Stat. L., p. 569), which shall be unexpended on June 30, 1919, is hereby appropriated.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last word.

Mr. HAYDEN. Mr. Chairman, if the gentleman from Kansas will yield for a moment, I would like to move a committee amendment. I move to insert the figures "$3,000" after the word "prescribe" in line 5 of page 21. That was omitted. That omission is a misprint.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 21, line 5, after the word "prescribe," insert "$3,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LITTLE. Mr. Chairman, I was inquiring in regard to the Laguna Pueblo Indians in New Mexico, where about 2,500 acres are under irrigation. I wish to inquire of the gentleman what is the nature of the improvement?

Mr. SNYDER. Mr. Chairman, once more I arise to ask the gentleman to defer his remarks until we have reached the paragraph in question.

Mr. LITTLE. The Clerk did read it.

Mr. SNYDER. No. The reading, as I understood, stopped at line 9.

Mr. LITTLE. The Clerk read beyond line 9.

The CHAIRMAN. The Clerk informs the Chair that he has read from line 9 to line 19. Without objection, the Clerk will again read the last paragraph.

The Clerk read as follows:

For enlarging and improving the reservoir and ditch system for the Laguna Indians of the Laguna Pueblo, N. Mex., $5,000.

The CHAIRMAN. The gentleman from Kansas is recognized.

Mr. LITTLE. It is difficult, Mr. Chairman, to get recognition about anything. Can the gentleman tell us how extensive this improvement is and what is the nature of the improvement?

Mr. WALTON. Some years ago the Indian Bureau assisted the Pueblos by providing sufficient funds for the construction of three dams. Two of these dams have been badly damaged by flood water, one of them almost totally washed out and the other washed around. This $5,000 is asked for the purpose of putting these dams into proper shape, so that they may put water into the laterals and the ditches.

Mr. LITTLE. Then this is simply restoration?

Mr. WALTON. That is all.

Mr. LITTLE. What success do the Indians attain in this irrigation work?

Mr. WALTON. Very good success. They are self-supporting as a result of their agricultural pursuits.

Mr. LITTLE. Who has charge of the irrigation work—the Indians or white men?

Mr. WALTON. The Indians, as far as my information goes. I can not answer that positively.

The CHAIRMAN, Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For operation and maintenance of the pumping plants on the San Xavier Indian Reservation, Ariz., $16,500, reimbursable out of any funds of the Indians of this reservation now or hereafter available.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. What is the nature of the pumping plant and what is the pumping from?

Mr. HAYDEN. The pumps are established in the valley of the Santa Cruz River on the San Xavier Indian Reservation.

Mr. LITTLE. Is the pumping done from wells?

Mr. HAYDEN. Yes.

Mr. LITTLE. How deep are the wells there?

Mr. HAYDEN. I think the average depth there is 20 or 30 feet. There is a very substantial underflow from the Santa Cruz River.

Mr. LITTLE. It is a rather simple process, then?

Mr. HAYDEN. Yes.

Mr. LITTLE. How much ground is covered by the irrigation works?

Mr. HAYDEN. About 9,000 acres.

Mr. LITTLE. What are these Indians—semicivilized?

Mr. HAYDEN. They are Papagoes.

Mr. LITTLE. Have they made a success of it?

Mr. HAYDEN. Yes. They have a very good market for everything they grow.

Mr. LITTLE. They live like the Pueblo Indians generally, I suppose?

Mr. HAYDEN. They are Papagoes.

The CHAIRMAN. Without objection, the amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States the sum of $17,500 of any tribal funds on deposit to the credit of the Indians of the San Carlos Reservation in Arizona, and to expend the same for the operation and maintenance of pumping plants for irrigating the lands of the Indians on the said reservation, and for the installation of a tank or tanks for the economical handling of fuel oil for said pumping plants: *Provided*, That the sum so used shall be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word for the purpose of asking a question for information. What is the extent of this irrigation?

Mr. HAYDEN. About 1,400 acres in the Gila Valley, on the San Carlos Reservation. The Indians are the San Carlos Apaches.

Mr. LITTLE. How long have they been there?

Mr. HAYDEN. These Indians were placed on the San Carlos Reservation when they were rounded up by Gen. Cook along early in the eighties. A good deal of difficulty has been experienced in getting the water out of the stream. Several heavy floods changed the bed of the river and destroyed the heading of their irrigation canal, so that it was necessary to establish pumping plants. One object of this appropriation is to install a tank, so that they can buy and store the fuel for the pumps in carload lots, in that way saving considerable sums of money.

Mr. LITTLE. They have been using oil before, then?

Mr. HAYDEN. Yes. This is to save money by putting in a tank so that they can buy their oil in wholesale quantities. This appropriation is from their own funds, and it is being made to supplement expenditures heretofore made by the Government.

Mr. LITTLE. How does the work of these Apache Indians compare with that of the Pueblo Indians?

Mr. HAYDEN. About the same.

Mr. LITTLE. They are getting the same results?

Mr. HAYDEN. Yes. The Apaches do excellent work on road construction in Arizona. Wherever they are employed on works of that kind they do very well.

Mr. LITTLE. They can work, then, as well as they used to fight?

Mr. HAYDEN. Yes.

Mr. FOSTER. Will the gentleman from Arizona yield for a question?

Mr. HAYDEN. Yes.

Mr. FOSTER. Why is this language in the proviso:

Provided, That the sum so used shall be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe.

Mr. HAYDEN. The fund we are appropriating is derived from receipts from grazing leases on this reservation, and it belongs to the entire tribe. They have an income of about $100,000 a year. The fund belongs to all the Indians, and it is proposed to take some of this money and use it for the benefit of a part of them. That being the case, whenever their lands are sold or other arrangements are made, these particular Indians should reimburse the whole tribe for this expenditure made for their benefit.

Mr. FOSTER. It means that the individual Indians will reimburse the whole tribe?

Mr. HAYDEN. Yes.

Mr. CARTER of Oklahoma. Each Indian pays his own way.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GARRETT of Tennessee having taken the chair as Speaker pro tempore, a message in writing from the President of the United States, by Mr. Sharkey, one of his secretaries, informed the House of Representatives that the President had approved and signed bills and joint resolutions of the following titles:

January 1, 1919:

H. R. 13153. An act extending the time for the construction of a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark.; and

H. J. Res. 356. Joint resolution authorizing payment of the salaries of officers and employees of Congress for December, 1918.

January 7, 1919:

H. R. 13261. An act providing for the transportation from the District of Columbia of governmental employees whose services no longer are required; and

S. J. Res. 187. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

INDIAN APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States the sum of $17,600 of any tribal funds on deposit to the credit of the Indians of the Fort Apache Reservation in Arizona, and to expend the same, in connection with an equal sum of the funds appropriated in this act for Indian school and agency buildings, for reconstructing, repairing, and improving the power plant and irrigation system on the Fort Apache Indian Reservation, Ariz.: *Provided*, That the tribal funds so expended shall be reimbursed to the tribe under such rules and regulations as may be prescribed by the Secretary of the Interior: *And provided further*, That the sum of $17,600 of the amount appropriated in this act for Indian school and agency buildings is hereby set apart and reserved for this purpose.

Mr. LITTLE. Mr. Chairman, I reserve a point of order in order to ask the chairman of the committee a question. How many people are connected with this appropriation—how many Indians will be served by it?

Mr. HAYDEN. Does the gentleman want to know how many Indians there are on the Fort Apache Reservation?

Mr. LITTLE. How many are connected with this appropriation?

Mr. HAYDEN. About 2,500.
Mr. LITTLE. They are Apaches, I suppose?
Mr. HAYDEN. Yes.
Mr. LITTLE. How extensive is the irrigation plant?
Mr. HAYDEN. It is not altogether an irrigation matter, but is also for the improvement of the water-power plant, which was built some 15 years ago to furnish light and power and domestic water for the agency. The plant is in very bad shape. By reason of the fact that the Indians are receiving considerable sums of money from grazing fees, it is proposed that they shall pay one-half of the cost of this improvement.
Mr. LITTLE. How many white people are there?
Mr. HAYDEN. Only the employees of the Indian Service.
Mr. LITTLE. About how many?
Mr. HAYDEN. The superintendent and the teachers—I should say perhaps 25.
Mr. LITTLE. This appropriation says, "for reconstructing, repairing, and improving the power plant and irrigation system."
Mr. HAYDEN. There is a small irrigation system at Fort Apache, which, when completed, will water about a section of land.
Mr. LITTLE. Where do they get the water?
Mr. HAYDEN. They get it from White River.
Mr. LITTLE. They have nothing but a garden to irrigate?
Mr. HAYDEN. That is about all. I think they grow some corn and forage for horses.
Mr. LITTLE. Is it grown by white people or by Indians?
Mr. HAYDEN. Oh, this is in the heart of the Indian country, and the crops are all grown by Indians.
Mr. LITTLE. Mr. Chairman, I withdraw the reservation of a point of order.
The Clerk read as follows:

SEC. 3. For support and civilization of Indians in California, including pay of employees, $42,000.

Mr. GARD. Mr. Chairman, I move to strike out the last word for the purpose of asking a question and obtaining information relative to this very general item of "support and civilization" of the Indians in California, and to ask what are the processes of civilization. Here is $42,000 for undisclosed processes of civilization. I would like to get some information as to what those processes are.
Mr. CARTER of Oklahoma. I will say to the gentleman from Ohio that this item, like charity, covers a multitude of sins.
Mr. GARD. I thought there was some one from California who might enlighten me.
Mr. RANDALL. Let me say that the mere fact that they are allowed to remain in California has a civilizing influence.
Mr. GARD. I have no doubt of that, but I do not understand that that calls for financial outlay. The mere privilege of remaining there is something that the white people have to pay a good deal for, I know, in a State of irrigation, imagination, and exaggeration. [Laughter.] Is there anyone that can inform me on this subject?
Mr. CARTER of Oklahoma. Does the gentleman want an explanation of how this is used?
Mr. GARD. What do they do that calls for $42,000?
Mr. CARTER of Oklahoma. They may do anything necessary for the civilization of the Indian.
Mr. HASTINGS. The record shows that there are 15,000 Indians in California.
Mr. FOSTER. There is no law for the appropriation of money for civilization of Indians.
Mr. HASTINGS. That is the term used. "Support and civilization" is a broad term to cover the service to the Indians.
Mr. ELLSWORTH. If the gentleman will permit, I think if gentlemen would read through the bill, taking the different items for support and civilization, taking the conditions that exist, they will conclude that this means the paying of employees in the Indian Service. While a good portion of the money gets to the Indians and they get sustenance out of it, the gentleman will find that in many instances they do not get it.
Mr. GARD. If it is for the employees, why not say so candidly, instead of covering it up under the term "civilization"?
Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?
Mr. GARD. Yes.
Mr. CAMPBELL of Kansas. I will give the gentleman an itemized account of just how the Indians in California are civilized.
Mr. GARD. I shall be very glad to learn that, I am sure.
Mr. CAMPBELL of Kansas. Salaries, wages, and so forth, $17,787.28.
Mr. GARD. Pardon me there. That I presume is for salaries and for wages of employees.
Mr. CAMPBELL of Kansas. That is for the white people. Traveling expenses, $2,594.84.
Mr. GARD. That makes $20,000, about.
Mr. CAMPBELL of Kansas. Transportation of supplies. That is for the benefit of the Indians——
Mr. ELLSWORTH. If they ever get there.
Mr. CAMPBELL of Kansas. If they ever get there—$706.67. Telegraphic and telephonic service—the Indians are great on telephoning—$412.28. Printing, binding, advertising, and so forth, $8.25.
Mr. GARD. They are strong advertisers.
Mr. CAMPBELL of Kansas. Yes; they boost their business. Subsistence supplies—that, I suppose, is for supplies that go to the agency, including the officials, the white people, who are there—$5,925.56. Dry goods, clothing, and so forth, $552.11. Forage, $1,330.03. Fuel, lubricants, power, light, and so forth—this is California, you understand, and the amendment has not taken effect over there yet.
Mr. GARD. But will the gentleman——
Mr. CAMPBELL of Kansas. Oh, I shall get to the civilization part of it pretty soon. That is in this item—$3,513.76—medical supplies, education, and stationery, and so forth. There is the civilization—the second item in that.
Mr. GARD. How much is the educational, and so forth?
Mr. CAMPBELL of Kansas. Out of that there are $3,169.31. Miscellaneous—probably there is some civilization in that.
Mr. GARD. That is comprehensive enough to include civilization.
Mr. CAMPBELL of Kansas. Five hundred and ninety-one dollars and eighty-one cents. Outstanding liabilities, $1,189.81; making a total of $41,966.21. That is the amount expended in the last fiscal year for support and civilization.
Mr. GARD. Mr. Chairman, I thank the gentleman from Kansas for the information that he has furnished me, but I yet have no information as to the actual benefit in civilization which comes to these Indians in California, except the item which may include some education and medical supplies. The balance of it seems to have gone for the aggrandizement of the great white brother.
Mr. CAMPBELL of Kansas. If the gentleman from Ohio will follow this bill closely, he will find in every item that is for the support and civilization of Indians on Indian reservations that from 85 or 87 per cent of it goes to the white officials. The department asked for $50,000 in this item and the committee cut it down to $42,000, practically what it was last year. You can not pry the department loose with a crowbar from these agencies.
Mr. GARD. I do not desire to pry the department loose, but it seems to me there ought to be some more material benefits to go to the Indians for whose benefit these appropriations are made, instead of its going to the white man, who fastens himself on this department and refuses to be pried loose, in the language of the gentleman from Kansas.
Mr. CAMPBELL of Kansas. The gentleman from Ohio is correct.
The CHAIRMAN. The time of the gentleman from Ohio has expired.
Mr. HASTINGS. Mr. Chairman, I ask unanimous consent that the time of the gentleman may be extended for five minutes.
Mr. GARD. I would be perfectly willing to take the five minutes, though I do not want it for anything except to ask some questions.
The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the gentleman from Ohio may proceed for five minutes. Is there objection?
There was no objection.
Mr. HASTINGS. Mr. Chairman, I want to say to the gentleman from Ohio that a great many of us are interested, and for that matter for years have been trying to decentralize things here in Washington. If you take all of these Indian tribes, you will find the trouble is that there is too much of administration and not enough of civilization. You can not build a henhouse out on a reservation anywhere in the United States without first having the matter go through the local superintendent, who then sends it on up here to Washington for approval. That means that you have got to have a great many officers on every reservation. It means a disproportionate part of these appropriations is expended for salaries, for clerical force, and things of that kind. A great many of us have been inveighing against this for some time.
Mr. GARD. The gentleman thinks that the amount is disproportionate.
Mr. HASTINGS. I am sure of it, and I am glad to have the sympathetic interest of the gentleman from Ohio; and if we could get the gentleman from Ohio and other Members of the House to join with us we might get some little legislation that

would enable somebody outside of the city of Washington to have some final authority on something.

But there is no man on any Indian reservation, so far as I know, who has got any final authority on anything, and for that reason you have got to have Indian agents, you have got to have stenographers, you have got to have a clerical force, and too much of this money, running in practically every item, is spent in correspondence backward and forward between the various agencies and the department here. Now we have got to get a little additional legislation so as to compel the Indian Office here to give more authority to some of its representatives on the various reservations. You could decrease the clerical force here, you could decrease the number of employees, and then there would be more money to be used for education, more money for subsistence, and less money used for salaries out there and for wages. I thought this was an opportune time to answer the gentleman's question.

Mr. GARD. I am glad the gentleman did.

Mr. HASTINGS. I am very glad to take the opportunity to say this much at this time about it.

Mr. CURRY of California. Mr. Chairman, the trouble with this item is it is not big enough. Members on the floor of this House know what $43,000 mean. If it had been $43,000,000 they would have passed it and would not have said a word about it. I saw a two-billion-dollar bill passed here in about 20 minutes, and the rest of the day was taken up in a discussion of whether a clerk of this House should receive an extra compensation of $250 that he had earned, and about half past 6 or 7 o'clock it went to a vote and he did not get his money. Now, the proposition is this: The Indians of California, most of them, are civilized; some of them are becoming uncivilized on account of overcivilization. I believe this money will be properly used for the education of the Indians and the payment of certain self-appointed understudies of the general overseer of the universe, who have a great respect for the Indian because there is a salary in it. Now, a few years ago a lady and a gentleman came to Washington, and they lobbied through an appropriation for the purchase of 640 acres of land in Sonoma County for a reservation for some Indians up in that part of the country. Well, I own a ranch up there—no; I did not sell the ranch to them—and those Indians were pretty well civilized and were getting along very well. They were taking care of themselves, working around on ranches and in the woods, and making a living and saving money; some raising horses, cattle, and chickens, and their children were sent to the district school. But that did not satisfy these people. They wanted to put them on a reservation, and they bought the land for the reservation from a man by the name of Nobles, a quarter-breed Indian. Now, those Indians had a little place of their own, a rancheree. On one end of the reservation lives an Indian by the name of Haupt, who owns 700 or 800 acres, and another by the name of Hayden and several other land-owning Indians live in the neighborhood and a couple of Norwegians.

I own 700 or 800 acres. Those Indians used to live around there and had a little place of their own and were making money, and the Lord knows what they do now except they are being kept on the reservation. Now, that is civilizing them to the queen's taste, I do not think. This $43,000, I think, is for a proper purpose, although I do not think you have gone sufficiently into details of what it is for or where it is to be used. There are a number of Indians scattered all over California and a number of Indian reservations, and there are several Indian schools, and they are doing very well. As far as this $43,000 is concerned, I do not know exactly where it is to be used.

Mr. SNYDER. Will the gentleman yield?

Mr. CURRY of California. I yield.

Mr. SNYDER. I would like to say to the gentleman that the justification for this item is in considerable detail.

Mr. CURRY of California. Then the gentleman who had the information ought to have given it.

Mr. SNYDER. It is here in the hearings.

Mr. CURRY of California. We all do not get the hearings.

Mr. SNYDER. But the gentleman can get them.

Mr. CURRY of California. Some of them sometimes we can. I have no doubt that the money ought to be appropriated the same as in other places—Oklahoma, Arizona, North and South Dakota, and so forth.

There are lots of uncivilized Indians being civilized, as I said before, and there are some civilized Indians being uncivilized. I say that the best thing the United States can do, and at as early a date as possible, is to give the Indians their allotments, turn them loose, and make free men and women of them, and let them take care of themselves. They can do it as well as we can care for them if we only give them a chance.

Mr. CAMPBELL of Kansas. I want to state to the gentleman from California that he describes a very happy condition of Indians, when a few uplifters went in among them, found them working for their neighbors and making a living for themselves and their children, and were sending their children to the schools——

Mr. CURRY of California. And saving money.

Mr. CAMPBELL of Kansas. And saving money. This $42,000 is to pay the white men and women who are upon the agencies where these Indians are now assembled and are being decitizenized and unfitted for civilization and self-sustenance. That is the purpose of this appropriation, as it is on practically every other reservation scattered throughout the country.

Mr. CURRY of California. That is what I thought.

Mr. CAMPBELL of Kansas. It is for the pay of the salaries of the white officers who are there and trying to hold the Indians together and keep them out of civilization.

Mr. CURRY of California. That is what I thought. I thought I would get that explanation soon. But until you repeal the other acts you will have to appropriate this money, because you have prevented the Indians from making the living they were making before they were put on the reservations.

Mr. GARD. Not that I desire to pose as an obstructionist, because I confess I know very little about the matter stated in this Indian bill, I wish to say that as the disclosures made by the gentleman from Kansas [Mr. CAMPBELL] and the gentleman from California [Mr. CURRY] seem to indicate that in these matters, under the head of support and civilization of Indians, not alone in California but much more in the States of Arizona and New Mexico, where $330,000 is evidently given in large proportion to those who inflict themselves on the body politic to keep the Indians out of civilization, I am constrained to make a point of order to the paragraph.

Mr. CARTER of Oklahoma. I hope the gentleman will not do that.

Mr. GARD. And not so much as it affects California, because I do not desire to do that. There should be some light of publicity, which this committee has not given and which this committee as a whole does not understand, which the House of Representatives does not know about all these things that are carried under cover here—large amounts of money of which we know absolutely nothing. I confess my entire ignorance, and I presume I am of the average of the House.

Mr. CARTER of Oklahoma. This is not a California matter, Mr. Chairman.

Mr. CURRY of California. Will you reserve that point of order for a moment?

Mr. GARD. I yield to the chairman of the committee first, and then I will yield to the gentleman from California.

Mr. CARTER of Oklahoma. Mr. Chairman, I hope the gentleman from Ohio will not insist on that point of order. It is not a California item. If there are any Indians in the United States that are entitled to consideration at the hands of this Government they are the Indians of the State of California. They owned largely the entire State several generations ago, and since that time they have been deprived of their patrimony by citizens of the United States who have moved into that country.

Mr. GARD. Will the gentleman yield to me just a moment?

Mr. CARTER of Oklahoma. I yield.

Mr. GARD. The patrimony, as disclosed by that which was read from the hearings by the gentleman from Kansas, was not patrimony of the Indian, but the patrimony of the white men and Indian agents.

Mr. CARTER of Oklahoma. If the gentleman will permit me a few moments, I think I can explain that.

These Indians went along in California—and they are the poorest Indians in the United States—until they had absolutely nothing left. And then the Government undertook to buy little tracts of land for them and to take care of them. That has been going on now ever since I came to Congress. Some of them are getting a few acres of land. One hundred and seventeen years ago, I think it was, perhaps, this Government embarked upon an Indian policy of supervising the affairs of the different Indians throughout the country in various ways; first, in taking care of his property and seeing that his white neighbor did not cheat him out of it; second, in educating the Indian, and in a great many other ways that I could explain to the gentleman if I had the time. Those appropriations were carried in this bill under the head of support and civilization. Several years afterwards the Indian Bureau was taken out from under the War Department and placed under the Department of the Interior, and those items have continuously since that time been carried as support and civilization of the Indian, not that the money

was given to the Indian to buy land or anything else. And really, if the gentleman wants to know the truth about it, I do not think that is a good thing. I think it is a better thing to give the money to the white man to teach the Indian to protect his property than it is to deliver to that Indian some meal or flour or other ration that will make him absolutely dependent upon the white man for his subsistence. I think it is the duty o the white man to teach the Indian, the duty of this Government to teach the Indian, to be self-sustaining.

Mr. GARD. Surely.

Mr. CARTER of Oklahoma. And he can never be taught to be self-sustaining if we rely upon the old policy of distributing rations, and that is what my friend from Kansas seems to indicate that these appropriations are made for. Now, they are not made for that purpose.

Mr. GARD. Mr. Chairman, will the gentleman pardon another question?

Mr. CARTER of Oklahoma. Yes.

Mr. GARD. It seems to me from the reading here that out of this total of $42,000 only about $3,000 worth of support and civilization actually reached the Indians, and the rest of it was halted on "the Great White Way."

Mr. CARTER of Oklahoma. The gentleman is in error about that. For instance, practically the whole appropriation is intended to go, and does go, for a good purpose for the Indians.

Mr. GARD. I am in entire sympathy with the remarks made by the gentleman's colleague from Oklahoma [Mr. HASTINGS], who seems to have a very excellent grasp on what should be done in this matter of essential administration.

Mr. CARTER of Oklahoma. There is no difference between my colleague from Oklahoma and myself on that proposition.

Mr. GARD. I trust not.

Mr. CARTER of Oklahoma. And I shall be very glad to have the help of the gentleman from Ohio at any time in the work of decentralizing the Indian Bureau. But what does the gentleman's point of order do? It simply cuts off from these poor Indians in California, who are good Indians, any assistance or help that they might receive in the next year.

Mr. GARD. I am asking entirely for personal information. Will the gentleman permit another question?

Mr. CARTER of Oklahoma. Surely.

Mr. GARD. Does the same proportion of salaries and pay of employees apply in the item of $330,000, on page 18, for Arizona and New Mexico?

Mr. CARTER of Oklahoma. I doubt not. That is what it is intended for. It has never been the policy of the Federal Government for the last 15 or 20 years to appropriate money from the Federal Treasury to be divided among the Indians. The policy of the Government has been to appropriate money to try to educate the Indian and place upon him a personal responsibility. That can not be done by issuing rations.

Mr. GARD. Does the gentleman agree with his colleague from Oklahoma that we have gone too far in that direction?

Mr. CARTER of Oklahoma. Yes. I think some of our agencies are too highly organized, and I think they have always been too highly organized, and until Congress takes a strong stand and decentralizes that organization it will not be done.

Mr. HASTINGS. That takes legislation.

Mr. CARTER of Oklahoma. Yes. It takes legislation to decentralize them.

Mr. CURRY of California. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes; I yield.

Mr. CURRY of California. I hope the gentleman from Ohio will not make the point of order against this item. It would not be fair. The gentleman is a fair man. These Indians are now on these reservations, and they have got to have supervision. I will agree with the gentleman that if he will introduce a bill to decentralize this system and give the Indians a chance to take care of themselves I will give him what aid I can; but when we have legislated them away from independence and placed them on a reservation it would not be fair to prevent the appropriation of an amount of money sufficient for them to be properly supervised.

Mr. GARD. I do not seek to prevent any appropriation if it will do any good. The thing I am trying to get at is to arrive at some method by which this decentralization may be accomplished.

Mr. CURRY of California. That can not be done after you have enacted legislation and put the Indians on the reservation by stopping the appropriation to supervise them.

Mr. CARTER of Oklahoma. The gentleman's point of order, if the gentleman will permit, does not look toward decentralization, but rather looks toward further centralization, because if the point of order is sustained and this item is taken out of the bill, no money can be expended at that agency whatever, but the Indian Bureau can still send its inspectors there from the bureau and send them back and forth, and therefore the Government will be more centralized than it was before.

Mr. GARD. I suspect that if the appropriation were withdrawn there would not be so many at the agency.

Mr. CARTER of Oklahoma. They would send inspectors out there, and it would involve a large traveling expense.

Mr. GARD. Then the gentleman thinks that the point of order should not be insisted on?

Mr. CARTER of Oklahoma. I think the gentleman will leave a lot of poor Indians and a lot of slack and rusty old Indians out there with nothing to lean on if he would insist on his point of order. That would be the result.

Mr. GARD. I am very glad to follow the advice of the chairman of the committee, and I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

For the purchase of lands for the homeless Indians in California, including improvements thereon, for the use and occupancy of said Indians, $20,000, said funds to be expended under such regulations and conditions as the Secretary of the Interior may prescribe.

Mr. ELLSWORTH. Mr. Chairman, I propose to amend this paragraph by striking out, on page 23, line 19, the figures "$20,000" and inserting "$5,000."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ELLSWORTH: Page 23, line 19, strike out "$20,000" and insert "$5,000."

Mr. ELLSWORTH. Mr. Chairman, $20,000 was the amount carried in the last appropriation bill for this purpose. Mr. Meritt, the assistant commissioner, stated that he believed that the entire amount of the estimate would be needed for the purchase of the land for homeless Indians in California for the fiscal year 1920. Last year, or for the fiscal year ending June 30, 1918, there was expended $250.80.

Mr. LITTLE. For land?

Mr. ELLSWORTH. There was expended out of this item $250.80. An analysis of the expenditure shows that of $250.80 the sum of $200 was invested in land for homeless Indians in California, and the expense of investing $200 for land for homeless Indians was, traveling expenses, $43.90, or about one-fifth of what the land itself cost, and $6.90 miscellaneous. Now, in a community such as most of us live in, and under the existing conditions outside of the Indian Bureau of the United States, and in almost any other governmental sphere excepting the Indian Bureau, I do not believe it would take over $50 to purchase $200 worth of land for homeless Indians. It seems to me that there ought to be some way by which the Government could purchase a lot—I presume this was a lot—for a homeless Indian to build a shack on in which to live without having to expend more than one-fourth of what the land itself cost for expenses. If, finally, we do get land for all these 2,700 Indians of this tribe in California who expect to be furnished homes by this Government some day, at $300 apiece the land will cost $810,000, and at the same ratio it will cost about $200,000 for expenses in purchasing the land. It seems to me this item ought to be reduced. It was not spent last year. There is nothing that I can see to show that there will be any more expended in any more judicious way in the future than it has been in the past.

Mr. HAYDEN. Mr. Chairman, I sincerely trust that the amendment the gentleman from Minnesota offers will not prevail. True, the Indian Office did not expend hardly any money out of this appropriation last year. It is also true that we were at war, and that conditions were such that they could not make the progress that should have been made in the purchase of land for these poor and homeless Indians. That is the information given me by the Indian Office.

Mr. George Wharton James, of Pasadena, Cal., whose interesting books about the Mission and other Indians many of you have read, called on me a few days ago and inquired about this particular appropriation. Mr. James urged the importance of finishing up the work of supplying lands to the homeless Indians of California. He told me that a number of friends of the Indians in that State, among them Dr. David Starr Jordan, of Stanford University, intended to tender their services to the Indian Office to see that this work was promptly completed so that the Indians could soon be placed on land where they might live in some sort of comfort. The Indian Office states in the hearings that there remain about 2,700 Indians in California for whom land should be purchased. With this amount and the sum that is available in the unexpended balance it ought to be possible to take care of a considerable number of them in the

course of the next fiscal year. I am sure that Mr. James and his associates in California will be glad to assist the Indian Office so that this money may be expended in a way that will confer the largest possible benefit to the Indians. Such being the case, we ought to make this appropriation of $20,000, thereby carrying out a policy that Congress adopted some years ago.

Mr. GARD. I notice that $10,000 is the sum estimated, whereas $20,000 was the sum asked for.

Mr. HAYDEN. The Indian Office asked for a reappropriation of the unexpended balance of $20,000, which, with the $10,000 mentioned by the gentleman from Ohio, would amount altogether to about $30,000. Instead of that we appropriated $20,000, which is in truth a cut under the estimates of $10,000.

Mr. RANDALL. Mr. Chairman, I have heard a great many gentlemen on this floor criticize the expenditures because they were lavish, but this is the first time I ever heard an administration officer criticized for not spending the money. Does the gentleman from Minnesota think that this $47 was devoted wholly to the purchase of the $250 worth of land? Probably some of it was expended for inspection of other tracts which were not purchased, in the interest of economy, and that the Government saved money by the expenditure of this $47.

Mr. ELLSWORTH. The amount was $200 worth of land and not $250, and the travel and miscellaneous expenses amounted to $50.

Mr. RANDALL. But the $50 probably was not devoted entirely to the purchase of this land but in the inspection of other tracts which might have been purchased if they had been perfectly satisfactory in price.

Mr. ELLSWORTH. It seems to me that when an amount of money is appropriated for expenses in the purchase of land, if an official gives testimony before a committee of Congress he should be intelligent enough, if his expense was for something else than the purchase of the land, to so state.

Mr. RANDALL. If the gentleman will permit, the gentleman will understand that probably the inspection of other tracts was involved in this expenditure. I trust, Mr. Chairman, that the amendment will not prevail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For reclamation and maintenance charge on Yuma allotments, $131,564.94, to be reimbursed from the sale of surplus lands or from other funds that may be available, in accordance with the provisions of the act of March 3, 1911 (36 Stat. L., 1063).

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I have looked at the hearings on this item and find that this is to repay the Reclamation Service this amount. It is quite common for the Reclamation Service to take over reclamation projects on Indian reservations, develop them, have them charged against the Indian Service, and then later paid for their aliquot share?

Mr. HAYDEN. Wherever Indian lands are included within reclamation projects arrangements are made for the irrigation of those lands along with the lands of the white people. As it happens, the Laguna Dam on the Colorado River is located just above this reservation. The main canal passes through the Yuma Reservation, and then the water goes by syphon under the Colorado River, where it is used to irrigate other lands in Arizona, making up the greater part of the project. The cost to the Indian is just the same per acre as that of the white man. The reclamation project is complete, and the amounts due from the white people are being collected. This appropriation is for the purpose of paying the Indian's share in the same ratio as the white people pay.

Mr. STAFFORD. In the hearings I notice that the Reclamation Service asked that the amount charged against the Indian lands be paid in a certain length of time. Heretofore the Bureau of Indian Affairs has not provided similar payments, the appropriation last year being $10,000.

Mr. HAYDEN. Fifteen thousand dollars, but that was for operation and maintenance, while this appropriation is to pay the cost of construction.

Mr. STAFFORD. And at the end of 10 years the Indians will be relieved of all liability to the Reclamation Service, and whenever the land is sold it will be sold free from any charges to the Reclamation Service.

Mr. HAYDEN. Yes; and this is the same charge that the white man pays.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

FLORIDA.

SEC. 4. For relief of distress among the Seminole Indians in Florida, and for purposes of their civilization and education, $20,000, including the construction and equipment of necessary buildings.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Last year there was a limitation on the appropriation that this expenditure for the building of the Seminole Indians in Florida should be on lands set aside for their use by the State. Why has not that authorization been carried in this bill?

Mr. TILLMAN. Since the last appropriation bill the State of Florida has given to the Seminole Indians 100,000 acres of land and the Government has given them 25,000 acres of land. It is proposed to make whatever improvements are made upon the land belonging to the Seminoles.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized to pay to the authorities of Kansas City, Kans., the sum of $1,000 in consideration of the agreement of said authorities forever to maintain and care for the Huron Cemetery, a tract of land in the city of Kansas City, Kans., owned by the Government of the United States, the use of which was conveyed by treaty to the Wyandotte Tribe of Indians as a cemetery for members of said tribe, such payment to be made from the $10,000 appropriated for the preservation and improvement of said cemetery by the act of September 8, 1916 (39 Stat. L., 844).

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. LITTLE. Mr. Chairman, I reserve all points of order. I will ask the chairman concerning this item to let it go over until to-morrow. The bill does not quite agree with the suggestions of Mr. Meritt, the assistant commissioner, before the committee. I think the language means the same, but it does not quite agree, and I took it up with him over the phone. He promised to look it up, and I have wired the city commissioners and the mayor. It is just a question of the language, and I wish that the committee would let the matter go over until in the morning.

Mr. HAYDEN. Mr. Chairman, we have no objection to passing this item over without prejudice.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that this item be passed over without prejudice. Is there objection?

There was no objection.

The Clerk read as follows:

MINNESOTA.

Mr. ELLSWORTH. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent that all of the items relating to the Indians in Minnesota be passed over without prejudice.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the Minnesota items be passed over without prejudice. Is there objection?

There was no objection.

The Clerk read as follows:

MISSISSIPPI.

SEC. 9. That the unexpended balance of the appropriation of $75,000 for the full-blood Choctaw Indians of Mississippi in the Indian appropriation act of May 25, 1918, is hereby reappropriated for the same purposes for which originally appropriated and for aiding the common schools attended by the children of said Indians under rules and regulations prescribed by the Secretary of the Interior.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent that the paragraph go over until to-morrow, when the gentleman from Mississippi [Mr. HARRISON] is present.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that this paragraph be passed over until the next sitting of the committee. Is there objection?

There was no objection.

The Clerk read as follows:

That so much of the Indian appropriation act of March 1, 1907 (34 Stats. L., pp. 1015 and 1035), as relates to the disposal of surplus unallotted lands within the Blackfeet Indian Reservation in Montana is hereby repealed, and the Secretary of the Interior is authorized to make allotments under existing laws within the said reservation to any Indians of said Blackfeet Tribe not heretofore allotted, living six months after the approval of this act, and thereafter to prorate all unallotted and otherwise unreserved lands therein among the Indians who have been allotted or may be entitled to rights within said reservation: *Provided*, That of the lands so allotted 80 acres of each allotment shall be designated as a homestead by the allottee and be evidenced by a trust patent and shall remain inalienable until Congress shall otherwise direct: *Provided further*, That the Blackfeet tribal rolls shall close as of six months after the approval of this act, and thereafter no additional names shall be added to said rolls: *Provided*, That nothing herein shall be construed to repeal the grants of land made by the act of March 1, 1907, to religious institutions and to the State of Montana

for school purposes, nor repeal the authority of the Secretary of the Interior to dispose of any land within said reservation suitable for town-site purposes, as provided by that act: *Provided*, That the State of Montana in making indemnity school selections shall be confined to nonmineral and nonirrigable lands: *Provided further*, That the provisions of the act of March 4, 1907, which require a division of the funds received from the sale of the surplus lands immediately upon the date of the approval of the allotments of land are hereby repealed: *Provided*, That the lands within said reservation, whether allotted, unallotted, reserved, set aside for town-site purposes, granted to the State of Montana for school purposes, or otherwise disposed of, shall be subject to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country until otherwise provided by Congress: *Provided*, That the lands may be leased by the allottee for mineral purposes, under such rules and regulations and upon such terms and conditions as the Secretary of the Interior may prescribe: *Provided further*, That allotments herein provided for shall be made under such rules and regulations as the said secretary may prescribe, and trust patents shall be issued therefor as provided by the aforesaid act of March 1, 1907, except as to the homestead hereinbefore mentioned.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on this paragraph. I think some very full explanation should be made of the reason for this legislation providing virtually for reallotment of the unallotted lands of the Blackfeet Indian Reservation.

Mr. HAYDEN. Mr. Chairman, I will say to the gentleman that this legislation is inserted at the suggestion of the Indian Office and at the request of the Indians on the reservation. As the law now stands provision is made for the disposition of the surplus lands on this reservation after each Indian has received a certain allotment. The Indians say that this is preeminently a stock-raising country, and that the lands are not suitable for agriculture. The Indian Office encourages them in that opinion. That being the case, the Indians would be better satisfied and better off if they were given larger allotments of this land, if it was divided among them, rather than having the surplus land sold to white people. This legislation repeals the present law, which authorizes the sale of the surplus lands, and provides for a reallotment of such lands among the Indians.

Mr. STAFFORD. What is the total area of the unallotted land to which this section applies?

Mr. HAYDEN. It is enough to give about 450 acres to each Indian.

Mr. STAFFORD. Some of the land has already been allotted to some of the Indians?

Mr. HAYDEN. Yes. This legislation provides for a new tribal roll, as of date six months after the passage of this act. It would make that the final roll, and then the Indian Office would proceed with allotments from that roll to wind up the affairs of these Indians so far as their land is concerned; that is, dividing up and passing title to all of the land among all of the Indians.

Mr. STAFFORD. I notice that as to some of the lands that will be allotted it is merely the homestead of 80 acres which is to be inalienable.

Mr. HAYDEN. That is in accordance with the policy of the department on other reservations, for the department will not permit an Indian to dispose of his homestead. He might dispose of his surplus lands if he is competent to do so. That policy is followed so that an allotted Indian will never be without a home.

Mr. STAFFORD. As soon as these lands are allotted and the title has been confirmed in the Indian, he is privileged to sell the lands other than the 80-acre tract?

Mr. HAYDEN. If he gets the approval of the Indian Office. Being an incompetent Indian, as most of the Blackfeet are, he would have first to get permission to sell from the Indian Office.

Mr. STAFFORD. Are most of these Indians incompetents?

Mr. HAYDEN. Yes, sir.

Mr. STAFFORD. What are they now engaged in for a living?

Mr. HAYDEN. Stock raising, as a rule.

Mr. STAFFORD. Have they much funds to their credit in the Treasury?

Mr. HAYDEN. There is a statement in the hearings which gives the amount of funds in the Treasury to the credit of the Blackfeet Tribe. Apparently they have on hand $45,544 and estimated receipts for next year $48,000, making a total income of $95,000. I presume that comes from the lease of their grazing lands. I do not know where else it would come from.

Mr. STAFFORD. Is the gentleman acquainted as to whether any of this land is mineral land?

Mr. HAYDEN. I do not know anything about that.

Mr. CHANDLER of Oklahoma. I desire to call attention to the statement just made in regard to these Indians having on hand $47,000, or something like that, but that does not include all of it. You will notice lower down that they have something like $254,000 a year of interest at 4 per cent on their invested funds, so they undoubtedly have several million dollars.

Mr. STAFFORD. How much land up to the present time has been allotted to these Indians?

Mr. HAYDEN. I think each Indian heretofore was allotted a half section of land, or 320 acres, and this legislation would increase the full allotment to 450 acres to the individual Indian.

Mr. STAFFORD. Including the 320 he heretofore received?

Mr. HAYDEN. The full allotment would approximate about 450 acres.

Mr. STAFFORD. This land is grazing land?

Mr. HAYDEN. Yes, sir.

Mr. STAFFORD. Now, reverting to the inquiry as to whether there is any mineral land, I notice that the provision authorizes the allottee to lease the land for mineral purposes subject to the approval of the Secretary of the Interior. Has the gentleman any information that there are any mineral deposits in this reservation?

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CHANDLER of Oklahoma. Mr. Chairman, I brought that matter out in the hearings. I was informed some time before that that there was a little production of oil 50 or 70 miles north of that, and I asked Assistant Commissioner Meritt if there were any minerals underlying that land. He stated none that he knew of, and this provision was put in there on my suggestion that there was a possibility of oil production in the future. Even if they should drill up near the line of allotment it is necessary for the Indian to come here and secure legislation, and he might be very materially damaged; therefore, I thought it best to have a provision of this character in there so as to take care of any possible future need.

Mr. STAFFORD. Mr. Chairman, this is a very important item. Still the gentleman has furnished information which I believe shows it is in the interest of the Indian.

Mr. CARTER of Oklahoma. I think the gentleman from North Dakota, who lives in that section of the country, can possibly give the gentleman some more information.

Mr. STAFFORD. What is the character of this land? Are there any mineral deposits in it?

Mr. GANDY. No; not to my knowledge, there are not any minerals developed, oil, gas, or anything of that kind.

Mr. CARTER of Oklahoma. It has just a little coal.

Mr. GANDY. At some places there is a little lignite coal.

Mr. STAFFORD. The gentleman believes it is for the best interest of the Indians to grant them the larger unit of allotment?

Mr. GANDY. Well, I confess I have had some doubts in my mind on that, but it is their own land.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For road and bridge construction on the Mescalero Indian Reservation, in New Mexico, including the purchase of material, equipment, and supplies; the employment of labor; and the cost of surveys, plans, and estimates, if necessary, $25,000, to be immediately available and to be reimbursed from any funds of the Indians of said reservation now or hereafter on deposit in the Treasury of the United States: *Provided*, That Indian labor shall be employed as far as practicable.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. Is this the same road that was authorized in the last year's appropriation act in which the State or other agency was to contribute one-half of the cost?

Mr. WALTON. No, sir. The road extends from the railroad station at Tularosa to a short distance within the reservation lines. It is entirely a separate proposition.

Mr. STAFFORD. This is within the reservation?

Mr. WALTON. It is within the reservation.

Mr. STAFFORD. I withdraw my reservation of the point of order.

The Clerk read as follows:

SEC. 15. For support and education of 160 Indian pupils at the Indian school at Cherokee, N. C., including pay of superintendent, $37,800; for general repairs and improvements, $6,000; in all, $43,800.

Mr. FOSTER. Mr. Chairman, I move to strike out the last word. As I understand that, last year we appropriated for 200 pupils down there and this year for 160.

Mr. HAYDEN. The record shows that the capacity of the school was but 160 pupils, and the average attendance was only 151.

Mr. FOSTER. You had too much last year, and so this year you raised the amount but lessen the number to be educated; is that it?

Mr. HAYDEN. The committee allowed an increase this year in the per capita amount for the maintenance of nearly all of

the Indian schools, but in some cases we reduced the number of pupils to correspond to about the average attendance or the capacity of the school.

Mr. FOSTER. You this year appropriate for just half the number you did last year, and you have raised the appropriations from $33,600 to $37,800 and from $39,600 to $43,000. Then I suppose in the proportion that the number of pupils decreases the appropriation increases?

Mr. HAYDEN. The Indian Office estimated for $46,800 for that school, and, including the repairs and improvements, asked for a total of $52,800. The committee cut the estimate $9,000.

Mr. FOSTER. I was just curious to know how you arrived at 50 per cent less pupils.

Mr. HAYDEN. Not 50 per cent.

Mr. FOSTER. You appropriated last year——

Mr. HAYDEN. For 200 pupils and this year for 160, a reduction of 40 pupils.

Mr. FOSTER. I wondered as the Indian pupils decreased why the appropriations increased.

Mr. HAYDEN. The committee decreased the number of pupils but increased the per capita cost.

Mr. FOSTER. That is what I wanted to know.

The Clerk read as follows:

Provided, That not exceeding $5,000 of the amount reappropriated by the Indian appropriation act for the fiscal year 1919 (40 Stat L., p. 577) for employees' quarters may, in the discretion of the Secretary of the Interior, be used for the purchase of the Baker cottage and grounds adjoining the Indian school grounds.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on that.

Mr. GANDY. Mr. Chairman, the Indian appropriation act referred to in this paragraph appropriated $10,000 for the erection of a building that, I believe, was to be used as employees' quarters. The gentleman from North Dakota [Mr. NORTON], who is a member of the committee——

Mr. FOSTER. How many employees are there?

The CHAIRMAN. Does the gentleman from South Dakota make a point of order?

Mr. FOSTER. I made the point of order, but I reserve it for a moment.

Mr. GANDY. I am unable to give the gentleman offhand the number of employees. The number appears in the hearings. The gentleman from North Dakota [Mr. NORTON] stated that this cottage is really in what used to be a part of the Indian grounds. It was sold at one time, and, in his judgment, the home of Capt. Baker could be purchased for $5,000; that it was amply large to meet the requirements of the school; that it is right at the edge of the Indian grounds; and that as heretofore there was $10,000 appropriated for the building. If they could purchase this for $5,000, they could save $5,000 of the former appropriation.

Mr. FOSTER. Save $5,000?

Mr. HAYDEN. The gentleman from North Dakota [Mr. NORTON] was of the opinion the Government could save money by buying this house that adjoins the school, rather than putting up a new building. That is the whole purpose of the appropriation.

Mr. SNYDER. Will the gentleman yield?

Mr. FOSTER. I will.

Mr. SNYDER. I will say that the gentleman from North Dakota [Mr. NORTON], after careful questioning on the part of the committee, without a stenographer in attendance, said to those present that this was the wise thing to do. The building is badly needed at the present time, and the amount seemed to be a satisfactory amount to cover the building that he proposed to have the department buy.

Mr. FOSTER. Is it just a building there?

Mr. SNYDER. It is a building right adjacent to the school grounds.

Mr. FOSTER. Who is this man Baker?

Mr. SNYDER. He is a man that lives up there in that country.

Mr. FOSTER. Has he been connected with Indian Affairs?

Mr. SNYDER. He does not want to sell his property especially, and we have no request from the Indian Bureau to buy it from him. It is simply a suggestion on the part of the gentleman from North Dakota [Mr. NORTON].

Mr. FOSTER. How much land has he?

Mr. SNYDER. This is right within the reservation—on the property.

Mr. FOSTER. He has some land?

Mr. SNYDER. Yes; he has some land. It is not of much account.

Mr. CHANDLER of Oklahoma. I think the gentleman from North Dakota [Mr. NORTON] said there were 30 acres of land.

Mr. CARTER of Oklahoma. The hearings show that there are 13 employees. The amount, which I understand is $5,000, is to be appropriated for the purchase of this cottage or house.

If the gentleman will permit further, I will say to him that the gentleman from North Dakota [Mr. NORTON] seemed to think that this was the proper thing to do, and I have always found it fairly safe to follow a Member of Congress about a matter of that kind, because he usually has more information on the proposition in his own State than others may have.

Mr. FOSTER. Sometimes they are a little enthusiastic.

Mr. CARTER of Oklahoma. The gentleman will admit that $5,000 for 13 employees is not excessive.

Mr. SNYDER. The gentleman from North Dakota was personally familiar with the proposition.

Mr. FOSTER. I wondered if there was a house there that this man was living in that would supply quarters for 13 people—an ordinary family residence.

Mr. HASTINGS. The gentleman from North Dakota said he personally visited and inspected this property, and he thought it was ample.

The CHAIRMAN. Does the gentleman from Illinois insist on his point of order?

Mr. FOSTER. No. I withdraw the point of order.

The CHAIRMAN. The gentleman from Illinois withdraws the point of order. The Clerk will read.

The Clerk read as follows:

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $676, to reimburse Benson County, N. Dak., for money actually paid by said county to the State of North Dakota for care of three insane Indians, Mary Josephine Pejihutaskana, Alfred Littlewind, and Joseph Langer, in the North Dakota State Insane Asylum.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. A point of order is reserved on the last paragraph read. The gentleman from Oklahoma [Mr. CARTER] moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. GOODALL, by unanimous consent (at the request of Mr. PETERS), was granted leave of absence, indefinitely, on account of serious illness in his family.

PRESIDENT'S MESSAGE—PANAMA CANAL.

The SPEAKER laid before the House the following message from the President of the United States, which was read and ordered printed and, with the accompanying document, referred to the Committee on Interstate and Foreign Commerce:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the annual report of the Governor of the Panama Canal for the fiscal year ended June 30, 1918.

WOODROW WILSON.

THE WHITE HOUSE, *January 23, 1919.*

LIGNITE COAL.

Mr. FOSTER, by direction of the Committee on Mines and Mining, submitted for printing under the rule the conference report and accompanying statement on the bill (S. 3220) authorizing the Secretary of the Interior to make investigation, through the Bureau of Mines, of lignite coals and peat to determine the practicability of their utilization as a fuel and in producing commercial products.

THE FEDERAL JUDICIARY—CONFERENCE REPORT (NO. 971).

Mr. WEBB. Mr. Speaker, I desire to present a conference report on H. R. 12001, to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, for printing under the rule.

The conference report and statement of the House conferees are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R.

12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 7.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 6, 9, 10, 11, 12, 13, 14, and 15, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 3. That the judges of the Supreme Court of the District of Columbia shall receive salaries the same as salaries provided by this act to be paid to judges of district courts of the United States, and such salaries shall be paid as now provided by law. The judges of the Court of Appeals of the District of Columbia shall receive salaries the same as the salaries provided by this act to be paid to judges of the circuit court of appeals of the United States, and such salaries shall be paid as now provided by law."

And the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 5. That the judges of the United States Court of Customs Appeals shall receive salaries equal in amount to the salaries provided by this act to be paid judges of the Circuit Court of Appeals of the United States, payable monthly from the Treasury."

And the Senate agree to the same.

E. Y. WEBB,
C. C. CARLIN,
H. J. STEELE,
A. J. VOLSTEAD,
GEO. S. GRAHAM,
Managers on the part of the House.

HOKE SMITH,
WILLIAM H. KING,
J. O. WOLCOTT,
FRANK B. BRANDEGEE,
LEBARON B. COLT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, submit the following written statement explaining the effect of the action agreed on:

Amendments Nos. 1, 3, 6, 10, 11, 12, 13, and 14, on which the House recedes, only change the mode of expression used in the bill and do not make a substantive change in the bill as it passed the House.

Amendments Nos. 5, 9, and 15, on which the House recedes, change the number of sections. This was made necessary by the added sections inserted by the Senate.

Amendment No. 2, on which the House recedes, adds the judges exercising Federal jurisdiction in Porto Rico, Hawaii, and Alaska, and increases their salary to $7,500 a year.

Amendment No. 4, on which the House recedes with an amendment, inserts a new section to the bill making provision for increasing salaries of judges in the District of Columbia. This amendment increases the salaries of the judges of the Supreme Court of the District of Columbia to $7,500 a year, which is the same salary provided in the bill for the Federal district judges. This salary, it is provided, shall be paid as now provided by law, which means that half of it is to be paid by the District of Columbia and the other half out of the Treasury of the United States.

This amendment also increases the salaries of the judges of the Court of Appeals of the District of Columbia up to the salaries provided by the bill to be paid to the judges of the Circuit Court of Appeals of the United States, which is $8,500 a year to each judge.

The amendment added by the conferees provides that the salaries provided for, to be paid the judges of the Court of Appeals of the District of Columbia, shall be paid as now provided by law. The effect of this amendment is to require half of these salaries to be paid by the District of Columbia and the other half by the Treasury of the United States.

Amendment No. 7: The Senate recedes on this amendment, which provided that the judges of the Court of Claims should receive the same salaries as judges of the Circuit Courts of Appeals of the United States, or $8,500 per annum.

As it relates to these salaries the bill is left as it originally passed the House, which provides that the salary of the chief justice of the Court of Claims shall receive a salary of $8,000 per annum, and that the other judges of this court shall receive salaries of $7,500 each per annum.

Amendment No. 8, on which the House recedes with an amendment, inserts a new section to the bill increasing the salaries of the judges of the United States Court of Customs Appeals to $8,500 per year. The amendment agreed to, to this amendment, in conference, does not change the intent of the original Senate amendment, but was made necessary by the Senate having receded on amendment No. 7.

E. Y. WEBB,
C. C. CARLIN,
H. J. STEELE,
A. J. VOLSTEAD,
GEO. S. GRAHAM,
Managers on the part of the House.

ADJOURNMENT.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 3 minutes p. m.) the House adjourned until Friday, January 24, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of Commerce, submitting supplemental estimate of appropriation required by the Bureau of Fisheries for the employment of instructors in the Alaskan herring industry (H. Doc. No. 1719), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HOLLINGSWORTH, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 3217) providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio, reported the same without amendment, accompanied by a report (No. 966), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PARKER of New York, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13485) granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, and William F. MacGlashan to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes, reported the same without amendment, accompanied by a report (No. 968), which said bill and report were referred to the House Calendar.

Mr. PARKER of New Jersey, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14508) extending the time for the completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912, reported the same with amendment, accompanied by a report (No. 970), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clase 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KEY of Ohio, from the Committee on Pensions, to which was referred the bill (S. 5318) granting a pension to Edith Carow Roosevelt, reported the same without amendment, accompanied by a report (No. 967), which said bill and report were referred to the Private Calendar.

Mr. OVERSTREET, from the Committee on Pensions, to which was referred the bill (H. R. 14945) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 969), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KING: A bill (H. R. 14899) authorizing the Secretary of War to donate to the soldiers and sailors' home at Quincy, Ill., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 14900) authorizing the Secretary of War to donate to the borough of Weissport, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LUFKIN: A bill (H. R. 14901) increasing the limit of cost for a Federal building at Newburyport, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. MILLER of Minnesota: A bill (H. R. 14902) authorizing the Secretary of War to make a survey and submit an estimate of the cost of a 21-foot canal and a 35-foot canal for ocean-going ships between the Great Lakes and the Atlantic Ocean; to the Committee on Railways and Canals.

By Mr. BENJAMIN L. FAIRCHILD: A bill (H. R. 14903) to provide additional protection for the owners of letters patent of the United States, and for other purposes; to the Committee on Patents.

By Mr. HARRISON of Virginia: A bill (H. R. 14904) to make additions and extensions to the post office and courthouse building at Harrisonburg, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14905) making an additional appropriation for the construction of a post-office building at Front Royal, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14906) to amend Public Act 193, Sixty-fifth Congress (H. R. 12281), making appropriations for the support of the Army for the fiscal year ending June 30, 1919, in regard to medals for Spanish War veterans and Mexican border veterans; to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 14907) for the purchase of a site for and the erection of a post-office building at Anaconda, Mont.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14908) for the enlargement of the Federal building at Butte, Mont.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14909) providing for the enlargement of the Federal building at Missoula, Mont.; to the Committee on Public Buildings and Grounds.

By Mr. HARRISON of Virginia: A bill (H. R. 14910) to provide for the erection of a post-office building at Woodstock, Va.; to the Committe on Public Buildings and Grounds.

Also, a bill (H. R. 14911) to provide for the erection of a post-office building at Luray, Va.; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN (by request): A bill (H. R. 14912) to extend to Indians the State laws governing in the matter of marriage and divorce and the social crimes herein enumerated; to the Committee on Indian Affairs.

By Mr. RANDALL: A bill (H. R. 14913) to amend an act entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes," approved December 17, 1914; to the Committee on the Judiciary.

Also, a bill (H. R. 14914) to require the Secretary of War and the Secretary of the Navy to supply certain data to the adjutants general of the several States; to the Committee on Military Affairs.

Also, a bill (H. R. 14915) to define intoxicating liquors; to the Committee on the Judiciary.

By Mr. WICKERSHAM: A bill (H. R. 14916) to increase the limit of cost for the construction of the United States public building authorized at Juneau, Alaska, to grant abandoned public buildings and grounds at Sitka, Alaska, to the Territory of Alaska, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. GOULD: A bill (H. R. 14917) authorizing the Secretary of War to donate to the city of Auburn, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OVERSTREET: A bill (H. R. 14918) authorizing and directing the Secretary of War to grant an honorable discharge to drafted and enlisted men upon certain grounds, and for other purposes; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: A bill (H. R. 14919) to incorporate the United American War Veterans (Inc.); to the Committee on the Judiciary.

By Mr. HARDY: A bill (H. R. 14920) to amend section 4414, Revised Statutes of the United States, to classify and provide salaries for clerks in the Steamboat-Inspection Service; to the Committee on the Merchant Marine and Fisheries.

By Mr. MILLER of Minnesota: A bill (H. R. 14921) authorizing the Secretary of War to donate to the city of Two Harbors, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14922) authorizing the Secretary of War to donate to the city of Virginia, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14923) authorizing the Secretary of War to donate to the city of Duluth, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14924) authorizing the Secretary of War to donate to the village of Hibbing, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14925) authorizing the Secretary of War to donate to the city of Ely, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14926) authorizing the Secretary of War to donate to the city of Eveleth, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WATKINS: A bill (H. R. 14927) donating a captured German cannon or field gun and carriage to the city of Mansfield, State of Louisiana, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14928) donating a captured German cannon or field gun and carriage to the city of Shreveport, State of Louisiana, for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. AYRES: A bill (H. R. 14929) authorizing the Secretary of War to donate to the city of Whitewater, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14930) authorizing the Secretary of War to donate to the city of Eldorado, Kans., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. TREADWAY: A bill (H. R. 14931) authorizing the Secretary of War to donate to the town of Colrain, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 14932) authorizing the Secretary of War to donate to the town of Houlton, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SAUNDERS of Virginia: A bill (H. R. 14933) authorizing the Secretary of War to donate to the county of Charlotte, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14934) authorizing the Secretary of War to donate to the county of Grayson, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14935) authorizing the Secretary of War to donate to the county of Carroll, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14936) authorizing the Secretary of War to donate to the county of Pittsylvania, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14937) authorizing the Secretary of War to donate to the county of Patrick, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FAIRFIELD: A bill (H. R. 14938) authorizing the Secretary of War to donate to the town of Harlan, county of Allen, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 14939) to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes; to the Committee on Agriculture.

By Mr. MOTT: A bill (H. R. 14940) authorizing the Secretary of War to donate to the village of Alexandria Bay, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14941) authorizing the Secretary of War to donate to the village of Adams, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14942) directing The Adjutant General of the United States Army and the Secretary of the Navy to allow the adjutant general of each State, or his representative, to

examine and make transcripts of records; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 14943) to donate a captured cannon or gun to the cities of Jerome, Rexburg, Preston, Mountain Home, Gooding, Shoshone, American Falls, Malad, Rigby, and Driggs, in the State of Idaho; to the Committee on Military Affairs.

By Mr. CHARLES B. SMITH: A bill (H. R. 14944) authorizing the Federal Trade Commission to accept and administer for the benefit of the public and the encouragement of industry, inventions, patents, and patent rights, and for other purposes; to the Committee on Patents.

By Mr. PARKER of New York: A bill (H. R. 14946) authorizing the Secretary of War to donate a German captured cannon or fieldpiece to the village of Fort Edward, in the State of New York; to the Committee on Military Affairs.

By Mr. CLARK of Pennsylvania: A bill (H. R. 14947) authorizing the Secretary of War to donate to the city of Girard, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 14948) to expel and exclude from the United States certain undesirable aliens; to the Committee on Immigration and Naturalization.

By Mr. TIMBERLAKE: A bill (H. R. 14949) to amend an act entitled "An act to amend section 73 of an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved June 12, 1916," and for other purposes; to the Committee on the Judiciary.

By Mr. TAYLOR of Colorado: A bill (H. R. 14950) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. HENRY T. RAINEY: A bill (H. R. 14951) authorizing the Secretary of War to donate to the town of Jerseyville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KEY of Ohio: Resolution (H. Res. 513) authorizing the payment of $1,200 to William McKinley Cobb for extra and expert services rendered to the Committee on Pensions during the second and third sessions of the Sixty-fifth Congress; to the Committee on Accounts.

By Mr. CAMPBELL of Pennsylvania: Resolution (H. Res. 514) calling upon the Secretary of War to furnish the names and all facts pertaining to the military records of conscientious objectors; to the Committee on Military Affairs.

By Mr. ZIHLMAN: Joint resolution (H. J. Res. 395) authorizing the Secretary of the Navy to adjust and settle the claims of the Asher Fire Proofing Co., of Washington, D. C., and the A. Schwoerer Construction Co., of New York.; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. OVERSTREET: A bill (H. R. 14945) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors; to the Committee of the Whole House.

By Mr. CHANDLER of Oklahoma: A bill (H. R. 14952) granting an increase of pension to John H. McKenzie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14953) granting a pension to James A. Cox; to the Committee on Pensions.

Also, a bill (H. R. 14954) granting a pension to Billy Osborne or Koot-tah-we-Coots-lah-rie-e-Coots; to the Committee on Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 14955) granting a pension to David Gibson; to the Committee on Invalid Pensions.

By Mr. CURRIE of Michigan: A bill (H. R. 14956) granting an increase of pension to Lucinda Wilson; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 14957) granting an increase of pension to William C. Mitchell; to the Committe on Pensions.

By Mr. FERRIS: A bill (H. R. 14958) for the relief of W. T. Doorley; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALLINGER: Petition of sundry citizens of Massachusetts, urging repeal of postal zone law; to the Committee on Ways and Means.

By Mr. FESS: Petition of the American Field of Honor Association, for selecting a suitable estate in France for creation of American field of honor as final resting place of those who made supreme sacrifice in cause of freedom and humanity; to the Committee on Foreign Affairs.

By Mr. FULLER of Illinois: Petition of sundry citizens of Rockford, Ill., for repeal of postal zone law; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Memorial of Central Ohio Veterinary Association, favoring a permanent annual appropriation of $1,000,000 for continuance of hog-cholera control work in the United States; to the Committee on Agriculture.

By Mr. KING: Petition of A. C. Harvey and other citizens of Abingdon, Ill., against the 5 per cent tax on the sale of automobiles contained in the new revenue bill, and stating same as discriminatory and becomes a burden and that an excise tax of this nature tends to destroy the sale of automobiles and accessories; to the Committee on Ways and Means.

By Mr. LINTHICUM: Memorial of Board of Education of Baltimore County, Md., indorsing Senate bill 4987, creating a department of education; to the Committee on Education.

By Mr. LUNDEEN: Petition of South St. Paul Live Stock Exchange, protesting unanimously against the adoption of the Sims bill (H. R. 13324); to the Committee on Interstate and Foreign Commerce.

Also, petition of Minneapolis Trades and Labor Assembly, opposing the proposed increased war tax on theater tickets; to the Committee on Ways and Means.

By Mr. MOORES of Indiana: Petition of 225 employees of the Cincinnati, Indianapolis & Western Railway Co., favoring Government control and ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. POWERS: Petition of number of employees working in the shops at Ferguson, Ky., asking that Congress indorse the McAdoo plan of railroad control; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: Memorial adopted by Boise Trades and Labor Council, favoring Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *January 24, 1919.*

(*Legislative day of Monday, January 20, 1919.*)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Moses	Smith, Mich.
Beckham	Johnson, Cal.	Myers	Smith, S. C.
Calder	Johnson, S. Dak.	Nelson	Smoot
Chamberlain	Jones, Wash.	New	Spencer
Colt	King	Nugent	Sterling
Culberson	Kirby	Overman	Swanson
Curtis	La Follette	Penrose	Thompson
Fletcher	Lenroot	Poindexter	Trammell
France	Lodge	Pollock	Wadsworth
Frelinghuysen	McKellar	Ransdell	Warren
Gay	McLean	Sheppard	Watson
Hale	McNary	Sherman	Williams
Henderson	Martin, Va.	Simmons	Wolcott

Mr. CURTIS. I wish to announce that the Senator from West Virginia [Mr. SUTHERLAND] is detained by illness in his family.

Mr. SHEPPARD. I desire to announce that the Senator from New Mexico [Mr. JONES], the Senator from Mississippi [Mr. VARDAMAN], the Senator from Missouri [Mr. REED], the Senator from California [Mr. PHELAN], and the Senator from Rhode Island [Mr. GERRY] are detained on official business.

Mr. MARTIN of Virginia. I wish to announce that the senior Senator from Maryland [Mr. SMITH] is detained by illness. I will let this announcement stand for the day.

Mr. McKELLAR. I wish to announce that the senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness. I will let this announcement stand for the day.

Mr. KIRBY. I desire to announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON], who is detained by illness. I ask that this announcement may stand for the day.

Mr. FRANCE. I announce the absence of the Senator from Georgia [Mr. HARDWICK] on official business of the Senate.

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Fifty-two Senators have answered to the roll call. There is a quorum of the Senate present.

PETITIONS AND MEMORIALS.

Mr. PHELAN presented a petition of the Merchants' Exchange of Oakland, Cal., praying for the purchase from Mexico of Lower California, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry Jugo-Slavs of Los Angeles, Cal., praying for the independence of the Jugo-Slavs of Europe, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the City Council of Los Angeles, Cal., favoring the independence of the Armenians, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Supreme Council of Craftsmen, of San Francisco, Cal., praying for the passage of the so-called civil-service retirement bill, which was ordered to lie on the table.

He also presented a petition of the Trades and Labor Council of Vallejo, Cal., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the California Redwood Association of San Francisco, Cal., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by the Sales Managers' Association of San Francisco, Cal., concerning the appointment of an after-the-war business planning commission, which were referred to the Committee on the Judiciary.

He also presented a petition of the Chamber of Commerce of Redlands, Cal., praying for an adequate construction of national highways, which was referred to the Committee on Agriculture and Forestry.

Mr. NELSON presented telegrams in the nature of petitions from sundry citizens of Fergus Falls, Minn., and the petition of E. L. Ogilvie, of South St. Paul, Minn., praying for an increase in the salaries of veterinarians employed in the Bureau of Animal Industry, which were referred to the Committee on Agriculture and Forestry.

Mr. MOSES presented a petition of Local Lodge No. 245, International Boiler Makers, Iron Ship Builders, and Helpers of America, of Concord, N. H., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 5065. An act amending section 4904 of the Revised Statutes (Rept. No. 660); and

S. 5066. An act amending chapter 143 of the act of March 3, 1883 (22 Stats., p. 625), and for other purposes (Rept. No. 661).

He also, from the same committee, to which was referred the bill (S. 5068) extending the benefits of the war-risk insurance act to certain civilians employed by the Army, asked to be discharged from its further consideration and that it be referred to the Committee on Finance, which was agreed to.

Mr. McKELLAR, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 196) authorizing the Secretary of War to accept resignations of officers and to grant discharges to enlisted men in the Army under certain conditions, reported it with amendments and submitted a report (No. 662) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 5420) authorizing the Secretary of War to donate to the city of Everett, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. NELSON:

A bill (S. 5421) authorizing the Secretary of War to donate to the municipalities of Vining, Crosby, Little Falls, and Wheaton, in the State of Minnesota, captured German cannons, cannon balls or shells, and gun carriages, condemned United States cannons, cannon balls or shells, and gun carriages; to the Committee on Military Affairs.

By Mr. MOSES:

A bill (S. 5422) to donate a gun or howitzer to the town of Winchester, in the State of New Hampshire; to the Committee on Military Affairs.

By Mr. KNOX:

A bill (S. 5423) granting an increase of pension to Isaac E. Walker (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 5424) to incorporate the World War Veterans of America; to the Committee on the Judiciary.

By Mr. WOLCOTT:

A bill (S. 5425) granting an increase of pension to Alexander Faries; to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 5426) granting an increase of pension to Jonathan Colyar (with accompanying paper); and

A bill (S. 5427) granting an increase of pension to Jacob R. Stillwagon (with accompanying papers); to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 5428) granting an increase of pension to John McMahon; and

A bill (S. 5429) granting an increase of pension to Mary Leahy; to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 5430) to increase the cost of the public building at Marianna, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. PHELAN:

A bill (S. 5431) authorizing the Secretary of War to donate to each of the cities of Pasadena, Willows, Chico, Redlands, and San Jose, in the State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SPENCER submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. KIRBY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. SHEPPARD submitted two amendments intended to be proposed by him to the river and harbor appropriation bill, which were referred to the Committee on Commerce and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. GAY submitted an amendment proposing to increase the salaries of officers and employees of the Subtreasuries of the country, intended to be proposed by him to the legislative, executive, and judicial appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for the standardization and design of sugar-testing apparatus, etc., from $20,000 to $30,000, intended to be proposed by him to the legislative, executive, and judicial appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. SWANSON submitted an amendment proposing to amend the act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes, approved July 11, 1916, so as to provide that the term "rural post roads," as used in section 2 of that act, shall be construed to mean any public road which is now used or may be made suitable for the transportation of the United States mails, etc., intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

FOOD SUPPLIES FOR EUROPE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). The Senator from Illinois [Mr. SHERMAN] is entitled to the floor.

Mr. PENROSE. Will the Senator from Illinois kindly yield to me, as I have to go to a conference committee meeting on the revenue bill?

Mr. SHERMAN. I yield to the Senator.

Mr. PENROSE. Mr. President, I desire to have the Secretary read an extract from the inaugural address of the governor of Pennsylvania, made on last Tuesday, in connection with the serious financial problem presented by Federal taxation, and by the apparently endless propositions to appropriate and squander money for chimerical projects. It is not very long, but coming as it does from the recently elected governor of the State, taking office last Tuesday, a State which paid one-sixth of the Federal taxes last year and which will pay nearly $1,000,000,000 of

taxation under the pending revenue bill, I think it may be of interest to the Senate. It is not long, and I will ask the Secretary to read it.

The PRESIDING OFFICER. Without objection, the Secretary will read.

Mr. PENROSE. It has some relation to the pending measure and therefore is not entirely irrelevant to the discussions which have been going on in the Senate.

The SECRETARY (reading from the Philadelphia Inquirer of Wednesday morning, January 22, 1919)—

Before we are able to plan very effectively for our work during the next four years we must give direct attention to the question of revenue. We shall have to face demands for increased appropriations due to the higher cost of maintaining our public institutions, in providing for the improvement of our schools and decent salaries for our teachers, for public works to assist in meeting the problem of unemployment, and for the extension of the State's aid for those maimed in battle and in our industries. While we may be able to prevent waste and extravagance by simplifying and coordinating the departments of our government, and may see to it that we shall receive full value for the money which we expend, we can not in the present aspect of things, and in view of the necessity of progressive development of the public enterprises, attempt much in the way of retrenchment.

The Federal taxgatherer is encroaching so deeply into the fields hitherto reserved for State revenues that the question of funds for State purposes is becoming a serious one. Few people realize the stupendous charge which has been imposed upon us by the plan of taxation which the officials at Washington have devised. Pennsylvania is paying about one-sixth of the entire cost of the administration of the United States Government. Last year this State contributed in Federal taxes almost $600,000,000. This year, if the bill now before Congress shall become a law, as now seems probable, the Federal levy upon Pennsylvania will be approximately $1,000,000,000. The vastness of this sum and the way in which it bears upon us may be better realized by a contemplation of the fact that the sum which the Federal Government proposes to collect from the people of Pennsylvania in taxes this year is almost equal to the aggregate amount raised by this Commonwealth for State purposes in all of the 128 years which have elapsed since the State government was organized.

The State revenues for this year will just about equal the interest at 4½ per cent upon the amount which we must pay to the United States. These figures are startling and they are of value in showing how important Pennsylvania is in this Nation and how modest have been the demands of the Commonwealth upon her own people.

Pennsylvania does not complain under the burdens which she is bearing. She has cheerfully stood by with her men and her money in the national emergency, and she is proud to again have the disposition and the substance to render such notable service to the Republic and to the world. But with our share so large in our national undertakings we may be pardoned a care that our funds contributed without stint to the Federal purse should not be wasted in incompetent administration nor scattered over the world in chimerical enterprises without practical purpose. Our people are loyal, generous, and progressive and have ever given liberally of their means in real philanthropy. They are possessed, too, of much of that very desirable quality known as soundness of mind or hard sense. They realize that real sacrifices must be made to pay the great debts we have incurred in saving civilization and democracy, but they feel that some plans must be devised for discharging these debts and providing for our own reconstruction and readjustment before we embark upon new international adventures in the uncharted seas of idealism and which may bring down upon our devoted ship of state the burdens of all mankind. Let us put our own house in reasonably good order before venturing too far in regulating the rest of the world.

Mr. SHERMAN. Mr. President, on the 22d day of February we shall reenact that now melancholy farce known as the reading of Washington's Farewell Address. I hope that the Senator from Minnesota will be present. I hope, too, that all the honorable Senators will be present, in order that they may understand how far we have traveled from the way there outlined and how rapid has been our gait. The days of Spartan simplicity have departed, never to return.

The Senator says he will trust to the personnel of this commission, being gentlemen of high character, giving their names—Lord Reading, of England; a citizen of France who was a minister of France, whose name I will not undertake to recall——

Mr. KING. Clementel.

Mr. SHERMAN. I thank the Senator from Utah for his timely suggestion—and a distinguished public official of Italy—that they will, with Mr. Hoover, administer this fund. I am satisfied with the character of these gentlemen. That is not the reason, Mr. President, that I will oppose the bill; I know that Hoover is not Hoover, and while it may be the voice of one it will be the hand of another.

Hoover, in the administration of food supplies in this country, was in authority because the chief was too busy elsewhere to interfere with his operations. It must be remembered, however, that this $100,000,000 is not a food relief fund. It is a campaign fund for the President as a candidate for chairman of the Peace League of the World. Strip off this insolent pretense that covers this appropriation; tell the truth about it once in a while, if you must shame his satanic majesty in doing so. Mr. President, I am tired unto death of the sickening pretenses with which Senators condole and satisfy themselves in this Chamber. That is the reason why I hope all of them will be present when Washington's Farewell Address is read. It will be a time, certainly, for sober reflection.

Entangling alliances to be avoided? A hundred million dollars is the first tribute we pay to a departure from this advice; how much more nobody knows. It is one continual round of appropriations, not only since the war began but before we declared a state of war in April, 1917. As some irreverent wit said, he was willing to pay a war tax if there was any war. We were paying it before 1917 in increased taxes, in appropriations that were galloping into hundreds and thousands of millions. Nobody called a halt then. It is always popular to spend money in Washington. The press congratulates everybody who votes for an appropriation. It is one continuous procession for the distinguished citizens living in Washington to get their elbows into the Public Treasury. They are clamoring for the right of suffrage in Washington. They now have all that they are entitled to in Washington. It is a city of jobholders engineered by those who are adepts in the art of taxation. That, with the colored contingent, constitutes the whole city of Washington. What a noble constituency for a State! A population engaged in the ancient and honorable profession of irrigating the principal pursuits by diverting revenue from the Treasury. It lives on taxes. Enable it to turn on the power that sustains it! A lovely place it is, indeed, to be the Capital of a hundred millions of people—the place where the profiteer by day and by night knows no ceasing, and, like the thieves that steal and the moths that eat away, the destrucive forces are always active. If endowed with membership in Congress, they would have but one duty—increase the pay roll and clamor for more.

It may be that some of us will lay up our treasure in heaven, but no living mortal man lays it up in Washington. Col. House in his book says the preachers have made a mistake always in saying that this world was only a place for penitence and mortification of the flesh; that it was wrong to teach that there was a better world than this. His doctrine was to make this the best place to stay, so that nobody would ever want to die, or hope, if he did, to go anywhere else.

I earnestly hope there is a better place when we leave this world than Washington.

Save the suffering poor of Europe? What about the starving poor in Washington and elsewhere? This is a place where it is a mad riot of grocers; where the market, which is supposed to be a place where supplies can be purchased at a reasonable price, is but a den of thieves; and I wish the Savior would return to earth and scourge them out of the temple of decent living and respectable prices. It will not be done. We will go on piling up protest after protest. It accomplishes nothing. It hurts nobody for us to talk. We have got to the point where everybody regards Congress with open and undisguised contempt.

Here is a cable dispatch from Europe, on the strength of which Senators in tumultuous and offensive haste fall over each other to announce their support of it. There is no use for the President to be at home. He can vote us much better abroad, because it possesses novelty. We have, too, in cities like Chicago and New York many European voters. The Poles vote and the Serbians vote and the Germans vote and the Italians vote. We hear of the Slovak and the Bohemian vote. But we have now the long-distance wireless or cable vote to order or direct Senators what to do. Of course, it is strictly modern. It is no concern to anybody what the laws as enacted by Congress might be. The more laws we make the more violations that occur and the more open and flagrant contempt is manifested for the lawmaking department. It simply furnishes a convenient excuse to express itself, and it does at divers intervals.

We go on talking, and the country says, "Yes; Congress is killing time. Listen to them talk." At what time do they come to us in earnest? Only when they want money, appropriations, tax levies. We have not yet quite reached the point in this country where the Executive levies taxes without the formality of submitting such measures to Congress and telling them in advance how he wants them levied and on appropriations how much he wants appropriated. It would be unpopular for the Executive to levy taxes. We still nominally are an English-speaking race, with the English-speaking prejudices and impulses, opposed to the Executive or monarch levying taxes. One English king went into exile for trying it and another lost his head. It has been unpopular since that time, because the average executive likes to keep his crown and his head as long as he is on earth. So those old prejudiced, reactionary methods of getting money from taxpayers are still obstacles in the way of a progressive executive.

Therefore, the Executive, Mr. President, is bound to come to Congress to get money. That is the only time we are of any importance. It is when the administration or some foreign applicant needs money. So we go on talking. Talk is futile.

We understand that. Whenever Executive directions are given, we know what will happen in this Congress. Nobody knows what will happen in the next, not even Republicans. That is beyond the ken of mortals, and possibly of Omniscience. At any rate, it is generally recognized that we just talk, and so I am talking this afternoon. I have something to say, but I do not know whether it will interest anybody or not. It does not particularly interfere with me if the majority side wish to go to their offices, or any of the minority. I am used to talking to the official shorthand reporters of the Senate. We have had many entertaining times in the last five or six years. It is customary in this Chamber. We can continue.

It is amazing to see how little of anything new there is in the world. Juvenal described the CONGRESSIONAL RECORD nearly 1900 years ago:

> Lo! there expanded the nine hundredth page,
> And still new themes, to toils renewed engage;
> Facts upon facts still force him to enlarge,
> And reams of costly paper swell the charge!

No wonder the Federal Trade Commission wanted the price of news print cut down. It is an old problem.

But they say the men who administer this $100,000,000 fund that we are about to appropriate are all competent. So are they all, all honorable men. An orator of antiquity in the Roman market place, after a celebrated assassination, said "they are all, all honorable men." Certainly.

What will they do with the money? Spend it for the needy ones in Europe. Here is the eastern flour situation at home, not from any imaginary source but from the cold-blooded reports of the market.

EASTERN FLOUR SITUATION.

Brainard, New York, in message to F. S. Lewis says: "Flour men say release of terminal wheat will not result in any buying of wheat, as it is impossible to sell flour. East is packed and jammed with all kinds of flour and absolutely no demand. Resellers here offering 75 cents to a dollar a barrel under mill prices. Food Administration flour department bought nothing for three weeks. Two large flour jobbers in New York failed this week."

And you did not get the snap of a finger any place around in the way of information from any official source.

Flour trade have taken big losses on flour substitutes.

Little sympathy can be expected. When we had to buy 25 pounds of substitute for every 25 pounds of flour they got even with the purchaser. When we bought rice, rye, barley, corn, hominy meal, anything in the line of cereals, what they lost on the flour they very promptly recovered on the substitutes. If anybody must lose anything let it be the profiteer who stocked up on substitutes and took it out of the families in the cities.

Recent advance in mill feeds resulted in losses on outstanding contracts. Isn't it time the consuming public benefited by reduced prices, owing to this unprecedented flour glut?

You can not go to a grocery store keeper in Washington and talk any flour glut to him. You will pay the same old price. It costs more to buy a 49-pound bag of flour, with a pound thrown in for the sack in this country, in any of the principal markets of the country, even at jobbers' prices or at retail groceries, than it does to buy it in London. We get no reduction in price when there is a glut in flour. Do you know why? It is one of the ineffable blessings of the Food Administration's control of things edible. They have not controlled anything except what the Government had to buy in bulk, in quantities running into hundreds of millions of dollars. Flour, wheat, iron, and steel, they bought and bought at Government prices. They fixed the price of those articles for the private consumer. What about the ninety-and-nine other articles that went into the kitchen? They soared until they touched the azure, and nobody complained except the man who had to pay the price. So we have gone along in that way. It is to continue. Government ownership of food, like railways and telephones, costs more the instant it undertakes anything.

One hundred million dollars will be appropriated. It will pass the Senate. Did anybody ever see an appropriation beaten here of late years? I have no recollection of it. Amendments have been adopted adding to the amount appropriated, but I have not seen any beaten to figure anything. This will pass like the others.

I am only registering my protest against this, Mr. President, as a few in the minority who think it is their duty so to do.

The procession moves rather rapidly. We have to keep up with it the best we can. With a censored press are we not allowed to know anything that is not supposed to be good for us? We are all in the attitude of Alice in Wonderland; poor trusting babes in the woods, that the executive minions come around and cover over with leaves once in a while, in order that we may sleep a little and wake to do what we are told.

I now read a letter. Here is a man who is doing what he is told because he has to. We have not that added consolation to lay the extreme unction to our souls that we could not help it; we were acting under order though we are supposed to possess some discretion.

I shall omit the name, but his older brother, a reputable member of the bar in Chicago, I have known for many years. The younger brother is in France. He dates a letter from Le Mans on the 11th day of December, 1918. There is an excuse for this soldier doing what he does. There is not any for us—absolutely none:

DEAR MOTHER AND DAD: It has been three months since I have had mail and I am lonesome and downhearted. My mail is somewhere in France, and the Lord only knows when I will get it. I hope and trust you are all well and happy. Life for the past month has been hell. It seems as though all the S. O. S. are against us—

Which I understand from those whom I have consulted means the service of supplies—

There are 490 of us in this camp. All of us have either been wounded or sick, and do you know what they have us doing—stevedore work, unloading coal, etc. While we do such work the S. O. S. are playing ball and writing letters. If you hear of me going to jail you will know I put one of these S. O. S. birds to sleep. It gets a fellow's goat after he has spent nine months in the lines and dodged death a few times, sleeping in shell holes, rain, and mud, and then have to come back here and do stevedore work about the camp.

The suffering poor in Petrograd. There is nobody around in Trotsky's jurisdiction now but those who sympathize with him. The rest of them have been dispatched. I will get to that in a minute. I do not want to break the continuity of this letter. The writer continues:

We spent most of the time in pup tents, while the S. O. S. were sleeping in barracks, with stoves and bunks in them. After two weeks of the above we were moved into barracks and told to make ourselves comfortable. Everyone got for himself a bunk, after carrying it about a half a mile and putting it together. We spent one night in it and were told to move, and in came negroes to sleep in the bunks we carried and built. They moved us into barracks without windows and doors, and we again had to sleep on the ground. It rained last night, and the barracks were as waterproof as a sponge. We have not seen a pay day in months, and they will not try and get our mail. So you see how miserable this makes things for us. The Eighty-sixth Division, as you know is the Blackhawk, and it comes from Chicago. They have been over here for four months, and they think it is awful because they have not gone back by this time. We have been here since October 31, 1917, and, according to the papers, they are going to ask Congress to pass a law which will give them authority to keep us over here indefinitely. I had hoped to be home by spring, but it looks as though it would be next winter before they would even start to send us back. Oh, well, we had an easy time of it. We were only in the following battles: Champagne, Chateau-Thierry, St. Mihiel, Verdun, and the Argonne Forest, and in each one saw many of our pals fall from the Hun fire; but, regardless of all, I can come back and say I have done my bit to help win the war. I was in the first big American battle and the last one, and did not quit until I was forced to. It has been three long, weary months since I have heard from home, and I am lonesome and disgusted. I have been in this camp for a month, and, to tell you the truth, it has been the most miserable month I have spent since I have been here, and I have had some miserable days. I feel as bad and pretty near worse than when I was sent to the hospital, having been taken off the field of battle. All they think of back here is work us day and night. There are 400 from our division here. Every one has seen action and has been sick or wounded. Instead of giving us good living quarters, they house us in barracks without windows or doors, and, to top things off, we have been sleeping on the ground. You will not find the S. O. S. men living like this. They have warm barracks and bunks, and instead of working they write letters and play ball, and we have to do their work. I told you in one of my letters not to write me any more. Well, mother, cancel that order; it looks as though we will be here for a long time, so keep on writing. I must close, as I am out of news and disgusted. Hoping all are well and happy, I remain, with love,

Your son,

That is one. Here is another one. This second one has not gone across:

The boys at Camp Holabird have read with much interest the article in the Evening Sun of January 17.

On behalf of the boys, I would like to add to the statement of "A Holabirder."

The officers of this camp have told us that no case except a case of absolute dependency or a case where the absence of a man will be destructive to a business will be considered for a discharge.

They also have told us that after all the other camps had been demobilized "the Motor Transport Corps would have to stay in service until the last trunk had been picked up and the last box stored."

Now, a great part of the men of this camp are not only drafted, but are also in limited service. Why are we to be held until the rest of the Army is discharged?

There are thousands of men here repairing trucks. Surely this work is not of vital importance, nor is there any hurry about it when the Government has more new trucks on hand than they know what to do with.

We have been told that this is to be a permanent camp. If that is the case, there will be work here for 10 or 20 years. Will they hold us then?

The Government is in greater need of ships than trucks, and yet they can afford to pay civilians from eight to ten dollars a day to build them.

We do not mind working for the Government, but can't understand why we should do it any longer at $1 a day.

If they want these trucks repaired, why can't they give us our honorable discharge and then hire us as civilians to do the work at the same compensation awarded to the shipbuilding trade?

We are compelled to work side by side with civilians at Camp Holabird. These civilians live in barracks, while many of us are compelled to live in tents. They have the privileges of a civilian, while we are under strict military discipline. They are earning from four to ten dollars to every dollar we earn. Is this justice?

I know of no other camp in the country that had finer morale while the war was on. We worked night and day and never complained. Is it right to hold longer men who gave all they were allowed to give?

Since the men have been told that they can't even put in an application for discharge they are disheartened. The morale is gone.

It is costing the Government thousands of dollars to repair a single truck because the officers can not get the work out of the men.

We, as soldiers, can do nothing to help ourselves. We are under orders and, as good soldiers, obey them. But we want the public to know the facts. We want the public to help us.

Can not some responsible citizens of Baltimore arrange to hold a mass meeting of soldiers to talk these matters over with some one representing the Government? We have shown in the past that we can work and are ready to do it again.

If the Government can explain why it is necessary to do this work in this way, why we will dig in and finish it up in a hurry.

But as matters stand now, I am afraid it will take many years to finish our work here.

ANOTHER HOLABIRD.

CAMP HOLABIRD, *January 18, 1919.*

If we have so much sympathy for the Bolshevists, if we have sympathy that will take across, not with this hundred million dollars, it is true, but take across our food supplies in German tonnage to be furnished and enable the Germans to buy in the market—if we have enough for all that, why can we not get the price of food down in this country to something like a living rate? If we have time and money for that, why can we not get our young men out of the camps, who are working, doing, as one of them said, a stevedore's work for a dollar a day, and, as another in a camp says, doing work for a dollar a day on automobile repairing? Why can we not afford to get those men out of camp? You know why. I do not think there is anyone in Congress, in a majority, at least, now or hereafter, who will vote to remedy it. It will be left to the tender mercies of the War Department. It is because two distinguished officers of the American Federation of Labor say it would not do to demobilize the American soldier and send him back home on the general labor market, because it would cause a fall in wages. So the soldier is kept repairing trucks and shoveling coal in military camps in the United States and in France at a dollar a day under military orders, while those who work alongside of him as civilians and members of the union get from $4 to $10 a day. It is no wonder the boy in the letter asks his mother if she thinks this is justice. Organized labor overreaches itself when its leaders keep boys in the Army for the benefit of civilian labor unions.

The President has said the war is ended. Technically it is not so; practically it is. If it is, there is no reason why the demobilization of these men ought not to be had.

Go to the War Department, go as a minority Senator—I do not know the luck of the majority—I am not in their confidence at all times as a body—but I do know if you go in individual cases to the War Department to get a man out of the service to send him back to school or to take up his place in civilian life, they refuse to discharge him, and say, "Wait until his unit is reached and he is discharged in the ordinary course of affairs."

That is what the automobile repairer is doing; that is what the coal shoveler is doing at $1 a day—waiting for his unit to be discharged. If we can take care of these things at Petrograd, in Belgrade, in Greece, and in Armenia; if we can go over to the Ural Mountains, halfway around the world, with our charity, it seems to me as though we might begin to dispense a little of it at home.

I shall vote against every appropriation hereafter unless it is absolutely indispensable to either civilian or military needs. I will no longer lend myself here to being the good Samaritan of the world.

Every night, nearly, Mr. President, I pull down my old dog-eared volume of Don Quixote. I hope at some place there is a Cervantes living in this twentieth century. He can, if he has the proper literary qualifications, improve on Don Quixote. Don Quixote is abroad now, the knight-errant of the world, largely fighting windmills. It is a toss-up of a coin which one is Sancho Panza—whether it is Col. House or the other fellow. But, after all, it takes money. That is where our modern Don Quixote is a more expensive character than the one of the fifteenth century literature. He could get along with practically nothing—a crust of bread, a bag of figs. He drank from the brook and his horse browsed wherever it was handy.

It is time we quit such prodigality, Mr. President. Every spendthrift at last comes to the end of his accounting. We have spent money in fabulous sums. It seems a comedy of expensive errors now. It will be a financial tragedy later on. Men the extreme limit of whose ability would be to have or count a thousand dollars have been talking glibly around this Capitol of billions. They roll it under their tongues as if a billion dollars were a mere matter of official fiat. They do not think anybody will ever have to pay it, but pay day comes in all things; it is merely the length of the postponement.

It is in Congress nothing but appropriations. France can take care of herself. A cabled column came across last week, in which it was stated that work was offered Belgians, but they have been living on Hoover's charity so long that they do not care to work; they declined it when an occupation was open to them, because they knew they would be fed anyway. I do not undertake to indorse the truthfulness of that report, but it was a message which was cabled from abroad. Here are the changes that are constantly occurring. This is the official communique that was given out yesterday; this is the free press; this is the entire absence of censorship:

The President of the United States, the prime ministers and foreign ministers of the allied and associated powers and the Japanese representatives met at the Quai d'Orsay between 3 and 5.30 this afternoon and approved the proposal of President Wilson, which reads as follows.

Then it is set out—I shall not read it all, but only enough to point the argument on this question.

The single object the representatives of the associated powers have had in mind in their discussions of the course they should pursue with regard to Russia has been to help the Russian people, not to hinder them or to interfere in any manner with their right to settle their own affairs in their own way.

RUSSIAN PEOPLE FRIENDS.

They regard the Russian people as their friends, not their enemies, and are willing to help them in any way they are willing to be helped. It is clear to them that the troubles and distrust of the Russian people will steadily increase, hunger and privation of every kind become more and more acute, more and more widespread, and more and more impossible to relieve unless order is restored and normal conditions of labor, trade, and transportation once more created, and they are seeking some way in which to assist the Russian people to establish order.

They recognize the absolute right of the Russian people to direct their own affairs without dictation or direction of any kind from outside. They do not wish to exploit or make use of Russia in any way.

RECOGNIZE REVOLUTION.

They recognize the revolution without reservation, and will in no way and in no circumstances aid or give countenance to any attempt at a counter-revolution.

It is not their wish or purpose to favor or assist any one of the organized groups now contending for the leadership and guidance of Russia, as against the others. Their sole and sincere purpose is to do what they can to bring Russia peace and an opportunity to find her way out of her present troubles.

That is what we are permitted to know—just what can be put on the cables by official authority, because the cables are Government wires. On this side the Russian Economic League published in a New York paper to-day their views of the situation. I shall not, as in the case of the other document, read it at length, but only refer to certain passages. This communication, which is a paid advertisement, is signed by Alexander W. Behr and five others. They say:

There is no denying the exceptional talents of the leaders of Bolshevism in phraseology. Having been for scores of years put aside from practical work by the Russian Imperial Government, the Russian revolutionary workers have to an extraordinary degree developed their faculties in the use of speech.

They are precisely like the average university professor, some of whom are no longer creative forces in this country, but are firebrands of sedition and destruction. There is scarcely a large university in this country—including those at the head of the list—that has not one or more of these seditious pests in its faculty. They teach a doctrine that is far worse than that of Eugene Debs. They have not the courage of Victor Berger; they have not that devotion to principle that Karl Marx had in his lifetime, or that later his modern German exponent, August Bebel, had. They are gentlemen who live in the closet and expound their supernal wisdom in the ears of their students. I have paid my respects to this gentry under their own rooftree in the cloistered shades of learning, and I will continue to do so. They are a greater menace in this country to-day than the I. W. W. and Haywood. Debs is in the penitentiary; but these shallow, insincere, decayed philosophers of a decadent philosophy are teaching their insidious poison to the American youth in the guise of sociology and economics. It takes 10 years after the average boy gets away from the university with his degrees to educate him in the actual affairs of life, so that he knows enough to transact business free from the imbecility of their teachings. Outside of the manual-training schools and the schools of technology there is not one practical thing taught to counteract such poison. But the peace commission, with carload upon carload of freight in the way of documents, are abroad supplementing the efforts of our representative, and some of the kind of professors to whom I have referred are on that commission. We are asked here in this bill to make this appropriation of $100,000,000 in such a way that it may be spent by some of the practical statesmen who are putting into operation the theories propounded by those professors.

The Russian Economic League know what they are writing about. They continue:

In fact, the rank of Bolshevism and its camouflage, the Soviets, did not only include in corpore the whole of the so-called black hundred and the hideous agents of political research, but all such people as had an irresistible desire for a fat living without the corresponding work and talents, all who had long ago lost their conscience.

I think I ought to preface this with the opening paragraph, which reads:

The Russian Economic League, founded by Russian business men at present living in New York, learns from newspaper reports with deep feeling of anguish and regret of the proposal to admit to the peace conference as representatives of Russia the agents of the so-called Bolshevist "government."

It is proposed, according to the official communication from Paris, setting forth the action taken yesterday, to recognize the Bolshevist government. So this hundred million dollars, or a portion of it, will be dispatched to that country to feed either their victims, if any can be found, or to feed the oppressors themselves. Just how much of the one or the other no one can tell. So long as we are asked here to devote a hundred million dollars, or any part of it, to the support of this element in Russia, that broke down, it is true, an ancient tyranny, but in doing so exposed the allies to mortal danger and increased the difficulty when we joined with them in April, 1917, of arriving at a successful conclusion, I think it is not a part even of charity, to say nothing of diplomatic or political reasons, to send a dollar into that country.

Let them restore order. It is said in the official communications that they must work out their own form of government, that their salvation lies in their own hands. Let them work it out, and when that is done they will take care of themselves. A government that will protect the fruits of a Russian peasant's toil will need no charity. Russians will care for themselves then. If an opportunity to work had been given to those in Russia who wished to remain at peace, there would be no famine in that unhappy country. Nobody could work there. The very creed, the political doctrine carried into effect by those whom the peace conference proposes to recognize as a government is violence and robbery, pillage and murder. The whole Bolshevist movement in Russia is a movement of crime and criminals. It is producing its natural result.

If it is the only government they can frame, let them send their representatives to the peace conference; let them send their ministers to this Capital. They will be recognized in both places, I presume. It will be a government, such a one as they have elected to form. Let it be so; but the question of voting to them some or all of this $100,000,000, in the discretion of Mr. Hoover and his associates, is another question entirely. A government that is a chronic object of charity and practices repudiation of its debts will attract attention.

We have now reached a point in these peace negotiations, Mr. President, where it is absolutely certain that a portion of this hundred million dollars will be transmitted to Russia for the relief of her famine-stricken population. I believe in applying to nations something of the principle I apply to individuals. I know sometimes a humanitarian says it is a harsh creed, but it is the one nature applies and it is the one that both the Old and the New Testaments apply to us. There is no escape from the penalties attending the natural and reasonable consequences of our own acts. Russia is reaping what she has sown. We had no part in her overthrow. We did not frame the tyranny that made this necessary or possible. The only thing that we could say is that we harbored one of their principal agents in New York City for some months.

If it were a mere matter of Bolshevism in Russia and a hundred millions, or a part of it, to relieve the suffering there, if it stopped there, probably no American citizen could complain; but that is not the end of it. As this communication from the New York paper continues, in another paragraph which I have not read, Bolshevism is international. It is not content with disorder and sedition, pillage and murder, within the jurisdiction where it then is. Its mission, fanatical or otherwise, is to spread its bloody doctrine around the world. The Bolshevists believe it is their duty, as a sincere Mohammedan does, to spread by fire and sword their belief to the uttermost parts of the earth. They will not be content when they have seized our supplies. There are no representatives there from this Government that can act. Mr. Francis, of St. Louis, is no longer a minister to whom we can appeal. He lives, while there, in fear of physical violence. Our consuls are seized; our consular agents are driven from post to post, until most of them from whom we have any intelligence are living under the muzzles of English guns, if at all, in the far north of Russia. The Bolshevists respect no obligation of civilized life in private. They know no binding obligation of civilized government. They carry their doctrine wherever they can abuse their hospitality. Wherever they sojourn they spread their poison, like the guest whom you shelter under your roof who rises at the dead hour of night and places the torch to your dwelling. Their forbears were the nihilists of the early days, the practical anarchists, who believe that all government is wrong. The period of universal destruction is their aim. They avow they will girdle the earth with fire and ruin.

They are here. They are in this country. How many of you have read the magazine called The Liberator? The January number, 1919, is the eleventh one of the first year's issue. It is an anarchistic sheet. It calls upon those who are without property to remember that the Bolshevist brother in Europe was without property, but the proletariat of the American race must unite and rise and strike the capitalist until he has lost his possessions, or his life, if need be, to relieve those who are without property. The great middle group of Americans are designated for destruction. A capitalist is not merely a millionaire; he is anyone who employs another for wages. In practice in Russia it is any person who has anything of value a Bolshevist wants. That government has confiscated all the private property in land. The answer is famine. We are asked to devote part of this $100,000,000 to remedy the natural consequence of such a government. Having produced such a wilderness of suffering and injustice in Russia, this magazine invites us to repeat it in the United States. Who will feed us when we have reaped the folly if we follow the path marked by this sinister crew? That is in the magazine. It is circulated through the mails in this country. The vigilant Mr. Burleson is so occupied in preaching Government ownership, in extending the power of his department, in grasping great enterprises, not one of which anybody around him, with but one exception, ever had the ability to frame or to administer, he is so busy in this that he has no time to extinguish these firebrands of Bolshevism in our own country. Is there a subterranean sympathy with them?

The other day I had a letter from William Bross Lloyd, whose paper was suppressed in Chicago. I had another from Adolph Germer. He, too, was not only forbidden the use of the mails and his paper suppressed, but he was tried with Berger a few days ago and was convicted under the espionage act. I read the evidence, the press reports, and have considerable bodies of the evidence from friends in Chicago.

The evidence in the trial of Berger was a mere Berean lesson leaf for Sunday school use compared with the boiling sedition, threatened disorder, and bloodshed that there are in this magazine. If Lloyd and Berger had prostrated themselves at the feet of the Executive, they would not have been disturbed. I will advertise the magazine. I have no compunctions in speaking its name. The Liberator ought to be suppressed. It is not the freedom of speech that is involved in permitting such a sheet to circulate. The freedom of the press has nothing to do with it, any more than the freedom of speech for the agitator who mounts the curbstone and preaches lawlessness and physical force. No one can say that that is a part of the freedom of speech—that his arrest, prosecution, conviction, and subsequent confinement, that any of these processes is an interference with the liberty or freedom of speech in this country.

There are limits beyond which every liberty passes into lawless license and crime. There is no such thing as absolute liberty in civilized communities. Civil liberty is the natural liberty of the person restrained by wise and just laws, necessary for the general good of the community. Therefore, in suppressing such sheets, in stopping the blatant mouths of such agitators, this Government or any State government does not interfere with the right of free speech or of a free press. It only protects itself against those who abuse that right and expose the established order of the community to destruction.

We are asked—and I presume, when the peace conference shall have acted upon that, it will be final—to recognize the Bolshevist government in Russia. We will come to that in due time in the Senate. I am opposed to dealing leniently, when it comes to an appropriation, with those who placed themselves in the bed where they now lie. We have in our country here many of those like the publishers and editors of this magazine. They are Russians. Turn to the editorial staff. It is a Bolshevist document. They are following out exactly the creed and practice of their brethren in Russia. The magazine itself refers frequently to Trotzky as a "friend of humanity." I have heard that phrase so long that whenever anybody begins to talk to me about being a "friend of humanity" I reach down and seize my valuables to see whether or not they are safe yet. I am through with the professional charity worker. I know many of them in private life. My charity will go to organized charity, where it can not be misdirected; but the professional "friend of humanity" always has something to benefit him.

This "friend of humanity" who is editing the magazine calls upon the proletariat of this country to organize. The magazine reminds them that the Government of Russia is now composed of their brethren. It is a direct appeal to the I. W. W. It is

a part, I would not say of the German systematic crusade, because likely that day is over, but it is a part of the Russian system operated there originally by the German. They appeal to every criminal and vagrant; they appeal to everybody who is opposed to the existing order of things.

I said the other day that the way to deal with those of the Trotzky variety in this country was with military force. I say so again, notwithstanding the statement of a distinguished Senator in this body, one whom I very greatly admire and trust, when he says:

> I do not know whether if you feed them they can fight better or whether that is going to stop it, but I like his plan of stopping it by feeding them better than the plan of a distinguished Republican, who would stop it by shooting them. You will stop Bolshevism not by feeding them, you will stop it by removing injustices, and that is the way you will stop it in this country. Make no mistake about that.

With due deference to this distinguished Senator, if he would have you understand by that argument that such unrest, such disorder, such manifestations as the I. W. W., such defendants as Haywood and his ninety-odd associates, and Berger and his associates, as Mooney and his associates, as those recently tried and convicted in Sacramento, Cal., and their associates, as the same crew who are about the offices of the magazine in question—that all of them so conduct themselves and advocate violence because of the injustice practiced upon either them or somebody else, he is in error. I earnestly hope he does not so mean it. With any relief for the unfortunate, the humble, the struggling for better living conditions, he and I will join earnestly, I know. To justify lawlessness and violence as a social betterment has no place in this Republic. There is no room for Bolshevism here and no reason to attempt it.

What is that injustice that would justify Mr. Haywood? What is the injustice that would justify Mr. Mooney? Whether he is guilty or not, I am not now called upon to say. He was tried by a court in California under their laws. What is the injustice with Mr. Berger and his conviction? Were they protesting against injustice for which they were prosecuted, merely because they protested? Are those who are here in our country of the I. W. W.'s, preaching disorder and violence and murder, and practicing it, redressing an injustice which justifies them in their cause?

The great public, the final trial jury in this country, will be called upon shortly to discriminate between those riotous, torch-bearing assassins and those who are willing if they think there is an injustice peaceably to redress that injustice.

But the Senator does himself an injustice when he uses such an argument. This is no time for apologizing to the disorderly, to that supposed vast rabble that hangs upon the edge of every great population of a metropolitan center. This is no time, Mr. President, to be apologizing for that criminal movement that is always found to center in large cities and from there carry their organization outside.

Rather, Mr. President, now is the time for us to call a halt, to think clearly, to act without fear of consequence at the ballot box. This is no time to think about our election. That is the weakness of Congress. That is one reason why it universally has invited contempt. It is because they think more of their seats than they think of their behavior. The public is quick to discern. It is the weakest branch of the Government. It falls a victim more readily to every economic disease, to every passing tumult of the hour. Whenever some element of the kind I am describing belches its corrosive influence upon the multitude, you see Members of Congress begin to waver and apologize and take to the dark corners and wait until the storm is over.

[At this point Mr. SHERMAN yielded the floor for the day.]

Friday, January 24, 1919.

Mr. SHERMAN. Mr. President, an appropriation of $100,000,000 will add to the burden and subtract from the tax sources of the various States. These matters mentioned in the message of the governor of Pennsylvania by the Senator from that State [Mr. PENROSE] work along two lines: One is the taxation, as in the inheritance tax, of an object of taxation which has heretofore been exclusively that of the State; the other is the withdrawal, by constant assumption of Government ownership, of property from State taxes, so that it is no longer possible to derive a dollar from those sources. From those two causes the sources of revenue of the States are being constantly diminished. It results in increased taxes upon land and upon personal property for State and local purposes. It will reach the limit of a State government's endurance. The Members of the Senate represent nationally the people of the United States, and in a very large way we represent the reserved powers of the States in this body. It becomes the duty of the Senate, therefore, to protect the sources of taxation so that the revenues of the States may not be unduly curtailed.

Last night, Mr. President, I was referring to the fact that the disorderly element in the United States do not base their complaints upon any real injustice. Their complaints are fancied grievances; their complaints are the ones that grow not out of the social compact or civil society but out of the individual characteristics of those making the complaints. The disorder that is sought to be organized by the I. W. W.'s, by the Socialists who favor "direct action," by the alien element residing principally in the larger cities of the country, arises from no real grievance against the laws or the institutions of this country, if tested by the light of experience and by the merit of the individual making the complaint or those criticized.

I am not in accord with the Senator from Iowa when he says Bolshevism in this country can be destroyed or removed by removing the injustice. Justice will be done without threats of violence. It will come from the innate consciousness of the American people; it will move along the line of legislation in public and of private action in the various industries and occupations of the country; but there is no such thing in this country as a grievance that requires correction by violence. It is this purpose that the Bolshevist has in Russia and in other parts of Europe, and that the alien who has immigrated to this country and brought with him his doctrine proposes to institute here. The discontent that manifests its disposition to remedy its fancied grievances by violence is purely an alien discontent. It is made in Europe; a large part of it is made in Germany; and some of it is made in Russia. The criminal Bolshevism of this country is not based upon injustice. It grows out of the character of the individual. It is to that part of the movement of organized crime in this country that I directed my remarks yesterday evening. I will conclude this morning along that line.

Resuming the reading from the Russian Economic League, to which I referred yesterday, published as an advertisement in some of the New York papers, there are further paragraphs that illuminate the issue in this country. They say:

> There is no doubt, however, that the happiness of humanity can not be attained by idling and destroying but only by constructive activity, by incentives to and development of labor, talents, creative genius, and initiative.
>
> The Russian Economic League steadfastly keeps in remembrance the promise of President Wilson to stand by Russia.
>
> Awaiting when and how this help will take form, the Russian Economic League can not but loudly give expression to its sentiment that it could not even imagine that help to Russia could take the form of admitting the theorists of Bolshevism to the world's tribune, from which to preach their corrupting lies, and of allowing the practitioners of Bolshevism "a breathing space" for the further strengthening of their "organization."
>
> * * * * * * *
>
> The Russian Economic League considers it its civic duty to the allies once more to remind them of the handwriting on the wall; Russian Bolshevism is a danger to the civilization of the world.

These men know this menace, what it means in Europe, and what it will mean here if recogniton be given it. In this morning's cablegrams, reported in most of the newspapers, it is said:

> In the meantime prominent anti-Bolshevik leaders in Paris are not clear on their course, and the first reports that they were favorable to the plan have been followed by a statement by such leaders as Sergius Sazonoff that they would not sit at the table with assassins.
>
> The semiofficial Temps also asserts that the supreme council's proposal "permits traitors who withdrew Russia from the war and turned the entire German strength against France to be received on the same footing as the faithful."

They condemn it in unmeasured terms. I realize the difficulty of preserving peace, with Russia in constant turmoil. Some legitimate Government must be organized in the course of affairs. I can not, however, reconcile myself, if the matter is to be voted on in this body, directly or indirectly to the recognition of the present Bolshevist government in Russia. That government was described in May, 1918, as follows by a member of the so-called International Federation, which is a part of the internationalism which is promoted by such spirits. He says that:

> The Bolsheviki had many friends in Canada and the Russian Bolsheviki had proved themselves in advance of western civilization. We must destroy the very elements of the world civilization before we can begin to revolutionize the world.

This was said in New York on the 4th day of May, 1918, without protest, without the arrest of the alien in our borders who uttered such sentiments.

At the same time Norman Angell, of the British Labor Party ostensibly, but in reality repudiated by the labor elements of Great Britain, who is merely one of a group of radical socialists, made an address at the socialist conference in New York

City on the same day, in which he said that "the American Constitution is the worst in the world." That, too, passed without protest.

On the 28th of December, 1918, in the trial in Chicago of Victor Berger and his associate defendants, Dr. Carl Haessler, formerly instructor at the University of Illinois, and later employed as a special writer on the Milwaukee Leader, Mr. Berger's paper, was brought from the United States Army disciplinary barracks at Fort Leavenworth, Kans., where he is serving a 12-year term for refusing to wear a soldier's uniform, and testified. His testimony was intended to show that Victor L. Berger, of Milwaukee, editor of the Leader, influenced him in no way in his determination to refuse to accept military duty. He said:

Berger is too slow a bird; he is not fast enough to travel in my company, politically or economically.

Continuing his testimony, he described himself as having been graduated from a university; that he won a Cecil Rhodes scholarship at Oxford University, England. He first became interested in socialism, he declared, while attending that university, and later was influenced by the books of Prof. Dewey, of Columbia University, and expressed admiration for the Bolsheviki government of Russia. He is one of a very numerous group to which I alluded yesterday evening.

I have a letter from Mr. Adolph Germer, one of Mr. Berger's codefendants in Chicago, dated November 2, 1918, in which he demands—

that the people of Russia have complete freedom to solve their internal problems—

With which no complaint can be made—

and that the integrity of the Russian territory as well as that of Finland, the Baltic Provinces, Poland, Lithuania, Ukraine, and the other border Provinces by preserved.

He demands, further, that there be—

international conferences for the exchange of opinions between the labor groups of the belligerent and neutral nations.

He demands that—

this Government refuse to consider any proposal for economic war after the war.

He demands also—and this letter was written before the armistice was signed—"immediate peace."

This is a part of the Bolshevist creed. They desire everyone else to be at peace but themselves; and in Russia, where their government, so called, has the power, there is no peace. Their government in practice is continuous pillage, murder, and famine.

I wish now to refer to the President's message of March 11, 1918, addressed to the Soviet council. He says:

May I not take advantage of the meeting of the congress of the Soviets to express the sincere sympathy which the people of the United States feel for the Russian people at this moment, when the German power has been thrust in to interrupt and turn back the whole struggle for freedom and substitute the wishes of Germany for the purpose of the people of Russia?

Although the Government of the United States is unhappily not now in a position to render the direct and effective aid it would wish to render, I beg to assure the people of Russia, through the congress, that it will avail itself of every opportunity to secure for Russia once more complete sovereignty and independence in her own affairs and full restoration to her great rôle in the life of Europe and the modern world.

The whole heart of the people of the United States is with the people of Russia in the attempt to free themselves forever from autocratic government and become the masters of their own life.

In response to this, on March 23, 1918, the Soviet council returned the following reply:

The all-Russian congress of Soviets expresses its appreciation to the American people, and first of all the laboring people and exploited classes in the United States, for the message sent by President Wilson to the congress of Soviets in this time when the Russian Socialist Soviet republic is living through most difficult trials.

The Russian republic uses the occasion of the message from President Wilson to express to all people who are dying and suffering from the horrors of this imperialistic war its warm sympathy and firm conviction that the happy time is near when the laboring masses in all bourgeois countries will throw off the capitalist yoke and establish a socialist state of society, which is the only one capable of assuring a permanent and just peace, as well as the culture and well-being of all who toil.

That is the resolution of the Russian Soviet congress of date March 14, 1918, but transmitted to us under date of March 23, 1918, as I have indicated.

These documents indicate the view taken by the President as well as by the present Bolshevist government itself. The Soviet council was the congress at that time. What does the Bolshevist government propose to do? First, it has confiscated all land titles in that country. It proposes to take the lands from those who have them and to divide them among those who do not have them. It has confiscated all domestic credits above 10,000 rubles; it has repudiated the entire national debt of Russia, including that to the United States. In yesterday's press report, it is true, there was a claim that Lenine and Trotsky had found at this time that it was impracticable to confiscate all of the land titles. They have found difficulties in dividing the land so as to produce satisfaction, so that for the time being they are reputed to have ceased their efforts in that direction. The confiscation of all credits, domestic and foreign, however, still remains a part of the policy of the Russian government.

It is well known that they have repudiated their religious obligations; that they war upon the church; that a priest or a doctor of divinity is an object of derision and assault; that every place of worship, every church, synagogue, and cathedral in that country has been reduced to a civil basis, taken from the clergy who ministered to their parishioners or congregations. The Bolshevist government is admitted to be a godless government, as well as a violent one. They are only a little in advance of the Socialists in this country. There is no thorough Socialist who expounds his doctrines who admits any religious obligations. He is purely a materialist. He does not believe in any inspired or revealed word of Divinity; he believes only in what can be secured in this world, and teaches that there is no hereafter. Believing that, it is easy enough to understand and follow what else they teach.

On October 26, 1918, under the heading of "British wireless service," from the British capital, another rule or law recently made operative by the Bolshevist government is reported:

SOVIETS FOUND LOVE BUREAU.

LONDON, *October 26.*

Russian maidens under the jurisdiction of certain provincial Bolshevik soviets become the "property of the state" when they reach the age of 18 years, and are compelled to register at a government "bureau of free love," according to the official gazette of the Vladimir soviet of workers and soldiers deputies, which recently published that soviet's decree on the subject.

Under the decree, a woman having registered, "has the right to choose from among men between 19 and 50 a cohabitant husband." The consent of the man chosen is not necessary, the decree adds, the man chosen having no right to make any protest.

A similar privilege of choosing from among the registered women is given every man between 19 and 50 "without the consent of the women." This provision is described as "in the interest of the state."

Opportunities for choosing husbands and wives is to be presented once each month, the decree stated. Children born of such marriages are to become the "property of the State." Stringent rules and penalties are laid down for the protection of girls less than 18.

The decree further states that it has been based on the "excellent" example of similar decrees already issued at Luga, Kolpin, and other places. A similar "project of provisional rights in connection with the socialization of women in the city of Khvelinsk and vicinity" has been published in the gazette of the workers and soldier deputies of that city.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Idaho?

Mr. SHERMAN. Yes, sir.

Mr. BORAH. May I ask what the Senator is reading from? I did not catch it.

Mr. SHERMAN. I am reading from a wireless-message press report from London, England, of October 26, 1918, of a report of a decree of the Bolshevist authorities from certain districts in Russia.

Later, on January 4, 1919, to show that the matter does not remain quiescent, the town council of Petrograd, according to an exchange telegraph dispatch from Copenhagen to London, has decided that all unmarried women between the ages of 18 and 45 shall be provided with husbands selected by the council. The children of these unions, it is added, will not be allowed to remain with their parents, but will be educated under the control of the Soviet government. I might add here that it is a favorite principle with a purely socialistic State to follow out these plans. The children are to be taken as the wards of the State, provided for, and raised to maturity as such wards. The parents have no more concern with them than the sire and dam of the beasts of the field after the young shall have been born. It is a favorite theory all of the time which they seek to put in practice, that along with the godlessness of such a government comes the total irresponsibility of the parents and the full responsibility of the State to take the offspring and bring it to maturity. This is a part of the end of individual responsibility, to keep pace with the abolition of the private ownership of property, all of which shall be assumed by the State, toward which we are asked to advance on this country recently.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Utah?

Mr. SHERMAN. Yes, sir.

Mr. KING. As the Senator probably noticed, in yesterday morning's paper there was a dispatch from Copenhagen or from Stockholm in which were quoted recent publications by Soviet newspapers, in which they declare against all forms of religion, against the perpetuity of the church, in favor of the taking of all church property, and a general denunciation of religion.

Of course, the Senator must realize that when any sort of government is founded upon pure atheism and a denunciation of God, of religion, of all spiritual forces, of all moral forces, the character of legislation just referred to necessarily would follow. Such a government as that is an enemy to all forms of law or order or progress or civilization; and that is the kind of a government to which, apparently, we are giving some recognition at this time at the Paris conference.

Mr. SHERMAN. I thank the Senator for the addition to what I have offered on that subject. It is a very timely and pertinent addition.

Mr. KING. And, if the Senator will pardon me, I might say that that is the government that is exciting the interest of the socialists, the pacifist, the traitors, the enemies of America in this country; and we find in a number of the publications and in the utterances of some of these "uplifters" a deep solicitude for the Bolsheviks of Russia. Any man who supports Bolshevism is an enemy to civilization, is an enemy to our form of government; and it seems to me that the American people unanimously should denounce that form of government, give it no countenance, and recognize it in no possible way, directly or indirectly.

Mr. SHERMAN. I entirely agree with the Senator on that subject; and it is because I have some settled beliefs of my own on that subject that I am taking the time of the Senate. I believe that no more important service can be rendered here and now than to awake the people of this country to the infernal, un-American, alien doctrine that has planted itself in some of the large cities, and is seeking recruits even among the agricultural population of this country. Few know what it means, in its final analysis, outside of those who have been studying it, and those who seek to spread it over the country. They know; and, as the Senator from Utah has forcefully stated, it is an atheistic and godless government, that fails to recognize any such thing as a moral tie in the affairs of this world.

I believe some of our troubles are traceable directly to the decay of some of those strong, moral obligations that belonged to the generations before us. Religious sentiment has come with so many to be a mere matter of form. It is quite fashionable to make light of it. It has become the custom to think that the affairs of this world take precedence of everything else. I have the misfortune myself to be a member of no church. I believe in the most universal tolerance; but, without the benefit of the associations and of the advantages that belong to such organizations, if I believed that this world ended here I would despair. If there is no such thing as religious obligation left; if a great government of 180,000,000 Russian people are finally to be governed and their foreign relations molded by such an organization, its hands steeped in the slaughter of its own citizens, its treasury filled with the proceeds of the pillage and robbery of both the native and the alien residents in that country—if such a government is to present itself in this Chamber, then I believe it to be the sovereign duty of every American to resist the established relations that may be sought.

Now, Mr. President, pertinently to this point, on this appropriation, will France be fed from the $100,000,000? I think not. Will Belgium? Possibly; but Belgium has been cared for by private charity. The Red Cross and the money given in this country and elsewhere have kept Belgian citizens in their day of need, and when the great trial had fallen upon them, such of them as could be reached were sustained and soothed by the hand of private charity.

Will it go to England or any of her colonial dependencies? It is manifestly not intended to be used in that way. Some may go to the Armenians, the Syrians, certain portions of the Balkan Provinces, and Serbia; but these items of relief are comparatively insignificant. I state now that the greater part of this $100,000,000 will be spent in Russia in establishing relations with the present Bolshevist government. They have a keen appetite for plunder and a scent for spoils unrivaled elsewhere in the world. They are cosmopolitan in their tastes. It is immaterial to them whose gold it is—whether it is German or American. They take it all with cheerful impartiality, because gold is gold, from whatever source it comes. They welcome it any way except working for it. Because of the message, nearly a year ago, in which the President showed himself as willing then to open relations with that government, followed by the press reports of yesterday, where they propose to admit its representatives to the peace table, upon his motion, it has been evident that the purpose of this conference is only expressing the long-settled purpose of the Executive in the recognition of that government. A large part of this money, therefore, I think will be spent in Russia; and if so, it must be spent under the administration of the Bolshevist authorities.

It was no platonic love between the German and the Bolshevist a year or more ago when the celebrated Brest-Litovsk treaty was concluded. There was as much concert of opinion as there was receipt of German money. Therefore, when I turn to what Germany is favoring and find it so similar to the Bolshevist government, I am not surprised at what has happened.

The materialist element in Germany is very large. The philosophic socialist is much in evidence there. He is a materialist of the grossest sort. They are rapidly developing the same class of godless population there that is found in Russia. Naturally with this lack of moral obligation there comes first the relation with the weaker sex. The civilization of all the races that have inhabited the world show an unfailing index in their treatment of womankind. Among the savage she is a beast of burden. She is merely a convenience, not a companion. As nations advance woman is emancipated, she ranks with man and is revered as the mother of the race.

Here is a pamphlet on this subject circulated in Germany, based upon the future need of the German Army because "the military strength of the people," it says, "depends in part upon the number of men able to bear arms." Its main proposals read as follows:

> Women in all classes of society who have reached a certain age are, in the interests of the fatherland, not only authorized but called upon to enter into a secondary marriage which is supported by personal inclination. Only a married man may be the object of this inclination, and he must have the consent of his married wife. This condition is necessary in order to prevent the mischief which otherwise might surely be expected.
>
> The offspring of these lawful secondary marriages bear the name of their mother, and are handed over to the care of the State, unless the mother assumes responsibility for them. They are to be regarded in every respect as fully equal members of society. The mothers wear a narrow wedding ring as a sign of their patriotism. The secondary marriage can be dissolved as soon as its object has been attained.

This professor, by the way, is connected with a German university. Like all of these plans for the amelioration of human society, they come from distinguished professors, that group of intellectuals who are continually seeing things that are so far in advance of the possibilities of human nature.

Continuing, this professor says he thinks the object of this new institution can be fulfilled in 20 years, and that secondary marriages might then be abolished. He ends his pamphlet as follows:

> The difficulties consist solely in ethical scruples, which, notwithstanding the issue of the proper regulations by the State, will continue to operate until conscience has disposed of them. Thus this question becomes a religious question, which can be solved only with the help of the clergy. It rests, therefore, with the women and the clergy, assisted by the State, to determine whether Germany shall be able not only to maintain herself on her present pinnacle of morality, but by her own strength to stand up in the future as in the present to the pressure of enemies who are increasing numerically.

Then there is a leaflet which was distributed among the soldiers. One is entitled "Empty Cradles—a Soldier's Duty." A translation of the German is as follows:

> Soldiers, a grave danger assails the fatherland by reason of the dwindling birth rate. The cradles of Germany are empty to-day; it is your duty to see that they are filled.
>
> You bachelors, when your leave comes, marry at once the girl of your choice. Make her your wife without delay.
>
> The fatherland needs healthy children.
>
> You married men and your wives should put jealousy from your minds and consider whether you have not also a duty to the fatherland.
>
> You should consider whether you may not honorably contract an alliance with one of the million of bachelor women. See if your wife will not sanction the relation.
>
> Remember, all of you, the empty cradles of Germany must be filled.

It is proposed further that the universities of Germany shall enter upon a crusade. Not only are the clergy to be invited to establish a new moral sense nationally, but these professors are to teach it in their universities, a promiscuous marriage alliance with the offspring owned by the State as the new creed of the social compact, to be taught by grave professors as a part of the sociology we hear something about in so many universities in this country. It is but a short step from all property in common to all women in common. A promiscuous alliance is part of a common creed. One injustice most clamorously protested against is that the property-owning classes have the handsomest women.

Therefore, Mr. President, it occurs to me that when there is such a similarity between Germany and their avowed purposes and the practices of the Bolshevist government, there is what these men say in the advertisement of day before yesterday to remember that Russian Bolshevism is a danger to the civilization of the world.

Great honor is to be attached to the French members of the peace conference for refusing to admit to that conference representatives of that government. If they have unhappily yielded, it is because by pressure begun by the Executive of this country

to yield; it is more in order to make some progress even at a sacrifice of principle than anything else that such recognition has been given.

Therefore this appropriation, Mr. President, of $100,000,000, a part of which is bound to be spent in feeding the supporters of that government, ought not for a moment to pass this body.

Some of the same phraseology to which this advertisement alludes finds lodgment unfortunately in the mind of our Executive. I read yesterday evening the statement that the Bolshevist in Russia having control of the government has an exceptional talent in phraseology. There seems to be a sort of brotherhood of expression. They all have a similar language. They are rather haberdashers, as the French novelist puts it, in pronouns. They speak of themselves a great deal. They demand their particular kind of justice as the price of peace. This Government, State and National, will do justice to every unfortunate, but it will not compromise with organized criminal movements in whatever form they may manifest themselves. The President uses the following language:

The men in the trenches, who have freedom from the economic serfdom to which some of them have been accustomed, will, it is likely, return to their homes with a new view and a new impatience of all mere political phrases, and will demand real thinking and sincere action.

I want the sincere action now for the men discharged from the military service. Their destitution is the most disgraceful "economic serfdom" I can imagine. Instead of begging on the streets of the cities when he reaches our shores, he ought to have this $100,000,000 appropriated for his relief instead of sending it to Europe, and a large part of it to be used in the relief of the Bolshevist who avows and practices what I regard as the most infamous doctrine of any age or any people.

When the President comes back there will be the usual crusade. It will be accentuated by this appropriation. By appropriating this money with no limitation on the use of it in Russia by the authority to which I have referred, it will be regarded as a tacit indorsement. After a while the tentative treaty will be presented to this body. Then the usual publicity campaigns will begin.

It is proposed, so certain press dispatches say, by the President, that a continental tour be engaged in by him as soon as the peace treaty is presented to this body. Whatever protest may be made, there is a censored press yet. This body will have but very little of the actual negotiations which lead up to the formation of the treaty. It will be put into this Chamber, referred to the committee, discussed there, and some hearings possibly had. In due time it will be out on the floor of the Senate, and we will be urged to instantly ratify it. A campaign will be started. In it will be the recognition of the Bolshevist government. The espionage act will still be in force. If Congress is not in session, no one can answer the President without danger of prison. It means that all of that alien element in this country will take fresh courage. I wish for my part that Congress would enact a law before the 4th day of March that would deport every one of that ill-favored ilk to the country of their origin and forever bar our gates against them. There is not one of them who can not pass an educational test. That is no bar. They can pass any educational test proposed. But their character as importers of alien, un-American doctrines of disorder and sedition ought to bar their entrance to any civilized government in the world.

But in this continental campaign the President will presume to build a backfire against every Senator who refuses to approve his handiwork. Who can answer him fairly if the espionage law remains? He is sacred, and prosecution, not argument, is the answer. Instantly every department, board, bureau, commission, everybody on the pay roll of the Government, will be unkenneled and turned into a campaign committee to urge the ratification of the treaty as it is presented. That is what is likely to happen to this Senate.

How will these departments be used? Let me give you a single instance. Last November a great many moving-picture slides were sent out all over this country. A friend preserved one of a great flood of them. I have it in my hand. It bears this inscription, with the franking privilege:

United States Fuel Administration.
Washington.
Official business.
Miners are needed to dig coal.
Please run this.
Penalty for private use to avoid payment of postage, $300.

This is addressed to the Globe Theater of a certain city in a Western State.

I will now read for the benefit of the reporter, in order that it may be placed in the RECORD in due form, these slides to show just how the Government power is prostituted to coerce not only the voter but to be used in the same way to coerce every Senator to ratify the treaty as it is presented. I know how these powers have been abused in the past, and I know how they will be used again. Here is one:

Col. Roosevelt during the War with Spain said a refusal to sustain the President this year will in the eyes of Europe be read as the refusal to sustain the war. If then, why not now?

That was prepared out of a Government appropriation and sent out during a political campaign.

I read another one. In the instance which I now read from the slide there is a picture of the President in the upper left-hand corner and the following language to be thrown on the screen:

Washington and Lincoln were hampered by critics. Do not hamper Wilson. Elect a man who will help him win the war.

That is paid for out of Government funds and sent out by the Fuel Department, franked through Burleson's Post Office, to be put out at the various moving-picture shows for the entertainment of the multitude at Government expense, a purely campaign document. I have no objection to using it if it were sent out from political headquarters, but I do object to using money to coerce the voters or to induce them out of the taxes contributed by every taxpayer.

Again, another slide, having a like picture of the President, contains the following:

Unity of action is essential now in Washington as unity of command is in France. Elect men in harmony with Wilson, who will help him win the war.

This was all received at or about the time of the Executive's celebrated letter of October, 1918, in which he said there could be no patriot elected except on a Democratic ticket. These were sent out literally by the hundreds of thousands to carry the same message. It was the use of Government funds to run a political-party campaign, the most flagrant abuse of political power that has been manifested in the lifetime of this country.

Again, when this treaty is presented he would be no respecter of any political party but his own. He will in the same way take every power of the Government available in every department of the Executive, with every dollar of appropriation that can be had from this Congress, and use them in a drive against the Senate to ratify the treaty presented without exercising its own judgment in any essential particular. The people are debauched by their own money.

I say, Mr. President, if this appropriation were limited to the necessitous cases in France, Belgium, and Serbia, for the Armenian, the Syrian, or the Polish needy, or other friendly unfortunate races, parts of the submerged nations of history of long ago, and excluded specifically all parts of Russia under the control of the Bolshevist government and Germany and the allies of the central powers, I would have no objection to it, although I think it is time to call a halt even then. We must look after our own households. We have reached the point, unfortunately, where we can not make these appropriations forever.

Taxes are mounting rapidly, until we have reached almost the limit of the taxpayers' ability. Many a small business today is in doubt whether it can run another 12 months. With taxes accumulating, with the difficulty of help, with the inability to get their men out of the Army to return to private occupations, they are almost in a condition, the average-sized concern of a million dollars or so, to retire from business. They can not readjust their affairs from a war to a peace level. Unless something is done to relieve these burdens, and done promptly, not next year, nothing will be able to survive the financial cataclysm but the very largest concerns, and they in turn will be seized by the Government, and then the revolution preached by Trotzky and hinted at by the President and some of his appointees will be complete.

I have taken this time, Mr. President, because the American people must awaken to the gravity of the issues involved. It is time for plain speaking. It is time to describe the Socialist and all his allied people and political ownership of utilities in plain language. The issue will frame itself, and it will call upon the best thought there is in both political parties to stem the tide that is even now running high both at home and with our Executive abroad.

I ask that the documents from which I have read may be printed at length in the RECORD without my reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

PETROGRAD SOVIET WILL PICK HUSBANDS FOR WOMEN.

LONDON, *January 4, 1919.*

The town council of Petrograd, according to an exchange telegraph dispatch from Copenhagen, has decided that all unmarried women between the ages of 18 and 45 shall be provided with husbands selected by the council. The children of these unions, it is added, will not be allowed to remain with their parents, but will be educated under the control of the Soviet government.

RUSSIAN ECONOMIC LEAGUE.

The Russian Economic League, founded by Russian business men at present living in New York, learns from newspaper reports with deep feeling of anguish and regret of the proposal to admit to the peace conference as representatives of Russia the agents of the so-called Bolshevist "government."

Such an act of unfriendliness toward all loyal and true to the allies' elements of the Russian people can be explained in two ways only: Either by a monstrous misunderstanding or by an intentional unwillingness on the part of the authors of this proposal even in some future time to see Russia great again, united and free, instead of divided, weakened, and deprived of significance and a worthy voice among the nations of the world.

The league indignantly rejects the thought even of the possibility of this last explanation being the true one and can only adhere to the first one, namely, an astounding ignorance of the world's public opinion as to the real nature of Russian Bolshevism.

The league finds it necessary, first of all, to point out the significant fact that all such persons as come forward with praise to Bolshevist ideas invariably start with the emphatic assurance that they themselves are not Bolsheviks.

This phenomena, of course, has its roots either in the desire to emphasize their supposed disinterestedness or in the tacit avowal of exceptional baseness combined with that Bolshevism, which for other reasons the advocates of Bolshevism are eager to exculpate and to exalt.

In Bolshevism it is necessary to distinguish two different sides; firstly, phraseology; and, secondly, an indescribably abominable practice.

There is no denying the exceptional talents of the leaders of Bolshevism in phraseology. Having been for scores of years put aside from practical work by the Russian Imperial Government, the Russian revolutionary workers have to an extraordinary degree developed their faculties in the use of speech.

The building up of theoretical schemes of universal happiness on earth, although these schemes absolutely disagree with the real conditions of life and actually contradict them, being at the same time, however, of extraordinary beauty and enticement, is no doubt one of the foremost qualities of the Russian Bolshevik theorists.

It can not be denied that some of them believe in the Utopia they themselves have created. Even more, their almost religious belief in their own doctrines has led them into the abyss of moral degradation in which they have fallen, dragging down with them our entire great country.

The trouble was, when they reached a position making it practically possible for them to realize their ideals they encountered the fact that actually all the educated classes in Russia were in the camp of their adversaries.

They, however, did not for a moment doubt the righteousness of their theoretical inventions and did not hesitate to quiet their conscience with the accusation of the Russian intelligent classes in what they said was egotism of class and to begin to make Russia happy on the Bolshevist plan, against the will of the majority.

This first deal with conscience was the beginning of the moral downfall of Bolshevism

Encountering the firm refusal of the educated class of Russia to abet communistic exeprimentalizing, they could do nothing else but begin speculating on the very lowest instinct of the population and to seek the support of the scum of the people of everything morally weak or even openly criminal.

In fact, the ranks of Bolshevism and its camouflage, the Soviets, did not only include in corpore the whole of the so-called "black hundred" and the hideous agents of political research, but all such people as had an irresistible desire for a fat living without the corresponding work and talents, all who had long ago lost their conscience.

Among this gang, composed of the scum of human society, the Bolshevist theorists entirely disappear. It is left to them to write flyleafs, which are styled decrees of the Russian Government, but which are put into practice only inasmuch as they serve to sanctify the beastly appetites of the Bolshevist masses.

This literature of decrees, as well as the diplomatic overtures of the Bolsheviks serve only for catching the simple-minded foreigners who can not grasp the idea that anybody could go so far in prostituting human thoughts and words, as is done by the Bolshevik leaders.

The practical work of the Bolsheviks, as it appears in Russia, is done not by them but by more "businesslike" elements of the Bolshevist party.

The theorists bluff the world with the highness of their ideals and the practitioners in the meantime organize the all-Russian gangs of thieves and robbers.

The theorists in their irresistible thirst for power try to build the ideological fundament under the destructive work they do in order to satisfy their political ambitions, and the practitioners under the banging of highly socialistic and "democratic" watchwords build up from their lines a new class of bourgeoisie, only one having for basis of its riches not labor and talent, but the most open-faced robbery.

There is some reason for the singular new "sport on sables," which has spread in places where the Bolshevist government has been liquidated. The population of these places makes a regular occupation of systematic shooting of the fleeing Bolsheviks, explaining this sport by the words that it is more profitable to kill a Bolshevik than a sable, as unfailingly he has on his person not less than 10,000 to 20,000 roubles, and sometimes much more.

The public opinion of the world, fascinated as it is by the revolutionary phraseology of the Bolshevist theorists, is not inclined to heed the lessons of history. The phenomenon of Bolshevism, such as it really is and not such as it is depicted by the theorists, is not new to the world. Toward the end of the French Revolution and before the coming of Napoleon France was likewise infected by gangs of robbers, and these gangs also hid themselves behind the banners of beautified politics. The only difference is that the French Bolshevists did not have talented organizers uniting their forces and justifying in theory robbery and violence. France brought forth not a Trotsky but a Napoleon.

In spite of the high-flowing revolutionary phrases, or rather under their roar, the Russian people have been so much "liberated" from all rights, not only political ones but the very elementary human rights, that with good reason they begin to recall to memory even the Czar's régime as something that is worthy of envy and regret, as a lost paradise.

It needs only a slight impulse to see Russia drop back into the most violent reaction.

The Russian Economic League can not, of course, make so light of historical events as to satisfy itself with an explanation that a licentious mob composed of the scum of the town populations has found leaders and ideologists full of temper and talent.

There can be no denial that the causes of sympathies for Bolshevism root much deeper than this in the great mistakes and even crimes of the bourgeois order of things (not being, however, connected with the nature of it), in its lack of care for the lower classes, and finally in the cruel sufferings brought on by the war in the perversion of human psychology, in the taste for atrocities raised by the war in the masses, and in their belief in the efficacy of violent methods.

The masses have been attracted to Bolshevism as the representative of the most radical turn of human thought, hoping to escape from the distressing reality into the realm of ultrarevolutionary dreams.

There is no doubt, however, that the happiness of humanity can not be attained by idling and destroying, but only by constructive activity, by incentives to and development of labor, talents, creative genius, and initiative.

The Russian Economic League steadfastly keeps in remembrance the promise of President Wilson to stand by Russia.

Awaiting when and how this help will take form, the Russian Economic League can not but loudly give expression to its sentiment that it could not even imagine that help to Russia could take the form of admitting the theorists of Bolshevism to the world's tribune, from which to preach their corrupting lies, and of allowing the practitioners of Bolshevism "a breathing space" for the further strengthening of their "organization."

The Russian Economic League can not forget that as attested by the most authoritative observers of Russian life, who personally took part in the heroic struggle with the Bolsheviks and the Germans, a military force of 10,000 to 20,000 disciplined and suitably provided men would have sufficed to take Moscow last summer, and that the same object now requires over 150,000 men.

The Russian Economic League considers it its civic duty to the allies once more to remind them of the handwriting on the wall: Russian Bolshevism is a danger to the civilization of the world.

The experience of the Russian political parties who tried to treat Bolshevism as a certain kind of honest political creed, which can be made compromises with and can be opposed by parliamentary means, has, in the opinion of the Russian Economic League, shown only too clearly by the tragic end of the Russian Empire that Bolshevism can not exist at the same time as civilization and democratic ideals.

For Russia the last days are nearing when the help of the world's democracies may still be able to save for her the idea of democracy.

Russia, by the efforts of the Bolsheviks, is already brought to the threshold of the most sweeping reaction, and, following upon this, of such international combinations, which will essentially oppose and menace the interests of really democratic nations.

RUSSIAN ECONOMIC LEAGUE,
ALEXANDER W. BEHR,
Acting President.
W. N. BASHKIROFF,
A. A. BOUBLIKOFF,
E. L. LJUBOVITCH,
S. S. NOVOSELOFF,
B. N. SAMOILENKO,
Vice Presidents.

CHICAGO, ILL., *November 2, 1918.*

To the CONGRESS OF THE UNITED STATES:

SIRS: The world is shaken to its foundations. Everywhere the people are rising. Revolution has swept Russia; Bulgaria, Austria, and Germany are in its grip. The Socialists of England, France, and Italy speak with increasing authority. We are witnessing the birth of a new world. The Socialist Party of the United States is a part of the international socialist movement. As such, we speak to you in the interest of the workers of the United States and of the world.

The opportunity for peace is here. We demand that the imperialistic and reactionary forces in our own and allied countries shall not be allowed to impose such terms and conditions as will make the acceptance of the proposed armistice impossible by either the governments or the peoples of the enemy countries.

1. We demand that in the coming peace the principle of self-determination of peoples be asserted to the fullest degree, with the right of all subject peoples and races of both the central and the allied powers to determine the conditions of their own existence.

2. We demand that the peoples of Russia have complete freedom to solve their internal problems, and that the integrity of Russian territory, as well as that of Finland, the Baltic Provinces, Poland, Lithuania, Ukraine, and the other border Provinces, be preserved.

3. We demand that the present preliminary and all subsequent peace negotiations be conducted with the strictest observance of the principle of open covenants of peace arrived at publicly.

4. We demand that duly accredited representatives of subject peoples and of the economic and political organizations of the working classes in all countries participate in the final peace conference.

5. We demand that passports be granted representatives of labor and socialist groups to attend international conferences for the exchange of opinions between the labor groups of the belligerent and neutral nations.

6. We demand that this Government refuse to consider any proposal for economic war after the war.

Respectfully, yours,
THE NATIONAL EXECUTIVE COMMITTEE, SOCIALIST PARTY,
ADOLPH GERMER, *National Executive Secretary.*

ALLIES ADOPT WILSON PLAN TO AID RUSSIANS—RECOGNIZE REVOLUTION—CONCEDE RUSSIA'S RIGHT TO SETTLE AFFAIRS—REGARDED AS FRIENDS—SOVIET ASKED TO MAKE TRUCE AND CONFERENCE WITH ALLIES—ALL FACTIONS TO BE HEARD—PRESIDENT'S PROPOSAL, APPROVED BY SUPREME COUNCIL, DISOWNS DESIRE TO EXPLOIT RUSSIANS AND EXPRESSES WILLINGNESS TO HELP THEM "IN ANY WAY THEY ARE WILLING TO BE HELPED"—ALLIES TO SEND COMMISSION TO POLAND—UNITED STATES ALSO BEING REPRESENTED.

PARIS, *January 22.*

Led by President Wilson, the supreme council of the great powers today moved to unite the factions of distracted Russia and bring them into the peace congress.

They unanimously adopted a proposition brought forward by President Wilson asking all the Russian factions, including the Bolshevists, to meet the allied and associated governments at Princes Islands, in

the Sea of Marmora, on February 15, the contending factions meantime declaring a truce and suspending all military operations.

MAY SEND PERSHING.

The joint commission of the associated governments will be announced as soon as the Russian factions accept the proposal, which was communicated to them by wireless to-night. The Russian commission will proceed to the meeting place, probably on a warship, by way of the Black Sea and the Bosporus.

Gen. John J. Pershing, the American commander in chief, has been called to Paris and it is expected that he will be the military member of the American representatives of the joint commission.

WILSON TAKES LEADERSHIP.

Aside from the importance of the conclusions reached, it was especially notable as being the first time that the voice of the United States had taken the direction in the concert of European powers on the most serious European question now presented. There was added significance in the fact that an American President in person had taken leadership in the council, made up chiefly of European statesmen, and had pointed a way which they had unanimously adopted.

The final result came after three days of continuous discussion of Russia, which did not crystallize until the final hours, when President Wilson presented in writing the plan he had elaborated.

There was little opposition, and this was based mainly on doubts as to whether the proposition would be accepted.

FOUR CONDITIONS OF PEACE.

In reply it was pointed out that the contending factions were well-nigh at the end of their resources and that their needs likely would lead them at last to a combined appeal to the associated powers.

Besides the definite proposal as given in the communique, the joint commission of the associated powers will lay down four conditions indispensable in bringing about an adjustment. First, peace at all points; second, removal of all economic barriers which restrain the free circulation or exchange of food and commodities between the factional zones and the outside world; third, general elections on a representative basis; and fourth, some adequate arrangement for the payment of debts.

Even if eventually the proposal is not accepted, members of the council expressed the view that their proposition was before the world, and that it would pave the way for such other measures as their own action had brought about.

OUT OF CONTENDING ZONE.

The Princes Islands were chosen for the eventful meeting because they are outside the zone of any of the contending factions. They are also allied headquarters, and are not open to be obnoxious to any of the factions as would be other points, having better material facilities for the meeting.

February 15 was designated as the time of the meeting, so as to give time for representatives to come from the remotest sections of Siberia and other distant localities.

Besides the decisive action taken with regard to Russia, the council to-day also provided a joint commission of two each from the United States, Great Britain, France, and Italy to proceed immediately to Danzig and Warsaw for consideration of the entire military, economic, and political situation of Poland.

A plenary meeting of the full conference was announced for next Saturday, when the plans of President Wilson and David Lloyd George, the British prime minister, dealing with a league of nations will be the first order of business.

To-day's action on Russia and Poland, however, goes into effect without presentation to the full conference, and is taken as the action of the great powers.

RESULT OF MORNING SESSION.

These announcements were made in the official statement of the morning proceedings of the council, which reads:

"The supreme interallied war council met this morning at 11 o'clock at the ministry for foreign affairs. The President of the United States of America and the prime ministers and ministers for foreign affairs of the allied and associated powers, as well as Baron Makino, and Baron Matsui, the Japanese delegates, considered the Polish question, on which they consulted Marshal Foch. They decided to send at once to Poland a mission composed of two delegates, one civil and the other military, of the United States, the British Empire, France, and Italy.

"The ministers then resumed the examination of the Russian question, and President Wilson read a proposal which will be discussed this afternoon. The meeting will take place at 3 o'clock.

AT THE MORNING COUNCIL.

When the supreme council of the peace conference met this morning there were present, in addition to all the members of the council, Marshal Foch, the allied commander in chief; Gen. Weygand, his chief of staff; and Rear Admiral Hope, deputy first sea lord of the British Admiralty Board.

W. F. Massey, the premier of New Zealand, was present with the council for a short time.

ITALY DISCUSSES CLAIMS.

The Italian delegation to the peace conference held a conference to-day with Gen. Diaz, the Italian commander in chief, who arrived in Paris to-day to discuss Italy's aspirations from a military and strategic point of view, with special attention to the possession of what the Italians call "the keys of the doors on land and sea."

To realize this object the Italian delegates, it is said, consider it indispensable that Italy possess the Brenner Pass and also the Dalmatian coast and Zara and Sebenico. Without this territory they say it is impossible for Italy to control the Adriatic, as otherwise the coast line of central Italy would be at the mercy of any nation possessing Dalmatia.

WILSON'S PROPOSAL ON SITUATION IN RUSSIA.

PARIS, *January 22.*

The full text of the official communication issued by the supreme council this afternoon reads:

"The President of the United States, the prime ministers and the foreign ministers of the allied and associated powers, and the Japanese representatives met at the Quai d'Orsay between 3 and 5.30 this afternoon and approved the proposal of President Wilson, which reads as follows:

"The single object the representatives of the associated powers have had in mind in their discussions of the course they should pursue with regard to Russia has been to help the Russian people—not to hinder them or to interfere in any manner with their right to settle their own affairs in their own way.

RUSSIAN PEOPLE FRIENDS.

"They regard the Russian people as their friends, not their enemies, and are willing to help them in any way they are willing to be helped. It is clear to them that the troubles and distrust of the Russian people will steadily increase, hunger and privation of every kind become more and more acute, more and more widespread, and more and more impossible to relieve unless order is restored and normal conditions of labor, trade, and transportation once more created, and they are seeking some way in which to assist the Russian people to establish order.

"They recognize the absolute right of the Russian people to direct their own affairs without dictation or direction of any kind from outside. They do not wish to exploit or make use of Russia in any way.

RECOGNIZE REVOLUTION.

"They recognize the revolution without reservation and will in no way and in no circumstances aid or give countenance to any attempt at a counterrevolution.

"It is not their wish or purpose to favor or assist any one of the organized groups now contending for the leadership and guidance of Russia as against the others. Their sole and sincere purpose is to do what they can to bring Russia peace and an opportunity to find her way out of her present troubles.

"The associated powers are now engaged in the solemn and responsible work of establishing the peace of Europe and of the world, and they are keenly alive to the fact that Europe and the world can not be at peace if Russia is not. They recognize and accept it as a duty to serve Russia as generously, as unselfishly, as thoughtfully, as ungrudgingly as they would serve any other friend and ally, and they are ready to render this service in the way that is most acceptable to the Russian people.

INVITE ALL FACTIONS.

In this spirit and with this purpose they have taken the following action: They invite every organized group that is now exercising or attempting to exercise political authority or military control anywhere in Siberia, or within the boundaries of European Russia as they stood before the war just concluded, except in Finland, to send representatives, not exceeding three representatives for each group, to Princes Islands, Sea of Marmora, where they will be met by representatives of the associated powers, provided in the meantime there is a truce of arms amongst the parties invited, and that all armed forces anywhere sent or directed against any people or territory inside the boundaries of European Russia as they stood before the war, or against Finland, or against any people or territory whose autonomous action is in contemplation in the 14 articles upon which the present negotiations are based, shall be meanwhile withdrawn and aggressive military actions cease.

UNDERSTANDING IS SOUGHT.

"These representatives are invited to confer with the representatives of the associated powers in the freest and frankest way, with a view to ascertain the wishes of all sections of the Russian people and bringing about, if possible, some understanding and agreement by which Russia may work out her own purposes and happy, cooperative relations be established between her people and the other peoples of the world.

"A prompt reply to this invitation is requested. Every facility for the journey of the representatives, including transportation across the Black Sea, will be given by the allies, and all the parties concerned are expected to give the same facilities. The representatives will be expected at the place appointed by the 15th of February, 1919."

Mr. KNOX obtained the floor.

Mr. CALDER. Will the Senator from Pennsylvania yield to me to submit a report from the Committee on Commerce?

Mr. KNOX. I yield for that purpose.

DELAWARE RIVER BRIDGE.

Mr. CALDER. From the Committee on Commerce I report back favorably with an amendment the bill (S. 5354) extending the time for the completion of a bridge across the Delaware River, authorized by an act approved the 24th day of August, 1912, and I submit a report (No. 659) thereon.

Mr. FRELINGHUYSEN. I ask unanimous consent for the consideration of the bill. I do not think there will be any objection to it. It simply extends the limit of time for the construction of the bridge, and unless it is passed at this session all the prior construction work will fall. It is a Pennsylvania Railroad bridge over the Delaware River.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The amendment was, on page 2, lines 2, 3, and 4, to strike out the words "an act extending the time for completion of the bridge across the Delaware River," as provided for in the above act, so as to make the bill read:

Be it enacted, etc., That the time for the completion of the bridge now in course of construction across the Delaware River, which the Pennsylvania Railroad Co. and the Pensylvania & Newark Railroad Co., or their successors, were authorized to construct, maintain, and operate by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912; and for which the time of completion thereof was extended until the 24th day of August, 1919, by an act approved the 27th day of December, 1916, be, and the same is hereby, extended for a period of three years from the 24th day of August, 1919: *Provided,* That in all other respects said bridge shall be completed and shall be maintained and operated in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill extending the time for the completion of the bridge across the Delaware River, authorized by an act entitled 'An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River,' approved the 24th day of August, 1912."

FOOD SUPPLIES FOR EUROPE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

Mr. KNOX. Mr. President, I wish to say only a word in relation to the pending bill. I confess in all my legislative experience I have never been quite so perplexed or found it quite so difficult to make up my mind as to what my duty in the circumstances was. The manner in which this proposition has been presented to Congress has been so inadequate, so vague, and so difficult of clarification that it is hard to feel willing to support it. Still greater, however, would be my unwillingness to fail to vote for a measure, especially a measure for joint action by the allied Governments, agreed upon by the inter-allied council, that, properly clarified and properly carried out, should subserve their common aims in the war. I have, therefore, concluded to cast my vote in favor of the appropriation asked.

My difficulty in reaching this conclusion has been greatly increased by a very grave anxiety as to the possibility of poverty, suffering, and unemployment in our own country, which it is our first duty to prevent, and also by the stupendous taxation it is proposed to impose upon accumulations already depleted and receding under the burden of previous tax levies.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Moses	Smith, S. C.
Bankhead	Hollis	Myers	Smoot
Borah	Johnson, Cal.	Nelson	Spencer
Brandegee	Johnson, S. Dak.	Nugent	Sterling
Calder	Jones, Wash.	Penrose	Swanson
Chamberlain	Kellogg	Pittman	Thompson
Colt	Kenyon	Poindexter	Townsend
Culberson	Kirby	Pollock	Trammell
Curtis	Knox	Saulsbury	Wadsworth
France	La Follette	Shafroth	Walsh
Frelinghuysen	Lodge	Sheppard	Warren
Gay	McKellar	Sherman	Watson
Hale	McNary	Smith, Ariz.	Weeks
Harding	Martin, Ky.	Smith, Ga.	Williams
Henderson	Martin, Va.	Smith, Mich.	Wolcott

Mr. CURTIS. I am requested to announce the absence of the Senator from Oklahoma [Mr. GORE], the Senator from Nebraska [Mr. NORRIS], the Senator from Vermont [Mr. PAGE], and the Senator from North Dakota [Mr. GRONNA] on official business.

Mr. JONES of Washington. I desire to announce that the Senator from Louisiana [Mr. RANSDELL], the Senator from Florida [Mr. FLETCHER], and the Senator from Wisconsin [Mr. LENROOT] are absent on business of the Senate.

Mr. FRANCE. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK] and of the Senator from Kentucky [Mr. BECKHAM] on official business.

The PRESIDING OFFICER. Sixty Senators have answered to their names. A quorum of the Senate is present.

Mr. COLT. Mr. President, I desire in a very few words to give my reasons for supporting the pending bill.

The bill has a double aspect. It may be viewed as strictly a relief measure or it may be viewed as a war measure. I am of the opinion that fundamentally it is a war measure, and I will give my reasons why I have reached this conclusion.

The reconstruction of the map of Europe is necessarily involved in reaching the terms of peace. That arises from the fact that the German Empire, the Austro-Hungarian Empire, and Russia have been broken into fragments. Now, it is the purpose to reconstruct the map of Europe on the basis of nationalism; in other words, that the liberated nations which have been freed by the war shall be recognized as independent States and become members of the family of nations. This is the only plan upon which the reconstruction of Europe can be based and the future peace of the world secured.

Now, we find that in these freed nationalities anarchy exists in a large degree; that Bolshevism in an insidious form has spread into these territories; and, further, we find that this is due to a large extent to the deprivation of food to a condition bordering on starvation. We know also that peace can never be attained until these liberated nationalities are enabled to establish a stable form of government. In other words, we can not proceed further in settling the terms of peace in the present chaotic condition of Europe. There must arise out of this chaotic condition orderly and stable governments founded upon the principle of nationality before we can settle upon the terms of peace.

Now, what is the great obstacle which stands in the way of these States attaining a position of stable government? It is the food question. The only road to orderly government, according to the consensus of opinion of the world, is through the granting of food relief to these freed nationalities. If this be true, then it is only a temporary obstacle which confronts the peace conference to-day, and this obstacle—although it is an important one—can be removed by granting the relief called for by this bill.

It is declared by the President of the United States and by the supreme war council at Paris that food relief is the key to the whole peace problem. Shall we ignore that opinion? If food relief is the key to the peace problem, how can any Senator say that this is not strictly a war measure?

Mr. President, we are not alone with regard to this relief. It is not a proposition coming from us. Oh, no; it comes from our allies. If France, with the economic burdens of four years of war upon her shoulders, if Italy and Great Britain, laboring under similar conditions, are willing to furnish $200,000,000 under these circumstances, will the United States of America refuse to join her allies in this most important step?

Have we reached a time, Mr. President, when we wish to break with our allies, and is this the entering wedge? Oh, I beg Senators to rise to the fact that this is a world war; that we are taking part in a new world order to save civilization and to secure a just and lasting peace. The United States of America has played a most important part in this great drama. Shall we not, Mr. President, see this great enterprise through to the end? Are we going to falter in taking this necessary step in the interest of peace? Are we going to refuse to join our allies in this movement, which they consider as absolutely necessary in order to obtain peace? Are not, Mr. President, the honor of America, our good faith, our position before the world and in the family of nations at stake in this pending bill? I firmly believe that they are.

Oh, when I think of the part that America has played in this, the greatest crisis in the world's history, when I think of her leadership, when I think of the position she occupies to-day, when I realize that she has risen to the highest rank of any nation in the civilized world, I say do not stop now, do not move backward, do not descend from our high plane of nationalism, internationalism, civilization, and liberty.

Mr. President, one word more. It has been asserted that there are constitutional objections to this measure. I do not share in this view. Congress has power to declare war. Congress has power to pass any legislation that is necessary to bring that war to a successful close. Congress has power to pass any legislation which will secure peace; and this legislation plainly and unmistakably is designed to secure peace. In fact, Mr. President, I believe it to be true that unless this relief is granted and similar relief is extended by the allies, it will be impossible to settle the momentous peace problems in the present chaotic condition of the great empires which this war has overthrown.

Mr. MYERS. Mr. President, I want to say just a few words to add my protest to those made this morning by the Senator from Illinois [Mr. SHERMAN] and the Senator from Utah [Mr. KING] against any sort or degree of recognition by the prevailing nations of the world of the Soviet government of Russia, or the Bolsheviki of Russia, which are one and the same.

I am greatly surprised and keenly disappointed that the powers in conference at Paris would consider entering into any negotiations with those people, or recognizing them in any way whatever, or consenting to meet with them on a common plane, even for discussion. I regret beyond expression that they have so consented. The Bolsheviki of Russia, who constitute the Soviet government of Russia, are murderers, thieves, robbers, highwaymen, assassins, rapists, criminals of the worst type. They openly indorse and daily practice every known form of criminality, and I believe they have invented some forms of criminality hitherto unknown. They are the worst criminals the world has ever known. I believe they are even worse than the Germans. They have abolished God. They have declared there is no God. They have declared war on all churches and religions. They have abolished marriage. They have decreed free love. They have decreed that hereafter all women of Russia shall be kept in common, for the common and promiscuous sexual use of all men of Russia, and that all children are to be

raised by the State, just like a lot of cattle or pigs are raised by their owner. No child in the future is to know who is its father. All children are to be the wards of the State, to be raised and cared for by the State, and educated in the principles of the Russian Bolsheviki. The home, the fireside, marriage ties, are abolished.

Such doctrines to me are absolutely shocking, repulsive, horrible, and repugnant to my sense of justice, right, and morality; repulsive to every instinct of decency; and I do not believe in extending any recognition whatever to such people. I do not believe they are worthy of it. I do not want any association with such people. I do not think they are entitled to any recognition or consideration; and I am greatly surprised and inexpressibly disappointed that the powers in conference at Paris have consented to deal with them or to recognize them, even in a preliminary way. That act will bring joy to the heart of every I. W. W., every anarchist, every pro-German, every enemy of organized society in the United States. It will cause them to take fresh hope and courage. It will greatly embolden them, and cause them to renew and pursue with increased ardor and determination their efforts, their meetings, their conspiracies, their organization, their plots to overthrow this Government and to overthrow all organized society. They will take new life, hope, and energy. I shall be very sorry if the representatives of the Soviet government of Russia are to be admitted to the peace conference in France or to be considered in any way whatever. In my opinion it would be a blow to orderly government, law and order, civilization, society.

I believe the theory of recognizing such people is radically wrong and inherently improper, and for one I take my stand and set my face against it. Crime should be punished, not recognized or rewarded. Eternal justice demands the punishment of crime. The immutable laws of God demand it; and this world can not be a fit place in which to live unless there is to be some punishment for crime. Criminals should be punished, not taken in arms.

The people of Russia are entitled to no consideration by the prevailing powers of the world. The people of Russia played the part of Benedict Arnold in the European war. At the supreme crisis, when their allies were in dire distress and facing the greatest emergency in the cause for which they were fighting, the people of Russia turned traitor and played the part of Benedict Arnold and deserted their allies, who were fighting for Russia as well as for themselves, and they are entitled to no consideration whatever from the prevailing powers. In my opinion they should be ignored, and especially and all the more so since they have turned to an absolutely criminal form of government, a government which puts a premium on crime, puts crime above honesty, puts infamy above decency, puts anarchy above civilization, and would tear down everything for which the civilization of the world now stands.

I shall be greatly disappointed if the representatives of that sort of people are permitted to enter into any negotiations in regard to the treaty of peace about to be framed or to be heard in any way whatever at the peace conference. If so, I think it will be radically wrong and violative of every principle for which the United States and the entente allies fought and won this war. For one I am against it and can not look upon it with complacency.

Mr. WEEKS. Mr. President, I offer the amendment which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to strike out, after the word "statement," in line 8, page 2, the words "for which expended" and to insert the words "of such receipts and expenditures made."

Mr. WEEKS. Mr. President, that does not change an amendment which I offered in the Committee on Appropriations and which was accepted by the committee, but it does clarify the language, and I think it should be adopted.

The PRESIDING OFFICER. The Chair will say to the Senator from Massachusetts that the proposed amendment is to an amendment already adopted. The Chair supposes it will be necessary to reconsider the vote by which that amendment was adopted.

Mr. MARTIN of Virginia. Mr. President, I move its reconsideration.

The PRESIDING OFFICER. Without objection, the reconsideration is agreed to.

Mr. WEEKS. I now offer the amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. In the committee amendment already agreed to it is proposed to strike out the words "for which expended" and in lieu thereof to insert the words "of such receipts and expenditures made," so that, if amended, it will read:

Provided further, That a report of the receipts, expenditures, and an itemized statement of such receipts and expenditures made under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

Mr. MARTIN of Virginia. Mr. President, that is simply to make clear an amendment heretofore adopted; and I ask that it may be agreed to.

The PRESIDING OFFICER. The question is on the adoption of the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. STERLING. Mr. President, just a few words in explanation of my vote in favor of this bill.

The debate has taken a very wide range, and many subjects not exactly germane to the proposition involved have been discussed. I sympathize to a very large extent with much of the criticism, either express or implied, that has been made during the course of this discussion—criticism of governmental or, perhaps, to be more accurate, administration policies; criticism of the policies of various departments and bureaus of the Government. But, Mr. President, we have before us here a distinct proposition as to whether we shall appropriate $100,000,000 for the purpose of giving relief to the starving and destitute in Europe; not to all of the starving and destitute in Europe, but to those who may be reckoned among our friends; largely to those of proposed new nationalities, as the Czecho-Slovaks and as the people of Poland are supposed to be.

Mr. President, I think we ought to look at the proposition from two aspects: First, the appeal itself, or the form of the appeal, or from whom the appeal comes; and, secondly, the cause for which the appeal is made. On that point I refer to the RECORD and to two or three statements found in the RECORD.

From one of the cablegrams, printed in the RECORD of January 18, I read these words:

Bolshevism is steadily advancing westward, has overwhelmed Poland, and is poisoning Germany. It can not be stopped by force, but it can be stopped by food, and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance. The money will not be spent for food for Germany itself, because Germany can buy its food, but it will be spent for financing the movement of food to our real friends in Poland and to the people of the liberated units of the Austro-Hungarian Empire and to our associates in the Balkans. I beg that you will present this matter with all possible urgency and force to the Congress.

These are the words of the President of the United States. Whether we wish it or not, he is our representative now in France for the purposes of the peace conference.

Further, and at another place in the cablegram:

The situation is one of extreme urgency, for foodstuffs must be placed in certain localities within the next 15 or 30 days if human life and order are to be preserved. I therefore request that you should ask Congress to make available to me an immediate appropriation of $100,000,000 for the broad purpose of providing foodstuffs and other urgent supplies.

This also is the language of the President.

Then, from another cablegram I read:

The British are already furnishing from Army stocks food and clothing relief to Serbia and Syria; the Italians to south Austria.

I suppose it is in that portion of Austria where those of Italian nationality are to be found; and they, therefore, are our friends as well as the friends of Italy and the other allies.

The British and French are advancing the money for transport Belgian relief. Allies are willing and anxious to do all they can, and have and will contribute to the full extent of their resources, but must be borne in mind that most of the food must be purchased in the United States, and American money would be used for such purchase and transportation.

This is from a cablegram sent by the American mission.

So, Mr. President, there is the record, or a part of it. Supplementary to this record are the statements made by the chairman of the committee having the bill in charge to the effect that the record as made is the result of conferences and understandings between the representatives of our Government, of which Mr. Hoover is the head, and the representatives of other Governments appointed for the purpose of considering the question of food supply and distribution and affording relief to the hungry and starving outside of Germany.

That being the record, Mr. President, how can I vote against this measure? View as we please the position in which it might place the President of the United States, who makes this urgent appeal, if we should deny it, or the position in which it would place the American mission to the peace conference, or the embarrassment it may cause Mr. Hoover or the representatives associated with him upon the commission to furnish this food supply, the question is whether it does not go further than that

and reflect upon the American Nation to refuse or deny this appeal.

I am not so much concerned, Mr. President, whether the $100,000,000 to be appropriated is to be a revolving fund or whether it is to be given as charity. I believe it will be administered where it is needed, and administered in such a way as to help our friends in Poland, in Bohemia, in Austria-Hungary, or elsewhere outside the German Empire or what once was the German Empire.

I think, Mr. President, that the appropriation will be in the interest of peace. The war is not yet over. Peace terms have not been signed. Complications, and desperate complications, may arise out of conditions such as have been described in the matter of food supplies or the want of them. So whether it be a matter of charity or whether it be a matter of policy and expediency I think the appropriation can be supported on either ground and that it will be in the interest of permanent peace.

It is for these reasons, Mr. President, that I shall support the bill.

The PRESIDING OFFICER. The bill is still in Committee of the Whole and open to amendment. If there be no further amendment as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

Mr. BORAH. I ask that the vote may be taken by yeas and nays on the passage of the bill.

Mr. FRELINGHUYSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	New	Smith, Mich.
Bankhead	Johnson, Cal.	Nugent	Smoot
Borah	Johnson, S. Dak.	Overman	Spencer
Brandegee	Jones, Wash.	Penrose	Sterling
Chamberlain	Kenyon	Pittman	Swanson
Colt	Kirby	Poindexter	Thompson
Culberson	La Follette	Pollock	Trammell
Cummins	Lenroot	Pomerene	Wadsworth
Curtis	McKellar	Ransdell	Walsh
Fletcher	McNary	Saulsbury	Warren
Frelinghuysen	Martin, Va.	Shafroth	Watson
Gerry	Moses	Sheppard	Williams
Harding	Myers	Sherman	Wolcott
Hitchcock	Nelson	Smith, Ariz.	

Mr. SAULSBURY. The senior Senator from Maryland [Mr. SMITH] is still necessarily detained from the Senate. He is not yet well enough to attend the sessions.

The PRESIDING OFFICER. Fifty-five Senators having answered to their names, a quorum of the Senate is present.

Mr. POINDEXTER. Mr. President, before a vote is had upon the bill, I want to put in the RECORD a telegram or two as indicating the sources from which comes at least a part of the support that is putting this measure through the Senate. I think the American people, who are the chief parties in interest, are entitled to be much better advised than they are at present of the purposes of this appropriation in the minds of those who are among its most active champions and advocates.

There has been something said already in the discussion of the bill as to the views of Mr. Hoover with reference to the effect of the bill in stabilizing the market of the world in food products. The food products are held in large surplus quantities by certain food dealers in this country and in Europe. The war demands have to a large extent come to an end and they are confronted by a fall of prices, and consequently of the value, of the enormous stores of food which have been accumulated with a view of the demands of war.

I make this assertion, and propose to substantiate it by what seems to me to be sufficient evidence, that the most energetic and virile influence that is promoting the passage of this bill is a desire upon the part of those interested in building the market in food supplies in order that they may not lose the profits which they had expected to make out of the war. I am going to substantiate it by some witnesses who are parties in the case and whose testimony under every rule of law must be accepted as the truth. When a witness testifies against his own interest his testimony is accepted by the court without a question.

Here is a telegram signed John B. Gordon, a great name. I have met Mr. Gordon and I asked him if he was a relative of the great warrior and orator and statesman, John B. Gordon, of Georgia. He told me that he was a grandson of John B. Gordon, who was a cousin of Gen. John B. Gordon.

Mr. John B. Gordon, who writes this telegram, is an employee or official of the Shell Oil Co. He tells me that the Shell Oil Co. is interested in the price of pork products because the price of pork products is the fundamental factor in the market which regulates the price of oil. The Senator from New Hampshire [Mr. MOSES] says to me that the Shell Oil Co. is a foreign corporation. I am very glad that he interpolated that remark as indicating to what an extent foreign corporations which have large business interests in the United States are concerned in the passage of this bill.

The telegram is dated New York, January 22, 1919:

Note New York newspapers' Associated Press reports several Senators opposing bill appropriating $100,000,000 for European famine relief. Regret to note these Senators, while undoubtedly actuated by best motives, are in each instance advocating a course of procedure which will work great specific injury to certain classes of their constituents and great general injury to the country at large.

This telegram is transcribed in that miserable style in which the word "stop" or "period" is interpolated throughout, as though one did not know how to punctuate a telegram. It disturbs, somewhat, its continuity.

United States Senator GORE would cause great financial loss to the patriotic hog raiser of Oklahoma, who under stimulus of urgings of Food Administration and United States Department of Agriculture raised a large surplus of hogs, which surplus will have to be marketed at a loss if the $100,000,000 food relief bill does not go through. Senator HARDWICK, of Georgia, would work great injury upon the farmers of Georgia, who have produced large acreages of peanuts, and upon crude cotton seed and peanut mills of Georgia, who have purchased cottonseed and peanuts from the farmers of Georgia upon basis of stabilized prices, because there exists a surplus of vegetable oils in the United States which must be removed by European demand. America is overstocked and can not absorb the abnormal surplus which accumulated in response to the appeals of the allies. United States Senator JOHNSON, of California, would bring upon his constituents engaged in the importation and crushing of copra and other oil seeds and the importation of coconut oil great financial loss, because these vegetable oils must compete with cottonseed oil, and if the $100,000,000 food relief bill does not pass the stabilized price of 17½ cents per pound for crude cottonseed oil can not be sustained, because the surplus of cottonseed oil is too great for the American consuming trade to absorb. If cotton seed becomes cheap, then all other vegetable oils must, perforce, become cheap. The honorable Senators from Pennsylvania and Ohio, PENROSE and HARDING—

Evidently he is mistaken about the name of the Senator—

who advocate the cause of the American laboring man would work him grave injury, because, as Senator HARDWICK himself has said, high wages can not be paid the American laboring man if food and general commodity prices are suddenly lowered. There exists in the United States at the present time a great surplus of food products built up by the farmers and producers and purchased in part from those producers by holders who paid prices based upon the established valuation placed upon various food commodities by the United States Food Administration, and so interwoven and interlocked are the interests of every farmer and food producer and manufacturer and importer of foods that if injury befalls one that it will affect each and every other member of the great food industry. For instance, if low prices for hogs prevail, then low prices for corn must prevail, and if low prices for corn prevail it follows that wheat must be cheaper, and so on. If the honorable Senators who oppose this bill would seek by true remedial efforts to improve the condition of the American laboring man and remove from American markets the menacing surplus of food products which exists they would immediately agitate a very low rate of freight to Europe in order that American merchants may sell the surplus to Europe and South America in competition with England, which is now combing the world for food supplies. The United States Railroad Administration reveals by its latest report that traffic over American railroads is lessening alarmingly month by month. This shows that unless America is relieved of its surplus of all commodities that the wheels of industry will become gradually stilled and that American industry, the American farmer, and the American food producers, and indirectly the American laborer, in place of receiving great prosperity from after-war trade, as anticipated, will instead receive only misery because of the superabundance of all supplies now in American markets. High prices must prevail until the accumulated surpluses are disposed of at the prices which have prevailed. In the food industry at the present time demoralization prevails. The retailers will not buy because they anticipate lower prices. Producers are therefore overstocked with high-priced goods which they can not sell at lower prices without great financial loss. If the views of the writer as set forth are not clearly enough defined, or if you desire further information, will be glad to come to Washington and again discuss food matters with you in its general phases, for, as previously assured you, we do not look at the situation from a selfish angle, even though our industry will be ruined if present stabilized prices do not prevail, but view the matter broadly, realizing the great significance of pending measures to the future prosperity of our country.

JOHN B. GORDON.

I have no criticism to make of the writer of the telegram, nor of the interests he represents.

I have no doubt, Mr. President, that he speaks the sentiment and represents the concerted action of other great interests which are concerned in food products which are to be purchased by this great revolving fund to be taken out of the Treasury and that he is acting in entire good faith and, from his standpoint, for a perfectly legitimate purpose. I have no doubt he believes, as he says, that he is actuated by no selfish motives, notwithstanding the fact that he says if this bill does not pass and the prices go down his industry will be ruined. I have no doubt at all that the writer of this telegram, like many other men who have been absorbed in commercial enterprises, who have had no opportunity to give attention or study to the relations of the Government to the people, the functions and purposes for which the Government is established, believes it is a perfectly legitimate function of Congress to appropriate money out of the Treasury of the United States in order to keep these

firms and the other interests he mentions from losing upon their investment. That is the proposition which he makes openly. There is no secrecy about it. He undoubtedly thinks he is advancing a patriotic purpose.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Idaho?

Mr. POINDEXTER. I yield.

Mr. BORAH. May I ask the Senator, because I did not observe when he first referred to the telegram, from whom the telegram comes, and who is the sender, and what is his business relationship?

Mr. POINDEXTER. John B. Gordon is his name. He is an official of the Shell Oil Co., one of the greatest oil companies in the world, having very large interests in the Orient and in the United States, and a greater concern, I understand, than the Standard Oil Co.

Mr. BORAH. Did the Senator state to whom the telegram is addressed?

Mr. POINDEXTER. It is addressed to me.

It would be very unfortunate if, through a failure to pass this bill, as the writer says, the price of peanuts in Georgia should be lowered for the lack merely of a $100,000,000 appropriation. He says, and evidently he believes, that it is entirely within the functions of Congress to appropriate $100,000,000 out of the Treasury, to use the writer's language, "in order to prevent great financial loss to the patriotic hog raisers of Oklahoma."

Mr. President, to show that this is not just an isolated telegram or a mere incidental act upon the part of an individual, I will read another telegram from the opposite end of the country. I have not the slightest doubt that telegrams of that kind are being sent by various firms through a concerted movement of the kind with which Senators are perfectly familiar.

This is a telegram from Seattle, Wash., which I received this morning. It is signed by the North Pacific Millers' Association, Mr. W. C. Tiffany, secretary. This is a very high-class and entirely reputable organization engaged in one of the great standard industries of the country. But they apparently have, from my standpoint, rather unsound views as to the powers and functions of Congress and the grounds upon which money can be taken out of the Treasury and used to maintain the general level of prices. They say:

Referring to bill making appropriation for food supply now under discussion, we beg to call your attention to the fact that it is very essential that this bill be passed, from the standpoint of the Pacific Northwest. There are about 8,000,000 bushels of wheat in Government reserve storage warehouses on Puget Sound and Columbia River, and a considerably larger quantity in the hands of dealers and farmers which must be moved either as wheat or flour, preferably the latter, so as to make room for anticipated new crop. Farmers, grain dealers, millers all interested in having this appropriation passed promptly. May we not have your cooperation?

NORTH PACIFIC MILLERS' ASSOCIATION,
By W. C. TIFFANY, *Secretary.*

The millers' association says that the farmers, grain dealers, and millers are all interested. I think probably it is millers in which the writer is more especially interested.

My purpose in reading that telegram, Mr. President, is not to cast any reflection upon the millers' association. My own views as to the functions of the Senate are that we have not any authority to appropriate money to maintain the price of flour, even though it may be a desirable object in itself. Whether it is desirable or not desirable, I do not express an opinion at this time. My purpose in reading this telegram is that, whatever its merits may be, the public, or those of them who can be reached by action or information in the Senate or in the CONGRESSIONAL RECORD, may have an opportunity of knowing some of the reasons for which $100,000,000 of extraordinary taxes are to be levied upon them.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Will the Senator yield?

Mr. POINDEXTER. I yield.

Mr. BORAH. Will it interrupt the Senator if I should read another statement in connection with his statement or his telegrams on that subject?

Mr. POINDEXTER. Not at all. I shall be very glad to have the Senator read it.

Mr. BORAH. Mr. President, I read the statement, as follows:

We also at this time, because of the stimulation of the production of hogs throughout the hog-producing sections of the country, have accumulated in the hands of the packers, by reason of the run on hogs at this particular time of the year, a large surplus that we must work off as we can to Europe, and one of the purposes of Mr. Hoover has been, if possible, to provide a safe and regular drain of such edibles as fats, oils, and cereals that we have a surplus of to Europe.

That is the statement of Mr. Glasgow, who represents Mr. Hoover himself during his absence in Europe.

Mr. POINDEXTER. Mr. President, I am very glad that the Senator from Idaho has read that statement. I read into the RECORD the other day an extract from a telegram from Mr. Hoover, in which he stated that one of the prime objects of the appropriation was to relieve the congestion in the accumulation of food supplies. The Senator from Virginia shakes his head, but I refer to the RECORD.

Mr. MARTIN of Virginia. I shook my head, Mr. President, because I read every telegram that came from Mr. Hoover, or I thought I did, and I have never seen such a statement in any of those telegrams.

Mr. POINDEXTER. If I could lay my hand on the CONGRESSIONAL RECORD of the date on which the Senator from Virginia introduced telegrams from Mr. Hoover, I would read it again. I once read it in the Senate.

I have here also some telegrams of a different character, as to the need of funds for a purpose very different from that of maintaining the market in peanuts and hogs or of bulling the price of flour, or wheat, or of meat products. I will read them—they are brief—because there was some controversy here the other day as to whether or not the Government had neglected its soldiers who were being demobilized. It is very far from my purpose to indulge in any superheated representations upon that subject, which I know is one which appeals to the sympathies of the people, but it is an undoubted fact that we have been negligent in the matter of providing means for the returning to their homes and the clothing and feeding of soldiers as they are being demobilized. I present a telegram from Seattle, Wash., dated January 24, as follows:

Hon. MILES POINDEXTER,
United States Senate, Washington, D. C.

What is prospect of early action by Congress to provide adequate funds for men released from military service? Referring to previous appeals on subject, Seattle Chamber of Commerce and Commercial Club is anxious to see legislation which will insure men coming out of Army and Navy sufficient resources to reestablish themselves. Situation now serious and should be remedied without delay.

A. H. RHODES,
President Seattle Chamber of Commerce and Commercial Club.

I present another telegram, dated Seattle, Wash., January 22, which is addressed to my colleague [Mr. JONES], Representatives JOHN F. MILLER, ALBERT JOHNSON, L. H. HADLEY, and myself, as follows:

SEATTLE, WASH., *January 23, 1919.*

MILES C. POINDEXTER,
United States Senate, Washington, D. C.:

To MILES C. POINDEXTER and WESLEY L. JONES, Senators, and JOHN F. MILLER, ALBERT JOHNSON, and L. H. HADLEY, Representatives: Company A, One hundred and sixty-first Infantry auxiliary protest against the inexcusable delay in payment of soldiers and discharged men and allotments. Many instances among our own men of four to eight months' delay works great hardship; influence very bad; some prompt action must be taken; reds making use of Government's neglect.

FRANK STEELE,
R. W. DODGE.
LOUIS H. LEGG.

I present another telegram on the same subject:

SEATTLE, WASH., *January 20, 1919.*

Senator MILES POINDEXTER,
Washington, D. C.:

Delay in granting bonuses to discharged soldiers and sailors is becoming unbearable and unexplainable to all citizens with adequate sense of shame, decency, and square dealing. Civic and patriotic organizations of Seattle, representation of 20,000 citizens, urge you to every effort for immediate results. If you can not force action on pending legislation with this in view, amend any appropriation bill under consideration so as to pay every man a bonus of not less than $300 when he is discharged. No excuse for delay, every reason for quick action. Our own men's dependents more deserving than foreigners for whom $100,000,000 is asked.

THOMAS P. REVELLE,
ROBERT L. PROCTOR.
GUSS CASEKY.

Mr. President, as to whether or not our great allies in Europe have welcomed the activities of the American Food Administrator in the matter of the distribution of these funds and of the food to be purchased with them, on which great store has been placed by advocates of the bill, I call attention to a dispatch published in a reliable newspaper in New York—the New York Globe—dated at Paris, December 21, 1918:

A month and a half has elapsed since the armistice was signed, and nothing has been accomplished toward revictualing the populations of Poland, Austria, and Germany.

The difficulty in this matter has been an important detail of organization of an almost personal character. There has been a tendency to sidetrack the old international war committees, which during three years have efficiently assisted in the revictualment of the allied nations in different products.

They are composed (meaning these committees) of men of different nationalities who have worked together and acquired a knowledge of the situation and the resources of Europe.

Their cooperation would be invaluable not only in working out a system for food supply to central and eastern Europe but generally in the negotiations on the settlement of peace problems.

France, Great Britain, and Italy have found these commissions excellent means for negotiations.

The idea of the American authorities has been to abolish these commissions, thus obliterating an important means of understanding between the United States and her allies.

These commissions have prepared a plan for revictualing Poland, Austria, and Germany. This plan was thrust aside by the American food controller.

These propositions (meaning the ones just preceding this) were refused on the ground that such interference was unnecessary, and that the surplus food supplies of the world being American, America should have the whole credit and the single management.

The allies answered that this surplus food of the world was not wholly in the United States; that large supplies of wheat in Australia, South America, and the Ukraine, as well as other supplies elsewhere, were now available. In other words, the allies desired to retain the interallied war organization as a medium of better understanding.

Senators have read numerous dispatches indicating the controversy that occurred in Europe after Mr. Hoover's arrival there as to whether he should be given undivided control of the distribution of food in Europe, and, instead of this proposition tending toward harmony and unity of action among our great allies and ourselves, it is said to have been the cause of disagreement, of estrangement, and, unfortunately, of more or less ill feeling.

The statements of reputable and prominent newspaper correspondents have been published in leading papers of this country to the effect that the Governments of Great Britain, France, and Italy were of the opinion that the insistence of Mr. Hoover in supplanting the food commissions of those countries, which, as stated in the dispatch from which I have just read, had demonstrated their efficiency by the service which they had rendered, was a commercial purpose; that, from their standpoint, his motive was, by expending this money and distributing this food through a United States food controller in the various countries of Europe, to give to the United States the benefit of the good will, the acquaintance, and the trade which would be acquired by the transaction. They looked upon it as an attempt to commercialize a great transaction which was carried forward under the holy name of charity.

Those are some of the circumstances, Mr. President, which surround this insistent demand for an unusual appropriation, and I thought that the American people were entitled to have the information.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). The question is on concurring in the amendments made as in Committee of the Whole.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from Virginia if he would not think it wise to add, after the name "United States," in lines 3 and 4, the following. I will read the sentence, beginning at line 3, where the language is:

That for the participation of the Government of the United States—

Then add:

in agreement with those governments with which the United States is associated in war.

The reason I ask the Senator in charge of the bill that question is because many Senators believe that there is an agreement between the allies and ourselves with reference to this fund. If there is an agreement, I am very glad; if there is no agreement, I think that there ought to be one. Therefore, after the words "United States," in line 4 of the bill, I think it should read:

For the participation by the Government of the United States in agreement with those governments with which the United States is associated in war.

That, I think, would emphasize the construction placed upon the program by the Senator from Nebraska [Mr. HITCHCOCK], the Senator from Minnesota [Mr. KELLOGG], the Senator from Pennsylvania [Mr. KNOX], and others. Why should not that language be added?

The PRESIDING OFFICER. If the Senator from Michigan will suspend for a moment, the Chair will state that the question is on concurring in the amendments made as in Committee of the Whole. The Senator's amendment would not now be in order, but it would be in order as soon as the amendments which have been made as in Committee of the Whole are concurred in.

Mr. SMITH of Michigan. I think the predecessor of the present Presiding Officer held that the bill is in the Senate.

The PRESIDING OFFICER. The bill is in the Senate, but the first question is on concurring in the amendments made as in Committee of the Whole.

Mr. SMITH of Michigan. Very well.

The PRESIDING OFFICER. Then the amendment of the Senator from Michigan will be in order.

Mr. SMITH of Michigan. It can take that course.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. JONES of Washington. I hope those amendments will be submitted separately.

The PRESIDING OFFICER. The Chair is in doubt as to the question of submitting the amendments separately unless previous notice has been given as to their reservation for a separate vote in the Senate.

Mr. JONES of Washington. I shall not insist on it, except that I want the matter put to the Senate without it being stated that "without objection, the amendments are concurred in." I want the question submitted to the Senate.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole. [Putting the question. After a pause.] The Chair is in doubt.

Mr. POINDEXTER. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	Myers	Smoot
Bankhead	Jones, Wash.	Nelson	Spencer
Beckham	Kenyon	New	Sterling
Calder	King	Nugent	Swanson
Colt	Kirby	Overman	Thompson
Culberson	La Follette	Penrose	Trammell
Curtis	Lenroot	Poindexter	Underwood
Fletcher	Lewis	Pomerene	Wadsworth
Frelinghuysen	Lodge	Ransdell	Walsh
Gay	McKellar	Saulsbury	Warren
Hale	McLean	Shafroth	Watson
Harding	McNary	Sheppard	Weeks
Henderson	Martin, Ky.	Simmons	Wolcott
Hollis	Martin, Va.	Smith, Ariz.	
Johnson, Cal.	Moses	Smith, Mich.	

Mr. CURTIS. I desire to announce the absence of the Senator from Nebraska [Mr. NORRIS] and the Senator from North Dakota [Mr. GRONNA] on business of the Senate.

Mr. FRELINGHUYSEN. I desire to announce the unavoidable absence of my colleague [Mr. BAIRD] on account of illness.

Mr. LEWIS. I wish to announce that the senior Senator from Maryland [Mr. SMITH] is detained by illness.

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. A quorum is present.

Mr. SMITH of Michigan. Mr. President, I understand the question now before the Senate is on concurring in the amendments made to the bill as in Committee of the Whole.

The PRESIDING OFFICER. The Senator is correct.

Mr. SMITH of Michigan. Upon that a vive voice vote was taken, whereupon a quorum was called. The Senator from Washington [Mr. JONES] asked to have a separate vote on each amendment. I am not clear in my own mind as to just what the amendments are. In some of those amendments I think there are limitations and extensions of the provisions of this bill. For instance, I think there is an amendment that precludes our devoting any of this charity, if it is a charity, to any of the people of the central powers or their allies. I think I am right about that, and that such an amendment has been adopted.

I do not think it will be a very popular thing to say, but I am going to say that if we are going to treat this as a charitable, generous, and kindly proceeding, I think these limitations reflect a very narrow and revengeful spirit. If I had my way about it, I would strike out the words "outside of Germany." I do not understand how our Government can go out to relieve starvation and distress and in the appropriation bill fix such words of limitation.

One of the most humane things done by the French after the armistice was to take food to the starving children of Austria-Hungary. I think, if my memory serves me right, that 1,000 carloads of food were sent to these misguided people.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Washington?

Mr. SMITH of Michigan. Certainly.

Mr. POINDEXTER. My recollection is that that was done under the administration of Mr. Hoover, and not under that of the French.

Mr. SMITH of Michigan. No; I think not——

Mr. POINDEXTER. Just one word. If the Senator refers to the carloads which were shipped from Switzerland into Austria-Hungary, the information which was printed in regard to that stated that it was done under the direction of Mr. Hoover by arrangement with the Swiss Government.

Mr. SMITH of Michigan. I do not care who did it; it was done under the guardianship of French soldiers and under the French flag; and it was most generous and distinctly creditable. Lincoln would have done it; Grant was equally generous with his vanquished foe at Appomatox.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Massachusetts?

Mr. SMITH of Michigan. Certainly.

Mr. LODGE. I have been engaged in a conference on the revenue bill and have just recently come into the Chamber. The amendment referred to by the Senator from Michigan, I will say, was put on at my suggestion. I think it is a sound amendment. I think our first duty is to help the starving people who were reduced to starvation by the people I exclude by my amendment. I think there is a broad distinction between starving friends and starving enemies in a case like this.

I think we should take care of distress in our own country before we begin to feed Germans and Turks. I carefully left in the Armenians, the Syrians, and the Greeks—I enumerated them—and all the Jewish and Christian populations under Turkish sovereignty. All I excluded there were the Turks. I further excluded Germany, Austria-Hungary, and Bulgaria, because I do not think the time has yet come to feed them. I want, first, to feed the people whom they brought to starvation, and when that is done, if there is money left, we can feed the others.

I wanted also, I may say to Senators, to save and help this bill and not carry it beyond the point at which Senators can vote for it.

Mr. SMITH of Michigan. I am not criticizing the Senator from Massachusetts. I find myself in accord with him most of the time. What I dislike about it is to read into a statute an affirmative limitation of that character when it is not necessary.

Mr. LODGE. There was already a limitation in the bill.

Mr. SMITH of Michigan. Yes; therefore the amendment of the Senator was appropriate, and I would strike out the House provision.

Mr. LODGE. Does the Senator mean that he would feed the Germans, too?

Mr. SMITH of Michigan. Not necessarily; but I would leave that to the President in his discretion. Can we not trust him? The bill reads:

and countries contiguous thereto, outside of Germany, as may be determined upon by the President from time to time.

I would leave it to the President to determine from time to time. In other words, I dislike very much to chisel into the statute a limitation which in future years may come back to plague us. Our first consideration should be for our own people whose Government we represent; then if there are starving children anywhere and we can feed them it will be to our everlasting credit to do so.

Mr. BORAH. Mr. President, may I suggest to the Senator that any limitation which we put on the statute will not disturb Mr. Hoover one particle.

Mr. SMITH of Michigan. I am not thinking about Mr. Hoover. He seems amply able to take care of himself.

Mr. BORAH. Mr. Hoover, who violated the most fundamental principles of the Constitution of this country, will not have very much regard for a statute in Europe.

Mr. SMITH of Michigan. I am not worrying about Mr. Hoover. History may give him his proper credit and his rightful place.

Mr. LODGE. Mr. President, if the Senator from Michigan will allow me, I entirely agree with the statement of the Senator from Idaho [Mr. BORAH]. I do not think Mr. Hoover will pay the slightest attention to the terms of the statute. He was entirely lawless here. He undertook to abolish by his decree the laws of States, with which he had nothing more to do than the Sultan of Turkey, and he will not regard these limitations. I think, however, for our own purposes, our own good sense, and in deference, I believe, to the wishes of the people of the United States, we had better not begin feeding the Germans and those associated with them in the war.

Mr. SMITH of Michigan. That may be the view of the people of the United States now, but I wish to tell you that when you write affirmatively into a statute the exclusion of innocent children in any part of the world from our sympathetic consideration you take a very great responsibility. I am not thinking about Mr. Hoover violating the Constitution. I do not expect him to do it; but I am thinking of my vote on this bill and the fact that we are going out on an errand of mercy with bread in one hand and a gun in the other. I am willing the President of the United States shall invest this fund as he may be led to do by the circumstances of the situation. I hope it will be used to relieve hunger and starvation wherever it exists.

Mr. PENROSE. Mr. President, will the Senator permit an inquiry?

Mr. SMITH of Michigan. Yes.

Mr. PENROSE. The Senator has referred to the innocent children of Germany. Would he object to having another hundred million dollars added to this bill to take care of the starving children in America?

Mr. SMITH of Michigan. No; I would vote for that.

Mr. PENROSE. Including the children of the great city of New York, who, on account of the high price of milk, are gradually losing their vitality and their strength?

Mr. SMITH of Michigan. Yes; I would vote for that kind of a resolution and to relieve starvation.

Mr. PENROSE. Had the Senator not better vote for that before he votes for this?

Mr. SMITH of Michigan. I fear I will not have the opportunity, I will say to the Senator.

Mr. PENROSE. Then let him vote against this until he has a chance to vote for the other.

Mr. SMITH of Michigan. No, Mr. President; I am going to vote for this because I think that the President of the United States has committed our country to it. He is the Commander in Chief and on the ground; the war is not ended; and the President says that this measure of relief is essential to obtain a general peace. Having committed our Government to it by what I call an agreement with the other nations, I refuse to repudiate him when he is at the peace table taking most of the responsibility that grows out of this very unfortunate and yet very serious situation.

Mr. PENROSE. Mr. President, if the Senator will permit a correction there, the rather time-worn argument of the war for waste and extravagance and the rather overworked argument of "Commander in Chief" for ill-advised projects and chimerical enterprises are in this case supplanted by the argument of "our ambassador and minister plenipotentiary." Mr. Wilson is the ambassador of the United States by his own appointment.

Mr. SMITH of Michigan. Well, whatever he is, he is President of the United States, and he is the only President we have. I did not help make him President, and I do not approve of very much he has done while he has been President; but I am not going to repudiate him when he is upon foreign soil as the representative of the American people; and I think anything that will tend to wither his arm and lessen his usefulness there will be disgraceful to the American people.

Mr. WATSON. Mr. President, will the Senator carry that policy so far as to adopt any proposition of a league of nations he may bring back on the theory that he is our President and the only President we have?

Mr. SMITH of Michigan. No, Mr. President; I do not regard that as imperative or so humane as feeding the starving people of Europe. I am not in accord with a great deal that he is trying to do and has done; but, nevertheless, I think we can not afford to make a serious international blunder. I think this language, "outside of Germany," will come back to plague our country in future years. If we are going to relieve distress, let us do it in a big, broad, charitable, kindly, sympathetic way, and not build hurdles of hatred for future generations to mount.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Washington?

Mr. SMITH of Michigan. I do.

Mr. POINDEXTER. The Senator spoke of supporting this measure because the President is Commander in Chief. The only thing that is said about "Commander in Chief" in the Constitution is that the President is Commander in Chief of the Army and the Navy.

Mr. SMITH of Michigan. Yes; the war is not over; peace has not been declared.

Mr. POINDEXTER. Now, if the Senator will pardon me just a second, I want to ask him a question. Very often, however, the expression is used here in the Senate as though the Senate were a military organization and subject to the commands of a superior military officer and Commander in Chief.

Mr. SMITH of Michigan. I sometimes think it is.

Mr. POINDEXTER. One would think so, if the Senator will pardon me, from the remarks he has just made.

Mr. SMITH of Michigan. One would think so from the course that the Senate has taken upon most of the legislation demanded by the Executive.

Mr. POINDEXTER. Exactly. I agree with the Senator in that regard; but what I wanted to ask the Senator was this: Does the Senator believe that because the President is Commander in Chief, whatever he is Commander in Chief of, the Senate of the United States has to vote appropriations out of the Public Treasury whenever he tells it to do so?

Mr. SMITH of Michigan. No; I do not think so; but it usually does, and this is a poor time and a bad place to stop.

Mr. POINDEXTER. The argument of the Senator was that we ought to support this bill because the President asked for it.

Mr. SMITH of Michigan. That is this bill. That is not some other bill. That is this bill. I am talking about this one originating with the interallied war council in France.

Mr. POINDEXTER. I am talking about this one.

Mr. SMITH of Michigan. And I am talking about a bill intended to relieve starvation and distress, which the President says is vital to peace and the end of war. That is what I am talking about.

There is a great deal of talk in the Senate Chamber that I do not agree with. I listen to it. I listened this morning to a tirade against Russia with which I entirely disagree. How short the memory of Senators is. Not long ago the Russians with 6,000,000 men upon the eastern front performed a service for mankind for which the world ought to be grateful. The Russians held Germany for months and prevented concentration of her army in France.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. SMITH of Michigan. No; I decline to yield. I heard the Senator this morning, and I so thoroughly disagree with him that I do not want to invite any controversy. Senators talk about disorder in Russia. Of course there is disorder; but when there was almost equal disorder here in our own country, and brothers were at the throat of brothers in civil war, it was Russia, with its potential and mighty influence, which helped save the country of Abraham Lincoln from destruction.

Mr. POINDEXTER. Mr. President——

Mr. SMITH of Michigan. I am afraid if I yield to the Senator from Washington I will be guilty of invidious discrimination. I did not refuse to yield to the Senator from Montana merely because we were in disagreement; and if I yield to the Senator from Washington of course I am going to yield to the Senator from Montana also.

I yield to the Senator from Washington.

Mr. POINDEXTER. I join with the distinguished Senator from Michigan in his compliment to the part that Russia played as an ally of Great Britain and France in the early years of the war; but my understanding of the speech of the Senator from Montana this morning was not that he criticized the efforts of Russia in support of the allies. What he was criticizing was the element of the Russian people which got control of the Government and by force, by murder, by brigandage, by loot, by opening the prisons to the desperate criminals that were confined in them and putting guns in their hands, betrayed the Russian people, surrendered a large portion of the Russian territory, and turned over the gold in the public treasury to their German masters and employers. I understand that he was denouncing, not the Russian people who aided the allies but the Bolsheviki anarchists who betrayed the allies. Now, I am sure the Senator from Michigan does not like the Bolsheviki.

Mr. SMITH of Michigan. Mr. President, I have heard this idle talk around this Chamber for several days. I have heard it said by able Senators that not a dollar of this money should go to relieve distress in Russia; and yet when our ambassador at the Court of St. James pleaded for the discontinuance of the construction of privateers with which the government of Mr. Lincoln was to be destroyed it was the Government of Russia that sent a fleet into American waters under sealed instructions to go to the relief of Mr. Lincoln and his government. I have read every paper that passed between our State Department and our ambassador bearing upon that question years ago, and I commend that correspondence to the people who are criticizing Russia to-day.

Mr. MYERS. Mr. President, will the Senator kindly yield to a question from me now?

Mr. SMITH of Michigan. Yes; I yield to the Senator.

Mr. MYERS. Does the Senator from Michigan have high esteem for Benedict Arnold, who rendered most valiant service to the American cause at Quebec, Champlain, Ticonderoga, and other places, notwithstanding the fact that he later betrayed the cause which had honored him with a commission?

Mr. SMITH of Michigan. The Senator is talking about an American. I am not talking about Russians. I do not think Trotsky is a Russian. I do not think Lenine is a Russian. I am talking about the Russian people, God bless them, who need strength and comfort and help. I am talking of the Russian people; and I have not lost faith that they will yet work out a noble destiny, dreadful as their experience has been.

No; I abhor bolshevism, but the Russians will throw it off and stabilize their Government, in my opinion.

One thing Russia did do. They kept Germany busy on the eastern front while England was getting ready to go to the aid of Belgium and France; and if they need help I am going to give the President of the United States the funds and the right to help them. The mere fact that they are having an unfortunate political experience with cutthroats and assassins is no reason why they should be deserted by their historic friends.

I know what the sealed orders were that were given to the Russian fleet, and I know the effect that the sailing of that fleet for American waters had upon our enemy at that time. What no other influence could do the sailing of the Russian fleet accomplished. Dr. T. De Witt Talmage, the eminent divine, told me that while he was a guest in the palace at Petrograd he was shown the original orders given to that fleet. I want to say to Senators on both sides of the Chamber that Russia rendered a potential service to our country when we were sorely driven and at our very wits' end to control the disorder and Civil War within our own country, and as one American Senator I refuse to forget that service.

Mr. WATSON. Mr. President——

Mr. SMITH of Michigan. I yield to the Senator from Indiana.

Mr. WATSON. Nobody can dispute the propositions laid down by the Senator from Michigan in regard to the conduct of Russia during our Civil War. Everybody understands that; but I can not see what that has to do with the existing situation. The Senator undoubtedly sees a difference between ordered government and established institutions and institutions that are absolutely under the control of anarchy and of riot and of disorder, where wreck and death are the only order recognized by these people.

Now, the Senator, of course, does not want to feed the very men who are to-day shooting down American soldiers on Russian territory, and that is precisely what I object to. We know that if food were to be sent there, that food would be taken charge of by the red-handed anarchists and the Bolsheviki that are in control of the Russian Government at this time.

Mr. SMITH of Michigan. The Senator is right—not usually wrong. I do not want to feed anyone who is shooting at an American soldier. There are millions of noncombatants in Russia. I suppose there are millions of them in Hungary and Austria and Germany. I do not want to say where this food shall go. I want to leave it to the President. I do not want to chisel into the statute something that we may regret. Some one has said, "That which hath been written shall remain, nor be erased, nor written o'er again."

This resolution, if enacted into law, will go down the ages; and I would rather that sentence would be out of it than in it. The fact that countries are at war does not mean that they will not at some time be at peace with each other. Why, our principal ally was once our enemy and at war with us. Russia and Japan were lately at war, yet they came to be friends. I do not like to write into the statute a declaration that money appropriated by the American Government for the relief of suffering and starvation shall not be used in certain territory, no matter what the suffering may be; that is the extent of my contention. I do not say to whom it shall go. I am not undertaking to direct the expenditure. I will leave it to the President.

Out here at Cabin John Bridge the name of Jefferson Davis was carved as Secretary of War at the time the bridge was constructed. During the War of the Rebellion some one went up and chiseled Davis's name out, and the scar was worse than the name, caused more talk and much animosity. Col. Roosevelt, while President, restored it, to his great credit. Revenge is a poor guide for men or nations.

I do not want to prolong this discussion. I have no intention of doing so. I did not intend to say anything about the bill. I think the limitations in this bill very unfortunate.

Before I take my seat I am going to repeat that I have not lost faith in Russia. Russia has made great progress since the end of the Russian-Japanese war—great progress. Before the Russian-Japanese war there was not a peasant in Russia who owned an acre of land in his own right. Within 10 years after the fall of Port Arthur millions of acres were owned and cultivated by the peasants who owned them. They are not hopeless, and we must not shut our ears and our eyes or our hearts against them. If there is a country in the world, outside of France, that has earned the perpetual gratitude of the American Nation, it is Russia. France helped us win the Revolution. Russia helped us win the Civil War. I do not want to let go unchallenged the statement that I have heard to-day several times, that none of this money must go to the relief of the Russians, just because a few scoundrels have assumed leadership there—temporary leadership, I hope.

I do not want anybody to misunderstand me. I am not going to overlook our friends and proceed immediately to the camps of our enemies to distribute these foodstuffs; but I am going to leave that to the President, as the bill does stripped of its limitations.

Will not that be better, Senators? Will not that look better a quarter of a century hence? Perhaps, when Germany may become a republic and our relations may become as close to her as they are to England now, it will not look very well to have this historic statute say that none of the money appropriated by this Government to feed the hungry and the starving in Europe shall be used in Germany.

We strongly condemned Germany because she would not feed the innocent children of Belgium when Germany was at war with Belgium; and yet here, two months after the armistice has been signed, when Germany is broken and her military strength destroyed, we solemnly assert that though her children be starving, none of this food shall be given to them. Is the world mad? That does not sound well to me.

I am not going to delay this bill by taking another moment of time. I again appeal to the Senator from Virginia to state whether or not he is willing to write into the bill the words "in agreement with those Governments with which the United States is associated in war," so that the sentence will read:

That for the participation by the Government of the United States—

And, then, my language—

in agreement with those governments with which the United States is associated in war in the furnishing of foodstuffs and other urgent supplies.

I think that will tend to remove the uncertainty as to whether this is a formal agreement between these powers. It will make a substantial basis for the return of the money we are appropriating; but if the Senator from Virginia disagrees with me, and the Committee on Appropriations disagrees with me, I will not press the matter. I think it ought to be in the bill; and I think the limitations ought to be out of the bill. The whole subject matter ought to be turned over to the President, without such limitations as will come back to plague us in the future.

Mr. MARTIN of Virginia. Mr. President, the only amendment offered by the Senator from Michigan, as I understand, is to interline after the word "participation" the words "in agreement with other Governments."

Mr. SMITH of Michigan. "In agreement with other Governments." I would stop there, if necessary.

Mr. MARTIN of Virginia. The Senator has very generously said that if I did not feel that I could accept that amendment he would not press it further. I will say to him that the amendment is entirely unnecessary, because there has been an agreement between other Governments. Each of the four Governments has appointed two of its most distinguished statesmen to distribute this fund. The council for supply and relief agreed with the allied war council that $300,000,000 should be raised to relieve the starving populations of Europe. That has been in the RECORD here. That agreement has been reached. Each of the four nations appointed two representatives. Lord Reading and another distinguished Englishman are on it for Great Britain. Two of the most distinguished men in France are on it. In the case of Italy, I forget the names; I can not carry these foreign names in my head; but the four Governments are all represented on what they call the supreme council of supply and relief, and they have agreed that it must raise $300,000,000 to relieve the suffering people, and they have asked the people of the United States to furnish $100,000,000 of the $300,000,000. So there is an ample agreement, and it is already being attended to by a council of eight of the leading statesmen of Europe; and for that reason I think it would simply lead to confusion to change the law. It certainly can do no good, because the agreement has been arrived at, and eight of the leading statesmen of these four countries are at work trying to relieve the starvation among our friends in Europe.

I think, therefore, it is unnecessary to add that language to the bill.

Mr. MYERS. Mr. President, I wish to say just a few words in regard to some of the remarks which were made by the distinguished Senator from Michigan [Mr. SMITH].

Germany started and waged the most infamous, brutal assault upon the civilization of the world that has ever been known. In doing so, the German soldiers, who are from and of the German people, perpetrated the most monstrous, horrible, shocking, and blood-curdling outrages upon the people of France and Belgium that have even been known in the annals of history. Nothing like it was ever known before.

The people of Germany perpetrated monstrous outrages upon the people of this country, upon the dignity and integrity of this country. They sank the *Lusitania*, carrying about 200 innocent citizens of the United States, mostly women and children. They sank other merchant ships, ships that belonged to the people of this country, and destroyed lives of other citizens of this country. The people of Germany held celebrations, commemorating with drink and joy and song and speeches those monstrous outrages. Germany tried to corrupt, debase, and poison this country through methods of bribery, treason, and infamy, by means of an infamous propaganda of disloyalty.

The Christian religion and all sound systems of morals and ethics teach that forgiveness is to be extended when there is repentance and contrition. We are taught by Holy Scripture that there is to be forgiveness when there is repentance and contrition and not before. The people of Germany have manifested not one symptom of repentance or contrition for anything they have done in this horrible assault on the civilization of the world. The people of Germany are still stubborn, unrepentant, and defiant. Their spirit is not broken. They do not regard themselves as a conquered, defeated, or beaten people. They still exhibit the belief that they were right in what they did, that they had a right to do it, from the standpoint of the false German philosophy which teaches that might makes right. There is every evidence that they cherish the idea of becoming again a world power and of renewing their monstrous warfare upon the civilization of the world and yet conquering the world and bringing it to their feet.

There is no sound system of religion or morals or ethics which teaches that people are entitled to forgiveness before they manifest repentance, and that is a sound principle. There is justice in it. It is at the bottom of every sound system of theology, morals, and ethics. The Bible teaches it. We are not entitled to forgiveness until we repent of our sins and ask for forgiveness. The German people have not yet manifested one symptom of repentance. They still manifest a stubborn, sullen disposition to stand on what they have done.

When the people of Germany express repentance and contrition for their misdeeds; when they acknowledge that they were wrong in this war; when they acknowledge that they were the cause of bringing on the war and did it willfully and wrongfully; when they acknowledge that they were guilty of monstrous outrages upon innocent men, women, and children, noncombatants, in France and Belgium; when they acknowledge that they were in the wrong in all those things and exhibit a spirit of repentance and contrition and a disposition to make reparation for those wrongs and a willingness to make a beginning at making reparation, I say it will be time enough for the people of the United States to extend to them forgiveness, generosity, and charity.

Mr. SMITH of Michigan. Mr. President——

Mr. MYERS. I yield with pleasure to the Senator.

Mr. SMITH of Michigan. The Senator does not understand that I am in a forgiving frame of mind in reference to Germany and the atrocities she has committed?

Mr. MYERS. I say, without any discredit to the Senator's generosity of heart, that if he wants to extend the provisions of this bill to Germany, it seems to me he is in a very forgiving frame of mind. It can not be otherwise.

Mr. SMITH of Michigan. I have not said anything about extending the provisions of the bill to Germany. I simply expressed my opposition to that limitation, leaving it to the President to say where hunger and distress should be relieved. I am not telling him where to go.

Mr. MYERS. No; but striking out "Germany" would leave the food free to go to Germany.

Mr. SMITH of Michigan. It would leave the matter with the President. The President is in a position to know as much, at least, about the atrocities that have been committed as the Senator and myself. We leave it to him. I do not like to write into the statute such a word. I think it will come back to plague us. I cited the case out here at Cabin John Bridge. To the eternal credit of Col. Theodore Roosevelt, he ordered Jefferson Davis's name recarved on that bridge. I want to say to the Senator what I said a little while ago, that which has been written shall remain, and I would be very slow as to what I would write in a statute, especially when the object of the statute is bounty and generosity to starving people.

Mr. MYERS. That was a very generous and chivalrous act on the part of Mr. Roosevelt, for whom I ever had very great admiration after the outbreak of the European war, admiration for his true citizenship and intense Americanism. The instances are not analogous, however. I do not believe the Senator from Michigan would be in favor of restoring to the campus of the War College, in this city, the statue of Frederick the Great, which was taken down after we entered the European war.

Mr. SMITH of Michigan. I do not know that I would.

Mr. MYERS. I should not think so. I believe the time for that has not yet come.

Mr. SMITH of Michigan. I do not know that I would favor restoring that statue, but I would not favor tearing down the one of von Steuben, on Lafayette Square, who helped us in the Revolutionary War.

Mr. MYERS. This is not a question, however, of statues. It is not a matter of sentiment. It is a question of justice. The effect of putting into the bill the idea of the Senator from Michigan, amending it by taking out the name of Germany, would be to give the tacit consent of this body to sending to Germany a part of the food to be provided, if the authorities in charge of the distribution of it should so decide. I believe it is proper to put in the bill a limitation so as to exclude Germany from participation. Congress is the disbursing body of the Government, and it is proper for Congress to say how and where it thinks money appropriated should go. I believe we should keep such a restriction in all such bills, until the people of Germany manifest some repentence, some contrition for the monstrous iniquities and outrages which they have perpetrated upon the people of this country and all the rest of the world; until they manifest a willingness to make some reparation to the victims of their outrageous treatment and brutal conduct. When they do that, when they exhibit genuine repentance and contrition and a disposition to make reparation, I am not one of those who would withhold from them forgiveness, mercy, and charity. Until then I would not be precipitate about extending charity to them.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole. The Chair submitted the question, but was in doubt, and before he could again submit the question the absence of a quorum was suggested. He will again put the question on concurring in the amendments made as in Committee of the Whole.

Mr. LA FOLLETTE. Mr. President, if I am in order, I wish to address myself to the measure before the Senate.

The PRESIDING OFFICER. The Chair would suggest that the matter was left hanging, and unless the Senator desires to oppose concurring in the amendments——

Mr. LA FOLLETTE. Perhaps what I will say will be an argument in favor of it, perhaps it will be an argument against it.

The PRESIDING OFFICER. The Senator has been recognized.

Mr. LA FOLLETTE. Yes; I supposed I had.

The PRESIDING OFFICER. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President, the Senate is about to vote upon a bill that appropriates $100,000,000 to be expended in Europe as a gratuity. I am unable to regard the pending bill as a measure to promote war or to give my support to it as a war measure. I do not understand that this Government is at present at war with any people on the face of the earth. In a very narrow and technical sense, perhaps, it may be said that a state of war still exists with the central powers, but the last address which the President delivered to Congress gave us, in my judgment, such assurance as his mastery of the language could give us that the war was at an end.

Everybody knows that in a practical, sensible, rational way the war has ended. The armies of the central powers are dissipated, disintegrated, scattered. They have surrendered. Their navies are in the possession of the allies. Their aircraft, their artillery, their transportation service have been turned over so completely that all thought of war is preposterous.

So when anybody advocates this measure as a war measure I think it is reasonable to say that he is talking fiction. By the very terms of the bill not a dollar of the appropriation is to be expended upon the people with whom we have been at war. How, then, can it be called a war measure?

We are not actually and lawfully at war with any people on the face of the earth. If we are making any war at any place we are making it unlawfully and in violation of the Constitution, and if 124 American boys were killed on foreign soil within 48 hours such sacrifice of American lives was made in violation of the Constitution. It was not lawful war, it was murder, and it can not be disguised by any fine phrases.

So, Mr. President, anybody who supports this bill as a war measure, in my judgment, can not find any fact or situation to bring it within any legal definition of a war measure.

It has been somewhat interesting, as a sort of spectator, to follow this discussion. One Senator would take the floor and say he could not support this bill as a war measure, but that he supported it as a peace measure. Another Senator would say that he could not support it as a peace measure, but that out of the bounty of this country he felt it ought to be supported as a measure of charity.

I do not believe there can be found any logical support for it as a peace measure. It is not to be used to make peace with those with whom we have been at war, for according to the terms of the provisions of the bill, no dollar of it is to be expended within the limits of Germany or among or upon any of the peoples with whom we have been at war. How, then, can it be said that it is a peace measure? If we are not to expend a dollar of it upon the people with whom we have been at war, then how can it be a war measure? If we can not expend a dollar of it upon the people with whom we are now making peace, how is it a measure to promote peace?

What, then, is this bill? I do not believe the time has yet come, sir, to discuss any measure before this body upon constitutional grounds. The Constitution has for some time been a lost document. I do not believe the Senate has it sufficiently in view to approach the discussion of this bill in that calm spirit in which constitutional rights and constitutional principles should be discussed.

Is it a measure, Mr. President, to appropriate money for charity? Are any of the Senators on this floor supporting it on the ground that it is for charity? Senators, you must offer some reason, some day, for your support of this appropriation of $100,000,000. Are you supporting it as a war measure, as a peace measure, or are you supporting it as an appropriation for charity?

Think for just a moment of the figure of our good old Uncle Sam dispensing charity to the starving peoples of Europe. Their hands stretched out to him shrunken with hunger and starvation, little children about his knees, pale, emaciated, their hands so thin that you can see through them. For two years a great, large area of that country has existed upon food that lacked most of the elements essential to life, and the people show the wasting effects of this deprivation. Think of that figure which represents the strength and power, and, if we are to believe that this is charity, the benevolence and the philanthropy of this Government. Picture Uncle Sam there with his means of relieving hunger, and he sees stretched out to him the hands of all nationalities.

Charity! Do you tell me it is charity? What is charity? Charity, Mr. President, has no room in its heart for hate or resentment. It is not charity; it can not be charity if it discriminates. Think of charity represented in the person of this figure that stands for American benevolence and philanthropy turning away a starving child because it is of German parentage. Write it into this statute if you will, but if you do you will write in that which in 10 years will make you as an American writhe and cringe in shame that you did it.

Charity, Mr. President, is the very spirit of the Christ life. Charity represents and stands for all the principles of His teachings.

When you remember the greatest act of Grant's life, really the greatest act of his life, what was it? Oh, that magnificent thing which he did at Appomattox. "Take home your horses and your mules, ye men of the South. You will need them for making the spring crop." When the magnificent figure of that knightly man who had led the Southern forces through four years of fighting against this Government leaned across the table to the sturdy, silent man of few words and said, "Gen. Grant, 28,000 of the Confederate soldiers here have not had anything to eat but parched corn for days," what then did the commander of the victorious forces of the Union say to him who stood before him as the representative of the forces which had been seeking to destroy our Government? What was it? Did he say to him, "We have hungry people in the North, and we propose to feed them first. You fellows who have been fighting to destroy the best Government under God's heaven must go hungry for a while." No; the great general who saved this country and this Government said to him, "Bring them in. The Federal commissary is open to them"; and that night 28,000 Confederate soldiers fed at the commissary of the Government which they had fought to destroy.

Mr. President, this is not a measure to prosecute war. It is not a measure to secure peace, and it is not a measure that can be wholly covered by the mantle of charity. A great enveloping mantle is that mantle of charity, but if you scan it closely enough through it you may see the horns and the hoofs of the Beef Trust, and in saying that I am suggesting no duplicity on the part of the President of the United States. As the late lamented Dolliver once said, "he is surrounded by men who know exactly what they want."

Mr. President, just a suggestion and I leave that phase of the case. Who is it you would punish by denying food to the Germans? The Kaiser? Hindenburg? Ludendorff? Hardly. You would punish the millions of German men, women, and

children and Austrian men, women, and children, who had no more to do with the bringing on of this war than you had, not a bit. Do you think it is straining to assert that? Listen:

We have no quarrel with the German people—

Treason? No. Listen:

We have no quarrel with the German people; we have no feeling for them but one of sympathy and friendship. It was not upon their impulse that their government acted in entering this war. It was not with their previous knowledge or approval.

Who said these words? Woodrow Wilson, President of the United States.

Then, Mr. President, why not supply these peoples? Why starve them? Who said those words? Woodrow Wilson, President of the United States. Out of fashion, are they? Perhaps so. But he said more. Listen:

We are, let me say again, the sincere friends of the German people and shall desire nothing so much as the early reestablishment of intimate relations of mutual advantage between us, however hard it may be for them, for the time being, to believe that this is spoken from our hearts.

And again:

You catch with me the voices of humanity that are in the air. They grow daily more audible, more articulate, more persuasive—

Mark you, Mr. President, "the voices of humanity that are in the air" grow daily "more persuasive." I am sure the Senate desires to hear what the President said, so I shall read from the beginning of the paragraph.

You catch with me the voices of humanity that are in the air. They grow daily more audible, more articulate, more persuasive, and they come from the hearts of men everywhere. They insist that the war shall not end in vindictive action of any kind; that no nation or people shall be robbed or punished because the irresponsible rulers of a single country have themselves done deep and abominable wrong. It is this thought that has been expressed in the formula, "No annexations, no contributions, no punitive indemnities."

When the President uttered those words long months after we had entered the war, uttered them as an assurance to the German people as to what they might expect if they would weaken in their support of the Kaiser's Government, he was distinguishing between the German people and the Kaiser's Government. I do not think you will find anywhere anybody who will stand up in defense of anything that junkerdom in Germany or junkerdom in any other country has been guilty of in connection with the present war. But there is a difference between the responsibility of the people who were a part of the Government—a helpless part of it—and were forced into a war, and those who were in control and are responsible for the war. I think the time has come to make the discrimination.

Mr. President I understand perfectly well what we are about to do. Mrs. Jameson has said:

I have much more confidence in the charity which begins at home and diverges into a large humanity than in the world-wide philanthropy which begins at the outside of our horizon to converge into egotism.

We are about to go on record in support of this appropriation of $100,000,000, for which the people are to be taxed, not according to their wealth—the time to do that has gone by—but we will sell bonds to provide this $100,000,000, and consumption taxes will be levied upon the people of the United States to pay that obligation. I know the distinguished Senator from Virginia [Mr. MARTIN] believes—for he has said it on the floor of the Senate several times since this bill was under consideration—that a considerable portion of this sum will be returned by the governments to which this appropriation is to be doled out by Mr. Hoover on the other side. I read carefully the hearings before the committee, and the best that I could get out of it in support of that proposition was the statement of Mr. Polk that he hoped that 50 per cent of it might be returned as a revolving fund if the governments receiving it appropriated the money to pay back to the United States.

Senators must remember that by the terms of this bill it is not food alone that will be dispensed. Agricultural implements, fertilizer—there are a thousand and one things for which this money can be spent and yet come within the terms of the statute. What are the terms of the proposed statute? "Foodstuffs and other urgent supplies." In the hearings it was admitted that "urgent supplies" means anything Mr. Hoover sees fit to purchase for these people. Put agricultural implements and fertilizer and things of that character into the scale on one side and on the other side let me present to you the conditions in this country, and weigh it a little; consider it a little to-day as you cast your votes for this appropriation.

Mr. President, the Senate should pause and consider the conditions that confront the people of the United States at this hour. There is a situation so grave and so serious menacing our own country at this very moment that it must appeal to the most conservative-minded man in the Chamber to consider well how we shall deal with that situation as it grows upon us—how we shall use the trust funds that are committed to us in the Treasury of the United States.

A few days ago the secretary of the American Federation of Labor addressed the Committee on Immigration of the House of Representatives. He said that upon the most desultory and imperfect advices that he had from over the country there were several hundred thousand men in the United States out of employment. Senators may smile and treat this as a matter of little moment now, but you may regard it more seriously a little later.

He said another thing: That in 90 days you would see the grim formation of the bread line in every industrial center in America. I believe that the man who perhaps knows most about unemployment in the United States is sitting within the sound of my voice. Whatever the secretary of the American Federation of Labor may know about the matter comes to him in telegrams from several cities, and from this information he made the calculation upon which he based his statement before the committee that there are 300,000 men out of employment. That tells the story as he knows it at that particular moment. I happen to be a member of the committee of conference on the census bill. We had before us yesterday an address, which stirred deeply with me the responsibilities that are upon that conference committee at this time. Dr. France, a Member of this body, I believe through many years has given great attention to the question of social conditions and the legislation necessary to meet them. He has given more attention to these problems, perhaps, more than all the other men in this body combined. I do not think anyone who listened to his address before the Senate but had the most unbounded respect for his learning and his mastery of all the matters involved in the propositions which he discussed. In speaking before the committee of conference yesterday Senator FRANCE stated that beyond any question there are in the United States to-day close to 1,000,000 men out of employment—not 300,000, but 1,000,000—and that when the large army from the other side was finally discharged there would be 2,000,000 men in the United States out of employment.

Things happen very rapidly in these days. We have a great Army of four and a half million men to be demobilized and must again be absorbed into the industrial life of the country, and then we must meet the changed conditions that suddenly transform industry from a war to a peace basis. That can not be done without a jolt, without a shock to the economic system of this country. Do you believe that you can pass over that situation and not produce conditions which may possibly be very disastrous to our social order? And is it not well for us, when we stand, as we do this afternoon, upon the threshold of an appropriation to distribute as an act of gratuity and of doubtful constitutional authority at the best, $100,000,000 for agricultural implements, fertilizer, and a wide range of things that come within the terms of this bill in foreign countries, to consider these matters? And for what are we at this time to make this appropriation? Why, the very messages we have received pretty plainly indicate. It is not proposed to use it primarily to save life, but to control principles, to meet arguments, to arrest the progress of socialistic propaganda.

Mr. President, I am making no defense of any particular form of government that is advocated in the Old World, but I say that the principles and the arguments back of socialism must be met with something beside food. We may drain the Treasury, we may pour the wealth of this Government into the currents of the life of the countries on the other side seeking by free-lunch counters to answer the arguments of those who have suffered the injustice of such governments as the Russian Government, and we will have squandered every cent sent to them. Nay, more, we will have discounted and rendered unworthy and prejudiced the good work that this Government ought to be able to do as an example to the other Governments of the world. It is argument and example that must be used to effectively meet argument.

I ask for a moment to place a brief, very imperfect, and fragmentary survey of the situation in this country before the Senate, and I send to the Secretary's desk several letters and some telegrams, which I ask the Secretary to read.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

WASHINGTON, *D. C., January 21, 1919.*

Senator ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I herewith inclose copies of telegrams in regard to unemployment received from the secretaries of the central bodies of these cities, which are additional to the ones I submitted in my hearing last Thursday before the House Committee on Immigration.

I have also received information orally from a number of officers of international unions that some of the larger employers of labor are

discharging their men and then reemploying them at a lower rate. In support of that statement I attach a communication received from President William H. Johnston, of the International Association of Machinists, with a statement prepared by Vice President Anderson, which will throw a sinister side light upon ill-advised action taken by a number of employers of labor that is creating great unrest among their workers and seriously hampering the efforts of the officers of the trade-union movement to adjust grievances without their members resorting to a strike.

Yours, very truly,

FRANK MORRISON,
Secretary American Federation of Labor.

INTERNATIONAL ASSOCIATION OF MACHINISTS,
Washington, D. C., January 21, 1919.

Mr. FRANK MORRISON,
Secretary American Federation of Labor,
Washington, D. C.

DEAR SIR AND BROTHER: I was much interested in reading the statement made by you before the Senate Committee on Immigration, and I have requested Vice President Anderson to compile some figures relative to the number of employees laid off in the machine industry.

It may interest you to know that a number of firms are accentuating the existing unrest caused by unemployment by increasing their hours instead of decreasing them, which would be the natural thing to do under the circumstances

There are quite a number of firms that have been working on the basic eight-hour day that have served notice on their employees it is their intention to return to the 10-hour workday.

The Mitchell Motor Car Co. and the Prefix Radiator Co., both of Racine, Wis., attempted to compel the men to give over the basic day to a 10-hour day, and as a consequence the men went on strike.

The J. B. Wise Co., of Watertown, N. Y., where an 8-hour day existed, posted notice that the 8-hour day would be discontinued and the 10-hour day established. As a result the men in that plant went out on strike.

There are quite a number of employers who have been working under the award made by the National War Labor Board, which was supposed to be in effect for the duration of the war. They have now served notice on their employees that so far as they are concerned the war ended on November 11, 1918, when the armistice was signed, and therefore the award is no longer in effect, and that the employees would be discharged and reemployed at the old wage rate in effect before the award was made; or, in other words, they would be expected to work for prewar wages, despite the fact that the cost of living has not been lessened.

Among the firms which have taken the position referred to is the Worthington Pump Co., Cudahy, Wis. While the award was supposed to be in effect until May 1, or for the duration of the war, they have taken the position that the war is ended and they are no longer obligated to abide by the award.

The Willys-Overland Co., at Elyria, Ohio, have taken a similar position, paid all their employees off, numbering several thousand, and reemployed them at rate existing before the award was put into effect.

There are numerous other firms which could be mentioned. Possibly, we shall have quite a complete list in the next week or so. However, this information, in addition to that Mr. Anderson is getting up, showing the number of men laid off in the different cities in the country, will be very illuminating, and you may make any use of it you desire.

With best wishes, I remain,

Fraternally, yours,

(Signed) WM. H. JOHNSTON,
International President.

About 4,000 men have been laid off to date in Fitchburg, Mass.

Between 500 and 600 machinists out of work in Chicago, Ill.

About 1,000 machinists and toolmakers and 8,000 specialists laid off in Newark, N J. The names of some of the shops where the greatest layoffs occurred are as follows:

Gould & Eberhardt Co., Newark, laid off 250 machinists, 100 specialists. Employed 800 during war and manufactured Gould & Eberhardt shaper. Were working basic 8-hour day 10 hours a day, with time and one-half time for overtime. Now they are working the 10-hour day and paying straight time for it. They are trying to reduce rates by offering to break in new men at a low rate.

Splitdorf Magneto Co., Newark, laid of 100 machinists and 200 specialists. Manufacture the Splitdorf magneto. Before war employed 1,000. Working basic eight-hour day, paying time and one-half for overtime. Shop committee requested company to stop overtime, but they refused and trouble is brewing.

International Arms and Fuse, Newark, laid off 800 machinists and toolmakers and about 7,000 specialists.

Syming, Anderson Co., of Rochester, N. Y., has practically closed down their plant, causing about 4,000 men to be out of work. Bausch & Lomb Optical Co., Rochester, laying off from 25 to 30 men per day.

Colt Fire Arms Co., of Hartford, Conn., has laid off close to 4,000 employees out of 7,500. Pratt & Whitney Co., Hartford, have laid off 1,300 out of 5,000. The McIntyre Machine Co. and the Hartford Machine Screw Co. discharged a number of their employees and then attempted to rehire them at a lesser rate.

Bradley Car Co., Worcester, Mass., laid off 9,000 men. John Bath Co., Worcester, Mass., laid off 50 men and are now hiring help at reduced wages. Reed Prentice Co., Worcester, laid off about 150 men and are attempting to rehire them at lesser rate.

Vim Motor Co., Sandusky, Ohio, normal force in machine department, 200; 175 laid off, while 10 girls and 15 men were retained. Working 55 hours week; basic week 45 hours, time and one-half for overtime. Sandusky Foundry & Machine Co. laid off 50 out of 80. Working 59 hours week. Other shops in Sandusky using every effort to enforce 10-hour day, and are well lined up to resist any increase in wages.

Pierce-Arrow Motor Car Co., Buffalo, N. Y., laid off entire night force—approximately 1,000—and about 3,000 of day force. Curtiss Aeroplane Co., Buffalo, laid off about 15,000. American Car & Foundry, Buffalo, laid off about 2,000. Russell Motor Car Co., Buffalo, laid off about 1,000. King Sewing Machine Co. laid off 500; Bethlehem Steel Co. about 1,500; Donner Steel Co. about 1,000; and about 800 were laid off in smaller shops in Buffalo. Total, about 25,800 men out of work.

Reports from Columbus, Ohio, indicate that the contract shops in general are only retaining 10 per cent of their force. The general impression is that they are trying to lower wages.

In New Haven, Conn., the following lay offs have occurred:

Winchester Repeating Arms Co. laid off 9,000 out of 20,000.

Marlin Rockwell Corporation laid off entire force of 4,000 men.

Driggs Manufacturing Co. retained 10 men out of ordinary force of 160.

Trego Motor Co. retained 200 out of 500.

Lay offs affecting not so many men occurred in a number of other shops in New Haven.

Since the signing of the armistice a number of men have been laid off in St. Paul, Minn. About 2,500 machinists out of work.

PAN AMERICAN FEDERATION OF LABOR,
January 20, 1919.

Mr. FRANK MORRISON,
Secretary American Federation of Labor,
American Federation of Labor Building,
Washington, D. C.

DEAR SIR AND BROTHER: I have read with much interest your statements appearing in the Washington Post in reference to the state of unemployment and to the possibilities of "bread lines" by May 1. I have also read what purport to be refutations of your statements by some of the employers and business men in several industrial centers.

In part it may be true that in those places they refer to the state of unemployment may not be so acute, but this does not necessarily mean that the same conditions of unemployment apply in other industries. Take the copper industry, for example.

I have just received two letters, one from Luis E. Soto, secretary of Miners' Union No. 84, of Metcalf, Ariz., and the other from J. Ignacio Garcia, secretary of Miners' Union No. 80, of Morenci, Ariz., wherein it is stated that during the last two weeks the mining companies in that district have thrown 700 men out of employment. The Shannon Copper Co. completely suspended operations. And, furthermore, it is stated that in the course of a few days 300 more men will be laid off. If it be true, as the employers in that district state, that there is no market for copper at present, what will be the result when the copper companies in the other producing States follow the same action? In my opinion, we will not have to wait until May 1 for the inauguration of the famous "bread lines."

Incidentally, the miners in the Clifton-Morenci-Metcalf district have asked, "What will the American Federation of Labor and the International Union of Mine, Mill, and Smelter Workers do to meet the crisis that is facing the copper industry?"

Fraternally,

(Signed) CANUTE A. VARGAS.

OMAHA, NEBR., *January 15, 1919.*

FRANK MORRISON,
A. F. of L. Building, Washington, D. C.

Approximate number of unemployed 100; short on skilled mechanics.
S. C. JACKSON.

EAST ST. LOUIS, ILL., *January 20, 1919.*

FRANK MORRISON,
A. F. of L. Building, Washington, D. C.

Fifteen hundred unemployed here. E. F. MASON.

BATAVIA, N. Y., *January 17, 1919.*

FRANK MORRISON,
American Federation Building,
Washington, D. C.

Estimate about 125 unemployed in this city. E. J. DEFFNER.

WORCESTER, MASS., *January 17, 1919.*

FRANK MORRISON,
A. F. of L. Building, Washington, D. C.

Absence from city delayed the answering of your telegram; approximately 12,000 now unemployed in Worcester. J. E. HEFFRON,
Secretary.

CHARLESTON, W. VA., *January 20, 1919.*

FRANK MORRISON,
A. F. of L. Bldg., Washington, D. C.:

The unemployed between three and four thousands. E. F. DAVIS.

SCHENECTADY, N. Y., *January 18, 1919.*

FRANK MORRISON,
A. F. of L. Bldg., Washington, D. C.:

Approximately thirty-five hundred unemployed in Schenectady.
F. A. SOELLNER.
11.50 p. m.

AKRON, OHIO, *January 19, 1919.*

FRANK MORRISON,
A. F. of L. Bldg., Washington, D. C.:

About 2,500 out of employment here. A. R. WELKER, *Sec'y.*
5.06 p. m.

GREAT FALLS, MONT.

FRANK MORRISON,
A. F. of L. Bldg., Washington, D. C.:

One thousand unemployed; adding to list daily.
J. FRANK KIERNAN.

INDIANAPOLIS, IND., *January 18, 1919.*

FRANK MORRISON,
American Federation of Labor Building, Washington, D. C.:

Eight thousand unemployed in Indianapolis.
HERBERT MCCARMICK.

BRIDGEPORT, CONN., *January 19, 1919.*

FRANK MORRISON,
Secretary American Federation of Labor, Washington, D. C.:

In answer to wire, about 15,000 out of work in Bridgeport.
WM. S. HOFFMAN,
Secretary Central Labor Union 184,
Harborview Avenue, Bridgeport, Conn.

DENVER, COLO., *January 18, 1919.*

FRANK MORRISON,
Secretary American Federation of Labor, Washington, D. C.:

Estimate between fifteen hundred and two thousand wage earners unemployed.

THOS. P. RODGERS, *Secretary.*

—

TACOMA, WASH., *January 20, 1919.*

FRANK MORRISON,
American Federation of Labor Building, Washington, D. C.:

Between two and three thousand unemployed; strike called for Tuesday, affecting 12,000.

JOSEPH H. LYONS.

—

SAN FRANCISCO, CAL., *January 17, 1919.*

FRANK MORRISON,
Secretary American Federation of Labor,
American Federation of Labor Building,
Washington, D. C.:

After consulting all available sources, I would estimate that there are 15,000 unemployed in San Francisco at the present time.

JOHN A. O'CONNELL,
Secretary Labor Council of San Francisco.

—

PHILADELPHIA, PA., *January 20, 1919.*

Mr. FRANK MORRISON,
Secretary American Federation of Labor,
Washington, D. C.:

Replying to your inquiry, from information received, there are about 10,000 out of work in Philadelphia, and number is increasing daily; also more than this number on strike at present.

FRANK MCKOSKY.

—

SEATTLE, WASH., *January 20, 1919.*

FRANK MORRISON,
American Federation of Labor Building, Washington, D. C.:

Impossible to give approximate amount. Thousands, and increasing daily by soldiers from other States being mustered out here, which threatens to be greatest menace. Taking care situation best possible. Government should offer some relief. Washington men will find themselves out of employment when they return. Employers, some of them, trying to take advantage of conditions to reduce standards. To add to this, shipyard strike to-morrow; no settlement in sight.

C. W. DOYLE.

Mr. LA FOLLETTE. Mr. President, those telegrams were sent to me by the Secretary of the American Federation of Labor on Wednesday. The conditions are changing with every hour. You can not pick up any newspaper, morning or afternoon, that it does not record some new phase of this serious situation; and it seemed to me that it was proper for Senators to have before them these facts for consideration at the time they considered this appropriation, for I have not much doubt, Mr. President, that the next 60, possibly 30, anyway 90, days will present to us problems the meeting of which will tax our wisdom and possibly our resources. They must be met as they arise; but at the same time it seemed to me quite worth while that they should be taken into account and should be made part of the record of this proceeding.

But I do not know; perhaps I would not have been prompted to institute this inquiry by telephone from the American Federation of Labor, and bring to my desk through the mails the situation as they had it in hand day before yesterday, except for the fact that one of the Senators, in the course of the discussion of this bill, arraigned the labor of this country as responsible for any unemployment that exists.

Mr. President, it seemed to me so unjust, so unworthy of the Senate, that it ought not to stand upon the RECORD without some answer. I do not hold any brief for the laboring men of this country. I represent in part the State of Wisconsin. We are an agricultural and a manufacturing State; but in a way, Mr. President, I feel some responsibility, as does every Senator, for legislation that concerns the whole country.

It has been stated in the course of the debate upon this bill that laboring men are responsible for the unemployment there is in this country to-day; that ordinary labor is demanding $6, $8, and $10 a day for its services; that the advance in wages is responsible for the high cost of living; that before the war labor constituted 50 per cent of the cost of the articles produced, and that now it constitutes about 85 per cent.

Mr. President, such statements ought not be permitted to stand in support either directly or indirectly of any legislation so important as this legislation is; and it seems to me any Senator ought to be quick to rise upon this floor—I have waited for others to do so—to resent the statements made.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LA FOLLETTE. I do; of course.

Mr. HITCHCOCK. Has some supporter of the bill made the statements to which the Senator has just referred?

Mr. LA FOLLETTE. I so understand. I have not any doubt but that the Senator who made the statements here will support the bill. I understand he spoke in support of the bill.

Mr. HITCHCOCK. I have not heard any Senator supporting the bill make those arguments.

Mr. LA FOLLETTE. Well, of course, the Senator has not been here all the while to catalogue all the Senators who have supported the bill. I would not misquote anybody, Mr. President. Listen:

You will find 20 applications for persons to be employed where you will find 1 who asks for employment.

What do you think of that, in the face of these telegrams and letters that are here; and what percentage of the situation in this country do you suppose those letters and telegrams represent?

Mr. HITCHCOCK. Will the Senator state whom he is quoting?

Mr. LA FOLLETTE. Yes; I am quoting the senior Senator from North Dakota [Mr. MCCUMBER], who, I believe, is a supporter of this bill. I understand he is. And no supporter of the bill questioned the statement, so they must have accepted it. Listen, again:

As a matter of fact, while before the war, taking ordinary products, the labor and raw material were about fifty fifty, there are now, in most cases, more than 85 per cent representing labor, which shows that the raw material has not gone up anywhere to the extent that labor has.

Oh, just think of that statement. If it means anything, it means that 85 per cent of the cost of the ordinary article represents labor. That put on to the laboring men the responsibility for the high cost of living.

Mr. President, I am going to demonstrate on this floor—not now; it will take some little time of the Senate when I get ready to do it—but I propose to demonstrate upon this floor that, as a matter of fact, in twenty-odd years the wages of labor instead of advancing have decreased when you consider the purchasing value of the wages, down to the hour when the European war broke upon the world; and I can make it so clear and so demonstrable that it can not be disputed. And, Mr. President, let me say if there should break over this fair country of ours disturbances—which God forbid—that should shake things to their foundation, it will be because we have gone blindly forward in the pursuit of wealth and so-called prosperity regardless of the men who toil and sweat and bear the burdens.

Listen again:

When you come to paying $6, $7, $8, or $10 a day for the most ordinary labor—

Shall that go undenied upon the floor of the Senate? Not while I happen to be a Member of it, and I waited nearly for this debate to close for some man who could speak with more authority here than I can to protest that statement.

What are the plain, indisputable facts?

Now, Mr. President, it is not possible for me to produce here to-day the exact amount of the labor cost of the ordinary articles of produce that enter into the daily life of the American people, because that is a matter of exhaustive calculation, of scientific investigation, which has not been made since the disturbances in cost prices resulting from the war; but I am able to put before the Senate some evidence that is indisputable, some evidence that nobody will contradict, and which bears so conclusively upon present prices and the relation of the labor cost in those prices to the other costs that I think it will be a conclusive answer.

In the first place, let me speak of the charge that has been made here, and unanswered, that labor is demanding and receiving excessive wages; that ordinary labor stands at six, eight, and ten dollars a day; that labor is responsible for the high cost of living. I deny it, and I will prove that it is not so. The veriest tyro in the study of economics knows, Mr. President, that the wage level is not the first to rise; that wages advance after all other advances have been made; that wages can not be advanced until such advance is forced upon the employer. The proof of that is that labor has been compelled to organize even to keep step in a measure behind the advancing conditions that compel the increase in wages.

Mr. President, perhaps I can make no better, fairer, or more complete answer to the statement that wages are responsible for the increased cost of living; that wages are excessive, and that wages are six and eight and ten dollars a day for ordinary labor, than to read you a little table I prepared from a Government publication, dated September, 1918, entitled "Monthly Labor Review." I take it that nobody will deny these figures.

I find in that Monthly Labor Review extended tables giving the rate of union wages in all the North Atlantic States for May 15, 1918. Now, I had a later report than this. I had one for November, and this was issued in September; but, in the first place, I did not know that I could get a later edition, and I made up my tables from this number, because I thought it was perfectly fair to take May 15. It would not be influenced by anything that has happened with regard to the cessation of the war, and it would show the very worst conditions that union labor, so far as wages are concerned, sought to impose upon this

country in the North Atlantic States. But when I got hold of the November number, as I did late yesterday, I found that the rate of wages given in the November number is exactly the same as in the September number. They have not changed. They are the same. While I think of it, I am going to ask to print these tables as an appendix to my remarks.

The PRESIDING OFFICER. Without objection, the request of the Senator from Wisconsin is granted, and it is so ordered.

Mr. LA FOLLETTE. Right in connection with what I am saying now, I have a table that is a fair criterion of what those wage figures show, that I propose to put right into the text now, in connection with what I am saying. Now, let us see about those "excessive wages" demanded by labor during the stress, when war was on, when everybody was expected to be patriotic, and almost everybody was patriotic except a lot of profiteers.

What did the unions demand in the way of wages? I have gone through these tables and taken the highest wages that I could find for any city in any North Atlantic State, and the lowest that I could find, and I have put them into this table in order to show the trend of things.

These are the wages that union labor demanded in this country. Union labor can always command better wages than individual labor can get, and so this may be taken as the high tide of the appeal of labor for enough to live on. Let us see if it is excessive; let us see if it is $6, $8, or $10 a day for ordinary labor, for the man with the pick and the shovel. Let us see whether labor is less patriotic than the employers.

According to the union-labor scale of the 15th of May for bricklayers the highest wages they demanded in the North Atlantic States were $5.95 a day for eight hours' labor, and the lowest were $5.15.

Building laborers, evacuating scaffold men, and so forth—the highest wages they demanded, according to the union scale, were $3.82, and the lowest $2.40, in the North Atlantic States. At that time their wages would not purchase more than 50 per cent of the necessaries of life those same wages would have purchased before the war.

For carpenters the highest wages demanded by union labor on the 15th of May, 1918, was $5.20, and $4.36 the lowest.

Engineers, portable and hoisting, $6.66 the highest wages, $4.58 the lowest.

Hod carriers $4.40 and $2.56. Split that in two and you have what the money would purchase according to the scale of the prices of the necessaries of life at any time before the war; that is, $1.28 a day at the fair prices of the necessaries of life before the war and $2.20 a day. Yet, a man will stand on this floor and talk about ordinary labor demanding $6, $8, and $10 a day.

Painters, $5 and $3.66.

Plasterers, $5.86 and $4.58.

Plasterers' laborers—those are the fellows who carry the mortar for the plasterers, I suppose—$4.12 and $2.56.

Plumbers and gas fitters, $5.50 and $4.12.

Sheet-metal workers, $5.50 and $2.75.

Structural iron workers, $6.78 and $4.58.

Structural iron workers (finishers' helpers), $4.40 and $3.30.

Blacksmiths, $6.52 and $4.16.

Boiler makers, $6.30 and $4.77.

Machinists, $8.10 and $2.50. Machinists were the very highest paid mechanical labor in the country last May, when the purchasing price of the dollar was less than 50 cents.

Moulders (iron), $5.80 and $3.66.

Pattern makers, $7 and $2.75.

Granite cutters, $5.72 and $3.66.

Stonecutters, $5.50 and $4.12.

Mr. President, that is what organized labor demanded. We have some labor bureaus organized under the Federal Government. During that same period of time last summer they were seeking employment for men out of work and they got employment, and they put down in this bulletin the wages they were able to obtain for the men for whom they secured employment.

So I have here another table, Mr. President, the employment table, the actual results of the bureau organized to secure employment for unemployed people in the United States. I am going to ask leave to print that table as a part of my remarks in the CONGRESSIONAL RECORD. I have selected, in so far as the table shows it, the very same employments that I selected for the first table, so that there can be a comparison instituted between what union labor demanded and what the United States Bureau of Labor or its subordinate organizations were able to secure for the labor that it placed in employment over the country. I will not take the time to read it. It corresponds very generally with the same figures that are here, and I will ask to incorporate it without reading in my remarks.

The PRESIDING OFFICER. Without objection, leave is granted.

The table referred to is as follows:

Rates of wages paid to workers placed in employment by public employment offices in the United States July, 1918.

Occupation.	Rate of wages per day.	
	Highest.	Lowest.
Blacksmiths	$7.00	$2.50
Boiler makers	7.00	3.40
Bricklayers	8.00	4.00
Carpenters	8.00	4.00
Cooks, male	5.00	1.50
Drivers, teamsters, etc	4.50	1.75
Dock laborers	6.00	2.40
Farm hands	4.00	1.00
Hod carriers	6.50	1.75
Laborers	4.50	2.00
Machinists	6.00	3.00
Plasterers	7.00	3.20
Plumbers	7.00	3.60
Structural iron workers	6.50	4.00

Mr. CALDER. Will the Senator yield to me?

Mr. LA FOLLETTE. I yield for an interruption.

Mr. CALDER. Does the Senator's investigation show what the percentage of increase in the cost of labor has been during the past two years? I did not catch all his statement. I heard him read the rates of pay for men in the building industry. I know something of the building industry, and I will say to the Senator, if he will permit me, that the rates of pay in the building industry in the North Atlantic States have increased in the last two years about 30 per cent.

We are not going to have very much building activity this spring, I am afraid, and it will not be altogether because of the increased cost of labor. I find from inquiries, which I made the other day myself, that while wages increased in building 30 to 35 per cent, the cost of material that goes into new buildings has increased from 100 to 300 per cent.

Cement three years ago was about a dollar a barrel and to-day it costs $3 a barrel. Brick cost two years ago $7 a thousand and they now cost $15 a thousand. Spruce timber cost about $35 a thousand and now costs $65 a thousand.

So if the activities in building this spring do not go on it will not be entirely because of the increased cost of labor, but I will say to the Senator it will be more particularly because of the increased cost of the materials, which I contend is unwarranted in many respects.

I have always felt that if the men who are manufacturing materials should in these days try to sell their materials for the lowest margin of profit it would tend to start the industry again, and we would have labor more generally employed and business more active.

Mr. LA FOLLETTE. The Senator's observations merely confirm what I am trying to present to the Senate, that whatever there is of this high level of prices which the people are finding so burdensome it is not due to the advances in wages. It is not the cause that brought it about, but the cause is, as the Senator from New York says, an unreasonable advance in the price of materials. It is the grasping spirit of the employers, and under the economic conditions that prevail in this country and that within the last 20 years have overturned the old laws of trade and competition the employers are enabled to fix arbitrarily the price of their products to the consumer. Under those conditions they are impelled to exact greater and greater profits and to advance the price of material unreasonably and throw upon the men employed in their various organizations a burden under which it is impossible for them to live without an advance in wages. Of course, the men demand an increase of wages. That follows as a necessity.

Mr. President, there is another feature of this matter to which I want to call attention. I did not intend to consume anything like the time I have taken, and I will make haste. It is the suggestion that the labor that enters into a finished product constituted before the war 50 per cent of the cost of that product to the consumer. There never was a more preposterous statement uttered in the presence of any sober-minded, serious thinking legislative body. It is so utterly at variance with the facts that it ought not to need any answer. It was followed up by the statement that the labor cost was responsible for about 85 per cent of what people are paying now for ordinary articles.

Senators, do you know that there has been a real, scientific, thoroughgoing investigations as to the labor costs of different products? There has been, and there are some real, established truths on that subject which nobody can dispute. Of course, I

suppose there are people in this world who would scorn them because they think it does not make any difference. It makes a lot of difference. It has relation to the amount of tariff we should have. It has relation to what are reasonable demands upon the part of labor for their share of the wealth they produce.

In rough way, let me state some cost findings I think will not be controverted. This labor cost has a good deal to do with the tariff. I will state to my Democratic friends they will take it up one of these days and attach some importance to it. The labor value on the average in cotton goods does not exceed 25 per cent. On cotton goods, independent of hosiery, it will run about 20 per cent. That is the labor value in the article. You have had a tariff on it not representing the difference in labor cost between this country and competing countries, but you have had a tariff on it oftentimes representing more than the total labor cost of the article.

Take woolens. The labor cost does not exceed 20 to 25 per cent of the cost of woolens when put upon the market.

Upon other products, and very important products, too, the labor cost is very much less.

Iron is the basis of our industrial life. Iron and steel enter into almost everything as a part of the cost of production. So it is worth while for us to know something about the relative cost of the material and of labor in the production of iron and steel. That is a subject that always tempts me, and I must forbear to yield to the temptation to turn aside and discuss it.

I want to give you just a suggestion of the labor cost of producing steel and iron.

The report of the Bureau of Corporations on the cost of production in the steel industry issued May 6, 1913, is the most scientific, complete, and thorough-going investigation into the production cost of pig iron, ingots, steel rails, and heavier structural products ever made by any independent and impartial authority in this or any other country.

The investigation covered a period of nearly two years.

It embraced from 70 to 90 per cent of the total products of the respective articles discussed.

It includes nearly all of the manufacturing concerns making steel products, large and small.

Nothing short of a careful study of this report can convey an adequate idea of its scope and thoroughness in every detail.

As an example of its character, I quote one paragraph:

The meaning of the item of labor as forming a part of the mere costs of the several products needs brief explanation. The labor costs, as shown, represent in every instance the wages paid for all forms of producing labor for that particular product at that particular department of the works, including labor in repairs and maintenance.

Now, take pig iron, Mr. President. In Bessemer pig iron that costs $12.10 to produce, the labor cost is 73 cents. That is the part that labor plays in the production.

A ton of pig iron that sold in 1912 for $12.10 had in it as a part of the cost of producing it 73 cents of labor. The balance was made up of $6.10, cost of iron ore; $3.28, cost of coke; 43 cents, cost of limestone; 10 cents, cost of steam; 13 cents, cost of materials for repairs and maintenance; 12 cents, cost of supplies and tools; 24 cents, cost of miscellaneous work, expense; 18 cents, cost of relining and renewals; 3 cents for contingent fund; and 76 cents for general expense and depreciation.

Mr. President, the cost of that product to the American people has increased four or five hundred per cent, but the increase in the wages of labor in that industry has not been more than 70 or 80 per cent. Labor has received a very small share of the increased cost of that product. So with all the other products of iron and steel.

I am not going to take the time of the Senate to go through these various tables. I have them here. I am going to ask to print them in connection with my remarks and save time for the Senate in the consideration of the bill.

The PRESIDING OFFICER (Mr. ASHURST in the chair). Without objection, the matter referred to by the Senator from Wisconsin will be inserted in the RECORD.

The tables referred to are as follows:

Union scale of wages and hours of labor in each trade in North Atlantic States May 15, 1918.

Occupation.	Rate of wages per day.	
	Highest.	Lowest.
Bricklayers	$5.95	$5.15
Building laborers (evacuating scaffold men, etc.)	3.82	2.40
Carpenters	5.20	4.33
Engineers (portable and hoisting)	6.66	4.58
Hod carriers	4.40	2.56
Painters	5.00	3.66

Union scale of wages and hours of labor in each trade, etc.—Continued.

Occupation.	Rate of wages per day.	
	Highest.	Lowest.
Plasterers	$5.83	$4.58
Plasterers' laborers	4.12	2.56
Plumbers and gas fitters	5.50	4.12
Sheet-metal workers	5.50	2.75
Stonemasons	6.00	3.63
Structural iron workers	6.78	4.58
Structural iron workers (finishers' helpers)	4.46	3.30
Blacksmiths	6.52	4.16
Boiler makers	6.30	4.77
Machinists	8.10	2.50
Machinists' helpers	4.03	3.20
Molders (iron)	5.80	3.66
Pattern makers	7.00	2.75
Granite cutters	5.72	3.06
Stonecutters	5.50	4.12

Pig iron costs in the United States.

Item.	Cost of Bessemer pig iron, 1902–1906.	Cost of basic pig iron, 1902–1906.	Steel Corporation cost of southern pig iron 1910.[1]
Iron ore, etc	$6.10	$6.60	$2.88
Coke	3.28	2.73	3.80
Limestone	.43	.47	.13
Labor	.73	.60	.75
Steam	.10	.10	.12
Materials for repairs and maintenance	.13	.11	.19
Supplies and tools	.12	.10	.59
Miscellaneous works, expense	.24	.24	.59
Relining and renewals	.18	.18	.20
Contingent fund	.03	.02	.15
General expense and depreciation	.76	.52	.50
Total	12.10	11.82	9.07

[1] Mainly foundry pig.

The cost of production of ingots in United States.

The ingot is the second advanced form in the manufacturing of steel. An ingot is usually about 6 feet long, 2 feet wide, and 1½ feet thick. It weighs about 4 gross tons.

Item.	Cost of Bessemer billet ingots, 1902–1905.	Cost of Bessemer rail ingots, 1902–1905.	Steel Corporation cost of Bessemer rail ingots, 1910.
Pig iron, etc	$12.81	$12.70	$10.24
Labor	.57	.55	.52
Manganese	.28	.73	.78
Limestone	.02	.01	
Fuel	.22	.13	.09
Steam	.15	.11	.13
Molds and stools	.15	.11	.07
Materials in repairs and maintenance	.09	.10	.06
Supplies and tools	.10	.12	.23
Miscellaneous works expense	.13	.14	.28
General expense and depreciation	.92	1.05	.60
Total cost	[1] 15.47	[1] 15.75	[1] 12.77

[1] If the so-called "book costs" of the Bureau of Corporations had been used, these figures would have been $17.53, $17.53, and $17.15, respectively. Perhaps it is fairer to use these costs.

The cost of production of Bessemer steel rails in United States.

Item.	Cost of heavy Bessemer rails, 1902–1905.	Steel Corporation cost of heavy standard Bessemer rails, 1910.	Steel Corporation cost of heavy standard open-hearth rails (southern), 1910.
Ingots	$15.05	$13.03	$14.88
Labor	1.16	1.14	1.72
Fuel	.13	.16	.18
Steam	.41	.36	.73
Rolls	.15	.12	.46
Materials in repair and maintenance	.21	.17	.44
Supplies and tools	.08	.39	.85
Miscellaneous works expense	.32	.39	.85
General expense and depreciation	1.29	1.33	1.65
Total	[1] 18.80	[2] 16.67	20.89

[1] Book cost, $21.27. [2] Book cost, $21.53.

Average costs for all companies in United States of certain rolled products.

Product.	Book cost per ton.	Labor.
Bessemer sheet bars	$18.98	$0.57
Open-hearth sheet bars	24.58	.88
Heavy rails	22.23	1.25
Light rails	24.24	2.32
Merchant steel bars:		
(1) From large billets	28.12	3.06
(2) From small billets	26.73	2.87
Hoops and light bands	31.67	5.04
Cotton tire	30.57	4.22
Wire rods	27.21	1.53
Bright coarse wire	29.12	1.62
Black sheets	39.37	10.39
Black plate for tinning	48.99	12.73
Tin plate (box of 100 pounds)	3.18	.19
Tin plate (ton of 2,240 pounds)	71.23	4.25

Mr. LA FOLLETTE. Mr. President, I am inclined to think that I have brought to the attention of the Senate substantially all that I care to present here in connection with the pending bill. I believe that it can not be supported as a so-called war measure, neither do I believe that it can be supported as a peace measure, and I think it falls very far short of being a measure of charity. I apprehend from the expressions I have heard on the floor of the Senate that a majority of the Senate could not find constitutional warrant for supporting it on that ground.

I have brought to the attention of the Senate just a suggestion of the conditions that are rapidly developing and hourly growing more grave and serious in our own country. The afternoon paper that some one just brought to my attention prints further dispatches as to the grave conditions that exist here at home.

Then I desired to put on record here answers to the charges that have been made against the responsibility of labor for the high cost of living and for the unemployment that exists in the country to-day. I have no doubt, Mr. President, that the cost of living under existing conditions will advance rather than recede. I noticed by the evening paper—I think it was last evening—that one of the officers of the Quartermaster Department appearing before the Committee on Military Affairs of the House of Representatives stated that from all the investigations and study that had been made by that department they were convinced that the cost of living would very rapidly advance in this country in the near future.

Mr. President, I do not know just how this is to be met by the people of the country. I do not believe that it will be helped any by our appropriating $100,000,000 to buy in our market here at home great quantities of food and sending them abroad.

I believe that this appropriation will tend to advance the cost of living upon the people in our own country. I believe that with the readjustments that are now coming, with the evident desire on the part of employers to reduce wages, and the impossibility of wage earners accepting a reduction of wages so long as the high cost of living stands where it does to-day, will be productive of very serious disturbance here, and that we are to be confronted with problems that, added to those that we now have, will be, I fear, almost tragic. Therefore I felt that I owed a duty to myself and to my constituency, if not to the Senate, to lay before the Senate the facts with respect to these conditions, so that in voting upon this bill Senators may weigh its effect upon our home conditions as well as any possible good or ill effect it may have abroad.

I thank the Senate for its patience and attention.

APPENDIX.

Union scale of wages and hours of labor in each trade in the North Atlantic States on May 15, 1918.

BUILDING TRADES.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
ASBESTOS WORKERS.				
Boston, Mass	$0.625	$27.50	2	2
Buffalo, N. Y	.563	27.00	1½	2
Newark, N. J	.625	27.50	2	2
New York, N. Y	.625	27.50	2	2
Philadelphia, Pa	.650	28.60	1½	2
Pittsburgh, Pa	.625	27.50	1½	2
Providence, R. I	.625	27.50	2	2
Rochester, N. Y	.500	22.00	1½	2
Springfield, Mass	.625	27.50	2	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

BUILDING TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
BRICKLAYERS.				
Boston, Mass	$0.800	$35.20	2	2
Bridgeport, Conn	.700	30.80	2	2
Buffalo, N. Y	.750	33.00	1½	2
Fall River, Mass	.750	33.00	1½	1½
Manchester, N. H	.750	33.00	1½	2
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.700	30.80	2	2
New York, N. Y	.813	35.75	2	2
Philadelphia, Pa	.800	35.20	2	2
Pittsburgh, Pa	.750	33.00	1½	2
Portland, Me	.700	30.80	1½	2
Providence, R. I	.700	30.80	1½	2
Rochester, N. Y	.700	30.80	1½	2
Scranton, Pa	.750	33.00	1½	2
Springfield, Mass	.750	33.00	2	2
Worcester, Mass	.750	33.00	1½	2
BRICKLAYERS: SEWER WORK.				
Boston, Mass	.800	35.20	2	2
Bridgeport, Conn	.750	33.00	2	2
New Haven, Conn	.875	38.50	2	2
Philadelphia, Pa	.850	37.40	2	2
Providence, R. I	.800	35.20	1½	2
Rochester, N. Y	.750	33.00	1½	2
BUILDING LABORERS.				
Boston, Mass	.400	19.20	1	2
Scaffold men	.450	21.60	1½	2
Buffalo, N. Y	.450	22.95	1½	2
New York, N. Y.:				
Excavating	.405	19.44	2	2
Mosaic and terrazzo work	.406	17.88	2	2
Stonemasons' work, Bronx	.470	20.68	1½	2
Stonemasons' work, Brooklyn	.470	20.68	1	1½
Philadelphia, Pa	.450	19.80	1½	2
Pittsburgh, Pa	.450	21.60	1½	2
Portland, Me	.500	22.00	1½	2
Providence, R. I	.350	17.50	1½	2
Rochester, N. Y	.400	17.60	1½	2
Excavating	.400	17.60	1½	2
Scranton, Pa	.300	14.40	1½	2
Excavating	.275	14.85	1½	2
Springfield, Mass	.375	18.00	1½	2
Scaffold builders	.500	22.00	2	2
CARPENTERS.				
Boston, Mass	.650	26.00	2	2
Stair builders	.650	26.00	2	2
Bridgeport, Conn	.600	26.40	2	2
Buffalo, N. Y	.700	30.80	2	2
Fall River, Mass	.625	27.50	2	2
Manchester, N. H	.600	26.40	1½	2
Newark, N. J	.700	30.80	2	2
New Haven, Conn	.650	28.60	2	2
New York, N. Y.:				
Bronx, Brooklyn, Queens, and Richmond	.688	30.25	2	2
Manhattan	.688	30.25	2	2
Philadelphia, Pa	.700	30.80	1½	2
Pittsburgh, Pa	.710	31.24	1½	2
Portland, Me	.440	19.36	1½	2
Providence, R. I	.600	26.40	2	2
Rochester, N. Y	.600	26.40	1½	2
Scranton, Pa	.600	26.40	1½	2
Springfield, Mass	.650	28.60	2	2
Worcester, Mass	.625	27.50	1½	2
CARPENTERS: MILLWRIGHTS.				
Buffalo, N. Y	.750	33.00	2	2
Newark, N. J	.700	30.80	2	2
New York, N. Y	.688	30.25	2	2
CARPENTERS: PARQUETRY-FLOOR LAYERS.				
Boston, Mass	.650	26.00	2	2
CARPENTERS: WHARF AND BRIDGE.				
Boston, Mass	.530	23.32	2	2
Buffalo, N. Y	.650	28.60	1½	2
New York, N. Y	.623	27.50	2	2
CEMENT FINISHERS.				
Boston, Mass	.700	30.80	1½	2
Bridgeport, Conn	.700	30.80	2	2
Buffalo, N. Y	.650	31.20	1½	2
Fall River, Mass	.750	33.00	1½	1½
Manchester, N. H	.750	33.00	1½	2
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.700	30.80	2	2
New York, N. Y	.700	30.80	2	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

BUILDING TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
CEMENT FINISHERS—continued.				
Philadelphia, Pa	$0.650	$28.60	1½	2
Pittsburgh, Pa	.750	33.00	1½	2
Providence, R. I	.625	27.50	1½	2
Rochester, N. Y	.700	30.80	1½	2
Springfield, Mass	.750	33.00	2	2
CEMENT FINISHERS' HELPERS.				
Newark, N. J	.450	19.80	2	2
New York, N. Y	.438	19.25	1½	1½
COMPOSITION ROOFERS.				
Boston, Mass	.656	28.88	2	2
Kettlemen and ladlemen	.600	26.40	2	2
Paper layers	.600	26.40	2	2
Newark, N. J	.625	27.50	2	2
New York, N. Y	.531	23.38	2	2
Philadelphia, Pa	.525	23.10	1½	2
Pittsburgh, Pa	.600	26.40	1	2
Kettlemen	.550	24.20	1½	2
Felt setters and roll runners	.550	24.20	1	2
Rochester, N. Y	.500	22.00	1½	2
Scranton, Pa	.531	25.50	1½	2
Second man	.469	22.50	1½	2
COMPOSITION ROOFERS' HELPERS.				
Boston, Mass	.438	19.25	2	2
Newark, N. J	.500	22.00	2	2
Scranton, Pa	.375	18.00	1½	2
ELEVATOR CONSTRUCTORS.				
Boston, Mass	.750	33.00	2	2
Buffalo, N. Y	.690	33.12	2	2
New York, N. Y	.690	30.36	2	2
Philadelphia, Pa	.750	33.00	2	2
Pittsburgh, Pa	.738	32.45	2	2
Providence, R. I	.625	27.50	2	2
Rochester, N. Y	.656	28.88	2	2
Springfield, Mass	.656	28.88	2	2
Worcester, Mass	.625	27.50	2	2
ELEVATOR CONSTRUCTORS' HELPERS.				
Boston, Mass	.500	22.00	2	2
Buffalo, N. Y	.469	22.50	2	2
New York, N. Y	.440	19.36	2	2
Philadelphia, Pa	.500	22.00	2	2
Pittsburgh, Pa	.500	22.00	2	2
Providence, R. I	.438	19.25	2	2
Rochester, N. Y	.438	19.25	2	2
Springfield, Mass	.445	19.58	2	2
Worcester, Mass	.438	19.25	2	2
ENGINEERS: PORTABLE AND HOISTING.				
Boston, Mass	.750	33.00	2	2
Bridgeport, Conn	.750	33.00	1½	2
Buffalo, N. Y	.625	30.00	1½	2
Newark, N. J.:				
Building work	.813	35.75	2	2
Foundation work	.688	33.00	2	2
Hoisting iron	.750	33.00	2	2
New Haven, Conn	.750	33.00	1½	2
New York, N. Y.:				
Building work, stone and steel	.750	33.00	2	2
Combination and compressor engine	.909	40.00	2	2
Excavating	.750	36.00	2	2
Foundation work	.818	36.00	2	2
Hod elevators	.813	35.75	2	2
Philadelphia, Pa.:				
Boom derrick	.900	39.60	2	2
Hoist	.750	33.00	2	2
Pittsburgh, Pa	.700	30.80	1½	2
Portland, Me	.700	33.60	1½	2
Providence, R. I	.625	27.50	1½	2
Rochester, N. Y	.750	33.00	2	2
Steam shovels, air compressors, etc	.795	35.00	2	2
Scranton, Pa	.625	30.00	1½	2
Springfield, Mass	.750	33.00	2	2
Worcester, Mass	.750	33.00	2	2
HOD CARRIERS.				
Boston, Mass	.425	18.70	1½	2
Newark, N. J	.450	19.80	2	2
New York, N. Y	.470	20.68	1½	2
Philadelphia, Pa	.600	26.40	1½	2
Pittsburgh, Pa.:				
Mortar men	.550	24.20	1½	2
Wheelbarrow men	.450	19.80	1½	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

BUILDING TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
HOD CARRIERS—continued.				
Portland, Me	$0.500	$22.00	1½	2
Providence, R. I	.380	19.00	1½	2
Rochester, N. Y	.400	17.60	1½	2
Scranton, Pa	.350	15.40	1½	2
Springfield, Mass	.500	22.00	2	2
Worcester, Mass	.500	22.00	1½	2
INSIDE WIREMEN.				
Boston, Mass	.700	30.80	2	2
Bridgeport, Conn	.600	26.40	1	2
Buffalo, N. Y	.700	30.80	1½	2
Fall River, Mass	.600	26.40	2	2
Manchester, N. H	.600	26.40	1½	2
Newark, N. J	.688	30.25	2	2
New Haven, Conn	.600	26.40	2	2
New York, N. Y	.650	28.60	2	2
Philadelphia, Pa	.650	28.60	2	2
Pittsburgh, Pa	.688	30.25	1½	2
Portland, Me	.650	31.20	1½	2
Providence, R. I	.600	26.40	2	2
Rochester, N. Y	.750	33.00	1½	2
Scranton, Pa	.625	27.50	1½	2
Springfield, Mass	.570	25.08	1½	2
Worcester, Mass	.550	24.20	1½	2
INSIDE WIREMEN: FIXTURE HANGERS.				
Boston, Mass	.650	28.60	2	2
Buffalo, N. Y	.500	24.00	1½	2
New York, N. Y	.650	28.60	2	2
Philadelphia, Pa	.650	28.60	2	2
Pittsburgh, Pa	.750	33.00	1½	2
Rochester, N. Y	.750	33.00	1½	2
Springfield, Mass	.570	25.08	1½	2
LATHERS.				
Boston, Mass.:				
Metal or wood	.750	30.00	2	2
Wood			2	2
Bridgeport, Conn.:				
Metal or wood	.688	30.25	2	2
Wood			2	2
Buffalo, N. Y.:				
Metal or wood	.625	30.00	1½	2
Wood			1½	2
Fall River, Mass.:				
Metal	.600	26.40	1½	2
Wood			1	1
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.688	30.25	2	2
New York, N. Y.:				
Metal	.688	30.25	2	2
Metal or wood	.750	33.00	2	2
Wood—				
Brooklyn			2	2
Manhattan and Bronx			2	2
Philadelphia, Pa.:				
Metal	.750	33.00	2	2
Wood	.750	33.00	2	2
Pittsburgh, Pa.:				
Metal or wood	.688	30.25	1½	2
Wood			1½	2
Providence, R. I.:				
Metal or wood	.700	30.80	2	2
Metal			2	2
Wood			2	2
Rochester, N. Y.:				
Metal or wood	.600	26.40	1½	2
Metal or wood			1	
Scranton, Pa.:				
Metal	.600	26.40	1½	2
Wood			1	1
Springfield, Mass.:				
Metal	.625	27.50	2	2
Wood			2	2
Worcester, Mass.:				
Metal	.625	27.50	2	2
Wood			2	2
MARBLE SETTERS.				
Boston, Mass	.750	33.00	2	2
Bridgeport, Conn	.700	30.80	2	2
Buffalo, N. Y	.750	36.00	1½	2
Newark, N. J	.688	30.25	2	2
New Haven, Conn	.700	30.80	2	2
New York, N. Y	.688	30.25	2	2
Philadelphia, Pa	.750	33.00	1½	2
Pittsburgh, Pa	.750	33.00	1½	2
Rochester, N. Y	.719	31.63	1½	2
Scranton, Pa	.688	33.00	1½	2
Springfield, Mass	.750	33.00	2	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

BUILDING TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
MARBLE SETTERS' HELPERS.				
Boston, Mass	$0.425	$18.70	1½	2
New York, N. Y	.438	19.25	2	2
MOSAIC AND TERRAZZO WORKERS.				
New York, N. Y	.625	27.50	2	2
Philadelphia, Pa.:				
First class	.550	24.20	1½	2
Second class	.500	22.00	1½	2
Third class	.400	17.60	1½	2
PAINTERS.				
Boston, Mass	.750	30.00	2	2
Bridgeport, Conn	.625	27.50	1½	2
Buffalo, N. Y	.563	24.75	1½	2
Fall River, Mass	.550	24.20	1½	2
Manchester, N. H	.500	22.00	1½	2
Newark, N. J	.625	27.50	2	2
New Haven, Conn	.531	23.38	2	2
New York, N. Y.:				
Brooklyn	.625	27.50	2	.....
Manhattan, Bronx, and Richmond	.625	27.50	2	.....
Queens	.625	27.50	2	2
All boroughs	.563	24.75	2	2
Philadelphia, Pa	.600	26.40	1½	2
Pittsburgh, Pa	.675	29.70	1½	2
Portland, Me	.550	24.20	1½	2
Providence, R. I	.625	27.50	1½	2
Rochester, N. Y	.625	27.50	1½	2
Scranton, Pa	.500	22.00	1½	2
Springfield, Mass	.600	26.40	1½	2
Worcester, Mass	.625	27.50	1½	2
PAINTERS, FRESCO.				
Boston, Mass	.800	32.00	2	2
Fall River, Mass	.600	26.40	1½	2
New York, N. Y	.625	27.50	2	2
Brooklyn	.875	38.50	2	.....
Manhattan, Bronx, and Richmond	.625	27.50	2	.....
Queens	.625	27.50	2	2
Philadelphia, Pa	.600	26.40	1½	2
Springfield, Mass	.600	26.40	1½	2
Worcester, Mass	.625	27.50	1½	2
PAINTERS: SIGN.				
Boston, Mass	.688	30.25	2	2
Bridgeport, Conn	.625	30.00	1½	1½
Buffalo, N. Y	.750	33.00	1½	2
New York, N. Y	.750	33.00	2	2
Philadelphia, Pa	.688	30.25	1½	2
Pittsburgh, Pa	.725	31.90	1½	2
Rochester, N. Y	.625	27.50	1½	2
Springfield, Mass	.600	26.40	1½	2
Worcester, Mass	.625	27.50	1½	2
PLASTERERS.				
Boston, Mass	.700	28.00	2	2
Bridgeport, Conn	.700	30.80	2	2
Buffalo, N. Y	.700	30.80	2	2
Fall River, Mass	.750	33.00	1½	1½
Manchester, N. H	.750	33.00	1½	2
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.700	30.80	2	2
New York, N. Y.:				
Brooklyn	.750	33.00	2	2
Manhattan, Bronx, and Richmond	.750	33.00	2	2
Queens	.875	35.00	2	2
Philadelphia, Pa	.750	30.00	1½	2
Pittsburgh, Pa	.750	33.00	2	2
Portland, Me	.800	35.20	2	2
Providence, R. I	.688	27.50	2	2
Rochester, N. Y	.700	30.80	1½	2
Scranton, Pa	.700	30.80	1½	2
Springfield, Mass	.750	33.00	2	2
Worcester, Mass	.750	33.00	1½	2
PLASTERERS' LABORERS.				
Boston, Mass	.500	20.00	2	2
Newark, N. J	.450	19.80	2	2
New York, N. Y.:				
Brooklyn	.563	24.75	2	2
Queens	.500	22.00	2	2
All boroughs	.563	24.75	2	2
Philadelphia, Pa	.500	20.00	1½	2
Pittsburgh, Pa	.550	24.20	1½	2
Portland, Me	.550	24.20	1½	2
Providence, R. I	.500	22.00	2	2
Rochester, N. Y	.400	17.60	1½	2
Scranton, Pa	.350	15.40	1½	2
Worcester, Mass	.550	24.20	1½	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

BUILDING TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
PLUMBERS AND GAS FITTERS.				
Boston, Mass.:				
Plumbers	$0.750	$33.00	2	2
Gas fitters	.700	30.80	2	2
Bridgeport, Conn	.625	27.50	1	2
Buffalo, N. Y	.688	30.25	1½	2
Fall River, Mass	.563	24.74	2	2
Manchester, N. H	.500	22.00	1½	1½
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.625	27.50	1	2
New York, N. Y.:				
Manhattan, Bronx, and Brooklyn	.750	33.00	2	2
Queens	.688	30.25	2	2
Richmond	.750	33.00	2	2
Philadelphia, Pa	.625	27.50	2	2
Pittsburgh, Pa	.750	33.00	1½	2
Portland, Me	.625	27.50	2	2
Providence, R. I	.750	33.00	2	2
Rochester, N. Y	.594	26.13	1½	2
Scranton, Pa	.625	27.50	2	2
Springfield, Mass	.614	27.00	2	2
Worcester, Mass:				
Plumbers	.600	26.40	2	2
Gas fitters	.500	22.00	2	2
PLUMBERS' LABORERS.				
New York, N. Y	.625	30.00	2	2
Pittsburgh, Pa	.500	22.00	1½	2
SHEET-METAL WORKERS.				
Boston, Mass.:				
Building work	.700	30.80	2	2
Railroad shops	.680	32.64	1	1½
Bridgeport, Conn	.625	27.50	1	2
Buffalo, N. Y	.563	27.00	1½	2
Fall River, Mass	.500	22.00	2	2
Manchester, N. H	.375	16.50	1½	1½
Newark, N. J	.750	33.00	2	2
New Haven, Conn.:				
Building work	.591	26.00	2	2
Railroad shops	.680	32.64	1	1½
New York, N. Y.:				
Richmond	.700	30.80	2	2
All boroughs	.700	30.80	2	2
Philadelphia, Pa	.700	30.80	2	2
Shipyards	.700	30.80	1½	2
Pittsburgh, Pa	.700	30.80	1½	2
Portland, Me.:				
First class	.500	24.00	1½	2
Second class	.438	21.00	1½	2
Providence, R. I	.570	25.08	1½	2
Rochester, N. Y	.563	24.75	1½	2
Scranton, Pa	.563	24.75	2	2
Springfield, Mass	.545	24.00	2	2
Worcester, Mass	.523	22.99	1½	2
SHIP CARPENTERS.				
Boston, Mass	.700	30.80	2	2
New York, N. Y	.700	33.60	2	2
Do	.700	33.60	2	2
Do	.650	31.20	2	2
Philadelphia, Pa	.600	28.80	1½	2
Portland, Me.:				
First class	.700	33.60	1½	2
Second class	.650	31.20	1½	2
SLATE AND TILE ROOFERS.				
Bridgeport, Conn	.625	27.50	1½	2
Buffalo, N. Y	.600	28.80	1½	2
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.688	30.25	1½	2
New York, N. Y	.781	34.38	2	2
Philadelphia, Pa	.700	30.80	1½	2
Pittsburgh, Pa	.750	33.00	1½	2
Scranton, Pa	.531	25.50	1½	2
Springfield, Mass	.625	27.50	1½	2
STEAM FITTERS.				
Boston, Mass	.688	30.25	2	2
Bridgeport, Conn	.625	27.50	1	2
Buffalo, N. Y	.688	30.25	1½	2
Fall River, Mass	.600	26.40	2	2
Manchester, N. H	.500	22.00	1½	1½
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.625	27.50	1	2
New York, N. Y	.750	33.00	2	2
Philadelphia, Pa	.625	27.50	2	2
Do	.688	30.25	2	2
Pittsburgh, Pa	.750	33.00	2	2
Portland, Me	.625	27.50	2	2
Providence, R. I	.650	28.60	2	2
Do	.625	27.50	2	2
Rochester, N. Y	.594	26.13	1½	2
Scranton, Pa	.625	27.50	2	2
Springfield, Mass	.568	25.03	2	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

BUILDING TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
STEAM-FITTERS' HELPERS.				
Boston, Mass	$0.425	$18.70	2	2
Bridgeport, Conn	.344	15.13	1	2
Buffalo, N. Y	.344	15.13	1½	2
Fall River, Mass	.450	19.80	2	2
Newark, N. J	.425	18.70	2	2
New York, N. Y	.425	18.70	2	2
Philadelphia, Pa	.375	16.50	2	2
Do	.375	16.50	2	2
Pittsburgh, Pa	.438	19.25	2	2
Providence, R. I	.375	16.50	2	2
Scranton, Pa	.438	19.25	2	2
Springfield, Mass	.341	15.00	2	2
Worcester, Mass	.330	14.50	2	2
STONEMASONS.				
Boston, Mass	.800	35.20	2	2
Bridgeport, Conn	.700	30.80	2	2
Buffalo, N. Y	.750	36.00	1½	2
Fall River, Mass	.750	33.00	1½	1½
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.700	30.80	2	2
New York, N. Y	.750	33.00	2	2
Do	.750	33.00	2	2
Do	.750	33.00	2	2
Do	.813	35.75	2	2
Philadelphia, Pa	.700	30.80	1½	2
Pittsburgh, Pa	.650	28.60	1½	2
Portland, Me	.700	30.80	1½	2
Providence, R. I	.700	30.80	1½	2
Do	.500	22.00	1½	2
Rochester, N. Y	.700	30.80	1½	2
Scranton, Pa	.750	36.00	1½	2
Do	.700	33.60	1½	2
Springfield, Mass	.750	33.00	2	2
Worcester, Mass	.650	28.60	1½	2
STRUCTURAL-IRON WORKERS.				
Boston, Mass	.800	35.20	2	2
Bridgeport, Conn	.800	35.20	1½	2
Buffalo, N. Y	.700	30.80	1½	2
Fall River, Mass	.625	27.50	1½	2
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.800	35.30	2	2
New York, N. Y.:				
Brooklyn and Queens	.800	35.20	2	2
Manhattan, Bronx, and Richmond	.800	35.20	2	2
Philadelphia, Pa	.925	40.70	2	2
Pittsburgh, Pa	.875	38.50	1½	2
Portland, Me	.750	33.00	2	2
Providence, R. I	.800	35.20	2	2
Rochester, N. Y	.800	35.20	2	2
Scranton, Pa	.688	33.00	1½	2
Springfield, Mass	.688	30.25	2	2
Worcester, Mass	.688	30.25	2	2
STRUCTURAL IRON WORKERS: FINISHERS.				
Boston, Mass	.800	35.20	2	2
Bridgeport, Conn	.800	35.20	1½	2
Buffalo, N. Y	.700	30.80	1½	2
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.800	35.20	2	2
New York, N. Y	.688	30.25	2	2
Philadelphia, Pa	.925	40.70	2	2
Pittsburgh, Pa	.875	38.50	1½	2
Providence, R. I	.800	35.20	2	2
Rochester, N. Y	.800	35.20	2	2
Scranton, Pa	.688	33.00	1½	2
Springfield, Mass	.688	30.25	2	2
Worcester, Mass	.688	30.25	2	2
STRUCTURAL-IRON WORKERS: FINISHERS' HELPERS.				
Boston, Mass	.550	24.20	2	2
Bridgeport, Conn	.550	24.20	1½	2
Buffalo, N. Y	.450	19.80	2	2
Newark, N. J	.500	22.00	2	2
New Haven, Conn	.550	24.20	2	2
New York, N. Y	.500	22.00	2	2
Pittsburgh, Pa	.600	26.40	1½	2
Rochester, N. Y	.450	19.80	2	2
Springfield, Mass	.550	24.20	2	2
Worcester, Mass	.500	22.00	2	2
TILE LAYERS.				
Boston, Mass	.750	30.00	2	2
Bridgeport, Conn	.688	30.25	2	2
Buffalo, N. Y	.625	30.00	1½	2
Newark, N. J	.688	30.25	2	2
New York, N. Y	.750	33.00	2	2
Philadelphia, Pa	.700	30.80	1½	2
Do	.719	34.50	1½	2
TILE LAYERS—continued.				
Pittsburgh, Pa	$0.675	$29.70	1½	2
Providence, R. I	.688	30.25	1½	2
Rochester, N. Y	.625	27.50	1½	2
Scranton, Pa	.600	26.40	1½	2
TILE LAYERS' HELPERS.				
Boston, Mass	.438	17.50	2	2
Bridgeport, Conn	.413	18.15	2	2
Newark, N. J	.406	17.88	2	2
New York, N. Y	.406	17.88	2	2
Philadelphia, Pa	.420	18.48	1½	2
Pittsburgh, Pa	.438	19.25	1½	2
Providence, R. I	.375	16.50	1½	2
Scranton Pa	.313	13.75	1½	2

METAL TRADES.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
BLACKSMITHS.				
Boston, Mass.:				
Railroad shops, road A	$0.680	$32.64	1	1½
Railroad shops, road B	.680	32.64	1	1½
Buffalo, N. Y.:				
Manufacturing and jobbing shops	.650	28.60	1½	2
New Haven, Conn.:				
Railroad shops	.680	32.64	1	1½
New York, N. Y.:				
Manufacturing and jobbing shops—				
Manhattan, Bronx, and Queens	.725	34.80	2	2½
Brooklyn	.725	34.80	2	2½
Philadelphia, Pa.:				
Manufacturing and jobbing—				
Shops A	.725	39.15	1½	2
Shops B	.725	31.90	1½	2
Railroad shops	.680	32.64	1	1½
Shipyards	.825	36.30	2	2
Do	.725	31.90	1½	2
Pittsburgh, Pa.:				
Manufacturing shops	.500	25.00	1½	1½
Do	.575	27.60	1½	2
Railroad shops	.680	32.64	1	1½
Portland, Me	.680	36.04	1½	1½
Springfield, Mass.:				
Manufacturing and jobbing shops	.500	25.00	2	2
Railroad shops	.680	32.64	1	1½
BLACKSMITHS' HELPERS.				
Boston, Mass.				
Railroad shops, road A	.450	21.60	1	1½
Railroad shops, road B	.450	21.60	1	1½
Buffalo, N. Y.:				
Manufacturing and jobbing shops	.450	19.80	1½	2
New Haven, Conn.:				
Railroad shops	450	21.60	1	1½
New York, N. Y.:				
Manufacturing and jobbing shops	.460	22.08	2	2½
Philadelphia, Pa.:				
Manufacturing and jobbing—				
Shops A	.500	27.00	1½	2
Shops B	.500	22.00	1½	2
Railroad shops	.450	21.60	1	1
Shipyards	.565	24.86	2	2
Do	.460	20.24	1½	2
Pittsburgh, Pa.:				
Manufacturing shops	.435	20.88	1½	2
Do	.380	19.00	1½	1½
Railroad shops	.450	21.60	1	1½
Portland, Me	.450	23.85	1½	1½
Springfield, Mass.:				
Manufacturing and jobbing shops	.360	18.00	2	2
Railroad shops	.450	21.60	1	1½
BOILER MAKERS.				
Boston, Mass.:				
Railroad shops, road A	.680	32.64	1	1½
Do	.680	32.64	1	1½
Railroad shops, road B	.680	32.64	1	1½
Buffalo, N. Y.:				
Manufacturing shops	.700	37.80	1½	1½
Do	.530	28.62	1½	1½
Outside	.625	30.00	1½	2
Railroad shops, road A	.680	32.64	1	1½
Railroad shops, road B	.680	32.64	1	1½
Railroad shops, road C	.680	32.64	1	1
Railroad shops, road E	.680	32.64	1	1½
Railroad shops, road F	.680	32.64	1	1½

Union scale of wages and hours of labor in each trade, etc.—Continued.

METAL TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
BOILER MAKERS—continued.				
New Haven, Conn.:				
Railroad shops	$0.680	$32.64	1	1½
New York, N. Y.:				
Manufacturing shops	.700	33.60	2	2
Outside	.750	33.00	2	2
Marine work	.700	33.60	2½	2
Philadelphia, Pa.:				
Manufacturing shops	.700	30.80	2	2
Outside	.800	35.20	2	2
Shipyards	.800	35.20	2	2
Do	.700	30.80	1½	2
Pittsburgh, Pa.:				
Manufacturing and jobbing shops	.600	30.00	----------	3
Outside	.750	33.00	2	----------
Railroad shops, road A	.680	32.64	1	1½
Railroad shops, road B	.680	32.64	1	1½
Portland, Me.:				
Railroad shops	.680	32.64	1	1½
Rochester, N. Y.:				
Manufacturing and jobbing shops	.750	36.00	2	2
Railroad shops	.680	32.64	1	1½
Springfield, Mass.:				
Railroad shops	.680	32.64	1	1½
BOILER MAKERS' HELPERS.				
Boston, Mass.:				
Railroad shops, road A	.450	21.60	1	1½
Do	.450	21.60	1	1½
Railroad shops, road B	.450	21.60	1	1½
Do	.450	21.60	1	1½
Buffalo, N. Y.:				
Manufacturing shops	.416	22.44	1½	1½
Do	.360	19.44	1½	1½
Outside	.410	19.68	1½	2
New Haven, Conn.:				
Railroad shops	.450	24.30	1½	1½
New York, N. Y.:				
Manufacturing shops	.460	22.08	2	2
Outside	.750	33.00	2	2
Marine work	.460	22.08	2½	2
Philadelphia, Pa.:				
Manufacturing shops	.550	24.20	2	2
Outside	.650	28.60	2	2
Shipyards	.600	26.40	1½	2
Do	.460	20.24	1½	2
Pittsburgh, Pa.:				
Manufacturing shops	.450	22.50	----------	3
Outside	.688	30.25	2	----------
Railroad shops	.450	21.60	1	1½
Portland, Me.:				
Railroad shops	.450	21.60	1	1½
Rochester, N. Y.:				
Manufacturing and jobbing shops	.475	22.80	2	2
Springfield, Mass.:				
Railroad shops	.450	21.60	1	1½
COPPERSMITHS.				
Boston, Mass	.625	30.00	2	2
New Haven, Conn	.385	20.79	1½	1½
Do	.300	16.20	1½	1½
New York, N. Y	.731	32.18	2½	2½
Philadelphia, Pa.:				
Inside, A	.700	33.60	2	2
Inside, B	.700	33.60	2	2
Outside	.763	33.55	2	2
CORE MAKERS.				
Boston, Mass	.583	31.50	1½	2
Bridgeport, Conn	.417	22.50	1½	2
Buffalo, N. Y	.583	31.50	1½	2
Fall River, Mass	.500	27.00	1½	2
Newark, N. J	.556	30.00	1½	2
New York, N. Y	.528	28.50	1½	2
Marine work	.725	34.80	1½	2
Philadelphia, Pa	.688	33.00	1½	2
Pittsburgh, Pa	.656	31.50	1½	2
Providence, R. I	.400	22.00	1½	2
Rochester, N. Y	.583	31.50	1½	2
Scranton, Pa.:				
Manufacturing shops, machinery	.556	30.00	1½	2
Manufacturing shops, hot water and steam heating	.556	30.00	1½	2
Springfield, Mass.:				
Brass and iron	.556	30.00	1½	2
Worcester, Mass	.500	27.00	1½	2
MACHINISTS.				
Boston, Mass.:				
Manufacturing shops, A	.550	24.75	1½	2
Manufacturing shops, B	.550	27.50	1½	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

METAL TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
MACHINISTS—continued.				
Boston, Mass.—Continued.				
Manufacturing shops, C	$0.550	$26.40	1½	2
Tool and die makers shops, C	.650	31.20	1½	2
Railroad shops, road A	.680	32.64	1	1½
Railroad shops, road B	.680	32.64	1	1½
Bridgeport, Conn.:				
Manufacturing shops	.550	26.40	1½	2
Tool and die makers	.750	36.00	1½	2
Buffalo, N. Y.:				
Manufacturing shops, A	.550	29.70	1½	2
Manufacturing shops, B	.550	26.40	1½	2
Die sinkers (for drop-forging machines)	.900	48.60	1½	2
Tool and die makers	.700	33.60	1½	2
Specialists	.500	24.00	1½	2
Outside	.750	33.00	2	2
Railroad shops, road B	.680	32.64	1	1½
Railroad shops, road D	.680	32.64	1	1½
Railroad shops, road E	.680	32.64	1	1½
Railroad shops, road F	.680	32.64	1	1½
Railroad shops, road G	.680	32.64	1	1½
Newark, N. J.:				
Manufacturing shops, A	.450	22.50	1½	2
Manufacturing shops, B	.550	26.40	1½	2
Tool and die makers shops, A	.650	31.20	1½	2
Tool and die makers shops, B	.650	31.20	1½	2
Outside	.750	33.00	2	2
Breweries	.698	33.50	1½	2
New Haven, Conn.:				
Manufacturing shops	.600	28.80	1½	2
Tool and die makers	.700	33.60	1½	2
Specialists	.500	24.00	1½	2
Outside	.600	28.80	1½	2
Railroad shops	.680	36.72	1	1½
New York, N. Y.:				
Manufacturing shops	.730	35.04	1½	2
Tool and die makers	.820	39.36	1½	2
Marine work	.725	34.80	2	2
Auto repair shops	.750	36.00	2	2
Printing-press factories	.500	24.00	1½	2
Outside	.750	33.00	2	2
Philadelphia, Pa.:				
Manufacturing shops, A	.650	35.10	1½	2
Manufacturing shops, B	.725	34.80	1½	2
Tool and die makers shops, A	.750	40.50	1½	2
Tool and die makers shops, B	.780	37.44	1½	2
Dry docks and repair work	.825	36.30	2	2
First class, shipyards	.725	31.90	1½	2
Second class, shipyards	.625	27.50	1½	2
Outside	.850	37.40	2	2
Breweries	.650	31.20	1½	2
Railroad shops	.680	32.64	1	1½
Pittsburgh, Pa:				
Manufacturing shops, A	.550	29.70	1½	2
Manufacturing shops, D	.600	28.80	1½	2
Outside	.625	27.50	1½	2
Breweries	.550	26.40	1½	2
Railroad shops, road A	.680	32.64	1	1½
Railroad shops, road B	.680	32.64	1	1½
Portland, Me.:				
Railroad shops	.680	32.64	1	1½
Providence, R. I.:				
Manufacturing	.350	17.50	1½	2
Specialists	.300	15.00	1½	2
Auto repair shops	.421	20.20	1½	2
Breweries	.500	24.00	2	2
Railroad shops	.680	32.64	1	1½
Rochester, N. Y.:				
Manufacturing shops	.550	26.40	1½	2
Jobbing shops	.550	26.40	1½	2
Tool and die makers, manufacturing shops	.650	31.20	1½	2
Tool and die makers, jobbing shops	.650	31.20	1	2
Railroad shops	.680	32.64	1	1½
Do	.680	32.64	1	1½
Do	.680	32.64	1	1½
Specialists, railroad shops	.680	32.64	1	1½
Springfield, Mass.:				
Railroad shops	.680	32.64	1	1½
Worcester, Mass.:				
Manufacturing shops	.475	22.80	1½	2
Tool makers	.525	25.20	1½	2
Railroad shops, road A	.680	32.64	1	1½
Railroad shops, road B	.680	32.64	1	1½
Railroad shops, road C	.680	32.64	1	1½
MACHINISTS' HELPERS.				
Boston, Mass.:				
Railroad shops, road A	.450	21.60	1	1½
Railroad shops, road B	.450	21.60	1	1½
Buffalo, N. Y.:				
Manufacturing shops, A	.400	21.60	1½	2
Manufacturing shops, B	.400	19.20	1½	2
Outside	.550	24.20	2	2
Newark, N. J.:				
Outside	.500	22.00	2	2
Breweries	.490	23.50	1½	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

METAL TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
MACHINISTS' HELPERS—contd.				
New Haven, Conn.:				
Outside	$0.450	$21.60	1½	2
Railroad shops	.450	21.60	1	1½
New York, N. Y.:				
Manufacturing shops	.438	21.00	1½	2
Outside	.438	19.25	2	2
Pittsburgh, Pa.:				
Railroad shops, A	.450	21.60	1	1½
Railroad shops, B	.450	21.60	1	1½
Portland, Me.:				
Railroad shops	.450	21.60	1	1½
Providence, R. I.:				
Breweries	.375	18.00	2	2
Railroad shops	.450	21.60	1	1½
Springfield, Mass.:				
Railroad shops	.450	21.60	1	1½
Worcester, Mass.:				
Railroad shops, A	.450	21.60	1	1½
Railroad shops, B	.450	21.60	1	1½
METAL POLISHERS AND BUFFERS.				
Boston, Mass	.469	22.50	1½	2
Bridgeport, Conn.:				
Shops A	.346	16.61	1½	2
Shops B	.400	19.20	1½	2
Shops C	.380	18.24	1½	1½
Buffalo, N. Y.:				
Shops A	.400	21.60	1½	1½
Shops B	.360	19.80	1½	1½
Newark, N. J.:				
Shops A	.550	30.25	1½	2
Shops B	.560	29.12	1½	2
Shops D	.570	27.36	1½	2
Shops E	.500	24.75	1½	2
Shops F	.550	29.70	1½	2
Shops G	.600	30.00	1½	2
Shops H	.650	31.20	1½	2
New Haven, Conn	.420	23.10	1	1
New York	.700	33.60	2	2
Do	.700	30.80	2	2
Philadelphia, Pa.:				
Shops A	.400	20.00	1½	2
Shops B	.646	31.00	1½	2
Pittsburgh, Pa.:				
Shops A	.540	29.16	2	2
Shops C	.600	26.40	2	2
Shops D	.600	28.80	2	2
Jobbing shops	.600	26.40	2	2
Rochester, N. Y.:				
Shops A	.575	28.46	1½	2
Shops B	.450	22.28	1½	2
Springfield, Mass.:				
Shops A	.480	23.04	1½	2
Shops B	.580	27.84	1½	2
Shops C	.600	30.00	1½	2
MOLDERS: IRON.				
Boston, Mass.:				
Iron and brass	.583	31.50	1½	2
Buffalo, N. Y.:				
Iron and brass	.583	31.50	1½	2
Bridgeport, Conn.:				
Iron and brass	.417	22.50	1½	2
Fall River, Mass	.500	27.00	1½	2
Newark, N. J.:				
Iron	.556	30.00	1½	2
Brass	.560	28.00	1½	2
New York, N. Y.:				
Iron	.528	28.50	1½	2
Iron and brass, marine work	.725	34.80	1½	2
Philadelphia, Pa	.688	33.00	1½	2
Pittsburgh, Pa.:				
Iron and brass	.656	31.50	1½	2
Portland, Me	.556	30.00	1½	2
Providence, R. I	.400	22.00	1½	2
Rochester, N. Y.:				
Iron and brass	.583	31.50	1½	2
Scranton, Pa.:				
Iron and brass, machinery	.556	30.00	1½	2
Hot water and steam heating	.583	31.50	1½	2
Springfield, Mass.:				
Iron and brass	.556	30.00	1½	2
Do	.500	27.00	1½	2
PATTERN MAKERS.				
Boston, Mass.:				
Manufacturing shops	.750	30.00	1½	1½
Jobbing shops	.800	38.40	2	2
Bridgeport, Conn.:				
Manufacturing shops	.750	36.00	1½	2
Jobbing shops	.800	38.40	1½	2
Buffalo, N. Y.:				
Manufacturing shops, A	.730	39.42	2	2
Manufacturing shops, B	.750	37.50	2	2
Manufacturing shops, C	.720	36.72	2	2
Manufacturing shops, D	.750	36.00	2	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

METAL TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
PATTERN MAKERS—continued.				
Jobbing shops	$0.725	$31.90	2	2
Newark, N. J.:				
Manufacturing shops	.750	36.00	2	2
Jobbing shops	.800	35.20	2	2
New Haven, Conn	.600	30.00	1½	2
New York, N. Y.:				
Manufacturing shops, A	.900	39.60	2	2
Manufacturing shops, B	.750	36.00	2	2
Manufacturing shops, C	.750	36.00	2	2
Manufacturing shops, D	.750	36.00	2	2
Jobbing shops	.850	37.40	2	2
Architectural work, wood	.750	33.00	2	2
Architectural work, plaster	.670	29.48	2	2
Philadelphia, Pa.:				
Manufacturing shops, A	.750	33.00	1½	2
Manufacturing shops, B	.750	37.13	1½	2
Manufacturing shops, C	.750	33.00	1½	2
Jobbing shops, A	.750	33.00	2	2
Jobbing shops, B	.750	33.00	2	2
Pittsburgh, Pa.:				
Manufacturing shops	.750	39.00	1½	2
Jobbing shops	.800	40.00	1½	2
Providence, R. I	.600	33.00	1½	2
Rochester, N. Y	.620	29.76	1½	2
Springfield, Mass	.675	32.40	2	2
Worcester, Mass	.600	33.00	1½	2
FREIGHT HANDLERS.				
Boston, Mass:				
Coal handlers	$0.306	$16.50	1½	1½
Coastwise	.480	25.90	(1)	
General cargo	.500	27.00	(2)	(3)
Longshoremen	.305	18.00	1½	2
Railroad A	.290	17.40	1	
Railroad B	.290	17.40	1½	1½
Railroad C	.290	17.40	1½	1½
Sugar, molasses, oranges	.600	32.40	(2)	(3)
Buffalo, N. Y.:				
Elevator men	.380	22.78	2	2
Elevator men's helpers and car gang	.300	18.00	2	2
Package freight handlers, Union A	.500	30.00	1	1
Package freight handlers, Union B	.420	25.20	1	1
New York, N. Y.:				
Beef handlers	.700	37.80	(4)	(5)
General cargo, coastwise vessels	.480	25.92	(1)	(6)
General cargo, foreign-bound vessels	.500	27.00	1½	2
Lumber, stone, sand, and coal handlers	.350	21.00	1½	2
Munition handlers	1.000	54.00	2	2
Philadelphia, Pa.:				
Grain handlers	.600	36.00	1½	2
Lumber handlers	.600	33.00	1½	2
Longshoremen	.500	30.00	1½	2
Munition handlers	.700	42.00	1½	2
Oil handlers	.650	39.00	1½	2
Portland, Me	.500	27.00	1½	2
GRANITE AND STONE TRADES.				
GRANITE CUTTERS.				
Boston, Mass.:				
Outside	$0.630	$27.72	1½	2
Do	.780	34.32	1½	2
Inside	.600	26.40	1½	2
Machine	.638	28.05	1½	2
Bridgeport, Conn.:				
Outside	.625	27.50	1½	2
Inside	.625	27.50	1½	2
Machine	.675	29.70	1½	2
Buffalo, N. Y.:				
Outside	.631	27.78	1½	2
Inside	.631	27.78	1½	2
Machine	.750	33.00	1½	2
Fall River, Mass.:				
Outside and machine	.656	28.86	1½	2
Manchester, N. H.:				
Inside	.500	22.00	1½	2
Newark, N. J.:				
Outside	.625	27.50	1½	2
Inside	.625	27.50	1½	2
New Haven, Conn.:				
Outside	.600	26.40	1½	2
Inside	.600	26.40	1½	2

[1] 70 cents per hour.
[2] 75 cents per hour.
[3] $1 per hour.
[4] 95 cents per hour.
[5] $1.20 per hour.
[6] 90 cents per hour.

Union scale of wages and hours of labor in each trade, etc.—Continued.

GRANITE AND STONE TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
GRANITE CUTTERS—continued.				
New York, N. Y.:				
Outside	$0.688	$30.25	2	2
Do	.750	33.00	2	2
Inside	.688	30.25	2	2
Machine	.688	30.25	2	2
Philadelphia, Pa.:				
Outside	.700	30.80	1½	2
Inside	.650	28.60	1½	2
Machine	.700	30.80	1½	2
Pittsburgh, Pa.:				
Outside	.750	33.00	2	2
Inside and machine	.625	27.50	2	2
Portland, Me	.600	26.40	2	2
Providence, R. I.:				
Outside and inside	.600	26.40	1½	
Machine	.650	28.60	1½	
Rochester, N. Y	.640	28.16	1½	2
Springfield, Mass.:				
Outside and inside	.600	26.40	2	2
Machine	.663	29.15	2	2
Worcester, Mass.:				
Outside and inside	.600	26.40	1½	2
Machine	.630	27.72	1½	2
STONECUTTERS.				
Boston, Mass.:				
Outside	.750	33.00	2	2
Inside	.700	30.80	2	2
Bridgeport, Conn	.625	27.50	1½	2
Buffalo, N. Y	.625	27.50	1½	2
Newark, N. J.:				
First class	.688	30.25	1½	1½
Second class	.688	30.25	1½	1½
New Haven, Conn	.600	26.40	1½	2
New York, N. Y.:				
First class	.688	$0.25	2	2
Second class	.688	30.25	2	2
Bluestone	.688	30.25	2	2
Philadelphia, Pa.:				
Outside	.700	30.80	1½	2
Inside	.650	28.60	1½	2
Pittsburgh, Pa	.660	29.04	1½	2
Providence, R. I	.625	27.50		
Rochester, N. Y	.700	30.80	1½	1½
Scranton, Pa.:				
Outside and inside	.563	24.75	1½	2
Machine men	.500	27.00	1½	2
Springfield, Mass	.563	24.75	1½	2

The PRESIDING OFFICER (Mr. KING in the chair). The question is on concurring in the amendments made as in Committee of the Whole. In the absence of objection, they will be concurred in. The Chair hears none, and the amendments made as in Committee of the Whole are concurred in. The bill is in the Senate and open to further amendment.

Mr. BORAH. Mr. President, I suggest the absence of a quorum.

THE PRESIDING OFFICER. The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	McLean	Smith, Mich.
Bankhead	Harding	McNary	Smoot
Borah	Hardwick	Martin, Ky.	Swanson
Brandegee	Henderson	Martin, Va.	Thomas
Calder	Hitchcock	Moses	Trammell
Colt	Hollis	Myers	Underwood
Culberson	Johnson, Cal.	New	Wadsworth
Cummins	Johnson, S. Dak.	Nugent	Walsh
Curtis	Jones, Wash.	Overman	Warren
Fernald	Kenyon	Poindexter	Williams
Fletcher	Knox	Pollock	Wolcott
France	La Follette	Pomerene	
Frelinghuysen	Lenroot	Ransdell	
Gay	McKellar	Sheppard	

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present.

Mr. BORAH. Mr. President, I presume we are about to take a vote on the pending bill.

Mr. MARTIN of Virginia. Yes; I think so.

Mr. BORAH. That being the situation, I shall detain the Senate but a moment, and Senators need not leave their seats.

The VICE PRESIDENT. The Senator from Idaho.

Mr. BORAH. Mr. President, I simply want to make a few closing remarks in this debate. I think this bill presents the most extraordinary situation which has ever been presented to the Senate; certainly in my service, and I believe, in all probability, in the service of anyone within the sound of my voice.

It is an open secret, Mr. President, that not 5 per cent of the Senate are in favor of this bill. When I say that I mean that they would never have initiated any such movement, and the bill does not receive their unqualified indorsement, notwithstanding that they may feel constrained, under certain conditions which exist, to vote for it. I have heard only two Senators speak upon the floor who did not apologize for the vote which they were going to cast. It is an extraordinary situation.

The war for democracy closed upon the 11th of November last, and the peace conference met some several weeks thereafter. Within a very few days after they had gathered at Paris the world was informed that only such information as the organization there saw fit to give out would be given to the world with reference to the proceedings of that august assembly. When that statement was made I presume we all waited, some with anxiety, to know what kind of communications would really be given out. Now, from day to day we have had those communications. They mean absolutley nothing; there is not the slightest information. The only information which is given out is the fact that they met—that is, as to facts—and adjourned, neither of which facts are any longer of any great concern in view of the procrastinating progress which they are making. But as to what is considered, as to what is discussed, as to the opinions which have been expressed, as to the conditions which have been revealed, and as to the situations which are there not a particle of information is given in order that the world may be informed what is going on.

That, Mr. President, is an open violation of the most solemn pledge made by the President of the United States; made undoubtedly in the firm belief that it would be carried out; made undoubtedly in the belief that it ought to be carried out; made undoubtedly in the belief that it was essential to the formation of a peace treaty which would receive the commendation of the judgment of the world.

So, Mr. President, we have entered upon the European program of entangling alliances, and before we have passed the first milestone this Republic has accepted the fundamental principle of absolutism in government; before a fortnight has passed after we have entered into European affairs the Republic puts off her principles and accedes to the doctrine of absolutism. How far are we going to travel upon this road?

Now, Mr. President, comes the proposition that the American people, through their representatives, shall not exercise their judgment, but shall yield to a decree which has gone forth from this same assembly, the proceedings of which are kept secret from us; and Senators here, out of mortal dread and mortal fear of doing something that they ought not to do, are yielding their judgment in casting their votes at this time, and we, here in the Senate Chamber, are yielding also to the principle of acting without information and upon the dictation of those who are holding their sessions in secret.

So, Mr. President, not much time has passed since the armistice, but we have traveled a long distance. I am not a prophet, but I venture to say we are near the turning point; I venture to say that that lane is a short lane.

Let me read a single paragraph from a New York morning newspaper:

FORTY THOUSAND SERVICE MEN SEEKING JOBS IN CITY—NEARLY THIRD OF THEM ARE STRANGERS DEMOBILIZED HERE, AUTHORITIES BELIEVE—PROBLEM CALLED SERIOUS.

Forty thousand men just out of the Army and Navy are looking for jobs in New York. Fifteen thousand of them are strangers who decided to stay here instead of going home to look for work. The number of unemployed in the city almost doubles every week.

"The situation is serious and it soon may become alarming," is the way Dr. George W. Kirchwey, State director of the United States Employment Service, put it yesterday.

Mr. President, the conference at Paris may hold their secret sessions; they may dole out little statements, which mean nothing and inform us of no facts, and we here may yield our judgment out of very awe for the secrecy of the situation and vote upon the American people a tax of $100,000,000; but I venture to say that the first ship that leaves New York, with hungry men standing about the wharf, will reveal the secret as to where it is going and why it is going. Do you suppose that the people of this country will go hungry in order to sustain and stabilize the prices which war has brought upon us or to protect a few powerful interests? Do you suppose that they will permit these vessels to leave while their children and their families are begging for that which they are unable to give them in a free land? Blindly and subserviently we are contributing our influence to the cause of unrest and strife.

Mr. President, if the Senate of the United States had all the information which it is entitled to have, it would not vote the

passage of this bill. I know the influence behind this bill. It is a sinister and intolerable influence, and the people of this country will not submit long to legislation put through under such influences and for such purposes.

The VICE PRESIDENT. The question is, Shall the amendments be ordered to be engrossed and the bill read a third time?

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. LA FOLLETTE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). I am paired with the senior Senator from Tennessee [Mr. SHIELDS]. In his absence and not knowing how he would vote if present, I withhold my vote.

Mr. COLT (when his name was called). I am paired with the senior Senator from Delaware [Mr. SAULSBURY]. As he, if present, would vote as I am about to vote, I feel at liberty to vote, and therefore vote "yea."

Mr. CUMMINS (when his name was called). I have a pair with the Senator from Illinois [Mr. LEWIS]. If he were present, he would vote "yea." If I were at liberty to vote, I should vote "nay."

Mr. SMITH of Michigan (when his name was called). I have a pair with the senior Senator from Missouri [Mr. REED]. In his absence I transfer that pair to the senior Senator from Minnesota [Mr. NELSON] and vote "yea."

Mr. STERLING (when his name was called). I am paired with the senior Senator from South Carolina [Mr. SMITH]. I understand that that Senator, if present, would vote as I shall vote, and I am therefore at liberty to vote. I vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], who is absent. In his absence I withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON]. Not knowing how he would vote on this question, I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. HARDWICK (when Mr. VARDAMAN's name was called). I have been requested to announce that the Senator from Mississippi [Mr. VARDAMAN] is out of the city on business of the Senate. If he were present, he would vote "nay." He is paired on this question with the Senator from West Virginia [Mr. SUTHERLAND].

The roll call was concluded.

Mr. KELLOGG. I desire to announce that my colleague [Mr. NELSON] has been compelled to leave the Chamber on account of illness. If he were present, he would vote "yea."

Mr. WARREN. My colleague [Mr. KENDRICK] is unavoidably absent. He is paired with the Senator from New Mexico [Mr. FALL].

Mr. BECKHAM. I have a general pair with the Senator from West Virginia [Mr. SUTHERLAND]. I understand that if he were present he would vote "yea." I shall therefore vote. I vote "yea."

Mr. TOWNSEND. I transfer my pair with the Senator from Arkansas [Mr. ROBINSON] to the Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. SHEPPARD. I wish to announce that my colleague, the senior Senator from Texas [Mr. CULBERSON] is necessarily detained from the Senate. If present, he would vote for the bill.

Mr. GERRY. I desire to announce that the Senator from Missouri [Mr. REED], the Senator from Mississippi [Mr. VARDAMAN], and the Senator from Utah [Mr. KING] are absent on official business.

Mr. SAULSBURY. I wish to announce that the Senator from Maryland [Mr. SMITH] is absent on account of illness. He is paired with the Senator from Vermont [Mr. DILLINGHAM]. If present, he would vote "yea."

Mr. POLLOCK. I desire to announce that the Senator from South Carolina [Mr. SMITH] is detained from the Senate by illness. He is paired with the Senator from South Dakota [Mr. STERLING]. If present, he would vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK]; and

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 53, nays 18, as follows:

YEAS—53.

Ashurst	Johnson, S. Dak.	Phelan	Sterling
Bankhead	Jones, Wash.	Pittman	Swanson
Beckham	Kellogg	Pollock	Thompson
Chamberlain	Kirby	Pomerene	Trammell
Colt	Knox	Ransdell	Underwood
Curtis	Lenroot	Saulsbury	Wadsworth
Fletcher	Lodge	Shafroth	Walsh
Frelinghuysen	McLean	Sheppard	Warren
Gay	Martin, Ky.	Simmons	Weeks
Gerry	Martin, Va.	Smith, Ariz.	Williams
Hale	New	Smith, Ga.	Wolcott
Henderson	Nugent	Smith, Mich.	
Hitchcock	Overman	Smoot	
Hollis	Page	Spencer	

NAYS—18.

Borah	Harding	McNary	Sherman
Calder	Hardwick	Moses	Townsend
Fernald	Johnson, Cal.	Myers	Watson
France	Kenyon	Penrose	
Gore	La Follette	Poindexter	

NOT VOTING—25.

Baird	Gronna	Nelson	Smith, S. C.
Brandegee	Jones, N. Mex.	Norris	Sutherland
Culberson	Kendrick	Owen	Thomas
Cummins	King	Reed	Vardaman
Dillingham	Lewis	Robinson	
Fall	McCumber	Shields	
Goff	McKellar	Smith, Md.	

So the bill was passed.

The title was amended so as to read: "A bill providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, German-Austria, Hungary, Bulgaria, and Turkey, as may be determined upon by the President as necessary."

Mr. MARTIN of Virginia. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. MARTIN of Virginia, Mr. OVERMAN, and Mr. WARREN conferees on the part of the Senate.

VALIDATION OF WAR CONTRACTS.

Mr. CHAMBERLAIN. Mr. President, I am going to ask unanimous consent to take up a bill for consideration, but I am not going to ask that it be considered to-day. I should like to have it proceeded with the next time the Senate convenes; and I therefore ask unanimous consent that the Senate proceed to the consideration of House bill 13274.

Mr. PENROSE. What is the bill?

Mr. CHAMBERLAIN. It is a bill to validate contracts that have been informally made. After it has been made the unfinished business I shall ask that it shall be laid aside until the next convening of the Senate.

The VICE PRESIDENT. Does the Senator move to take it up now?

Mr. CHAMBERLAIN. I do.

Mr. WEEKS. Mr. President, it is impossible to hear what is being said.

The VICE PRESIDENT. The Senator from Oregon moves that the Senate proceed to the consideration of House bill 13274.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, which had been reported from the Committee on Military Affairs with an amendment.

Mr. CHAMBERLAIN. Mr. President, I ask that the bill be laid aside until the next convening of the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none.

BUREAU OF WAR RISK INSURANCE.

Mr. THOMAS. From the Committee on Finance I report back favorably, without amendment, the joint resolution (S. J. Res. 214) authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there any objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That for such reasonable time as may be fixed by the Secretary of the Treasury, but not extending beyond the fiscal year ending June 30, 1920, the accounting officers of the Treasury are hereby authorized and directed to allow credit in the accounts of the disbursing clerk of the Bureau of War Risk Insurance for all payments of insurance installments heretofore or hereafter made under the provi-

sions of Article IV of the war-risk insurance act in advance of the verification of the deduction on the pay rolls or of the payment otherwise of all premiums.

Mr. THOMAS. Mr. President, the reason for the passage of this joint resolution is set forth in a very short letter from the Secretary of the Treasury, which I ask to have read.

Mr. PENROSE. I suggest that the Senator have it printed in the RECORD.

Mr. THOMAS. I will ask to have it printed in the RECORD.

The VICE PRESIDENT. In the absence of objection, that order will be made.

The letter referred to is as follows:

TREASURY DEPARTMENT,
Washington, January 16, 1919.

MY DEAR SENATOR: I have the honor to submit herewith a proposed joint resolution and to outline, briefly, the seriousness of the situation which confronts the Bureau of War Risk Insurance and which makes it imperatively important that the bureau turn to the Congress for a solution.

The accounting officers of the Treasury can not, under the laws governing the performance of their duties, allow credit to the disbursing clerk of the Bureau of War Risk Insurance for the payment of insurance installments on awards made under the authority of Article IV of the war-risk insurance act, unless the director of the bureau certifies that the premiums on such insurance have been paid. Insurance premiums are paid largely, almost wholly, by deductions on the pay rolls while the men are in the service; and I am advised that it is impossible at the present time, with the accounts unadjusted between the War Department and the bureau, for the director to make the required certificate. The necessary consequence of his inability to do so is, first, that the accounting officers will be unable to allow credit in these cases, and, second, that the disbursing clerk of the bureau will be compelled to suspend payments on these awards. In other words, it means that payments on awards of contract insurance under the war-risk insurance act must be suspended. The disastrous consequences of such action on the part of the bureau can not be overestimated.

The joint resolution here proposed will authorize and direct the accounting officers to allow credit to the disbursing clerk in these cases and will enable the bureau to continue the payments. The necessity for the adoption of the resolution is urgent, and the Treasury Department recommends it with the utmost earnestness.

Sincerely, yours,
CARTER GLASS,
Secretary.

Hon. F. M. SIMMONS,
Chairman Committee on Finance, United States Senate.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. MARTIN of Virginia. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session, the doors were reopened.

RECESS.

Mr. GAY. I move that the Senate take a recess until 11 o'clock a. m. Sunday for the purpose of eulogies.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate took a recess until Sunday, January 26, 1919, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate January 24 (legislative day of Monday, January 20), 1919.

DEPARTMENT OF COMMERCE.

Grosvenor M. Jones, of Ohio, to be First Assistant Chief of the Bureau of Foreign and Domestic Commerce, Department of Commerce, vice Chauncey D. Snow, reappointed as trade commissioner (by promotion from Second Assistant Chief of the Bureau of Foreign and Domestic Commerce).

Roy S. MacElwee, of New York, to be (Second) Assistant Chief of the Bureau of Foreign and Domestic Commerce, Department of Commerce, vice Grosvenor M. Jones, nominated for (first) assistant chief of bureau.

SOLICITOR OF INTERNAL REVENUE.

D. M. Kelleher, of Fort Dodge, Iowa, to be solicitor of internal revenue, vice Ballantine, resigned.

SECRETARY OF EMBASSY OR LEGATION.

Clarence B. Hewes, of Jeanerette, La., to be a secretary of embassy or legation of class 4 of the United States of America.

RECEIVER OF PUBLIC MONEYS.

Henry James Holmes, of Glenwood Springs, Colo., to be receiver of public moneys at Glenwood Springs, vice Francis H. Selhort, term expired.

UNITED STATES DISTRICT JUDGE.

Hugh M. Morris, of Wilmington, Del., to be United States district judge, district of Delaware, vice Edward G. Bradford, deceased.

UNITED STATES ATTORNEYS.

Thomas D. Warren, of New Bern, N. C., to be United States attorney, eastern district of North Carolina, vice James O. Carr, resigned.

Hiram M. Smith, of Richmond, Va., to be United States attorney, eastern district of Virginia, vice Richard H. Mann, resigned. (Mr. Smith is now serving as district attorney under appointment by the court.)

Erle Pettus, of Birmingham, Ala., to be United States attorney, northern district of Alabama, vice Robert N. Bell, deceased.

James A. Smiser, of Juneau, Alaska, to be United States attorney, District of Alaska, division No. 1. A reappointment, his term expiring January 30, 1919.

John F. A. Merrill, of Portland, Me., to be United States attorney, district of Maine. A reappointment, his term expiring February 15, 1919.

Samuel K. Dennis, of Baltimore, Md., to be United States attorney, district of Maryland. A reappointment, his term having expired.

UNITED STATES MARSHALS.

John Hugh Kirkpatrick, of Shreveport, La., to be United States marshal, western district of Louisiana. A reappointment, his term having expired.

William W. Stockham, of Baltimore, Md., to be United States marshal, district of Maryland. A reappointment, his term having expired.

APPOINTMENTS IN THE ARMY.

CORPS OF ENGINEERS.

To be second lieutenants with rank from November 1, 1918.

Cadet James Logan Rhoads.
Cadet David Ayres Depue Ogden.
Cadet Howard Louis Peckham.
Cadet Randolph Piersol Williams.

INFANTRY ARM.

To be second lieutenants with rank from November 1, 1918.

Cadet Robert Alwin Schow.
Cadet Thomas Markham Brinkley.
Cadet James Coachman Cullens, jr.
Cadet Reginald Worth Hubbell.
Cadet Jessie Lewis Gibney.

NOTE.—The above-named cadets were nominated to the Senate for said appointments on November 18, 1918, and were confirmed by that body on November 21, 1918, under the names James Logan Rhoades, David Ayer Dupue Ogden, Howard Louis Peckhan, Randolph Pierson Williams, Robert Alvin Schow, Thomas Markham Brinkley, John Coachman Cullens, jr., Reginald Hubbell, and Jesse Lewis Gibney, respectively. This message is submitted for the purpose of correcting errors in the names of the nominees.

To be second lieutenants with rank from November 1, 1918.

Cadet Robert Gibbins Gard.
Cadet Sydney Ward Gould.
Cadet Joseph Vincil Phelps.
Cadet Luther Lyons Hill.
Cadet Lester DeLong Flory.
Cadet Henry Ellis Sanderson, jr.
Cadet William Leighton McEnery.
Cadet Albert Sidney Johnston Stovall, jr.
Cadet Wayne Cliffton Zimmerman.
Cadet Josiah Toney Dalbey.
Cadet John Francis Lavagnino.
Cadet Archie William Cooey.

NOTE.—The above-named cadets were nominated to the Senate for said appointments on November 18, 1918, and were confirmed by that body on November 21, 1918, under the names Robert Gibbons Gard, Sidney Ward Gould, Joseph Vincie Phelps, Butler Lyons Hill, Leslie DeLong Flory, Harris Ellis Sanderson, jr., William Lighton McEnery, Albert Sidney Johnson Stovall, jr., Harold Clifton Zimmerman, Josiah Tony Dalbey, John Francis Laragnino, and Archie William Cooly, respectively. This message is submitted for the purpose of correcting errors in the names of the nominees.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Medical Inspector James C. Pryor to be a medical director in the Navy with rank of captain from the 1st day of July, 1918.

Pay Inspector Joseph J. Cheatham to be a pay director in the Navy with the rank of captain from the 1st day of July, 1917.

Paymaster James C. Hilton to be a pay inspector in the Navy with the rank of commander from the 22d day of September, 1918.

Lieut. Henry M. Jensen to be a lieutenant commander in the Navy from the 23d day of May, 1917.

Midshipman John C. Williams to be an ensign in the Navy from the 7th day of June, 1918.

John B. Flanigan, electrician third class, to be an ensign in the Navy, for temporary service, from the 15th day of December, 1918.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 24 (legislative day of Monday, January 20), 1919.

INTERSTATE COMMERCE COMMISSION.

Joseph B. Eastman to be a member of the Interstate Commerce Commission.

APPOINTMENT IN THE NAVY.

John B. Flanigan to be an ensign in the Navy for temporary service.

POSTMASTER.

MINNESOTA.

William Hope, Morris.

WITHDRAWALS.

Executive nominations withdrawn from the Senate January 24 (legislative day of Monday, January 20), 1919.

APPOINTMENTS IN THE ARMY.

DENTAL CORPS.

To be first lieutenants with rank from November 30, 1918.

First Lieut. David L. England.
First Lieut. Erwin F. Bence.
First Lieut. Glen D. Lacy.
First Lieut. Harold S. Whitney.

The officers above mentioned were nominated to the Senate December 4, 1918.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 24, 1919.*

The House met at 12 o'clock noon.

Rev. S. J. Blum, D. D., of Bethlehem, Pa., offered the following prayer:

Lord God, our heavenly Father, we lift up our hearts to Thee in grateful praise and adoration. Thy mercies are new unto us every day and great is Thy faithfulness. Thou art ever ready to help us and to bestow upon us the things Thou seest we need which are for our highest and best good. We pray for Thy blessing upon the Members of this body in the discharge of their patriotic duties to their country. We pray for Thy blessing, too, upon the President of the United States as he sits at the peace table in Paris with the representatives of other nations. Give him wisdom and knowledge to pursue such a course as shall tend to lasting peace among the civilized nations of the world. This we ask in the name of Jesus Christ, our blessed Savior and Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 41. An act to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel and other purposes.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 12881. An act to increase the cost of the public building at Eldorado, Kans.

PUBLIC BUILDING AT EUREKA, UTAH.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3384) amending the public-building act approved March 4, 1913.

The SPEAKER. The Clerk will report the title to the bill.

The Clerk read as follows:

S. 3384. To amend the public-building act approved March 4, 1913.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, what is the bill?

Mr. CLARK of Florida. A bill to allow the Secretary of the Treasury to accept title at Eureka, Utah, waiving the mineral rights. We have passed a good many of these bills.

Mr. MANN. Let us have the bill reported.

The Clerk read as follows:

An act (S. 3384) to amend the public-building act approved March 4, 1913.

Be it enacted, etc., That the provision of the public-building act approved March 4, 1913 (37 Stat., p. 876), which authorizes the acquisition of a suitable site, etc., at Eureka, Utah, be, and the same is hereby, amended so as to add the following proviso, namely: "*Provided*, That the Secretary of the Treasury may, in his discretion, accept a title which reserves or excepts all ores or minerals on the lands with the right of mining the same."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. CLARK of Florida, a motion to reconsider the vote whereby the bill was passed was laid on the table.

RETURN OF SOLDIERS TO THE UNITED STATES.

Mr. GARLAND. Mr. Speaker, I ask unanimous consent to address the House for three minutes and have a resolution read in my time by the Clerk.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for three minutes. Is there objection?

Mr. GARNER. Reserving the right to object, I would like to ask the gentleman from Pennsylvania what is the nature of the resolution?

Mr. GARLAND. It is with reference to bringing the boys back home.

Mr. GARNER. Mr. Speaker, I am not going to object, but I want to give notice that I shall object hereafter to the reading of letters and resolutions upon this subject unless gentlemen read them in their own time.

Mr. MANN. This is a resolution by the gentleman himself.

Mr. GARNER. I am not going to object to this, but I give notice that I shall object hereafter.

The SPEAKER. Does the gentleman offer his resolution?

Mr. GARLAND. Yes.

The SPEAKER. The gentleman can not do it at this time.

Mr. GARLAND. I simply want to have it read in my time.

The Clerk read as follows:

House resolution 516.

Resolved, That it is the sense of the House of Representatives of the United States that the officers and soldiers of the American Expeditionary Forces who have served and who are now serving in the United States Army overseas, having performed successfully and heroically the military duties required by their presence on foreign soil, ought to be returned to their homes, and as the representatives of the American people we hereby demand their return to the United States by every transportation facility available and that can be made available for such purpose; and that it is the sense of this House that the drafted men and the men of the National Guard or State Militia ought to be discharged from the military service immediately upon their arrival in this country.

Mr. GARLAND. Mr. Speaker, I only want to add with reference to this resolution that from personal observation, having met the men over there who desire to return home, we ought to have some action taken rather than a continuance of words that we see nearly every day in the newspapers. These men are over there under conditions that are awful.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. GARLAND. Yes.

Mr. GARRETT of Tennessee. Does the gentleman from Pennsylvania know that the War Department is now availing itself of every possible method of transportation that it can toward bringing these boys home just as rapidly as it is humanly possible to do it?

Mr. GARLAND. No; I do not know that. I know that the men are over there, and outside of the casualties and some preferences for those who have positions, and a large number of the Red Cross, and so forth, that the men have no idea when they are going to get back. They are told that they will be there a year or more, in some instances, and yet they can not understand why they are kept there, where there is nothing around them but mud and rain, crosses over graves, destitution and destruction everywhere, houses shot down, little barracks that they have put up, surroundings insanitary; and these men are staying there without knowing why they are kept there. They are begging and pleading that some action be taken to bring them home. There are plenty of French and English soldiers to police, if police are necessary, but these men want to come back and do not know why they can not come back. It has got to a point where the private is charging that in his belief the officers, who are receiving big pay, are keeping them there or recommending their being kept there. That idea is prevalent nearly all over those camps, and something ought to be done to stop that feeling from growing.

It is asserted here on this floor and elsewhere that the War Department is using all possible haste to bring the troops back, and that it is using all the shipping facilities it can secure. In answer, now, let us see. In the annual report of the Secre-

tary of War, 1918, we find the following under "Transportation of troops and supplies, embarkation service":

In the 19 months elapsing from the declaration of war to the signing of the armistice the Army created an embarkation service which succeeded in shipping overseas 2,075,834 men and 5,153,000 tons of cargo. Even these figures do not adequately express the extraordinary nature of the achievement. As time was required for the drafting and training of men and for organizing the production of supplies, most of the stupendous movement occurred in the last half of our active participation in the war. In the last 10 months—that is, from January 1, 1918, to the signing of the armistice—the Army embarked 1,880,339 men and shipped 4,660,000 tons of cargo. Nothing to compare with the movement of this tremendous number of men and tons of supplies across the Atlantic Ocean is known in the military history of the world.

* * * * * * *

By the end of December 187,916 troops and 7,579 marines had been embarked.

At this point negotiations were entered into with the British Government by which three of its big fast liners and four smaller troop ships were definitely assigned to the service of our Army. In March the movement jumped to 83,782 troops and 1,081 marines. It was in this month that the great German spring drive took place in Picardy, with a success that threatened to result in a German victory. Every ship that could be secured was pressed into service, and the aid furnished by the British was greatly increased. It was then that the transport miracle took place. In April 117,205 troops and 1,432 marines were embarked; in May 244,344 troops and 1,606 marines; and in June the numbers were 277,973 and 777. Before the 1st of July 1,000,000 men had been embarked.

The July record exceeded all expectations, the number of troops embarking being 306,185, and before the end of October the second million men had sailed from our shores. During the three months, June, July, and August, 875,753 men were embarked, and if May be added the total for the four months is 1,121,703. When the armistice was signed the total embarkations amounted to 2,045,169 troops and 30,665 marines.

Altogether from our entrance into the war until the signing of the armistice the Army shipped from this side of the Atlantic 5,153,000 tons of cargo. Unlike the case with regard to the troop movement, this cargo was carried almost entirely in American bottoms, and less than 5 per cent was lifted by allied ships. Please note that in June 277,973 troops and 777 marines were transported out of the country, and this gave in the 19 months of war an average of a little more than 109,000 per month, and at the same time an average of 271,200 tons of cargo was carried over. It is to be presumed we have all the shipping facilities we had on the average during the war months at least. But I am informed by the War Department that since the armistice was signed up to the 17th of the present month only 163,400 troops had been returned, and as more than two months had elapsed, the average per month with all the combined shipping facilities was less than 80,500 troops returned per month. We are not bringing cargoes of supplies back for Army purposes, and therefore nearly all of the shipping used to carry cargoes abroad can be made available to return troops to America.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent to proceed for two minutes on this subject.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, like all other gentlemen, I have read in the press of the country at different times various statements as to when the soldiers would be brought home. I have read the charges that there were delays. I have read the intimations that officers desiring to retain their positions were recommending that the men be kept abroad beyond the time when it was necessary. But, Mr. Speaker, I undertake to say that there has never come from any official source, or any reliable source, charged with authority to keep the men there or to bring them home, a statement that they would be kept there beyond the time when necessity demanded. Furthermore, let me say that I think, once for all, Mr. Speaker, we ought to have some end to the efforts to create dissatisfaction concerning this matter. I wish to say that if these criticisms and these suggestions are unfairly made they ought to be stopped. We ought not to render the people of this country dissatisfied unless there is a basis in fact upon which to make such criticism. Within the past hour I have heard the Secretary of War, in a statement before the Committee on Rules, a public statement, say that the matter of bringing the soldiers home from France was engaging more attention of the department than any other one problem, and that every effort was being bent, that every available method of transportation was being obtained, and that the men were being brought and would be brought home just as rapidly as the transportation facilities of the world would admit of it. [Applause.] That being the official attitude, so declared by the department itself that has authority to act, I respectfully submit that we ought not to have criticisms that will render the fathers and mothers of the soldiers of this country dissatisfied unnecessarily and improperly.

Mr. GARLAND. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. GARLAND. I will state to the gentleman that I am repeating the criticism of the soldiers, not making it myself.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2552. An act to provide for a leave of absence for homestead entrymen in one or two periods and for longer times.

PENSIONS.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent that business in order to-day may be postponed until to-morrow.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that pension business, in order to-day, be postponed until to-morrow. Is there objection?

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. In case this unanimous consent is granted, it would not give exclusive right to the business in order on the calendar to-day to be taken up to-morrow, would it?

The SPEAKER. Oh, no.

Mr. GARNER. In other words, any other equally privileged matter could be taken up, if it was the will of the House.

The SPEAKER No; the Chair would not recognize anyone for equally privileged business. If it had a higher privilege, he would.

Mr. GARNER. The main thing I want to know is whether we can go on with appropriation bills to-morrow in case the House desires to do so?

Mr. CAMPBELL of Kansas. Mr. Speaker, if it is the intention not to give the Committee on Pensions its day, I shall object to the request of the gentleman from Oklahoma.

The SPEAKER. It will not take two hours to get through with the pension business to-morrow. Everybody knows how the bills run. There is only one, as I understand it, and we can probably get through with that in 30 minutes.

Mr. CAMPBELL of Kansas. Then I suggest that we can get through with it in 30 minutes to-day.

The SPEAKER. That is true; but it suits the convenience of both the gentleman from Ohio [Mr. SHERWOOD] and the gentleman from Oklahoma [Mr. CARTER] to go on with this other bill to-day, and to take up the pension bill in the morning.

Mr. CAMPBELL of Kansas. If it is the intention to take the bill up to-morrow following the disposition of this bill, I shall not object.

Mr. CARTER of Oklahoma. That is my intention.

Mr. CAMPBELL of Kansas. Is it the intention of the gentleman from Ohio?

Mr. FOSTER. Yes; it is. I have just talked with the gentleman from Ohio, and he is satisfied.

Mr. SHERWOOD. Yes; to take it up to-morrow. I am willing to do that.

Mr. CARTER of Oklahoma. I shall have no objection to having the order fixed for to-morrow following the disposition of the Indian appropriation bill.

Mr. CAMPBELL of Kansas. Then I ask unanimous consent that the order be that the pension bill follow the conclusion of the Indian appropriation bill.

Mr. FOSTER. Mr. Speaker, I think it should be stated that the gentleman from Ohio [Mr. KEY] has one bill on the calendar.

Mr. STAFFORD. As I understood the request, it is that the business in order to-day shall be in order to-morrow.

Mr. CAMPBELL of Kansas. That was not the request.

Mr. STAFFORD. That was the request.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that pension business in order to-day be in order to-morrow. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, may I ask the gentleman from Oklahoma whether he expects the Indian bill to require the balance of the day? Why could not the pension business be taken up to-day?

Mr. GARNER. It could be taken up late this evening.

Mr. MANN. I do not know how much business there is on the Pension Calendar, but I think not a great deal. Why could it not be disposed of to-day?

Mr. CARTER of Oklahoma. Mr. Speaker, I will say to the gentleman that I hope that we may get through with the Indian bill before the day is finished, and I have no objection to having the pension business follow the conclusion of the Indian appropriation bill.

Mr. MADDEN. That is, if the hour is not too late.

The SPEAKER. Gentlemen are wasting enough time talking about the consideration of the pension bill to pass it. Is there objection?

There was no objection.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14746, the Indian appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Indian appropriation bill, with Mr. CRISP in the chair.

The CHAIRMAN. When the committee rose yesterday a point of order had been reserved to the paragraph which the Clerk will report.

The Clerk read as follows:

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $676, to reimburse Benson County, N. Dak., for money actually paid by said county to the State of North Dakota for care of three insane Indians, Mary Josephine Pejihutaskana, Alfred Littlewind, and Joseph Langer, in the North Dakota State Insane Asylum.

Mr. STAFFORD. Mr. Chairman, I wish to inquire, as I do not recall any similar item having been carried in a prior Indian appropriation bill, whether it is the practice of the committee to recommend reimbursement of Government funds to individual counties for the care of insane Indians, as is provided in the paragraph under consideration?

Mr. HAYDEN. Mr. Chairman, I do not remember another instance such as this, but the facts as disclosed to the committee were that the counties had expended this money in the care of these insane Indians and that it was a charge against the Government which ought to be paid.

Mr. STAFFORD. Mr. Chairman, I think in establishing a precedent of this kind further investigation should be given as to what the policy of the Government should be.

Mr. HAYDEN. The situation is that the Government has a hospital for insane Indians at Canton, S. Dak. As I recollect the facts in the case, for some reason the hospital could not properly care for these people, and for a time they were cared for by the counties. When the hospital at Canton could take care of them they were sent over to the regular Government institution. It was only a temporary matter.

Mr. STAFFORD. Mr. Chairman, under the circumstances I make the point of order.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

That the Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, not to exceed the sum of $20,000, or so much thereof as may be necessary, of the money on deposit to the credit of the Osage Tribe of Indians in Oklahoma, to be expended for the support, education, and systematic vocational instruction of Osage children: *Provided*, That the expenditure of said money shall include the renewal of the present contract with the St. Louis Mission Boarding School, except that there shall not be expended more than $300 for annual support and education of any one pupil.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. It appears this item authorizes provision for the establishment of a manual-training school for the benefit of Osage Indian children.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. CHANDLER].

Mr. CHANDLER of Oklahoma. Under an act of Congress that was passed in 1906, which provided for the continuation of the Osage Boarding School for a period of 10 years, and that at the expiration of said 10 years the school should be abolished. Last year the Indian appropriation bill continued that school until the 30th of June, 1919, and a great many of us think this school should be abolished; but some of the committee thought differently, and, in view of what other members of the committee desire, this provision was placed in here and the amount was reduced from $50,000 to $20,000.

Mr. STAFFORD. How could these children receive their education if this school were abolished, as was the original intendment of the Congress?

Mr. CHANDLER of Oklahoma. They would receive education at the public schools in Osage County, Okla. They would receive education at the various mission schools and at the normal schools and in the university of the State, or they could be sent out throughout the United States, the same as many other Indian children, to any other school.

Mr. STAFFORD. Would any of the children suffer for want of education if this school were eliminated, as has been considered very seriously during the last several years?

Mr. CHANDLER of Oklahoma. Well, it is my honest opinion that they would not; but other members of the committee and the Bureau of Indian Affairs are very anxious to continue this school, in order to keep, in my opinion, a bunch of some 20 employees in office at an expense of something like $30,000 a year to the Osage Tribe of Indians. Now, personally, I was opposed to the continuation of this school last year; but it was a compromise proposition which was put in last year, and it is again this year.

Mr. STAFFORD. Will the gentleman inform the committee as to what contract there is with any private party for the support of children attending this school?

Mr. CHANDLER of Oklahoma. The department has a contract, of course expiring the 30th of June, 1919, with the St. Louis Mission School to educate, board, and support 75 pupils at $125 per annum, and there are 75 in that school at the present time under that contract. Now, I felt that that contract should be continued, because it was a great deal cheaper to spend $7,000, or a little over that amount—I believe it would be $8,750—to educate 75 children than to spend $50,000 to educate 46, which they are doing at the Osage Boarding School.

Mr. STAFFORD. Are there other instances where private parties contract for the board of children attending Government schools?

Mr. CHANDLER of Oklahoma. I think so; but I do not know and I would not undertake to say.

Mr. CARTER of Oklahoma. Oh, yes.

Mr. CHANDLER of Oklahoma. I think there are a number of places in practically every State where they have Indian children.

Mr. CARTER of Oklahoma. There are several States, and really it is necessary to continue some of the mission schools of different churches, for the reason that there have not been sufficient educational facilities provided by the Government; and if the Government now would undertake to provide those facilities it would involve an expenditure of a lot of money for buildings and things of that character, which the committee thought we had better not do.

Mr. STAFFORD. The gentleman from Oklahoma is a member of the Osage Tribe, I believe——

Mr. CHANDLER of Oklahoma. No, sir; Cherokee. I wish I were.

Mr. STAFFORD. And he is quite familiar with conditions there, and he states upon his individual knowledge that these children could be well provided with education at other existing schools. If that is the fact, what is the reason for continuing this private contract? In a way private, because they are having an outside party virtually provide for their education and sustenance.

Mr. CARTER of Oklahoma. I do not undertake to put my information against that of the gentleman from Oklahoma [Mr. CHANDLER], because he lives in that district and has an opportunity of getting in touch with this condition perhaps a hundred times where I do once, but I do not quite agree that the children can be taken care of without this school, although he may be right about that.

Mr. STAFFORD. What are the ages of these 75 children?

Mr. CHANDLER of Oklahoma. The St. Louis Mission School or the boarding school? Remember there are two different schools carried in this appropriation—one the Osage Boarding School and the other is the St. Louis Mission School. The St. Louis Mission School is carried on by one of the churches, and they have 75 children of all ages who attend that school; I presume running from 6 to probably 16 years of age. At the other school they are practically the same ages.

Mr. STAFFORD. Does that apply to both schools, that the children could find adequate accommodation in other existing schools in the neighborhood?

Mr. CHANDLER of Oklahoma. I think that they could, but the St. Louis Mission Boarding School, in my opinion, should be continued, because it is an exceedingly good school, and it is carried on at the exceedingly cheap price of $125 a year for the support and education of the children.

Mr. STAFFORD. You provide that no more than $300 per capita may be expended for the support and education——

Mr. CHANDLER of Oklahoma. That is the limit on the other school. The other school is run by the Government, in which they spend, I think——

Mr. STAFFORD. This limitation applies only to the amount that may be expended by the Government on the St. Louis Mission Boarding School. It is no limitation on the Osage school.

Mr. HASTINGS. If the gentleman will permit, there is a limitation on the $20,000 in the appropriation, so that you can say there is a limitation on the amount that may be expended. And if the gentleman will permit a minute further, I wish to say that there were enrolled about 2,200 of these Osages. They are the richest people on the face of the globe. Of the 2,200, approximately 800 are full-bloods. Now, the gentleman will remember

that the rolls were made 15 years ago, and quite a number of them are dead. They have, as my colleague from Oklahoma [Mr. CHANDLER] has already explained, an Osage boarding school in Pawhuska. This St. Louis Mission School is out in the suburbs, or near there. They have been continuing this Osage boarding school in the city of Pawhuska for a number of years, and when they made the agreement a few years ago they extended it for a period of 10 years. That period expired a year and a half ago, and last Congress continued it by an appropriation of $30,000 to this coming June. This $30,000 will enable us to take care of these children, and they had particularly in mind the children of full-blood Osages. The half-blood or mixed-bloods go into the public schools or other schools. Their parents send them away to school, but this appropriation was designed to take care particularly of the full-blood children. I want to say, while I am on my feet, that the subcommittee was out there at Pawhuska a year ago last March, and we found a good deal of sentiment among the full-bloods for the continuation of this school. The mixed-blood people did not want it continued, saying that there was too much money expended. There is a good deal of criticism about it, I am free to confess. The committee has felt, inasmuch as it had an attendance last year of 46—mostly full-bloods, and this was their school, and they had the property there and the school facilities—that we should authorize the department to the extent of using the $20,000 to run this school and furnish educational advantages to the Osage children, having particularly in mind the full-blood children. Each of them get about $4,000 a year in royalties from oil leases, so they have plenty of money. But this is particularly to maintain these schools and take care of the full-blood children.

Mr. STAFFORD. Of course, if it is the wish of the Indians themselves that the school should be continued, and the committee believes they are given proper education, of course we should continue the school.

Mr. HASTINGS. I am absolutely frank with the gentleman. The full-bloods there, in my judgment and in the judgment of the committee, want this school continued, whereas the larger majority of the mixed-bloods do not want it continued. About one-third of them are full-bloods.

Mr. STAFFORD. What other accommodations are available in case this school should be discontinued?

Mr. HASTINGS. Well, of course, we have the St. Louis Mission School, and they could contract with any other school they wanted to contract with and put the children in those schools. But let me say to you that in my judgment and in the judgment, I think, of the committee, this is really an ideal site for the school. It is on a very high eminence in the city of Pawhuska.

Mr. SNYDER. Will the gentleman from Wisconsin permit me?

Mr. STAFFORD. I will be very glad to have the gentleman's views.

Mr. SNYDER. The fact is that there are two schools—one a Government boarding school and the other a mission school. This boarding school has a very fine building and property, and it takes about as many employees to operate the school as there are pupils in it. Adjacent to it is this mission school, where each one of these pupils can be educated at a cost of $125 and receive better facilities for education than they can in the other school. There are a few people who desire to have this school continued, but there are many people there who are able to take care of a school of their own and who desire to have it discontinued and send their children to the other school. Now, that is the milk in the coconut. But we thought, inasmuch as there was a desire, even on the part of a few people who could afford to pay, that we would reduce the appropriation and limit it to an expense not to exceed $300 per pupil and let the school go on for another year.

Mr. STAFFORD. Is the Osage Indian school a Government institution?

Mr. SNYDER. Yes.

Mr. CHANDLER of Oklahoma. However, all the expenses are paid out of the Osage tribal fund. The $50,000 mentioned that has been carried heretofore came out of the Osage tribal funds, and this $20,000 will come out the Osage tribal funds.

Mr. SNYDER. I think, if the gentleman will permit this item to stand as it is, that next year we will be able to demonstrate to the committee that that school can be done away with entirely to the satisfaction of everybody.

Mr. STAFFORD. Mr. Chairman, I have every confidence in the opinion of the gentleman from New York and the respective gentleman from Oklahoma, and I withdraw the reservation of the point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, not to exceed the sum of $65,000, or so much thereof as may be necessary, of the funds on deposit to the credit of the Osage Tribe of Indians in Oklahoma, for the support of the Osage Agency and pay of tribal officers and employees of said agency.

Mr. ELLSWORTH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota moves to strike out the last word.

Mr. ELLSWORTH. I want to turn back to page 38 to make some inquiries in reference to the provision to make available the funds on deposit to the credit of the Kiowa and Comanche and Apache Tribes of Indians in Oklahoma. Is there some one from Oklahoma who can give me some information about these expenditures? I make the inquiry now because it has a bearing upon another tribe in another State, namely, the Chippewas from Minnesota. I want to get the analogy between them. It seems there are only a few tribes where money is appropriated in this bill which comes from the principal of the tribal funds of the Indians, and I believe these represent several of these cases.

Mr. FERRIS. Mr. Chairman, the gentleman said he would like to have information from some one of the Oklahoma delegation. From whom does the gentleman from Minnesota want information? Did the gentleman ask me?

Mr. ELLSWORTH. If the gentleman has it, I would be glad to get it from him.

Mr. FERRIS. If the gentleman will indulge me, I will ask him to propound the question again.

Mr. ELLSWORTH. I have stated my reason for asking the question. I will proceed with the question. I wanted to know if the gentleman could state what the nature of this $250,000 was?

Mr. FERRIS. My information is that the money is all given to the Indians. It is their own money, and since they sold the land pursuant to the treaty of 1901 they have been withdrawing for a number of years $250,000 and distributing it among the 4,100 Indians. They give part of it to them in the spring and part of it in the fall. It is their own money. Of course the agency is all paid for out of their own money. It costs the Government nothing to run this agency.

Mr. ELLSWORTH. I understand. This comes from the tribal funds of the tribe. I am not asking the question to criticize at all the way in which the money is being paid out. I understand also that the distribution is from the funds in trust for the Indians in the Government Treasury at this time?

Mr. FERRIS. That is true.

Mr. ELLSWORTH. I am asking the question because I want to get the analogy between that and the case of the Chippewas in Minnesota. Can the gentleman tell me what the fund to the credit of these three tribes is at the present time?

Mr. FERRIS. It is about $3,000,000.

Mr. ELLSWORTH. Is it a credit to these three different tribes indiscriminately? Are they paid indiscriminately out of the fund?

Mr. FERRIS. It is in two funds, but not according to the tribes. It is in two funds by reason of the rate of interest. There is a 4 per cent fund and a 5 per cent fund. There has never been any allotment per capita of that money and it is a lump sum belonging to the three affiliated tribes.

Mr. ELLSWORTH. What disposition is made of the interest on the funds?

Mr. FERRIS. I do not know what the law authorizes as to that. The "justification" says that it is paid out.

Mr. ELLSWORTH. And it is paid out in addition to the $250,000 here?

Mr. FERRIS. I am not sure about that. The gentleman from Arizona [Mr. HAYDEN], who sits near me, says the "justification" says that. I am not positive about that, but I feel I am positive with regard to the $250,000.

Mr. ELLSWORTH. Can the gentleman turn to page 238 of the hearings there?

Mr. FERRIS. Yes; I have it.

Mr. ELLSWORTH. Under the analysis of expenditures, the salaries and wages, and so forth, are set down as having been $18,532.61.

Mr. FERRIS. That is the "justification" for the $25,000 item for running the agency. That is not a part of the $250,000 item. If the gentleman will examine the bill he will find that one paragraph withdraws $25,000 for the support and maintenance of the agency and of that sum $18,532.61 goes for salaries and wages, and so forth.

Mr. ELLSWORTH. Can the gentleman tell about the item on page 239?

Mr. FERRIS. Yes. It is about the middle of the page, down about the middle of the page. Two hundred and fifty thousand dollars is the amount of the appropriation and the amount expended is $247,932, a small balance remaining.

Mr. ELLSWORTH. Can the gentleman tell us about that amount of $247,000, the amount that was expended for salaries and wages of employees?

Mr. FERRIS. I think none of that was spent for salaries and wages of employees. I have gone over that a number of times with the agent in charge there, and they make up a new roll every year, and the new-born and adopted members of the tribe are included, and they divide that $250,000 equally among all the members.

Mr. ELLSWORTH. That is a per capita payment?

Mr. FERRIS. Yes; that is a per capita payment.

Mr. ELLSWORTH. But it is a per capita payment from the principal fund on deposit in the Treasury?

Mr. FERRIS. That is true.

Mr. ELLSWORTH. And it is a per capita payment in addition to the payment per capita of the interest?

Mr. FERRIS. I think that is true, but I am not sure.

Mr. ELLSWORTH. Will the gentleman look that up and let me know later?

Mr. FERRIS. I will be glad to. Now, while the gentleman is on his feet I want to say, occupying just a moment——

Mr. SNYDER. Mr. Chairman, I would like to give a little information in regard to this matter here—the point the gentleman from Minnesota is making with reference to the report. If you will turn to page 240 of the hearings, you will find that Mr. Meritt promised that an analysis of this report would be sent to us, and said that it was being prepared, and would be presented to Congress as soon as it was printed; but it has not been presented to us up to this time.

Mr. ELLSWORTH. The point I had in mind was to separate the amounts paid as a per capita distribution of the principal fund and the per capita distribution of the interest, and my question was whether or not these amounts were paid out for the expenses of the agency or to the individual tribal members. And as I understand the per capita distribution, it is paid to the individual tribal members and distributed among the tribal members.

Mr. SNYDER. The bureau promised to send us that analysis in time for consideration in connection with the bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to proceed for four minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. FERRIS. Mr. Chairman, I am glad that the gentleman from Minnesota [Mr. ELLSWORTH] is delving into the matter. I do not care to pursue further the question he asked about, but I was startled, I may say, to find last night that on page 59 and on page 60 a lump-sum appropriation of $2,325,000 was allowed. That ought not to be. We agreed three or four years ago here to allow the money to be taken out of the tribal funds to pay the expenses of this agency, because the Committee on Indian Affairs told me and the House that it was the policy where the Indians had money to make them pay their own expenses. I think that is not an unreasonable thing, but even if the item were not subject to a point of order I would not be willing to let that large sum be paid by the Indians without some explanation—without at least some explanation. This does not impress me as a proper way to proceed.

Now, I have scarcely looked at the Indian appropriation bill for the last year or two, but last night I rummaged through this bill a little, and I found on pages 59 and 60 this language—

SEC. 26. That in addition to the Indian tribal and treaty funds, the expenditure of which is specifically authorized elsewhere in this act, and such sums as may be required for equalization of allotments, education of Indian children, per capita and other payments to Indians, and expenditures for the Five Civilized Tribes, in accordance with existing laws, the Secretary of the Interior be, and he is hereby, authorized to expend—

What?

not exceeding $2,325,000—

A lump sum—

from funds held by the United States in trust for the respective tribes, for support and civilization of the Indians under the jurisdiction of the following agencies, to wit:

Mr. SNYDER. Will the gentleman yield?

Mr. CARTER of Oklahoma. I think we can stop all this controversy if the gentleman will allow me to make an explanation.

Mr. FERRIS. I do not think the gentleman can. This is to be expended from funds held by the United States in trust for the respective tribes. I call the attention of the gentleman of the Indian Affairs Committee to this, because I am going to make a point of order on some of these items. This will at least let us know what is going on.

Mr. CARTER of Oklahoma. It is not subject to a point of order.

Mr. FERRIS. Yes; it is.

Mr. CARTER of Oklahoma. Two years ago——

Mr. FERRIS. This is to be expended from funds held by the United States in trust for the respective tribes, for support and civilization of the Indians under the jurisdiction of the following agencies—now listen to this—here they start out with Arizona, and propose to take an item of $10,500 from one tribe of Indians. And there are three or four pages of lump-sum moneys that they are taking out of the Indian funds and expending; and down here under the Kiowa Agency, which I happen to know something about, they are taking out $31,900. There are 22 States in this amendment. There are 69 tribes involved. No one knows where this money is to be expended. We are entitled to know. It is not too much to ask.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. CARTER of Oklahoma. These appropriations which the gentleman is discussing have heretofore been spent under permanent appropriations——

Mr. STAFFORD. Mr. Chairman, we are all interested in the explanation of this item, and the gentleman can not be heard on this side.

Mr. CARTER of Oklahoma. I thought I was expressing myself so that I could have been heard if we had had order in the House.

The CHAIRMAN. The committee will be in order.

Mr. CARTER of Oklahoma. This item of $2,325,000 simply carries into effect and places specifically in this bill amounts that have been spent in the past under permanent appropriations.

The CHAIRMAN. The time allotted to the gentleman from Oklahoma [Mr. FERRIS] has expired.

Mr. FERRIS. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. I have just stated that in the past this item has been carried in permanent appropriations, treaties, and acts of Congress passed at different times without any opportunity for Congress to have supervision over it annually. This merely brings into the Indian appropriation bill amounts expended by the department in the past under permanent appropriations and of which the gentleman from Oklahoma [Mr. FERRIS] and myself and other Members had no knowledge. Now, the gentleman says he is going to make a point of order. I doubt if the item is subject to a point of order, because the year before last we passed what was known as the Dill amendment, authorizing these expenditures.

Mr. SNYDER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SNYDER. We are discussing a section of the bill which has not yet been reached. I suggest that we ought to confine ourselves to the pending paragraph of the bill.

The CHAIRMAN. The Chair understands that the gentleman from Oklahoma [Mr. FERRIS] was illustrating his argument by discussing the section which the gentleman refers to, and the gentleman from Oklahoma [Mr. CARTER] is referring to him.

Mr. SNYDER. This is a very important part of this measure, and it ought to be discussed in an orderly way.

Mr. FERRIS. Mr. Chairman, I do not want all this taken out of my time. The gentleman from New York [Mr. SNYDER] is entirely correct when he says we are discussing a paragraph that is ahead of us; but still we are discussing a paragraph that must come up for consideration, inasmuch as we are making appropriations for the same thing in two places in this bill.

Mr. SNYDER. We have put over two or three items in the bill for the benefit of Members who could not be here at the proper time, and I suggest that, if the gentleman desires, unanimous consent would no doubt be granted to have the matter put over.

Mr. FERRIS. I do not ask that. I think the chairman of the committee and the gentleman from New York are both right in saying that we are debating this a little out of order;

but the gentleman from Minnesota raised the question and the matter was fresh in my mind, and if the gentleman will look he will see that page 60 of the bill deals with these same items that are dealt with in another place. They ought to be marshaled forward and all be dealt with together. We ought not to carry $2,325,000 as a practical deficiency in the back of the bill, so that no one can tell the relation of one to the other.

Mr. SNYDER. The gentleman is undoubtedly correct, and we have made a provision so that in the next bill these items will all be grouped under one head, so that the House can know at one time what the total expenditures in any particular governmental activity will be.

Mr. FERRIS. I think the Committee on Indian Affairs have been doing some good work in requiring the Indian Department to tell where they get these tribal funds and how they get them, but that does not meet my objection. My point is, Should they take these funds at all? And I want to debate that.

Mr. SNYDER. How shall we find out whether they are entitled to it or not?

Mr. FERRIS. I think I know the way, and I am going to raise a point of order against these just as soon as we get to them and let the department present their authority for making an expenditure of $2,325,000. I want to say this so that the chairman of the committee and the other members of the committee can call them up and load up on the law, if they have a law, for spending a lump sum of $2,325,000. If they have, all well and good. If they have not, they ought not to expend the Indians' money. And if they have the authority under the law it ought to be repealed. They ought not to expend $2,325,000 of the Indians' money in a lump sum without specific authority and without having it carried in the proper place in the bill.

Mr. CARTER of Oklahoma. If the gentleman will permit me, the law has been repealed by the Dill amendment.

Mr. FERRIS. The gentleman stated a moment ago that he did not think this was subject to a point of order because these had been carried in the appropriation bill.

Mr. CARTER of Oklahoma. No; I did not say that. The gentleman did not listen to me. I said it was not subject to a point of order because the gentleman from Washington [Mr. DILL] two years ago proposed an amendment authorizing it to be appropriated in this manner.

Mr. FERRIS. But that was only for the fiscal year.

Mr. CARTER of Oklahoma. Oh, no; authorizing it forever.

Mr. FERRIS. Where is that law?

Mr. CARTER of Oklahoma. It was in the law two years ago.

Mr. FERRIS. I have the law, and I find this language: That the Secretary of the Interior be, and he is hereby, authorized to expend for the benefit of individuals from the tribal fund not to exceed $2,500,000.

That was only for the fiscal year. Now, they come in and provide for it again.

Mr. CHANDLER of Oklahoma. That is what we have been trying to do all the time and what we want to arrive at.

Mr. SNYDER. The gentleman is expressing the opinion of every member of the committee, but the gentleman will recall that a year ago the item carried $2,500,000, and we have insisted on specifications, and now it is $2,325,000, and the bureau has admitted that by our requiring them to specify the items we are saving that much.

Mr. CARTER of Oklahoma. Mr. Chairman, I do not wonder that I have not made myself plain to the gentleman from Oklahoma [Mr. FERRIS]. There was a time when he kept up very closely with the appropriation bill from the Committee on Indian Affairs, but since he went off the committee his time has been so engrossed with public-land matters that I am sure he has not had his attention called to the good work that the Committee on Indian Affairs has been doing or else he would commend, not criticize, the action of the Indian Committee.

Now, what caused this legislation to be brought about? Prior to the adoption of the Dill amendment the department had been using from standing appropriations annually some three and one-half million dollars of tribal funds without accounting to Congress for it, without a single Member of Congress knowing anything as to how the expenditures were made. The gentleman from Washington, Mr. DILL, a new Member, very active and anxious to do something for the Indians in his State, wanted to stop these appropriations, so he proposed an amendment which said that no payment should be made from the tribal funds unless specifically appropriated by Congress. That is in pursuance of a policy which the gentleman from Oklahoma and I pursued when we were on the committee together. Last year when the department came in with their estimates they told us they were unable to give specific amounts, but they would give them for the succeeding year. So we asked them to prepare and present to the committee a statement of the expenditures of the year before, which were two million and a half dollars, and we appropriated two million and a half dollars in accordance with that statement.

Mr. FERRIS. Will the gentleman yield?

Mr. CARTER of Oklahoma. Let me complete what I am saying and then I will be glad to yield. What do we do with the $2,325,000, $175,000 less than they had been using in the past? How is it to be spent? In accordance with existing law. If the law does not authorize it, it can not be spent. That is in the language of the bill itself.

Mr. FERRIS. It is a specific authorization. That is what I am objecting to. It is a hard and fast authorization.

Mr. CARTER of Oklahoma. Section 36 says "in accordance with existing law." Perhaps the gentleman has analyzed that more closely than I have. The department presented these sums to us as amounts that they were authorized to spend under existing law and we included them in accordance with their statement. If they have sent us statements including therein amounts that were not authorized by existing law, then, Mr. Chairman, certainly somebody has committed at least an error in office that demands attention not only in this committee but in both branches of Congress.

The gentleman from Oklahoma complained that we appropriate a lump sum of $2,325,000. That is exactly what we do not do. We say "for support and civilization of the Indians under the jurisdiction of the following agencies, to wit, Arizona, Colorado River, Fort Apache," and so forth.

Mr. FERRIS. All of this is, of course, commendable on the part of the committee, but it does not reach the substance because no one will be able to show positive law for any expenditure of it. I doubt if anybody can show a warrant to expend a large sum of money of that kind. While the committee is hammering away and improving it somewhat, it is not hammering the right thing, and that is the expenditure.

Mr. CARTER of Oklahoma. I thought the gentleman was criticizing our appropriating a lump sum. We do not appropriate a lump sum, but in detail, if the gentleman will read the following language: "for support and civilization of the Indians under the jurisdiction of the following agencies."

Mr. FERRIS. Will the gentleman explain in detail where the money is to come from?

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CARTER of Oklahoma. And where it must be spent. I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. To tell in detail where it comes from and in detail where it must be spent. That is all you can say in detail in an appropriation act. I repeat that the committee has not at this time all of the authorizations which the department claims to have for each of these amounts, but if the gentleman makes the point of order the chairman, of course, will ask that the item be passed until we can get from the bureau the authorization for each one of these items, in accordance with their statement to the committee, which was that the items were authorized. The only thing we have undertaken to do here is to take a lump sum, two million and a half dollars, as I said before spent without any knowledge of Congress, without any report to Congress, and cut it up and assign it to different reservations where it is to be used and for the different purposes.

Mr. FERRIS. That is the very thing the gentleman does not do.

Mr. CARTER of Oklahoma. If the gentleman can suggest to me why it does not do it, I will be very glad to have the language changed so that it will do it.

Mr. FERRIS. I may be wrong and the gentleman may be right, but if I can read the English language, this is an authorization directing them not to spend the money, but where to get the money.

Mr. HAYDEN. Oh, no.

Mr. FERRIS. Surely I can not be mistaken about this—

That in addition to the Indian tribal and treaty funds, the expenditure of which is specifically authorized elsewhere in this act—

That is in addition to everything else—

and such sums as may be required for equalization of allotments, education of Indian children, per capita and other payments to Indians, and expenditures for the Five Civilized Tribes, in accordance with existing laws, the Secretary of the Interior be, and he is hereby, authorized to expend not exceeding $2,325,000 from the funds held by the United States in trust for the respective tribes.

I submit that the committee does not do what they say they do. They permit and tell him where to get the money, but the

appropriation item does not have any restriction on what he shall do with it. I am more concerned about what they do with it than where they get it.

Mr. CARTER of Oklahoma. But the item goes on and continues—

For support and civilization of the Indians under the jurisdiction of the following agencies, to wit:
In Arizona: Colorado River, $10,500; Fort Apache, $87,291; Kaibab, $1,780; San Carlos, $145,990; Salt River, $365; Truxton Canyon, $55,000; Western Navajo, $100.

Mr. FERRIS. That is where they get the money.

Mr. CARTER of Oklahoma. It says—

And he is hereby authorized to expend not exceeding $2,325,000 from the fund held by the United States in trust for the respective tribes for support and civilization of Indians under the jurisdiction of the following agencies, to wit—

He is authorized to expend it where? In Arizona, and so forth.

Mr. FERRIS. It does not say that. It authorizes the withdrawal of it from certain reservations, but the Lord knows where he is going to spend it. It would be more dangerous if the gentleman was right than it is now, because they may proceed with the Five Civilized Tribes in the gentleman's State and spend it all on these 40 or 50 places.

Mr. CARTER of Oklahoma. They can not do that.

Mr. MANN. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is demanded. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read.

The Clerk read as follows:

That the Osage Tribe of Indians in Oklahoma, through its tribal council, is hereby authorized to employ, annually, a tribal attorney for said tribe, at a salary of not exceeding $7,500 per annum, a stenographer, and expenses, said contract of employment to be in full force and effect, as per the terms thereof, when executed by the Osage tribal council and said attorney, said salary and expenses to be paid quarterly and after said account has been audited and allowed by the Osage tribal council. This authority shall extend to said tribe for 10 years, unless otherwise provided by Congress. There is hereby appropriated annually from Osage tribal royalties received from oil, gas, or other mineral rights or other tribal funds $10,000, or so much thereof as shall be necessary, to pay for said services and expenses: *Provided*, That said contract shall be subject to cancellation by either party thereto upon 60 days' written notice.

Mr. FOSTER. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. CARTER of Oklahoma. Mr. Chairman, I would yield to the gentleman from Oklahoma [Mr. CHANDLER].

Mr. FOSTER. Let me say to the gentleman that the attorneys for these tribes of Indians are selected with the approval of the Secretary of the Interior.

Mr. CARTER of Oklahoma. They are not selected at all for this particular tribe, because the tribe and the Secretary can not agree.

Mr. FOSTER. But as to the others——

Mr. CARTER of Oklahoma. That is the rule.

Mr. FOSTER. And in this case the committee has sought to make a distinction of selecting an attorney at an expense of $10,000, and then permitting that to be done without any restriction, so far as the Secretary of the Interior is concerned. That is true, is it not?

Mr. CARTER of Oklahoma. Yes. That was done because the tribal council and the Secretary can not agree on this proposition. These people are the wealthiest people on the face of the earth. They have more things which would provoke litigation than any other class of people in the world. They ought to have some attorney, and because the bureau and the tribal council can not agree upon it they ought not to be punished and left without an attorney.

Mr. FOSTER. They have no attorney now?

Mr. CARTER of Oklahoma. Absolutely none.

Mr. HASTINGS. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. HASTINGS. Let me say to the gentleman that the Committee on Indian Affairs visited this Osage Tribe about a year ago. They are in my State, and in the district of my colleague, Mr. CHANDLER. The Osages are the richest people in the world. They have about 2,200 and odd enrolled members. They have 1,500,000 acres of land, and about one-tenth of it has been leased for oil purposes. Great lakes of oil have been developed underneath their land. As a result of the oil produced, there is now being paid to them annually per capita between four and five thousand dollars a year, so that this tribe is really the richest tribe of Indians in the world. They have certain differences with the department. They can not be represented up here before the committees of Congress. They can not send an attorney here; they can not send their tribal council here. There is no way for them to present their claims to Congress now without the permission of the Secretary of the Interior. The gentleman has not had the experience upon these Indian matters that some of the rest of us have had. Personally I have lived under the department every day of my life. We have been under the supervision of the Interior Department down there in Oklahoma always, and if you are going to allow the Secretary of the Interior to pick the attorney, to let him be hand-picked by him, you might as well have none at all, because the attorney then must go down and first get orders from the department and the Commissioner of Indian Affairs, else he will not be employed the next year. His employment depends upon his representing their views and not the views of the Osage Indians. I am not in favor of the employment of anybody except a high-class man. I am not in favor of the employment of an attorney that represents the Osages just for the purpose of antagonizing the department or the Commissioner of Indian Affairs, but I believe they have so much wealth and they have such large interests at stake that they ought to be represented to the extent of $10,000, to the extent of the expenditure of that amount of money, and this limits it to that amount, by an attorney of their own choosing.

Now, let me say to my colleague and call his attention to the fact that by reason of their not being properly represented the individual Osages have suffered some $200,000 loss in the last year or two, and let me explain this to him: They have four allotments—the first, second, third, and fourth. One of these allotments of 160 acres is a homestead, the other allotments are what are known as surplus land. The homestead land is nontaxable, the surplus land is taxable. The department, through its representative, advised these Osage Indians—did so erroneously—that their surplus lands were nontaxable and, as a matter of fact, encouraged them not to pay taxes out of the money which had been paid to them. Now, as those taxes became due they had to pay a penalty of 18 per cent, and, as I understand and believe, which is upon reliable information, I recall that by reason of this mistake they had to pay out about $200,000 more than they would have had to pay if they had had the right legal advice. Now, I have always contended that these people with these large interests ought to be represented by a high-class attorney, and I believe they ought to have something to say about the naming of him. Let me say to the gentleman, for years I was attorney for the Cherokee Tribe of Indians, and represented them before committees and before the departments and before the courts here, and I do not believe that any tribal representative ought to be dictated to by the Commissioner of Indian Affairs or the Secretary of the Interior, because——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HASTINGS. May I have two minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none, and the gentleman is recognized for two minutes.

Mr. HASTINGS. I will say that all of these tribal attorneys that are now employed where approval has to be made by the Secretary of the Interior they can not, of course, represent any other views than those entertained by the department. The gentleman from Illinois appreciates that, and at the present time these Osages have not any attorney to represent them, nobody to come here before the committees of Congress. And let me say another thing to him, that by the act of 1906 there was a provision made for the leasing of all of their country for oil and gas. The time expires in 1931. The representatives of the Osages and the Oklahoma delegation have been trying to get the department to comply with the law and to lease this land. Now, about one-tenth of it, I understand, has been leased, the rest of it has not been leased. If this time runs longer, and it is not leased before five or six years, and it can not be fully developed before that time, you can understand the Osages stand to lose millions of dollars. Now, they only allot the surface of their land, retaining for the tribe the mineral rights. In other words, the surface of the land has been allotted and the oil and gas rights have been reserved to the tribe up until a certain length of time. Now, they have other controversies existing between the tribe and the department here, things that they want legislation upon, and so forth, and I sincerely trust that the gentleman from Illinois will not make the point of order against this provision. It is one, I know, which is unanimously approved by the members of the Committee on Indian Affairs. I know the members of the special committee that visited this Osage country in March, 1917, were firmly of the opinion that they ought to have a representative, and I do not know of a single Osage out there who does not feel that he ought to be represented by a high-class reputable man before the department and before the Congress and before the courts.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SNYDER. Mr. Chairman, I move to strike out the last word. I would just like to say for the information of the gen-

tleman and others of the committee that in the hearings, on page 253, you will see that the committee endeavored to find out why the department would not recommend an attorney, and I asked Mr. Meritt, after considerable other questioning, this:

Mr. SNYDER. Will you tell us the real reason why the department does not want the council to select its own attorney to look after the interests of the Osage Indians?

Mr. MERITT. The department and the Indian Office have taken the position that there are no complicated legal matters at the Osage Agency that require the services of a tribal attorney. It is very largely an administrative proposition, and we have a superintendent and a large number of agency employees to look after the interests of the Osage Indians. There are also a number of lawyers in that office who take care of the legal work.

Mr. SNYDER. But there is no one who has been selected by the Indian council to look after what they consider to be their interests, in their own way?

Mr. MERITT. No one has been selected by the Indian council and approved by the Secretary of the Interior for that work.

I just want to say that this matter has been before the committee for several years, and there is no question in my mind but what this tribe of Indians, who have plenty of money to pay for an attorney, should be allowed to have one of their own to look after their own interests, and I hope this section will stay in the bill.

Mr. FOSTER. Mr. Chairman, it seems to me this case ought not to be different from others and that, so far as I can see, I see no good reason why the agency down there and the superintendent should not agree with the department in the selection of an attorney, and I therefore make the point of order.

Mr. TILLMAN rose.

Mr. FOSTER. I will withhold the point of order, but I desire to state to the gentleman that I am going to make it.

Mr. TILLMAN. Mr. Chairman, I want to say to the gentleman from Illinois that I have no interest in the Indian country nor have I an Indian in my district——

The CHAIRMAN. Did the gentleman from Illinois make the point of order?

Mr. FOSTER. I will reserve the point of order further.

Mr. TILLMAN. I desire to say that I was one of the committee which investigated the condition of the Osage Indians in March, 1917, and we talked with a great many of the full bloods and a great many of lesser degree of Indian blood, and they unanimously desired to have an attorney regularly employed by them and compensated out of their abundant funds.

They are unwilling to risk important business matters to a lawyer who is not employed by them and who is not their choice. We found a great many very intelligent Indians there among the full bloods, many educated ones, some of them from Carlisle and other good schools near by, and there is no tribe of Indians in the world that is so wealthy per capita as the Osage Indians. Some of these families get as much as $20,000 a year from oil leases, rental payments, and from other sources. And it does seem to me that if there is any class of people in the world who ought to have an attorney, and one of their own choice and one able to take care of their interests, it is these Osage Indians. There is no one who speaks for them here in this matter that has any interest in this item. The Indian Bureau for some cause is not in harmony on this subject with the Osage council. I hope the gentleman will withdraw the point of order. The item is clearly subject to a point of order, and will go out if the gentleman insists.

Mr. FOSTER. I make the point of order, Mr. Chairman.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order? [After a pause.] If not, the point of order is sustained. The Clerk will read.

The Clerk read as follows:

FIVE CIVILIZED TRIBES.

SEC. 18. For expenses of administration of the affairs of the Five Civilized Tribes, Oklahoma, and the compensation of employees, $185,000: *Provided*, That a report shall be made to Congress by the superintendent for the Five Civilized Tribes through the Secretary of the Interior, showing in detail the expenditure of all moneys appropriated by this provision: *Provided further*, That hereafter no part of said appropriation shall be used in forwarding the undisputed claims to be paid from individual moneys of restricted allottees, or their heirs, or in forwarding uncontested agricultural and mineral leases, excluding oil and gas leases, made by individual restricted Indian allottees, or their heirs, to the Secretary of the Interior for approval, but all such undisputed claims or uncontested leases, except oil and gas leases, now required to be approved under existing law by the Secretary of the Interior shall be paid, approved, rejected, or disapproved by the superintendent for the Five Civilized Tribes of Oklahoma: *Provided, however*, That any party aggrieved by any decision or order of the superintendent for the Five Civilized Tribes of Oklahoma may appeal from the same to the Secretary of the Interior within 30 days from the date of said decision or order.

Mr. HASTINGS. Mr. Chairman——

Mr. CHANDLER of Oklahoma. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Of the paragraph just read?

Mr. CHANDLER of Oklahoma. Yes, sir.

I want to call the committee's attention to this appropriation and to the vast amount of work that is being done at this agency. The superintendent in his last report, made for the fiscal year ending June 30, 1918, sets forth the amount of the oil royalties received from various sources for the restricted Indians. These amount to over $27,000,000. These sums are handled by this agency, and handled in a very satisfactory and commendable way. I notice also in the report as to the income tax that he had made a report for one Indian and paid to the United States Government $114,182, which is undoubtedly derived from oil. In fact, oil is the great industry of the Five Civilized Tribes. And this agency handles those funds, as well as various other funds, claims against the Indians, and distributes this $27,000,000 every year in an entirely satisfactory and commendable way.

I withdraw the pro forma amendment.

Mr. HASTINGS. Mr. Chairman, I desire to offer a committee amendment.

The CHAIRMAN. The gentleman from Oklahoma offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. HASTINGS: After the word "leases," in line 3, page 43, strike out the following words, in lines 3 and 4: "excluding oil and gas leases"; and after the word "leases," line 6, page 43, strike out the following words: "except oil and gas leases."

Mr. HASTINGS. Mr. Chairman, in support of this amendment you will see that this only would permit the approval of the uncontested leases by the Superintendent of the Five Civilized Tribes at Muskogee. It does not take any supervision away from him. It still requires the approval of all of those leases, but it permits the approval of the uncontested leases only by the Superintendent of the Five Civilized Tribes, and it provides that any party being aggrieved by any decision may appeal to the Secretary of the Interior.

Now, let me say, Mr. Chairman, that the Superintendent for the Five Civilized Tribes is nominated by the President and confirmed by the Senate. He has 250 employees under him, divided into bureaus. There are as many employees in the Indian Service in Oklahoma as there are in the Indian Department here at Washington. All are honest and capable. And this amendment does not seek to take away any supervision of any Indian at all, but retains it. It permits the uncontested leases to be approved by the local man there in Oklahoma.

And I want to explain to the House that it does not transfer that supervision to any locally elected officer in Oklahoma, but it gives that supervision to the local representative of the Federal Government, who, as I have already stated, is nominated by the President and confirmed by the Senate. So there is no supervision taken away. The supervision is retained and only applies to uncontested leases.

Mr. MANN. Mr. Chairman, I would like to ask the gentleman from Oklahoma a question.

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Illinois?

Mr. HASTINGS. I do.

Mr. MANN. Is the $185,000 appropriated here the total expense of this agency?

Mr. HASTINGS. No, sir. There is a good deal more money, the exact amount of which I do not know, expended there. For instance, they have been expending about $30,000, in another item, out of certain of the tribal funds, and there are other items taken from lump sums and expended there at that agency, the total amount of which I do not know. But the number of employees is given here in the hearings as being about 250. The commissioner stated before the committee that they were paid out of their funds, in addition to the $185,000.

Mr. MANN. I supposed if they had 250 employees down there that they were not wholly compensated out of this $185,000.

Mr. CARTER of Oklahoma. If the gentleman from Oklahoma [Mr. HASTINGS] will permit me——

Mr. MANN. And I further supposed, if the gentleman will wait a moment, that when the gentleman from Oklahoma [Mr. CHANDLER] thought this agency passed through it $27,000,000 it did not do it at the rate of about two-thirds of 1 per cent.

Mr. CARTER of Oklahoma. If the gentleman will permit me for a moment, I think I can explain it.

Mr. MANN. I am going to yield to my friend from Oklahoma, but I want to say that if he would fix up this bill so that it would show what the expense of this agency was, if it requires an appropriation, it would throw a little light upon the subject. I suppose this $185,000 is to be paid out of the Treasury?

Mr. CARTER of Oklahoma. Yes.

Mr. MANN. And then they take money out of the Indian funds and spend what they need?

Mr. CARTER of Oklahoma. They did that up to 1912, and then we had a provision inserted in the law which restricted the use of tribal funds to schools by per capita and equalization allotments unless specifically provided otherwise by Congress.

Mr. MANN. I know; but what difference does that make with the Indian Office?

Mr. CARTER of Oklahoma. The gentleman does not hold me responsible for that?

Mr. MANN. No.

Mr. CARTER of Oklahoma. That does not include all that is spent for the Indians. This does not include relief for the sick, and so forth.

Mr. MANN. This is only for the compensation of employees, and it does not include all the compensation for employees?

Mr. CARTER of Oklahoma. No. It does not include those employed in the schools or those employed to look after the sick and hospitals and all.

Mr. MANN. It does not include all employed at the agency?

Mr. HASTINGS. If the gentleman will refer to page 265 of the hearings——

Mr. MANN. I am not going to refer to the hearings. That takes up too much time. The members of the committee ought to be able to tell us the information that is contained in the hearings without reading them.

Mr. HASTINGS. I am trying to show that some of these employees are paid from some other fund.

Mr. MANN. I have no reason to complain of this agency. I think if they do all this business down there, with all the work that is going on and the immense sums of money that the Indians are receiving, they would probably require more money than is appropriated here. So far as I know, they are doing good work; but then I do not know much about it.

Mr. WALSH. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last two words.

Mr. WALSH. Mr. Chairman, with respect to the amendment offered by the gentleman from Oklahoma, why were oil and gas leases excluded from that class of leases that might be approved or rejected or paid by the superintendent at this agency, in the first place?

Mr. HASTINGS. That was a Senate amendment, and it was put on the Indian appropriation bill last year.

Mr. WALSH. It was the law before last year?

Mr. HASTINGS. No. It required the approval of the Secretary of the Interior.

Mr. WALSH. Yes; it required approval by the Secretary of the Interior. Those claims with reference to oil and gas leases had to be sent here to Washington?

Mr. HASTINGS. Yes; and other claims as well.

Mr. CARTER of Oklahoma. All had to be prior to last year.

Mr. WALSH. Now, then, can the gentleman state if it is going to interfere in any way with the adjudication of these claims by giving this agent down there, or the superintendent, practically final jurisdiction?

Mr. HASTINGS. This only does that in uncontested claims and in uncontested leases. For instance, if the gentleman does not fully understand, these leases are really made on blank forms. The bonds are made on blank forms. The Indian superintendents there have their oil inspectors, who go out and make investigation and report as to the bonus and other details. They see that it is all in proper form.

Now, then, when a man leases some land he makes arrangements for some money with which to do the drilling. It costs from $3,000 to $5,000 to drill a well, so that it costs from $50,000 to $75,000 to drill up a tract of land. This only applies when there is no contest, when there is an agreement between the lessor and lessee, and where the amount of the bonus is satisfactory. It permits the superintendent there to approve it, rather than some clerk in the department up here in Washington.

Mr. CARTER of Oklahoma. And if the gentleman will permit me, it permits an appeal to the Secretary of the Interior by an aggrieved person within 30 days.

Mr. WALSH. Yes; it permits an appeal. But with this language in the bill it requires that those leases should be sent to Washington and not passed upon by the superintendent?

Mr. CARTER of Oklahoma. That is true.

Mr. WALSH. Why was that done? For what reason?

Mr. HASTINGS. That was in the old law, 15 or 20 years ago, when these agreements were made, all claims had to be sent to Washington. If you bought a pair of ponies out there with a restricted Indian's money, or if you bought groceries, it had to be approved. What we want to do is to allow the uncontested claims to be passed upon by the Federal representatives. They are not elected by the people of Oklahoma; I mean they are not elected officials in Oklahoma; but they are Federal employees, and the superintendent is nominated by the President and confirmed by the Senate, and all these employees are civil-service employees, just like these down in the Indian Office. They are the same grade of men. They have the same degree of capacity, and they have the same information before them, and this only applies to uncontested matters. What we want to do is to reduce this clerical force and allow the uncontested claims to be passed upon by the Federal representatives there.

Mr. WALSH. Of course, there are a great many of these oil and gas leases?

Mr. HASTINGS. They are forwarded up here, and this office has no further information than what they have down there and the report that is forwarded along with the leases. The result is that when a lease is taken, when it is sent up here, it requires a certain time to come through the mail and go through the office here. It used to take, before we speeded them up, all the way from 30 days to 6 months to get a lease approved. It does not take that long now, but it does take some time and considerable delay.

Mr. WALSH. That is considerable expedition, considering the facility, or lack of it, with which we get our mail. [Laughter.]

Now, the point I am making, or attempting to make, is that with these oil and gas leases constituting a greater part of the business of this agency down there, a great many of these leases relating to oil and gas, you are giving this superintendent the authority to either pay them or reject them, or approve them or disapprove them, and the same in the case of mineral and agricultural leases. Is not that so?

Mr. HASTINGS. Those that are uncontested.

Mr. WALSH. I suppose that is synonymous with "undisputed" claims. Now, striking out "including oil and gas leases," that includes them in "agricultural and mineral" leases, I assume?

Mr. HASTINGS. Exactly.

Mr. WALSH. There are a great number of them, are there not?

Mr. HASTINGS. Last year there were about 1,400 according to this report that I have in my hand.

Mr. WALSH. The only result, probably, will be that the additional employees who are now required in the Indian Office in Washington will be dismissed here and transferred there and be hitched onto the pay roll down there.

Mr. HASTINGS. No; they will not need a single additional employee down there.

Mr. WALSH. Do you think the superintendent there, with his present force, can handle these things?

Mr. HASTINGS. Unquestionably. This is just a duplication of work. And let me say that I have here the report of the superintendent from down there, and it shows that he mailed to the department last year 7,475 letters, or 25 letters a day, and that he received from the department 6,842 letters, or an average of 22 a day from the department.

Mr. WALSH. I notice that the gentleman says he mailed that number of letters. I assume from the gentleman's previous statement that a large proportion of them have not yet got to Washington. But the superintendent down there will have to examine all these claims——

Mr. HASTINGS. He does now.

Mr. WALSH. I thought all he did now was just to transfer them.

Mr. HASTINGS. Oh, no; I beg the gentleman's pardon. He and those under him make the only real investigation that is made. The action is necessarily pro forma when it gets here. Down there they investigate, they pass upon the amount of the bonus, they pass upon all the forms of the lease, they pass upon the bond, they pass upon everything that is necessary to pass upon, so that when it is sent up here it is pro forma, and all this office has got is the report they make upon it from down there.

Mr. WALSH. So what the gentleman seeks to eliminate is the pro forma action here in Washington?

Mr. HASTINGS. Yes; and the duplication of work and the delay——

Mr. WALSH. And the duplication of work here in Washington?

Mr. HASTINGS. Yes; in the uncontested cases.

Mr. WALSH. Except where there may be an appeal?

Mr. HASTINGS. Yes. Wherever a man is aggrieved I want him to have the right of appeal, and this does not take it away from him.

Mr. WALSH. Was there any peculiar reason why these oil and gas leases should have been excluded from the provision relating to agricultural and mineral leases?

Mr. HASTINGS. None other than I have stated. Away back yonder, when all these agreements were made, the department here retained supervision over all restricted allottees—over the payment of their claims, over agricultural leases, over the disbursement of their money, over the approval of their oil and gas leases, and over everything.

Mr. WALSH. Yes. But subsequent to the remote days when that provision prevailed we provided that agricultural and mineral leases which were uncontested and undisputed might be passed upon by the superintendent, and we excluded oil and gas leases. But now you are coming in and putting oil and gas leases back with the others. I am trying to find out if there must not have been some peculiar reason why these two classes of claims or leases were kept out of the general provision of the law.

Mr. HASTINGS To be frank with the gentleman, the department is always opposed to giving up jurisdiction. None of these departments here ever want to give up any jurisdiction. They want to hold on to all the leases down there and, for that matter, on every other Indian reservation. The provision of last year was a Senate amendment. It was a step in the right direction. It was a step giving them more authority down there to aid them in more expeditious action, to attend to their affairs better, to wind up their affairs more quickly, and this is just one additional step; but it does not take any supervision away from any restricted Indian whatever. It retains it all in the jurisdiction of the Federal Government and under a Federal official in Oklahoma. The work that is done here is simply a duplication.

Mr. WALSH. It is a duplication of a very important branch of the work; but the gentleman does not hold out much hope that it is going to reduce the force here in Washington.

Mr. HASTINGS. I am sure it ought to in the years to come.

Mr. WALSH. If it does it will be one of the miracles of 1919 that by this minor amendment you separate from the Federal pay roll here in Washington any of these employees who are down in the Indian Bureau working on business such as this at the present time.

I withdraw the pro forma amendment.

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the amendment. I notice that in this large assemblage of not more than 25 Members, of whom a majority are members of the Committee on Indian Affairs, it is proposed now to strike out of the bill something which was placed in it for the protection of the Indians. As I recall, this provision was incorporated in this bill last year for the sake of assisting the Indians, to relieve them of unnecessary red tape in matters which were rather inconsequential. Now, it is proposed that these Indian agents in the field shall have full authority to pass upon every character of lease that is entered into by an unrestricted Indian, involving millions and millions of dollars. This exception, excluding oil and gas leases, was placed in the bill deliberately last year for the protection of the Indians. I know the gentleman from Oklahoma [Mr. HASTINGS] is most insistent on trying to have the reviewing power of the Indian Bureau lifted as to all the matters pertaining to Indian affairs. He had a bill reported granting to the Superintendent of the Five Civilized Tribes absolute authority to pass on all of these leases and not have them at all subject to review. It is purposed to really break the agreement that we had a year ago that as far as leases pertaining to oil and gas were concerned it was necessary that they should be reviewed by the department here before they became effective. I certainly hope that the committee will not go to the extreme of removing the protection that is necessary in these important leases involving millions and millions of dollars.

If the chairman of the committee and other Members are desirous of passing on this amendment, I think we had better have a quorum present to consider this important piece of legislation. It is unfair to the committee, after having reported the bill, to have Members come in here and take the very vitals out of it.

Mr. CARTER of Oklahoma. Mr. Chairman, I confess to not having any great omniscient knowledge with reference to oil and gas leases, because the oil and gas leases in my part of the State have taken place within a few years, since I came to Congress. As I understand, all this proposes to do is to provide that uncontested leases shall not be sent to Washington for approval. In other words, the superintendent who makes the examination, whose men practically employed by him make the investigation, the man who reports to him, the superintendent who looks the contracting parties in the face across the table, is the man to whom final jurisdiction is given in the settlement of oil and gas leases, with the exception that any aggrieved party may within 30 days appeal to the Secretary of the Interior.

Mr. STAFFORD. Will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. What is the purpose of saying here that these unrestricted Indians, presumably not being qualified to enter into a contract of sale, or enter into an agreement of lease as to oil and gas rights, who has leased his land for oil and gas does not wish to contest it that it shall be final——

Mr. HASTINGS. Oh, no; it is not final.

Mr. CARTER of Oklahoma. It does not do that; it provides that the Indian may enter into a contract subject to investigation and approval by the superintendent of the Five Civilized Tribes at Muscogee, but it does not take away any jurisdiction of the Government from the Indian.

Mr. STAFFORD. It takes away the jurisdiction of the Bureau of Indian Affairs, which exercises a supervisory review that is absolutely necessary.

Mr. CARTER of Oklahoma. The gentleman is wrong when he states that unless the Indian appeals the matter it becomes final.

Mr. STAFFORD. No; it is subject to review by the superintendent. Is not the gentleman attempting to accomplish by the amendment what was proposed by the bill introduced by the gentleman from Oklahoma [Mr. HASTINGS], giving the superintendent of the Five Civilized Tribes full authority to pass finally on all questions relating to these tribes, which had such strong opposition from the Bureau of Indian Affairs and the Indian Rights' Association?

Mr. CARTER of Oklahoma. The gentleman will not let us settle one point before he raises another. What does the bill say? Any party aggrieved—not the Indian himself—but any party aggrieved may appeal to the Secretary of the Interior. With reference to what the gentleman says about certain interests being opposed to this measure, some are opposed to it, and they were opposed to the general bill which took jurisdiction away from the Secretary of the Interior of all Indian matters and placed it in the Muscogee bureau. We have had these interests against many things which Congress has done. All we propose to do here is to give the superintendent at Muscogee jurisdiction to approve uncontested leases where there is no appeal—to give him jurisdiction with the right of appeal, and if that will do any violence to the Indian I am frank to say to the House that I do not know it.

Mr. CRAMTON. Mr. Chairman, it is a matter of some surprise to me that this motion should be made, and at the same time it is not. Last year the gentlemen from Oklahoma who are interested in this matter started their attempt to remove as far as possible the jurisdiction over the Oklahoma Indians from Washington supervision. They found at that time that the only way they could accomplish anything was by accepting a provision such as that which has been reported by the committee this year. It was proposed at that time—a year ago—to go to the extent that the gentleman from Oklahoma [Mr. HASTINGS] proposes to go now; but the possibilities that are opened up by placing the Indians profiting by oil and gas leases entirely at the mercy of local influences are so great the gentlemen last year found that they could not get anything if they insisted on that, and so they accepted the provision as reported, which expressly exempts the oil leases. This year the committee reports out the same provision that they accepted then, and now the gentlemen, not content with what Congress gave them then, want to go still further; and if the gentlemen from Oklahoma will remember, I prophesied at the time that it was only the beginning and that it would be followed by efforts on the part of Oklahoma gentlemen to leave the control of these Indians without any interference from Washington. The mere fact that the provision is included that an appeal may be taken by interested parties is nothing when you consider the matter may be between some sharper, perhaps a white man, and a poor Indian who does not know his rights and is willing to sell his birthright for a mess of pottage.

Mr. CHANDLER of Oklahoma. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. CHANDLER of Oklahoma. Will the gentleman tell the committee of this House how many uncontested leases that have been sent to Washington from the Muscogee Indian bureau with the recommendation of the Superintendent of the Five Civilized Tribes have been refused approval?

Mr. CRAMTON. The gentleman is well aware that I am not in a position to state.

Mr. CHANDLER of Oklahoma. I will say that not one.

Mr. CRAMTON. I am not in a position to give the gentleman the information on that point, but what the gentleman proposes here is opposed by the Bureau of Indian Affairs, the Indian Rights' Association, and every other agency interested in the Indians outside of Oklahoma.

Mr. CHANDLER of Oklahoma. Why? Simply because it will deprive the bureau here of a few jobs. That is the whole thing in a nutshell.

Mr. CRAMTON. If we were to put it on that plane, I might say that it was the desire to provide a few more jobs in Oklahoma.

Mr. CHANDLER of Oklahoma. Not a single one.

Mr. CRAMTON. But I prefer to put it on the basis of removing the welfare of the Indians from local interest and greed as far as possible.

Mr. HASTINGS. Every one of these officers in Oklahoma is a Federal employee and every one of them except the superintendent is under the civil service. They are all Federal employees; they are not elected down there. The superintendent is nominated by the President and confirmed by the Senate.

Mr. CRAMTON. But they are in Oklahoma, in constant contact with Oklahoma sentiment and Oklahoma influence, subject to the influence of what I suppose prevails in Oklahoma as in every other State, greed and desire to take from those who can not well protect themselves everything that they have.

The CHAIRMAN. The time of the gentleman from Michigan has expired. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken, and the Chair expressed himself in doubt.

Mr. STAFFORD. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Wisconsin makes the point of order that there is no quorum present. [After counting.] Seventy-one Members present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ashbrook	Emerson	Kiess, Pa.	Sabath
Bacharach	Estopinal	LaGuardia	Sanders, Ind.
Blackmon	Fairchild, B. L.	Lea, Cal.	Sanford
Booher	Fairchild, G. W.	Longworth	Saunders, Va.
Borland	Fairfield	McArthur	Scully
Bowers	Fess	McClintic	Sears
Brand	Flynn	McKenzie	Sells
Britten	Focht	Maher	Shackleford
Brumbaugh	Francis	Martin	Sims
Burroughs	Fuller, Mass.	Mason	Slayden
Caldwell	Goodall	Merritt	Small
Candler, Miss.	Goodwin, Ark.	Moores, Ind.	Smith, Mich.
Carew	Gould	Morin	Smith, C. B.
Carter, Mass.	Graham, Pa.	Mudd	Smith, T. F.
Chandler, N. Y.	Gray, N. J.	Nelson, John M.	Stephens, Miss.
Church	Gregg	Nichols, Mich.	Stevenson
Cleary	Griest	Nolan	Strong
Cooper, Ohio	Hamill	Norton	Sullivan
Copley	Hamilton, N. Y.	O'Shaunessy	Swift
Costello	Harrison, Miss.	Paige	Switzer
Cox	Harrison, Va.	Park	Tague
Crago	Haskell	Parker, N. Y.	Taylor, Ark.
Davis	Hayes	Porter	Templeton
Delaney	Heaton	Pratt	Thomas
Dempsey	Heintz	Price	Treadway
Denison	Helm	Rankin	Vestal
Dent	Helvering	Riordan	Waldow
Denton	Hersey	Robbins	Walker
Dooling	Humphreys	Roberts	White, Ohio
Drane	Johnson, Ky.	Robinson	Winslow
Dunn	Keating	Rouse	Woods, Iowa
Dyer	Kennedy, R. I.	Rowland	
Eagle	Key, Ohio	Russell	

The committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Indian appropriation bill, and finding itself without a quorum he directed the roll to be called, when 300 Members answered to their names, a quorum, and he submitted the names of the absentees for printing in the Journal.

The committee resumed its sitting.

The CHAIRMAN. When the committee rose for want of a quorum the committee was voting on an amendment proposed by the gentleman from Oklahoma [Mr. HASTINGS], and the Chair will direct that the amendment be again read.

The Clerk again reported the amendment of the gentleman from Oklahoma.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 125, noes 8.

So the amendment was agreed to.

Mr. CRAMTON. Mr. Chairman, I move to strike out all of the language beginning with the words "*Provided further,*" in line 24, page 42, down to and ending with the paragraph on line 14, page 43.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 42, line 24, strike out the following language:

"*Provided further,* That hereafter no part of said appropriation shall be used in forwarding the undisputed claims to be paid from individual moneys of restricted allottees, or their heirs, or in forwarding uncontested agricultural and mineral leases, excluding oil and gas leases, made by individual restricted Indian allottees, or their heirs, to the Secretary of the Interior for approval, but all such undisputed claims or uncontested leases, except oil and gas leases, now required to be approved under existing law by the Secretary of the Interior shall be paid, approved, rejected, or disapproved by the Superintendent for the Five Civilized Tribes of Oklahoma: *Provided, however,* That any party aggrieved by any decision or order of the Superintendent for the Five Civilized Tribes of Oklahoma may appeal from the same to the Secretary of the Interior within 30 days from the date of said decision or order."

Mr. CRAMTON. Mr. Chairman, until the Indian bill of a year ago took effect all claims and leases entered into by members of the Five Civilized Tribes must be forwarded to Washington for final approval. The gentleman from Oklahoma [Mr. HASTINGS] had introduced bills to change that procedure and transfer the final approval to Oklahoma and put the matter in the hands of the Superintendent of the Five Civilized Tribes. There was very strenuous opposition to that proposition upon the part of the Bureau of Indian Affairs, the Indian Rights' Association, and others interested in the welfare of the Indians. Finally the provision was passed permitting the final approval by the superintendent in Oklahoma of all undisputed claims and of all agricultural and mineral leases, excluding oil and gas leases. This year the Committee on Indian Affairs upon the 20th of January reported this appropriation bill for next year, and they approved in that bill and repeated the identical language agreed upon last year and passed by Congress.

And although that bill was reported to this House so recently as four days ago it develops now in this House, which had the right to believe that that bill represented the views of the Committee on Indian Affairs, that it did not, but that the Committee on Indian Affairs, instead of approving what they had reported to the House, approve now of a sled-length proposition by which not only uncontested claims and mineral and agricultural leases other than oil and gas leases shall have their final approval in Oklahoma, but that hereafter the final approval of the immensely valuable oil and gas leases in the hands of the Five Civilized Tribes shall also finally be approved in Oklahoma. I say to the gentlemen of the House that that was an unfair advantage that the Committee on Indian Affairs took of the House. We had a right to rely upon the report of the committee on a matter of that kind, which had been thrashed over for two or three years in this House, and on which finally last year an agreement had been reached. And now, since the House has amended that proviso, so as to cut out the exemption of oil and gas leases, I appeal to the Committee of the Whole to strike out the whole proposition. And let me call your attention to one or two things. If you retain the language in the bill which is there now, it means that these oil and gas leases held by the Five Civilized Tribes of Oklahoma, that represent millions of dollars, that are owned by people whom this Government says have not the capacity to be trusted with the administration of those millions; that those leases, affecting such immensely valuable deposits, shall finally be acted upon out in Oklahoma. And by whom? By the Superintendent of the Five Civilized Tribes. Some claim that these are civil-service employees who will act on those claims. The Superintendent of the Five Civilized Tribes is not a civil-service employee; he is a political appointee of the administration that happens to be in power.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. CRAMTON. When I am through. He is appointed by the President and confirmed by the Senate, and when a new administration takes office a new superintendent may be appointed and the man in time is bound to be subject to Oklahoma influence. I say it is a very unwise policy. I thought it was an unwise policy to enter upon a year ago, and it does seem unwise to go further and place in the hands of a local political appointee these claims that represent millions of dollars.

Mr. CARTER of Oklahoma. Now, will the gentleman yield?

Mr. CRAMTON. Certainly.

Mr. CARTER of Oklahoma. Will the gentleman explain to the committee in what way the appointment of this Superintendent of the Five Civilized Tribes differs from the appointment of the Chief of the Indian Bureau here, or the Secretary of the Interior?

Mr. CRAMTON. Yes; I will. The Superintendent of the Five Civilized Tribes is an Oklahoma proposition, surrounded by Oklahoma influence, and not only the performance of his duties, the administration of his office, but his very appointment is influenced from Oklahoma, whereas—if the gentleman will pardon me—the Secretary of the Interior and the head of the

Bureau of Indian Affairs are not Oklahoma appointees, and are not subject to the influence on every hand surrounding the Indians of Oklahoma.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. CRAMTON. They represent the sentiment of the whole country, not merely those who are making something out of the Indians of Oklahoma.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAMTON. I ask for five minutes more.

Mr. CARTER of Oklahoma. I ask that the gentleman be given five minutes.

The CHAIRMAN. Is there objection to the request? [After a pause.] The Chair hears none.

Mr. CRAMTON. I now yield to the gentleman.

Mr. CARTER of Oklahoma. Now, I do not know whether the gentleman has read that part of the hearings or not in which the Commissioner of Indian Affairs himself stated that the Superintendent of the Five Civilized Tribes was a personal appointee of the Secretary of the Interior; that no man from Oklahoma had anything to do with his appointment or knew that his appointment was to be made until it had already been decided upon.

Mr. CRAMTON. I would say to the gentleman that a year ago I read all of these hearings, but due to the surprise that comes with a change from the bill reported by the committee and the presentation of an amendment entirely different I have not read them this year. But I will say to the gentleman, notwithstanding the fact the Superintendent of the Five Civilized Tribes—and I am not making an attack upon that gentleman—notwithstanding the fact that he is an appointee of the President, as are the present Secretary of the Interior, and, I understand from the gentleman, the Commissioner of Indian Affairs—notwithstanding that, both of those officials who are charged by the Nation with the administration of the affairs of the Indians objected to this kind of legislation. And, further, what the gentleman is entering on to-day is permanent legislation in effect, and the gentleman can not guarantee that to-morrow or next year or the next administration we will have the same Superintendent of the Five Civilized Tribes.

Mr. CARTER of Oklahoma. If the gentleman will recall——

Mr. CRAMTON. And who, in any event, is out in Oklahoma immediately surrounded, continually surrounded, by this influence.

Mr. CARTER of Oklahoma. If the gentleman will refresh his memory, he will recall——

Mr. CRAMTON. I would have been glad to have had an opportunity to refresh my memory if the committee had given it to me.

Mr. CARTER of Oklahoma. I think the gentleman can refresh it right now, and he will recall that last year when this proposition was up the gentleman himself made a point of order, and the Chair held this was not permanent legislation.

Mr. CRAMTON. I insist, and I will admit further that this present language is not permanent legislation; but I say in effect it is, because you will find when you once get one of these things incorporated in an appropriation bill it is not only almost impossible to hold it where it is but almost impossible to prevent them from grabbing more and more. A year ago, after a lot of fighting, the gentlemen got what is in the bill, and they come in now and seek to go miles beyond it.

Mr. CARTER of Oklahoma. The gentleman was opposed to what we put in the bill a year ago?

Mr. CRAMTON. I was.

Mr. CARTER of Oklahoma. Was he opposed to it this session?

Mr. CRAMTON. I was opposed to it the last time because, as I said to the House, it was an entering wedge.

Mr. CARTER of Oklahoma. Was the gentleman opposed to it this year?

Mr. CRAMTON. Yes.

Mr. CARTER of Oklahoma. The gentleman could very easily have prevented all this trouble by having been on the floor of the House and made a point of order.

Mr. CRAMTON. I gave consideration to that fact, but I knew it would be unavailing. The Senate would put back the same thing and perhaps they would put more with it, and I thought it was better, inasmuch as the committee had accepted it, and I understood the Bureau of Indian Affairs were content with the old language, not to impede the progress of things. Therefore I let it go. But I did not know that in the four days since your committee approved this language you had vitally altered and changed it by approving the Hastings amendment. And, having done so, I appeal to this House to strike out the whole proviso.

Mr. COOPER of Wisconsin. Will the gentleman from Michigan permit a question?

Mr. CRAMTON. Certainly.

Mr. COOPER of Wisconsin. What is the reputed value of this oil and gas?

Mr. CRAMTON. It runs into many millions of dollars, and is in the hands of those who are the wards not of Oklahoma but of the Nation.

Mr. COOPER of Wisconsin. And it is proposed by this bill as now amended to turn over the leasing of the property of those Indians—in effect the disposal of it—so that there will be no supervision by a central authority here in Washington, the Secretary of the Interior, who represents all the people, but supervision only by a minor official in the State of Oklahoma?

Mr. CRAMTON. Absolutely; and a political appointee.

Mr. CHANDLER of Oklahoma. I wish to deny that accusation. It is approved by a man appointed by the President of the United States and confirmed by the Senate, and who draws the same salary that the Commissioner of Indian Affairs does.

Mr. COOPER of Wisconsin. Perhaps the gentleman who has just addressed the House——

Mr. CHANDLER of Oklahoma. Is not the Commissioner of Indian Affairs a political appointee?

Mr. CRAMTON. I have already gone over that.

Mr. COOPER of Wisconsin. The gentleman from Oklahoma who interrupted apparently does not understand what I meant by use of the word "minor." The Secretary of the Interior, a Cabinet officer, in his official capacity represents all of the people of the United States in the matter of superintending the leasing of this immensely valuable property, but that official in Oklahoma is a minor official in spite of the indignant denial of the gentleman from Oklahoma who has just taken his seat.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Michigan [Mr. CRAMTON] to strike out the paragraph.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. CHANDLER of Oklahoma. Division, Mr. Chairman.

The committee divided; and there were—ayes 25, noes 64.

So the amendment was rejected.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized and directed to pay to Victor M. Locke the sum of $1,290.26 as balance in full due him for salary and expenses as principal chief of the Choctaw Nation.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on this paragraph. Can the gentleman give some explanation of this and tell us why it should go in on this appropriation bill?

Mr. CARTER of Oklahoma. The chief of the Choctaw Nation, Mr. Victor M. Locke, joined the Army some time last year. While he was in training, as I recall, and before he got his commission as an Army officer, the commissioner decided, because he was away from the nation and because he was in the Army, he could not discharge the function of principal chief of the Choctaw Nation, whose principal function is the signing of deeds and representing them in Washington. And so after a certain length of time he appointed another man. That left an interim, during which he decided the chief was entitled to pay and for which time he had not been removed from office. But I understand that that has not been paid. Whether it was the trouble with the comptroller or bureau, I am not able to say, because I have not had time to investigate the matter. It was first brought to me while the bill was being prepared, and I told the chief that I would put it in and present it to the House. I think if he rendered the service he ought to have the pay.

Mr. FOSTER. I understand he was the chief and that he went into the Army, and that from that time until another was appointed occurs this interim for which you seek to pay him in this bill?

Mr. CARTER of Oklahoma. That is my understanding.

Mr. FOSTER. Did he perform any services during this time?

Mr. CARTER of Oklahoma. I think so. I think he performed all the functions of the office.

Mr. FOSTER. Is he still in service?

Mr. CARTER of Oklahoma. He is in the Army now.

Mr. FOSTER. In this country?

Mr. CARTER of Oklahoma. In this country. He was in the National Guard before the war.

Mr. FOSTER. And this was pay to him if he rendered some service?

Mr. CARTER of Oklahoma. Yes; that is what I said. He is a pretty square-toed young fellow.

Mr. FOSTER. He could not get his money because he was not at the headquarters of the tribe?

Mr. CARTER of Oklahoma. He could not get his money, I understand, because of some controversy between him and the commissioner at that time. After he had joined the Army, I think, the commissioner had first refused to submit some matters to him.

Perhaps some statement like that was passed back and forth at that time, but afterwards the young man did perform some of the functions of chief, as he told me, while he was in training for a commission, and he went back and forth from his home to the training camp all the time.

Mr. FOSTER. He could not draw pay from the Government as an Army officer?

Mr. CARTER of Oklahoma. Oh, no.

Mr. FOSTER. Up until the time he got his commission he might have drawn from the Government at that time a private's pay?

Mr. CARTER of Oklahoma. He might have drawn his pay in the Army.

Mr. FOSTER. He drew a private's pay up to the time he received his commission?

Mr. CARTER of Oklahoma. Yes.

Mr. FOSTER. What is his salary as chief?

Mr. CARTER of Oklahoma. Two thousand dollars. This includes his salary and expenses in traveling back and forth.

Mr. FOSTER. How long was that?

Mr. CARTER of Oklahoma. Five or six months. That included his traveling back and forth from his training camp to his tribe's reservation.

Mr. FOSTER. So that he was trying to perform that service?

Mr. CARTER of Oklahoma. Oh, undoubtedly. There is no doubt in the world about it.

Mr. STAFFORD. Do I understand that this is a claim for the salary after he was notified by the commissioner that he was ineligible to act in that capacity?

Mr. CARTER of Oklahoma. I would not be sure about that. There was a controversy between him and the Secretary of the Interior. I never saw the correspondence. He explained it to me while I was on my sick bed. At first the department considered him not to be chief of the tribe, but afterwards I think they recognized him, and he performed the functions of chief of the tribe.

Mr. STAFFORD. Has the department recommended the payment of this claim?

Mr. CARTER of Oklahoma. No. It came in only a few days ago, and there was no time for the submission of a report. It provides here that it is directed to be paid, and so forth. It ought to be paid from the tribal funds of the Choctaw Nation. I do not think there would be any objection from the Choctaw officials.

Mr. STAFFORD. This matter should be submitted to the review of the department. I think, Mr. Chairman, under the circumstances the matter should have further consideration, and I make the point of order.

The CHAIRMAN. Does the gentleman from Oklahoma desire to be heard on the point of order?

Mr. CARTER of Oklahoma. No; it is subject to a point of order.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

That the Secretary of the Interior is authorized and directed to reoffer for sale between September 15, 1919, and November 15, 1919, the unsold and forfeited tracts of coal and asphalt land in the Choctaw and Chickasaw Nations upon the same terms and conditions as provided in the act of February 8, 1918 (Public, No. 98, 65th Cong.).

Mr. CRAMTON. Mr. Chairman, I reserve a point of order on that paragraph.

The CHAIRMAN. The gentleman from Michigan reserves a point of order on the paragraph. Does the gentleman from Oklahoma desire to be heard on the point of order?

Mr. CARTER of Oklahoma. Yes; I would be glad to. That is the paragraph providing for the sale of coal and asphalt. The present law provides that the deposits may be sold after the expiration of one year from the date of the original sale, to be offered for resale. The original sale took place December 14. After December 14 is not a very good time to sell coal and asphalt deposits in our country.

Mr. CRAMTON. What year was that?

Mr. CARTER of Oklahoma. Nineteen hundred and eighteen. The law providing for the sale of coal and asphalt deposits provided that there should be a sale and that at the expiration of one year after the date of the first sale the deposits should again be offered for sale upon the same terms and conditions, and so forth, as in the first sale. That would make the next sale come, perhaps, some time in next January, or a year from next February—a bad time to sell coal deposits, and these are mostly coal deposits. This provision is merely to move the date up so that the Secretary may sell it at a time when coal deposits are really worth more than they are at the other time.

Mr. CRAMTON. Mr. Chairman, having recently been chided by the chairman of the committee for not having made a point of order—and the reason I did not make it being that I relied upon the committee—he will pardon me if I call attention to the fact that the language in question refers to "unsold and unforfeited tracts of coal and asphalt land," whereas the law that is referred to only refers to deposits. Mr. Chairman, I make the point of order.

Mr. CARTER of Oklahoma. I will change the amendment if the gentleman will not make a point of order on that.

Mr. CRAMTON. Perhaps the gentleman will explain how such a vital change in the law was attempted in this amendment.

Mr. CARTER of Oklahoma. It would not affect the land. The surface of the land is already sold.

Mr. CRAMTON. I make the point of order, Mr. Chairman.

Mr. CARTER of Oklahoma. Will the gentleman permit the amendment to go through as to deposits? We do not care about the surface of the land. We want these lands sold, if the gentleman will permit, at the time when they will bring the most to the Indians. I assume that the department will not have any objection to this. It was not submitted to the department, but I know they will appreciate having it done.

Mr. STAFFORD. Why does the committee emphasize the decision by making it mandatory? Why should it not be discretionary? Is there any reason why it should be made directory in these times?

Mr. CRAMTON. I will say to the gentleman, if he will yield, that we will appreciate the utmost frankness from the committee.

Mr. CARTER of Oklahoma. The gentleman has never had anything but the utmost frankness from me and from the committee, and the gentleman knows it. If the gentleman will permit a perfectly frank statement from me, I will say that I was sick and one of my friends offered to draw this amendment, and not, perhaps, having the bill before him at the time, he referred to the lands instead of the deposits. Perhaps that is the reason why the amendment was not drawn in accordance with the ideas of the gentleman from Wisconsin, because it is along the lines that the House generally desires to travel.

Mr. STAFFORD. Should the date be fixed mandatorily or left to the discretion of the Secretary? Does not the gentleman believe that it should be left to the discretion of the Secretary?

Mr. CARTER of Oklahoma. I think the coal deposits ought to be sold in the fall of the year. If you wait until January to make those sales, then you come to the time of year when every coal man is going out of business or closing up some of his mines, and not looking to further development, but to contracting it.

Mr. STAFFORD. Suppose that exceptional conditions should prevail at that time. Should we direct that it be done?

Mr. CARTER of Oklahoma. I think the Secretary will do it anyway.

Mr. STAFFORD. Why not authorize and permit him to do so? Why not make it merely permissive?

Mr. SNYDER. Mr. Chairman, if the gentleman will permit, I think it should be directory. We had some difficulty in getting any of these deposits disposed of during any period, and my idea was that the way to get something done in any period was to direct it rather than to suggest it. I think the hearings will show that I suggested direction myself. I think that was the best period in which to sell these deposits. And I want to say further that it was my understanding that that word should be "deposits" and not "lands." I am surprised on reading it to see that it is "lands" and not "deposits."

Mr. HASTINGS. That is a clerical error in drawing it.

Mr. STAFFORD. I am directing attention more particularly to the prescribed time within which this sale shall take place. The gentleman is a business man. He knows that conditions may change from time to time, especially during this period of readjustment. If the period between September 15 and November 15 should not be a suitable time, why should we compel the Secretary to offer them for sale at that time?

Mr. SNYDER. I am perfectly willing to reduce it.

Mr. HASTINGS. The committee deferred to the judgment of the chairman of the committee [Mr. CARTER of Oklahoma]. For years he was coal trustee and had charge of the coal lands down there in the Choctaw Nation, and was therefore more familiar with it than any other member of the committee. We deferred to his judgment, and he thought that it would bring more for the Choctaw Tribe if sold between these dates than if sold in Janu-

ary or February. There is not a bit of change in this act of February 8, 1918—none whatever.

Mr. STAFFORD. You do not intend to strike anything else out, so as to affect the vitals?

Mr. HASTINGS. There is not a change in the law. But under this act of February 8, 1918, these lands, or deposits, rather, were offered for sale between December 11 and 14 of this last year. Now, the act of February 8, 1918, says immediately after one year after they have been offered for sale. So that you can see that under the act of February 8, 1918, they could not be sold until after a year had expired.

Mr. CRAMTON. If the gentleman will yield, it does not say that one year after they have been offered for sale they shall again be offered for sale, but that the Secretary shall readvertise a year after they have been offered for sale. So it would not be just a year. And, furthermore——

Mr. HASTINGS. After the time has expired.

Mr. CRAMTON. And, furthermore, it says after the expiration of six months he can readvertise again. Now, the committee in their amendment propose to tie the hands of the Secretary and to provide that it shall be construed that he can only offer to sell between September 15 and November 15, 1919, instead of giving the several options that prevailed in the original law.

Mr. CARTER of Oklahoma. That has just occurred to me, and I have an amendment to cover those phases, which I will send to the desk to have read.

Mr. STAFFORD. Read for information.

Mr. CARTER of Oklahoma. I offer the following amendment——

The CHAIRMAN. There is a point of order pending. Does the gentleman from Michigan withdraw the point of order?

Mr. CRAMTON. Oh, no.

Mr. DYER. Then I ask for the regular order.

The CHAIRMAN. The regular order is the point of order.

Mr. CRAMTON. I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. CARTER of Oklahoma I offer the following amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

Amendment offered by Mr. CARTER of Oklahoma: Page 47, in place of the paragraph between lines 5 and 11, insert:

"That the Secretary of the Interior is authorized to reoffer for sale, between September 15, 1919, and November 15, 1919, the unsold and forfeited tracts of coal and asphalt deposits in the Choctaw and Chickasaw Nation upon the same terms and conditions as provided in the act of February 8, 1918 (Public, No. 98, 65th Cong.): *Provided*, That this act shall not prohibit other sales as provided by existing law."

Mr. CARTER of Oklahoma. I will ask the Clerk to make that "authorized by existing law."

Mr. CRAMTON. Mr. Chairman, reserving the point of order upon that amendment, may I ask the gentleman—I was trying to follow the amendment—does it say "deposits" in the unsold and forfeited tracts?

Mr. CARTER of Oklahoma. Let us have the amendment reported again.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again read.

Mr. CRAMTON. Still further reserving the point of order, is the gentleman sure that the amendment suggested by him would involve due advertising as provided in the law?

Mr. CARTER of Oklahoma. It says "upon the same terms and conditions." I think that covers it completely.

Mr. CRAMTON. I withdraw the point of order.

The CHAIRMAN. The question is on the amendment.

The amendment of Mr. CARTER of Oklahoma was agreed to.

The Clerk read as follows:

That all claims against the Creek and Seminole Nations, including claims to unpaid per capita and equalization money, which may now be paid under existing law out of the respective funds of the Creek and Seminole Nations in the Treasury of the United States or otherwise in the hands of the Government, shall be filed, not later than one year from the date of the approval of this act, with the Superintendent for the Five Civilized Tribes or such other persons as the Secretary of the Interior may designate, and under such rules and regulations as said Secretary of the Interior may prescribe to govern the filing, determining, and settlement of said claims, and the claims so submitted and filed shall be considered and adjudicated under said rules and regulations not later than six months after the expiration of the time above limited for the filing of the claims, and shall, if approved by the Secretary of the Interior, be paid out of the respective tribal funds of the Creek and Seminole Nations.

Mr. CRAMTON. Mr. Chairman, I desire to reserve a point of order, and I ask the committee whether the House may take it that that language is in the form the committee desires it, or is it proposed to offer amendments that will strike out the reviewing power of the Secretary of the Interior?

Mr. HASTINGS. It is not the purpose of the committee to offer any amendment to this. It is in the form that the committee desire. It is in the exact language of the amendment with reference to the Cherokee Nation of last year, except that the words "Creek and Seminole" are placed in there, and it does not make any disposition of the money. The gentleman will remember that last year we gave the money to a school. This year it does not make any disposition of the money. It holds it as tribal money.

Mr. CRAMTON. I shall make a point of order against the paragraph unless it is understood that I shall have the support of the committee in retaining the reviewing power in the Secretary of the Interior, as recommended by the committee.

Mr. HASTINGS. No amendment is contemplated by any member of the committee.

Mr. CRAMTON. And I will have the gentleman's aid to retain that language?

Mr. HASTINGS. Certainly.

Mr. STAFFORD. Mr. Chairman, reserving the point of order, last year I believe the gentleman from Oklahoma, who was very urgent in advocacy of the adoption of this amendment, stated that there were only a few claims outstanding against the Cherokee Nation, and that their affairs should be brought to a close and the claimants known. What is the status as to claims against the Creek and Seminole Nation?

Mr. HASTINGS. They are similarly situated. This one involves little remnants or fractional claims, and it does not debar anyone. This places a year's limitation with which they can come and assert and get their rights and have all claims paid that can now be paid under existing law. It does not allow any of the claims to be paid, it does not create any new rights.

Mr. STAFFORD. Let me ask the gentleman, are the affairs of the Creeks and Seminole Indians being wound up?

Mr. HASTINGS. They are practically all wound up.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order.

Mr. McKEOWN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. McKEOWN: On page 48, after the period, in line 4, insert new paragraph, to read as follows:

"Whenever requested by adult members of the Five Civilized Tribes, who by reason of their degree of Indian blood belong to the restricted class, the Secretary of the Interior is hereby authorized and directed to offer for sale to the highest bidder at public auction, after due advertisement of the same, such parcels of lands described in said request, under such rules and regulations as he may promulgate: *Provided*, That restricted members of the Choctaw and Chickasaw Tribes shall retain at least 80 acres of their allotments, and that members of the Creek, Seminole, and Cherokee Tribes shall retain at least 40 acres of their allotments, to be designated by them and approved by the Secretary of the Interior, as a homestead: *Provided*, That persons who become bona fide residents upon said lands may purchase the same upon installments of interest and principal payable annually for a period of not less than 5 years nor to exceed 40 years: *Provided*, That the money accruing from the sale of said lands of the said restricted Indians be paid to and be under the control of the Secretary of the Interior, to be disbursed in his discretion for the use and benefit of such restricted Indians: *Provided further*, That said moneys when paid to said restricted members or their heirs shall be exempt from any lien for attorneys' fee or other debt contracted prior to the disbursing of the same."

Mr. McKEOWN. Mr. Chairman and gentlemen of the committee, the Secretary of the Interior has already advanced an idea for readjustment in this country to protect the returning soldiers and encourage them in farm ownership. I say without fear of contradiction that one of the greatest menaces to America to-day is the lack of opportunity to the homeless man, especially to tenants upon the farms, who have no chance to own their homes. In Oklahoma in my district I am safe in saying that there are 25,000 tenants living on the farms, farming for the other man, in houses that are not fit to live in, and under conditions that drive men to desperation and force them to believe that their Government has abandoned them and that they have no chance in the world.

In my home county there are at least 2,700 farms upon which reside hundreds of tenant farmers. In Seminole County, which comprises the Seminole Nation, there are at least 2,700 farms with 2,100 tenants. I say it is appalling. Why is this condition? Because the Indian landlords who own the land are restricted and can not sell the land. He is restricted in making leases or contracts, and can only make a contract for one year on his homestead. You men who have observed the farmers know that a man who lives on land for one year, tills it, with no expectation of being there another year, will farm it with one idea in view, and that is to get out of the land all he can in that one year, and will leave the land in such condition that it will wash away. In 20 years the land of these Indians will be washed away and worn out and their own lands will be unimproved.

In the Choctaw and Chickasaw Nations there is an average of 320 acres allotted to each man, woman, and child. A number of these Indians are not farmers and they live back in the country on a little piece of land, and all these 360 acres for the man, for his wife, and for his child is farmed by tenant farmers. Do you wonder that in that country there were riots and people resisted the Government when it was trying to carry out the selective-draft law? It is because of their condition. I say to you that when you tie a man to the soil of his country you tie him to the flag of his country. [Applause.]

Gentlemen, I want to say to you that there are in these nations now 2,888,000 acres of land that is restricted. I, for one, am opposed to taking away from the Indian his homestead and his right to have something. I do not belong to any class of citizens in Oklahoma who favor any such doctrine. In my country these farmers want to buy the land, but they have no chance. Men come in from Illinois, Kansas, and Nebraska, from the best farming countries in the United States, where they have started as tenant farmers, and out of the fertile lands have accumulated money enough to buy a little home. They have heard of the fertile lands of Oklahoma, and they come down there thinking to have an opportunity to own a home upon which they can live. They start in to rent to see how they like the country. They have no chanee to buy. I say to you that the procedure that too frequently prevails is for a speculator to go in and buy land at $20 and $25 an acre, turn around the same day and sell it on time to an actual farmer to live on for $30, $40, or $50 an acre on long time. To my knowledge the department has never sold any land in the Indian country on longer terms than three years. So I say that the Secretary of the Interior should be given this chance to put in actual practice his idea and give the men an opportunity to own their own homes. Let him offer for sale such lands as he may be requested to sell by these Indians. Of course, he could not sell the land unless the Indian wanted him to sell it, and he could not sell all the land if the Indian asked him to. I say we ought to turn our attention to this matter now.

Mr. MORGAN. Will the gentleman yield?

Mr. McKEOWN. I will.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. MORGAN. I ask that the gentleman have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MORGAN. I am very much interested in the remarks of the gentleman, and I think it is very important. I should like to have him explain what his amendment proposes to do. I heard it read, but I did not catch it.

Mr. McKEOWN. I will explain. My proposition is that in these nations there are 23,441 members of these tribes who are restricted on account of the quantum of their Indian blood; that is to say, they can not sell their lands without the approval of the Secretary of the Interior. I do not want to take away from the Secretary of the Interior his power, because the worst thing that has ever been done to the Indians is to pass a law removing the restrictions on account of the quantum of Indian blood. When you pass a law of that kind he often becomes the prey of grafters who take away from him his land without giving him even the pot of porridge.

My amendment proposes that if any adult Indian in the restricted class shall request the Secretary of the Interior to sell any of his lands, the Secretary of the Interior, under rules and regulations to be promulgated by himself, shall sell at public auction to the highest bidder on terms of not less than 5 years or more than 40 years. They have been selling some lands, but the terms have been too short—three years—and they can not meet those terms. Here has been the procedure: They would advertise the land for sale by bids, not hold a public auction where every man can come and know and see and have an opportunity to buy. My amendment proposes that they would offer the tracts of land for sale at a certain day. The men who live on the land, and other men who want to come in from other States and buy the land, could come and bid on the land, and if a man bid in the land and became a bona fide settler on the land he could have not less than 5 years nor more than 40 years in which to pay for it in annual installments, principal and interest.

Mr. CARTER of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. CARTER of Oklahoma. I would state to the gentleman that I at one time had reported and had consideration started by the House of a measure somewhat similar to this, although a little more liberally drawn. The question I wanted to ask the gentleman is this: Does he think it is quite fair to the Indian to make him wait 40 years for the payment of his land?

Mr. McKEOWN. I will say to the gentleman that under my amendment I am not fixing the terms. The Indian, when he asks to sell his land, will fix up the terms, and if he wants to sell it he must give at least 5 years and he may agree to the longer terms. As I understand it, the Indian owns this land and no act of Congress can take it away from him or can take away his constitutional rights.

Mr. CARTER of Oklahoma. Does the gentleman cherish any hopes that any Indian will ever make application to sell his lands payable in 40 years?

Mr. McKEOWN. I do not think so, but in the meantime we have a very fine organization over here known as the Farm Loan Board that has money to loan for 40-year periods, and in the meantime the man ought to be able to negotiate his land if the Indian has any objection to selling it for 40 years.

Mr. PLATT. But a man can not borrow through the Farm Loan Association until he gets title to his property.

Mr. McKEOWN. No; but under this amendment the procedure of the department is this: They pass title to the purchaser and take back a mortgage on the land. That does two things. It puts the land on the tax roll, whereas it would not be on the tax roll otherwise, and if it did not pass the title the land would be held for the taxpayer until 1931.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. MORGAN. What authority would the Secretary of the Interior have to approve the sale of these lands under this amendment that he does not have now?

Mr. McKEOWN. The Secretary of the Interior does have that power now, and I am not conferring any new power upon him. The only thing I am trying to do with my amendment is to inaugurate a plan so that it can not be said that he does not have the authority. When we ask him to give long terms he can do so on this authority.

Mr. MORGAN. Then it is a question of terms?

Mr. McKEOWN. Yes.

Mr. CARTER of Oklahoma. Mr. Chairman, so far as I am concerned, I do not think the gentleman's amendment is quite specific enough, but, of course, that can be remedied; but if the gentleman will change the time of his amendment from 5 to 10 years I shall not interpose any objection.

Mr. McKEOWN. I shall be very glad to do that.

Mr. MORGAN. Mr. Chairman, will the gentleman yield for another question?

Mr. McKEOWN. Yes.

Mr. MORGAN. Take the question of tenancy. I am afraid the gentleman's amendment would not be sufficient to have much to do in changing these titles, to help those tenants. How would it be to have the Government of the United States, under the direction of Secretary Lane—under his plan, for instance—take over a certain proportion of these lands and sell them to anyone who wished to buy them and retain the proceeds in trust for the benefit of the Indians, reserving a small homestead always for each Indian? Would not that facilitate changing the country from a country of tenants to a country of home owners, and must not something of that kind be done before any real remedy comes about?

Mr. McKEOWN. I will say to the gentleman that it is a long way around to the point where we could purchase these lands by the Government. I have no objection to the idea, but I want action now.

Mr. MORGAN. Why would it not be as well to take these lands as swamp lands of the South or the cut-over timberlands of the North.

Mr. McKEOWN. I do not want to get into a discussion of that matter at this time.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. SNYDER. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The Chair is ready to rule on the point of order. The Chair thinks that it is clearly legislation and not in order on an appropriation bill, and sustains the point of order.

The Clerk read as follows:

For support and civilization of Indians at Grande Ronde and Siletz Agencies, Oreg., including pay of employees, $4,000.

Mr. CARTER of Oklahoma. Mr. Chairman, I want to suggest that there has been an error in the print. The item just read, beginning on line 5 and running to line 7, page 48, is an Oregon item, and should come under the heading "Oregon," which comes immediately below that, in line 8. I ask unanimous

consent that the language in the lines 5 to 7 be transposed so as to come below the title "Oregon."

Mr. MANN. That item came in the last year's bill at what would be the bottom of the page. Why not put it in the same place?

Mr. CARTER of Oklahoma. Mr. Chairman, I withdraw my request.

Mr. MANN. I ask unanimous consent, Mr. Chairman, to insert the language, in lines 5, 6, and 7, to come in the bill after line 24.

The CHAIRMAN. The gentleman from Oklahoma withdraws his request, and the gentleman from Illinois [Mr. MANN] requests that the language contained in lines 5, 6, and 7 of the bill be transposed and be inserted after line 24 of the bill. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

For support of Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota: For pay of five teachers, one physician, one carpenter, one miller, one engineer, two farmers, and one blacksmith (art. 13, treaty of Apr. 29, 1868), $10,400; for pay of second blacksmith, and furnishing iron, steel, and other material (art. 8 of same treaty), $1,600; for pay of additional employees of the several agencies for the Sioux in Nebraska, North Dakota, and South Dakota, $95,000; for subsistence of the Sioux and for purposes of their civilization (act of Feb. 28, 1877), $200,000: *Provided*, That this sum shall include transportation of supplies from the termination of railroad or steamboat transportation, and in this service Indians shall be employed whenever practicable; in all, $307,000.

Mr. MILLER of Minnesota. Mr. Chairman, I move to strike out the last word. I would like to invite the attention of the chairman of the committee to the language in the paragraph just read, wherein these words are found:

For the support of Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota.

Why does that language restrict the Indians who are to be the beneficiaries under this appropriation to the Santee Sioux of those three States, and why does it not include the Santee Sioux Indians of Minnesota?

Mr. CARTER of Oklahoma. I beg the gentleman's pardon, but I did not hear the gentleman.

Mr. MILLER of Minnesota. I am inviting the attention of the gentleman to the language in the beginning of the paragraph just read, wherein we find these words:

For the support of Sioux of different tribes, including the Santee Sioux of Nebraska, North Dakota, and South Dakota.

Why are the beneficiaries under this proposed appropriation limited to the Santee Sioux of those three States, and why does it not include the Santee Sioux of Minnesota?

Mr. CARTER of Oklahoma. Well, the gentleman will observe that it is a treaty item.

Mr. MILLER of Minnesota. That is what I wanted to inquire about.

Mr. CARTER of Oklahoma. And, as the gentleman knows, treaty items usually follow the exact direction of the treaty. I have not examined to see whether this does so or not, but when the department presented it I assume the committee took that view of it.

Mr. MILLER of Minnesota. Now, the language there makes it somewhat doubtful whether the treaty restricts the beneficiaries, namely, to those branches of the Santee Sioux living in those three States. It may be that the treaty does so restrict it, but, frankly, I do not know——

Mr. CARTER of Oklahoma. It may be that there is something in a subsequent law which excluded those three branches of the Sioux; and if that were true, this language would be necessary to reinstate them.

Mr. MILLER of Minnesota. I do not think the gentleman can find a treaty anywhere that groups the Santee Sioux of Nebraska, North Dakota, and South Dakota and omits the Santee Sioux of Minnesota. My recollection of that is this—and if I am wrong, I would like to be put right—the Santee Sioux of Nebraska came up there because they or their ancestors were transferred from Minnesota in 1862 and 1863, or rather 1863, first into Illinois and subsequently into Nebraska. Now, they formed a body of Indians who were parties to several treaties with the Government thereafter, and they were not connected in any way with the Santee Sioux of the treaty-making States of North Dakota and South Dakota. Now, as a matter of fact, there were no Santee Sioux in North Dakota, with the exception possibly of a very few in the southeastern corner.

There were two branches of the Santee Sioux living in South Dakota who have been beneficiaries under legislation of Congress and who have been beneficiaries under a suit brought by them against the Government for annuities which had been confiscated. Now, the Santee Sioux in Nebraska made several treaties with the Government by which the Government was permitted to build railroads, and so forth, through their country, and they received the benefits in return, and here is a provision which gives a sum of money to the Santee Sioux of three States. Now, in the State of Minnesota there are approximately 11,000 members of the Santee Sioux belonging to two sub-branches, and those remaining are the ones who were left there because their hands were clean from the shedding of white blood in the great uprising of 1863, and if there are any Indians belonging to the Santee Sioux in the world who are entitled to consideration from the Government in a gratuity appropriation these are the ones, and they should not be omitted. I desire to make this statement. The gentleman knows there have been before the Indian Affairs Committee and sometimes before the House during many years past quite a number of matters that related to the Santee Sioux and the Santee Sioux have been the subject of a great deal of inquiry by the committee and many facts have been received and are now available. The Santee Sioux in Minnesota, so far as I can determine, have not been beneficiaries under this Government for a great many years as far as any gratuity appropriation is concerned. I, personally, have communicated with the Commissioner of Indian Affairs in years past to ascertain why nothing had ever been done to take care of those people. Their condition—nearly every winter at least—is quite deplorable, and I invite the attention of the Committee on Indian Affairs particularly to those Indians who are now living in the western and southwestern part of Minnesota and who seem to be outside of any regard the Government has to its Indian wards, and I would like to inquire if it is not possible to make some appropriation here or to change the language of this present paragraph in some particular so that they can participate in the benefits that go to the Santee Sioux generally.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14746 and had come to no resolution thereon.

AGRICULTURAL APPROPRIATIONS.

Mr. LEVER. Mr. Speaker, I present the Agricultural appropriation bill, with a report (No. 980) thereon, by direction of the Committee on Agriculture.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

The SPEAKER. Referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. ANDERSON. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Minnesota reserves all points of order on the bill.

LEAVE OF ABSENCE.

By unanimous consent, Mr. BROWNING was granted leave of absence for three days on account of important business.

INDIAN APPROPRIATIONS.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Indian appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14746, with Mr. CRISP in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920.

Mr. MILLER of Minnesota. Mr. Chairman, I ask unanimous consent that I may have five additional minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MILLER of Minnesota. Mr. Chairman, this House passed on two or three occasions a bill authorizing the Santee Sioux to bring a suit against the Government to have returned to them their annuities that had been confiscated by the Government in 1863. After a time the House passed it, and the Senate also passed it, and it became a law. As far as I know, that has never yet been adjudicated. I suppose it is in process

of adjudication. The beneficiaries under any return that may be made to those Indians from the Government will include all of the Santee Sioux who have not yet received a restoration of their annuities, and of which there are probably four or five thousand, and, as I said, 1,100 living in Minnesota. I want to insist that these 1,100 that remain in Minnesota are either those who did not participate in that insurrection or the descendants of those who did not, and it seems to me that the Government, while it has been proceeding over the country to pick up needy Indians here and there, very properly, and has looked after them, has singularly failed to give any attention at all to these Indians. When their property was confiscated, and these innocent ones had their property confiscated as well as the guilty ones, they were living on perhaps the finest and most fertile part of Minnesota, on each side of the Minnesota, west of Mankato and up to the Dakota line. They lost their land, they lost their annuities that were due them in consideration of the vast tract of land which they had a short time before sold to the Government. And they have been left high and dry ever since. I insist that if the Santee Sioux are to be beneficiaries, and it is possible to extend the privileges that may naturally go to that branch of the Indian tribe to the Minnesota Indians, it ought to be done. And I simply have taken this time to ask of the chairman of the Committee on Indian Affairs, or some one else who perhaps is better acquainted with the facts than I am, whether or not the Santee Sioux could not, with due regard to our treaty obligations, be considered in this paragraph to include the Santee Sioux of Minnesota?

Mr. GANDY. Mr. Chairman, this item refers to one of the three major agreements or treaties that were made with the Indians of South Dakota. The treaty of April 29, 1868, which was ratified in 1869, established certain specific reservations in eastern South Dakota and specified that all of western South Dakota should remain as Indian reservations. At that time the Santee Tribe was part in South Dakota and part in Nebraska, and that is where the Santee Sioux of Nebraska came into that agreement. The next major agreement with the Indians was in 1877, under which that portion of the reservation in western South Dakota was restricted by the opening of the Black Hills, and to that agreement not only the Five Tribes in western South Dakota but the Cheyennes and the Arapahoes in Wyoming were parties. The third major agreement was in 1889, under which the reservation in western South Dakota was divided between the Five Tribes out there and a part opened to settlement. The Santee Sioux in Minnesota had nothing whatever to do with the agreement of 1868, which simply sought to specify the boundaries of Indian reservations within the State of South Dakota, with the exception that a part of the Santee Sioux that were parties to the agreement were located in Nebraska.

Mr. MILLER of Minnesota. Is the gentleman quite certain that those who signed the treaty to which he refers, that of 1868, were representing the Santee Sioux of North Dakota, South Dakota, and Nebraska? Of course, at that time there was no South Dakota or North Dakota.

Mr. GANDY. There was no North Dakota or South Dakota then. And the south boundary of the Indian reservation in South Dakota went quite a way down in what is now the State of Nebraska. The reservation was afterwards restricted to the State line by this agreement of 1877.

Mr. MILLER of Minnesota. Is it not a fact that those who signed that treaty signed it as the representatives of the Santee Sioux Indians and they did not state the particular branch of the Santee Sioux Indians that they acted for? Is it not proper to say they acted for the Santee Sioux of Minnesota as well as their brothers in the other three States? And is it not possible under that treaty to insert the name "Minnesota" in there, along with North Dakota and South Dakota?

Mr. GANDY. I do not so understand it, for that agreement only pertained to those living in South Dakota and a portion that lived in Nebraska.

Mr. MILLER of Minnesota. That may be the construction the Government has seen fit to place on that treaty. I have not the treaty provisions clearly in mind at this minute, although I have read them many times. I have a general knowledge and recollection of them. And my thought is that the Indians who signed it represented all the bands of the Santee Sioux. In 1868 the Santee Sioux were scattered, broken up, and tribal bands destroyed, and no one party that signed the treaty could perhaps legally say just whom he represented. I may be mistaken, but it seems to me not at all unlikely that those who signed that treaty were representing those of Minnesota as well as those of North Dakota and South Dakota, which States did not then exist.

Mr. GANDY. I want to say to my friend that he can easily understand that I have no personal knowledge of it. I only have at hand the same treaties he has access to, and that is my understanding of them.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

TEXAS.

SEC. 21. For the education of the Alabama and Coushatta Indians located in Polk County, Tex., by aiding the public schools established by the State or local authorities to the extent of 10 cents per day for each Indian child who attends such schools, $2,000.

Mr. CHANDLER of Oklahoma. Mr. Chairman, I make a point of order against that section.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order to the section.

Mr. HAYDEN. Mr. Chairman, I hope the gentleman will reserve it.

Mr. CHANDLER of Oklahoma. I will reserve it for a moment.

Mr. McLEMORE. Mr. Chairman, I hope the gentleman will withdraw his point of order. This is a very small item. I am sure we have done nothing to offend the gentleman. It is something that is needed down there. I think they are entitled to it if any Indians are.

Mr. MILLER of Minnesota. What sort of Indians are they?

Mr. McLEMORE. They are——

Mr. GARNER. Let me say to the gentleman from Oklahoma that this is in the district of my colleague [Mr. GREGG], who has been sick for six weeks and has not been able to attend the sessions of the House. Unless the gentleman has examined it and thinks it ought not to be considered in connection with the bill, I would like to have the gentleman consider the propriety of withdrawing the point of order. If, on the other hand, he thinks it is a bad piece of legislation, then I have nothing further to say.

Mr. CAMPBELL of Kansas. Mr. Chairman, this inaugurates on the part of the Indian Office the care of Indians that have been taking care of themselves ever since Texas was a part of Mexico.

Mr. GARNER. If the committee thinks it is bad policy, I will not say anything on the point of order. I merely call attention to the fact that this is in the district of Mr. GREGG, who has not been able to attend the sessions of the House for several weeks.

Mr. CAMPBELL of Kansas. I talked with Mr. GREGG about this a year ago, and he was for it.

Mr. HAYDEN. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Arizona on the point of order.

Mr. HAYDEN. Mr. Chairman, the Revised Statutes provide that the Secretary of the Interior shall have charge of the supervision of Indians. Section 462 provides that—

There shall be in the Department of the Interior a Commissioner of Indian Affairs, who shall be appointed by the President, by and with the advice and consent of the Senate.

And section 463 provides that—

The Commissioner of Indian Affairs shall, under the direction of the Secretary of the Interior, and agreeable to such regulations as the President may prescribe, have the management of all Indian affairs and of all matters arising out of Indian relations.

Then the law provides how the accounts and vouchers shall be paid. It is further provided that the Commissioner of Indian Affairs shall submit to Congress a statement of all expenditures under his supervision, how much is disbursed for each object, and so on, implying clearly that appropriations might be made for this purpose.

Now, this is an Indian appropriation bill. It is for the support and civilization and education of Indians. We propose to do for these Texas Indians exactly what Congress does for other Indians in other parts of the country. This provision was incorporated in the Indian appropriation act of last year, so it is not a new policy. We are continuing a policy heretofore inaugurated in this Indian bill, and we are making appropriations for other Indians similarly situated, and therefore we ought to be able to make appropriations for these Texas Indians in accordance with the judgment of the House. For these reasons I believe that the point of order should not be sustained.

Mr. CAMPBELL of Kansas. Mr. Chairman, the very rapid-fire argument of the gentleman from Arizona [Mr. HAYDEN] would apply if we were talking about Indians, but we are talking about citizens of the State of Texas, who may have some Indian blood in them but who have been exercising the

rights of citizens for a hundred years and have been voting as citizens in Polk County, Tex. Last year we gave them a small gratuity. There is no sort of obligation on the part of the Government that we should continue that gratuity.

The CHAIRMAN. The Chair would like to ask a question. The Chair confesses ignorance of Indian matters. The question which the Chair wishes to ask is whether the band of Indians to which this item relates is in the control of the Indian Department?

Mr. CAMPBELL of Kansas. No; they are not and never have been.

Mr. MANN. Mr. Chairman, of course the point of order raises the question of whether this appropriation was authorized by law. There is no law providing that the United States shall educate Indians who are not under the control of the Interior Department, or not under the control of the Government in any way, and not in tribal relations.

The same question arose some years ago as to other items in the Indian appropriation bill. My recollection is that the Chair has invariably sustained a point of order against an item providing for the support of Indians and providing for the education of Indians where they were not in any way whatever under the control of the Government.

It may be said that these are Alabama and Coushatta Indians, yet under the law they are not Indians. They are citizens of the United States. No one will controvert that proposition. They are not living in tribal relations, and have not been living in tribal relations, so far as the Government of the United States is concerned, since Texas was admitted into the Union.

Mr. HAYDEN. They retain a tract of land down there, which would indicate that they have communal property among them.

Mr. MANN. I do not know whether they have communal property among themselves or not, but they are citizens of the United States. There is no obligation that the Government shall provide for the education of an Indian simply because you want to call him an Indian. There are gentlemen in this House who are Indians in one sense, but they are not Indians in that sense that Congress would be authorized to make a provision for their support or education. That is a test right here.

Mr. CARTER of Oklahoma. If the gentleman refers to Indians belonging to the House, I can not agree with him. [Laughter.]

Mr. MANN. We do make a provision for the support of the gentleman from Oklahoma, but we do not single him out as distinguished from the rest of us as an Indian. [Laughter.]

The CHAIRMAN. The Chair is ready to rule. The fact that an item has been carried in an appropriation bill, unless the item was in order under the rules, does not make it in order in this bill. The fact that it has been carried for any number of years does not remove it from the bar of being out of order if, as a matter of fact, it is new legislation and not authorized by law. The Chair does not believe that it is in order on the annual appropriation bill for the civilization and education of the Indians to legislate by providing for the education of persons who are not Indians nor under the control of the Indian Office. Following that principle, the Chair believes this section obnoxious to the rules of the House and sustains the point of order. The Clerk will read.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, within his discretion, the sum of $350,000 of the principal funds to the credit of the Confederated Bands of Ute Indians and to expend the sum of $50,000 of said amount for the benefit of the Ute Mountain (formerly Navajo Springs) Band of said Indians in Colorado, and the sum of $200,000 of said amount for the Uintah, White River, and Uncompahgre Bands of Ute Indians in Utah, and the sum of $100,000 of said amount for the Southern Ute Indians in Colorado, which sums shall be charged to said bands, and the Secretary of the Interior is also authorized to withdraw from the Treasury the accrued interest to and including June 30, 1919, on the funds of the said Confederated Bands of Ute Indians appropriated under the act of March 4, 1913 (37 Stat. L., p. 934), and to expend or distribute the same for the purpose of promoting civilization and self-support among the said Indians, under such regulations as the Secretary of the Interior may prescribe: *Provided*, That the Secretary of the Interior shall report to Congress, on the first Monday in December, 1920, a detailed statement as to all moneys expended as provided for herein.

Mr. CRAMTON. Mr. Chairman, reserving a point of order, I would be glad if the committee would explain something about the method of promoting civilization by the distribution of this $350,000.

The CHAIRMAN. The gentleman from Michigan reserves the point of order.

Mr. CRAMTON. If the committee does not care to explain it, I make the point of order.

Mr. HAYDEN. Is the gentleman referring to this withdrawal of Ute funds?

Mr. CRAMTON. I am referring to what has just been read by the Clerk on page 52, the distribution of that $350,000 for the purpose of promoting civilization and self-support among the Indians.

Mr. HAYDEN. Instead of appropriating money as a gratuity out of the Treasury for these Indians as we do for other Indians, we appropriate money from their fund. Some years ago the Utes obtained a judgment against the United States in the sum of $3,305,257.19, and they have that fund to their credit in the Treasury of the United States. Following the policy of the committee where Indians have funds to their credit that they should pay their own way, we appropriate this money for the maintenance of their agency, schools, and so forth.

Mr. CRAMTON. Is it customary to use the interest or the principal of such fund?

Mr. HAYDEN. We can use the interest or the principal or both, just as Congress may decide.

Mr. CRAMTON. I was asking as to the custom.

Mr. HAYDEN. In some cases we use the interest only, if the interest will pay all the expenses. If the interest is not enough, we use a part of the principal sum.

Mr. CRAMTON. I am speaking of these particular Indians.

Mr. CARTER of Oklahoma. If the gentleman will yield to me for a moment, I will say that it has been the policy of the Indian Affairs Committee and of the House to use Indian funds where it was possible to use them for the payment of any expenses on the reservation in connection with the Indians where it could be done without violating the treaty or an agreement with the Indians, and to use the fund, either interest or principal—any funds they might have.

Mr. CRAMTON. But the gentleman has said that these particular Indians had a fund of some $6,000,000.

Mr. CARTER of Oklahoma. They had at the start.

Mr. CRAMTON. To what extent have we used up that fund?

Mr. CARTER of Oklahoma. I was not permitted to be present when the hearings were held, as the gentleman knows. Perhaps the gentleman from Arizona can explain that. He is more familiar with the hearings than I am. I do not know just to what extent these funds have been consumed; but since the judgment was rendered we have been using the fund to just about the same extent as we are using it here, as I recall.

Mr. HAYDEN. Practically the same.

Mr. WELLING. This is the same as last year's item. This item is in exactly the same wording as the item of last year, with the exception of putting in this year's dates instead of last year's dates.

Mr. CARTER of Oklahoma. If my memory serves me correctly, prior to the time that this judgment was rendered a portion of this money was appropriated from the Public Treasury; but now that they have the fund on hand, there being no treaty provision to prevent our using it, we have felt justified in using their own fund to pay their own expenses.

Mr. CRAMTON. What is done with the interest on their fund?

Mr. CARTER of Oklahoma. That is placed to their credit in the Treasury.

Mr. CRAMTON. To their principal?

Mr. CARTER of Oklahoma. To their principal.

Mr. HAYDEN. That principal fund draws 4 per cent. You will find a long justification for this on pages 314 to 318 in the hearings.

Mr. CRAMTON. I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

For continuing construction and enlargement of the Wapato irrigation and drainage system, to make possible the utilization of the water supply provided by the act of August 1, 1914 (38 Stat. L., 604), for 40 acres of each Indian allotment under the Wapato irrigation project on the Yakima Indian Reservation, Wash., and such other water supply as may be available or obtainable for the irrigation of a total of 120,000 acres of allotted Indian lands on said reservation, $500,000 to be immediately available: *Provided*, That the entire cost of said irrigation and drainage system shall be reimbursed to the United States under the conditions and terms of the act of May 18, 1916: *Provided further*, That the sum herein appropriated shall be available for the purchase of such lands as may be required in connection with the construction of the aforesaid irrigation project.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. I wish to inquire as to the need of authorization for the purchase of additional land in connection with this irrigation project as embodied in the proviso.

Mr. HAYDEN. There was some discussion in the committee about the necessity for purchasing additional land in connection with this project. There were some questions asked by the gen-

tleman from Washington [Mr. DILL], and he seemed to be satisfied that the authority ought to be given for that purpose.

Mr. STAFFORD. But here we are voting a half million dollars, and without limit you are going to authorize them to purchase additional lands. I think the House ought to have some information as to what is really intended under that authorization. I was under the impression that in these irrigation projects on Indian reservations the lands were owned by the Indians, either under allotments to them or else in tribal relations.

Mr. HAYDEN. The original purchase of lands was made off of the reservation, in order to obtain a site for a diversion dam. The water must be diverted from the river at some distance from the reservation and carried down the canal to the land of the Indians. We authorized the purchase of land upon which to construct the diversion dam and it was represented that it was necessary to purchase additional land for a similar purpose.

Mr. STAFFORD. The gentleman has no information as to the amount of money required for this purpose?

Mr. HAYDEN. No; but my recollection is that it is a comparatively small amount.

Mr. STAFFORD. Mr. Chairman, I believe the matter can be given consideration in another body, and I make the point of order as to the last proviso.

The CHAIRMAN. What does the gentleman from Oklahoma say to that?

Mr. CARTER of Oklahoma. I concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized and directed to cancel the patent issued in the name of Davie Skootah, allottee No. 35, on the Lummi Reservation, Wash., and to reallot the lands under the provisions of the general allotment law to unallotted members of the Lummi Tribe in areas of not exceeding 10 acres each.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on that.

Mr. HASTINGS. Mr. Chairman, my recollection is that this Indian died and left no heirs. They now want the land to revert to the tribe so that it can be allotted to some one else.

Mr. FOSTER. The gentleman says he had no heirs at all?

Mr. HASTINGS. That is the statement made by the commissioner as I recollect it.

Mr. FOSTER. Mr. Chairman, I withdraw my reservation of a point of order.

The Clerk read as follows:

For the proportionate share of the cost of constructing a diversion dam and for the construction of canals and laterals for the irrigation of Indian land on the ceded portion of the Wind River Reservation, Wyo., $50,000, to be immediately available, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. Am I mistaken in my impression that this is a new project?

Mr. MONDELL. This is not a new project. It is one that has been under construction by the Indian Office for some time; a part of the time in cooperation with the white settlers, whose lands are partially watered by this canal.

Mr. STAFFORD. What is the total amount that has been expended on the project to date?

Mr. MONDELL. The first construction was some years ago on the canal known as the Le Claire Canal. I do not recall the cost. As a matter of fact, I think the canal was paid for out of the general irrigation fund rather than a special item. Year before last a sum was allotted out of the general irrigation fund for additional work on this canal in coopertion with settlers who extended the ditch. It has developed that the somewhat temporary headgate that has served the canal for a considerable length of time needs to be replaced with a permanent one, and this amount is for the Indians' share of the permanent headgate and some additional laterals to water Indian land.

Mr. STAFFORD. That is the total amount that is to be imposed on the Indian fund?

Mr. MONDELL. Yes.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

SEC. 26. That in addition to the Indian tribal and treaty funds, the expenditure of which is specifically authorized elsewhere in this act, and such sums as may be required for equalization of allotments, education of Indian children, per capita and other payments to Indians, and expenditures for the Five Civilized Tribes, in accordance with existing laws, the Secretary of the Interior be, and he is hereby, authorized to expend not exceeding $2,325,000 from funds held by the United States in trust for the respective tribes, for support and civilization of the Indians under the jurisdiction of the following agencies, to wit:

Mr. STAFFORD. Mr. Chairman, I rise to a parliamentary inquiry. Is this section being considered as an entirety or, as is customary in appropriation bills, by paragraphs?

Mr. CARTER of Oklahoma. I will say to the gentleman that the first paragraph making appropriation of the entire amount to be expended takes from the fund as provided by the different items throughout the following part of the bill.

Mr. STAFFORD. I was under the impression that the gentleman's colleague [Mr. FERRIS] was going to make a point of order.

Mr. FERRIS. The gentleman is correct, but I was waiting until the Clerk read the whole section.

Mr. STAFFORD. I was afraid the gentleman would wait too long.

Mr. GARD. It is evident that section 26 is the section which authorizes the total expenditure, and the other is only a matter of detail.

Mr. STAFFORD. For the information of my good friend from Ohio, let me say that in appropriation bills the first section may consist of a hundred or a thousand paragraphs, and each paragraph is considered separately, and if you pass one paragraph you waive the point of order.

Mr. GARD. I understand.

The CHAIRMAN. The Chair will state that a part of the paragraph just read is the appropriation and the remaining items are the separate paragraphs, and under the rules appropriation bills are considered by paragraphs. It is not for the Chair to pass upon whether the thing is intelligent or not; it is intelligent as far as the rule is concerned. The Chair will hold that we are considering this by paragraphs.

Mr. FERRIS. It seemed to me that a page and a half of the statistical items was a part of the paragraph, but if there is any doubt about it I reserve a point of order.

Mr. STAFFORD. Why not ask unanimous consent to consider the section as an entirety?

The CHAIRMAN. Without objection, the whole section will be considered as one paragraph.

There was no objection.

The CHAIRMAN. The Clerk will read it through.

The Clerk read as follows:

In Arizona: Colorado River, $10,500; Fort Apache, $87,291; Kaibab, $1,780; San Carlos, $145,990; Salt River, $365; Truxton Canyon, $55,000; Western Navajo, $100.
In California: Greenville, $15,310; Pala, $205; Round Valley, $1,340; Tule River, $1,200.
In Colorado: Southern Ute, $19,490; Ute Mountain, $47,100.
In Idaho: Coeur d'Alene, $13,700; Fort Hall, $16,360; Fort Lapwai, $15,000.
In Iowa: Sac and Fox, $1,200.
In Kansas: Pottawatomie, $4,750.
In Louisiana: Chettimanchi, $658.
In Michigan: Mackinac, $2,138.
In Minnesota: Leech Lake, $1,000; Red Lake, $15,000; White Earth, $250.
In Montana: Blackfeet, $51,920; Crow, $301,000; Flathead, $40,000; Fort Belknap, $41,000; Fort Peck, $9,000; Rocky Boy, $21,000; Tongue River, $25,394.
In Nebraska: Omaha, $16,400; Winnebago, $5,423.
In Nevada: Nevada, $3,572; Walker River, $200; Western Shoshone, $21,270.
In New Mexico: Jicarilla, $100,105; Mescalero, $20,000; San Juan, $2,500.
In North Carolina: Eastern Cherokee, $3,500.
In North Dakota: Fort Berthold, $25,000; Standing Rock, $118,242; Turtle Mountain, $250.
In Oklahoma: Kiowa, Comanche, and Apache, $31,900; Cheyenne and Arapahoe, $4,374; Cantonment, $2,000; Seger, $100; Pawnee, $1,500; Ponca, $1,450; Seneca, $500; Sac and Fox, $8,500.
In Oregon: Klamath, $125,000; Siletz, $110; Umatilla, $1,500.
In South Dakota: Cheyenne River, $159,000; Crow Creek, $500; Lower Brule, $5,200; Pine Ridge, $6,000; Sisseton, $10,900; Yankton, $7,828.
In Utah: Uintah, etc., $74,010.
In Washington: Colville, $27,185; Cushman, $700; Spokane, $28,000; Taholah, $4,800; Tulalip, $5,000; Yakima, $72,000.
In Wisconsin: La Pointe, $5,000; Koshena, $390,350.
In Wyoming: Shoshone, $89,090.

Mr. FERRIS. Mr. Chairman, I reserve the point of order upon the paragraph as being unauthorized, without warrant of law, for the reason that it contains new legislation, and for the further reason that it appropriates two and one-third million dollars without authority of law. Not only that, but it does that in the face of a positive prohibition carried in the Indian appropriation act of May 18, 1916, known as the Dill amendment, which contains a positive proviso as follows:

Provided, That thereafter no money shall be expended from Indian tribal funds without specific appropriation by Congress, except as far as equalization of allotments, education of Indian children in accordance with existing law, per capita and other payments, all of which are hereby continued in full force and effect.

If the Chair will indulge me a moment, I want him to recur to the language in this appropriation, and it will be readily disclosed that the $2,325,000 is in addition to all of these exceptions and in the face of the specific prohibition. Beginning on line 10, page 59, and running to line 21 of the same page, if the Chair will read with me, I think he will discover readily that it is put in for the specific purpose of giving them this

additional two and one-third million dollars, and so specifically recites:

SEC. 26. That in addition to the Indian tribal and treaty funds, the expenditure of which is specifically authorized elsewhere in this act, and such sums as may be required for equalization of allotments, education of Indian children, per capita and other payments to Indians, and expenditures for the Five Civilized Tribes, in accordance with existing laws—

The Chair will observe that so far that follows the line of exceptions, and now we have the following:

the Secretary of the Interior be, and he is hereby, authorized to expend not exceeding $2,325,000 from funds held by the United States in trust for the respective tribes, for support and civilization of the Indians under the jurisdiction of the following agencies, to wit—

Mr. Chairman, the facts are about these: The orderly arrangement of this bill takes up and deals with these items by States, and it was brought to the attention of the Indian Committee that large sums of money were being expended from Indian tribes, and withdrawn and expended without Congress knowing anything about it, or, at least, without it appearing in the Indian appropriation bill in any way. The Indian Committee is to be commended for bringing in the Indian Department and having them specify the sources from which they acquire this money, but I fear the committee has neglected the task of striking at the problem of whether these moneys should be expended at all, and the amendment in the bill of 1916 was intended to positively prohibit the very thing that had been going on. The gentleman in charge of the bill will tell you that they are remnants and fragments of law that permit them to make these expenditures from Indian funds. I do not know whether that is true or not. It may be. I am not in a position to deny it, but what I do say is that no matter what the fragmentary law may be, no matter what authority may have been given to them to expend Indian moneys, certainly the Dill amendment just read prohibited them in the future from expending any more tribal funds without specific appropriation by Congress.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. MANN. This amendment referred to was in the bill in 1916, was it not?

Mr. FERRIS. Yes.

Mr. MANN. In spite of that is not the department spending this money?

Mr. FERRIS. They did it last year, because last year the Indian appropriation bill authorized them to spend two and a half million dollars.

Mr. MANN. And are they not doing it now?

Mr. FERRIS. I do not know.

Mr. MANN. Does not the gentleman know that now, as a matter of fact, they are actually spending this money at these agencies?

Mr. FERRIS. The gentleman may be right. I hope they are not spending it without some warrant of law.

Mr. MANN. I assume they are not spending it without some warrant of law; but if they are spending it, as I am informed they are, and their accounts are being audited, does not the gentleman think that there probably is some warrant of law for the expenditure of the money?

Mr. FERRIS. The proof of the pudding is the eating, and when I read a positive, emphatic prohibition against spending it I do not need to go any further to satisfy myself, and I ought not to have to seek further to satisfy the House or the gentleman.

Mr. MANN. The gentleman is putting the matter of construction ahead of the eating of the pudding. The gentleman states that the proof of the pudding is the eating. The eating is going on, and the gentleman says that theoretically there is no pudding, but they are eating it now, and the auditors of the department are holding that the eating is proper.

Mr. FERRIS. If that is true, it is not up to us to again write it into law, unless we know what these funds are for.

Mr. GANDY. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. I yield.

Mr. GANDY. I just wanted to inquire if the gentleman understood the Dill amendment prohibited Congress from making this appropriation?

Mr. FERRIS. Oh, not at all; but what I do say is the Dill amendment fixes substantive law and this is legislation upon an appropriation bill changing that substantive. It does the thing which the Dill amendment specifically prohibits. It changes the law. It invades the rule against legislating on an appropriation bill.

Mr. GANDY. Will the gentleman indulge me first? Prior to the enactment of the Dill amendment these funds were being expended under existing law on the order of the Secretary of the Interior, and the Dill amendment only provided that the Secretary of the Interior could not expend the money without first having an appropriation by Congress.

Mr. FERRIS. Well, that is theoretical, as far as the Government is concerned, entirely. No one knew—I have lived in Oklahoma 18 years and I did not know that the Indian Department was expending sixty-odd thousand dollars for running a little agency in my immediate district. The bureau report said they were expending $25,000 and the Indians thought they were expending $25,000 and the Congress thought they were expending $25,000, but this amendment developed that they are spending about $58,000 to $60,000. My thought is that there is no justification in law for all these items; there is not a line of justification in the hearings—and I have looked them over very carefully and am looking them over now—there is not a line of justification for this long list of 69 agencies scattered through 22 States. I do not see how we can appropriate without warrant of law. I do not see how we can appropriate in the face of the law. We have no justification; of course, there may be a justification that has not been presented. What I do say is there is no justification here before us.

Mr. CARTER of Oklahoma. All that the gentleman says may be true about the law. There may not be any justification for it, but we did appropriate last year two and a half million dollars.

Mr. FERRIS. I know.

Mr. CARTER of Oklahoma. And all in the world that we have attempted to do here is to get the department to give a reasonable basis of authority for proposing to expend this two and a half millions for this year.

Mr. FERRIS. Precisely; but I will state——

Mr. CARTER of Oklahoma. We thought we were doing you a good turn to show the House that there was a certain amount of money being expended in each one of these activities that you did not know anything about.

Mr. FERRIS. The committee does not need any commendation, because it stands high in this House, but if it is worth anything I would gladly commend them, but what I do say is that I do not think the committee ought to turn over a lump sum of two and a quarter millions without enabling the House to find out. This surely is not too much.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. FERRIS. I will.

Mr. CAMPBELL of Kansas. I have just read the proviso of the law of 1916, and it seems to me that it does not leave very much for the gentleman of Oklahoma to hang his point of order on.

Mr. FERRIS. Oh, yes, it does.

Mr. CAMPBELL of Kansas. It provides that no money shall be used for the Indian Office hereafter without specific appropriation by Congress. We are making specific appropriation here in this bill.

Mr. FERRIS. Oh, precisely; but that is a prohibition and not an authorization.

Mr. CAMPBELL of Kansas. Yes; but it is being appropriated by the Congress. The amendment prohibits them from using it without being appropriated by Congress.

Mr. FERRIS. Congress, of course, can give or deny as it likes. That is not the question here at issue.

Mr. CAMPBELL of Kansas. But we are giving it now in this bill.

Mr. FERRIS. The question is whether you are doing it under the rules of the House or not. I think it is subject to the point of order.

Mr. CAMPBELL of Kansas. Yes, we are. We are authorizing the appropriation.

Mr. CARTER of Oklahoma. Mr. Chairman——

Mr. VENABLE. Mr. Chairman——

Mr. CARTER of Oklahoma. I yield to the gentleman from Mississippi.

Mr. VENABLE. Mr. Chairman, I wish to call attention just a little further to the proposition as indicated by the gentleman from Kansas. The statute prohibits an appropriation out of these funds except in a certain specific way.

It provides for per capita payment of money to the Indians for salary in compensation of officials and employees, and compensation for counsel and attorneys for the support and civilization of the Indians, provided that thereafter no money shall be expended from Indian tribal funds without specific appropriations by Congress, which, of course, will permit general appropriations for those items which fall under the exceptions. But the prohibition is not against appropriating at all; but the prohibition is against appropriating except in a specific manner, which is that the appropriations shall not be general but shall be specific.

Now, as I understand the gentleman from Oklahoma [Mr. FERRIS], according to his construction, it would be impossible for this Indian appropriation committee to write into their bill an appropriation which would not be subject to a point of order, because he contends that even when we come within the proviso and specifically appropriate it is subject to a point of order, and the law itself says they shall not appropriate in any other way.

Mr. FERRIS. I know the gentleman does not intend to misstate the facts. The gentleman's argument of the law is correct, but he is not reading the section correctly. This $2,500,000 is in addition to the appropriation.

Mr. CARTER of Oklahoma. The gentleman is mistaken.

Mr. FERRIS. I am not mistaken.

Mr. CARTER of Oklahoma. The gentleman misunderstands the gentleman from Mississippi, then, because I understand his line of argument——

Mr. VENABLE. What is your point?

Mr. FERRIS. My point is that section 26, from lines 10 to 21, which is the forerunner of all these 69 items, that this money is in addition to the things specifically mentioned and a fair construction of the powers of the committee. It says—

In addition to the Indian tribal and treaty funds, the expenditure of which is specifically authorized elsewhere in this act, and such sums as may be required for equalization of allotments, education of Indian children per capita, and other payments to Indians, and expenditures for the Five Civilized Tribes, in accordance with existing laws, the Secretary of the Interior be, and he is hereby, authorized to expend not exceeding $2,325,000.

And among tribes numbering 69, and in 22 States, all in a wad. Who can say there is warrant of law for any such an item as that?

Mr. VENABLE. If the gentleman please, there is no prohibition in this law on making appropriations in any way, as I read it, except in certain specified manner. There is no prohibition here, as I understand it, that they shall not make appropriation in addition to these things which are enumerated. The only limitation is upon the manner in which the appropriation shall be made, and in a certain class of appropriations those must be specified in order to follow the construction of the statute. I think that is the only limitation.

Mr. CARTER of Oklahoma. The difficulty with the gentleman from Oklahoma [Mr. FERRIS] is that he confuses the exceptions which are made in this bill as to standing appropriations with the exceptions that are made as to appropriations that may be made annually by Congress, as is being discussed by the gentleman from Mississippi [Mr. VENABLE]. Now, what does this say? It says that thereafter no money shall be expended from tribal funds without specific appropriation by Congress. Then the exception follows of the equalization of allotment, education of Indian children, and so forth. The gentleman from Oklahoma [Mr. FERRIS] calls attention to the fact that we except those very things in our language here. The gentleman from Mississippi is directing his argument to the contention that by implication this language:

Thereafter no money shall be expended from Indian tribal funds without specific appropriation by Congress.

That language alone, by implication, gives authority to Congress to make appropriations annually and specifically, as we have done in this bill.

Now, Mr. Chairman, let us take the history of this transaction and I think we can clear the matter up just a little bit. What do we find? When we came to the Sixty-fourth Congress, I think it is, we found, as I have repeated here several times on the floor of the House, that the Secretary of the Interior had been expending some $2,500,000 or more every year on a standing appropriation made by old treaties, old laws that were out of date, and perhaps did not call for the expenditure required at that time, and that Congress had no knowledge whatever of the amount of money that was being expended. So the first thing we did was to put in this provision. My friend from Arizona [Mr. HAYDEN] has those authorizations for the expenditure of those sums, and he will read them in a few moments to the Chair. So then the first thing we did was to require the Secretary of the Interior to bring before Congress certain information by which we might make the appropriations. Until that time we said what? We said—

Provided, That thereafter no money shall be expended from Indian tribal funds without specific appropriation by Congress—

And then the exceptions followed.

Mr. Chairman, if the previous acts of Congress authorized the expenditure of these funds, then this is an implication as clear and explicit as can be made, in my opinion.

Mr. FERRIS. Will the gentleman yield?

Mr. CARTER of Oklahoma. I yield.

Mr. FERRIS. If the gentleman was right in his contention about this carrying an implication that they can in the future appropriate from tribal funds, any amount can be brought in on a bill here and take every cent of money out of the tribal funds of every one of the 69 tribes of the United States, and it would not be subject to a point of order.

Mr. CARTER of Oklahoma. I am willing to leave that to the good judgment of this House at any time.

Mr. FERRIS. That is not the question. Does the gentleman contend that this is written into the law and that that so-called Dill amendment gives him authority to appropriate all the money out of the treasury of every tribe of Indians in the United States and it would still not be subject to a point of order?

Mr. CARTER of Oklahoma. I contend, Mr. Chairman, that wherever any appropriation was authorized by law prior to the time we passed the Dill amendment—and that was the understanding of the committee at the time—any amendment that had been authorized by a standing law prior to that time can, under the language of this measure, be appropriated for, and I do not think there is any argument on the other side of that question.

Mr. FERRIS. Mr. Chairman, will the gentleman mind presenting to the Chair the authority of law for the use of the funds of any one of the 69 tribes?

Mr. CARTER of Oklahoma. The gentleman from Arizona [Mr. HAYDEN] presented the authority before this amendment came along, and now the amendment itself is the authority.

The CHAIRMAN. The Chair will recognize the gentleman from Arizona.

Mr. HAYDEN. Mr. Chairman, in the Forty-seventh Congress, by the act approved March 3, 1883 (22 Stats, p. 590), it was provided, among other things, that the proceeds arising from pasturage, the sale of timber and from coal fields and oil fields, and so forth, on Indian reservations, except those of the Civilized Tribes, not the result of any labor on the part of members of the tribes, should be covered into the Treasury of the United States under such rules and regulations as the Secretary of the Interior might prescribe, and that he should report thereon to Congress. Then in the Forty-ninth Congress, by the act of March 2, 1887 (24 Stats., p. 463), it was provided that the Secretary of the Interior was authorized to use the money that had been or hereafter might be covered into the Treasury of the United States under the provisions of the act of March 3, 1883, which was carried on the books under the caption of "Indian money," for the benefit of the several tribes on whose account the money was covered in, in such manner and for such objects as he might deem best, and that thereafter annually he should report thereon to Congress. In accordance with this authority of law these Indian funds were placed in the Treasury to the credit of the Indians, and the Secretary of the Interior had authority to spend the same for their benefit. The Committee on Indian Affairs discovered, in going through the reports of the Secretary of the Interior, that the income of the various tribes aggregated about $3,000,000 a year, and that he was expending this money year after year, making reports of the expenditures to Congress in his annual reports. The purpose of the Dill amendment was not to prohibit his expenditure of that money, as theretofore, for the support and civilization and benefit of the Indians, but to provide that the Secretary of the Interior could not use these tribal funds without specific authority from Congress.

Mr. FERRIS. Mr. Chairman, will the gentleman yield?

Mr. HAYDEN. Certainly.

Mr. FERRIS. The Dill amendment was not an annual amendment. It was written in the substantive law.

Mr. HAYDEN. Yes.

Mr. FERRIS. So that if we did require them to come to Congress annually thereafter for authority to use the tribal funds, how can you come in and put on a rider of this kind overriding the Dill law?

Mr. HAYDEN. This provision merely carries out the intent of the Dill amendment. It says that these Indian funds which the Secretary of the Interior has heretofore been spending as he thought fit "are hereby to be expended in the following manner."

The CHAIRMAN. The Chair is prepared to rule. The Chair would like to have the pamphlet containing the Dill amendment.

The bill before the committee is a bill making appropriation for the current and contingent expenses of the Indian Bureau and for fulfilling treaty stipulations with the various Indian tribes, and for other purposes. Under the law read by the gentleman from Arizona [Mr. HAYDEN], the Secretary of the Interior has the right to use certain funds of the various Indian tribes in the Treasury Department for the benefit of the

Indian tribes. I am not going into details, but speaking generally he has authority to use such trust funds for their civilization, allotment, education, and so forth. In the opinion of the Chair, prior to the passage of the so-called Dill amendment, the Secretary of the Interior had the right to use Indian funds for that purpose. The question now arises whether the Dill amendment made it unlawful for the Secretary of the Interior to so use that money, or whether the Dill law makes the section of the bill before the committee, making an appropriation out of the tribal funds in addition to the appropriations carried in the other parts of the bill, in order on this bill under the rules of the House. The Dill amendment provided that—

Hereafter no money shall be expended from Indian tribal funds without appropriation by Congress, except as follows.

Now, in the opinion of the Chair that amendment prohibited the Secretary of the Interior from using these tribal funds for the purposes enumerated in the section unless there was a specific authorization by Congress for him to do so. The Chair believes he had the right to use those funds before the Dill amendment was passed. The Chair is of opinion that the Dill amendment required that there should be specific authority from Congress to use them, and the Chair believes that as these appropriations were previously in order under the general law it is in order to offer as an amendment or to bring in as a part of this bill a specific authorization appropriating for those purposes which the Secretary had authority under general law to use prior to the passage of the Dill amendment. Therefore the Chair overrules the point of order.

Mr. FERRIS. Mr. Chairman, I move to strike out the paragraph. This will not be agreed to; I know that. I mean the section.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. FERRIS. Mr. Chairman, what I want to say is that this is a very bad way in which to handle Indian money. Here is the Indian appropriation bill, made up from time immemorial of items classified by States and made up in alphabetical order, beginning with Arizona and winding up with Wyoming, so that any Member of the House or any member of the committee could take up the bill in the regular way, and at least think he was finding out what was being appropriated and what was being done.

Now, after we have gone through this bill in an orderly way and proceeded regularly with the items, and dealt with them State by State and tribe by tribe, this section 26 is added for the first time. This section allows the department to go into the funds of 69 tribes of Indians in the United States and take from their funds certain moneys, some as high as $150,000 in amount, and expend them.

This provision authorized them to go into 22 States where Indians live and take money out of the tribal funds, and go ahead and expend it. I do not think that is the way to handle public funds. I do not think it is a safe or prudent way to handle public funds. I do not think it will beget the best results. I am sure the Indians will be dissatisfied with it. I know some of them are now dissatisfied with it, and it ought not to go on. The committee have accomplished some good things by bringing out just where the department is getting this money. I commend them for that. I am told that next year they have asked the Indian Department to assemble and draw together these items and put them in their regular places in the bill. I commend them for that. But when I look at the hearings here I find them as silent as the grave, not a word of justification for this large sum of money. It seems to me that we are playing a little fast and loose on this proposition.

Mr. COOPER of Wisconsin. How much money is involved?

Mr. FERRIS. It is $2,325,000, and it comes out of 69 tribal funds of 69 different tribes, going over 22 States.

Mr. COOPER of Wisconsin. Did the gentleman say there was no testimony at the hearings?

Mr. FERRIS. There is no testimony in the printed hearings. I am not a member of the committee. I do not criticize anybody for it. This expenditure of public money in lump sums is probably a long-drawn-out custom, pursuant to the law that the gentleman from Arizona read, where the Indian Office has been going in and helping itself to the Indians' money and spending what they thought they should and leaving for the Indians what they might, and the committee may be tapering that thing off as fast as they can; but to me it seems that when we find anything as radically wrong as that appears to be, instead of dealing with the form or the procedure we ought to deal with the substance and tap the matter on the head.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. MILLER of Minnesota. I notice in the item for Montana, under the Crow item, the sum to be appropriated hereby is $301,000. That is a very large sum of money. Has the gentleman any idea as to what the department does with that enormous sum?

Mr. FERRIS. I have not the slightest idea. The hearings do not tell us a word. I do not know a member of the committee who can tell us a word as to what becomes of that money. I notice an appropriation of $31,900 for the little Kiowa Agency in my district. I do not know where it is to be spent. It may be spent for a good purpose, but we should have something in the hearings to disclose just what is being done.

Mr. MILLER of Minnesota. Then let me ask the gentleman, under the item of New Mexico, where the language is "Jicarilla, $101,105," can the gentleman inform the committee what the $5 may be for?

Mr. FERRIS. I have not the slightest notion.

Mr. SNYDER. The gentleman made the statement a moment ago that there was nothing in the hearings with regard to this $2,325,000.

Mr. FERRIS. I could not find anything.

Mr. SNYDER. There is nothing in the hearings with regard to these individual items, but there are about 30 pages in the hearings with regard to the $2,325,000, and the department has promised us a report on each one of these items, which is now being printed, and we were supposed to have a printed report on each of these items here to-day, but it has not come.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the time be extended five minutes. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Then, under "Wisconsin," I notice an item, "Koshena, $390,350." I have lived all my life in the State next to Wisconsin. I have visited, I think, all sections of it. If there are any Indians named Koshena, I do not know who they are. I suppose there are some, but what on earth is the department to spend $390,350 for?

Mr. STAFFORD. In the many years that the gentleman served on the Committee on Indian Affairs he must have learned that one of the largest and most populous Indian reservations was the Menominee Reservation.

Mr. MILLER of Minnesota. That is true.

Mr. STAFFORD. And the headquarters of Menominee Reservation are at Koshena.

Mr. MILLER of Minnesota. That is just the point I wanted to develop. This does not a say a word about the Menominee Indians, nor does it say a thing that would invite anybody's attention to the Menominee Indians. Why is the word "Koshena" used?

Mr. STAFFORD. Persons acquainted with Indian affairs would understand that Koshena was the headquarters of the Menominee Indians.

Mr. MILLER of Minnesota. I beg the gentleman's pardon. Koshena is not the headquarters of the Menominee Indians, and the gentleman knows that better than I do. It is a spot there——

Mr. STAFFORD. That is where the agency is located; that is, the agency of the Menominee Indian Reservation.

Mr. MILLER of Minnesota. I am willing to concede that there is an agency there.

Mr. FERRIS. What are they doing with the $390,000?

Mr. STAFFORD. I am not a member of the committee. This is a thousand miles from the city of Milwaukee. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma, to strike out the paragraph.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 27. That hereafter all Indians and other persons residing on Indian reservations or superintendencies shall be subject to the State and Territorial marriage, health, and educational laws, and all Indian and other persons upon such reservations or superintendencies, whether resident or not, shall be subject to the State and Territorial criminal laws: *Provided*, That this act shall not limit or alter the established treaty rights of any Indian tribe or individual Indian in respect to hunting and fishing privileges.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. As this is a part and parcel of the section, I think it would be well to have the whole section read.

Mr. CARTER of Oklahoma. Let us have the whole section read.

Mr. MANN. This may be a little different from the rest of the paragraphs.

Mr. STAFFORD. I made that suggestion because the gentleman from South Dakota [Mr. GANDY], who has taken considerable interest in this matter, has a substitute amendment covering these respective paragraphs. From my investigation of the subject I can see where there is some need of having legislation to protect the Indians on the reservation where at the present time there is no law applicable.

Mr. MANN. The gentleman can not offer his substitute amendment until the point of order is disposed of.

Mr. STAFFORD. That is true; but as this is important I think some explanation should be made before the point of order is withdrawn or insisted upon.

Mr. MANN. I would like to ask in reference to this and the succeeding item. As far as I know myself, there is no objection to making the Indians subject to the State and Territorial laws. There is no Territory where there are Indians, is there?

Mr. CARTER of Oklahoma. Alaska.

Mr. MANN. Are there Indians in Alaska?

Mr. CARTER of Oklahoma. Yes.

Mr. MANN. I thought they were Esquimaux. I am not sure but that they ought to be made subject to the laws of health and education, but here you propose to go on and give concurrent jurisdiction to the Federal court to enforce the State law. You go so far as to provide that the Federal district attorney shall prosecute in the State courts against violations of the State law, which we have not the power to do.

Mr. GANDY. Will the gentleman yield?

Mr. MANN. I will yield to the gentleman.

Mr. GANDY. The thing that we are trying to accomplish by this section can best be understood by a concrete example. In the district I have the honor to represent in this House——

Mr. MANN. If the gentleman will pardon me, I do not care about the concrete example. I am talking about the language in the bill. I have no doubt that we would agree on the desirability of some legislation based on the concrete example. But here are provisions where you require the Federal district attorney, in violation of the laws of the State, to prosecute the Indian offenders in the State courts, which the State has not given him the right to do; then you provide that the agent of the Indians shall be a police magistrate of the State, which we have not the power to do.

Mr. GANDY. If the gentleman will bear with me, perhaps the language in this section is not the best, and, in conference with other members of the committee and with attorneys in the Department of Justice, I have prepared a substitute for the section in which the concurrent jurisdiction proposed is entirely eliminated. Jurisdiction is given solely to the United States courts to punish infractions of these laws, and the procedure followed is identical with the procedure and the language is practically the language of the statute in the early days which made the Arkansas criminal law applicable to the Indian Territory and also in eastern Oklahoma.

Mr. CRAMTON. The language here goes further than that stated by the gentleman from Illinois. We attempt to create, perhaps in conflict with the State constitutions, justices of the peace who would try offenses including those not committed by the Indians.

Mr. MANN. This is an attempt to confer on the agents the powers of a justice of the peace in the States, which we have no jurisdiction over at all.

Mr. CRAMTON. The constitution of the State of Michigan fixes the number of the justices of the peace there shall be, and under this, if there happens to be an Indian agency, we are going to try to go in there and let the district attorney create some more.

Mr. STAFFORD. Mr. Chairman, my impression is that the subject is of such importance that we should not legislate in this way on an appropriation bill. I have given the matter some consideration. I think there is pressing need for legislation, but it is virtually admitted that this legislation carried in this bill has not been as well considered as it should be. I think some committees like the Committee on the Judiciary or the Committee on Indian Affairs should take the question up and present a separate bill.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. GARD. The gentleman does not think that any power could be reposed in the United States district courts to appoint justices of the peace in the State of Wisconsin, does he?

Mr. STAFFORD. I do not.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. STAFFORD. I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LITTLE. Mr. Chairman, what is the point of order?

The CHAIRMAN. That it is legislation and not in order on an appropriation bill.

Mr. LITTLE. I would like to say a few words in this connection. The gentleman suggests that it is legislation. I suppose it is, but I am not convinced myself that it is open to the objection the gentlemen are leveling to it. I may be mistaken and am seeking information. As I understand it, this is authority to make the superintendent of a reservation a justice of the peace on the reservation to enforce the statute we are enacting here, which happens to repeat some local statute.

Mr. FOSTER. Mr. Chairman, I demand the regular order.

Mr. LITTLE. I am asking the gentleman from Wisconsin for the information, not the Chair.

The CHAIRMAN. The gentleman must understand that there is nothing before the committee when the Chair sustains the point of order.

Mr. LITTLE. I was just asking unanimous consent to ask the gentleman a question.

The CHAIRMAN. Without objection, the gentleman is recognized for five minutes.

Mr. FOSTER. Oh, I think we ought to get ahead with this. This is now out of the bill. I do not object to the gentleman's asking a question.

Mr. CARTER of Oklahoma. The gentleman can ask his question on the next item if he desires.

The CHAIRMAN. The gentleman asks unanimous consent to address the committee for five minutes. Is there objection?

Mr. FOSTER. I do not mind two minutes.

Mr. LITTLE. That is enough.

The CHAIRMAN. For two minutes. Is there objection?

There was no objection.

Mr. LITTLE. Mr. Chairman, I think the point of order is all right, but would the gentleman tell me what is the objection to legislation to authorize the superintendent of an Indian reservation to be a justice of the peace on that reservation to enforce a statute which we are making here which is simply a repetition of the State statute? We are not interfering with the State by exercising authority on an Indian reservation.

Mr. STAFFORD. Mr. Chairman, the gentleman from Ohio [Mr. GARD] has pointed out that we have no authority to create a justice of the peace.

Mr. LITTLE. Congress can create any court that it sees fit.

Mr. STAFFORD. To have jurisdiction over offenses of Indians living on or off the reservation?

Mr. LITTLE. Why not on a reservation? Why can you not take care of them?

Mr. MANN. This would authorize an Indian agent to commit a white man in any State for a violation of a State law.

Mr. LITTLE. After we have enacted this statute it is no longer only a State law and becomes a Federal law; and suppose you do go over on an Indian reservation——

Mr. MANN. The Federal court has no jurisdiction over an ordinary crime committed in the State. We have no authority.

Mr. LITTLE. Oh, yes; of course. But this Government can make any criminal statute that it wants to.

Mr. MANN. Oh, no; it can not, unless it is authorized by the Constitution.

Mr. LITTLE. Certainly the Constitution authorizes it to say what a crime is, and we can repeat some crime the State of Wisconsin has.

Mr. STAFFORD. If the gentleman will study the paragraph closely he will see that it is not limited to Indians, but includes any person.

Mr. LITTLE. If you go on a reservation you are liable to the laws in force there.

The CHAIRMAN. The time of the gentleman from Kansas has expired, and the Clerk will read.

The Clerk read as follows:

That concurrent jurisdiction is hereby given to the Federal courts to administer the said marriage, health, educational, and criminal laws, and the Federal district attorney shall be charged with the prosecution of offenders against such laws.

Mr. STAFFORD. Mr. Chairman, I make the point of order on the paragraph.

The CHAIRMAN. The Chair sustains the point of order on the ground that it is legislation on an appropriation bill.

The Clerk read as follows:

That the United States district courts in their respective districts are hereby authorized to commission the superintendents of Indian reservations and other officers of the Indian Service on such reservations or superintendencies to act as justices of the peace and committing magistrates with the same jurisdiction, powers, and responsibilities relating to the offenses against the laws mentioned in the first paragraph of this section as are conferred upon the local justices of the peace and committing magistrates by the laws of the States or Territories in which the superintendents are located.

Mr. DYER and Mr. GARD. Mr. Chairman, I make the point of order that this is legislation.

Mr. FRENCH. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Idaho desire to discuss the point of order?

Mr. FRENCH. Not the point of order; but I would like, if these gentlemen would withhold the point of order or reserve it——

Mr. FOSTER. Oh, no.

Mr. GARD. It will be entirely inoperative, anyhow.

The CHAIRMAN. The Chair sustains the point of order that it is legislation not in order on an appropriation bill.

The Clerk read as follows:

SEC. 28. That until the first Monday in December, 1919, those members of the Committee on Indian Affairs of the House of Representatives, not less than five in number, who are members elect to the Sixty-sixth Congress, are authorized to conduct hearings and investigate the conduct of the Indian Service, at Washington, D. C., and elsewhere, and the sum of $15,000, or so much thereof as may be necessary, to be immediately available, is hereby appropriated for expenses incident thereto. The said committee is hereby authorized and empowered to examine into the conduct and management of the Bureau of Indian Affairs and all its branches and agencies, their organization and administration, to examine all books, documents, and papers in the said Bureau of Indian Affairs, its branches or agencies, relating to the administration of the business of said bureau, and shall have and is hereby granted authority to subpœna witnesses, compel their attendance, administer oaths, and to demand any and all books, documents, and papers of whatever nature relating to the affairs of Indians as conducted by said bureau, its branches, and agencies. Said committee is hereby authorized to employ such clerical and other assistance, including stenographers, as said committee may deem necessary in the proper prosecution of its work: *Provided*, That stenographers so employed shall not receive for their services exceeding $1 per printed page.

Mr. CRAMTON. Mr. Chairman, I make the point of order on the paragraph that it is legislation.

Mr. CARTER of Oklahoma. Will the gentleman reserve the point of order?

Mr. FOSTER. No; let us go ahead.

Mr. CARTER of Oklahoma. We might persuade the gentleman not to make his point of order.

Mr. CRAMTON. I want to be courteous to the gentleman.

Mr. KNUTSON. Mr. Chairman, I ask unanimous consent for two minutes.

Mr. FOSTER. Mr. Chairman, I object.

The CHAIRMAN. Does the gentleman from Michigan make the point of order?

Mr. CRAMTON. I will reserve it as a courtesy to the gentleman from Oklahoma.

Mr. DYER. Will the gentleman state if he intends to make it?

Mr. CRAMTON. I intend to make it.

Mr. DYER. I ask for the regular order.

Mr. CARTER of Oklahoma. What is the point of order?

Mr. CRAMTON. That it is legislation on an appropriation bill.

The CHAIRMAN. The Chair sustains the point of order. There are certain paragraphs passed over to which we will now recur.

Mr. MILLER of Minnesota. Mr. Chairman, I would like to ask unanimous consent to return to page 16 and offer an amendment to the paragraph beginning in line 13 of that page, although I do not think this was reserved.

Mr. HAYDEN. On page 15 of the bill, I think it was, we passed over an item.

Mr. MILLER of Minnesota. Can not we dispose of the one on page 16 first, because I have to ask unanimous consent to return to that?

The CHAIRMAN. What is the gentleman's request?

Mr. MILLER of Minnesota. I ask unanimous consent to return to paragraph on page 16, beginning line 13, for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to return to page 16 for the purpose of offering an amendment. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, does the gentleman have any objection to informing the committee what his amendment is?

Mr. MILLER of Minnesota. No; I shall be glad to do so. I should like to add at the end of the paragraph the words "or to the Chippewa Indians of Minnesota." The purpose there is to include the Chippewa Indians of Minnesota from the operation of that paragraph.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears none.

Mr. MILLER of Minnesota. Mr. Chairman, I move to amend page 17 by inserting after the word "Indians," in line 2, the words "or to the Chippewa Indians of Minnesota."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Minnesota: Page 17, line 2, after the word "Indians," insert the words "or to the Chippewa Indians of Minnesota."

Mr. MILLER of Minnesota. Mr. Chairman, I can state in just a word the reason for this. When my attention was called to the language of the laragraph, which, of course, is new legislation, I saw at once, as did my colleagues from Minnesota, that this language completely violated the treaty between the Chippewa Indians of Minnesota and the United States Government. That treaty, which was made in 1889, provides that the funds belonging to those Indians in the hands of the United States Government shall be distributed among the Chippewas of Minnesota who are alive and on the roll 50 years from the time when the last Indian shall have been allotted, and this, of course, is in direct violation of that statute.

The question was taken, and the amendment was agreed to.

Mr. LITTLE. Mr. Chairman, I ask leave to return to page 26, line 9, which was passed over.

Mr. HAYDEN. Let us clean up the other amendments first.

The CHAIRMAN. The Chair will state that this is one of the provisions which was passed over. The Clerk will report the first provision passed over.

The Clerk read as follows:

For initial payment for goods and supplies purchased for the Indian Service, $500,000, or so much thereof as may be necessary, to be immediately available and to be reimbursed, by transfer through accounts of disbursing officers or otherwise, from appropriations and funds which are applicable for the various agencies, schools, and projects to which the goods and supplies are subsequently distributed: *Provided*, That the sums so reimbursed may be reexpended under the same conditions in payment for other purchases made during the fiscal year ending June 30, 1920.

Mr. STAFFORD. Mr. Chairman, I make the point of order against the paragraph.

The CHAIRMAN. The gentleman from Wisconsin makes the point of order. Does the gentleman from Oklahoma [Mr. CARTER] desire to be heard?

Mr. CARTER of Oklahoma. I concede the point of order.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will report the next provision which was passed over.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized to pay to the authorities of Kansas City, Kans., the sum of $1,000 in consideration of the agreement of said authorities forever to maintain and care for the Huron Cemetery, a tract of land in the city of Kansas City, Kans., owned by the Government of the United States, the use of which was conveyed by treaty to the Wyandotte Tribe of Indians as a cemetery for members of said tribe, such payment to be made from the $10,000 appropriated for the preservation and improvement of said cemetery by the act of September 8, 1916 (39 Stat. L., p. 844).

Mr. LITTLE. Mr. Chairman, I move to amend, on line 9, after the words "United States," by inserting:

As provided in a contract for said purposes with the said city of Kansas City, Kans.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LITTLE: Page 26, line 9, after "United States," insert: "As provided in a contract for said purposes with the said city of Kansas City, Kans."

Mr. LITTLE. Mr. Chairman, I took that matter up with Mr. Meritt, and he asked that those words be inserted. They have a contract, and he thought that this would be better inasmuch as it simplified the contract.

Mr. CARTER of Oklahoma. I have no objection to the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next provision.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, the sum of $100,000, or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota, arising under section 7 of the act of January 14, 1889, entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," and to use the same for the purpose of promoting civilization and self-support among the said Indians in manner and for purposes provided for in said act.

Mr. ELLSWORTH. Mr. Chairman, I move to amend by striking out the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. ELLSWORTH: Page 28, lines 1 to 11, strike out the paragraph.

Mr. ELLSWORTH. Mr. Chairman, this item now included in the bill at $100,000 is an item which has been changed in the last four or five years in nearly every Congress, being in

some Congresses entirely stricken out in the House and afterwards included in another body, and coming back, and finally there being an amount in the bill. It is an item which has been contested since the time the first appropriation was made under the treaty of 1889, whereby the Chippewa Indians of Minnesota, at that time some 11,000 or 12,000 in number, ceded to the United States some nine or ten millions of acres of land, with provision for the disposition of land and of the timber upon the land in order to create a fund in trust for the tribe, to be paid out per capita and otherwise under certain specified conditions. I want first to refer to this proposition, that from 1854 to 1874, 20 years—and I spoke of this in the House yesterday in general debate—the tribe of Chippewa Indians, or the Red Lake Band, used to go to Fon du Lac, at the head of Lake Superior, every year to receive an annuity of $1, a condition of famine generally existing before they got that dollar.

In 1874 the annuity system was discontinued, and from that time until 1889, the time that the Government again took under its wing this band of Chippewa Indians in Minnesota, and made the treaty of 1889, under which the Indians ceded the lands and the Government agreed to do certain things and to hold their property in trust for the Indians—until that time, for 15 years, the Indians of Minnesota, without any promise or reward or hope of payment to be doled out by the Government, became practically self-supporting, and intermingled with the people in the towns and villages in which they lived, and went on the even tenor of their way. Then the Government took them up again and made the treaty. And I want to take time enough to distinguish between the different kinds of Indian Tribes to show the differences in the conditions affecting these tribes, where they have tribal funds in the Treasury, and other tribes where there are no funds in the Treasury and where the Government pays out a gratuity. The amount on credit now from lands sold or timber sold on lands belonging to the Chippewas, under the Treasury with the United States, is some $6,000,000. The interest, according to the treaty provision, is 5 per cent. The treaty of 1889 provided that the interest should be paid to the Indians, three-fourths of the sum in per capita payments and one-fourth of the sum to be used exclusively for school purposes.

The interest now is about $300,000, or two hundred and ninety-odd thousand dollars. The one-fourth of that is about $75,000, specifically provided for the use of the schools. There were certain provisions in the treaty which provided that when the act was passed by Congress it should not become a law until after it had been submitted to the band of Chippewa Indians, to their general council, and had been approved and accepted by them.

Under the treaty arrangements it was accepted, but upon this statement, that before the Chippewa Indians were willing to adopt the provisions of the treaty of 1889, it was to be understood that none of the principal was to be used except for certain purposes. It was understood by the Indians, and the Supreme Court of the United States in several decisions has held in this and many other Indian cases that the understanding of the Indians at the time of the signing of the treaty would control, and it has controlled in the courts.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. KNUTSON. Mr. Chairman, I ask unanimous consent that my colleague may have five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ELLSWORTH. The portion of the principal could only be used for the following purposes, and the first bill introduced, carrying an appropriation under the provisions of this treaty, contained the following language—I will not read it in detail, but will give the substance of it—for the purpose of "erecting houses, sawmills, and flour mills," for the purchase of "agricultural implements, stock, and seed," for "breaking and fencing land," for "expenses of the delegation of the Chippewa Indians to visit the White Earth Reservation," for the "erection and maintenance and aid of industrial schools, subsistence, and pay of employees, $100,000"; for "surveys, appraisals, removals, and allotments, $100,000,' and other provisions.

Those provisions were first carried in the bill commencing July 1, 1892, and carried down to and including April 4, 1910, a period of 18 years. Under the provisions of the law that country was settled up at that time by the whites and Indians alike, the Indians taking their places and securing their allotments. I think the last allotment was made in 1902, and the rolls were closed at that time, or had been closed for two years in 1900. The last house under this provision was built in 1898, until finally this condition applies: The Indian reservations country belonging to the Red Lake, the White Lake—six reservations in all, tribal reservations—are such to-day that when you drive about the reservation country you could not tell when you got onto a reservation or when you got off. It is simply a typical farming country in that section of Minnesota. You find the Indians in the stores, you find them working as laborers, you find them working in the machine shops in those sections where they have railroad centers, and you find them working in banks and in various places as professional men, practicing law, and teaching school, and whatnot. The conditions are just exactly like the conditions in any other part of the State of Minnesota. The public-school facilities are afforded to the Indian pupils with just the same equal freedom and with the same opportunity for securing an education as they are afforded in any other part of the State of Minnesota to white pupils or may be taken advantage of. Minnesota's school fund is very liberal.

This went on until the act of April 4, 1906, and that was the last time in which the act was passed in this form, providing for building homes, and so forth.

Now, then, keep in mind the fact that there are two separate and distinct funds, one of $75,000, the one-fourth of the interest specified in the treaty, to be used exclusively for school purposes, and the other of $225,000, the three-fourths, which is paid out in annual per capita payments. One-fourth is to be expended exclusively for school purposes, the fund of $75,000.

The fund in question is a part of the principal which the Indian Bureau sought to use, and did use, under the provisions of this present bill for the purposes that I have recited here—for building and maintaining and erecting industrial schools, for the purchase of implements, the purchase of stock, the breaking and fencing of land, the building of sawmills and flour mills—was used in that way until 1910, although the purposes for which this money could be used had practically ceased to exist years before. But since that time the Indian Bureau, always anxious to reach out and hold on to every person who had any quantum of Indian blood in him—one-sixteenth, one-thirty-second, one-sixty-fourth, or one-twenty-eighth, if you please—seeking, therefore, to keep control of the funds of the Indians as a leading string, has secured the passage of an act from year to year "for civilization and self-support and pay of employees of the Indian Service," the only other similar case being that of the Comanches, Kiowas, and Apaches in Oklahoma.

Mr. CARTER of Oklahoma. The gentleman is mistaken about that.

Mr. ELLSWORTH. If I am mistaken about it, then the gentleman's colleague from Oklahoma was mistaken when he answered my question on the section back here, when he said that the fund of the Kiowas, Comanches, and Apaches was given to them in per capita payments. And when I asked him if the interest was also paid to them in the same way, he said he thought it was.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ELLSWORTH. I ask unanimous consent to proceed for five minutes.

Mr. CARTER of Oklahoma. Mr. Chairman, I want to see if I can make some arrangement about the debate. How much time does the gentleman want?

Mr. ELLSWORTH. I should like about 10 minutes.

The CHAIRMAN. The gentleman from Minnesota [Mr. ELLSWORTH] asks that he be permitted to address the committee for 10 minutes——

Mr. CARTER of Oklahoma. If the Chair will indulge me just a moment, let me see if I can not find out first if there is anyone else on that side who desires to speak on this.

Mr. MILLER of Minnesota. May I inquire of the gentleman if the committee is going to resist the motion of my colleague?

Mr. CARTER of Oklahoma. Yes; the committee feel obliged to do that.

Mr. MILLER of Minnesota. I am very sorry for that, because if that is the case I shall feel called upon to address the committee.

Mr. CARTER of Oklahoma. We shall be glad to hear the gentleman.

Mr. KNUTSON. I will say to the gentleman that it will be a perfunctory opposition. [Laughter.]

Mr. CARTER of Oklahoma. I do not know about that. We will do the best we can.

Mr. SNYDER. It is fair to say that the committee held a very exhaustive hearing on this proposition, and the committee feels that it should stand by the appropriation that it has offered in this bill, in view of that investigation. And while I do not care to go into a lengthy discussion of it and am willing to listen to my colleague from Minnesota, yet there are conditions here that seem to me to be vital. It would be quite fatal, in my

judgment, to take out this whole appropriation at this time. I think it was fully demonstrated before the committee in the hearings that some of these activities could be done away with, and that much less intensive supervision could be exercised; but it would be fatal, in my judgment, to discontinue it all at once. Therefore I was willing to reduce the appropriation from $160,000 to $100,000.

Mr. CARTER of Oklahoma. For that reason the gentleman may require some time when we come to the discussion of it. I wanted to find out how much time the gentleman wants.

Mr. ELLSWORTH. I should like to have 10 minutes.

Mr. CARTER of Oklahoma. How much time does the gentleman from Minnesota [Mr. KNUTSON] desire?

Mr. KNUTSON. I should like to have five minutes now.

Mr. CARTER of Oklahoma. How much time does the gentleman from Minnesota [Mr. MILLER] desire?

Mr. MILLER of Minnesota. I should like 10 minutes, but I will shave that a little, if the committee is in a hurry.

Mr. CARTER of Oklahoma. I would be very glad if the gentleman would shave it.

Mr. MILLER of Minnesota. Does the gentleman intend to sit until the bill is finished to-night?

Mr. CARTER of Oklahoma. Yes; we expect to sit until we finish the bill.

Mr. GARD. Will the gentleman yield?

Mr. CARTER of Oklahoma. In a moment.

Mr. MILLER of Minnesota. I sincerely trust that the committee will reconsider its determination with reference to this. I do not want to make anything like a protracted fight, but the gentleman knows this has been going on for two years now.

Mr. CARTER of Oklahoma. Let us not discuss the merits of it now. Let us see if we can fix some time for the debate. Then I will be glad to discuss it with the gentleman, although I feel impelled to insist——

Mr. MILLER of Minnesota. I ask for 10 minutes.

Mr. FOSTER. Oh, that is too much.

Mr. ELLSWORTH. I think the matter ought to be disposed of now, and the gentleman from Oklahoma ought to be willing to allow a few minutes for discussion.

Mr. SNYDER. So far we want 26 minutes on this side.

Mr. CARTER of Oklahoma. Suppose we make it 25 minutes.

Mr. MILLER of Minnesota. I am willing to shave off one minute.

Mr. CARTER of Oklahoma. Well, Mr. Chairman, I will take 10 minutes on this side. I ask unanimous consent that all debate on this section be closed in 35 minutes, 25 minutes to be controlled by some gentleman on that side of the House who is for the amendment and 10 minutes to be controlled by myself.

The CHAIRMAN. Is the Chair to control the time? The Chair would prefer that some one else controls the time, because he does not know to whom the time is to be allotted.

Mr. CARTER of Oklahoma. My request was that some gentleman on that side, say the gentleman from Minnesota, Mr. ELLSWORTH, shall control 25 minutes, and I control 10 minutes.

Mr. ELLSWORTH. I am afraid that I should be tempted to use the whole 25 minutes.

Mr. STAFFORD. Why not ask unanimous consent that the time be divided, and that the gentleman from Minnesota [Mr. ELLSWORTH] have 10 minutes, the gentleman from Minnesota [Mr. MILLER] 9 minutes, the gentleman from Minnesota [Mr. KNUTSON] 5 minutes, and the gentleman from Minnesota [Mr. STEENERSON] 1 minute.

The CHAIRMAN. The Chair will put the request. The gentleman from Oklahoma asks unanimous consent that all debate on this amendment and amendments thereto shall close in 35 minutes, the gentleman from Oklahoma [Mr. CARTER] to control 10 minutes, and the gentleman from Minnesota [Mr. ELLSWORTH] to have 10 minutes, the gentleman from Minnesota [Mr. MILLER] to have 9 minutes, the gentleman from Minnesota [Mr. STEENERSON] to have 1 minute, and the gentleman from Minnesota [Mr. KNUTSON] to have 5 minutes. Is there objection?

There was no objection.

Mr. ELLSWORTH. Mr. Chairman, I want to go right to the meat of the subject in the short time I have. I say, if the money taken from the tribal funds of the Chippewa Indians in Minnesota, or any part of the money sought to be appropriated in this item, goes into the civilizing channels which the treaty signed in 1889 contemplated, to the Chippewa Indians who were instrumental in making the treaty, and where they felt at that time it should go, then not $100,000 but the amount which the bureau claims, $175,000, would be just as conscientious and a more consistent action to take, and if it does not go into that channel then it seems to me that not a single cent could be appropriated.

If an individual or a bank had a trust fund and there was provided interest and also principal—$75,000 in interest to be first applied to a specific purpose—it would not be considered a sufficient accounting when the trustee came into court and stated that he had spent a part of the principal amount for the certain purpose, but made no accounting for the interest expenditure. Seventy-five thousand dollars was a special fund to be paid for school purposes. The bureau has never made an accounting for the $75,000 having been spent for this purpose or any purpose, but simply comes in and gives a long list of figures, in which is set out the items for salary and expenses, and so forth, amounting to some $183,000, all of which, or practically all of which, is included in expenses of agents, inspectors, superintendents of reservations, engineers, assistant engineers, disciplinarians, matrons, and persons in the Government employ—men who have represented the Government side of the deal. The members of all other tribes have received the services as gratuities, with a few exceptions of small amounts, but in the case of the Chippewa Indians the bureau expects to take the money out of the tribal fund, with the statement that they pay it for schools, when they have absolutely at no time—and I say it without fear of contradiction—they absolutely at no time have made any accounting of the $75,000 to be paid for schools.

Let us see. If you will take pages 408 and 409 of the hearings you will find the only accounting there is which will throw any light on it. Take the column for schools and agency expenses and you will find about $103,000 for agencies and about $62,000 for schools. And, I say, if you throw a man into involuntary bankruptcy and the referee calls him before him to make an accounting, and he refused to make a statement of his receipts and disbursements, in your own accounting as trustee you would have to take the figures you have in hand. That is what we must do now; and from all the figures that we can get anything from—appropriation bills, reports of the bureau, and every hearing from 1889 down to this day—there is nothing to show anything——

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield for a question?

Mr. ELLSWORTH. No; I can not yield. There is nothing to show anything except the bare statement by Mr. Meritt, the Assistant Indian Commissioner. And this is what Mr. Meritt says, after 30 pages were consumed in trying to get him to say what, if any, of this $160,000 which is now in the bill at $100,000, because the committee could not conscientiously leave it at $160,000——

Mr. Meritt says in reply to a question by Mr. HASTINGS of how much of this was spent for schools:

> We are maintaining a number of agencies in the Chippewa country, among which is the White Earth. Under each one of those superintendencies there is a system of schools—

Under the superintendents, like schools under a school board in a county or little village supervised by an agent—that is, he is over it in authority.

> there is a system of schools, and we maintain that agency organization out of this appropriation of $160,000 that we are now requesting—

Maintain the schools? Oh, no; they maintain the agency organization. That is all Mr. Meritt would say. He continues:

> and with that appropriation wiped off the statute books we would be absolutely powerless to continue that organization in the Chippewa country, and the Chippewa Indians themselves would be the first people who would suffer as the result of the discontinuance of this appropriation.

Powerless to continue the schools? No; the organization.

I wish I had a little more time, but all I can say is this: The Chippewa Indians, of which there are two factions—and they do not agree on many other things—want this item stricken from the bill. Mr. Meritt suggested that Mr. Coffey, representing a contesting faction on which the bureau has relied for support might have something to say following the statements of Mr. Carl and Mr. Beaulieu, of the regular legislative committee of the general council who, with Mr. Fairbanks and others, ask for the elimination of this provision, and Mr. Hastings, of the committee, inquired:

> The main thing that I want to know is just what I asked you.

He had asked him whether they wanted it appropriated. Mr. Coffey replied:

> Well, it is the sentiment of the Indians that Congress ought not to appropriate this money.

These men do not want Congress to appropriate this money. They have been here every year for 10 years fighting it, and every man, white and red, outside of bureau and agency employees and their immediate supporters, in that country is against this appropriation, and will fight it here from now on until it is put out of the bill, and will try to keep it out. And

every single Member of the House of Representatives from this State who understands the situation, and the men who are the county officials and bar associations in counties within the reservation confines and the principal associations in these counties and the members of the tribe are against this appropriation being made.

I have in my hand a petition signed by hundreds of the members of the tribe, and among the names are the names of 72 men who fought at Chateau-Thierry and in the Argonne Forest and at Sedan for world democracy, and they do not want it. No one will suffer—and I make this statement with a willingness to accept full responsibility—if you take every cent of this appropriation and wipe it out, and it will not cause a single bit of contention or dissatisfaction among any citizens or Indians, white or red, but will be the commencement of the elimination of a bureaucratic control, and a gigantic step toward the reestablishment of a new self-respect and independent spirit among the race, and we here may feel that we are fulfilling our promises of free government to our own as well as to the oppressed peoples of other lands. [Applause.]

Mr. MILLER of Minnesota. Mr. Chairman, I think the House is indebted to my brilliant colleague from Minnesota [Mr. ELLSWORTH], for so clearly stating to the House the actual issue involved, and I hope the House will keep in mind the issue, for it is a simple one after all. He has shown clearly and emphatically that in the hands of the Bureau of Indian Affairs there are really two funds that for a time have been used by that bureau in administering Indian affairs of our State, one a fund of $75,000 or thereabouts, which is one-quarter of the annual interest of the principal sum the Government has in its possession belonging to these Indians, and which they rightfully, under the treaty and the law, can use for educational purposes, and the other fund the one that is now the subject of this discussion. I have had some personal relationship with this fund, beginning back 10 years ago, when against my will I was made a member of the Indian Committee.

I do not now recall the exact sum that first year we appropriated here, but I think it was a very few thousands of dollars. I do know that we started this fund as one that Congress could use to make specific and particular appropriations for particular things we wanted done in Minnesota. We used it to build bridges, we used it to build roads, we used it to build hospitals, and we have built several in the State for the convenience of the Indians. There may have been some doubt as to the wisdom of these steps, but there could not be any question but that Congress had the authority itself to appropriate the money; but we found as year by year went by, though we had in each instance appropriated these sums for a specific and particular purpose, the amount never was reduced. The next year it was increased for some reason or other and put in a lump sum in the hands of the Bureau of Indian Affairs, and that office has been using it not for this particular purpose, not for the education and civilization of the Indians, but to pay the salaries of a large number of employees in that State who are anything but a blessing to the Indians under my conception of the case. Their work may be proper and I may be wrong in saying that I think the Indians' interests would be served by the elimination of at least one-third of those men there, and even though I may be wrong in that contention and it is the desire and the wisdom of the Committee on Indian Affairs and Congress to appropriate a lump sum to Minnesota in this bill in its present condition, you have no right to reach your hand down into the pockets of the Indians and take their money for that purpose. Every time you do it you are building a claim against this Government, and in years to come you will have these Indians here rightfully asking that you should give them a jurisdictional act to bring a claim against the Government to repay every dollar of this money that is thus being expended.

That money belongs to the Chippewa Indians of my State, guaranteed to them by a sacred treaty entered into between them and us. We have no right to spend one dollar of it to pay salaries and wages of employees of the Government in connection with Indian affairs in Minnesota, and if we do it we are not a wise guardian of the wards committed to our trust. Now, my friends, that is all there is to this entire question. It is in violation of the treaty and is in violation of what I conceive is good administration. There should be an investigation of the entire subject, that Congress may have the facts upon which to determine a policy for the future. There was somewhat of an investigation recently made by the Indian Bureau, and, without mentioning much about that, I can say to you in substance this, that they found there were many unnecessary employees in Minnesota in the Indian Service, and they recommended their elimination. I am not prepared to say just how much money it should cost to run the Indian affairs of my State, but I am prepared to say this, though it is the last word I ever speak on this floor on the Indian question, you have no right to appropriate one dollar of this sum for the purposes expressed in this paragraph. If you want to maintain the service there, take it out of the Treasury of the United States and not out of the pockets of those Indians, who are, most of them, poor, for, although you think they have a big sum, most of them are living in absolute poverty, many of them at least living in poverty and working their fingers off to get a living. Do not take their money for an unhallowed and unlawful purpose.

Mr. Chairman, I yield the balance of my time to my colleague [Mr. STEENERSON].

The CHAIRMAN. The gentleman from Minnesota used six minutes and yields three minutes to the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. I would like the other side to proceed.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. KNUTSON] for five minutes.

Mr. KNUTSON. Mr. Chairman, for 29 years the members of the Chippewa Tribe in Minnesota have been asking Congress to reduce or eliminate this item. While the money should ostensibly be used for the purpose of civilizing the Chippewa Indians, this item becomes larger and larger as the Indians become more and more civilized.

I presume that if it is allowed to go unchecked the item will ultimately cover the balance that the Indians have in the Treasury of the United States.

In looking over the expenditures, I find that the department spent $103,000 for agency expenses last year, while they only spent $61,000 for schools. Now, I do not maintain, nor I do not believe there is a man on the floor of this House who will maintain, that a staff of agents and clerks is necessary in order to educate and civilize the Indians. Our Indians are civilized. I do not like to refer to them as anything but American citizens. They will compare favorably with any community in the country, and why they should be such an object of concern on the part of the Indian Committee I can not understand. I sincerely hope that this committee will strike out the item as proposed by my friend and colleague [Mr. ELLSWORTH]. [Applause.]

I yield the balance of my time to the gentleman from Minnesota, my colleague [Mr. STEENERSON].

Mr. STAFFORD. Mr. Chairman, I question the right of the gentlemen having time limited to them to yield it.

The CHAIRMAN. Under the five-minute rule a Member has no right to yield time, but under this present arrangement, which changed the five-minute rule, a certain amount of time was allotted to individuals, and the Chair thinks that those individuals have the right to consume it or to allot it. The gentleman from Minnesota [Mr. KNUTSON] had three minutes, and he yields his colleague two minutes, and that gives the gentleman from Minnesota [Mr. STEENERSON] six minutes altogether.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield two minutes to the gentleman from New York [Mr. SNYDER].

Mr. SNYDER. Mr. Chairman, there came before this committee two separate bodies, representing various Indians in Minnesota, and they had opposite viewpoints to some extent, but they did agree that these agencies and schools should be continued, but that the expense for the same should be paid by the Government and not by the Indians.

It is conceded that there is some misunderstanding with regard to the legality of the spending of these various moneys, but the committee decided, after listening to all sides, that it would be almost fatal, as I said a few moments ago, to discontinue all of the agency activities up there that the department is paying for out of this appropriation. Therefore we decided that if we were permitted to make a careful investigation, perhaps another year we might be able to knowingly reduce the item to nothing. But we hoped to be able to investigate that by being permitted to have a portion of the committee go to Minnesota and having a personal opportunity to investigate the affairs there on the ground. But some one has seen fit to knock out that section of the bill, and so we will be unable to do that. But it is my belief that we should continue this item of $100,000.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Minnesota [Mr. STEENERSON] is recognized for six minutes.

Mr. STEENERSON. Mr. Chairman, to my mind this is a question for the discretion of Congress in carrying out a solemn treaty with the Indians. The Chippewa Indians of Minnesota were possessed of several million acres of valuable agricultural and pine lands, which in 1889 they ceded to the United States, and the proceeds from those lands and timber were to be used for their benefit in certain ways which were specified in the

treaty. During the years that have passed since that time practically all of their timber has been logged and sold and all the other land has been disposed of to settlers, so that they will never realize any more from their ceded possessions. Their property has been sold and converted into cash. Some ten or twelve million dollars were realized and some five or six million dollars have been spent for their benefit and in administration. Now there are about $6,000,000 left in the Treasury to their credit.

The treaty provided when the terms of the treaty were carried out the funds realized should remain in the Treasury and draw 5 per cent interest for 50 years; that it should not be distributed for 50 years at least, or perhaps more, if the land was not all allotted, and the income from this interest was to be distributed three-fourths per capita and one-fourth for schools, which now amounts to $75,000 for schools and $275,000 for per capita distribution, $300,000 in all annually.

There was another clause in regard to the disposition of this fund which said that in the discretion of Congress we might set aside a part of the principal fund for promoting civilization and self-support among the Indians. It reads as follows:

That Congress may in its discretion from time to time during said period of 50 years appropriate for the purposes of promoting civilization and self-support among the said Indians a portion of said principal sum not exceeding 5 per cent thereof.

When the treaty was made, Mr. Rice, whose statue is out here in Statuary Hall, and who was a great friend of the Indians who represented the Government in the negotiations, was asked by the Indians at their council what was the meaning of that clause. He said, in substance, that that afforded a fund that in case of "unforeseen misfortune," such as loss of crops, or something of that kind, might be resorted to out of the principal fund. Here is the exact language of Mr. Rice as found in the printed report of the negotiations:

There is a clause providing that Congress may in its discretion, from time to time, during said 50 years, appropriate for the purpose of promoting civilization and self-support among the Indians, a portion of said principal sum not exceeding 5 per cent thereof. In the case of failure of crops, or any unforeseen misfortune, here is a storehouse of money to be drawn upon for your wants.

The rule for interpreting this very treaty was laid down by the United States Supreme Court in Minnesota *v.* Hitchcock (185 U. S., pp. 395-396). The rule governing the construction of this agreement and cession is stated as follows:

The language used in treaties with the Indians should never be construed to their prejudice. * * * How the words of the treaty were understood by this unlettered people, rather than their critical meanings, should form the rule of construction. * * * The recognized relation between the parties to this controversy, therefore, is that between a superior and an inferior, whereby the latter is placed under the care and control of the former, and which while it authorizes the adoption on the part of the United States of such policy as their own public interests may dictate, recognizes, on the other hand, such an interpretation of their acts and promises as justice and reason demand in all cases where power is exerted by the strong over those to whom they owe care and protection. The parties are not on an equal footing, and that inequality is to be made good by the superior justice which looks only to the substance of the right, without regard to technical rules framed under a system of municipal jurisprudence, formulating the rights and obligations of private persons equally subject to the same laws.

The rule always applied in such cases by that court requires that we should place ourselves in the position of the parties and find out in what way the Indians understood the treaty at the time it was made and give effect to it accordingly. The conclusion follows that the fund in question is a trust fund in the control of the United States to the credit of the Chippewa Indians of Minnesota, and any expenditure therefrom must be in accordance with the provisions of the trust. The trust expressly limited the expenditure of any part of the principal sum to unforeseen contingencies that might arise. Before any part of the principal sum could be used for the special purposes indicated, express authorization of Congress is necessary, and before Congress can lawfully give that authorization it must first find that said unforeseen contingencies, such as the failure of crops, exist and that it is necessary on account thereof to make the appropriation. As no such condition exists we insist that Congress has no lawful right to make the appropriation asked by the Indian Bureau out of our trust funds this year.

The idea of the Indians in making that treaty with our Government, as is apparent from the proceedings, was to create a permanent fund, the income of which should be used for their benefit. During the accumulation of this fund from the proceeds of cutting timber and other sources they used about $6,000,000 for the benefit of the Indians, but now, when the operation is complete, I submit to the Congress that it would be bad faith to diminish from year to year the patrimony, the principal fund, of the Indians. If you could take out $100,000 or $500,000 from time to time, you would destroy the whole fund long before the 50-year period had expired. The children unborn should have the benefit of that fund. Mr. Rice was far-sighted; but if you authorize the Indian Bureau to withdraw $100,000 or $500,000 or $1,000,000 each year, this fund will be destroyed and in 50 years there will be nothing left of it, and the treaty would thereby be violated.

Although left to the discretion of Congress, that discretion must be exercised fairly in favor of carrying out the intention of the parties. Is it carrying out in good faith the provisions of that treaty to use this money so as to diminish and destroy the principal fund to which the Indians look as a source of income for themselves and their children forever, for the purposes there indicated? If it were used for that purpose, as indicated by Mr. Rice, that would be one thing; but this term, "promotion of civilization and self-support," has been misinterpreted by the bureau to mean paying out money for purely agency administrative expenses, and thereby they violate the spirit of the agreement made with the Indians.

When the white man makes a compact or treaty with the Indians, as this one was made, it becomes our solemn duty to carry it out in the utmost good faith. Although I hope these agencies and the supervision necessary will be continued, yet I am not willing to violate the terms of the trust to do it.

It seems to me this demand on the part of the bureau is a distinct violation of the solemn agreement on the part of the United States with these Indians, violating the spirit of the contract, and however beneficial the expenditure of the money might be, I can not give my consent to it. Some other way should be found to relieve the Indians.

Mr. HAYDEN. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. HAYDEN. Does the gentleman propose to ask for direct appropriations for this purpose out of the Federal Treasury?

Mr. STEENERSON. No. If you have $75,000 for schools I think they could get along.

The contention is made that you must make this appropriation either out of the trust fund or out of the Treasury. Well, the report on this bill says that out of the total of $11,000,000 only $3,000,000 is reimbursable, so that you are taking $8,000,000 by this bill out of the Treasury to administer the affairs of Indians in other States. You say your policy is not to do this where the Indians have funds of their own available. But does your policy require you to violate treaty obligations rather than resort to the Treasury? I think not. The true policy would be to resort to the Treasury rather than violate faith or neglect our wards.

I do not want to continue to vote for this year after year when it is in violation of the trust conferred upon the Government by the treaty and the equitable rights of the Indians under it. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired. The gentleman from Oklahoma [Mr. CARTER] has eight minutes.

Mr. CARTER of Oklahoma. Mr. Chairman and gentlemen of the committee, if there is a man in the Congress of the United States who can tell us what would be the right thing to do with reference to this Chippewa matter, I have not yet been able to find him.

Mr. ELLSWORTH. Mr. Chairman, will the gentleman yield there?

Mr. CARTER of Oklahoma. I hope the gentleman will not take my time. I have only eight minutes.

Mr. ELLSWORTH. The gentleman is not so vitally interested as we are. Will the gentleman yield for one question?

Mr. CARTER of Oklahoma. Well, be brief.

Mr. ELLSWORTH. If there is not a man in the Congress of the United States who knows what ought to be done, would you advise the spending of the money for that purpose?

Mr. CARTER of Oklahoma. If it is necessary for the support and civilization of the wards of this Government, I would say "Yes."

Now, Mr. Chairman, the only authorization, as I recall—and I may be wrong, and I will yield briefly to be corrected, if I am wrong—the only authorization for this amount that I recall is the treaty of 1889. Therefore, it can not be contended that if we are appropriating money in pursuance of the treaty we are violating the treaty to appropriate that money.

I have full sympathy with the contention of the gentleman from Minnesota. We had the same condition in our country for many years. The Secretary of the Interior was permitted to go into the tribal funds of our Five Civilized Tribes, to reach in up to his elbow, take what he wanted, and spend it for almost any purpose in the world that he desired. Fortunately, we had that changed, except for three purposes, but the Secretary is still authorized to use in Oklahoma specific amounts for schools

from tribal funds, and that without annual appropriations by Congress.

This treaty of 1889 provided that these funds should be divided among the Indians at the end of 50 years, but that until that time these expenditures might be made. If these Indians are civilized, and many of them are—I have met a great many of them who are very highly civilized men—the mistake that they made was in making this treaty, in agreeing that those funds should be held as a tribal fund for 50 years at the late date of 1889; because of that provision this fund can not be divided per capita until 1939.

Mr. KNUTSON. In 50 years there will not be anything left of the Chippewas.

Mr. CARTER of Oklahoma. That emphasizes what I have said as to the inadvisability, so far as the Indians are concerned, of having made that treaty. The Indian made a mistake when he made that treaty. What ought to be done is that this committee or some committee of the Congress ought to be authorized to go upon the reservation in Minnesota and investigate those affairs and find out just what should be done for these people, and come back and report a comprehensive plan for the settlement of this matter. But until it is done I can not give my consent to an agreement to strike out an item which may leave these people destitute, without schools, without support, without civilization.

Mr. MILLER of Minnesota. Will the gentleman yield for a question?

Mr. CARTER of Oklahoma. I yield to the gentleman from Minnesota.

Mr. MILLER of Minnesota. I desire to ask if a year ago, when this item was up, there was not an understanding between the gentleman and myself that we would let this item go for that year, but that an investigation should be made so that the committee might have the facts, and that this year we would know what to do? Now we are right where we were then, and it seems to me the only sensible thing to do in order to bring the Indian Bureau to its senses is to strike this out.

Mr. CARTER of Oklahoma. We had some such agreement as that; but I want to say that I think if the position of the House, after it ran over the Indian Committee last year, had been insisted upon in conference, as gentlemen know I desired to do, we would have had this year the specifications laid on the barrel head, to use a slang phrase. But I fear some of these gentlemen from Minnesota were too easy to make an agreement with reference to this matter. Therefore, when the matter came into the Senate I was importuned to let it be adopted in the House, to let the $185,000 remain in the bill, about which I had a great deal of misgiving at that time.

Mr. MILLER of Minnesota. I want to say that the gentleman played absolutely fair in every respect in regard to it.

Mr. CARTER of Oklahoma. After having been defeated in the House, I expressed myself that as a conferee of the House I had no purpose whatever except to carry out the mandate of the House.

Now, Mr. Chairman, these schools will probably not be stopped. This destitution will probably not come to these Indians in case the appropriation from this fund is denied by Congress. The thing that probably will be done is that an appropriation will be made from the Federal Treasury to take care of these matters. The gentleman from Minnesota [Mr. MILLER], with whom I have served on the committee, knows that I have always favored paying the expenses of an Indian tribe out of the Indian tribe's funds when it could be done without violating an obligation to them.

Mr. ELLSWORTH. Will the gentleman yield for a question?

Mr. CARTER of Oklahoma. Make it short.

Mr. ELLSWORTH. Has the gentleman ever seen a statement of what was done with the $75,000, the proportion of the interest which was to be used exclusively for school purposes?

Mr. CARTER of Oklahoma. I never have.

Mr. ELLSWORTH. Does the gentleman know, then, whether or not that would cover the amount necessary to be expended?

Mr. CARTER of Oklahoma. I only know what was stated in the hearings. I think it was stated there that that would not be sufficient to carry on the schools and other activities of the Indians. Now, I hope the gentleman will let me proceed, because he had a great deal more time than I have.

Mr. ELLSWORTH. I think that was clearly shown in the hearings.

Mr. CARTER of Oklahoma. Now, let us see what the Indians themselves say about that. Here is Mr. Coffee, who, by the way, said he represented 100 per cent of the Indians. I read from the hearing at page 46:

Mr. HAYDEN. If we should discover, by looking into the facts, that some part of this money was used to maintain the Chippewa schools, would you be in favor of appropriating it?

Mr. COFFEY. The Indians so regard it. The Indians do not want the schools abolished. They want their children to receive the education they are entitled to.

Mr. HAYDEN. Then the only thing you are in doubt about is that you do not know what part of this $160,000 is being used for the schools?

Mr. COFFEY. I have never looked into that.

Mr. HAYDEN. But if any part is going into the schools you are satisfied to have it go in here?

Mr. COFFEY. If it is going in properly, I am; certainly.

Mr. HAYDEN. What you are trying to get away from, then, is the agency and administrative features. You think those could be abolished without injuring the Indians?

Mr. COFFEY. The agency, I believe, should be maintained with the funds of the United States. It is the business of the United States.

Mr. HAYDEN. That is the point we have discussed here a great many times. You think that the work of the agency ought to be maintained, but ought to be maintained out of the funds of the United States, and not out of the Chippewa funds?

Mr. COFFEY. Yes; we believe the agencies should be maintained. They are necessary, as a matter of fact, because the conditions up there are such that supervision over the greater number of the Indians is necessary.

Mr. HAYDEN. But you do not want to pay for the agencies; you want the United States to pay for them.

Mr. COFFEY. Let those pay for it who have the right to pay for it. Let the expense fall where it belongs.

Mr. HAYDEN. Then there comes a conflict between the competent and incompetent Indians in that reservation. You want the competent Indian to have his own money and not pay any part of this expense, and the incompetents to have all the expense of caring for their business paid by them; is that the idea?

Mr. COFFEY. If that is the condition. Those who get the benefit of the administration should pay for it.

Mr. HAYDEN. You think those who are competent and do not need supervision and do not get any benefit from it should not pay for it?

Mr. COFFEY. I believe if a man is competent and has got his property, he should get out.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Minnesota to strike out the paragraph.

The question was taken; and on a division (demanded by Mr. HAYDEN) there were—ayes 32, noes 17.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask for tellers.

The question was taken, and tellers were refused.

So the amendment was agreed to.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States the sum of $2,000 of the tribal funds of the Chippewa Indians of Minnesota and to pay said amount to the county of St. Louis, in said State, in lieu of the expenditure of a like sum for the employment of Indian labor on road work under an agreement between said county, the superintendent of the Fond du Lac Indian School, and the firm of A. C. Willcuts & Son, of date June 26, 1917, approved by the Assistant Secretary of the Interior on September 28, 1917.

Mr. MILLER of Minnesota. Mr. Chairman, I desire to make a motion to insert a new paragraph. Gentlemen will recall that last year, and I think the two preceding years, the Minnesota part of the Indian appropriation bill contained a paragraph appropriating $10,000 out of the tribal fund of the Chippewa Indians to pay expenses of the annual tribal or general council, which they have had since 1913. For some reason that I am not aware of that does not appear. Therefore I offer the following amendment.

Mr. FOSTER. Mr. Chairman, what became of the point of order reserved on the paragraph?

The CHAIRMAN. The Chair did not understand that any point of order was reserved.

Mr. FOSTER. I reserved a point of order when the paragraph was read.

The CHAIRMAN. The Chair did not hear it. If the gentleman states he reserved a point of order, the Chair will hear the gentleman.

Mr. FOSTER. I reserved the point of order, but there was considerable confusion.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. FOSTER I want to inquire about the tribal fund and this amount payable to the county of St. Louis.

Mr. MILLER of Minnesota. If the gentleman will pardon me, I think I can explain that, and I am responsible for its being in the bill. I do not think it is subject to a point of order, but it is natural for the gentleman to make inquiry. About two years ago the Indian bill contained an appropriation of $10,000 to build roads on the Indian reservation in Minnesota. By arrangement between the chairman of the Committee on Indian Affairs in the Senate and the Indian Office and myself, it was agreed that $6,000 of this $10,000 should be expended in connection with the Fond du Lac Reservation, in Minnesota, to complete an important project of a road through that reservation, on condition that the county of Carleton should spend $3,000 and the county of St. Louis should spend $3,000. And, mind you, the last two sums to be spent within the Indian reservation. They carried that out. Carleton County has been taken care of. St. Louis County spent over $12,000. None of the $3,000 that was given to the county of St. Louis has ever been paid to that county for this reason: The bill contained a provision which

required contractors to hire Indian labor, and when they got ready to construct the road the Indian labor could not be had, and they had to employ a number of white people. The $2,000 is to take care of this matter. One thousand went for Indian labor.

Mr. FOSTER. They built the road, but built it with labor other than Indian labor?

Mr. MILLER of Minnesota. Yes.

Mr. FOSTER. Mr. Chairman, I withdraw the reservation of a point of order.

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Minnesota [Mr. MILLER].

The Clerk read as follows:

Page 28, after line 21, insert the following as a new paragraph:

"That the sum of $10,000, or so much thereof as may be necessary, of the tribal funds of the Chippewa Indians of the State of Minnesota, is hereby appropriated to pay the expenses of the general council of said tribe, to be held beginning in July, 1919, pursuant to the constitution of the general council of the said Chippewa Indians of Minnesota, organized in May, 1913, and to pay the expenses of said general council in looking after the affairs of said tribes, including the actual and necessary expenses of its legislative committee in visiting Washington during the second session of the Sixty-fifth Congress, said sum to be immediately available, and said actual and necessary expenses to be approved by the president and secretary of the general council and certified to the Secretary of the Interior, and as so approved and certified to be paid."

Mr. FOSTER. Mr. Chairman, I reserve the point of order on the amendment.

Mr. MILLER of Minnesota. I do not think it is subject to the point of order.

Mr. HAYDEN. I rather think it is.

Mr. FOSTER. Where is the law that provides for it?

Mr. MILLER of Minnesota. This is an appropriation of money out of the Indian fund for Indian purposes, and that certainly is within the purview of the bill we now have before us.

Mr. HAYDEN. But it has been argued all afternoon that we could not appropriate any money out of the funds of this tribe of Indians unless authorized by treaty, and the gentleman can not find anything in the treaty to authorize this.

Mr. MILLER of Minesota. The gentleman is facetious, but I will say in reply to the gentleman that this particular item is one that the Indians asked for.

Mr. HAYDEN. If there is nothing in the treaty providing for it, it may not be appropriated.

Mr. MILLER of Minnesota. The gentleman knows full well that the treaty provides for certain expenditures, and this is a request on the part of the Indians.

Mr. CARTER of Oklahoma. Mr. Chairman, I think there is no doubt that this is subject to the point of order, but I think if the gentleman will make an explanation of the matter it will be satisfactory.

Mr. MILLER of Minnesota. I did not intend to discuss the point of order, but I did not care to give up any defense that I might have.

The CHAIRMAN. Does the gentleman from Illinois reserve the point of order?

Mr. FOSTER. If the gentleman desires to say a word, I shall reserve it.

Mr. MILLER of Minnesota. Mr. Chairman, there is no tribal government as such of the Indians in our State, but some years ago the Indians, recognizing their great property interests and their desire to have harmony among themselves, for their betterment, and to urge their interests before Congress and elsewhere, conceived the idea of having a general council, which was to meet at a central point, consisting of delegates from the various scattered reservations, and you know the Indians in Minnesota are widely scattered, there is no connection between any two of them. This was with the full consent and I think approval of the Indian Office. They organized this first in 1913, and each year they have met at some place within the State, and they maintain a legislative committee here at Washington. This is to provide the expense of that general council and delegation here at Washington.

Mr. FOSTER. Does this help to civilize those Indians?

Mr. MILLER of Minnesota. I think it is extremely helpful in practical civilization.

Mr. FOSTER. Do they partake of peyote at these meetings?

Mr. MILLER of Minnesota. Mr. Chairman, my Indian lore is fairly extensive, but not sufficiently so to enable me to fully comprehend that which the gentleman has in mind.

Mr. FOSTER. If the gentleman does not know what they do there, I do not believe we ought to permit it.

Mr. HAYDEN. Why does the gentleman so carefully eliminate from the amendment the phrase "at Bemidji, Minn."?

Mr. MILLER of Minnesota. There are two bands of representatives here, and I am not going to take any side as between them, but they really are both asking Congress for the same thing.

One wants to name one place and one wants to name another, and I am not going to take sides but let the Indians settle it themselves.

Mr. HAYDEN. I think the gentleman does take sides.

Mr. MILLER of Minnesota. How?

Mr. HAYDEN. Because he states this meeting must be held pursuant to the constitution of the general council of the said Chippewa Indians of Minnesota, organized in May, 1913.

Mr. MILLER of Minnesota. That is the language always used describing how the council is to be called.

Mr. HAYDEN. One of those factions is acting in pursuance to this constitution and one is not?

Mr. MILLER of Minnesota. If one is, it is the only legal constituted faction. I think both claim to represent the council. This provides for one council to be called by these Indians.

Mr. HAYDEN. The gentleman is leaving it to the Indian Office to determine what is the legally organized body.

Mr. MILLER of Minnesota. I am not going to take sides.

Mr. FOSTER. Mr. Chairman, I doubt if this $10,000 will help to civilize the Indians in gathering together and having a grand round-up. I expect I ought to make the point of order.

Mr. CARTER of Oklahoma. I hope the gentleman will not. This money is to be spent by the Indians; it is the Indian's own money, and he wants to spend it on that council——

Mr. FOSTER. This is a different thing——

Mr. CARTER of Oklahoma. There is nothing more the Indian enjoys.

Mr. KNUTSON. Should not that item have been in the legislative bill?

Mr. ELLSWORTH. Does not the gentleman have in mind the item which is always carried in the bill of $1,000 for a sort of jubilee which they have each year?

Mr. FOSTER. I understand that.

Mr. ELLSWORTH. I did not know but what the gentleman had that in mind.

Mr. FOSTER. If the gentleman from Oklahoma and the gentleman from Minnesota both think that this council ought to be held, knowing the gentlemen so well, I do not believe I shall insist on the point of order.

Mr. WALSH. Mr. Chairman, I renew the point of order.

Mr. MILLER of Minnesota. Do not do it.

Mr. WALSH. I would like to ask the gentleman from Oklahoma, if he is in favor of this appropriation for some expenditures, why was it left out of the bill?

Mr. CARTER of Oklahoma. It is on account of the fact it was not reported, and for some reason or other no hearings were held on it, and, as the gentleman knows, I was sick when the hearings were held, and I was not present.

Mr. WALSH. I withdraw the point of order.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

MISSISSIPPI.

SEC. 9. That the unexpended balance of the appropriation of $75,000 for the full-blood Choctaw Indians of Mississippi in the Indian appropriation act of May 25, 1918, is hereby reappropriated for the same purposes for which originally appropriated and for aiding the common schools attended by the children of said Indians under rules and regulations prescribed by the Secretary of the Interior.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. As intimated yesterday there is new language from that carried in existing law in the present paragraph.

Mr. HAYDEN. That language was inserted by the committee in the belief that the best way to civilize the Indian children is to pay for their schooling in the public schools where they may attend with the white children. That is the quickest way to educate them if it be possible to make such an arrangement. It has been found to be highly advantageous in all parts of the United States to pursue that policy.

Mr. STAFFORD. The gentleman from Oklahoma yesterday stated there were some schools in Mississippi, in this Indian country, which were established by the State for the separate education of Indian children.

Mr. CARTER of Oklahoma. That is true; but they are nothing like adequate for the number of Indian children in Mississippi.

Mr. STAFFORD. Is this provision for the support of Indian children attending public schools?

Mr. HAYDEN. Yes.

Mr. VENABLE. Mr. Chairman, I did not know that provision was there until to-day. The history, if the gentleman will yield to me, is this: The State of Mississippi maintained for a number of years and continues it about three or four schools known as schools for the Indians, public schools, part of the public-school system.

They were very inadequate. The appropriation for them, to begin with, was inadequate, and experience showed that the Indian children did not attend very well, largely because neither the child nor its parents appreciated the need or the necessity for it. As I understand the object of this provision, though I said I did not know it was in there until to-day, it is that these Indian children may go to school, if it is so decided, where white children are also in attendance, and by that means will make more rapid progress in the learning of English and in their education and civilization.

Mr. STAFFORD. It virtually changes the provision made last year which authorized the Director of the Bureau of Indian Affairs to establish separate schools for their education and provides for their education in company with white children in existing schools.

Mr. HAYDEN. He may do it either way.

Mr. STAFFORD. Mr. Chairman, I was not in sympathy with the amendment that was carried last year authorizing the Director of the Bureau of Indian Affairs to establish separate schools. That is the existing law. Seventy-five thousand dollars was appropriated, but not a cent has been expended. Of course we realize this is a raid on the Treasury, but having been consummated last year there is nothing else I see to do except to allow it to go through. Therefore I withdraw the reservation of the point of order.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise and report the bill and the amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 14746, the Indian appropriation bill, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. CARTER of Oklahoma. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. CRAMTON. Mr. Speaker, I demand a separate vote on the Hastings oil and gas lease amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gross. The question is on all of the amendments except the Hastings amendment, on which a separate vote has been asked by the gentleman from Michigan.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on the Hastings amendment.

HOUR OF MEETING TO-MORROW.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 10.30 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] asks unanimous consent that when the House adjourns to-day it adjourn to meet at 10.30 o'clock a. m. to-morrow. Is there objection?

Mr. STAFFORD. Reserving the right to object, I do not believe there will be any objection on this side of the Chamber to meeting at 11 o'clock if we can have an understanding that there will be no roll call pressed on the vote on this bill to-night.

Mr. GARRETT of Tennessee. Let me ask the gentleman if there is going to be a roll call on this particular amendment?

Mr. STAFFORD. As I understand from private sources, there is going to be a demand made for a roll call.

The SPEAKER. Does the gentleman object?

Mr. STAFFORD. I object.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, can we have an understanding that if there is a point of no quorum made on the vote on the pending amendment that all matter will go over until to-morrow?

Mr. CARTER of Oklahoma. Mr. Speaker, we are very anxious to settle this matter to-night, but in view of the situation that confronts us I feel disposed to agree to move to adjourn just as soon as we can arrange an agreement as to the time of meeting to-morrow.

Mr. GARRETT of Tennessee. Let us get an agreement, then, that the yeas and nays be ordered immediately after the meeting in the morning. Why not meet at 10.30?

Mr. STAFFORD. That is too early. I will say to the gentleman from Tennessee there will be no objection to meeting at 11 o'clock, with the understanding that the yeas and nays be considered as ordered on the vote demanded by the gentleman from Michigan [Mr. CRAMTON].

Mr. CARTER of Oklahoma. Mr. Speaker, I make that as a unanimous-consent request.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the yeas and nays be considered as ordered on the Hastings amendment the first thing in the morning, when we get to it, and that the House meet at 11 o'clock a. m. to-morrow. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

Mr. DEWALT, by unanimous consent, was granted leave of absence for one week on account of important business.

ADJOURNMENT.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 36 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Saturday, January 25, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of communication from the Acting Secretary of Commerce submitting a paragraph of legislation extending for the fiscal year 1920 the unexpended balance of appropriation made by act of July 3, 1918, for punching machine, Fourteenth Census (H. Doc. No. 1720); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting tentative draft of a bill to provide for connecting parkway between Rock Creek and Potomac Parks (H. Doc. No. 1721); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Director General of Railroads submitting a supplemental estimate of appropriation required for the Federal control of transportation systems (H. Doc. No. 1722); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DEWALT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13647) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks borough, in the county of Allegheny, Pa., reported the same without amendment, accompanied by a report (No. 974), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 13649) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, Pa., reported the same without amendment, accompanied by a report (No. 975), which said bill and report were referred to the House Calendar.

Mr. BURNETT, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 14893) for the relief of contractors and subcontractors for post offices and other buildings and work under the supervision of the Treasury Department, reported the same without amendment, accompanied by a report (No. 976), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (S. 1849) permitting minors of the age of 18 years or over to make homestead entry

of the public lands of the United States, reported the same without amendment, accompanied by a report (No. 977), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CARLIN, from the Committee on the Judiciary, to which was referred the bill (H. R. 13963) to increase the salary of the United States marshal for the eastern district of Virginia, reported the same without amendment, accompanied by a report (No. 978), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BANKHEAD, from the Committee on Education, to which was referred the bill (S. 5038) extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act, approved June 27, 1918, and authorizing the Federal Board for Vocational Education to accept gifts and donations for specific purposes, reported the same with amendment, accompanied by a report (No. 981), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HOUSTON, from the Committee on War Claims, to which was referred the bill (S. 469) for the relief of the heirs of W. H. Sneed, deceased, reported the same without amendment, accompanied by a report (No. 973), which said bill and report were referred to the Private Calendar.

Mr. CLARK of Florida, from the Committee on War Claims, to which was referred the bill (H. R. 7089) for the relief of the heirs of Adam and Noah Brown, reported the same without amendment, accompanied by a report (No. 979), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HENSLEY: A bill (H. R. 14959) to provide for the erection of a public building in the city of Farmington, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. HAMILTON of New York: A bill (H. R. 14960) providing for the erection of a public building in the city of Dunkirk, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. KINCHELOE: A bill (H. R. 14961) to provide for the erection of a public building in the city of Madisonville, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. MILLER of Minnesota: A bill (H. R. 14962) to provide for the purchase of a site and erection thereon of a public building at Two Harbors, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14963) to provide for the construction of a public building at Duluth, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. EDMONDS: A bill (H. R. 14964) to repeal the act approved October 6, 1917; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 14965) to repeal a portion of section 37 of the shipping act of 1916; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 14966) authorizing the Secretary of War to make donation of condemned German cannon to Girard College, Philadelphia, Pa.; to the Committee on Military Affairs.

Also, a bill (H. R. 14967) to repeal the power of the President of the United States to requisition vessels building in the shipyards of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. ASWELL: A bill (H. R. 14968) to amend the act of Congress approved March 4, 1913 (37 Stat., p. 869), to increase the limit of cost for the enlargement, extension, remodeling, rebuilding, reconstruction, or improvement of the post office and courthouse at Alexandria, La.; to the Committee on Public Buildings and Grounds.

By Mr. SWITZER: A bill (H. R. 14969) providing for the construction of a public building at Jackson, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. CRAMTON: A bill (H. R. 14970) authorizing the Secretary of War to donate to the town of Sebewaing, Mich., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 14971) authorizing the Secretary of War to donate to the borough of Nazareth, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14972) authorizing the Secretary of War to donate to the borough of Palmerton, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14973) authorizing the Secretary of War to donate to the borough of Milford, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14974) authorizing the Secretary of War to donate to the borough of Mauch Chunk, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 14975) authorizing the Secretary of War to donate to the town of Santa Ana, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14976) authorizing the Secretary of War to donate to the town of Victorville, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TILLMAN: A bill (H. R. 14977) for the erection of a public building at Huntsville, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14978) for the erection of a public building at Gravette, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14979) for the erection of a public building at Springdale, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14980) for the erection of a public building at Berryville, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14981) for the erection of a public building at Yellville, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14982) for the erection of a public building at Leslie, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14983) for the erection of a public building at Mountain Home, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14984) for the erection of a public building at Clinton, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14985) for the erection of a public building at Bentonville, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14986) for the erection of a public building at Siloam Springs, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14987) for the erection of a public building at Marshall, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14988) for the erection of a public building at Green Forest, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14989) for the erection of a public building at Cotter, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14990) for the erection of a public building at Prairie Grove, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14991) for the erection of a public building at Jasper, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. HENRY T. RAINEY: A bill (H. R. 14992) to provide for a site for a public building at White Hall, Ill.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14993) to provide for the erection of a public building in the city of Carrollton, Ill.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14994) authorizing the Secretary of War to donate to the town of Pittsfield, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DOMINICK: A bill (H. R. 14995) authorizing the Secretary of War to donate to the city of Pickens, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14996) authorizing the Secretary of War to donate to the city of Walhalla, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14997) authorizing the Secretary of War to donate to the city of Newberry, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14998) authorizing the Secretary of War to donate to the city of McCormick, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14999) authorizing the Secretary of War to donate to the city of Greenwood, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 15000) authorizing the Secretary of War to donate to the city of Anderson, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 15001) authorizing the Secretary of War to donate to the city of Abbeville, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

By Mr. BENJAMIN L. FAIRCHILD: A bill (H. R. 15002) authorizing the Secretary of War to donate to headquarters of the Eighth Coast Artillery Corps, New York Guard, New York, two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 15003) authorizing the Secretary of War to donate to the city of Camas, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15004) authorizing the Secretary of War to donate to the city of Kelso, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15005) authorizing the Secretary of War to donate to the city of Chehalis, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15006) authorizing the Secretary of War to donate to the city of Sumner, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15007) authorizing the Secretary of War to donate to the city of Puyallup, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 15008) authorizing the Secretary of War to deliver to the village of Canton, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 15009) authorizing the Secretary of War to deliver to the village of Saranac Lake, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. STEENERSON: A bill (H. R. 15010) to authorize the acquisition of a site and the erection of a Federal building at Breckenridge, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15011) to authorize the acquisition of a site and the erection of a Federal building at Detroit, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15012) to authorize the acquisition of a site and the erection of a Federal building at Thief River Falls, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. WOODS of Iowa: A bill (H. R. 15013) for the acquisition of a site and erection of a building at Algona, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. MAPES: A bill (H. R. 15014) authorizing the Secretary of War to donate to the village of Kent City, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 15015) authorizing the Secretary of War to donate to the village of Harrisville, in the State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. AYRES: A bill (H. R. 15016) authorizing the Secretary of War to donate to the city of McPherson, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DRUKKER: A bill (H. R. 15017) to erect a post-office building in the city of Passaic, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. LEVER: A bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920; to the Committee of the Whole House on the state of the Union.

By Mr. RAMSEY: A bill (H. R. 15019) authorizing the Secretary of War to donate to the city of Englewood, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15020) authorizing the Secretary of War to donate to the town of Ridgefield Park, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15021) authorizing the Secretary of War to donate to the town of Ridgewood, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15022) authorizing the Secretary of War to donate to the borough of Hasbrouck Heights, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15023) authorizing the Secretary of War to donate to the borough of Rutherford, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15024) authorizing the Secretary of War to donate to the borough of Midland Park, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 15025) to increase the limit of cost of the public building to be erected at Caribou, Me.; to the Committee on Public Buildings and Grounds.

By Mr. CLARK of Missouri: A bill (H. R. 15026) authorizing the Secretary of War to donate to the city of Mexico, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 15027) to increase the limit of cost of the public building to be erected at Fort Fairfield, Me.; to the Committee on Public Buildings and Grounds.

By Mr. BROWNE: A bill (H. R. 15028) for the purchase of a site and the erection of a public building at Marshfield, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. STEAGALL: A bill (H. R. 15029) to provide for the purchase of a post-office site at Ozark, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15030) to provide for the erection of a public building at Union Springs, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. LEVER: A bill (H. R. 15031) authorizing the Secretary of War to donate to the cities of Sumter and Orangeburg, and to the towns of Lexington, St. Matthews, and Bishopville, all in the State of South Carolina, each a German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FESS: A bill (H. R. 15032) to incorporate the American Field of Honor Association; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 15033) to provide for the erection of a Federal building at Hailey, Idaho; to the Committee on Public Buildings and Grounds.

By Mr. ROGERS: A bill (H. R. 15034) to provide for the promotion of certain officers, noncommissioned officers, and privates in the Army, Navy, and Marine Corps; to the Committee on Military Affairs.

By Mr. GANDY: A bill (H. R. 15035) authorizing the Secretary of War to donate to the county of Carson, State of South Dakota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15036) authorizing the Secretary of War to donate to the county of Haakon, State of South Dakota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15037) authorizing the Secretary of War to donate to the city of Sturgis, State of South Dakota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DICKINSON: A bill (H. R. 15038) to increase the cost of the public building at Harrisonville, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. OLDFIELD: A bill (H. R. 15039) granting consent to the Newport road district to construct a bridge across the White River within or near the city limits of the city of Newport, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. SHERWOOD: A bill (H. R. 15040) providing for the purchase of a site and the erection thereon of a public building at Port Clinton, in the State of Ohio; to the Committee on Public Buildings and Grounds.

By Mr. BROWNE: A bill (H. R. 15041) for the purchase of a site and the erection of a public building at Shawano, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15042) for the purchase of a site and the erection of a public building at Grand Rapids, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. TIMBERLAKE: A bill (H. R. 15043) to amend an act entitled "An act to amend section 73 of an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved June 12, 1916," and for other purposes; to the Committee on the Judiciary.

By Mr. SAUNDERS of Virginia: A bill (H. R. 15044) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes"; to the Committee on the Post Office and Post Roads.

By Mr. FRENCH: A bill (H. R. 15045) to provide for the purchase of a site for a Federal building at Payette, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15046) to provide for the erection of a Federal building at Caldwell, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15047) to provide for the erection of a Federal building at Nampa, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15048) to provide for the purchase of a site for a Federal building at Weiser, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15049) to provide for additional appropriation for the erection of a Federal building at Coeur d'Alene, Idaho; to the Committee on Public Buildings and Grounds.

By Mr. HENRY T. RAINEY: A bill (H. R. 15050) to provide for the erection of a public building in the city of Havana, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. SLOAN: A bill (H. R. 15051) to provide for the purchase of site and the erection of a public building thereon at David City, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15052) to provide for the purchase of site and erection of public building thereon at Seward, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15053) to provide for the purchase of a site and the erection of a public building thereon at Geneva, in the State of Nebraska; to the Committee on Public Buildings and Grounds.

By Mr. LINTHICUM: A bill (H. R. 15054) to provide for the erection of an addition to the post-office building at Baltimore, Md., for alterations to the present building, and changes to the railroad entering same; to the Committee on Public Buildings and Grounds.

By Mr. COOPER of Wisconsin: A bill (H. R. 15055) to provide for the erection of an addition to the Federal building in the city of Kenosha, county of Kenosha and State of Wisconsin; to the Committee on Public Buildings and Grounds.

By Mr. FISHER: A bill (H. R. 15056) to increase the cost of the public building at Memphis, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. KINKAID: A bill (H. R. 15057) providing for the purchase of a site and the erection of a public building in the city of Broken Bow, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15058) providing for the purchase of a site and the erection of a public building in the city of Lexington, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15059) providing for the purchase of a site and the erection of a public building in the city of Scottsbluff, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15060) providing for the purchase of a site and the erection of a public building in the city of O'Neill, Nebr.; to the Committee on Public Buildings and Grounds.

By Mr. LITTLEPAGE: A bill (H. R. 15061) authorizing the Secretary of War to donate to the city of Charleston, W. Va., a fieldpiece or cannon, etc.; to the Committee on Military Affairs.

Also, a bill (H. R. 15062) authorizing the Secretary of War to donate to the city of Fayetteville, W. Va., fieldpiece or cannon, etc.; to the Committee on Military Affairs.

Also, a bill (H. R. 15063) authorizing the Secretary of War to donate to the city of Lewisburg, W. Va., fieldpiece or cannon, etc.; to the Committee on Military Affairs.

Also, a bill (H. R. 15064) authorizing the Secretary of War to donate to the city of Ronceverte, W. Va., fieldpiece or cannon, etc.; to the Committee on Military Affairs.

Also, a bill (H. R. 15065) authorizing the Secretary of War to donate to the city of Marlinton, W. Va., fieldpiece or cannon, etc.; to the Committee on Military Affairs.

Also, a bill (H. R. 15066) authorizing the Secretary of War to donate to the city of Madison, W. Va., fieldpiece or cannon, etc.; to the Committee on Military Affairs.

Also, a bill (H. R. 15067) authorizing the Secretary of War to donate to the city of Montgomery, W. Va., fieldpiece or cannon, etc.; to the Committee on Military Affairs.

By Mr. STEENERSON: Resolution (H. Res. 515) calling on the President of the United States for information relative to what steps have been taken toward carrying out the guaranteed price of wheat for the 1919 crop; to the Committee on Agriculture.

By Mr. GARLAND: Resolution (H. Res. 516) declaring it the sense of the House of Representatives that the American Expeditionary Forces should be returned to their homes; to the Committee on Military Affairs.

By Mr. GOULD: Resolution (H. Res. 517) calling upon the United States Food Administration for information in connection with agreements affecting importation and marketing of rice; to the Committee on Agriculture.

By Mr. BANKHEAD: Joint resolution (H. J. Res. 396) extending the thanks of Congress to members of local and district boards, Government appeal agents, and members of medical and legal advisory boards, and authorizing the President to appoint by brevet the members of same as officers in the Army of the United States; to the Committee on Military Affairs.

By Mr. BENJAMIN L. FAIRCHILD: Joint resolution (H. J. Res. 397) to authorize payment of salaries to Members of the House of Representatives withheld during their absence in the military service of the United States; to the Committee on the Judiciary.

By Mr. McLAUGHLIN of Michigan: Joint resolution (H. J. Res. 398) determining the eligible status of employees in the classified service and of candidates for appointment on the eligible lists; to the Committee on Reform in the Civil Service.

By the SPEAKER: Memorial of the Legislature of the State of Utah asking for the passage of the Federal woman's suffrage amendment; to the Committee on Woman Suffrage.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CRAMTON: A bill (H. R. 15068) granting an increase of pension to Albert Raymond; to the Committee on Invalid Pensions.

By Mr. CRISP: A bill (H. R. 15069) granting a pension to Mrs. E. L. Ellis; to the Committee on Pensions.

By Mr. FREEMAN: A bill (H. R. 15070) granting an increase of Pension to Fred E. Kies; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 15071) granting an increase of pension to Andrew W. Hepler; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 15072) granting an increase of pension to John W. Hanshaw; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 15073) granting a pension to Katherine Shurts; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 15074) granting an increase of pension to Charles H. Steward; to the Committee on Pensions.

By Mr. THOMAS: A bill (H. R. 15075) granting a pension to William J. Ross; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution by members of Typographical Union No. 6, of New York, urging enactment of laws whereby suitable positions may be secured for American overseas fighting men returning home, according to the length and character of their military service; to the Committee on Military Affairs.

Also, petition of directors of the Washington Chamber of Commerce, favoring the Government control and operation of telephone systems until Congress shall have thoroughly examined the question of their future disposition; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: Petition of Wisconsin Retail Dry Goods Association, protesting against the luxury tax in pending revenue bill; to the Committee on Ways and Means.

Also, petition of citizens of Milwaukee, Wis., protesting against the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of president and faculty of Stevens Point Normal School, asking support for Senate bill 4987; to the Committee on Education.

By Mr. CLARK of Pennsylvania: Petition of Nancy A. Mills, Emma J. Crawford, B. F. Crawford, and Jessie J. Mills, of North East, Pa., asking for repeal of the postal zone rate bill; to the Committee on Ways and Means.

By Mr. DRUKKER: Petition for repeal of the postal zone rate bill, signed by Mr. Fred G. Claxton and 103 others, of Paterson, N. J.; to the Committee on Ways and Means.

By Mr. ELSTON: Petition of residents of Alameda County, Cal., favoring the repeal of the zone postal law; to the Committee on Ways and Means.

By Mr. ESCH: Petition of citizens, favoring Senate bill 4987, creating a national department of education; to the Committee on Education.

Also, memorial of Wisconsin Retail Dry Goods Association, advising against the luxury tax in the pending revenue bill; to the Committee on Ways and Means.

By Mr. FULLER of Massachusetts: Memorial adopted by the City Council of Malden, Mass., recommending that the Federal Government on the discharge of soldiers and sailors permanently from active duty should allow them six months' pay beyond the time of their discharge; to the Committee on Military Affairs.

Also, memorial adopted by the City Council of Malden, Mass., urging Congress to enact legislation requiring draft boards and legal advisory boards to assist honorably discharged soldiers, sailors, and marines to secure employment; to the Committee on Military Affairs.

Also, petition of Percy F. Bicknell, of Malden, Mass., for repeal of postal amendment increasing postage on periodicals; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania: Petition of Rotary Club of McKeesport, Pa., favoring continuance of Government control of wire systems until Congress shall provide proper procedure; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Rhode Island: Memorial of General Assembly of the State of Rhode Island, urging upon Congress the passage of legislation giving financial aid to soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. KETTNER: Memorial of League for Ireland for the eleventh congressional district of the State of California, signed by its officers and passed at a meeting in San Diego, Cal.; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Petition of Connecticut Grand Army of the Republic, against transfer of Battle Mountain Soldiers' Home to War Department; to the Committee on Military Affairs.

Also, memorial of Ancient Order of Hibernian Society of Wallingford, Conn., relating to self-determination for Ireland; to the Committee on Foreign Affairs.

Also, resolutions adopted by Hartford Lodge, No. 29, American Federation of Railroad Workers, favoring Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. NEELY: Petition of Huntington Association of Credit Men, urging support of measure providing for war contracts; to the Committee on Military Affairs.

By Mr. POLK: Memorial of Kent County (Del.) Farm Bureau, favoring Senate bill 4987; to the Committee on Education.

By Mr. STINESS: Memorial of General Assembly of the State of Rhode Island, urging upon Congress the passage of legislation giving financial aid to soldiers, sailors, and marines; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 25, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Infinite and Eternal Spirit, before whom angels and archangels bow in adoration, we, Thine earthly children, humbly and reverently bow before Thee, that we may worship Thee in spirit and in truth, and by the uplift of the moment receive that strength which shall enable us faithfully and efficiently to fulfill the obligations of the hour. In the name and spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the bill (S. 5354) extending the time for the completion of a bridge across the Delaware River, authorized by an act approved the 24th day of August, 1912, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed with amendments the bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. MARTIN of Virginia, Mr. OVERMAN, and Mr. WARREN as conferees on the part of the Senate.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 214. Joint resolution authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 214. Joint resolution authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases; to the Committee on Interstate and Foreign Commerce.

SPEAKER PRO TEMPORE TO PRESIDE ON SUNDAY, JANUARY 26.

The SPEAKER. The Chair designates Judge WATKINS, of Louisiana, to preside to-morrow.

INDIAN APPROPRIATIONS.

The SPEAKER. When the House adjourned yesterday there was an agreement that a yea-and-nay vote be had upon the Hastings amendment to the Indian appropriation bill. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920.

Mr. STAFFORD. Mr. Speaker, so as to give the privilege to the entire membership to vote, I wish at the proper time to make a point of no quorum.

The SPEAKER. The question is on agreeing to the Hastings amendment.

Mr. HASTINGS. Mr. Speaker, that is a committee amendment.

The SPEAKER. The Chair understands.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. STAFFORD. Mr. Speaker, on that vote I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of the amendment will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 198, nays 69, answered "present" 2, not voting 161, as follows:

YEAS—198.

Alexander	Dyer	Larsen	Rouse
Almon	Elliott	Lazaro	Rubey
Aswell	Ellsworth	Lee, Ga.	Rucker
Austin	Essen	Lesher	Sanders, La.
Ayres	Evans	Lever	Saunders, Va.
Baer	Farr	Little	Schall
Bankhead	Ferris	Littlepage	Scott, Iowa
Barkley	Flood	Lobeck	Sherwood
Barnhart	Foster	London	Shouse
Bell	Gallagher	Lonergan	Siegel
Beshlin	Gandy	McAndrews	Sims
Black	Gard	McFadden	Sisson
Bland, Va.	Garner	McKeown	Slayden
Blanton	Garrett, Tenn.	McLemore	Slemp
Brand	Glynn	Magee	Smith, Idaho
Browning	Godwin, N. C.	Mansfield	Snyder
Buchanan	Goodwin, Ark.	Martin	Steagall
Burnett	Gray, Ala.	Mays	Stedman
Butler	Green, Iowa	Merritt	Steele
Byrnes, S. C.	Griffin	Miller, Minn.	Stephens, Miss.
Byrns, Tenn.	Hadley	Miller, Wash.	Stevenson
Campbell, Kans.	Hamlin	Mondell	Sumners
Campbell, Pa.	Hardy	Moores, Ind.	Switzer
Cantrill	Harrison, Miss.	Morgan	Taylor, Colo.
Caraway	Harrison, Va.	Mott	Thompson
Carter, Okla.	Hastings	Nicholls, S. C.	Tillman
Cary	Hawley	Oldfield	Timberlake
Chandler, Okla.	Heflin	Oliver, N. Y.	Van Dyke
Clark, Fla.	Hensley	Olney	Venable
Classon	Hilliard	Osborne	Vinson
Claypool	Hollingsworth	Overmyer	Walton
Collier	Houston	Overstreet	Wason
Connally, Tex.	Howard	Paige	Watkins
Connelly, Kans.	Hull, Tenn.	Parker, N. J.	Watson, Va.
Crisp	Humphreys	Peters	Weaver
Crosser	Husted	Phelan	Webb
Dale	Igoe	Polk	Welling
Dempsey	Jacoway	Pou	Welty
Denison	Johnson, S. Dak.	Purnell	Whaley
Denton	Johnson, Wash.	Quin	Wheeler
Dickinson	Jones	Ragsdale	Wilson, La.
Dies	Kearns	Rainey, J. W.	Wilson, Tex.
Dill	Keating	Raker	Wingo
Dillon	Kehoe	Randall	Wood, Ind.
Dominick	Key, Ohio	Rankin	Woodyard
Donovan	Kincheloe	Rayburn	Wright
Doolittle	King	Reed	Young, N. Dak.
Doremus	Knutson	Rodenberg	Young, Tex.
Doughton	La Follette	Rogers	
Dupré	Langley	Romjue	

NAYS—69.

Bowers	Dowell	Good	Juul
Browne	Elston	Graham, Ill.	Kelley, Mich.
Cannon	Esch	Greene, Mass.	Kelly, Pa.
Cooper, W. Va.	Frear	Hamilton, Mich.	Kennedy, Iowa
Cooper, Wis.	French	Haugen	Lampert
Cramton	Fuller, Ill.	Hersey	Lehlbach
Currie, Mich.	Gallivan	Huddleston	Lundeen
Dallinger	Garland	Hull, Iowa	McCormick
Darrow	Garrett, Tex.	Ireland	McKinley
Decker	Gillett	James	McLaughlin, Mich.

Mann	Rose	Steenerson	White, Me.
Mapes	Rowe	Sweet	Williams
Moore, Pa.	Scott, Mich.	Temple	Wilson, Ill.
Nelson, A. P.	Sells	Tilson	Winslow
Nelson, J. M.	Sherley	Towner	Zihlman
Powers	Sinnott	Vare	
Ramseyer	Smith, Mich.	Volstead	
Reavis	Stafford	Walsh	

ANSWERED "PRESENT"—2.

Burroughs Kinkaid

NOT VOTING—161.

Anderson	Eagle	Kettner	Robinson
Anthony	Edmonds	Kiess, Pa.	Rowland
Ashbrook	Emerson	Kitchin	Russell
Bacharach	Estopinal	Kraus	Sabath
Beakes	Fairchild, B. L.	Kreider	Sanders, Ind.
Benson	Fairchild, G. W.	LaGuardia	Sanders, N. Y.
Birch	Fairfield	Lea, Cal.	Sanford
Blackmon	Fess	Linthicum	Scully
Bland, Ind.	Fields	Longworth	Sears
Booher	Fisher	Lufkin	Shackleford
Borland	Flynn	Lunn	Shallenberger
Britten	Focht	McArthur	Sloan
Brodbeck	Fordney	McClintic	Small
Brumbaugh	Foss	McCulloch	Smith, C. B.
Caldwell	Francis	McKenzie	Smith, T. F.
Candler, Miss.	Freeman	McLaughlin, Pa.	Snell
Carew	Fuller, Mass.	Madden	Snook
Carlin	Goodall	Maher	Stephens, Nebr.
Carter, Mass.	Gordon	Mason	Sterling
Chandler, N. Y.	Gould	Montague	Stiness
Church	Graham, Pa.	Moon	Strong
Clark, Pa.	Gray, N. J.	Morin	Sullivan
Cleary	Greene, Vt.	Mudd	Swift
Coady	Gregg	Neely	Tague
Cooper, Ohio	Griest	Nichols, Mich.	Taylor, Ark.
Copley	Hamill	Nolan	Templeton
Costello	Hamilton, N. Y.	Norton	Thomas
Cox	Haskell	Oliver, Ala.	Tinkham
Crago	Hayden	O'Shaunessy	Treadway
Curry, Cal.	Hayes	Padgett	Vestal
Davey	Heaton	Park	Voigt
Davis	Heintz	Parker, N. Y.	Waldow
Delaney	Helm	Platt	Walker
Dent	Helvering	Porter	Ward
Dewalt	Hicks	Pratt	Watson, Pa.
Dixon	Holland	Price	White, Ohio
Dooling	Hood	Rainey, H. T.	Wise
Drane	Hutchinson	Ramsey	Woods, Iowa
Drukker	Johnson, Ky.	Riordan	
Dunn	Kahn	Robbins	
Eagan	Kennedy, R. I.	Roberts	

So the amendment was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. DEWALT with Mr. DUNN.
Mr. MOON with Mr. KINKAID.
Mr. BOOHER with Mr. TREADWAY.
Mr. MAHER with Mr. TINKHAM.
Mr. CAREW with Mr. GOODALL.
Mr. DOOLING with Mr. STRONG.
Mr. CALDWELL with Mr. GOULD.
Mr. SULLIVAN with Mr. SNELL.
Mr. THOMAS F. SMITH with Mr. PARKER of New York.
Mr. WHITE of Ohio with Mr. NORTON.
Mr. ESTOPINAL with Mr. EMERSON.
Mr. PADGETT with Mr. BROWNING.
Mr. BEAKES with Mr. ANTHONY.
Mr. BENSON with Mr. BACHARACH.
Mr. BRODBECK with Mr. BIRCH.
Mr. BRUMBAUGH with Mr. BLAND of Indiana.
Mr. CANDLER of Mississippi with Mr. BRITTEN.
Mr. CARLIN with Mr. COOPER of Ohio.
Mr. CHURCH with Mr. COPLEY.
Mr. CLEARY with Mr. CRAGO.
Mr. COADY with Mr. CURRY of California.
Mr. DAVEY with Mr. DAVIS.
Mr. DENT with Mr. KAHN.
Mr. DRANE with Mr. EDMONDS.
Mr. EAGAN with Mr. FAIRFIELD.
Mr. EAGLE with Mr. FULLER of Massachusetts.
Mr. FIELDS with Mr. GRAHAM of Pennsylvania.
Mr. FISHER with Mr. GRIEST.
Mr. HAMILL with Mr. GREENE of Vermont.
Mr. SCULLY with Mr. HASKELL.
Mr. HAYDEN with Mr. HEATON.
Mr. HELM with Mr. HICKS.
Mr. HOLLAND with Mr. HUTCHINSON.
Mr. KETTNER with Mr. KENNEDY of Rhode Island.
Mr. LEA of California with Mr. KIESS of Pennsylvania.
Mr. LINTHICUM with Mr. KRAUS.
Mr. LUNN with Mr. KREIDER.
Mr. MCCLINTIC with Mr. LAGUARDIA.
Mr. MONTAGUE with Mr. LUFKIN.
Mr. NEELY with Mr. MCARTHUR.
Mr. OLIVER of Alabama with Mr. MCCULLOCH.
Mr. O'SHAUNESSY with Mr. MCKENZIE.
Mr. PARK with Mr. MADDEN.
Mr. BLACKMON with Mr. MASON.
Mr. ASHBROOK with Mr. MUDD.
Mr. RIORDAN with Mr. NICHOLS of Michigan.
Mr. PRICE with Mr. RAMSEY.
Mr. HENRY T. RAINEY with Mr. ROBBINS.
Mr. ROBINSON with Mr. SANDERS of Indiana.
Mr. SABATH with Mr. SANFORD.
Mr. SEARS with Mr. STINESS.
Mr. SMALL with Mr. VESTAL.
Mr. CHARLES B. SMITH with Mr. WARD.
Mr. TAGUE with Mr. WATSON of Pennsylvania.
Mr. TAYLOR of Arkansas with Mr. HAMILTON of New York.
Mr. THOMAS with Mr. MORIN.
Mr. WISE with Mr. HAYES.
Mr. SNOOK with Mr. COSTELLO.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. CARTER of Oklahoma, a motion to reconsider the vote by which the bill was passed was laid on the table.

AMBASSADOR FRANCIS.

Mr. FLOOD. Mr. Speaker, in the debate on the Diplomatic and Consular appropriation bill last Wednesday the gentleman from New York [Mr. LAGUARDIA] made this statement:

> I have wondered if the distinguished gentleman from Virginia is aware of the fact that our allies had to call the attention of the Department of State to the personal conduct and associations of our ambassador with certain of his friends of Teutonic tendencies.

This statement was made in reference to Ambassador Francis, our ambassador to Russia. As an evidence of the accuracy of the statements of the gentleman from New York, I desire to have read a letter I have received from the Acting Secretary of State, Hon. Frank L. Polk.

The SPEAKER. The gentleman asks unanimous consent to have read a letter from the State Department. Is there objection?

There was no objection.

The Clerk read as follows:

THE COUNSELOR FOR THE DEPARTMENT OF STATE,
Washington, January 23, 1919.

Hon. HENRY D. FLOOD,
Chairman Committee on Foreign Affairs,
House of Representatives.

DEAR MR. FLOOD: My attention has been called to a statement by Mr. LAGUARDIA, in the CONGRESSIONAL RECORD of yesterday's date, in criticism of Ambassador Francis, to the effect that—

"Our allies had to call the attention of the Department of State to the personal conduct and associations of our ambassador with certain of his friends of Teutonic tendencies."

In justice to Mr. Francis, I desire to inform you that no representations have been received from any foreign government regarding improper conduct on the part of Ambassador Francis.

Sincerely, yours, FRANK L. POLK.

[Applause.]

EXTENSION OF REMARKS.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Indian appropriation bill just passed.

Mr. CARTER of Oklahoma. Reserving the right to object, I want to ask unanimous consent that all those who spoke on the bill may have an opportunity to extend their remarks. Several have asked me.

Mr. FOSTER. Oh, let us not do that.

Mr. CARTER of Oklahoma. I mean only those who spoke on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. MANN. I object. Individual Members may present their requests.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAMTON] to extend his remarks in the RECORD?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I ask permission to extend my remarks upon that bill.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks on the Indian bill.

The SPEAKER. The gentleman from Oklahoma [Mr. HASTINGS] and the gentleman from Oklahoma [Mr. CARTER] ask unanimous consent to extend remarks on the Indian bill. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. On that bill?

Mr. COOPER of Wisconsin. Yes.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD on the Indian bill. Is there objection?

There was no objection.

INVALID PENSIONS.

Mr. SHERWOOD. Mr. Speaker, I move that we proceed to the consideration of the Private Calendar.

The SPEAKER. The gentleman from Ohio calls up a bill on the Private Calendar. The clerk will report it.

Mr. MANN. The gentleman can either make a motion or a request for unanimous consent.

Mr. SHERWOOD. I ask unanimous consent that these bills be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Ohio asks unanimous consent that these bills be considered in the House as in Committee of the Whole. Is there objection?

Mr. MANN. That applies to all the pension bills on the Private Calendar?

The SPEAKER. It applies to this pension bill. Is there objection?

Mr. KING. Mr. Speaker, reserving the right to object, I want to call the attention of the House to the fact that the Committee on Invalid Pensions of this House insist on retaining one of the most vicious and diabolical rules that was ever adopted by any committee in this House. There is a provision that no member of a soldiers' or sailors' home can receive a pension at the hands of this committee. They require that a man shall absolutely show that he is without means of support, in the first instance. One of the best things to show whether this is the case is whether he is a member of the soldiers' home. There is an old blind gentleman in a soldiers' and sailors' home at Quincy, Ill. He has no friends, no home, nobody on earth to take care of him, but he is in a soldiers' home, and therefore can receive no favors at the hands of this committee. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

Mr. SHOUSE. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. The gentleman from Kansas asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

The bill is as follows:

A bill (H. R. 14894) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Rebecca Schofield, widow of James Schofield, late of Company C, First Battalion Mississippi Marine Brigade Missouri Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Benjamin Foust, late of Company C, Forty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William T. Slocum, late of Company I, Eleventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elijah C. Duff, late of Company L, Fourteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Luella Kirtland, helpless and dependent child of George H. Kirtland, late of Galbraith's Alabama Scouts and Guides, and pay her a pension at the rate of $12 per month.

The name of Hiland H. Harlocker, late of Company H, Sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary F. Sheerer, former widow of Frank J. Sheer (or Sheerer), late of Company E, Twenty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Jane Snider, widow of Henry E. Snider, late of Company A, One hundred and twenty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Jonathan D. Butler, late of Company H, First Regiment Michigan Engineers and Mechanics, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Emma L. Pugh, widow of Samuel Pugh, late of Company D, First Michigan Volunteer Light Artillery, and pay her a pension at the rate of $25 per month.

The name of George N. Thurlow, late of Company F, Seventh Regiment Maine Volunteer Infantry, and Company F, First Regiment Maine Veteran Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Lydia J. Stryker, former widow of Josiah W. De Silva, late of Company F, One hundred and second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Simon Z. Whiteleather, late of Company H, One hundred and ninety-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Row, late of Company B, Forty-third Regiment, and Company H, Fiftieth Regiment, Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mellissa W. Coulson, widow of Charles A. Coulson, late of Company H, Twenty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Ellen Pierce, former widow of William Pierce, late of Company B, Seventeenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Rufus C. Williams, helpless and dependent child of Joseph Williams, late of Company G, Twenty-fourth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Margaret Steele, widow of Edward T. Steele, late of Company I, Twelfth Regiment Connecticut Volunteer Infantry, and Company G, First Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Jerel Carver, late of Company C, Seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Rebecca Roszell, alleged helpless and dependent child of Charles M. Roszell, late of Company B, Seventy-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of J. Wallace Ellis, late of Company C, Sixteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jasper W. Shoemaker, late of Company H, Eleventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James McCoy, late of Company A, Sixty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William S. Nail, late of Company E, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary E. Lape, widow of William Lape, late of Company G, Twenty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Margaret E. Lape, helpless and dependent child of said William Lape, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary E. Lape the name of said Margaret E. Lape shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Mary E. Lape.

The name of Mary J. Titus, widow of Francis J. M. Titus, late of Company F, Seventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Harriet J. Houghtaling, widow of Aaron Houghtaling, late of Company D, Fourth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Walter L. Todd, late of Company I, Fourth Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John F. Dewire, helpless and dependent child of Thomas Dewire, late of Company C, One hundred and first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Perry Harrell, late of Company C, Fortieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Simmons, late of Company D, Forty-eighth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Wilhelmine Waterstradt, former widow of Charles L. Keller, late of Company G, Thirty-fifth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Rosalie Noel, former widow of Charles E. Caufman, late of Company K, First Regiment Pennsylvania Reserve Infantry, and pay her a pension at the rate of $25 per month.

The name of Sarah E. Hathaway, widow of John F. Hathaway, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of William Ducy, late of Company A, Fifty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joel Bryant, late of Company B, First Regiment East Tennessee National Guards, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Emri Sites, late of Company C, Forty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Seth J. Hurin, jr., late of Company C, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Frances L. Lucas, widow of William H. Lucas, late of Company K, Second Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Sarah Morrill, former widow of Oel Morrill, late of Company B, Twelfth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of James McNeal, late of Company A, One hundred and thirty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Sophena S. Bohley, helpless and dependent child of William Bohley, late of Company F, Thirty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of William Wolf, late of Company E, Eighty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles Mountain, late of the First Independent Battery, Ohio Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Frank B. Weed, late of Company E, Ninth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jonathan M. Valentine, late of Company I, Eighteenth Regiment Missouri Volunteer Infantry, and Eightieth Company, Second Battalion, Veteran Reserve Corps, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Benjamin M. Donaca, late of Company C, First Regiment Oregon Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of David B. Stockton, late of Company D, Seventy-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John L. Wheeler, late of Company I, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Clark, late of Company D, Twenty-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph Butler, late of Company H, Sixtieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary Calkins, widow of James Calkins, late of Company A, Fifty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Miranda Q. Moore, widow of Theodore R. Moore, late of Company C, One hundred and sixty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of James Forsyth Harrison, late clerk, Quartermaster Department, United States Volunteers, and pay him a pension at the rate of $35 per month in lieu of that he is now receiving.

The name of Danford Wyllys, late of Company K, Second Regiment Massachusetts Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martha E. Richards, widow of Robert O. Richards, late of Company F, Eighth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Mariah Hensley, former widow of John Hensley, late of Company I, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Catharine Ellis, former widow of Thomas Ellis, late of Company F, Eighty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John Mittlestedter, late of Company F, Sixth Regiment United States Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles H. Johnson, late unassigned recruit, Sixteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Franklin Kirby, late of Company D, Sixty-sixth Regiment Indiana Volunteer Infantry, and Company L, First Regiment Indiana Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month.

The name of Christine Heldt, former widow of William Washer, late of Company E, Tenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Lillia M. Collier, former widow of William H. Collier, late of the United States Marine Corps, and pay her a pension at the rate of $25 per month.

The name of Etta Height, widow of Ferdinand Height, late paymaster's steward, United States ship Huntress, United States Navy, and pay her a pension at the rate of $25 per month.

The name of Nellie B. Oliver, widow of William J. Oliver, late of Company I, Thirteenth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Mary E. Kline, widow of Patroclus Kline, late of Company A, One hundred and seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of James Norris, late of Company G, Fortieth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Steel, late of Company A, Fifth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Rose Vollkommer, widow of Peter Vollkommer, late coal heaver, United States Navy, and pay her a pension at the rate of $25 per month.

The name of William Schooley, late of Company K, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William A. Fox, helpless and dependent child of Abner Fox, late of Battery B, First West Virginia Volunteer Light Artillery, and pay him a pension at the rate of $12 per month.

The name of Margaret L. Cisney, widow of John W. Cisney, late of Company I, Fifty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary A. McBride, former widow of John McBride, late of Company B, One hundred and twentieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Nancy E. Matlock, widow of Joseph Matlock, late of Company K, Fourth Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $25 per month.

The name of Mary Hodges, widow of Thomas Hodges, late of Company A, Second Regiment Colorado Volunteer Infantry, and Company A, Second Regiment Colorado Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Virginia Blood, former widow of Downer K. Blood, late of Company H, Eleventh Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Peter M. Smith, late of Company B, One hundred and thirty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary M. Watson, former widow of Walter Hartsough, late of Company K, Sixteenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Nancy Ellis, widow of James Ellis, late of Company G, First Regiment Alabama Vidette Cavalry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Mary E. Heywood, widow of Reuben Heywood, late of Company A, Twenty-fifth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William Stewart, late of Company H, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Victoria Wheeler, former widow of Daniel Baer, late of Company B, Forty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John S. Miller, late of Company H, One hundred and fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Martha Hallman, widow of Henry Hallman, late of Company C, Tenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Stanley Hallman, helpless and dependent child of said Henry Hallman, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Martha Hallman the name of said Stanley Hallman shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Martha Hallman.

The name of William A. McGinety, late of Company E, Seventh Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Gooliman, late of Company C, Ninety-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah E. Jackman, widow of Robert C. Jackman, late of Company G, Eighty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William B. Talbott, late of Company L, Eleventh Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ambrose White, late of Company I, Third Regiment North Carolina Volunteer Mounted Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John S. Brannan, late of Company G, Tenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Aaron Lewis, late of Company K, Thirty-ninth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John E. Hutzler, late of Company I, First Regiment Maryland Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William C. Clendening, late of Company C, Third Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Isaac E. Pearce, late of Company K, Seventh Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Amanda Hammond, widow of Wyatt A. Hammond, late of Company B, Tenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Richard L. Chaney, late of Company D, Eighty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Beverly W. Lemert, late of Company A, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Catherine Varner, helpless and dependent child of Newton J. Varner, late of Company K, Eighteenth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Craig M. Geiselman, late of Company B, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary A. Snyder, widow of Christian H. Snyder, late of Company E, One hundred and ninety-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of William M. Snyder, helpless and dependent child of said Christian H. Snyder, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary A. Snyder the name of said William M. Snyder shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Mary A. Snyder.

The name of Charles H. Giles, late of Company F, Twenty-sixth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Kate Peck, widow of Alfred Peck, late of Company D, Fifty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Elizabeth Bluck, widow of Edwin Bluck, late of Company A, One hundred and ninety-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Henry Neutzenhoelzer, late of Company A, Sixteenth Regiment Indiana Volunteer Infantry, and Company L, Thirteenth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Lucy W. Lockwood, widow of George M. Lockwood, late of Company F, Thirty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Daniel Dawson, late of Company K, Sixty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Peter G. Wynegar, late of Company H, One hundred and thirty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nelson J. Finney, late of Company B, Fifty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James F. Scott, late of Company I, Fifty-fifth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Abraham Benner, late of Company F, One hundred and fifty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Caroline B. Stirk, widow of Oliver J. Stirk, late of Company A, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Upton Sutherland, late of Company B, First Regiment West Virginia Volunteer Infantry, and Company E, Second Regiment West Virginia Veteran Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Malinda J. Wilson, widow of Edward F. Wilson, late of Company A, Fourth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Lewis H. Van Antwerp, late of Company G, Seventh Regiment United States Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martin McDermott, helpless and dependent child of Michael McDermott, late of Company I, One hundred and sixtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Albert Ullman, late of Company K, One hundred and fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary Smith, widow of Michael Smith, late of Company K, Twenty-eighth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Nancy A. Lawther, widow of James T. Lawther, late of Company B, Ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Elihu Simpson, late of the Twenty-sixth Independent Battery, Ohio Volunteer Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Peter Wagener, late of Company I, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Caroline Knierim, widow of Philipp Knierim, late of Company D, Second Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Patience Burton, widow of William A. Burton, late of Company C, Ninety-eighth Regiment, and Company G, Seventy-fourth Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mamie Russell, helpless and dependent child of Albert Russell, late of Company G, Thirty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of George Harshman, helpless and dependent child of Ezekiel Harshman, late of Company G, One hundred and first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Margie Combs, widow of Willis T. Combs, late of Company B, Ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Leonora Andrews, widow of Oscar Andrews, late of Company E, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Delphina P. Leslie, former widow of Noble F. Leslie, late of Company C, Tenth Regiment Pennsylvania Reserve Infantry, and Company D, One hundred and ninetieth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of David A. Conner, late of Company F, Seventh Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Nelson Aumick, late of Company K, One hundred and forty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George W. Tilman, late of Company G, One hundred and tenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nancy Robertson, widow of Mitchell E. Robertson, late of Company B, Second Regiment North Carolina Volunteer Mounted Infantry, and pay her a pension at the rate of $25 per month.

The name of George A. P. Cumming, late of Company B, One hundred and thirtieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Orceneth F. Smith, late of Company F, Fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Gilman P. Huff, late of Company G, Twentieth Regiment Maine Volunteer Infantry, and master at arms United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Reason Walker, late of Company C, Seventieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John A. Neff, late of Company G, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George A. Hitchcock, late of Company A, Second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Ann E. McGrew, widow of William T. McGrew, late of Company A, First Ohio Volunteer Light Artillery, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Frank K. Laha, late of Battery H, First Illinois Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jessie P. Worley, helpless and dependent child of Asa Worley, late of Company F, One hundred and fifty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Francis M. Humphrey, late of Company D, Second Regiment Arkansas Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George A. Spofford, late of Company D, Thirty-fifth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William C. Oakley, late of Company H, Sixth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary Marley, helpless and dependent child of John Marley, late of Company D, Eleventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Oscar Jones, late of Company K, Second Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Ella Williamson, helpless and dependent child of James H. Williamson, late of Company I, One hundred and thirtieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Jane H. Zimmerman, widow of Harvey A. Zimmerman, late of Company K, Sixty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Flora Middleton, widow of John W. Middleton, late of Company E, Thirtieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Hamor H. Hanson, late of Company B, Eighty-first Regiment, and Company A, Fifty-eighth Regiment, Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Manly R. Yardley, late of Company K, First Regiment New Hampshire Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Daily, late of Company B, Fourteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Ramey, late of Company C, One hundred and twenty-third Regiment, and Company I, Fourteenth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Osmer A. Rose, late of Company I, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth Sides, former widow of Alexander Ruffaner, late of Company C, Forty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Simon Reeder, late of Company H, One hundred and eighty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Anderson Adams, late of Company A, Fourteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Flemon M. Smith, late of Companies K and A, Fifth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Speaks, late of Company G, One hundred and seventeenth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charlotte Perry, former widow of Hiram S. Barber, late of Company I, Fifty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary E. Finch, widow of Lyman S. Finch, late of Company G, Tenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Rhoda Button, widow of James Button, late of Company G, Ninety-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of David Kimball, late of Company E, First Regiment Missouri Engineers of the West, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James H. Crosser, late of Company D, One hundred and seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Bennett R. Campbell, late of Company G, Thirtieth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Thomas C. Yates, late of Fourth Independent Company, Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nancy Granger, widow of Sidney Granger, late of Company E, Ninth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Benjamin T. Pool, late of Company K, One hundred and forty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $35 per month in lieu of that he is now receiving.

The name of Josephine A. Davison, former widow of James M. Davison, late of Company C, Fifty-first Regiment, and unassigned, Fifty-sixth Regiment, Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Myra S. Stephen, former widow of John M. Stephen, late of Company H, Fiftieth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Edwin Hallowell, late of the Tenth Independent Battery, Ohio Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Clark Sturdevant, late of Company E, Twenty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James Myers, late of Company M, Second Regiment Nebraska Volunteer Cavalry, and Company A, First Battalion Nebraska Veteran Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Frank B. Gillespie, late of Company F, Eightieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elisha S. Perkins, late of Company B, Second Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Luther L. Sloan, helpless and dependent child of William H. Sloan, late of Company E, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Ella May Sloan, helpless and dependent child of William H. Sloan, late of Company E, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Major Buley, helpless and dependent child of William J. Buley, late of Company C, Twenty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Mary Jedowin, widow of Theophilus Jedowin, jr., late of Battery C, First Regiment Vermont Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Thomas F. Duffy, late of Company B, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Orin H. Mathews, late of Company H, One hundred and second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nancy C. Sloan, widow of Daniel B. Sloan, late of Company B, Sixteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Robert R. C. Grantham, late of the Signal Corps, United States Army, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edward M. Hayhurst, late of Company E, One hundred and twenty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Seth Brooks, late of Company D, Fifty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Daniel H. Woodruff, late of Company D, Twenty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George P. Clayton, late of Company E, Fifty-third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Eliza H. East, widow of Martin East, late of Company I, First Regiment Arkansas Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Daisy East, helpless and dependent child of said Martin East, the additional pension herein granted

shall cease and determine: *Provided further*, That in the event of the death of Eliza H. East the name of said Daisy East shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Eliza H. East.

The name of Emelia Branner, widow of John S. Branner, late of the Topeka Battery, Second Kansas State Militia, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of William O. Fraser, late of Company B, One hundred and forty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Matthew M. Eshelman, late of Company F, One hundred and forty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Anna E. Cooke, widow of James W. Cooke, late of Company H, One hundred and eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Jane Shumaker, widow of Henry Shumaker, late of Company H, One hundred and tenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Gladys M. Shumaker, helpless and dependent child of said Henry Shumaker, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Jane Shumaker, the name of said Gladys M. Shumaker shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Jane Shumaker.

The name of George Walton, late of Company A, Sixth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Gilbert Smith, late of Company C, One hundred and twenty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Catharine McQuade, widow of James McQuade, late of the United States Marine Corps, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Fannie M. McQuade, helpless and dependent child of said James McQuade, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Catharine McQuade, the name of said Fannie M. McQuade shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Catharine McQuade.

The name of Joseph R. Wilson, alias Joseph R. Steed, late of Company E, One hundred and sixty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Walter R. D. Vaughan, late of Company K, Eleventh Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah Jane Vanpelt, former widow of John E. Powers, late of Company B, One hundred and fifty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John Van Etten, late of Company G, Thirteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John E. Beatty, late of Company D, Sixty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry O. Pixley, late of Company E, Seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Wilson B. George, late of Company L, Fourth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elisha Hurley, alias Elisha Durley, late of Company F, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John M. Dixon, late of Company K, Twelfth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joseph Davidson, late of Company K, Forty-fifth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Francis M. Risner, late of Company I, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Robert Damron, late of Company B, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

This bill is a substitute for the following House bills referred to said committee:

H. R. 426. Rebecca Schofield.
H. R. 833. Benjamin Foust.
H. R. 840. William T. Slocum.
H. R. 1166. Elijah C. Duff.
H. R. 1783. Luella Kirtland.
H. R. 3237. Hiland H. Harlocker.
H. R. 3444. Mary F. Sheerer.
H. R. 3903. Jane Snider.
H. R. 3961. Jonathan D. Butler.
H. R. 4064. Emma L. Pugh.
H. R. 4533. George N. Thurlow.
H. R. 4658. Lydia J. Stryker.
H. R. 4799. Simon Z. Whiteleather.
H. R. 4841. William Row.
H. R. 4867. Mellissa W. Coulson.
H. R. 5270. Ellen Pierce.
H. R. 5738. Rufus C. Williams.
H. R. 5846. Margaret Steele.
H. R. 6016. Jerel Carver.
H. R. 6463. Rebecca Roszell.
H. R. 7063. J. Wallace Ellis.
H. R. 7102. Jasper W. Shoemaker.
H. R. 7366. James McCoy.
H. R. 7441. William S. Nail.
H. R. 7594. Mary E. Lape.
H. R. 7748. Mary J. Titus.
H. R. 7865. Harriet J. Houghtaling.
H. R. 7884. Walter Todd.
H. R. 8043. John F. Dewire.
H. R. 8106. Perry Harrell.
H. R. 8254. William H. Simmons.
H. R. 8928. Wilhelmine Waterstradt.
H. R. 9038. Rosalie Noel.
H. R. 9333. Sarah E. Hathaway.
H. R. 9477. William Ducy.
H. R. 9599. Joel Bryant.
H. R. 9808. Emri Sites.
H. R. 9809. Seth J. Hurin, jr.
H. R. 9810. Frances L. Lucas.
H. R. 9838. Sarah Morrill.
H. R. 9840. James McNeal.
H. R. 10033. Sophena S. Bohley.
H. R. 10098. William Wolf.
H. R. 10013. Charles Mountain.
H. R. 10150. Frank B. Weed.
H. R. 10567. Jonathan M. Valentine.
H. R. 10703. Benjamin M. Donaca.
H. R. 10803. David B. Stockton.
H. R. 10817. John L. Wheeler.
H. R. 10879. John Clark.
H. R. 10905. Joseph Butler.
H. R. 10933. Mary Calkins.
H. R. 11009. Miranda Q. Moore.
H. R. 11056. James Forsyth Harrison.
H. R. 11074. Danford Wyllys.
H. R. 11112. Martha E. Richards.
H. R. 11139. Mariah Hensley.
H. R. 11193. Catharine Ellis.
H. R. 11285. John Mittlestedter.
H. R. 11378. Charles H. Johnson.
H. R. 11429. Franklin Kirby.
H. R. 11449. Christine Heldt.
H. R. 11452. Lillia M. Collier.
H. R. 11497. Etta Height.
H. R. 11536. Nellie B. Oliver.
H. R. 11644. Mary E. Kline.
H. R. 11699. James Norris.
H. R. 11731. William H. Steel.
H. R. 11734. Rose Volkommer.
H. R. 11828. William Schooley.
H. R. 11869. William A. Fox.
H. R. 11879. Margaret L. Cisney.
H. R. 11961. Mary A. McBride.
H. R. 11975. Nancy E. Matlock.
H. R. 11988. Mary Hodges.
H. R. 11996. Virginia Blood.
H. R. 12106. Peter M. Smith.
H. R. 12054. Mary M. Watson.
H. R. 12062. Nancy Ellis.
H. R. 12071. Mary E. Heywood.
H. R. 12107. William Stewart.
H. R. 12114. Victoria Wheeler.
H. R. 12165. John S. Miller.
H. R. 12176. Martha Hallman.
H. R. 12215. William A. McGinety.
H. R. 12218. William H. Goolman.
H. R. 12232. Sarah E. Jackman.
H. R. 12248. William B. Talbott.
H. R. 12260. Ambrose White.
H. R. 12274. John S. Brannan.
H. R. 12278. Aaron Lewis.
H. R. 12286. John E. Hutzler.
H. R. 12287. William C. Clendening.
H. R. 12289. Isaac E. Pearce.
H. R. 12315. Amanda Hammond.
H. R. 12323. Richard L. Chaney.
H. R. 12329. Beverly W. Lemert.
H. R. 12331. Catherine Varner.
H. R. 12342. Craig M. Geiselman.
H. R. 12343. Mary A. Snyder.
H. R. 12345. Charles H. Giles.
H. R. 12377. Kate Peck.
H. R. 12381. Elizabeth Bluck.
H. R. 12389. Henry Neutzenhoelzer.
H. R. 12400. Lucy W. Lockwood.
H. R. 12406. Daniel Dawson.
H. R. 12410. Peter G. Wynegar.
H. R. 12412. Nelson J. Finney.
H. R. 12433. James F. Scott.
H. R. 12466. Abraham Benner.
H. R. 12474. Caroline B. Stirk.
H. R. 12486. Upton Sutherland.
H. R. 12506. Malinda J. Wilson.
H. R. 12557. Lewis H. Van Antwerp.
H. R. 12569. Martin McDermott.
H. R. 12577. Albert Ullman.
H. R. 12594. Mary Smith
H. R. 12626. Nancy A. Lawther.
H. R. 12629. Elihu Simpson.
H. R. 12639. Peter Wagener.
H. R. 12710. Caroline Knierim.
H. R. 12713. Patience Burton.
H. R. 12715. Mamie Russell.
H. R. 12754. George Harshman.
H. R. 12760. Margie Combs.
H. R. 12779. Leonora Andrews.
H. R. 12780. Delphina P. Leslie.
H. R. 12791. David A. Conner.
H. R. 12795. Nelson Aumick.
H. R. 12796. George W. Tilman.
H. R. 12862. Nancy Robertson.
H. R. 12894. George A. P. Cumming.
H. R. 12914. Orceneth F. Smith.
H. R. 12944. Gilman P. Huff.
H. R. 12959. Reason Walker.
H. R. 12965. John A. Neff.
H. R. 12974. George A. Hitchcock.
H. R. 12975. Ann E. McGrew.
H. R. 12989. Frank K. Laha.
H. R. 13009. Jessie P. Worley.
H. R. 13022. Francis M. Humphrey.
H. R. 13031. George A. Spofford.
H. R. 13082. William C. Oakley.
H. R. 13084. Mary Marley.
H. R. 13091. Oscar Jones.
H. R. 13105. Ella Williamson.
H. R. 13123. Jane H. Zimmerman.
H. R. 13130. Flora Middleton.
H. R. 13134. Hamor H. Hanson.
H. R. 13150. Manly R. Yardley.
H. R. 13151. John Daily.
H. R. 13152. William H. Ramey.
H. R. 13167. Osmer A. Rose.
H. R. 13170. Elizabeth Sides.
H. R. 13210. Simon Reeder.
H. R. 13211. Anderson Adams.
H. R. 13216. Flemon M. Smith.
H. R. 13222. John Speaks.
H. R. 13224. Charlotte Perry.
H. R. 13251. Mary E. Finch.
H. R. 13263. Rhoda Button.
H. R. 13337. David Kimball.
H. R. 13348. James H. Crosser.
H. R. 13349. Bennett R. Campbell.
H. R. 13361. Thomas C. Yates.
H. R. 13364. Nancy Granger.
H. R. 13377. Benjamin T. Pool.
H. R. 13388. Josephine A. Davison.
H. R. 13389. Myra E. Stephen.
H. R. 13395. Edwin Hallowell.
H. R. 13408. Clark Sturdevant.
H. R. 13423. James Myers.
H. R. 13437. Frank B. Gillespie.
H. R. 13452. Elisha S. Perkins.
H. R. 13472. Luther L. Sloan.
H. R. 13474. Ella May Sloan.
H. R. 13486. Major Buley.
H. R. 13493. Mary Jedowin.
H. R. 13534. Thomas F. Duffy.
H. R. 13541. Orin H. Mathews.
H. R. 13543. Nancy C. Sloan.
H. R. 13554. Robert R. C. Grantham.
H. R. 13571. Edward M. Hayhurst.
H. R. 13599. Seth Brooks.
H. R. 13600. Daniel H. Wooduff.
H. R. 13602. George P. Clayton.
H. R. 13607. Eliza H. East.
H. R. 13632. Emelia Branner.
H. R. 13633. William O. Fraser.
H. R. 13638. Matthew M. Eshelman.
H. R. 13639. Anna E. Cooke.
H. R. 13644. Jane Shumaker.
H. R. 13665. George Walton.
H. R. 13666. Gilbert Smith.
H. R. 13803. Catharine McQuade.
H. R. 13810. Joseph R. Wilson, alias Joseph R. Speed.
H. R. 13811. Walter R. D. Vaughn.
H. R. 13813. Sarah Jane Vanpelt.
H. R. 13937. John Van Etten.
H. R. 14210. John E. Beatty.
H. R. 14448. Henry O. Pixley.
H. R. 14454. Wilson B. George.
H. R. 14522. Elisha Hurley, alias Elisha Durley.
H. R. 14524. John M. Dixon.
H. R. 14807. Joseph Davidson.
H. R. 14809. Francis M. Risner.
H. R. 14817. Robert Damron.

The Clerk read as follows:

The name of William Wolf, late of Company E, Eighty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

Mr. SHERWOOD. Mr. Speaker, I offer the following committee amendment.

The Clerk read as follows:

Page 9, strike out lines 1 to 4, inclusive

The amendment was agreed to.

The Clerk read as follows:

The name of Jonathan M. Valentine, late of Company I, Eighteenth Regiment Missouri Volunteer Infantry, and Eightieth Company, Second Battalion, Veteran Reserve Corps, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

Mr. SHERWOOD. Mr. Speaker, I offer the following committee amendment.

The Clerk read as follows:

Page 9, strike out lines 13 to 17, inclusive.

The amendment was agreed to.

The Clerk read as follows:

The name of Peter Wagener, late of Company I, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

Mr. MANN. Mr. Speaker, I move to strike out the last word. There has been more or less talk in the House and elsewhere about discharges from the Army. I have made myself some criticism of the War Department in reference to discharges. I have a letter from Gen. March, Chief of Staff, giving the most complete statement in reference to the policy of the War Department about discharges from the Army which I have seen and which, I think, will be of interest to Members of the House. I ask unanimous consent that the letter may be read by the Clerk.

The SPEAKER. Without objection, the Clerk will read.

The Clerk read as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, January 23, 1919.

Hon. JAMES R. MANN,
House of Representatives.

DEAR SIR: I beg to acknowledge receipt of your letter of the 8th instant, addressed to The Adjutant General of the Army.

You inclosed therewith a telegram and letter addressed to you relative to discharges from the Army, with reference to which you say:

"The Department of Labor is incurring great expense in obtaining forces to secure employment for discharged soldiers, and meanwhile the War Department is refusing to discharge soldiers who have employment waiting for them, and also such employment as is very much to the interest of the public to have filled."

In order that it may be clearly understood why the War Department has refused to discharge certain soldiers who have employment waiting for them, it will be necessary to consider the War Department's demobilization policy as a whole.

The War Department studied the question of demobilization very carefully before adopting any policy. Two needs of the country were kept constantly in mind: First, the resumption as rapidly as possible of the normal industrial life of the country, and, second, replacement therein of individuals in the military forces and in occupations which ended upon cessation of hostilities. The War Department gave serious consideration to the plan of making the order of discharge depend on the availability of industrial positions to which the individual soldier might return as opposed to plan of disbanding complete organizations in the order of their availability for discharge.

The former plan was deemed impracticable. It would have involved the processes of appraising the case of each soldier as a separate unit, endeavoring to compare his individual rights to discharge with the rights of all others, and marshaling the priorities accordingly. Even if the likelihood of obtaining employment had been considered by classes, such as farmers, metal workers, municipal employees, etc., it would have been necessary to consider further the relative demand for each class in each separate section. The preliminary investigation necessary to an equitable determination of such a schedule, if practicable at all under present conditions in this country, would have delayed all demobilization beyond reason.

On the other hand, disbandment of complete military units could be and was immediately begun. In this way the military situation was safeguarded and at the same time demobilization was accelerated. If a cross section of industrial or agricultural class discharges had been at once cut across all military organizations, the integrity and efficiency of every unit would have been destroyed at the outset, to the confusion of orderly procedure and the retardation of the whole demobilization program.

The determining principle is that all of our soldiers whose services are no longer needed are entitled to discharge. The method adopted, it is believed, will accomplish that result with least delay, and without favor to those who might have influential friends to intercede for them or to take up their cases individually with the War Department.

The military situation and the actual mechanism of demobilization necessitate the retention in the service for the present of a considerable number of men trained or fitted to do the work required. It is doubtless difficult for these individuals to reconcile themselves to being held when their personal interests lie in their being discharged. But from this there is no escape. For them the emergency is not ended, although the stimulation and excitement of active warfare are over.

As a result of the unit demobilization scheme of the War Department, during the past six weeks upward of 800,000 men and approximately 50,000 officers have been discharged from our temporary forces. This constitutes an average for the whole period, since demobilization got fairly under way, of over 20,000 a day for six days a week. Certain large units organized for oversea service were promptly demobilized en bloc, and during that process the daily discharges ran well over 30,000. In this connection, attention is invited to the discontent caused in England by the fact that the demobilization of the United States troops had proceeded so much more expeditiously than the demobilization of the British.

Such results would have been simply impossible had it been attempted to discharge immediately every soldier who made individual application on industrial grounds. There are hundreds of thousands of men now returned to their families, home communities, and industrial employment who might not have been released for months if the War Department had attempted to inaugurate a scheme of demobilization based largely upon individual requests for individual discharge. The absorption of these men into the general life of the country—their return to productive employment—has assisted in the permanent revitalization of industrial life and has expedited the return of the country to its normal peace-time conditions.

While the War Department realized the impracticability of discharging an army of between three and four million men under a scheme based primarily upon individual applications for discharge, yet the need of some elasticity in the scheme of demobilization was always recognized.

On November 21, 1918, War Department Circular No. 77 was issued, containing the following instructions:

"Department commanders within the United States, commanders of ports of embarkation, and commanders of camps not under the jurisdiction of department commanders or of chiefs of bureaus of the War Department are authorized to discharge enlisted men upon their own application when there is sickness or other distress in the soldier's family, or when he is needed to resume employment in an industry or occupation in which there is urgent need of his services, provided that such discharge will not disrupt or cripple an existing organzation and that the soldier's services can be spared. Consideration will be given to the fact that the machinery of camps must be utilized in the demobilization of the Army, and due regard must be taken that it is not retarded by the discharge of personnel connected therewith.

"The instructions contained herein apply only to individual and exceptional cases and are not intended to release men in large groups or blocks for any general employment or occupation."

Both soldiers and civilians, on learning of these instructions seem to have assumed that a soldier had merely to submit a request for his discharge, stating that he had definite employment waiting for him and that he should immediately be discharged. This was clearly a mistaken interpretation. Only such soldiers as could show themselves to be within the terms of the order were entitled to be discharged. Favorable action could be taken on only those applications which disclosed cases of exceptional merit.

The War Department is convinced that the best interests of the country as a whole have been safeguarded and fairness and equal treatment to the individuals in the Army have been secured by its system of demobilization.

It is recognized that a certain amount of complaint and discontent is inevitable. The soldier who sees his neighbor leave while he is held is sometimes inclined to overlook the relative reasons therefor and declare himself a victim of negligence and incompetence. Criticism was to be expected because of the conflicting interests of hundreds of thousands of individuals, each naturally intent on his own case alone. The accomplishment of this enormous number of discharges is a task of technical complexity, requiring patience and broad vision.

The War Department is keenly interested not only in the formulation of general policies for demobilization but in following up the detailed operation of the machinery of discharge. While, as explained above, it was not at first to the best interest of efficient demobilization to attempt to discharge a comparatively small number of individuals on their pleas for individual discharges, the War Department was on the alert to modify its instructions when changing conditions should justify modifications of policy. Now that most of the large units in this country, whose discharge en bloc had been ordered, have been discharged, the time is arriving when the War Department is able to emphasize the increased application of Circular 77 to individuals. It has now an adequate machine for discharging men, in which the personnel has acquired experience and expertness. It is therefore now able to issue instructions, the effect of which will be to release men to a larger extent than formerly on their individual applications for discharge in cases where definite employment awaits them and it is to the general interests of the country that they should be released. Accordingly the following instructions were published to the Army on January 4:

"Applications for immediate discharge under the provisions of Circular 77, War Department, 1918, will be acted upon as expeditiously as possible and the applicants will be informed of the action taken without unnecessary delay. Deserving cases should be investigated, and where the applicants have not correctly or fully stated their reasons for asking immediate discharge officers should render such assistance as may be necessary to correct them, so that applications may be properly presented and acted upon."

And on January 6 the commanding generals, Eighth to Twentieth Divisions, inclusive, were authorized to discharge enlisted personnel of their divisions eligible for discharge under provisions of Circular 77, War Department, 1918, up to 50 per cent of the strength thereof.

Demobilization is divided into two parts—the demobilization of men from camps in this country and the demobilization of men being sent back from overseas. Gen. Pershing has designated units to return from oversea service, and when these units return all men in the unit are promptly discharged. It would be most unfair discrimination to delay the discharge of any men arriving from overseas in these units while individual request of certain men in the unit for discharge is being considered. It is not practicable to cull out and send back from overseas individuals who desire their discharge on industrial grounds from various units overseas. If there exists a necessity for the unit to remain overseas, it should be maintained in a state of efficiency. If a unit is not needed to be kept up in a state of efficiency overseas, it should be sent home for discharge as promptly as transportation can be secured. To send back individuals from overseas on industrial grounds would effect such a levy from units existing overseas as would disrupt military administration, would honeycomb the units and reduce their efficiency to so low a state that they could not be relied upon to perform the services for which they are maintained overseas.

The War Department, however, recognized that there must be some elasticity and way of securing discharges in exceptional cases even for the units overseas, and the War Department has authorized Gen. Pershing to send to the United States for the purpose of immediate discharge individual drafted or enlisted men upon presentation of convincing testimony to the effect that there exists sickness or other distress in the soldier's family. Further, Gen. Pershing is authorized to discharge in Europe any officer or enlisted or drafted man who entered the service since April 1, 1917, and who submits good and sufficient reasons for requesting such discharge in Europe.

In this connection attention is respectfully invited to the fact that we have practically no troops to relieve the soldiers who are in the service for the emergency only in performing the necessary military duty at home and abroad. The Secretary of War has brought to the attention of Congress the importance of securing at once the legislation requested, authorizing the resumption of voluntary enlistments and reenlistments in the Army. As you know, it is now impossible to enlist men for the regular service, all definite period enlistments having been suspended by the act of May 18, 1918, and only emergency enlistments authorized. We find a number of men at all camps who would like to stay in the regular service if they could enlist at once, but the uncertainty of legislation is likely to induce them to look for employment in civil life, and, therefore, to take the first chance to secure discharges. A considerable force will for some time be necessary at ports of debarkation, supply depots, demobilization, and convalescent centers, as well as to garrison posts along the Mexican border and in our insular possessions. The Navy and Marine Corps are now accepting enlistments. If it were possible to accept Regular Army enlistments at once, some of the men desiring immediate discharge and now held on administrative or other duty could be released. This would help to alleviate discontent and restlessness manifesting itself among drafted men who at present have to be held for necessary military service in this country.

The statement has just been made on the floor of the House of Representatives that the orders for demobilization of the Army were not being carried out in good faith, and that officers failed to grant applications for discharge, because, by reducing the force under them, they would lose their commissions, and that some of these officers wish to keep a large number of men in the service in order to make their jobs more important and more permanent. It is the purpose of the War Department to release all members of our temporary forces in this country except those whose services are essential to the administration of our demobilization and convalescent centers, ports of debarkation, supply

depots, garrisoned posts, and stations along the Mexican border, and in our insular possessions.

The only question is how this demobilization can be done in the promptest, fairest, and most efficient manner. Where individual requests for discharges have not been granted in the past, such refusals have been based upon considerations of the greatest good for the greatest number. If facts supporting the charges of denying meritorious applications for reasons of personal advantage are submitted to the War Department, prompt action will be taken against the offenders. The War Department is perfectly aware that in any operation of magnitude of our demobilization, there will be certain individuals who might have received a larger amount of special favor if some other plan had been adopted. It also recognizes that here and there a few cases of real injustice to individuals have occurred, and that individuals who apparently had exceptionally good reasons for immediate discharge were refused discharge by camp commanders. In a machine which has so many parts as there is in the Army, there are unquestionably some commanding officers who lack judgment and energy and who have not discharged all individuals on individual request who should have been discharged. This source of discontent can and should be removed, and every effort is being made to that end. Information is welcomed in all cases, and concrete examples of failure to follow out War Department instructions and of abuse of authority to hold men whose services are necessary will be investigated and corrected.

It is believed that under the present instructions all applications for immediate individual discharge which possess merit will be approved, and that from now on the men in this country still remaining in units not yet ordered discharged by units will be discharged largely as individuals to enable them to resume employment where positions are waiting for them.

Just as an illustration of the injustice that may be done to others and the hardships and injury that may be worked to the service as a whole by premature discharge of individuals in the Army, the following extracts are quoted for your information from a letter from the camp supply officer at one of the demobilization centers with reference to the discharge of an enlisted man in the Quartermaster Corps for whom a great deal of pressure has been brought to bear and whose discharge was finally ordered upon a paper showing that seemed to warrant it. The camp supply officer stated:

"* * * You are advised that Sergt. ——— was discharged from the service on December 26, 1918.

"It has always been the policy of this office to obey orders promptly and cheerfully. However, in this case, after having obeyed the order, attention is invited to the fact that the issue of orders directing the discharge of a certain individual, without consulting the needs of the office to which the soldier has been assigned for duty, works a great hardship upon the office, as well as a seeming injustice to the other men who are retained in the service in order to carry on the work of demobilizing the Army.

"Numerous instructions have been issued by The Adjutant General of the Army and the commanding general of the camp to use every effort to discharge as many men as possible in order to expedite the demobilization of the Army. This office has built up an organization in the Finance Division whereby it can handle from 1,000 to 2,000 men per day, but in order to maintain this organization it is necessary that all the men now on duty be held until such time as the demobilization has progressed sufficient to warrant the discharge of some of the office force.

"The commanding general has informed this office that he has no soldiers available for transfer to this office who are qualified to do clerical work, and that in cases where discharge is recommended it must be understood that such men will not be replaced by the transfer from other organizations.

"* * * The case of Sergt. ——— has no valid claim for discharge. As far as this office can ascertain, his only reason is that he does not care to serve longer. He is a well-to-do planter, without any dependents, and is in good health. His discharge will have a serious effect on the morale of the office, as undoubtedly all the men who have more valid claim for discharge will feel that an injustice has been done them, which sentiment it is believed is fully justified under the circumstances. Practically every enlisted man under the direction of the camp supply officer desires to be discharged at the earliest possible date, but most of them are sufficiently patriotic to serve during the present emergency and while the Army is being demobilized, and in many cases this means a great financial loss, as well as loss of business opportunities.

"Sergt. ——— was in charge of requisitions, and after he was discharged a new man had to be placed on his desk, without giving this office a moment's notice to teach the new man the duties he was to assume. During the past month numerous telephone as well as personal calls have been received from the governor of this State with the view to obtaining the discharge of certain favored men. Similarly, telegrams have been received from Washington, sent by Senators from this State."

I have written at this length because I wish to make it clear that demobilization is not proceeding haphazardly, but in accordance with a very definite and considered policy, and the War Department feels certain that as time passes and the matter is more thoroughly understood and the facts become completely known the country will become convinced that the demobilization was conducted in an efficient and well-planned manner.

Very sincerely, yours, PEYTON C. MARCH,
General, Chief of Staff.

Mr. LANGLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LANGLEY. Is it in order now to ask that this letter be printed as a House document?

The SPEAKER. It is.

Mr. LANGLEY. Then I ask unanimous consent that it be printed as a House document.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the letter just read be printed as a House document. Is there objection?

Mr. FOSTER. I object.

Mr. GREEN of Iowa. Mr. Speaker, the letter just read from the Chief of Staff shows a complete change of policy with reference to the discharge of soldiers. I am glad that the War Department has finally concluded to adopt many of the methods urged by myself, the gentleman from Illinois [Mr. MANN], and others. It is now announced that all the troops on this side not needed for hospital and demobilization purposes will be discharged. There is no reason why this should not have been done before. We are now assured that urgent cases will be acted on promptly. Yet all of us know that in numerous instances where not only the soldier but his whole regiment was doing practically nothing we could get no action. The truth is, as everyone in the House knows, that the War Department had announced its intention of keeping 10 combat divisions in the camps of this country, and that only the severe criticisms made on this course by Members of Congress and the fact that the country was becoming aroused caused a change from this position.

Of course every individual application could not be granted, but the War Department seems to think it a good excuse if the soldier was doing anything whatever. If men were to be drafted simply to work for Uncle Sam at $30 per month, why was not this done in the shipyards instead of paying men from $15 to $40 per day? Yet the administration refused to draft men for this purpose. All of us know of hundreds of men that are pounding a typewriter, acting as chauffeurs for some officer, or doing manual labor around some camp. Meantime, those who not only made no sacrifice, but were drawing high wages all through the war, are nailing down the former jobs of the soldiers, so that when at length they are discharged they are liable to find themselves down and out.

The SPEAKER. The time of the gentleman from Iowa has expired. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

The name of George Harshman, helpless and dependent child of Ezekiel Harshman, late of Company G, One hundred and first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

Mr. KEARNS. Mr. Speaker, I move to strike out the last word for the purpose of asking the chairman of the committee a question. In 1916 there was carried an item in one of the pension bills granting a dependent child of a soldier a pension of $12 a month. By the time it had passed the Senate a sister of this dependent child, in whose home she lived, died, and the dependent child was then sent to and was in the county infirmary at the time the bill finally passed the Senate. The Commissioner of Pensions has refused to pay that pension because this girl is now in the infirmary. The question I would like to ask is whether the Commissioner of Pensions has any power to neglect to carry out or even to set aside a law that has been duly passed by this Congress and signed by the President?

Mr. SHOUSE. No; he has not.

Mr. KEARNS. On what authority does he withhold payment of this pension? Why does he refuse to put her name on the roll?

Mr. SHOUSE. I can not answer the gentleman's question, because I do not know anything about the case.

Mr. KEARNS. He does refuse to do it, because she is in the poorhouse.

Mr. SHOUSE. All that I can say is, that, speaking for the chairman of the committee, he has no such authority.

Mr. KEARNS. I would like further to ask the chairman of the committee if this girl is entitled to that pension, granted her some time in 1916, whether she would be entitled to back pension?

Mr. SHOUSE. She would be entitled to pay from the day the bill became a law through the signature of the President.

Mr. KEARNS. In case the commissioner further refuses and neglects to put her name on the roll, could the gentleman advise me how I could proceed to compel the commissioner to pay the pension?

Mr. SHOUSE. The gentleman could mandamus him.

Mr. KEARNS. In what court would I proceed in mandamus proceedings?

Mr. SHOUSE. In the Federal court.

Mr. KEARNS. In the District of Columbia?

Mr. SHOUSE. I should think so; that is his residence.

Mr. KEARNS. What has been the custom of the Commissioner of Pensions heretofore? Has that been his practice?

Mr. SHOUSE. That is the only case that I have ever heard of where he has refused to obey an order of Congress.

Mr. KEARNS. Well, he has neglected to do this.

Mr. SHOUSE. Or neglected. That is the only special pension case that has ever been brought to my attention where there have been any such results.

The SPEAKER. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

The name of Gilman P. Huff, late of Company G, Twentieth Regiment Maine Volunteer Infantry, and master-at-arms, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

Mr. SHERWOOD. Mr. Speaker, I offer the following committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 24, strike out lines 15 to 18, inclusive.

Mr. SHERWOOD. In this case the soldier is dead.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HOLLINGSWORTH. Mr. Speaker, I move to strike out the last word. I listened attentively to the remarks of the gentleman from Illinois [Mr. KING] relative to a rule of the committee. I heartily approve his remarks. I have one or two bills barred in the committee in the same way. There are many irregularities and discriminatory enforcements of the pension law. I ask unanimous consent to extend my remarks in the RECORD upon that subject.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

The name of Nancy C. Sloan, widow of Daniel B. Sloan, late of Company B, Sixteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

Mr. CRAMTON. Mr. Speaker, I move to strike out the last word in order to ask the committee a question with reference to an item that we have passed in the early part of the bill. It is the case of Mary F. Sheerer. I would understand from the reading of the report that this widow found it necessary to get relief by a special bill, because of the fact that she has remarried twice since the death of the soldier and hence did not, under the construction of the Pension Office, get the benefit of the remarried-widows act.

Mr. FRENCH. That is correct.

Mr. CRAMTON. Then do I understand that it is the policy of the committee to give favorable consideration to cases of that kind, pending action upon the Ashbrook bill, which passed this House a year ago and which is now pending in the Senate?

Mr. FRENCH. I would not presume to speak for the committee; I am not a member of the committee; but I would like to say——

Mr. CRAMTON. The gentleman will pardon me, but it is the committee from whom I would like to hear, because I had been advised that the committee would not consider cases of that kind. I am heartily in favor of their doing so. I have some very worthy cases of my own.

I am curious to know why this case, which seems to come from Idaho, got consideration in the face of what I was told was the rule of the committee, and so if the gentleman will pardon me——

Mr. FRENCH. I want simply to say a word about the desperate situation concerning this case, and I will be very glad——

Mr. CRAMTON. I am speaking of the rule of the committee. I have no opposition to the gentleman's case.

Mr. SHOUSE. I will say to the gentleman, in the last Congress, when we passed the Ashbrook bill—that is, the amendment to the Ashbrook bill—in order to give title to pensions to people who were intended by the committee to be included in the Ashbrook bill as it originally passed and who have been denied on account of the Pension Bureau's construction of the Ashbrook bill, we did not get that bill through and we felt it was not going to be possible to get the Ashbrook bill through in this short session, and so on account of the unusual merit of this case, as it appeared to the committee, this bill was put in this omnibus bill.

Mr. CRAMTON. Did the gentleman at the same time he was considering the unusual merits of this case also look into the unusual merits of the case of Margaret Tennant, which has been pending before the committee a year and a half with full proof, which I took up with the committee through its clerk at the beginning of this session and asked its consideration, and was informed that bills of that kind were not being considered, and hence I did not further press its unusual merits?

Mr. SHOUSE. The gentleman is not the examiner for the committee, and the gentleman is not a member of the subcommittee having jurisdiction over these cases, but I know——

Mr. CRAMTON. I have no objection whatever to the item, and I heartily indorse it. I think all of these items, inasmuch as the House has indorsed the policy of giving pensions to these remarried widows in passing the Ashbrook bill a year ago—that all of these items, where the facts justify it, should be favorably acted upon by the committee.

Mr. SHOUSE. The gentleman understands if we succeed in passing the Ashbrook bill automatically those cases will be taken care of.

Mr. CRAMTON. I insist that the committee has turned down many cases because of the rule of the committee, and that there should be consistency.

Mr. SHOUSE. May I inquire of the gentleman—I know the policy of the committee is to try to equalize those things between Members. It may be that the gentleman has had other bills.

Mr. CRAMTON. I have had one.

Mr. SHOUSE. In this omnibus bill?

Mr. CRAMTON. I had one.

Mr. SHOUSE. I dare say it is the only bill the gentleman——

Mr. CRAMTON. The number I have had is not material——

Mr. SHOUSE. It is very material in the compilation——

Mr. CRAMTON. At the time I took it up with the committee I had no other case to press for consideration, and I was advised that there was no use of pressing these cases of remarried widows because of the rule. Now, if that rule has been revoked, I simply desire to know that in order that I may call up my cases which have been pending with complete proof for a year.

Mr. SHOUSE. I think that as many of those cases as possible ought to be passed upon.

Mr. CRAMTON. I am very glad to know the committee will consider such cases.

Mr. LANGLEY. I think the gentleman will get his case in the next bill, if we have another.

Mr. CRAMTON. I thank the gentleman from Kentucky.

Mr. MASON. Mr. Speaker, I insert in the RECORD a soldier's question, dated January 22, Chicago, and signed by Simon Lanan, father, 1735 West Fourteenth Street, Chicago, Ill., It is the usual letter in regard to the service of a son, and it says:

I have a son, Pvt. Harry A. Lanan, who was sent from Camp Fremont, Cal., to Siberia, Russia. He was then in Company E, Thirteenth Infantry. We have not heard from him in five months; do not know if he is living, sick, wounded, or dead.

Will you kindly try to send us information of what has become of him, as we are much worried, as he used to write regular while in camp, and we hear regular from our other son, Arthur, who was in the same regiment but in another company. We are informed the regiment was divided into others. My wife is nearly prostrated from worry.

Why are our boys kept in Russia when the war is over and we have no war with Russia, and others are being sent home from "over there"?

Any information you can send us will be much appreciated.

Respectfully,

SIMON LANAN.

I desire to say, Mr. Speaker, and give notice, I shall call attention to this from time to time. The Congress of the United States has power to declare war. The Congress of the United States has not declared war against Russia, and if our soldiers are making war in Russia we have a right, and it is not only our right but our duty, to know on which side they are fighting over there in Russia. Are they fighting in support of the followers of Kerensky, the gentleman we supported after the fall of the Czar? Are they supporting the Soviets or are they fighting them? Are they supporting the radicals—the Reds? What are they doing in Russia? Mr. Speaker, if any gentlemen upon this floor have any information they are willing to give to me as a Member of Congress from Illinois that I may send to the people of my State who are inquiring of their sons, I shall be glad to have them give that information here and now.

My belief is that we have no more right and that the Commander in Chief had no more right to send the Army of the United States into Russia than he would have to send them to-day into Ireland to subdue the Sinn Feiners or to send them into any other friendly country to take part in the politics of that country. I put this letter in now as coming from one of my constituents who desires to know. He has a right to know why his son is fighting there. The boy did not enlist to fight there; he enlisted to fight the Imperial Government of Germany, and the war with Germany is over. Germany has been brought to her knees, and these sons of ours who are in the Army are threatened to-day with being moved to Russia. And if part of our Army is there, and it is needed, the whole Army ought to be there, or none.

Mr. Speaker, I have made the statement so far as I care to do so at the present time. I shall expect some gentleman, either the chairman of the Committee on Military Affairs or some friend or colleague on the floor to explain this matter, and I do this in no sort of antagonism. But we have a right to know why our boys are in Russia. There were, according to the paper, 40 or 50 of them killed there yesterday. Under what banner are they fighting? They are fighting under our banner, but for whose cause? Are they fighting under the swinging of the pendulum that was with the Czar, the autocracy, or the autocracy of the Bolsheviki? Or is there a middle ground? It is the duty of Congress to declare war, and having failed to declare

war you have the right to know and demand of the President why our boys are there.

Mr. SHERWOOD. Mr. Speaker, in reply to the gentleman from Illinois [Mr. KING], I desire to say a word concerning the soldiers in the soldiers' homes. They are as well taken care of as any private citizen boarding at a first-class hotel in the city of Washington. It formerly cost the Government $240 a year for every soldier in a home, in addition to a pension, but it has increased to $400 a year owing to the high cost of living. When these soldiers are sick they have the very best of hospital facilities. They are as well taken care of as any person who goes to a first-class hospital in the city of Washington. There may be cases, as referred to by my good friend from Illinois [Mr. KING], where it would be necessary; but as a general rule the Invalid Pension Committee thought it was better to take care of the soldiers first who were depending upon themselves for support or on charity. The reason why, as I understand, the committee—and they were unanimous on that proposition—decided not to take up private pension bills for soldiers who are inmates of soldiers' homes was that there are so many desperate cases outside. This bill contains the names of 116 old soldiers, and that is all. They are desperate cases, and it is the intention, as I understand the Committee on Invalid Pensions, to take care of desperate cases, and no desperate cases have occurred in soldiers' homes.

I have taken dinner occasionally at several national soldiers' homes, the one at Marion, Ind., and many others. I undertake to say their noonday meals are as wholesome and plentiful as I am allowed to enjoy in what is called a first-class hotel in Washington, and the orchestra, which inspires the appetite, much better. It may be possible there are some cases in some of these homes that ought to be taken care of. All these soldiers in soldiers' homes, State and National, are now drawing liberal pensions. Did the gentleman appear before the committee in behalf of any cases?

Mr. KING. Will the gentleman yield?

Mr. SHERWOOD. Yes.

Mr. KING. The Soldiers' and Sailors' Home at Quincy, Ill., is supported entirely by the State of Illinois. Why should a man be deprived of his pension due from the National Government when he is in a soldiers' and sailors' home supported by the State?

Mr. SHOUSE. The gentleman is mistaken. The Government contributes $100 for every soldier in the State of Illinois or Dodge City, Kans., and every other State soldiers' home in the United States.

Mr. KING. Independent of that question, I wish to say that there stands the poorhouse and here stands the soldiers' home. If a soldier chooses to go to the poorhouse, he can get a pension; if he goes to the soldiers' home, he is debarred from a pension.

Mr. SHOUSE. He gets a pension under the general law that all of them get.

Mr. KING. I mean a special bill.

The SPEAKER. The time of the gentleman has expired, and the Clerk will read.

The Clerk read as follows:

The name of George P. Clayton, late of Company E, Fifty-third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

Mr. GARD. Mr. Speaker, I move to strike out the last word for the purpose of making reply to the chairman of the Committee on Invalid Pensions on the question of pensions to the members of the National Home for Disabled Volunteer Soldiers. I am in accord with what the gentleman from Illinois [Mr. KING] has said against a strict or stringent rule which forbids a man who is a member of one of these homes for disabled volunteer soldiers receiving a pension under the ruling of this committee. It has been my observation, and it is my present observation, of these national soldiers' homes for disabled volunteer soldiers that no place or institution, of whatever character or caliber, is as good as one's private home. And I think that the policy of the Government should realize and recognize that these old men are wards of the Government and afford them every possible facility for their welfare. And if their welfare can be better accomplished in their own homes or in the homes of certain of their relations, their children, or, indeed, their grandchildren, it seems to me there is no logical reason why such a person may not be accorded a pension under the rules of the committee and under proper evidence. It tends to relieve the stress upon the soldiers' homes. If one is granted a pension and he is able to go out, he enjoys his own home better than the institution. It is natural that he would. And when he goes out, to that extent at least the institution which shelters the men who can not leave it is relieved and therefore a double good is accomplished—the good of the man who may leave the institution and resume the liberties of the citizen who lives in his own home. There are many men in the different branches of the soldiers' homes who can, with a little financial assistance, such as may be given by a pension allowance, become useful members of society, and that, I think, should be done. And as we face the future and realize that the national soldiers' homes have a new task, and that is the care not only of the old soldiers—and I refer to the soldiers of the Civil War—not only the soldiers of the Spanish War, but the soldiers of the present war, a scheme should be evolved by Congress which will permit all these homes to be availed of in the greatest degree.

Places for rehabilitation of the injured and the sick, where they may be cared for and given opportunity to help themselves as well, should be made of these homes.

I speak of this now at this time because it has been brought up here that this committee has an arbitrary hard-and-fast rule which prohibits men who are in the soldiers' homes from receiving pensions. I do not think such a rule is a good one. I do not think the committee should adhere to it, because I think every case should be considered on its own evidence and on its own individual merits.

Mr. SHERWOOD. Mr. Speaker, I desire to agree heartily with my colleague [Mr. GARD], who has in his district a soldiers' home in Dayton, in the proposition that goes to the question of whether it was the true policy of the Government to establish soldiers' homes anywhere. My position is that the soldiers ought to have been pensioned instead of sending them to soldiers' homes. If that policy had been adopted it would have saved the Government of the United States millions and millions of dollars.

It is true that these soldiers' homes, as my friend has said, are regarded by the inmates, owing to the military discipline, as a sort of prison. Those soldiers are deprived of their home life, of the association of friends of their early manhood, and of their families and the touch of children, and it would have been more humane for Congress at the start of our legislation at the close of the Civil War to have given these soldiers pensions and have allowed them to enjoy their home life instead of sending them to these more like prisons than "military homes."

Mr. RUCKER. Mr. Speaker, I move to strike out the last two words.

The SPEAKER pro tempore (Mr. FOSTER). The gentleman from Missouri moves to strike out the last two words. The gentleman from Missouri is recognized.

Mr. RUCKER. Mr. Speaker, I have served quite a time in this House, and I think it is unnecessary for me to say that I have at all times proven my friendship for the soldier. I believe that in recent years the Congress of the United States has been almost prodigal in its devotion to the interests of disabled soldiers and their dependents. If there be one in the United States to-day whose case merits congressional interference and action and has not received it, it must be due to the fact that that case has not been called to the attention of the Member of Congress in whose district such soldier resides, because Congress in all such cases brought to its attention has responded generously.

I can not agree with the distinguished gentleman from Ohio [Mr. GARD], for whom I entertain a very high regard. I am one of those who believe that when the soldier voluntarily goes into a soldiers' home his pension ought to stop that minute—no, not only the extra sum which might be obtained by special legislation, as suggested by the gentleman from Kansas [Mr. SHOUSE], who is sitting near me, but all pension. If the Government is taking the care of him which I believe and have always understood it does take, certainly it ought not to pay an inmate of one of these homes the same amount of pension that is paid to the soldier who lives outside the home and who bears the expense of his maintenance and support.

Let me suggest that soldiers are not driven by a generous Government into these "horrible places," as some gentlemen would have us believe these homes are. The soldiers themselves invite the opportunity for admission into the homes. We know, too, that the soldiers of the Civil War are now past the meridian of life.

Mr. SHERWOOD. The average age is now about 75 years.

Mr. RUCKER. Most all those in the soldiers' homes have been bereft of wife and family. They could not maintain a home, because there is no one to minister to the personal wants which age always necessitates and requires. But here the Government, in its magnanimity and thoughtfulness—and I approve and applaud it—has provided a good home, a pleasant home, one to which the soldier looks and into which he seeks admission, where he receives that kindly care and treatment that is ordinarily given by loved ones in their own homes. He is provided with wholesome food, with a good bed, with places of amuse-

ment, with medical treatment, and with everything the Government of the United States can provide for his care, support, pleasure, health, and happiness. Therefore I want to repeat, I have for years opposed, and I intend to continue if I remain here to oppose, granting pensions or increased pensions to soldiers who are given the privileges of a soldiers' home. I do not think it ought to be done, and I do not think there is a single soldier in my district who wants it done. When they go to the soldiers' home they accept the benefits of the home in lieu of bounties which the Government would be willing to give them if they were in condition to remain out of the home; and I repeat, they go to the home because it is impossible or impracticable for them to remain out of the home.

When friends from the district I represent visit this city one of the places to which I always take them, conditions permitting, is to the Soldiers' Home, situated just a little northwest from the limits of the city of Washington. I point with pride to that magnificent place out there, overlooking the hills of the Potomac, where so many Regular Army soldiers are so happily cared for and humanely treated, and where they enjoy to the fullest extent the joys and pleasures left in life for them.

The SPEAKER pro tempore. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

The name of Jane Shumaker, widow of Henry Shumaker, late of Company H, One hundred and tenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Gladys M. Shumaker, helpless and dependent child of said Henry Shumaker, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Jane Shumaker, the name of said Gladys M. Shumaker shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Jane Shumaker.

Mr. MOORE of Pennsylvania. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. I ask unanimous consent, Mr. Speaker, to proceed out of order for five minutes.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to proceed out of order for five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Speaker, I have not been indulging in wild criticisms with regard to the operations of the War Department, although very many letters of complaint have been coming to me concerning the discharge of soldiers. But it seems that in some of these cases it is the duty of a Member of Congress who can obtain no redress elsewhere for his constituents who are suffering to bring the matter to the attention of his colleagues on this floor.

I am constrained this morning to bring one such case to the attention of the House in order that it may reach the War Department, with the hope and expectation that it may result in some action being taken that will facilitate discharges in meritorious cases.

A constituent of mine tells me of a family of Americans residing in the nineteenth ward of my city who contributed to the war all the sons they had, three manly young fellows. They were the support of the mother and the father, but they went into the service to serve the Government. I would like you to picture the home from which these boys went as we contemplate the present situation. These three young men aided in the support of the father and the mother and in the maintenance of the home. They were called upon to enter the service of their country, and did so patriotically, but that home suffered in consequence. My constituent, Mr. B. A. Hyde, writes me as follows:

I am writing you in behalf of Mrs. James Barr, 12 East Montgomery Avenue, Philadelphia, Pa. She had all three of her sons in the Army—George, who is in Company A, Three hundred and fourth Engineers, in France; Robert Barr, One hundred and ninth Infantry, Company M; and Joseph, who is in Camp Dix. Her husband was injured in a trolley-car accident about six weeks ago and is still unable to support her.

In addition to being left without support, the woman is in an extremely nervous condition—in fact, bordering on nervous prostration—and, to make matters worse, this morning she just received a telegram from Washington stating that her youngest boy, Robert, was killed in action July 15, 1918.

I ask of you, if there is any way possible that you could get her boy Joseph his release, will you be good enough to do this? This is an urgent case, and should you desire doctor's certificate or other information, will furnish same at once.

Mr. SHERWOOD. Has there been an application made for the discharge of this soldier?

Mr. MOORE of Pennsylvania. I wrote my constituent that in accordance with the instructions of the War Department it would be necessary for the young man to apply to his immediate commanding officer at Camp Dix, and to send an affidavit stating the facts. I received an answer saying that all this had been done. This was but a few days ago.

Mr. DYER. Why does not the gentleman himself send a telegram to the commanding officer? I will say to the gentleman that ofttimes the applications are held up by young officers who do not forward them to the commanding officer.

Mr. MOORE of Pennsylvania. The gentleman is correct, but I question whether I should send a communication to a young commanding officer, merely to be snubbed.

Mr. GARNER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GARNER. The gentleman starts out by saying he is calling the attention of his colleagues to this in order that he may get some relief. Now, what relief would the gentleman suggest from a legislative standpoint?

Mr. MOORE of Pennsylvania. I will make a suggestion before I get through. The gentleman from Missouri [Mr. DYER] interrupted me at the very point where I was about to state my reason for taking the floor. In this case all the orders of the big generals of the Army were complied with. It is my business to look to them. The young man filed his application, submitted his papers, and told of the state of facts. Now, that having been done, this is the answer, and I rose to put this answer in the RECORD. I want the generals to know about their system. Bear in mind, the mother gave up her three sons. Her husband remained with her, but he was hurt in a trolley-car accident, and for six weeks has been unable to give her any support. One boy in France has been killed. The other is somewhere else in the Army. The third is at Camp Dix, only 30 minutes or so away from his home. The mother asked that this boy might be sent back to her. All the formalities ordered by the War Department were complied with, but this is the answer the sorrowing and suffering mother received:

DEAR MRS. BARR:—

This comes from the headquarters auxiliary remount depot at Camp Dix—

DEAR MRS. BARR:—

I want you to listen to this letter, because it sounds like an Abraham Lincoln or a Woodrow Wilson—

Your letter of January 20 received, and it is with the deepest regret that we can not bring about the discharge of your son, Pvt. Joseph Barr, at this time. We hope in the near future to make a material reduction from our personnel—

This is sent to the sorrowing mother, who is presumed to know all about the Army technique—

and in such event it is quite probable your son can be discharged—

The mother who gave up three sons is asking for one of them, and her husband is upon his back—

We appreciate your condition and deeply sympathize with you in the days of your sorrow brought about by the havoc of war—

Her son in France has been killed and she has just been informed of it, and her husband has been hurt—

We know that none but a mother can really feel the loss of a son, but in your darkest hours of sorrow you have the consolation of giving that son and offering your other two boys—

Giving them up also, you see, and getting consolation for it—

to the grandest and noblest cause that a mother ever made sacrifice.

Very pretty, but not a cheerful prospect for this poor woman, waiting for bread, waiting for money, waiting for a son's sympathy and support——

The SPEAKER. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent for one minute more.

The SPEAKER. The gentleman asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. This letter continues:

Our greatest wish is that the present emergency will alter itself and permit the early return of your boys and the boys of other American mothers who have made the supreme sacrifice.

A beautiful letter, that! A fine tribute, worthy of the Bixby letter written by the immortal Lincoln. But it is signed, not by Woodrow Wilson, not by Secretary Baker, not by The Adjutant General, who tells us to go to "the immediate commanding officer" to get relief for this mother and a discharge for the son. The tribute comes from the second lieutenant of the Quartermaster Corps, probably a very worthy young man, but——

Mr. GARNER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GARNER. I want to get one minute more for the gentleman to tell us what legislative relief he would suggest. That is what the gentleman started out to do, and he read a letter here in order to suggest that there should be some legislative relief. I want to know what relief the gentleman suggests.

The SPEAKER. The time of the gentleman has expired.

Mr. GARNER. I ask for one minute more, in order that the gentleman may suggest what legislative relief may be given.

Mr. MADDEN. I ask unanimous consent that he may have five minutes.

Mr. GARNER. If the gentleman can suggest any legislative relief, I think he ought to do so.

Mr. MADDEN. He can not do it in one minute.

Mr. GARNER. He can not do it in 50 minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the time of the gentleman from Pennsylvania be extended five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. I thank the gentleman from Texas [Mr. GARNER] and the gentleman from Illinois [Mr. MADDEN].

What relief would I offer in a case like this? I would pass a bill or a resolution providing that where such a state of facts as that I have described existed there should be an immediate discharge of the soldier. That the young lieutenant who is holding in leash this soldier less than 50 miles away from the home where the mother is in need of his assistance should release him immediately. I would pass a resolution which would require the Secretary of War, who has delegated these powers of life and death to second lieutenants and subordinate officers all along the line, to listen to an appeal like this and give a decision once in a while as if the Army had some heart and some discretion. It would not disorganize the Army to at least listen to appeals of this kind.

I brought this case before the committee this morning because I have several others of the same kind, as other Members have. We have been driven from battledore to shuttlecock, going from the office in Washington to the camp in Texas or in New York, being told by the War Department here that we must go to the subordinate officers, and by some of them that we must return to the higher powers. We have religiously read the orders of these higher powers, but often they are of no avail when we attempt to observe them down along the line. What excuse can there be now for adding to the distress of a stricken mother who, having heard that her boy has been killed in France and whose husband has been injured by a trolley car, asks that another son in camp and working for a lieutenant or for the Government at $30 a month, a half an hour away from home, be released to go to her aid?

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. MILLER of Minnesota. Was the gentleman in the room when the letter was read from the Chief of Staff this morning?

Mr. MOORE of Pennsylvania. Unfortunately I was not, being in conference on the revenue bill.

Mr. MILLER of Minnesota. I think I can state accurately that the letter recites the methods of demobilization which they are following, and it consists of demobilizing the units, and that they could not consider individual cases on industrial grounds. Is not that in conflict with order No. 77 and these numerous letters which were received from The Adjutant General of the Army saying that for exactly these reasons they could be discharged? Are not these two in conflict, and if so, what can you expect a young lieutenant or a Member of Congress to do? Is it not time that they cleaned their house?

Mr. MOORE of Pennsylvania. It is time they cleaned house.

Mr. MANN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. MANN. I had a letter read this morning from Gen. March, the Chief of Staff. As I understood the letter, it provided that where the officers in command in camp did not obey the circular letters of the department for the discharge of the men on account of dependency or illness at home or in such a case as the gentleman from Pennsylvania has illustrated the department here would welcome information which would cause him to at once investigate.

Mr. MOORE of Pennsylvania. Was that stated in Gen. March's letter?

Mr. MANN. My understanding of the letter was that Gen. March stated that where an officer in command did not obey the directions of the circular letters the department here would welcome information that would give them a chance to make an investigation.

Mr. MOORE of Pennsylvania. I am glad to know it. I have one case now—I did not bring it here, because I do not want to be bringing these cases here every day—in which my application to the War Department was referred to the immediate commanding officer, and by the immediate commanding officer was sent back to me with the positive statement that I would have to go to those higher up. He said he did not have authority to act.

Mr. MANN. I think I have had the same difficulty, but I wanted to see whether the department had changed its views or whether it was making the investigation.

Mr. MOORE of Pennsylvania. I hope it will make the investigation so that we may know what to do. We ought to have a reasonable uniformity of procedure.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. HOLLINGSWORTH. Mr. Speaker, I ask unanimous consent that the gentleman may have one minute more for me to ask him a question.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the time of the gentleman from Pennsylvania be extended one minute. Is there objection?

There was no objection.

Mr. HOLLINGSWORTH. The gentleman from Pennsylvania stated in his remarks that this letter that he has read from the second lieutenant was worthy of Abraham Lincoln or Woodrow Wilson. Did the gentleman believe that?

Mr. MOORE of Pennsylvania. I said the language was worthy of Abraham Lincoln or Woodrow Wilson, and might have been copied from language used by Mr. Lincoln or Mr. Wilson.

Mr. HOLLINGSWORTH. Does not the gentleman think it was an ordinary circular letter sent to everybody?

Mr. MOORE of Pennsylvania. No; it had all the earmarks of a personal letter; it had the stenographer's mark on it, and I assume the writer intended to console the mother, but it is also probable, as in other cases, that the young lieutenant desired to hold the soldier, because he was doing some special work about the camp.

Mr. HOLLINGSWORTH. I wish simply to suggest that such a letter is not worthy of either Woodrow Wilson or Abraham Lincoln.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

The Clerk concluded the reading of the bill.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

On motion of Mr. SHERWOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. KEY of Ohio. Mr. Speaker, I call up the bill (H. R. 14945) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors. I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole House.

The SPEAKER. The gentleman from Ohio calls up the bill H. R. 14945, an omnibus pension bill, and asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent to dispense with the first reading of the bill.

The SPEAKER. Is there objection?

There was no objection.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of James Rupe, late of Company D, Fourth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John W. McKissick, late of Company B, Second Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Robert E. Griffith, late of Company C, Tenth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George W. Bellaw, late of Company F, Thirty-third Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Clifford Jones, late of Company E, Twentieth Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $14 per month in lieu of that he is now receiving.

The name of Willard L. Anthony, late of Company M, Fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Axel O. Olson, late of Company A, Fourteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Allen M. Coville, late of Troop K, First Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Alfred G. J. Petersen, late of Company I, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Richard Glover, dependent father of Horace Glover, late of Company H, Second Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph W. Mitcham, late of Company G, Twenty-third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Robert G. Medlin, alias Gray Medlin, late of Company I, First Regiment Arkansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William A. Martin, late of the United States Navy, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Eliza J. Gay, dependent mother of Charles E. Gay, late of Company L, First Regiment West Virginia Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Lewis J. Moore, late of Company H, Sixth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Lewis J. Crider, late of Battery B, Fifth Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $30 per month: *Provided*, That no part of this pension shall be withheld or retained to reimburse the Government on account of any alleged erroneous payments in connection with any former pension allowed this soldier.

The name of George Bostater, jr., late of Company F, Second Regiment Nebraska Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Abner L. Tuttle, late of Company L, First Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William J. Fox, late of Company G, Twenty-third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Anna Courtney, dependent mother of Maurice H. Courtney, late of Company E, Thirty-second Regiment Michigan Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Walter V. Haskell, late of Company A, Second Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Charles W. Sasser, late of Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Jewel H. Walker, late of Company G, Fourth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of George A. Loughery, late of Company D, First Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Admire M. Wood, late of Company C, First Regiment North Carolina Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Andrew J. Williams, late of Company D, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Joseph D. Beaubien, late of Company L, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Fred Siegel, late of Company F, Twenty-ninth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of George A. Hewlett, late of Company K, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Dell J. Harrington, late of Company M, Thirty-fifth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Herman W. Thurnau, late of Company F, Fourteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Theodore Link, late of Company B, First Regiment Idaho Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Walter A. Stanley, late of Company A, Second Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Wray R. Price, late of Company D, Ninth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William D. Cole, late of Battery O, Third Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph E. Shane, late of Company G, One hundred and fifty-seventh Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William T. Ralston, late of Company C, Second Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Henry Franz, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Edward Lay, late of Company K, Sixth United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Louis H. Blake, late of Company H, Sixteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Henry Braunagel, late of the United States Navy, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Leonard Ripple, late of Troop L, Third Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Frederick Robinson, late of Company E, Third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Nicholas Krey, late of Battery F, Fourth Regiment United States Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Lewis S. Duckworth, late of band, Fiftieth Regiment Iowa Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Elizabeth Hogan, who served as a nurse during the War with Spain with the Medical Corps, United States Army, and pay her a pension at the rate of $12 per month.

The name of Owen H. O'Neil, late of Company E, Fourteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Lewis R. Montague, late of Company D, Twenty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Critington Bond, late of Company G, Sixth Regiment, and Company F, Thirteenth Regiment, United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Mary D. Jenness, dependent mother of Herbert T. Jenness, late of Company B, Fifth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of John F. McCarthy, late of Company D, First Regiment Connecticut Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John Cantwell, late of Company I, Third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Frank W. Godsey, late of Company L, Third Regiment Texas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Edward V. Andrews, late of Company K, Sixth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John W. McDonald, late of Company H, Thirtieth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Ward Houchin, late of Company B, Third Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Martha F. James, widow of Henry J. James, late of Capt. H. H. Buckle's Company C, California Volunteers, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Julius Scheuer, late of Company F, Third Regiment Georgia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Albert M. Kinsey, late of Troop L, Fifth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Stanley M. Riggs, late of Company H, Third Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Montie Johnson, late of Company D, Twenty-second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Richard D. Cleaver, late of Company E, Forty-second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Arthur Chappell, late of Company G, Twenty-third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John S. LaFleur, late of Company F, Eighth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Israel J. Wells, late of Capt. W. H. Kendrick's company and Capt. I. J. Carter's independent company, Florida Mounted Volunteers, Indian wars, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Francis M. Walker, late of Company G, First Regiment Nebraska Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Thomas J. Kelly, late of Company K, Two hundred and second Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William E. Kirkpatrick, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of John J. McGinley, late of Company M, One hundred and sixtieth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James McHale, late of Company H, Forty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Martin O. Larsen, late of the United States Marine Corps, United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of William Stewart, late of Detachment of Ordnance, United States Army, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Jesse Holt, late of Company C, Fiftieth Regiment Iowa Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Benjamin E. Kneibler, late of Company B, Eleventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Harlie Calvin, late of Company H, Ninth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Jesse O. Ray, late of Battery L, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Charles Wheeldon, late of Company M, Sixth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John U. Shroyer, alias John W. Shroyer, late of Company B, Twenty-first Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William Patterson, late of Company E, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Burton Erwin, late of Companies G and K, Fourth Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John J. Coughlin, late of Company B, First Regiment Rhode Island Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Van Buren B. Howard, late of Battery E, Fourth Regiment United States Artillery, and Troop L, Eighth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Guido Geiser, late of Company H, Thirty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William Wilson, late of Troop B, Seventh Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John Zanger, late of Company K, Thirty-fifth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph H. Waters, late of Company F, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Oscar Walker, late of Company D, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William F. Conklin, late of Company A, Twenty-second Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Emma R. Steen, dependent mother of Dell A. Steen, late of Company D, First Regiment Missouri Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Thomas W. Trent, late of Company G, Second Regiment Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Louis A. Rowe, late of Troop F, First Regiment Ohio Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Frank Bachmeyer, late of Company B, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Nancy C. Olis, widow of George W. Olis, late of Company D, First Regiment North Carolina Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Frank Jankowski, late of Company A, Second Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George F. Taylor, late of Company B, First Regiment Colorado Volunteer Infantry, and Troop B, Eleventh Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Harry C. Miller, late of Company I, Eighth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Robert J. Henderson, late of Company F, One hundred and sixty-first Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Henry Borghardt, late of Company H, Second Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Edward F. Stewart, late of Company K, Thirty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of James P. Curtis, late of Company I, Thirty-fourth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Sarah E. Jackson, widow of James Jackson, late of Company E, Third Regiment Indiana Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Fred Hutsler, late of the Twenty-first Company United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $30 per month.

The name of Ambrose C. Waidsmith, late of Company L, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Louis T. Lutzio, late of Company B, Seventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Hess Elliott, late of Company I, First Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Thomas W. Atchley, late of Company D, Sixteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Edward A. Brewer, late of Company M, First Regiment Alabama Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Rufus C. Davidson, late of the Seventy-first Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of George W. Houston, late of Company F, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Earl W. Newlon, late of Company H, Twenty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month: *Provided*, That no part of this pension shall be withheld for the purpose of reimbursing the Government on account of any alleged erroneous payments which may have been made in connection with any former pension allowed the said Earl W. Newlon.

The name of William H. Shunk, late of the band, First Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Elizabeth M. Steele, widow of Raleigh D. Steele, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Robert Shipley, late of the Forty-first Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of John J. Burke, late of Troop D, First Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Irvin O. Carson, late of Troop I, Fifth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of John Felzen, late of Company F, Thirty-seventh Regiment, United States Infantry, Indian wars, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jean N. Roach, widow of Ernest S. Roach, late first lieutenant, Company A, First Regiment Oklahoma Militia Infantry, National Guard, Mexican border service, and pay her a pension at the rate of $17 per month, and $2 per month additional on account of each of the two minor children of the said Ernest S. Roach until they reach the age of 16 years.

The name of Louis Brockman, alias Louis Wimmer, late of Company F, First Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Annie E. Arnold, dependent mother of Robert E. Arnold, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Tony K. Wilson, late hospital steward, Twelfth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Pleasy J. Graham, late of Unassigned Regiment Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Thomas Gentry, late of the Fifth Battery, United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Carl P. Biehler, late of Company K, Twenty-third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John McGuire, late of Troop C, Seventh Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jennie K. Burke, widow of Patrick Burke, late of Company M, Twenty-ninth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the two minor children of the said Patrick Burke until they reach the age of 16 years.

The name of Roscoe City, late of Troop A, Fifth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Jay H. Lautzenheiser, late of Company A, Sixth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Frank E. Hill, late of Company H, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Thomas H. Lillis, late of Company I, First Regiment Vermont Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James F. McIntosh, late of Company K, Fifty-first Regiment Iowa Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph J. Johnson, late of Company B, Thirty-third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Isaac Nichols, late of Troop E, Second Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Felix Beske, late of Company E, Twelfth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Otelia P. Smythe, widow of Peyton Smythe, late of Capt. Johnson's company, Texas Mounted Rangers, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Robert M. Trask, late of Company M, Sixth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of John Ream, late of Company L, Second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Louis Sherard, late of Company G, Third Regiment Alabama Volunteer Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Hannah J. Clark, widow of William H. Clark, late of Troop E, Fifth Regiment United States Cavalry, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of George F. Holladay, late of Company L, Thirty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Miley Fitzgerald, widow of John Fitzgerald, late of Company E, Tenth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the two minor children of the said John Fitzgerald until they reach the age of 16 years.

The name of George S. Taylor, late of Company M, Seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Harvey Fleagle, late of Company F, First Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles Peterson, late of Company A, Third Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of William S. Huntington, late of Company L, Eleventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William F. Epps, late of Company K, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Virgil Mahan, late of Company L, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Peter Urban, late of Company F, Fifth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $30 per month.

The name of Andrew Wray, late of Company H, Second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Charles T. Armstrong, late of Company D, Twenty-third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Nathan Milgram, late of Company D, Third Regiment Pennsylvania Infantry National Guard, war of 1917, and pay him a pension at the rate of $30 per month.

The name of Hezeklah McAllister Madden, late of Battery B, First United States Artillery, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Sarah A. Salter, widow of Horace Salter, late of Morgan's Independent Company, Iowa Mounted Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Charles Hartsough, late of Company A, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John T. Ferrie, late of Company A, First Regiment Alabama Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Robert Rodgers, late of Company B, First Regiment Indiana Colored Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Peter Beebe, late of Company F, Forty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Angeline McVetie, widow of Peter McVetie, late of Company K, Second Regiment New York Volunteer Artillery, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Gambo C. Villines, late of Company B, Fifteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Helen R. Cantwell, widow of Edward Cantwell, late of Company G, Twelfth Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Carl F. Gatterdam, late of Company B, Fourth Regiment Ohio National Guard, Mexican border service, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John W. Merriman, late of Company A, First Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Maria J. Gorman, widow of John G. Gorman, late of Company B, Third Regiment United States Dragoons, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Robert Perl, alias Robert Pearl, late of Company K and band, Thirty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Frank N. Hunt, late of Company G, Second Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Magdalina Klein, widow of Adolph Klein, late of Company H, Second Regiment United States Dragoons, Indian wars, and pay her a pension at the rate of $12 per month.

The name of Thomas Newman, late of Company B, Twenty-seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $14 per month in lieu of that he is now receiving.

The name of Eliza Warren, widow of Andrew J. Warren, late of Company D (Capt. James Blakely's Company), Second Regiment Oregon Mounted Volunteers, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Thomas B. Thompson, late of Eighth Battery United States Field Artillery and Battery D, Fifth Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Mary A. Laughlin, widow of James H. Laughlin, late of Company C, First Regiment Oregon Riflemen, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Baxter Hogan, late of Company F, Twenty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Jacob Johnson, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Adeline Julia Tyler, widow of John L. Tyler, late of Battery B, Third Regiment United States Artillery, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Augustus W. Connor, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Fred E. Savage, late of Company G, Nineteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Tillie Wester, late of Battery B, Second Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Herman Lazarus, late of Company G, Tenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Edward Kneibe, late of Company H, Eighth Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of George W. Taylor, late of Company F, Thirty-fourth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Joseph F. Mangold, late of Troop K, Third Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Flora E. Tyler, former widow of Samuel N. Hudson, late of Company D, Third Regiment Tennessee Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month.

The name of William Mendenhall, late of Company E, Thirty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Orville V. Kell, Battery G, United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month

The name of John Read, late of Company K, Fourteenth Regiment United States Infantry, War with Mexico, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles Desmond, late of Company B, Fifth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Nancy E. Mullins, dependent mother of William Samuel Mullins, late captain of Company I, First Regiment Mississippi Infantry, National Guard, Mexican border trouble, and pay her a pension at the rate of $12 per month.

The name of Maria Kuehn, widow of Charles Kuehn, late of Company C, Fourth Regiment United States Infantry, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Emeline McAllaster, widow of William McAllaster, late of Capt. Noble's company, New York Militia, War of 1812, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Young W. Cordell, late of Company K, Twenty-second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Charles Ingle, late of Company C, Tenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Mattie P. Jackson, widow of Cyrus W. Jackson, late of Company C, Santa Fe Battalion Missouri Mounted Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Leonard A. Asquith, late of Company G, First Regiment Rhode Island Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William Anderson, late of casualty detachment and Troop F, Eleventh Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Thomas S. Garen, late of the United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Herbert C. Purdy, late of Company H, Two hundred and second Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Stephen Harder, late of Company D, Two hundred and second Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Henry A. McGuire, late of Company H, Seventy-first Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Bridget Finan, dependent mother of Michael J. Finan, late of Company K, Third Regiment Connecticut Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Phillip Lockwood, late of Company F, Third Regiment Connecticut Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Robert H. Neyland, late of Company B, First Regiment Mississippi Volunteers, War with Mexico, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth A. Deuel, widow of John C. Deuel, late of Company G, First Regiment Michigan Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Belle Harbert, dependent mother of Pearly Rex Harbert, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The foregoing bill is a substitute for the following House bills referred to said committee:

H. R. 410. James Rupe.
H. R. 586. John W. McKissick.
H. R. 666. Robert E. Griffith.
H. R. 680. George W. Bellaw.
H. R. 752. Clifford Jones.
H. R. 861. Willard Anthony.
H. R. 955. Axel O. Olson.
H. R. 989. Allen M. Coville.
H. R. 1181. Alfred G. J. Petersen.
H. R. 1267. Richard Glover.
H. R. 1577. Joseph W. Mitcham.
H. R. 1645. Robert G. Medin.
H. R. 1959. William A. Martin.
H. R. 1980. Eliza J. Gay.
H. R. 2060. Lewis J. Moore.
H. R. 2190. Lewis J. Crider.
H. R. 2242. George Bostater, jr.
H. R. 2284. Abner L. Tuttle.
H. R. 2474. William J. Fox..
H. R. 2493. Anna Courtney.
H. R. 2508. Walter V. Haskell.
H. R. 2619. Charles W. Sasser.
H. R. 2713. Jewel H. Walker.
H. R. 2807. George A. Loughery.
H. R. 2966. Admire M. Wood.
H. R. 3013. Andrew J. Williams.
H. R. 3050. Joseph D. Beaubien.
H. R. 3189. Fred Siegel.
H. R. 3209. George A. Hewlett.
H. R. 3244. Dell J. Harrington.
H. R. 3402. Herman W. Thurnau.
H. R. 3442. Theodore Link.
H. R. 3473. Walter A. Stanley.
H. R. 3692. Wray R. Price.
H. R. 3813. William D. Cole.
H. R. 3815. Joseph E. Shane.
H. R. 3879. William T. Ralston.
H. R. 3987. Henry Franz.
H. R. 4167. Edward Lay.
H. R. 4201. Louis H. Blake.
H. R. 4204. Henry Braunagel.
H. R. 4302. Leonard Ripple.
H. R. 4468. Frederick Robinson.
H. R. 4603. Nicholas Krey.
H. R. 4668. Lewis S. Duckworth.
H. R. 4933. Elizabeth Hogan.
H. R. 4987. Owen H. O'Neil.
H. R. 5094. Lewis R. Montague.
H. R. 5279. Critington Bond.
H. R. 5520. Mary D. Jenness.
H. R. 5587. John F. McCarthy.
H. R. 5679. John Cantwell.
H. R. 5732. Frank W. Godsey.
H. R. 5822. Edward V. Andrews.
H. R. 5861. John W. McDonald.
H. R. 6229. Ward Houchin.
H. R. 6352. Martha F. James.
H. R. 6480. Julius Scheuer.
H. R. 6771. Albert M. Kinsey.
H. R. 7087. Stanley M. Riggs.
H. R. 7116. Montie Johnson.
H. R. 7288. Richard B. Cleaver.
H. R. 7296. Arthur Chappell.
H. R. 7599. John S. La Fleur.
H. R. 7619. Israel J. Wells.
H. R. 7683. Francis M. Walker.
H. R. 7728. Thomas J. Kelly.
H. R. 7779. William E. Kirkpatrick.
H. R. 7790. John J. McGinley.
H. R. 7831. James McHale.
H. R. 8067. Martin O. Larsen.
H. R. 8185. William Stewart.
H. R. 8214. Jesse Holt.
H. R. 8237. Benjamin E. Kneibler.
H. R. 8272. Harlie Calvin.
H. R. 8273. Jesse O. Ray.
H. R. 8297. Charles Wheeldon.
H. R. 8371. John U. Schroyer, alias John W. Schroyer.
H. R. 8552. William Patterson.
H. R. 8677. Burton Erwin.
H. R. 8971. John J. Coughlin.
H. R. 8973. Van Buren B. Howard.
H. R. 9068. Guido Geiser.
H. R. 9083. William Wilson.
H. R. 9188. John Zanger.
H. R. 9241. Joseph H. Waters.
H. R. 9288. Oscar Walker.
H. R. 9319. William Conklin.
H. R. 9322. Emma R. Steen.
H. R. 9324. Thomas W. Trent.
H. R. 9327. Louis A. Rowe.
H. R. 9483. Frank Bachmeyer.
H. R. 9544. Nancy C. Olis.
H. R. 9462. Frank Jankowski.
H. R. 9584. George V. Taylor.
H. R. 9591. Harry C. Miller.
H. R. 9609. Robert J. Henderson.
H. R. 9663. Henry Borghardt.
H. R. 9703. Edward F. Stewart.
H. R. 9727. James P. Curtis.
H. R. 9728. Sarah E. Jackson.
H. R. 9765. Fred Hutsler.
H. R. 9778. Ambrose C. Waldsmith.
H. R. 9823. Louis T. Lutzio.
H. R. 9853. Hess Elliott.
H. R. 9909. Thomas W. Atchley.
H. R. 9945. Edward A. Brewer.
H. R. 9950. Rufus C. Davidson.
H. R. 9980. George W. Houston.
H. R. 10049. Earl W. Newlon.
H. R. 10115. William H. Shunk.
H. R. 10142. Elizabeth M. Steele.
H. R. 10207. Robert Shipley.
H. R. 10223. John J. Burke.
H. R. 10364. Irwin O. Carson.
H. R. 10407. John Felzen.
H. R. 10459. Jean N. Roach.
H. R. 10535. Louis Brockman, alias Louis Wimmer.
H. R. 10557. Annie E. Arnold.
H. R. 10693. Tony K. Wilson.
H. R. 10734. Pleasy J. Graham.
H. R. 10766. Thomas Gentry.
H. R. 10947. Carl P. Biehler.
H. R. 10971. John McGuire.
H. R. 11004. Jennie K. Burke.
H. R. 11053. Roscoe City.
H. R. 11079. Jay H. Lautzenheiser.
H. R. 11107. Frank E. Hill.

H. R. 11196. Thomas H. Lillis.
H. R. 11214. James F. McIntosh.
H. R. 11251. Joseph J. Johnson.
H. R. 11374. Isaac Nichols.
H. R. 11412. Felix Beske.
H. R. 11421. Otelia P. Smythe.
H. R. 11515. Robert M. Trask.
H. R. 11569. John Ream.
H. R. 11604. Louis Sherard.
H. R. 11608. Hannah J. Clark.
H. R. 11676. George F. Holladay.
H. R. 11702. Miley Fitzgerald.
H. R. 11718. George S. Taylor.
H. R. 11784. Harvey Fleagle.
H. R. 11829. Charles Peterson.
H. R. 11907. William S. Huntington.
H. R. 11928. William F. Epps.
H. R. 11974. Virgil Mahan.
H. R. 12076. Peter Urban.
H. R. 12089. Andrew Wray.
H. R. 12118. Charles T. Armstrong.
H. R. 12155. Nathan Milgram.
H. R. 12216. Hezekiah McAllister Madden.
H. R. 12327. Sarah A. Salter.
H. R. 12421. Charles Hartsough.
H. R. 12451. John T. Ferrie.
H. R. 12456. Robert Rodgers.
H. A. 12484. Peter Beebe.
H. R. 12524. Angeline McVetie.
H. R. 12535. Gambo C. Villines.
H. R. 12545. Helen R. Cantwell.
H. R. 12560. Carl F. Gatterdam.
H. R. 12585. John W. Merriman.
H. R. 12603. Maria J. Gorman.
H. R. 12643. Robert Perl, alias Robert Pearl.
H. R. 12690. Frank N. Hunt.
H. R. 12718. Magdalina Klein.
H. R. 12727. Thomas Newman.
H. R. 12748. Eliza Warren.
H. R. 12761. Thomas B. Thompson
H. R. 12784. Mary A. Laughlin.
H. R. 12805. Baxter Hogan.
H. R. 12885. Jacob Johnson.
H. R. 12943. Adeline Julia Tyler.
H. R. 12985. Augustus W. Connor.
H. R. 13005. Fred E. Savage.
H. R. 13006. Tillie Wester.
H. R. 13033. Herman Lazarus.
H. R. 13054. Edward Kneibe.
H. R. 13066. George W. Taylor.
H. R. 13096. Joseph F. Mangold.
H. R. 13131. Flora E. Tyler.
H. R. 13221. William Mendenhall.
H. R. 13264. Orville V. Kell.
H. R. 13291. John Read.
H. R. 13317. Charles Desmond.
H. R. 13332. Nancy E. Mullins.
H. R. 13335. Maria Kuehn.
H. R. 13425. Emeline McAllister.
H. R. 13477. Young W. Cordell.
H. R. 13531. Charles Ingle.
H. R. 13535. Mattie P. Jackson.
H. R. 13575. Leonard A. Asquith.
H. R. 13594. William Anderson.
H. R. 13605. Thomas S. Garen.
H. R. 13606. Herbert C. Purdy.
H. R. 13641. Stephen Harder.
H. R. 13658. Henry A. McGuire.
H. R. 13809. Bridget Finan.
H. R. 13812. Phillip Lockwood.
H. R. 13880. Robert H. Neyland.
H. R. 14374. Elizabeth A. Deuel.
H. R. 14084. Belle Harbert.

The SPEAKER. The Clerk will read the bill for amendment under the five-minute rule.

The Clerk read as follows:

The name of Frank Bachmeyer, late of Company B, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

Mr. MILLER of Minnesota. Mr. Speaker, I move to strike out the last word. In reference to the item for Frank Bachmeyer, on page 14, I notice that the amount carried is $12. That is the lowest amount given, and I think in this case it is exceedingly inadequate. I do not know that the chairman of the committee has the facts of this particular case in mind. The testimony of the medical men given in the report shows that he is considerably incapacitated. His employer says that he has to leave his work for a week or two at a time.

Mr. KEY of Ohio. What is the page of the report?

Mr. MILLER of Minnesota. Page 145. I would like to add this to what is reported. I just received a letter from his employer, subsequent to the time I submitted the evidence in the case to the committee. I appreciate that this is not evidence in the case, but I desire to give it for what it is worth. He writes me that Frank Bachmeyer has just been taken away to the hospital and probably may soon die, succumbing to the conditions set forth. He has a wife and four small children. They have been destitute for years. I myself do not think that he can live more than a few months. Could not the gentleman under these circumstances consent to raise the pension to $17 a month? It seems to me that is a very modest request. Twelve dollars is exceedingly low. There is no question about this soldier having properly performed his work in the Philippines, and the testimony is that he was not a shirker; that he suffered from pneumonia in the service, from malarial poisoning and dysentery, and from the date of his discharge—in fact, he was discharged in the hospital—he has been suffering. Twelve dollars a month these days does not go very far, especially when a man has gone to the hospital for the last time.

Mr. Speaker, I move that the figures "$12," in line 20, page 14, be stricken out and the figures "$17" be inserted in lieu thereof.

The SPEAKER. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 14, line 24, strike out "$12" and insert "$17."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. MILLER of Minnesota) there were—ayes 10, noes 16.

So the amendment was rejected.

The Clerk read as follows:

The name of George S. Taylor, late of Company M, Seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

Mr. DOWELL. Mr. Speaker, I move to strike out the last word. I rise to announce the death of this claimant, George S. Taylor.

Mr. KEY of Ohio. This is the gentleman's case?

Mr. DOWELL. Yes.

Mr. KEY of Ohio. Mr. Speaker, in view of what the gentleman has stated, I move to strike out, on page 22, lines 11, 12, 13, and 14, the soldier being dead.

The SPEAKER. The gentleman from Ohio offers the amendment which the Clerk will report.

The Clerk read as follows:

Page 22, strike out lines 11 to 14, inclusive.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

The name of Helen R. Cantwell, widow of Edward Cantwell, late of Company G, Twelfth Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

Mr. DYER. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 25, after line 11, insert as a new paragraph:
"The name of Freda Burow, widow of William M. Burow, late of Company I, Sixteenth United States Infantry, War with Spain, and pay her a pension at the rate of $25 a month."

Mr. DYER. Mr. Speaker, I offer this amendment for the reason that it is a case that the Committee on Pensions on two different occasions reported favorably. It was carried in the omnibus bill and passed this House. Upon both occasions it was stricken out by the Senate upon the ground that it was a case that belonged in what was known as the Key pension bill, and that cases of that kind should not be included in special acts, but should wait until the Key bill, pensioning certain widows in the Spanish War, became a law. It was rejected on two occasions, as I say, for that reason, notwithstanding that it is a deserving case. The evidence shows that the husband died of disabilities which, to my mind, were satisfactorily proven as having occurred in the war. The claim was then made to the Pension Bureau in pursuance of the act of Congress pensioning widows and minor children of officers and enlisted men in the War with Spain and the Philippine insurrection to meet the suggestion of the Senate.

Now, under date of January 15 this widow is in receipt of a letter from the Commissioner of Pensions which is as follows:

Your above-entitled claim for pension under the act of July 16, 1918, is rejected on the ground that the soldier did not render 90 days actual military service in the War with Spain, as the organization to which he belonged was not within the area of belligerent operations for that length of time during said war.

Now, Mr. Speaker, this soldier served a great deal longer than 90 days in the Regular Army. He served from the 4th day of June, 1898, until the 17th day of January, 1899. Now, the act of Congress under which this widow presented her pension claim, which the Pension Office says can not be allowed because the Second United States Infantry in which this soldier served was not an organization within the area of belligerent operations for that length of time during said war is as follows:

An act to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China.

Be it enacted, etc., That from and after the passage of this act if any volunteer officer or enlisted man who served 90 days or more in the Army, Navy, or Marine Corps of the United States, during the War with Spain or the Philippine insurrection, between April 21, 1898, and July 4, 1902, inclusive, service to be computed from date of enlistment to date of discharge, or any officer or enlisted man of the Regular Establishment who rendered 90 days or more actual military or naval service in the United States Army, Navy, or Marine Corps in the War with Spain or the Philippine insurrection between April 21, 1898, and July 4, 1902, inclusive, or as a participant in the Chinese Boxer rebellion campaign between June 16, 1900, and October 1, 1900, and who has been honorably discharged therefrom, has died or shall hereafter die leaving a widow without means of support other than her daily labor, and an actual net income not exceeding $250 per year, or leaving a minor child or children under the age of 16 years, such widow shall upon due proof of her husband's death, without proving his death to be the result of his Army or Navy service, be placed on the pension roll from the date of the filing of her application therefor under this act, at the rate of $12 per month during her widowhood, and shall also be paid $2 per month for each child of such officer or enlisted man under 16 years of age, and in case of the death or remarriage of the widow, leaving a child or children of such officer or enlisted man under the age of 16 years, such pension shall be paid such child or children until the age of 16: *Provided*, That in case a minor child is insane, idiotic, or otherwise permanently helpless, the pension shall continue during the life of said child, or during the period of such disability, and shall commence from the date of application therefor after the passage of this act: *Provided further*, That said widow shall have married said officer or enlisted man previous to the passage of this act: *Provided, however*, That this act shall not be so construed as to reduce any pension under any act, public or private.

SEC. 2. That no agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of this act shall, directly or indirectly, contract for, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claim a sum greater than $10, which sum shall be payable only on the order of the Commissioner of Pensions; and any person who shall violate any of the provisions of this section or shall wrongfully withhold from the pensioner or claimant the whole or any part of a pension or claim allowed or due such pensioner or claimant under this act, shall

be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not exceeding $500 or be imprisoned not exceeding one year, or both, in the discretion of the court.

Now, this soldier rendered more than 90 days, as shown by the report of the Committee on Pensions. Does this law mean that a man who was in the Regular Army must have been 90 days engaged in battle or foreign service all that time? I do not believe Congress ever intended to give advantage to the volunteer over the man who served in the Regular Establishment. This man served much more than 90 days, and yet the Pension Office has rejected it. It is a case, Mr. Speaker, that I have known of personally ever since I have been in Congress. I know the widow; I know the small child left by her husband; I knew about her case when first presented, and I was surprised that it was rejected—a sad case indeed, in which a poor widow has been ill practically all the time, and yet she has never been able to get a pension. There is merit in it. This House has passed it twice, and I now ask, Mr. Speaker, in view of the fact that the Pension Office has again declined to consider this case on the ground that it does not come within the Key bill which was passed and is the law, as I have stated, that she be given a pension. I see no objection to it and I am sure there is no foundation for denying to this widow a pension under these circumstances. I yield now to the gentleman from Ohio.

Mr. KEY of Ohio. Mr. Speaker, I think there is some little merit in the item which the gentleman from Missouri proposes. The Committee on Pensions did make a favorable report on this item, I think in the last Congress or the first session of this Congress.

Mr. DYER. And also one of the preceding Congresses.

Mr. KEY of Ohio. But I oppose this amendment for the reason that it is a bad policy to throw open these omnibus pension bills to amendment. If the gentleman will bring this bill before our committee and give that committee the opportunity to consider the bill again, I think he can get it in the next omnibus bill.

Mr. DYER. The bill has been before the gentleman's committee, and his committee has reported it favorably to the House upon two occasions. It has passed the House upon two occasions, and was only stricken out on account of the attitude of the Senate in saying that it was a bill that belonged to the Key widow-pension bill then pending, and then the Pension Commissioner says that it does not come within the purview of that bill.

Mr. KEY of Ohio. I might state to the House and the gentleman from Missouri, while I can not speak for the committee, I have every reason to believe that when the bill shall properly come before our committee they will make a favorable report and pass it through this House, but I am opposed to throwing open these omnibus bills to amendment on the floor of the House.

Mr. DYER. It has been considered and passed twice. This widow and her child have been denied a pension all these years; she has been compelled to live by working out, and yet she is a woman in bad health; and I say it is an outrage that we can not at this late hour secure justice for her when there is no excuse. I would not, Mr. Speaker, feel like rising up and offering an amendment for a bill that had not been considered by this committee; I would not do that. I recognize the necessity of all these matters going to the committee for consideration; but this bill has been considered by the committee, they have reported it twice and it has passed this House twice, and there is no excuse for denying justice to this woman.

Mr. KEY of Ohio. I would like to ask the gentleman a question.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DYER. I ask for an additional two minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. KEY of Ohio. I would like to ask the gentleman what is the rate proposed in his amendment?

Mr. DYER. My rate is $25.

Mr. KEY of Ohio. When the gentleman passed this bill—when the committee made a favorable report on the bill in the other Congresses, it passed at a rate of $12.

Mr. DYER. I know; and the Congress since then has enacted legislation for $25.

Mr. KEY of Ohio. I think the committee should have an opportunity to pass upon the rate.

Mr. DYER. What rate does it give to the widows of the Spanish War veterans?

Mr. KNUTSON. Twelve dollars?

Mr. DYER. I am willing to accept that, if that is the only objection. I want to get something.

Mr. KEARNS. Mr. Speaker, if it is shown that the death of her husband was the result of disease incurred in the service, she is entitled to $25; otherwise, to $12.

Mr. KNUTSON. The gentleman comes in here with an amendment and none of us remembers anything about the details of this case. If I may, I will ask the chairman of this committee if this item was reported in any bill of the Congress?

Mr. DYER. Yes.

Mr. KNUTSON. This claim, because of its nature, should have come to the subcommittee, of which I am a member, but I have no recollection of the gentleman's case whatsoever. I think this should go before the committee and be decided on its merits. You can not consider individual pension cases here on the spur of the moment.

Mr. DYER. Mr. Speaker, I repeat this bill has been twice before the gentleman's committee and once during this Congress. It was the bill H. R. 11658, second session, Sixty-fifth Congress. The report, No. 511, accompanying the bill has the following to say regarding the claim:

H. R. 7163. Freda Burow, of 2637a Russell Avenue, St. Louis, Mo., is the widow of William M. Burow, who served during the War with Spain, from June 4, 1898, to January 17, 1899, as a private and corporal of Company I, Sixteenth Regiment United States Infantry. He was discharged at his own request at the close of the war. (W. O. 823555.)

The War Department records show that the soldier was treated for rheumatism from September 14 to October 7, 1898, and for nothing else.

He applied for pension October 22, 1900, on account of rheumatism, chronic diarrhea, malarial poisoning, and sunstroke.

Pension was allowed December 26, 1903, at $6 per month from date of application, for rheumatism. There was no evidence to justify favorable action on account of the other alleged causes. He died December 28, 1904, of phthisis pulmonalis, and March 11, 1905, the widow applied for pension. Her claim was rejected September 15, 1905, on the ground that the death cause was not shown to have been due to the military service.

The soldier never claimed to have disease of lungs in his pension claim, and a medical examination made January 9, 1901, failed to disclose any evidence of such disease. One made April 10, 1903, showed such slight lung affection as to justify no rating, and the board expressed the opinion that the condition of lungs then was due to a recent cold.

The evidence upon file in claim for the accrued pension shows the petitioner is the lawful widow of the deceased soldier.

The widow submitted to the committee the original baptismal record, which shows that the child, Edna Clara Burow, was born April 9, 1900, and baptized June 10, 1900. This certificate was large and ornate and highly prized by the widow, and after being inspected was returned to her for fear it might be impaired.

With the bill the petitioner files an affidavit stating that she believes the soldier's death from disease of the lungs was due to the service, notwithstanding the Bureau of Pensions action of rejection of her claim; that she has no property at all.

The Member by whom the bill was introduced states in a letter to the committee that he personally knows the petitioner, who is an excellent woman but feeble in health, has a 10-year-old daughter to support, and is without any means, possessing no property of any kind. He offers, if desired, to personally appear before the committee.

Your committee have concluded that the death of the soldier may be accepted as due to causes arising out of his military service and justify a pension of $25 to his widow, and it is so recommended.

Mr. Speaker, I ask unanimous consent to modify the amendment by striking out "25" and inserting "12."

The SPEAKER. The gentleman from Missouri asks unanimous consent to modify his amendment by striking out "25" and inserting "12." Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendment.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. DYER. I ask for a division, Mr. Speaker.

The House divided; and there were—ayes 20, noes 16.

So the amendment was agreed to.

The Clerk concluded the reading of the bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KEY of Ohio, a motion to reconsider the vote by which the bill was passed was laid on the table.

EDITH CAROW ROOSEVELT.

Mr. KEY of Ohio. Mr. Speaker, I desire to call up the bill H. R. 13879, and ask unanimous consent to consider it in the House as in the Committee of the Whole.

The SPEAKER. The gentleman calls up the bill H. R. 13879, and asks unanimous consent to consider it in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13879) granting a pension to Edith Carow Roosevelt.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Edith Carow Roosevelt, widow of Theodore Roosevelt, late President of the United States, and pay her a pension at the rate of $5,000 per year from and after the passage of this act.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. MANN. Mr. Speaker, a roll call on this bill at this time I think would add to the tribute that we pay; and I will make the point of no quorum as a matter of convenience to the Members. However, I will not do it until the vote is about to be taken.

The SPEAKER. The question is, Shall the bill pass?

Mr. MANN. Mr. Speaker, I make a point of order there is no quorum present.

The SPEAKER. The gentleman from Illinois raises the point of no quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The vote is on the passage of the bill.

The question was taken, and there were—yeas 250, nays 9, answered "present" 5, not voting 166, as follows:

YEAS—250.

Alexander	Focht	Lea, Cal.	Rowe
Aswell	Fordney	Lee, Ga.	Rubey
Austin	Foss	Lesher	Rucker
Ayres	Foster	Lever	Sanders, N. Y.
Baer	Frear	Little	Sanford
Bankhead	Freeman	London	Schall
Barkley	French	Lonergan	Scott, Iowa
Barnhart	Fuller, Ill.	Lufkin	Scott, Mich.
Beakes	Gallagher	Lundeen	Sells
Beshlin	Gallivan	McAndrews	Shallenberger
Birch	Gandy	McCulloch	Sherwood
Bland, Ind.	Gard	McFadden	Shouse
Bland, Va.	Garland	McKenzie	Siegel
Bowers	Garner	McKeown	Sims
Brand	Garrett, Tenn.	McKinley	Sinnott
Browne	Godwin, N. C.	McLaughlin, Mich	Slemp
Burnett	Good	McLemore	Sloan
Burroughs	Goodwin, Ark.	Madden	Smith, Idaho
Campbell, Kans.	Gordon	Magee	Smith, Mich.
Campbell, Pa.	Gould	Mann	Smith, C. B.
Cantrill	Graham, Ill.	Mansfield	Snook
Carter, Okla.	Gray, Ala.	Mapes	Snyder
Chandler, Okla.	Green, Iowa	Martin	Stedman
Clark, Fla.	Greene, Vt.	Mays	Steele
Clark, Pa.	Griffin	Miller, Minn.	Steenerson
Claypool	Hadley	Miller, Wash.	Stephens, Miss.
Connelly, Kans.	Hamilton, Mich.	Montague	Stephens, Nebr.
Cooper, W. Va.	Hamlin	Moore, Pa.	Sterling
Cooper, Wis.	Hardy	Moores, Ind.	Sweet
Cramton	Hastings	Morgan	Switzer
Crisp	Haugen	Mott	Taylor, Colo.
Currie, Mich.	Hawley	Nelson, A. P.	Temple
Curry, Cal.	Hayden	Nelson, J. M.	Thompson
Dale	Heflin	Nicholls, S. C.	Tilson
Dallinger	Hensley	Nichols, Mich.	Timberlake
Darrow	Hersey	Oldfield	Towner
Davis	Hilliard	Oliver, Ala.	Van Dyke
Decker	Hollingsworth	Oliver, N. Y.	Venable
Dempsey	Hood	Olney	Vestal
Dent	Huddleston	Osborne	Vinson
Denton	Hull, Iowa	Overstreet	Volstead
Dickinson	Hull, Tenn.	Padgett	Walsh
Dillon	Husted	Paige	Walton
Dixon	Igoe	Parker, N. J.	Ward
Dominick	Ireland	Peters	Wason
Doolittle	Johnson, S. Dak.	Phelan	Watkins
Doremus	Juul	Polk	Weaver
Dowell	Kearns	Porter	Welling
Dupré	Keating	Pou	Welty
Dyer	Kehoe	Purnell	Wheeler
Eagan	Kennedy, Iowa	Ragsdale	White, Me.
Eagle	Key, Ohio	Rainey, H. T.	Williams
Elliott	Kincheloe	Rainey, J. W.	Wilson, Ill.
Ellsworth	King	Raker	Wilson, La.
Elston	Kinkaid	Ramsey	Wilson, Tex.
Esch	Kitchin	Ramseyer	Winslow
Essen	Knutson	Randall	Wood, Ind.
Evans	Kraus	Rankin	Woodyard
Fairchild, G. W.	La Follette	Reed	Wright
Farr	Lampert	Rogers	Young, N. Dak.
Ferris	Langley	Romjue	Zihlman
Fields	Larsen	Rose	
Fisher	Lazaro	Rouse	

NAYS—9.

Black	Connally, Tex.	Garrett, Tex.	Quin
Blanton	Doughton	Jones	Slayden
Buchanan			

ANSWERED "PRESENT"—5.

Byrns, Tenn.	Reavis	Stafford	Sumners
Longworth			

NOT VOTING—166.

Almon	Butler	Coady	Donovan
Anderson	Byrnes, S. C.	Collier	Dooling
Anthony	Caldwell	Cooper, Ohio	Drane
Ashbrook	Candler, Miss.	Copley	Drukker
Bacharach	Cannon	Costello	Dunn
Bell	Caraway	Cox	Edmonds
Benson	Carew	Crago	Emerson
Blackmon	Carlin	Crosser	Estopinal
Booher	Carter, Mass.	Davey	Fairchild, B. L.
Borland	Cary	Delaney	Fairfield
Britten	Chandler, N. Y.	Denison	Fess
Brodbeck	Church	Dewalt	Flood
Browning	Classon	Dies	Flynn
Brumbaugh	Cleary	Dill	Francis
Fuller, Mass.	Johnson, Wash.	O'Shaunessy	Steagall
Gillett	Kahn	Overmyer	Stevenson
Glynn	Kelley, Mich.	Park	Stiness
Goodall	Kelly, Pa.	Parker, N. Y.	Strong
Graham, Pa.	Kennedy, R. I.	Platt	Sullivan
Gray, N. J.	Kettner	Powers	Swift
Greene, Mass.	Kiess, Pa.	Pratt	Tague
Gregg	Kreider	Price	Taylor, Ark.
Griest	LaGuardia	Rayburn	Templeton
Hamill	Lehlbach	Riordan	Thomas
Hamilton, N. Y.	Linthicum	Robbins	Tillman
Harrison, Miss.	Littlepage	Roberts	Tinkham
Harrison, Va.	Lobeck	Robinson	Treadway
Haskell	Lunn	Rodenberg	Vare
Hayes	McArthur	Rowland	Voigt
Heaton	McClintic	Russell	Waldow
Heintz	McCormick	Sabath	Walker
Helm	McLaughlin, Pa.	Sanders, Ind.	Watson, Pa.
Helvering	Maher	Sanders, La.	Watson, Va.
Hicks	Mason	Saunders, Va.	Webb
Holland	Merritt	Scully	Whaley
Houston	Mondell	Sears	White, Ohio
Howard	Moon	Shackleford	Wingo
Humphreys	Morin	Sherley	Wise
Hutchinson	Mudd	Sisson	Woods, Iowa
Jacoway	Neely	Small	Young, Tex.
James	Nolan	Smith, T. F.	
Johnson, Ky.	Norton	Snell	

So the bill was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. WHALEY with Mr. JAMES.

Mr. YOUNG of Texas with Mr. VOIGT.

Mr. SISSON with Mr. JOHNSON of Washington.

Mr. WEBB with Mr. VARE.

Mr. STEAGALL with Mr. TEMPLETON.

Mr. HUMPHREYS with Mr. CANNON.

Mr. DONOVAN with Mr. EDMONDS.

Mr. FLOOD with Mr. FRANCIS.

Mr. WATSON of Virginia with Mr. DRUKKER.

Mr. BYRNS of Tennessee with Mr. BUTLER.

Mr. BELL with Mr. WATSON of Pennsylvania.

Mr. ALMON with Mr. SWIFT.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. LITTLEPAGE with Mr. GRIEST.

Mr. HARRISON of Virginia with Mr. KAHN.

Mr. RUSSELL with Mr. LEHLBACH.

Mr. WALKER with Mr. STINESS.

Mr. HOWARD with Mr. SNELL.

Mr. REAVIS. Mr. Speaker, I would like to inquire if the gentleman from Mississippi, Mr. HARRISON, is recorded?

The SPEAKER. He is not recorded.

Mr. REAVIS. I would like to withdraw my vote of "aye" and be recorded as "present," inasmuch as I am paired with him.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. REAVIS, and he answered "Present."

Mr. STAFFORD. Mr. Speaker, I change my vote from "aye" to "present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

On motion of Mr. KEY of Ohio, a motion to reconsider the vote whereby the bill was passed was laid on the table.

FOOD SUPPLIES FOR EUROPE.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the food-relief bill, disagree to the Senate amendments, and agree to the conference asked for.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to take from the Speaker's table the food-relief bill, disagree to the Senate amendments, and agree to the conference asked for.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

The SPEAKER. Is there objection.

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. SHERLEY, Mr. EAGAN, and Mr. CANNON.

HOSPITAL AND SANATORIUM FOR DISCHARGED SOLDIERS AND SAILORS.

Mr. CANTRILL. Mr. Speaker, I desire to present a unanimous report from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 511.

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into Committee of the Whole House on the state of the Union for the consideration of H. R. 13026, entitled, "A

bill to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors"; that there shall be not to exceed two hours' general debate, which debate shall be confined to the subject matter of the bill. At the conclusion of such general debate the bill shall be considered for amendment under the five-minute rule. After the bill shall have been perfected in Committee of the Whole House on the state of the Union, the same shall be reported to the House with such recommendations as the committee may make, whereupon the previous question shall be considered as ordered upon the bill and all amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

The SPEAKER. The House automatically resolves itself into Committee of the Whole House on the state of the Union, with the gentleman from Texas [Mr. HARDY] in the Chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HARDY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13026, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors.

The CHAIRMAN. The Clerk will read the bill.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from New York asks unanimous consent to dispense with the first reading of the bill. Is there objection?

Mr. CANNON. Just a moment. It is said to be a short bill. I have not had time to read it, and do not know what is in it. If it should be explained very fully in general debate, that would be better, perhaps, than the reading of it.

Mr. GRIFFIN. It will be explained fully in general debate.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GRIFFIN. Mr. Chairman, under the rule two hours' debate is permitted. I would like to enter into some arrangement as to the division of the time. There is a committee majority report and a minority report. The minority report is headed by the gentleman from Pennsylvania [Mr. KREIDER], whom I do not see here, and by the gentlemen from Indiana [Mr. ELLIOTT and Mr. BARNHART]. I would like to ascertain who is here to take charge of the minority side of the measure.

The CHAIRMAN. The Chair will ask who represents the minority?

Mr. AUSTIN. Mr. Chairman, I would suggest that in the absence of the gentleman from Pennsylvania [Mr. KREIDER], whose name appears on the minority report, the gentleman from Indiana [Mr. ELLIOTT] be permitted to control the time in opposition to the measure.

The CHAIRMAN. Is any request desired to be made in the House?

Mr. GRIFFIN. That is entirely satisfactory.

The CHAIRMAN. It is requested that in the absence of the gentleman from Pennsylvania [Mr. KREIDER] the gentleman named, Mr. ELLIOTT, be allowed to control in behalf of the minority one-half of the time. Is there objection to that request?

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. GRIFFIN] is recognized for one hour.

Mr. GRIFFIN. Mr. Chairman and gentlemen, I am not the author of this bill. It is a bill which has been suggested by the Treasury Department. While I share the prejudice of a great many of the Members of this House against taking the cue for legislative work from any department, nevertheless I admit—and I think you will all be found to admit—that where special knowledge and information are called for we are bound to rely upon other branches of our Government.

On October 6, 1917, we amended the war-risk insurance act, and we provided in that act that all sick and disabled discharged soldiers and sailors from the Army and Navy of the United States shall be entitled to hospital treatment and hospital facilities for their rehabilitation. But there is a proviso in the measure which, in view of the minority report, I would like to call to your attention now. Under section 300, paragraph 3, I find this provision:

In addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services and with such supplies, including artificial limbs, trusses, and similar appliances, as the director may determine to be useful and reasonably necessary—

And I call your particular attention to the next proviso—

Provided, That nothing in this act shall be construed to affect the necessary military control over any member of the Military or Naval Establishments before he shall have been discharged from the military or naval service.

Now, why do I try your patience by reading these provisions? First, because I want to get them into the RECORD; second, because I want to emphasize the proposition that although the Army has vast facilities for the care of its wounded and for the care of disabled soldiers, it has no authority under the section of the law which I have just read to permit it to care for a discharged soldier. Now, you created the burden upon the United States Government in October, 1917, when by law you promised to give every soldier and every sailor who was wounded in battle, who was disabled in camp, whose body was racked with pain and disease while serving under the flag, certain hospital facilities and certain advantages. What have we done up to date to crystallize that promise into action? Nothing; positively nothing!

Mr. KNUTSON. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. KNUTSON. On page 2 of the minority report it says that according to the testimony of Col. Smith, the Medical Department of the Army is willing to turn over immediately at least two hospitals of a thousands beds to the Bureau of War Risk Insurance. Was the gentleman present when that testimony was given?

Mr. GRIFFIN. I surely was.

Mr. KNUTSON. Will the gentleman kindly amplify on it?

Mr. GRIFFIN. I am going to touch on that very proposition.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. GRIFFIN. I yield.

Mr. JOHNSON of South Dakota. Can the gentleman tell me if the passage of this law will make it necessary to form another complete organization to take charge of the hospitals that will be erected under its provisions?

Mr. GRIFFIN. No; we are not confronted with that difficulty. The United States Public Health Service has been in existence for over a hundred years. It has now under its control upward of 22 hospitals, with a bed capacity of 1,548; but the officials of the Public Health Service testified before our committee that these hospitals are filled to overflowing, and at the present time they have 1,556 patients.

Mr. JOHNSON of South Dakota. Will the gentleman yield for one more question?

Mr. GRIFFIN. Certainly.

Mr. JOHNSON of South Dakota. How many different organizations would we have in the United States, each conducting a line of hospitals, if this bill were to become a law?

Mr. GRIFFIN. Not any more than we have at the present time. This makes no change whatever in the hospital situation in the United States. It adds no bureau. It adds no machinery beyond that which already exists.

Mr. JOHNSON of South Dakota. Would not that then leave three different classes of boards or organizations conducting hospitals? Would there not be the National Board, which takes care of the veterans of the Civil War, the hospitals which are being conducted by the War Department, and then a new series conducted by this board? Would there not be a duplication of facilities and an increase in overhead expense over what there would be if we had but one board taking care of these men?

Mr. GRIFFIN. No. There is no question of introducing a new organization. The Public Health Service has been in existence, as I said, for many years.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. GRAHAM of Illinois. You do not mean to say, do you, that the Public Health Service will not have to be vastly increased to take care of this work?

Mr. GRIFFIN. It will have to be vastly increased, but not due to any initiative on the part of the Public Health Service, but only because of the burden which Congress has imposed upon the Department of the Treasury.

Mr. GRAHAM of Illinois. Now, I understand that all these projects that are intended by the Public Health Service are additions to existing naval or marine hospitals, except two, and that it is the intention to build additions or additional bed facilities for these hospitals. And in that case am I right in supposing that part of the administration of a particular post would be under the military authorities and another part of it under the Public Health Service?

Mr. GRIFFIN. The gentleman is going too far into the ramifications before we have finished with the generalities.

Mr. GRAHAM of Illinois. Is not that the testimony before your committee?

Mr. GRIFFIN. No; it is not. If the gentleman will bear with me and have patience I will come to that point in a few

moments. There was a minority report filed here. You probably have it before you. When that report came in I was in a position which reminded me very much of the predicament of Dr. Samuel Johnson. Old Dr. Johnson was caught by his wife kissing the maid in the hallway, and she said, "Doctor, Doctor, I am surprised." He said "Tut, tut, madam, you are amazed; it is I who am surprised." Now, I was both surprised and amazed, because while the matter was under consideration in the committee no suggestion was made that any minority report would be submitted. I am amazed when I read the report and find that it contains so many deductions that can not be strictly drawn from the hearings.

As to hospitals which the War Department might turn over, let us turn to the extract from the report of Cols. Darnall and Smith, of the Medical Corps, United States Army, quoted on page 5 of the minority report. It is extracted from page 22 of the hearings before the Committee on Public Buildings and Grounds on December 9, 1918 (No. 16). Col. Smith was asked by me at the hearing (p. 19) to recapitulate his testimony showing the number of hospitals in the United States, the number of hospitals on leased ground, the number of cantonments, whether the sites at cantonments are on leased ground, the location and the bed capacity of all the hospitals, and also giving the present use of the beds at all the hospitals and the number that are vacant; in short, a summary and recapitulation of all his testimony.

In doing so, in his report signed by himself and Col. C. R. Darnall, he divides his report into six subdivisions. On page 22, in answer to the question—

What hospitals, if any, can be turned over by the Army to the Public Health Service, and when? Which of the camp base hospitals would be suitable for the treatment of such cases as those for which the War Risk Bureau may need to make provision?

He replies:

It is impossible to state at this time when any of the hospitals now operated by the Army could be released for use by the Public Health Service. While it is believed that we have provision for a sufficient number of beds in Army hospitals it is also our belief that we require all that we now have in order to provide a reasonable margin of safety for the care of sick and wounded returning from overseas, and the sickness problem which may develop among the troops in this country and returning for demobilization.

Although this is the opening part of Cols. Darnall and Smith's report, it is absolutely omitted by the minority report, and no reference made to it.

On page 5 of the minority report they quote the balance of the paragraph, taking particular pains, it would appear, to omit the closing sentence, as follows:

These are two of the least-desirable properties which we now occupy.

There was very good reason for this running to cover. Both of these hospitals are on leased ground. Neither of them were built for hospital purposes. They are General Hospital No. 23, at Hot Springs, N. C., and General Hospital No. 15, at Corpus Christi, Tex. General Hospital No. 23, at Hot Springs, N. C., was converted into a hospital, but General Hospital No. 15, at Corpus Christi, Tex., has not been adapted in any sense whatever for hospital uses.

In regard to the Hot Springs hospital, it may be said that it had to be temporarily abandoned on account of the outbreak of typhoid fever. It is so situated as to be flooded at certain times of the year, and the drinking water is said to be polluted. It was, I may say, for this reason that the German prisoners interned there were taken away.

It may be well in passing to point here to the contradiction between the report of Drs. Darnall and Smith and the exhibit which they annex to their report. On page 22 in the paragraph above mentioned, which is quoted in the minority report on page 5, the capacity of General Hospital No. 23, at Hot Springs, N. C., is given as 700 beds. On page 24 of the hearings (No. 16) the total bed capacity of this hospital is given as 250. This is contained in Exhibit A, annexed to the report of Drs. Darnall and Smith. In other words, the narrative contained in the report and the figures contained in the exhibit do not agree.

Hospitals which the War Department claims to be able, sooner or later, to turn over for the use of the Public Health Service.

[See p. 22, Hearings No. 16.]

	Bed capacity.	Remarks.
General Hospital No. 23, Hot Springs, N. C. (Exhibit A, p. 24, states bed capacity as 250).	700	Leased.
General Hospital No. 9, Lakewood, N. J.	904	Do.
General Hospital No. 13, Danville, N. Y.	268	Do.
General Hospital No. 15, Corpus Christi, Tex.	257	Do.
General Hospital No. 18, Waynesville, N. C.	600	Do.
General Hospital No. 19, Long Beach, Long Island.	1,000	Do.

Furthermore, the statement that the War Department is ready to turn over certain inadequate, insufficient, and unsatisfactory hospitals which they do not want to use is not a very encouraging prospect for wounded and disabled soldiers who are standing at the door of the United States War Risk Insurance Bureau asking that their appeals for medical attention shall be heard.

Furthermore, the turning over of these leased hospitals would not be possible until the passage of this bill provides the means.

To refuse to pass this bill and leave the Public Health Service as an humble supplicant at the door of the War Department asking for cast-off hospital facilities would not be creditable to this Congress. In order to place the Secretary of the Treasury in a position to negotiate with the War Department, or any other department having hospital facilities at its disposal, it is absolutely necessary that congressional authority shall be given by the enactment of this bill into law.

The matters as brought up and emphasized by the minority members of the committee in their report are stale and without significance. They have taken up questions which were raised in our hearings, and, apparently oblivious of the fact that the committee which reported this bill had gone deeper into the questions, they assume that where their examination ended the researches of the committee had ended. On the contrary, the committee pursued all of these questions in all their ramifications to the end, and being aware of the embarrassing situation, amended the bill, making it practically mandatory upon the Public Health Service to secure hospital facilities wherever available in every department of the Government.

On page 3, lines 1 to 16, will be found the committee amendments which authorize the Secretary of the Treasury to request the President, the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, the Secretary of the Interior, or the Secretary of Labor to transfer unto the Treasury Department such lands or parts of land, buildings, fixtures, appliances, and furniture under their control not required for their uses as may be found suitable for this use, and so forth, and limit the authority by the further proviso that nothing shall be expended out of the amounts authorized by this act until all available buildings, grounds, and so forth, have been turned over to the Secretary of the Treasury.

So that, granting every argument advanced by the minority in their report, the necessity for the passage of this bill is emphasized and rendered stronger.

If you do not pass it, you leave the United States Public Health Service and the War Risk Insurance Bureau at the mercy of every department chief who may have a worn-out hospital to get rid of. Instead of vesting the Secretary of the Treasury with authority, as this bill does, to demand and take over hospital facilities not in use, you put him in the position of a supplicant obliged to negotiate and haggle over terms.

This touches only the departmental end of it, but what have you to say of the situation in which you put the soldiers of our country who have jeopardized their lives and limbs in behalf of their country? Is this an adequate return to make to them?

While department chiefs are haggling over the turning over of hospitals that they do not want which are on leased ground, and when the Public Health Service finishes haggling over the continuation of leases, the crippled and disabled soldiers will walk the streets without care and attention.

Mr. CANNON. Will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman from Illinois.

Mr. CANNON. I have not yet completed the reading of the bill, but I have gone far enough to find this language: That the Secretary of the Treasury is to utilize the Public Health Service, and so on, and I read in line 7—

Soldiers and sailors, patients of the War Risk Bureau, and for others entitled to treatment by the Public Health Service.

Now, the law has been amended so that people that never dreamed of being in the Army can be treated by the Public Health Service. If the gentleman is not aware of it, I want to both surprise and amaze him.

Mr. GRIFFIN. I am not at all amazed or surprised by that, because the functions of the Public Health Service are clearly defined by law. They are obliged to take care of the sick of the Geodetic Survey; they are obliged to take care of the merchant seamen. The gentleman will find on page 3 of our report a summary of their responsibilities:

At the present time the United States Public Health Service stands obliged by law to treat the following cases:
(1) Merchant seamen.
(2) The Mississippi River Commission.
(3) The United States Coast Guard Service.
(4) The United States Lighthouse Service.
(5) The Engineer Corps of the United States Army.
(6) The United States Coast and Geodetic Survey.
(7) Civilian employees injured under the workman's compensation act.
(8) Civilian employees injured on Army transports.

Then was passed the war-risk insurance act of October 6, 1917, which imposed the additional burden of caring for discharged soldiers and sailors. It is a matter of pure conjecture what limits that burden will extend to.

Mr. CANNON. Does that end the list?

Mr. GRIFFIN. That ends the list.

Mr. CANNON. If the gentleman will allow me right there, the Public Health Service was authorized under the law—I called attention to it, and I will hunt it up again——

Mr. GRIFFIN. The gentleman can tell me what it is, and I may admit it.

Mr. CANNON. It is the right of the people of the United States that never dreamed of being in the service, male and female, to be treated for various classes of diseases.

Mr. GRIFFIN. That is true; I have the chart here.

Mr. CANNON. Then the gentleman, when he read from the report, had forgotten that.

Mr. GRIFFIN. No; the gentleman had not forgotten it. I said in the report that the burden put on the Public Health Service was very much enlarged. They have been enlarged right along year after year since the Public Health Service was organized in 1798. Last year the Public Health Service treated 22,419 patients. But whether or not the Public Health Service has other burdens upon it placed there by Congress—the care of the sick and disabled in other departments—there is no gainsaying the fact, no getting away from the fact, that Congress on October 6, 1917, passed the war-risk insurance amendment which puts the burden of caring for all of the war-risk insurance cases on the Public Health Service. Now, let me get at the meat of this matter.

Mr. CANNON. This is the meat; would the gentleman favor an amendment striking out, in lines 7 and 8, the words "and for others entitled to treatment by the Public Health Service"?

Mr. GRIFFIN. No; that would be preposterous; that is equivalent to voting to repeal every law that has been passed enlarging the scope of the Public Health Service.

Mr. CANNON. That enables the Public Health Service to treat any man, woman, or child in civil life.

Mr. GRIFFIN. Surely it does, if entitled by existing laws. Now, I decline to yield further.

Mr. LAZARO. Will the gentleman yield?

Mr. GRIFFIN. I will yield to the gentleman from Louisiana.

Mr. LAZARO. Did the committee ascertain how many tubercular soldiers and sailors we have?

Mr. GRIFFIN. I am coming to that.

Mr. LONDON. Will the gentleman yield for a suggestion?

Mr. GRIFFIN. Yes.

Mr. LONDON. The language in lines 7 and 8, on page 1, mean these others entitled by existing law to treatment.

Mr. GRIFFIN. Yes.

Mr. LONDON. That is all there is of it.

Mr. GRIFFIN. Yes; that is all. You can not undertake to ask Congress to consent to an amendment suggested by the gentleman from Illinois which will repeal all former provisions of law and take away the functions of the Public Heath Service. Gentlemen are evading the real issue here. The only point at issue in the consideration of this bill is—and I say it with all deference, and I would like the attention of the gentleman from Illinois particularly, because he raised the point—we have nothing to do here with the existing law. The motion to strike out from among the beneficiaries "all other persons in other departments" would not be germane to this bill, because it would be equivalent to the repeal of all existing laws which have added those department beneficiaries to the burdens of the Public Health Service in years past. All we have to do to-day is to consider whether we are going to keep our promise to the soldiers and the sailors who enlisted under our flag for the defense of our Nation in this war. If you do not provide some place for the men to go in this bill you will have to provide for it in another bill.

Mr. CANNON. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. CANNON. I think I have failed to make myself understood, or the gentleman is not candid. I say that under the law as it now is, passed without the knowledge of Congress, practically sandwiched in, the Public Health Service can treat any civilian in the United States—man, woman, or child—without regard to whether they ever had any office, civil or military, in the service of the United States, and that would enable them to fill the hospitals and use this $10,000,000 by the simple words "disabled soldiers and sailors, patients of the War Risk Insurance Bureau, and for others entitled to treatment by the Public Health Service." That covers every man, woman, and child in the United States.

Mr. GRIFFIN. Just a moment; the gentleman has stated that I was lacking in candor.

Mr. CANNON. Oh, I said I had failed to make myself understood or the gentleman was lacking in candor.

Mr. GRIFFIN. I do not think that the gentleman has anything as a basis for the statement; the bill reads "and for others entitled to treatment by the Public Health Service."

Mr. CANNON. Yes.

Mr. GRIFFIN. Others entitled to treatment by the Public Health Service. Who are entitled to treatment by the Public Health Service?

Mr. CANNON. Any individual——

Mr. GRIFFIN. No; not any individual; only those who are enumerated on page 3 of the majority report.

Mr. CANNON. But we are not going to enact the report, are we? We are going to enact the bill.

Mr. GRIFFIN. They are not entitled to treatment by virtue of the report or of this proposed law; but they are entitled to treatment by virtue of laws heretofore passed by Congress.

Mr. CANNON. Precisely, and that includes people who have the measles, the smallpox, the influenza, or any other disease.

Mr. GRIFFIN. That does not happen to be so; and even if it were, would the gentleman seek to lessen the benevolence of any governmental function?

Mr. CANNON. If I should vote for that, with that provision in it, then I would vote to put all of the doctors in the United States on the Public Health Service, and I would treat everybody alike.

Mr. GRIFFIN. The proposed bill simply provides that the Secretary of the Treasury be, and is hereby, authorized and directed to provide immediate additional hospital and sanatorium facilities for the care and treatment of discharged and disabled soldiers and sailors, patients of the War Risk Insurance Bureau, and for others entitled to treatment by the Public Health Service.

Mr. CANNON. It is the last statement to which I object.

Mr. GRIFFIN. Who is entitled to treatment by the Public Health Service? Not everybody. The law has already provided as to who may be beneficiaries of the Public Health Service.

Mr. CANNON. Everybody who is sick.

Mr. GRIFFIN. Not everybody who is sick; only those who come within certain provisions.

Mr. CANNON. Everybody who is sick or helpless from scarlet fever, mumps, or anything else.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I am very much interested in having the cooperation of the gentleman from Illinois [Mr. CANNON], who has taken up so much of my time, because I know his fairness and his wisdom and judgment. But if he does not understand now that there is nothing in this bill which adds to the functions of the Public Health Service except the care of wounded soldiers and sailors, then I must give up. I yield to the gentleman.

Mr. JOHNSON of South Dakota. If this bill was enacted, will the hospitals be utilized for the treatment of soldiers who were injured fighting in France or in Italy?

Mr. GRIFFIN. They surely will.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. GRAHAM of Illinois. Is the gentleman entirely within the facts about that? Is it not true that in the hearings on this bill it was stated by the officials of the Surgeon General's office that they did not intend to discharge soldiers who needed medical or hospital treatment until they were cured and until further necessity for hospital treatment was done away with?

Mr. GRIFFIN. Yes; they said that.

Mr. GRAHAM of Illinois. And that, consequently, the men who will be treated in these hospitals under the Public Health Service will be those who passed the draft board but who did not pass the examining physicians at the camps, and the other recipients of the bounty in the Public Health Service who are named in the report.

Mr. GRIFFIN. No; that is too hasty a conclusion to draw.

Mr. GRAHAM of Illinois. I am asking if the testimony does not show that?

Mr. GRIFFIN. I am going to answer the gentleman, though I do not want to take up too much time, because this is consuming time, and it interrupts the train of my remarks, which I had hoped to have been able to present to the House in a logical sequence. Answering the gentleman's question, the proof

of the pudding is the eating of it. There was something said by a representative of the Surgeon General's office that it is their practice not to discharge men until they have been subjected to a certain course of treatment, but here are the figures contained in a letter addressed to me, dated as short a while ago as January 17, signed by Rupert Blue, the Surgeon General.

Mr. DYER. Surgeon General of what?

Mr. GRIFFIN. Of the Public Health Service.

Mr. ELLIOTT. That letter has been written to you since the time the committee had its hearings on this bill.

Mr. GRIFFIN. Yes. I will say to the gentleman that I have the latest information and statistics on this measure, right down to date. That letter states that 24,500 tubercular patients have been discharged. Twenty-four thousand five hundred tuberculosis patients actually discharged, men with their lungs sloughed away from the gases in France, men with lungs impaired, discharged; and they can no longer be admitted into the Army hospitals. There is no place for them to go except to the Public Health Service.

Mr. DYER. Do they not go to New Mexico?

Mr. GRIFFIN. There is no accommodation for them. The Army itself tells us that it has no accommodation; that it can not treat men after they are discharged from the service. Please let us get this into our heads—that the Army hospitals can not and will not, under the law, treat a man after he has been once discharged and resumes his civilian status. There is the contingency that has been created, created by the Members of this Congress.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. JUUL. I think I want to agree with the gentleman, and I want to help him out, if I may.

Mr. GRIFFIN. I thank the gentleman very much.

Mr. JUUL. If I understand this bill correctly, and I think I do as far as we have gone, it directs the Secretary of the Treasury to provide immediate additional hospital and sanatorium facilities for the care and treatment of discharged soldiers and sailors, patients of the War Risk Insurance Bureau. That is the meat of it.

Now, my distinguished friend from Illinois is apparently worried over this line, "and for others entitled to treatment by the Public Health Service." You are not adding a line of law.

Mr. GRIFFIN. Not a bit.

Mr. JUUL. The existing conditions——

Mr. GRIFFIN. And we are not repealing any law that exists.

Mr. JUUL. All these people who might be covered by lines 7 and 8 in this bill are already covered?

Mr. GRIFFIN. By statutes which have already been passed.

Mr. JUUL. Absolutely.

Mr. GRIFFIN. Yes.

Mr. JUUL. And if you were to strike out——

Mr. GRIFFIN. Pardon me, but my time is short and I promised to yield time to other gentlemen. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Twenty-five minutes remain to the gentleman.

Mr. JUUL. Why, clearly, if we strike this out instead of passing the act, we will be striking out the meat of the other acts.

Mr. GRIFFIN. Yes.

Mr. AUSTIN. I suggest that the gentleman finish the reading of Gen. Blue's letter.

Mr. GRIFFIN. I am obliged to the gentleman for his suggestion.

TREASURY DEPARTMENT,
PUBLIC HEALTH SERVICE,
Washington, January 17, 1919.

Hon. ANTHONY J. GRIFFIN,
House of Representatives, Washington, D. C.

MY DEAR MR. GRIFFIN: The following memorandum is submitted, as requested by you, in order to bring figures in your report on H. R. 13026 up to date:

War-risk insurance cases now actually under treatment up to Jan. 15, inclusive	1,724
Soldiers, sailors, and marines discharged up to Jan. 1 because of tuberculosis who are entitled to treatment, when needed, by the War Risk Insurance Bureau under the act of Oct. 6, 1917	24,500
Cases of epilepsy reported up to Dec. 1, 1918	5,220
(Of these 2,200 had been discharged from the Army up to Dec. 1 and 250 were discharged during December. Number reported during December not yet available, but Army is discharging epileptics at rate of about 250 per month.)	
Mental cases, including psychoneurosis of all types, reported to Jan. 1, 1919, approximately	50,000
(This includes not only cases already reported to War Risk Bureau, but also those known to exist in the Army, but not yet discharged. All of these, except the incurable insane, a comparatively small percentage of the total, will be ultimately recommended for discharge.)	
Total	81,444

As further showing the need for increased hospital facilities you may be interested to know that there were over 71,000 beneficiaries of the service treated in the 22 marine hospitals and 119 relief stations operated during the year 1918. Twenty thousand six hundred and nine of these were treated in hospitals, but only 12,797 could be accommodated in hospitals owned by this service, the remaining 7,812 having been placed in civilian hospitals under contract. The number of beneficiaries of the service treated during 1918 exceeded by more than 7,000 the number treated during 1917.

It has been stated that the policy of the Army is to keep its tuberculosis cases until they are incapable of further improvement. As a matter of fact, of the 1,724 war-risk cases now actually under treatment, 930 are cases of tuberculosis which have been discharged from the Army. The Army has 8 tuberculosis hospitals, and at the present time has over 5,000 tuberculosis patients under treatment. Even though the policy may be to keep cases in the Army until they are arrested or incapable of further improvement by treatment, it is nevertheless a fact that an arrested case is not necessarily a cured case, and is liable to suffer a recurrence of the disease under unfavorable conditions. Therefore, even cases of tuberculosis which are discharged as arrested or not needing further treatment by the Army become potential beneficiaries of the War Risk Insurance Bureau, and an increasing number of these will undoubtedly continue to become actual beneficiaries of that bureau and require hospital treatment in the future as they have during the past.

Respectfully,

RUPERT BLUE, *Surgeon General.*

You will notice that of the 5,220 cases of epilepsy 2,200 had been discharged from the Army up to December 1. Is the gentleman from Illinois listening to that? The 2,200 epileptics were discharged from the Army up to December 1, and 250 approximately were discharged during December. The precise number reported during December is not yet available, but the Army is discharging epileptics at the rate of 250 per month. Then there is another division of men who will be subject to treatment by this Public Health Service, possible potential beneficiaries under this act. Mental cases, including psychoneurosis of all types reported up to January 1, 1919, approximate 50,000. This includes not only cases already reported to the War Risk Bureau, but also those known to exist in the Army and not yet discharged. All of those, except the incurably insane, a comparatively small percentage of the total, will be ultimately recommended for discharge.

Mr. AUSTIN. What is the total number, may I ask?

Mr. GRIFFIN. The total number as figured by the Surgeon General of the Public Health Service is 81,444.

Mr. McKENZIE. Will the gentleman yield for a question?

Mr. GRIFFIN. I would rather not, if the gentleman will permit me to go ahead, as my time is short.

Mr. McKENZIE. I will make it very brief, and the gentleman can put it in his speech if he extends it. I would like to know whether he has the fact showing the number of epileptic colonies in the various States and also the number of tuberculosis sanitariums in the various States that might be utilized for this purpose?

Mr. GRIFFIN. No; I have not; but I have other figures here more closely related to this bill. I called up the War Risk Bureau on January 22, and I got Col. Banks, Chief of the Medical Division of the War Risk Bureau, on the phone. He told me that the number of applications filed at the War Risk Bureau up to date was 14,200. All of those men are clamoring for treatment—all soldiers or sailors—and the Public Health Service has just 22 hospitals, having a bed capacity of 1,548, to accommodate them. Now, how in God's name are they going to be accommodated?

Mr. BARNHART. How many?

Mr. GRIFFIN. Fourteen thousand two hundred. That these figures contained a modest estimate of the probable number of patients of the War Risk Insurance Bureau is shown by the following estimate of discharges from the United States Army for the year 1918 as given to me by Col. Love, of the United States Medical Corps. On January 23 the statement was that the discharges up to December 31, 1918, were for tuberculosis, 17,000; for epilepsy, 3,000; for mental diseases, 10,000; and for miscellaneous disabilities, 70,000, making a total of 100,000 enfeebled and disabled soldiers of the United States Army who are potential beneficiaries of the Public Health Service.

Mr. GOOD. Will the gentleman yield? I ask just to ascertain what authority Congress has conferred upon the Public Health Service to look after these various classes of people.

Mr. GRIFFIN. To what classes does the gentleman refer?

Mr. GOOD. For instance, the war-risk act provided for disabled soldiers and sailors who were patients of the War Risk Bureau and were to be looked after by the Public Health Service.

Mr. GRIFFIN. The law specifically provides that the Treasury Department, or the United States rather, should look after them. The Treasury Department specifically has the burden. The Public Health Service is merely a bureau of the Treasury Department.

Mr. GOOD. I understand that. Now, what is intended to be embraced in the language in line 7, "and others entitled to treatment by the Public Health Service"? What others are entitled to treatment by the Public Health Service?

Mr. GRIFFIN. I think I covered that in my answer before. If the gentleman will look at the majority report, he will notice that on page 3 he will find the various departments of the Government that are entitled to treatment under the laws.

Mr. GOOD. I want to ask if, in drawing that report, the committee had before it this express provision of law and if the members of the committee have personally gone into that matter?

Mr. GRIFFIN. They did very thoroughly. Now, gentlemen, I want to lay a few figures before you, so that they will appeal to your imagination, to your vision.

I know that figures and statistics are tiresome. However, do you know what the entire strength of the Regular Army was on November 11, 1918? It was 515,728; the National Guard, 461,048; drafted men, 2,815,000; making a total of 3,791,776. Now, the strength of the Army at the highest point, before deductions were made for casualties, was as follows: Volunteers, 1,167,547; drafted, 2,818,000.

And yet in the presence of those figures the minority report dares say that it is for the care and treatment of the drafted men who never went over on the other side that these additional facilities are required. Where, in the name of Heaven, can they deduce that assumption from anything that was produced before our hearings? We have 2,000,000 boys over on the other side, or we had at the conclusion of hostilities, less the number who offered up their lives or were wounded.

Mr. STAFFORD. Will the gentleman yield?

Mr. GRIFFIN. The time is very short. I would prefer that the gentleman hold his question until some of the other Members are speaking.

Mr. STAFFORD. The gentleman has made a report that directly relates to the bill, but, if the gentleman wishes, I will not embarrass him.

Mr. GRIFFIN. According to Gen. Pershing, up to November 18, 1918, there were killed in action in the American Expeditionary Forces 36,145. The totals carried up to January 24—that is, yesterday—are: Killed in action, 31,019; died of wounds, 13,572; died of disease, 18,863; died unclassified, 2,705; wounded, 189,955; prisoners, 3,367; missing in action, 14,829.

But I want to emphasize that nearly 190,000 boys were wounded over there on the other side. Have we no vision to see what is going to happen in the future? Can we not see those boys coming back here to this country, hobbling along our streets on crutches, with their pale, wan faces, and clad in their faded coats of khaki, with arms missing, with their lungs polluted by diseases which they contracted in the trenches? And is any man going to say that these men should not have provision made for them?

Now, I take it from the questions that have been asked that the principal embarrassment is that which struck the committee in our hearings, namely, Are there not accommodations enough? Yes; there are accommodations, but those accommodations are for the Army, not for the discharged soldiers. The Army had up to yesterday 42,000 vacant beds, but there are 120,000 wounded boys on the other side who have not yet come over, and they have got to be taken care of.

Now, it was quite evident to our committee that the Army has no facilities to turn over to the Public Health Service.

Mr. DYER. The Army has plenty of funds with which to provide additional hospitals.

Mr. GRIFFIN. They have the funds; but they are not confronted with the burden of responsibility of caring for the discharged soldiers.

Mr. DYER. They are not discharging them. I have received many denials of discharge of those already wounded and crippled.

Mr. GRIFFIN. I have read figures showing the number of men that have been discharged.

Mr. DYER. They will not discharge them until they are well.

Mr. GRIFFIN. They have discharged 24,500 patients suffering from tuberculosis and who are not cured. Their condition might have been alleviated; but tuberculosis is not a disease that can be permanently cured. As early as last July, Mr. DeLanoy, the Director of the Bureau of War Risk Insurance, called the attention of the Secretary of the Treasury to the pressing need of making some provision for the constantly increasing beneficiaries of the war-risk insurance act. The following is his letter:

TREASURY DEPARTMENT,
BUREAU OF WAR RISK INSURANCE,
Washington, July 30, 1918.

Subject: Need of enlarged hospital facilities.
The SECRETARY OF THE TREASURY.

SIR: 1. I have the honor to invite your attention to the care and treatment of men who have been discharged from the military and naval forces of the United States who are beneficiaries of the Bureau of War Risk Insurance, and are in immediate need of sanatorium facilities.

2. Under the provisions of the amended act of October 6, 1917, defining the duties of this bureau it is provided in article 3, section 300, paragraph 3, that the sick or injured beneficiaries "shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services and with such supplies, including artificial limbs, trusses, and similar appliances as the director may determine to be useful and reasonably necessary."

3. Section 303 provided that "as frequently and at such times and places as may be reasonably required, submit himself to examination by a medical officer of the United States or by a duly qualified physician designated or approved by the director."

4. At present the only "governmental" hospital services available for this work are the hospitals and relief stations of the United States Public Health Service, as the hospitals of the Army and Navy can not be used for the treatment of discharged soldiers and sailors under the law, because these men have resumed their civilian status, and for the further reason that these hospitals are entirely occupied with the sick and disabled who are now in active military and naval service. The chief medical advisor of this bureau is now making use of every hospital and relief station of the Public Health Service in all parts of the country, and as this hospitalization of discharged soldiers and sailors is increasing, the necessity of making increased provisions in the hospitals of this service will be more acute when the Army is numerically increased.

5. The great problem connected with this work is the caring for discharged soldiers and sailors suffering from tuberculosis, and as 10,000 have already been discharged and are eligible for compensation and sanatorium treatment, the chief medical advisor informs me that he has already filled the Government sanatorium at Fort Stanton, N. Mex., to its capacity, and that he is finding difficulty in procuring suitable bed space in local hospitals, where the cost of maintaining them is greater than in the Government institutions.

6. The experience of the allied nations should be our guide in making preparation for the cases which will inevitably become a charge upon this bureau in the near future, as both England and France have returned tens of thousands of cases from the front broken down by this disease.

7. It is therefore the desire of this bureau that this condition be represented to the Surgeon General of the United States Public Health Service, directing his attention to the department's needs in this respect, and urging his cooperation in providing sufficient bed space, either by the enlargement of hospitals now existing or the construction of new buildings.

Respectfully, WILLIAM C. DELANOY,
Director.

As a result of this initiative, a conference was arranged between the three most interested departments of the Government—the Army, the Navy, and the Public Health Service—and the result of their labors was embraced in the following report:

SEPTEMBER 11, 1918.

Report of the committee appointed by the chairman of the conference of officers of the Army, Navy, and Public Health Service to obtain data regarding the number of men discharged from the military forces, and the percentage of those engaged who will become beneficiaries of the War Risk Insurance Bureau; also to present conclusions, if any could be reached, regarding the accommodations which should be furnished to those patients.

This committee has the honor to make the following report:

The largest number of discharged soldiers requiring treatment will be cases of tuberculosis. Fourteen thousand men have already been discharged from the Army on account of this disease. During the remainder of the calendar year 1918 and during the year 1919 it is estimated that 20,000 men will be rejected on their primary examination at the camps after induction into the service.

The War Risk Insurance Bureau of the Treasury Department would have to care for these patients. From its experience, three-fourths, or about 26,000, will avail themselves of sanatorium treatment.

It is estimated that the average length of time the patients will remain in a tuberculosis sanatorium is six months. Therefore 13,000 beds will be required for these patients.

The number of soldiers that will be discharged from the Army hereafter during the war will be small, as it is the policy of the War Department since May 21, 1918, not to discharge tuberculous soldiers as long as they need sanatorium treatment. Practically the same policy is followed in the Navy Department.

The War and Navy Departments have made no provision for the treatment of patients other than those of the active forces, and therefore no beds are available for patients of the War Risk Insurance Bureau.

The number of soldiers discharged for diseases other than tuberculosis that will require hospital accommodations will probably be small and can be taken care of in existing hospitals.

EARL H. BRUNS,
Lieutenant Colonel,
Medical Corps, United States Army.
W. E. EATON,
Lieutenant Commander,
Medical Corps, United States Army.
W. G. STIMPSON,
Assistant Surgeon General,
United States Public Health Service.

After a careful examination of this report former Secretary of the Treasury McAdoo forwarded the following letter to the Speaker, dated September 20, 1918, in which he submitted a proposed form of bill:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, September 20, 1918.

The SPEAKER HOUSE OF REPRESENTATIVES,
Washington, D. C.

SIR: I have the honor to submit herewith a tentative draft of legislation, with the request that the same be referred to the Committee on Public Buildings and Grounds for immediate consideration:

"*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to provide immediate additional

hospital and sanatorium facilities for the care and treatment of discharged, sick, and disabled soldiers and sailors, patients of the War Risk Insurance Bureau, and for others entitled to treatment by the Public Health Service, by lease or purchase of existing plants or the construction of new hospitals and sanatoria, to include the necessary buildings, with their appropriate mechanical equipment and approach work, including roads leading thereto, for the accommodation of patients, officers, nurses, attendants, storage, laundries, and live stock, on sites now owned by the Government, or on new sites to be acquired by purchase or otherwise at such places as he may elect, including the remodeling of such of the existing or authorized buildings and their equipment, owned by the United States, as may be necessary to economically adapt such facilities to those herein provided, at the sanatorium at Fort Stanton, N. Mex., and at such of the marine hospitals where increased facilities can be placed, at a limit of cost for sites and buildings, etc., as aforesaid, complete, of $9,700,000, or as much thereof as may be found necessary; for miscellaneous furniture and equipment for the above, $800,000; in all, $10,500,000, and the above amounts are hereby authorized, and when appropriated to be immediately available and remain available until expended.

"The Secretary of the Treasury, in securing additional sites herein provided for, may request the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, or the Secretary of the Interior to transfer to the Treasury Department such lands or parts of land under their control, not required for other purposes, as may be found suitable for this use, and they are hereby authorized to make such transfer as may be in the interest of the Government.

"In carrying the foregoing authorization into effect, the Secretary of the Treasury may enter into contracts for the lease or purchase of existing buildings, grounds, and equipment, or purchase materials and labor in the open market, or otherwise, and employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of this authorization.

"And the Secretary of the Treasury is hereby authorized, in his discretion, to employ, for service within or without the District of Columbia, without regard to civil-service laws, rules, and regulations, and to pay from the sums hereby authorized, at customary rates of compensation, such additional technical and clerical services as may be necessary, exclusively to aid in the preparation of the drawings and specifications for the above-mentioned objects and the supervision of the execution thereof, for traveling expenses, and printing incident thereto, at a total limit of cost for such additional technical and clerical services and traveling expenses, etc., of not exceeding $330,000 of the above-mentioned limit of cost."

Attached hereto are photostatic copies of certain reports and recommendations, which are self-explanatory and show the necessity for the above legislation.

Respectfully, W. G. McADOO, *Secretary.*

Secretary McAdoo felt that the matter was so urgent that he followed this letter up with another on November 18, 1918, in which he set out the reasons requiring, in his judgment, its immediate passage.

I call your attention specifically to the clause next to the last in which he states that "the War Department is desirous of discharging these cases into the care of the War Risk Insurance Bureau."

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY.
Washington, November 18, 1918.

The SPEAKER HOUSE OF REPRESENTATIVES,
Washington, D. C.

SIR: Pressing necessity of the utmost gravity impels me to invite your attention to two bills pending in Congress, to supply hospital accommodations for discharged sick and disabled soldiers and sailors, patients of the War Risk Insurance Bureau, and others entitled to treatment by the Public Health Service of this department; namely, H. R. 12917, to provide certain hospital facilities at Dawson Springs, Ky., on land to be donated to the Government, and H. R. 13026, to provide like hospital accommodations at various points throughout the country. The former bill was introduced in the House on September 11, and on investigation by the Public Buildings and Grounds Committee, was reported out, and subsequently made a special rule in Congress, that the greatest possible expedition might be given to the project, and at this writing I understand that the bill is only waiting for a quorum in the House to complete the legislation in that branch of Congress.

In my letter of September 20, transmitting a tentative draft of legislation, which has since been given H. R. 13026, there was also transmitted a report from a committee appointed by the Secretary of War, the Secretary of the Navy, and myself, in which the statement was made that 13,000 beds would be required for these patients, and that the War and Navy Departments had made no provision for patients other than those of active forces, and therefore the War and Navy Departments had no beds available for patients of the War Risk Insurance Bureau, and in addition thereto, a memorandum from the Surgeon General of the Public Health Service of this department in which the statement is made that these beds would not be for temporary purposes, but will be needed for years to come, and that the estimated cost of supplying the number of beds required would be $26,000,000 for hospital accommodations for soldiers and sailors suffering from tuberculosis.

In addition to these patients, I am advised in a letter dated October 26, from the chief medical advisor of the War Risk Insurance Bureau, that the Surgeon General of the United States Army had asked for some practical solution for supplying sanatoria for restorative or institutional treatment of persons discharged from the military and naval forces suffering from epilepsy, due to shell shock and other causes. The War Department is desirous of discharging these cases into the care of the War Risk Insurance Bureau. In connection with these cases, it is estimated that accommodations for not less than 2,000 should be immediately provided for out of the funds carried in H. R. 13026.

The bills above referred to represent estimates for approximately 6,000 beds only, but it is of the utmost importance that this number be made available at the earliest possible moment. Since these estimates were transmitted to Congress an armistice has been declared and hostilities ceased, but while these are happy conditions, it has, as a matter of fact, foreshortened the day and hour when hospital accommodations must be made available and has pressed home to me the tremendous responsibility of supplying accommodations for the sick and disabled discharged soldiers and sailors who will soon return from overseas in overwhelming numbers, and I can not too strongly urge upon you to exercise all your influence to translate the proposed legislation into law, as one of the utmost importance, in order that the Government may carry out its part of its contract with the soldiers and sailors who have so magnificently carried out their entire contract with the Government, and to this end request that this legislation be made a special rule in the House in order that funds may be made immediately available for the purpose above stated.

Respectfully,

W. G. McADOO, *Secretary.*

Upon the receipt of this letter the Committee on Public Buildings and Grounds began a very painstaking investigation of the hospital situation in the United States.

I want to say here that in the beginning I think the majority of the committee were against this measure. When we learned that the Army hospitals were not available to discharged soldiers we felt obliged to report this bill.

The minority report contains a table showing the hospitals under the control of the War Department. Permit me to say that this very table, used by the minority, was compiled explicitly at my instance and request. On page 19 of the hearings (No. 16, Dec. 9, 1918) you will find the following in our examination of Col. Winfred H. Smith, United States Medical Corps:

Mr. GRIFFIN. I think it would be well to have Col. Smith have a copy of his testimony which he has given here to-day. The figures and facts which he has given in his testimony are somewhat disconnected.

The CHAIRMAN. He will have a chance to revise his statement.

Mr. GRIFFIN. And I suggest that he recapitulate his testimony; showing the number of hospitals in the United States, the number of hospitals upon leased ground; the number of cantonments; whether the sites at cantonments are on leased ground; the location and the bed capacity of all the hospitals; and also giving the present use of the beds at all the hospitals and the number that are vacant. In short, a summary and recapitulation of all his testimony.

The CHAIRMAN. Yes; and particularly, I would like the information to come from the War Department proper as to when we can expect, if ever, to get them; because, no matter how well they are suited for the purpose, if we can not get them they are not worth anything to us.

Mr. BARNHART. Well, we can get them by legislation, even if the War Department says they can not give them up; we have authority to do that.

When Col. Smith's recapitulations and tables came in we found that even if we had double the facilities and all were capable of surrender to the Public Health Service, we could not use a single hospital without some specific authority.

We then amended the bill as you will find on page 3, lines 1 to 16, so as to authorize the Public Health Service to negotiate with and procure from the other branches of the Government every hospital facility attainable—and, mark this: We enjoin them not to use a cent of this appropriation until they have acquired every available hospital from the other departments.

The interest of the new Secretary of the Treasury, the Hon. Carter Glass, not so long ago one of our most highly esteemed colleagues, is not one whit less than his predecessor. No longer ago than the 16th of January he wrote this letter to the chairman of the Rules Committee, urging a special rule in order to obtain immediate action on this bill:

JANUARY 16, 1919.

Hon. EDWARD W. POU,
Chairman Committee on Rules,
United States House of Representatives.

MY DEAR MR. POU: I wish to invite your attention to the very urgent need of providing additional hospital facilities for the care and treatment of patients of the Public Health Service and for discharged soldiers and sailors who are beneficiaries of the War Risk Insurance, for which the Treasury Department is charged by law with the responsibility of providing hospital accommodations and treatment.

The present total normal bed capacity of hospitals under the control of this department is but 1,548, while on November 20 there were actually 1,556 patients in its hospitals. Indeed it has been necessary for many months to crowd our hospitals to the limit of their capacity by placing additional beds in undesirable places and to refuse admission to many who are entitled to treatment in our hospitals. This department also has the names and addresses of upwards of 50,000 other cases entitled under law to receive treatment for which there are absolutely no hospital accommodations.

A comprehensive and carefully worked out scheme of additional hospital accommodations, much of which will be of a more permanent nature and affording a permanent groundwork for the hospitalization of persons entitled to treatment by this department, is provided for in a bill which has been given No. H. R. 13026, now awaiting action by the House of Representatives.

It is reasonable to presume from the location of this bill on the House calendar that consideration of it will not be reached for a very considerable time, possibly not this session, and as the most urgent need of these additional accommodations is for the benefit of discharged soldiers and sailors who require and are entitled to hospital treatment, it is of vital interest to every section of the Nation that the Government may be put in position to promptly carry out its contract in this respect, as expressed in the amended act of October 6, 1917, and prior legislation.

May I not suggest and urge that a special rule be brought by your committee for the immediate consideration of this bill as reported by the Committee on Public Buildings and Grounds on December 21, a copy of which is hereto attached?

Respectfully, CARTER GLASS, *Secretary.*

EXHIBIT A.

Total strength of United States forces—Army, Navy, and Marine Corps.

	Total strength Apr. 2, 1917.	Enlistments to June 30, 1917.	Enlistments June 30, 1917, to Sept. 20, 1918.	Totals, Nov. 11, 1918.
Regular Army	121,797	117,974	275,957	515,728
National Guard	164,292	183,719	113,037	461,048
Drafted men				2,815,000
	286,089	301,693	388,994	3,791,776
Strength of Army at highest point before deductions made by casualties:				
Volunteers				1,167,547
Drafted				2,818,000
Total				3,982,547
Marine Corps	13,585		67,829	72,440
United States Navy	62,667			216,644
United States Naval Reserve		32,379		290,963
United States Naval Militia		10,088		14,842
Total strength of Navy on Nov. 11, 1918				522,449
Total strength all branches of service				4,386,665

EXHIBIT B.

Casualties in American Expeditionary Forces to Jan. 24, 1919.

		Pershing's report to Nov. 18, 1918.	Total to Jan. 24, 1919.
Killed in action		36,145	31,019
Died of wounds			13,572
Died of disease		14,811	18,865
Died unclassified		2,204	2,705
Wounded		179,625	189,955
Prisoners		2,163	3,367
Missing in action		1,160	14,829
Total		236,108	274,312
Deaths in Army in United States, total to Jan. 10, 1919			33,493
Casualties in Marine Corps:			
Killed	1,560		
Wounded	7,465		
Gassed	1,854		
Missing	695		
			11,574
Casualties in Navy:			
Killed	1,520		
Wounded	711		
Died of disease (approximately)	14,000		
			16,231
Casualties in all branches of service			335,610

EXHIBIT C.

JANUARY 20, 1919.

Memorandum in re H. R. 13026.

When the Committee on Public Buildings and Grounds reported this bill on December 21, 1918, we only had accessible the figures of the War Department up to November 30, 1918, as to the hospital facilities in general hospitals, camp base hospitals, port of embarkation hospitals, and department base hospitals.

The following table shows the change in conditions:

[From figures of Col. Winford H. Smith, Medical Corps, United States Army.]

Hospital facilities in the United States under control of the War Department as of Nov. 28, 1918, and Jan. 17, 1919.

Nov. 30, 1918:	
Number of beds available	112,226
Beds occupied	59,628
Beds vacant	52,598
Jan. 17, 1919:	
Number of beds available	109,059
Beds occupied	66,529
Beds vacant	42,530

Sick and wounded overseas.

Total number of men receiving treatment in American hospitals Nov. 28, 1918	182,569
Total number of men receiving treatment in French and British hospitals Nov. 28, 1918	8,000
Total receiving treatment Nov. 28, 1918	190,569
Total receiving treatment Jan. 2, 1919	120,391

Sick and wounded returned to the United States.

Number of sick and wounded overseas returned to the United States to Dec. 27, 1918	37,583
Sick and wounded returned since Dec. 27, 1918	13,749
Total sick and wounded returned to Jan. 17, 1919	51,332

EXHIBIT D.

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
January 17, 1919.

Hon. ANTHONY J. GRIFFIN,
House of Representatives, Washington, D. C.

DEAR MR. GRIFFIN: Complying with your request contained in your letter of January 15, I am directed by the Surgeon General to supply the following information:

In United States:	
Total number of beds now available	109,059
Total number of beds now occupied	66,529
Total number of beds now vacant	42,530
Total number of sick and wounded returned from overseas to date	51,332
Total number returned since Dec. 27, 1918	13,749
In Europe:	
Total number of men receiving treatment in American hospitals in France, including the English and French hospitals as reported from American Expeditionary Forces Jan. 2	120,391

Trusting this gives you the desired information, I remain,
Very truly, yours,

WINFORD H. SMITH,
Colonel, Medical Corps, U. S. A.

EXHIBIT E.

Present and potential beneficiaries of the War Risk Insurance Bureau under act of Oct. 6, 1917.

War-risk insurance cases now actually under treatment, up to Jan. 15, 1919, inclusive	1,724
Soldiers, sailors, and marines discharged up to Jan. 1, 1919, because of tuberculosis	24,500
Cases of epilepsy reported to the United States Army up to Dec. 1, 1918 (up to Jan. 1, 1919, 2,500 cases have been discharged)	5,220
Mental cases, including psychoneurosis of all types, reported in the Army up to Dec. 1, 1918, approximately	50,000
Total	81,444

Applications filed at War Risk Insurance Bureau up to January 22, 1919, inclusive (statement of Col. Banks, chief medical adviser of the War Risk Insurance Bureau), 14,200; and coming in at the rate of 200 per day.

That these figures contain a modest estimate of the probable or potential beneficiaries of the War Risk Insurance Bureau is shown by the following estimate of discharges from the United States Army for the year 1918, as given by Col. Love, United States Medical Corps, on January 23, 1919:

Total discharges to date Dec. 31, 1918 (estimated for 1918).

For tuberculosis	17,000
For epilepsy	3,000
For mental diseases	10,000
For miscellaneous disabilities	70,000
Total	100,000

EXHIBIT F.

Total patients treated in United States by Public Health Service.

(Fiscal years ending June 30, 1917, and June 30, 1918.)

1917	64,033
1918	71,806
Increase	7,773

Total patients treated in United States marine hospitals.

1917	11,325
1918	12,797
Increase	1,472

Total patients treated in contract hospitals.

1917	6,666
1918	7,812
Increase	1,146

I reserve the balance of my time.

Mr. ELLIOTT. Mr. Chairman, I yield five minutes to the gentleman from South Dakota [Mr. JOHNSON].

Mr. CLARK of Florida. Mr. Chairman, how much time did the gentleman from New York reserve?

The CHAIRMAN. Fifteen minutes.

Mr. JOHNSON of South Dakota. Mr. Chairman, it is a matter of regret to me that I shall be compelled to oppose this bill in its present form, because I think I realize full well that there must be some additional hospital facilities in the United States. If it is not possible to secure a better bill, I shall, of course, support this one.

I can see no reason for dividing the hospital organizations of the United States into four or five different sections, so that we will have Army hospitals, Navy hospitals, hospitals under the Board of Managers, hospitals under the War Risk Insurance Bureau, and hospitals under the Public Health Service.

Many men who have discussed these hospital projects bring in statements about the boys coming back in faded khaki, and many other statements that have no bearing on a hospital bill, and I can not but feel that the time has come when sense and not sentiment should govern us, and when either the Cabinet of the United States or its different members, or the War or Navy Department, or some committee, should bring in one defi-

nite, concise bill which will take care of all of the veterans of all of the wars of the United States.

This bill, so far as I am able to determine, does not attempt to take care of soldiers or sailors except in its title. The title of the bill says:

To authorize the Secretary of the Treasury to provide hospitals and sanatorium facilities for discharged sick and disabled soldiers and sailors.

But the report of the committee refers to merchant seamen, the Mississippi River Commission, the United States Coast Guard Service, the United States Lighthouse Service, the Engineer Corps of the United States Army, the United States Coast and Geodetic Survey, civilian employees injured under the workmen's compensation act, civilian employees injured on Army transports, and cases of discharged soldiers and sailors under the war-risk insurance act.

Mr. JUUL. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Certainly.

Mr. JUUL. I want to ask the gentleman if it is not a fact that all the matters mentioned now by the gentleman are in existing law, in another law, and that they are merely in this report to show the kind or classes of men that are now being cared for by this organization; that it is not proposed to enact this into law, but this is merely calling attention to the fact that these classes are being cared for under existing law?

Mr. JOHNSON of South Dakota. I think that the statement of the gentleman is entirely correct, but the Public Health Service can treat anybody in the United States that they want to treat, and that great class was not mentioned. The statement of the gentleman being true is no reason that we should bring a law before this Congress masquerading as the soldiers' and sailors' law when there is no attempt going to be made to give soldiers and sailors a law, but an attempt is made to take care of another great class of citizens whose cases we can reach later.

Now, I do not think it has been fully brought to the attention of this House that in this bill the plan is to spend $26,000,000, as can be found in the hearings had before the Committee on Public Buildings and Grounds, No. 14, on page 43, where Mr. Perry, the constructing engineer, states:

If you go into a fireproof construction, instead of costing $26,000,000, as this entire 13,000-bed project is estimated, on an economic basis, it would cost something like $125,000,000.

In other words, gentlemen, they expect to expend $26,000,000, through the Public Health Service, to build one-story temporary wooden buildings, as you will find by referring to page 42 of the hearings, where Mr. Perry says—

We are only attempting to put up one-story buildings out of this appropriation, and those will not be necessarily fireproof.

In astonishment and alarm the chairman asked—

One-story buildings?

Mr. BURNETT. Out of the proposed appropriation in this bill?

Mr. PERRY. Yes; all buildings.

The CHAIRMAN. What is the idea of that, Mr. Perry?

Mr. PERRY. A matter of economy. If we had to have a great deal of space for buildings, the economics of going into two-story buildings would seem justified.

My contention is that we should not support this bill, which will involve an expenditure of $26,000,000 for temporary buildings——

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask for five minutes more.

Mr. ELLIOTT. Mr. Chairman, I yield the gentleman five minutes more.

The CHAIRMAN. The gentleman from South Dakota is recognized for five minutes additional.

Mr. JOHNSON of South Dakota. We should ask the Secretary of the Treasury or the Surgeon General or the Cabinet officer whose duty it may be to submit a comprehensive plan for taking care of the soldiers and sailors of all wars.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Certainly, sir.

Mr. TILSON. What does the gentleman say of the method of taking care of discharged soldiers and sailors in this war, in a hospital mixed up with people of all sorts of occupations, mentioned in this report? As is well known, in the case of previous wars—the Civil War and the Spanish-American War—separate homes and hospitals have been erected for discharged soldiers and sailors. What does the gentleman say of this as a satisfactory method of taking care of discharged soldiers and sailors?

Mr. JOHNSON of South Dakota. It is a pertinent question, but it would be difficult for anyone to answer it without more knowledge of the facts than I claim to have. But I will say that my theory has been that it is necessary to segregate the patients in hospitals in different classes, basing your division, perhaps, on the age of the men, the kind of diseases they have, and taking into consideration all the different things that a doctor could inform you about better than I could.

Now, another reason why I shall feel constrained to oppose this bill is that the Surgeon General will take care of all these patients, if we ask him to do so or give him the opportunity to do so, as you can find by referring to page 9 in No. 16 of the hearings of the committee, where Col. Smith was asked these questions:

Have you any beds that can be turned over?

Col. SMITH. No, sir; not for another department to operate. But if given the necessary authority we could treat in Army hospitals patients sent to those hospitals by the War Risk Bureau, and are willing to do it.

Mr. JUUL. Mr. Chairman, will the gentleman yield for a brief question?

Mr. JOHNSON of South Dakota. Certainly.

Mr. JUUL. Could the War Department under any law treat discharged sick and disabled soldiers and sailors?

Mr. JOHNSON of South Dakota. Not under existing law; but instead of building a great big organization out of the Public Health Service, that is going to spend from $26,000,000 to $125,000,000 to put up wooden barracks, it would be better to pass a law giving the Surgeon General the power to treat those patients.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Certainly.

Mr. GRIFFIN. Does the gentleman know how many general hospitals the Army has?

Mr. JOHNSON of South Dakota. I am not familiar with that.

Mr. GRIFFIN. It has only four general hospitals, and the bulk of its hospitals are on leased ground and in leased buildings, hotels all over the country that they are very anxious to get rid of, and barracks in camps soon to be deserted.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Certainly.

Mr. DYER. That condition is due largely to the fact that the Surgeon General's office and the War Department have not taken advantage of the situation, as Congress has given to them the means of providing hospitals. If they would do that and not be so sleepy on the job, that condition would not prevail.

Mr. GRIFFIN. I can not understand what the gentleman means. I wish he would be more specific.

Mr. DYER. I say that the War Department has the authority to provide for all the hospitals necessary, and the money has been appropriated.

Mr. GRIFFIN. Only for the care of men in the service.

Mr. JOHNSON of South Dakota. Now, Mr. Chairman, if the gentlemen have concluded, I want to say that there is no difference of opinion between the gentleman from New York [Mr. GRIFFIN] and myself, so far as we both want hospital facilities to be afforded to the soldiers and sailors, but we disagree only on the broad general scheme. In other words, he evidently desires to have five or six different organizations and I desire simply two, the Army and the Navy.

Mr. GRIFFIN. Mr. Chairman, will the gentleman permit me a question there?

Mr. JOHNSON of South Dakota. Certainly.

Mr. GRIFFIN. I disclaim any personal interest in desiring any set of organizations. The Treasury Department has requested this legislation and they have stated the predicament they are in. They find that they can not appeal to the War Department, because the War Department is in no position to care for discharged soldiers and sailors, and the only other organization that is in existence that can take the burden is the Public Health Service.

Mr. JOHNSON of South Dakota. I can say to the gentleman that we have a Secretary of War and a Secretary of the Treasury that ought to know the facts with reference to the treatment of these patients. If those two men could not confer together and request this Congress to enact one comprehensive statute, I do not know how it is going to be done.

Mr. GRIFFIN. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. ELLIOTT. I yield to the gentleman from South Dakota five additional minutes.

Mr. JOHNSON of South Dakota. I will yield for one additional question. My time is very short.

Mr. GRIFFIN. Does the gentleman know that during July of last year there was a conference between Earl H. Bruns, lieutenant colonel, Medical Corps, United States Army; William E. Eaton, lieutenant commander, Medical Corps, United States Navy; and W. D. Stimpson, Assistant Surgeon General United States Public Health Service, and that after conferring as to what should be done to accommodate the patients of the war-risk insurance they made a report September 11, 1918, recom-

mending additional hospital facilities and recommending this very plan?

Mr. JOHNSON of South Dakota. I do not know about that conference, because I was unable to attend it, but I know that nobody heard of any comprehensive plan for the building of hospitals, except one or two desultory bills here and there, and one in particular that is objectionable, because it simply spends money in useless organization.

Now, let me call the attention of the gentleman to page 4 of his bill, where it says:

And the Secretary of the Treasury is hereby authorized, in his discretion, to employ, for service within or without the District of Columbia, without regard to civil-service laws, rules, and regulations, and to pay from the sums hereby authorized, at customary rates of compensation, such additional technical and clerical services as may be necessary, exclusively to aid in the preparation of the drawings and specifications for the above-mentioned objects and the supervision of the execution thereof, for traveling expenses, and printing incident thereto, at a total limit of cost for such additional technical and clerical services and traveling expenses, etc., of not exceeding $330,000 of the above-mentioned limit of cost.

I will say in conclusion that it is time the different departments of the Government got together, recognizing the emergency that we have to meet and submitting to this House one comprehensive permanent building program and not simply submitting of a program which calls for the expenditure of $26,000,000 for barracks, such as we had in the cantonments and temporary buildings.

Mr. FOSTER. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman for a question.

Mr. FOSTER. The gentleman has just read the last provision of the bill. Does the gentleman know whether or not the Public Health Service has these plans and specifications, without going to this additional expense?

Mr. JOHNSON of South Dakota. I do not know; but I imagine that they have not, because they call for the $330,000.

Mr. FOSTER. That is the reason I asked the question, because my understanding is different from that.

Mr. JOHNSON of South Dakota. If they have the plans, they ought not to ask for the $330,000.

Mr. SHERWOOD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman from Ohio.

Mr. SHERWOOD. Has the committee ever considered the question of giving these disabled soldiers liberal pensions and letting them select their own hospitals? Would we not save millions of dollars by that policy, and would it not be more humane to do that, as we did after our Civil War?

Mr. JOHNSON of South Dakota. I do not know as to that. We have passed this insurance act, and it is in force and effect. I imagine that the time to have adopted the program the gentleman suggests would have been at the beginning of the war, before we had such legislation.

Mr. SHERWOOD. These wounded and disabled men are coming over day by day, more and more of them, although three months have passed since the armistice was signed.

Mr. JOHNSON of South Dakota. Yes; and there will be many more.

Mr. SHERWOOD. Has the gentleman any idea how many there will be of the inmates of these hospitals?

Mr. JOHNSON of South Dakota. I do not know, because no one has been able to get authentic information with reference to the casualty lists.

Mr. SHERWOOD. Has the gentleman any estimate of the cost of these hospitals except what is in the bill?

Mr. JOHNSON of South Dakota. I have not.

Mr. ELLIOTT. I yield 10 minutes to the gentleman from Indiana [Mr. BARNHART].

Mr. BARNHART. Mr. Chairman, any Member of this House who would vote against the appropriation of every dollar necessary to provide for the health, the comfort, and the needs of the young men of our country who have answered its call in this time of peril ought, I think, to resign and go home in disgrace. But that does not necessarily imply that we ought to plunge blindly into business propositions involving millions of dollars without knowing what we are doing. I am a member of the Committee on Public Buildings and Grounds and attended the hearings on the Public Health Bureau hospital bill most of the time. I heard the representatives of the War Risk Bureau and of the War Department, and they could not at that time give any estimate whatever of the probable needs. They did, however, give us this much—and that was the 1st of December—the War Department hospital facilities at that time had 76,109 vacant beds and the Public Health Service 14,000 vacant beds, making a total of 90,109 vacant beds. For the month from December to January there was a shrinkage in the number of cases of 2,000, making 92,000 available vacant beds. When asked if they had made any survey as to needs and the possibilities of leasing temporary quarters for these men needing treatment, until it was determined how many of them would need permanent homes or hospitals, they said they had not made any such investigation; and I called attention at that time to the fact that in the State of Indiana, at West Baden, the Government took over the great West Baden Hotel, with a capacity of some 650 beds.

I speak only of the State of Indiana; and beside West Baden, at Winona, Ind., an assembly place known all over the United States, they have enormous housing or hospital facilities. They have large hotels and cottages, steam heat, electric light, and all the facilities of a health resort, and I know the owners are willing to lease it to the Government. I have no doubt that there are places in every State in the Union similar to that that could be utilized. There is another, at Interlarken, Ind., where there are facilities for 500 schoolboys, but the war interfered and the Government took it over as a training school. They would, no doubt, lease this to the Government until such time as the War Department and the War Risk Bureau can ascertain what it needs.

Mr. GRIFFIN. Will the gentleman yield?

Mr. BARNHART. Not just now. This $10,000,000 is to go ahead with an undertaking that we know nothing about. It may take a hundred million dollars to provide enough hospitals, and if it does I think the Congress ought to grant it; but until the War Department and the War Risk Bureau can give to Congress some idea of what it will actually need and some reason for the belief why we need a hundred million dollars for housing facilities for discharged soldiers, I think Congress ought to go slow. It is a business proposition. I think we ought to take care of all disabled soldiers, and we are willing to vote every dollar necessary for that purpose.

Mr. GRIFFIN. Will the gentleman yield?

Mr. BARNHART. I will yield to the gentleman.

Mr. GRIFFIN. I am anxious to correct the statement the gentleman has made before he leaves this subject. I want to ask him if he is familiar with the amendment on page 3 of the bill, which the committee introduced for the purpose of enabling the various departments to cooperate and coordinate and enable the Public Health Service to procure hospitals from any other department?

Mr. BARNHART. I am familiar with it.

Mr. GRIFFIN. And it contains a proviso that they shall not spend a cent of this money until they have exhausted all the available hospital facilities in the United States.

Mr. BARNHART. That is not strong enough; there is nothing mandatory about it. The officials of the War Department indicated strongly that they are going to hold all they have, although they had 76,000 vacant hospital beds in the regular Military Establishment. How many men will have to have permanent quarters in hospitals nobody can tell. I believe that it would be good business and humane common sense to defer consideration of a bill like this until such time has arrived that the War Department and War Risk Bureau will have some intelligent information as to what they really need.

Mr. SHERWOOD. Will the gentleman yield?

Mr. BARNHART. Yes.

Mr. SHERWOOD. Is it not also true that these soldiers want immediate care and that these hospitals can not be built in two or three years?

Mr. BARNHART. Certainly. They can not build these hospitals on a permanent plan within several years.

Mr. SHERWOOD. And would it not of necessity involve the appointment of thousands of surgeons and nurses to take care of these hospitals?

Mr. BARNHART. Oh, every time you create a new Government function you create a great expense for organization. Every man who has had any experience on the floor of this House knows that every new Government institution or department must have a tremendous managerial expense in order to maintain it.

Mr. LONDON. Will the gentleman yield?

Mr. BARNHART. I will.

Mr. LONDON. What about the 24,500 men suffering from tuberculosis? They certainly need special treatment in sanitariums specially constructed for them.

Mr. BARNHART. How are you going to take care of them under the provisions of this bill? They need immediate care. If they have to have treatment for tuberculosis in its incipiency, it will not do to wait until the War Risk Bureau can build hospitals for them. We have tuberculosis hospitals in every State in the Union which can be temporarily used for discharged soldiers.

Mr. CLARK of Florida. Will the gentleman yield?

Mr. BARNHART. Yes.

Mr. CLARK of Florida. We have two amendments that we have agreed upon in committee, one referred to by my colleague from New York, directing that the Public Health Service shall take over any building or hospital fit for use for this purpose, and that they shall not expend a single dollar of this appropriation until this is done. Another amendment is that they shall cooperate with any State, municipal, or county institution so as to get immediate relief, and these amendments will be offered at the proper time.

Mr. BARNHART. I understand that. But that has nothing to do with the proposition that they will be authorized to go ahead and spend ten or twenty million dollars, or whatever it may be. That amendment is in compliance with the views of the membership of the committee, who believe that the thing to do is to permit them to go ahead and lease facilities and ask for permanent buildings when they learn what is needed.

Mr. CLARK of Florida. Under the present law the Public Health Service is not authorized to take over buildings.

Mr. BARNHART. They can lease the buildings.

Mr. CLARK of Florida. The War Department can do it, but the Public Health Service is not authorized to do it.

Mr. SHERWOOD. Did I understand that the War Department has taken possession of French Lick Springs?

Mr. BARNHART. No; they have taken over West Baden Hotel, Ind., and they have also taken over for hospital purposes Fort Benjamin Harrison, at Indianapolis, an Army post. I am informed by my friend from South Dakota [Mr. GANDY] that there are 40 to 60 abandoned Army posts in the United States that have splendid buildings already constructed which could be occupied at a very slight expense for hospital purposes.

Mr. SHERWOOD. And they are not occupied now?

Mr. BARNHART. They are not occupied now. When we asked these officials who came before us if they had made surveys of this situation to see what the facts are as to what we already have, and what we shall probably need, they said, "No." Therefore, I think it would be wise and prudent and businesslike to delay the consideration of this bill until the probable needs and facilities available can be ascertained.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. ELLIOTT. Mr. Chairman, I yield the gentleman a half minute more.

Mr. JOHNSON of South Dakota. Mr. Chairman, is the gentleman familiar with the work of the War Risk Insurance Bureau?

Mr. BARNHART. No; and I do not think anybody is familiar with the work of the War Risk Bureau. [Laughter.]

Mr. JOHNSON of South Dakota. Does the gentleman feel that by reason of their competency and efficiency they should be the people in the United States who should reorganize and take over and handle the hospital facilities of the United States as provided for in this bill?

Mr. GRIFFIN. Mr. Chairman, I want to protest against that question, which contains an implication that there is anything in this bill that is going to give the War Risk Insurance Bureau anything to do with the hospitals. It is the Public Health Service.

Mr. JOHNSON of South Dakota. Is it not the program adopted by the War Risk Insurance Bureau at a time when it might have been taking care of allotments and some other things?

Mr. GRIFFIN. No; it was adopted by all of the departments cooperating together.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. GRIFFIN. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Chairman, I stand with the majority of the Committee on Public Buildings and Grounds in urging favorable action on the pending measure. I am in accord with the medical head of the Public Health Service, Gen. Blue, charged with the responsibility of caring for the injured and diseased soldiers. Much has been said here and in the public press about the failure of the insurance and allotment division of the War Risk Bureau of the Government, but the very act creating that bureau carries a contract which Congress or the Government made with every soldier who is to be discharged from our Army, and it is binding upon every Member of this House who supported that measure. It passed this body without opposition and, as I remember, by a unanimous vote. There in cold, plain type is the written promise this great Republic made that whenever the director of this bureau found it necessary to provide the means for looking after and treating and caring for these soldiers it was the duty of Congress to enact the necessary legislation. Now, that solemn obligation rests upon the Government.

When was it made? It passed this House and was approved by the President in October, 1917. Every man who went either as a drafted soldier or a volunteer had that pledge, promise, or agreement before him. Are we at this time, in this hour, going to begin the repudiation of the pledges made to our men who helped save this country in the great world war? I put it to the conscience of every Member in this House. It is no answer to say, as the gentleman from South Dakota [Mr. JOHNSON] says, that there ought to be a consolidation of governmental health activities. We have passed that period. That is not the question at issue here. The gentleman from Indiana [Mr. BARNHART] speaks about economy. Mr. Chairman, we will rent the abandoned and unprofitable hotels and summer resorts in Indiana, under the provisions of this bill, if they are up to the requirements of the Department of Public Health. Economy! When the House voted $100,000,000 out of the Treasury to feed the people of Europe, with more than 25,000 of our brave soldiers without hospital facilities, wandering about the country to-day, seeking medical attention. They are entitled to it under the law I have mentioned. There are over 25,000 afflicted with tuberculosis, and the responsible officers of this Government before the committee said they are without hospital facilities, and that Congress must provide the money with which buildings are to be constructed or leased. It is no time for delay or procrastination. There is absolutely no excuse for it. If the pending bill is not perfect, then amend it. This side of the House—the Republican side—has always in the past been the loyal and steadfast friend of the soldiers. It has written its history in the statute books of our Nation for more than a half century in their favor and interest, and it is a glorious record for us to be proud of and to continue.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. AUSTIN. Certainly.

Mr. CANNON. I think we all want to keep all of our pledges, but if we now have 100,000 beds—and a bed with all it means costs $3,000—that belong to the Government, will we not, utilizing those beds, properly care for the people that the gentleman and I voted to care for?

Mr. AUSTIN. Col. Smith, an able and conscientious official of the Surgeon General's office——

Mr. CANNON. Which Surgeon General's office?

Mr. AUSTIN. I mean of the Public Health Service.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. AUSTIN. Mr. Chairman, may I have two minutes more?

Mr. GRIFFIN. Mr. Chairman, we have very little time, and I will ask my friend from Indiana to yield the gentleman two minutes.

Mr. ELLIOTT. I yield two minutes to him.

Mr. AUSTIN. The testimony before our committee was that of the 100,000 beds more than 50,000 were occupied, and that the vacant beds were awaiting men from the other side. There are absolutely no vacant beds for these soldiers. These galleries are full of soldiers and they will be in every city and village and hamlet of this land, and their eyes are not only on this Congress to-day, but they will be on Congress in the days to come. They will justly hold us to a strict compliance with our promises. We will not be excused if we neglect them or forget their interest.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. JOHNSON of South Dakota. Does the gentleman imagine that those soldiers to whom he refers sitting in the galleries desire to be placed in wooden barracks, constructed by the War Risk Insurance Bureau, or in good hospitals?

Mr. AUSTIN. I think these matters Congress can well afford to leave to the trained and experienced men who have been intrusted under the law with handling great problems ever since the creation of this Government. If time is to be saved, and time is absolutely essential in preparing hospitals for returning soldiers who need medical attention, and so forth, we should not delay for the construction of expensive marble, granite, steel, and brick buildings.

We will do the best we can to meet the present emergency, and I believe the officials of this Government, whose hearts, souls, and consciences are in this great work, will meet it to the satisfaction of the American Congress and for the benefit and with the approval of the soldiers and sailors. [Applause.]

Mr. CLARK of Florida. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HARDY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13026 and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. GREEN of Iowa. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the pension bill.

The SPEAKER. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

EDITH CAROW ROOSEVELT.

Mr. MANN. Mr. Speaker, the House to-day passed a bill granting a pension to Mrs. Roosevelt. There were on the calendar two bills, a House bill and a Senate bill, in identical language. The House passed the House bill. I ask unanimous consent for the present consideration of the Senate bill, which is No. 181 on the Private Calendar.

Mr. BARNHART. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if that is the Roosevelt pension bill on which we just voted?

Mr. MANN. Yes.

Mr. BARNHART. Would the gentleman be disposed, on Saturday afternoon at half past 3 o'clock, to make a point of no quorum in order to pass the bill, because I really believe it would be unfair to many Members who would vote for it.

Mr. MANN. I certainly would not make the point of no quorum.

Mr. LONDON. Mr. Speaker, what is the parliamentary effect or object if the request of the gentleman from Illinois be granted?

The SPEAKER. The parliamentary effect of it is to finish up the bill and get rid of it.

Mr. LONDON. To facilitate its passage.

The SPEAKER. Otherwise it would be hung up between the two Houses.

Mr. MANN. It is a courtesy——

Mr. KEY of Ohio. Mr. Speaker, I would like to state to the House that the House bill granting a pension to Mrs. Roosevelt was introduced before the Senate bill was introduced and was referred to the Committee on Pensions, and that committee of the House reported that bill out and it was placed on the calendar. In the meantime the Senate bill came to the Committee on Pensions of the House and that committee immediately reported that bill to the House. Both bills are identical in form and both are on the calendar. Of course, it would expedite matters materially if the Senate bill had been taken up instead of the House bill, but inasmuch as the House bill was reported out first, I felt like calling up the House bill. The chairman of the committee has no objection to substituting the Senate bill for the House bill.

Mr. DYER. The bill to which the gentleman refers, the House bill, was introduced in the House prior to the Senate bill?

Mr. KEY of Ohio. The House bill was introduced by the distinguished gentleman from Massachusetts [Mr. GALLIVAN].

Mr. MANN. I am sure the gentleman from Massachusetts has no objection.

The SPEAKER. The gentleman from Illinois asks unanimous consent to substitute Senate bill No. 5318, to pension Mrs. Roosevelt, for the House bill passed a few hours ago, No. 13879. Is there objection? [After a pause.] The Chair hears none.

The Senate bill was ordered to be read the third time, was read the third time, and passed.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the vote by which the House bill was passed be reconsidered.

The SPEAKER. The gentleman from Illinois asks that the vote by which House bill 13879 was passed shall be reconsidered. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. And that that bill should lie on the table.

The SPEAKER. Without objection, the House bill will lie on the table.

There was no objection.

EXTENSION OF REMARKS.

Mr. CLARK of Florida. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Florida rise?

Mr. CLARK of Florida. I desire to ask unanimous consent that the gentleman from New York [Mr. GRIFFIN] have leave to revise and extend his remarks on this bill.

The SPEAKER. The gentleman from Florida asks unanimous consent that the gentleman from New York be permitted to extend and revise his remarks. Is there objection? [After a pause.] The Chair hears none,

HOUR OF MEETING ON MONDAY.

Mr. GARRETT of Tennessee. Mr. Speaker, I want to see if we could not meet at 11 o'clock on Monday, and I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 a. m. on Monday.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-morrow—Sunday—it adjourn to meet at 11 o'clock on Monday. Is there objection? [After a pause.] The Chair hears none.

DEATH OF REPRESENTATIVE ROBBINS.

Mr. MOORE of Pennsylvania. Mr. Speaker, for the Pennsylvania delegation it becomes my sad duty to announce the death of our colleague, Hon. EDWARD E. ROBBINS, and in that connection I send up to the Clerk's desk to be read the following resolutions.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 519.

Resolved, That the House has heard with profound sorrow of the death of the Hon. EDWARD EVERETT ROBBINS, a Representative from the State of Pennsylvania.

Resolved, That a committee of 34 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The question was taken, and the resolutions were unanimously agreed to.

The SPEAKER. The Clerk will announce the committee.

The Clerk read as follows:

WILLIAM S. VARE, GEORGE S. GRAHAM, J. HAMPTON MOORE, GEORGE W. EDMONDS, PETER E. COSTELLO, GEORGE P. DARROW, THOMAS S. BUTLER, HENRY W. WATSON, WILLIAM W. GRIEST, JOHN R. FARR, THOMAS W. TEMPLETON, ROBERT D. HEATON, ARTHUR G. DEWALT, LOUIS T. MCFADDEN, EDGAR R. KIESS, JOHN V. LESHER, BENJAMIN K. FOCHT, AARON S. KREIDER, JOHN M. ROSE, ANDREW R. BRODBECK, CHARLES H. ROWLAND, BRUCE F. STERLING, HENRY W. TEMPLE, HENRY A. CLARK, HENRY J. STEELE, NATHAN L. STRONG, EARL H. BESHLIN, STEPHEN G. PORTER, M. CLYDE KELLY, JOHN M. MORIN, GUY E. CAMPBELL, THOMAS S. CRAGO, MAHLON M. GARLAND, JOSEPH MCLAUGHLIN.

The SPEAKER. The Clerk will read the additional resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect this House do now adjourn.

ADJOURNMENT.

The resolution was agreed to; accordingly (at 3 o'clock and 41 minutes p. m.) the House adjourned until Sunday, January 26, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation for National Home for Disabled Volunteer Soldiers, for the fiscal year 1919 (H. Doc. No. 1723); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation for rent of buildings for the War Department, for the fiscal year 1919 (H. Doc. No. 1724); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HARDY, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 14920) to amend section 4414, Revised Statutes of the United States, to classify and provide salaries for clerks in the Steamboat-Inspection Service, reported the same with amendment, accompanied by a report (No. 985), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on Mines and Mining, to which was referred the resolution (S. J. Res. 198) to suspend the legal requirements of assessment work on mining claims in Alaska for the years 1917, 1918, and 1919, and extending to that Territory the provisions of public resolution No. 10 (65th Cong.), approved July 17, 1917, and public resolution No. 12 (65th Cong.), approved October 5, 1917, as amended, and for

other purposes, reported the same without amendment, accompanied by a report (No. 987), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. TILLMAN, from the Committee on the Public Lands, to which was referred the bill (H. R. 6032) for the relief of I. N. Ellis, reported the same with amendment, accompanied by a report (No. 982), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 4787) for the relief of Amherst W. Barber, reported the same without amendment, accompanied by a report (No. 983), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 9357) for the relief of John A. Gauley, reported the same without amendment, accompanied by a report (No. 984), which said bill and report were referred to the Private Calendar.

Mr. KEHOE, from the Committee on War Claims, to which was referred the bill (H. R. 11682) for the relief of the estate of Henry Ware, deceased, reported the same without amendment, accompanied by a report (No. 986), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ROUSE: A bill (H. R. 15076) authorizing the Secretary of War to donate to the city of Independence, Ky., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15077) authorizing the Secretary of War to donate to the city of Alexandria, Ky., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. BACHARACH: A bill (H. R. 15078) making October 27 a national holiday, to be known as Roosevelt's Birthday; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: A bill (H. R. 15079) providing for the erection of a public building at Mendota, Ill., on a site heretofore provided for the same; to the Committee on Public Buildings and Grounds.

By Mr. LESHER: A bill (H. R. 15080) to authorize the provision of accommodations for the United States courts in the Federal building at Sunbury, Pa., and to increase the limit of cost for said building accordingly; to the Committee on Public Buildings and Grounds.

By Mr. YOUNG of Texas: A bill (H. R. 15081) for purchase of site and erection of a building to be used as a post office at the town of Henderson, Rusk County, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. BUTLER: A bill (H. R. 15082) to increase the limit of cost of site and public building at Phoenixville, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. PAIGE: A bill (H. R. 15083) to increase the limit of cost of a public building at Leominster, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15084) to increase the limit of cost of public building at Southbridge, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. POWERS: A bill (H. R. 15085) to provide for the erection of a public building at Pineville, in the State of Kentucky; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15086) to provide for the erection of a public building at Barbourville, in the State of Kentucky; to the Committee on Public Buildings and Grounds.

By Mr. PAIGE: A bill (H. R. 15087) providing for the purchase of a site and the erection thereon of a public building at Clinton, State of Massachusetts; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15088) providing for the purchase of a site and the erection thereon of a public building at Gardner, State of Massachusetts; to the Committee on Public Buildings and Grounds.

By Mr. HAUGEN: A bill (H. R. 15089) to authorize the acquisition of a site and the erection thereon of a Federal building at Osage, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15090) to authorize the erection of a Federal building at Olewein, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. KEARNS: A bill (H. R. 15091) to provide for the purchase of a site and the erection of a Federal building at Hillsboro, Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15092) to provide for the erection of a Federal building and the purchase of a site therefor at Greenfield, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. WILSON of Louisiana: A bill (H. R. 15093) providing for the extension and enlargement of the post office and court building at Monroe, La.; to the Committee on Public Buildings and Grounds.

By Mr. WALTON: A bill (H. R. 15094) to provide for the purchase of a site and for the erection of a public building thereon at Clayton, N. Mex.; to the Committee on Public Buildings and Grounds.

By Mr. MANSFIELD: A bill (H. R. 15095) for the erection of a public post-office building at Alvin, Tex., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. McLEMORE: A bill (H. R. 15096) for the erection of a public post-office building at Kingsville, Tex., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. SLAYDEN: A bill (H. R. 15097) to authorize the enlargement of the post office, customhouse, and United States court building at San Antonio, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. BURNETT: A bill (H. R. 15098) to expel and exclude from the United States certain undesirable aliens; to the Committee on Immigration and Naturalization.

By Mr. ESCH: A bill (H. R. 15099) to amend section 10 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. DOOLITTLE: A bill (H. R. 15100) authorizing the Secretary of War to donate to the city of Emporia, Kans., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15101) authorizing the Secretary of War to donate to the city of Burlington, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLAND of Virginia: A bill (H. R. 15102) authorizing the Secretary of War to donate to the village of Kilmarnock, county of Lancaster, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TINKHAM: A bill (H. R. 15103) for the relief of the owner of the schooner *Horatio G. Foss;* to the Committee on Claims.

Also, a bill (H. R. 15104) for the relief of the owners of the steam lighter *Cornelia;* to the Committee on Claims.

By Mr. CONNELLY of Kansas: A bill (H. R. 15105) to provide for the erection of a Federal building at Hays, Kans.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15106) to provide for the erection of a Federal building at Norton, Kans.; to the Committee on Public Buildings and Grounds.

By Mr. REAVIS: A bill (H. R. 15107) authorizing the Secretary of War to donate two captured cannon to the town of Humboldt, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15108) authorizing the Secretary of War to donate two captured cannon to the town of Tecumseh, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15109) authorizing the Secretary of War to donate two captured cannon to the town of Auburn, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15110) authorizing the Secretary of War to donate two captured cannon to the town of Plattsmouth, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15111) authorizing the Secretary of War to donate two captured cannon to the town of Burr, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15112) authorizing the Secretary of War to donate two captured cannon to the town of Pawnee City, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15113) authorizing the Secretary of War to donate two captured cannon to the city of Lincoln, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15114) authorizing the Secretary of War to donate two captured cannon to the town of Syracuse, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15115) authorizing the Secretary of War to donate two captured cannon to the town of Falls City, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15116) authorizing the Secretary of War to donate two captured cannon to the town of Nebraska City, Nebr.; to the Committee on Military Affairs.

By Mr. DALLINGER: A bill (H. R. 15117) for the purchase of a site and the erection of a public building at Medford, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15118) for the purchase of a site and the erection of a public building at Wakefield, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. FOSTER: A bill (H. R. 15119) increasing the limit of cost for a Federal building at Mount Carmel, Ill.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15120) to provide for the erection of a public building at Lawrenceville, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. LONERGAN: A bill (H. R. 15121) for the purchase of a post-office site at Windsor Locks, Conn.; to the Committee on Public Buildings and Grounds.

By Mr. SELLS: A bill (H. R. 15122) to provide for the erection of a public building at Elizabethton, Tenn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15123) to provide for the erection of a public building at Rogersville, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. COPLEY: A bill (H. R. 15124) authorizing the Secretary of War to deliver to the cities of Aurora, Joliet, Woodstock, West Chicago, Elgin, Harvard, Wilmington, Geneva, Plainfield, Hinsdale, Marengo, and Downers Grove, Ill., one cannon or fieldpiece, with carriage, captured from the German Army in the recent war, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. GANDY: A bill (H. R. 15125) authorizing the Secretary of War to donate to the county of Perkins, S. Dak., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15126) authorizing the Secretary of War to donate to the town of Wasta, S. Dak., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15127) authorizing the Secretary of War to donate to the town of Faith, S. Dak., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HARDY: A bill (H. R. 15128) to provide for the erection of a post-office building at Mexia, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15129) to provide for the erection of a post-office building at Teague, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. DOREMUS (by request): A bill (H. R. 15130) for the regulation of salaries in the custodian service of the Treasury Department; to the Committee on Public Buildings and Grounds.

By Mr. CLAYPOOL: A bill (H. R. 15131) to authorize the acquisition of a site and the erection of a Federal building on Circleville, Pickaway County, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. McKINLEY: A bill (H. R. 15132) authorizing the Secretary of War to donate to the city of Oakland, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLAND of Virginia: A bill (H. R. 15133) to provide for the erection of a post-office and customhouse building at Cape Charles, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15134) to provide for the erection of a post-office building at Phoebus, Va.; to the Committee on Public Buildings and Grounds.

By Mr. KEHOE: A bill (H. R. 15135) for the purchase of a site for and the erection of a post-office building at Quincy, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. WILSON of Texas: A bill (H. R. 15139) to provide for the acquisition of a site and the erection of a public building thereon at Fort Worth, Tex., and for the sale of the present post-office site and building thereon; to the Committee on Public Buildings and Grounds.

By Mr. STEENERSON: Resolution (H. Res. 518) to inquire into the failure or delay in transmitting mail to and from officers and men in the military service of the United States in this country or abroad; to the Committee on the Post Office and Post Roads.

By Mr. LaGUARDIA: Joint resolution (H. J. Res. 399) admitting into the United States 560 barrels of Spanish wine ordered by Luigi Bick, of New York City, N. Y., before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HAMLIN: A bill (H. R. 15136) granting a pension to Leonard Walker; to the Committee on Invalid Pensions.

By Mr. HASTINGS: A bill (H. R. 15137) granting an increase of pension to David Dixon; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 15138) granting an increase of pension to John Weiss; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Council of City of Portland, Oreg., favoring expenses for discharged soldiers, at least $50 as clothing allowance, one month's additional pay upon discharge, and five months' additional pay to be paid monthly to all discharged men; to the Committee on Military Affairs.

By Mr. CARY: Petition of furriers of Milwaukee, Wis., protesting against tax on furs; to the Committee on Ways and Means.

Also, petition of Commercial Telegraphers' Union of America, protesting against their treatment by United States telegraph and telephone administration, and asking that American Federation of Labor reconstructive program be adopted; to the Committee on Interstate and Foreign Commerce.

Also, petition of Milwaukee Patent Leather Co., recommending passage of House bill 13274; to the Committee on Military Affairs.

Also, petition of Web Pressmen's Union, No. 23, of Milwaukee, Wis., asking for repeal of the postal zone law; to the Committee on Ways and Means.

By Mr. COOPER of Wisconsin: Petition of Industrial Commission of Wisconsin, urging passage of legislation providing for Government aid to the States in rehabilitating industrial cripples; to the Committee on Education.

Also, petition of Lithuanians of Kenosha, Wis., appealing to United States Government to put an end to Polish territorial aggrandizement; to the Committee on Foreign Affairs.

By Mr. DOOLITTLE: Petition of citizens of Emporia, Kans., asking repeal of the postal zone rate bill; to the Committee on Ways and Means.

By Mr. GALLIVAN: Petition of Boston Typographical Union, requesting repeal of postal zone law; to the Committee on Ways and Means.

Also, petition of National Association of Credit Men, of Boston, Mass., supporting measure providing for validating informal war contracts; to the Committee on Military Affairs.

By Mr. GRAHAM of Illinois: Petition of Will M. Kellogg and divers other citizens of New Boston, Ill., demanding the repeal of the zone system for second-class mail; to the Committee on Ways and Means.

By Mr. HUTCHINSON: Resolution adopted by the Chamber of Commerce of Lambertville, N. J., favoring the enactment of legislation which will continue the control and operation of the wire systems by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be followed when they are returned to private ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. LUNDEEN: Petition of Minnesota Live Stock Breeders' Association, of St. Paul, Minn., requesting increase in salaries of the Federal veterinarians employed in Minnesota, sufficiently to maintain efficient force for this important work; to the Committee on Agriculture.

Also, petition of St. Paul Produce Exchange, comprised of 31 firms of St. Paul, Minn., protesting against any legislation tending to deprive the States of their rights to regulate telephone and telegraph charges within the State; to the Committee on Interstate and Foreign Commerce.

By Mr. MAGEE: Petition of Mrs. Harry Nutt and other residents of the city of Syracuse, N. Y., favoring repeal of the postal zone rate provision; to the Committee on Ways and Means.

By Mr. NEELY: Petition of Clarence D. Robinson, Fairmont, W. Va., requesting that taxation be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of H. W. Chadduck, vice president Merchants' National Bank, Richmond, Va., protesting against passage of tax bill of over $4,000,000,000; to the Committee on Ways and Means.

Also, petition of A. A. Grant, of Bluefield, W. Va., protesting against the postal zone rate; to the Committee on Ways and Means.

Also, petition of Business Men's Association of Fairmont, W. Va., opposing any Federal luxury tax based on retail sale price; to the Committee on Ways and Means.

By Mr. POLK: Petition of Farmers' Institute of Frankford, Del., favoring league of nations; to the Committee on Foreign Affairs.

By Mr. SNYDER: Petition of residents of the thirty-third New York district, favoring the repeal of the postal zone law; to the Committee on Ways and Means.

Also, petition of members of the Fortnightly Club, of Remsen, N. Y., favoring abolishment of the so-called zone system for certain classes of mail matter; to the Committee on Ways and Means.

By Mr. STEENERSON: Petition of Commercial Club of Red Lake Falls, Minn., protesting against the continued control and operation of the railroads of the United States by the Government; to the Committee on Interstate and Foreign Commerce.

Also, petition of J. S. Ulland, Fergus Falls, Minn., urging favorable action on provision for increase of pay of bureau veterinarians, Department of Agriculture; to the Committee on Agriculture.

Also, petition of Charles R. Wright, Fergus Falls, Minn., relating to the providing of farms for returning soldiers; to the Committee on Military Affairs.

Also, petition of J. A. Lindenberg, secretary of Minnesota Retail Clothiers' Association, Hutchinson, Minn., protesting against so-called luxury tax on clothing business; to the Committee on Ways and Means.

Also, petition of M. I. Davenport, inspector in charge, Fergus Falls, Minn., urging increase in salaries of bureau veterinarians of the Department of Agriculture; to the Committee on Agriculture.

Also, petition of Minnesota Shorthorn Breeders' Association, University Farm, St. Paul, Minn., urging increase in salaries of veterinarians of the Bureau of Animal Industry of the Department of Agriculture; to the Committee on Agriculture.

Also, petition of N. F. Field, Fergus Falls, Minn., favoring increase of pay for bureau veterinarians; to the Committee on Agriculture.

By Mr. TILSON: Petition of Carl P. Rollins and other citizens of New Haven, Conn., asking for repeal of the postal-zone rate bill affecting second-class matter; to the Committee on Ways and Means.

By Mr. VARE: Petition of the Yamatoya Co., of Philadelphia, Pa., protesting against the proposed luxury tax on haberdashery; to the Committee on Ways and Means.

Also, petition of North Pennsylvania Council, No. 255, Junior Order United American Mechanics, urging passage of House bill 13195; to the Committee on the Judiciary.

Also, petition of Medical Council of Philadelphia, Pa., protesting against the continuance of the zone system of postage for periodicals; to the Committee on Ways and Means.

SENATE.

SUNDAY, *January 26, 1919.*

(Legislative day of Monday, January 20, 1919.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

MEMORIAL ADDRESSES ON THE LATE SENATOR BROUSSARD.

Mr. GAY. Mr. President, I offer the following resolutions, which I ask the Secretary to read, and I move their adoption.

The PRESIDENT pro tempore. The Secretary will read the resolutions.

The resolutions (S. Res. 422) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate expresses its profound sorrow in the death of Hon. ROBERT F. BROUSSARD, late a Senator from the State of Louisiana.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public service.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, and transmit a copy thereof to the family of the deceased.

Mr. RANSDELL. Mr. President, we are assembled to-day to pay respect to the memory of our late colleague and friend, Senator BROUSSARD, who died on the banks of the beautiful Bayou Teche, he loved so well, April 12, 1918.

ROBERT F. BROUSSARD was born on the Marie Louise plantation near New Iberia, La., August 17, 1864, and spent his boyhood in the cypress swamps and on the broad prairies that abound in that section. The country was a veritable paradise of game and fish, and young BROUSSARD was very fond of hunting and fishing. His forbears were among the French colonists of Acadia who were expelled from their Canadian homes by the harsh decree of the British ministry following the peace of Utrecht in 1713, and their tragic fate has been immortalized by Longfellow in Evangeline, wherein he tells how a part of these dispersed people, after many wanderings and sufferings, found a new home in southwest Louisiana. Here they preserved intact for many generations their French language, traditions, and customs, and it was in this atmosphere that ROBERT F. BROUSSARD was reared. French was the universal tongue, and he grew to early maturity without having learned to speak any other language.

He attended the public and private schools of his State, but his father cherishing the hope that his son would adopt the medical profession for a career sent him to Georgetown University, in the Nation's Capital, where he spent three years. Here a new world opened to him. He was a good student and rapidly acquired mastery of English and a sound educational foundation. His youthful imagination was fired by the stirring events that were transpiring at that time, and he determined, against strong paternal opposition, to make law his profession and a public life his career.

His first public office after his return home was that of inspector of customs for the port of New Orleans, from which position he was promoted to assistant weigher, and subsequently to expert statistician. He found time while attending to his duties for the Government to enter the College of Law of Tulane University, in New Orleans, from which he graduated in 1889. He then removed to his boyhood home at New Iberia, where he formed a law partnership with Judge T. Don Foster, brother of United States Senator Murphy J. Foster, under the name of Foster & Broussard, a firm which continued for nearly two decades, and was one of the strongest in southern Louisiana. Had ROBERT BROUSSARD preferred a professional to a political career, high honors in that field and large emoluments undoubtedly would have been his reward.

Mr. BROUSSARD always took an active interest in public affairs and sought to serve his fellow man. He was a natural politician, and his talents as a political organizer and adviser were in constant demand by his party. He served for 25 years as a member of the Democratic State central committee.

When the antilottery question became acute in Louisiana in 1890, and the Democratic Party divided into distinct wings on the issue, ROBERT BROUSSARD took his first independent stand against the State organization. He created for himself a Statewide reputation as a campaigner and stump speaker. The young attorney from New Iberia, hitherto unknown beyond the borders of his district, emerged from the antilottery contest one of the most persuasive orators and astute political leaders in the State. The logical result of this fight was his nomination and election by the antilottery wing to the position of district attorney for the nineteenth judicial district of the State in the campaign of 1892. His record in office, his undoubted strength, and a two-term tradition united in 1894 to obtain for him a unanimous reelection.

Two years later he entered the race for Congress in the old third district. He had a strong opponent, who had the support of the State organization, but BROUSSARD received the nomination. He entered upon his duties in the House of Representatives in the Fifty-fifth Congress March 4, 1897, and served in that body for 18 years, being reelected to eight successive Congresses without opposition, except to the Sixty-second, which came after his election to the Senate. This demonstrates his remarkable personal popularity, and is a record of which the fewest Members of Congress can boast.

When the young Acadian entered Congress conditions in his district were such as to demand his very best study and attention. While the good men in Louisiana had divided on the lottery issue and aligned themselves under the respective banners of Foster and McEnery, another struggle had been going on in Washington which involved the very economic existence of the people of the third congressional district. The cultivation of sugar cane, which since the early thirties of the last century had been the principal vocation of these people, was again suffering from a fierce storm growing out of tariff revision. The McKinley tariff bill, enacted September, 1890, had so far departed from American practice as to place sugar on the free list and give a bounty of 2 cents a pound to the American-grown product in order to stimulate domestic production.

No State in the Union was affected by this revolutionary fiscal procedure so much as Louisiana and property values in the

sugar district were shaken to the foundation. A situation developed that called for the exercise of all the legal ability and acumen of the young leader from Iberia, who gave Congressman Andrew Price his hearty support when that gentleman announced his intention to vote against the McKinley bill, notwithstanding its bounty of 2 cents per pound to the Louisiana sugar planters. The bounty yielded a golden harvest while it continued, but it lasted only long enough to reach the Supreme Court, which promptly declared it unconstitutional, with resultant financial chaos in the sugar sections of Louisiana. That condition was very slightly improved, when the Democrats returned to power, by the enactment of the Wilson bill in February, 1894. So heavy a burden was that measure supposed to place upon the Louisiana industry that such stanch Democrats as Meyer, Davey, Price, Boatner, and Robertson all recorded their votes against it in the House.

Before the Louisiana sugar district, which had thus become the football of tariff legislation, was compelled to undergo the rigors of another revision, ill health had laid a heavy hand upon Congressman Price, who had done such yeoman service to preserve the industry. He was compelled to lay down the legislative burden; and, as the very existence of his people was at stake, it was agreed that the gravity of the situation demanded the very best talent the district could afford.

Those were the days of the old-time conventions, and in one of the most spirited and closely contested political fights in the history of the State "BOB" BROUSSARD was selected by a majority of one-half vote to continue the battle so long and brilliantly conducted by the lamented Andrew Price. On entering Congress he proclaimed himself a Democrat of the school of Samuel J. Randall, who was thrice honored by his party with the office of Speaker, notwithstanding that he was a stout advocate of protection. In taking this stand Congressman BROUSSARD had the example and counsel of Senator Samuel D. McEnery, affectionately known as the war horse of Louisiana Democracy, who voted for the Dingley tariff in 1897. And throughout his entire career in the House, and later in the Senate, "BOB" BROUSSARD devoted every energy of his being to watching, safeguarding, and upbuilding the sugar industry of Louisiana and the Nation. By close scrutiny and research he mastered the intricate problems of the vexatious sugar question and became an expert on the subject and a tower of strength during the precarious menacing periods when blows and assaults were directed against that great industry.

Upon an occasion in the Senate similar to this Senator BROUSSARD paid his final tribute to the memory of the late Senator McEnery. Between these two there had always existed a warm and devoted personal friendship, perhaps all the more tender because of the disparity in their ages. Senator BROUSSARD felt that in the counsel and experience of his old friend his own footsteps would be safely guided along the tortuous and uncertain paths of tariff legislation, and as the fierce storm of fractional opposition broke about the heads of both these true sons of Louisiana, because each sought the same solution for this great economic problem, we may assume that Senator BROUSSARD was only expressing what he might hope would be said of his own course when, in eulogizing his departed friend, he said:

> I well recall the conference held by the Louisiana delegation in Senator McEnery's office to determine the course to be pursued by the delegation with respect to the Payne-Aldrich tariff bill. The delegation favored it in some particulars and opposed it in others. Senator McEnery at once laid down the rule which he said should be our guidance: Will this bill as a whole benefit or injure Louisiana? He argued pointedly that what benefited the people of Louisiana was paramount. One section, he said, can not be made to suffer unless the entire State suffered likewise. By these rules his conduct as a Senator was always guided, and, occupying that position, he has never been held not to have performed the duties incumbent upon him in a patriotic manner, nor was he ever looked upon with suspicion by his Democratic colleagues in the performance of his duties as he conceived them to be.

Senator BROUSSARD held that under our Constitution, so far as the tariff is concerned, our citizenship might be divided into two broad classes—those who advocate protection and those who advocate a tariff for revenue. The difference between the tariff-for-revenue man and the protectionist, he held, was expressed in percentage; "and if this be true," he asked, "who is to judge when the tariff on a given article is a revenue tariff and when is it a protective tariff?" He answered this query with the statement that "the people of each district must decide for themselves, and the Representative of that district should voice the decision of his constituency; the people of each State should decide for themselves, and the Senator should voice the opinion of his State. This was Senator McEnery's rule and guidance, and his people approved it by reelecting him again and again without opposition." When we think of Senator BROUSSARD'S own career, can we have any doubt that in the thought he has here expressed is to be found the pole star by which his own course was guided?

It will be chiefly because of his unending struggle for the preservation of the cane-sugar industry of Louisiana that his memory will be preserved at the National Capital. Born in the heart of the sugar district and intimately associated with the industry until death placed its withering hand upon him, he was one of its leading champions. No cause ever had a more devoted advocate, nor could it wish for one more able. He knew all the intricacies of the involved sugar question, and his colleagues generally accepted his presentation as correct.

In January, 1912, Mr. BROUSSARD was nominated for the United States Senate for the term beginning March 4, 1915. His constituents, knowing that the seat in the Senate would not be vacant for two years, renominated him for the ninth term in the House of Representatives in November, 1912. This is the only instance in American political history, as far as I can learn, where a man was elected to and served for two years in the House of Representatives after having been elected to the Senate.

Senator BROUSSARD was peculiarly well qualified to represent his State in the Senate. He was a man of great intellect, a trained legislator, a profound lawyer, and an able and skillful debater. In the United States Senate, as well as in the House of Representatives, he was recognized as a fearless champion of every interest of Louisiana.

On January 12, 1898, Mr. BROUSSARD married Miss Marrette Applegate, of New Orleans, a lovely and accomplished woman, who survives him. They had no children.

He was extremely fond of flowers, plants, and trees. He paid frequent visits to the Botanic Garden in this city, claiming that it rested his mind and body to look at and study "plants that God put on this earth for our benefit as well as our pleasure." On one occasion, while admiring some orchids, in company with his particular friend, George W. Hess, superintendent of the United States Botanic Garden, he placed his hands upon one of them and fondled it, saying, "To my mind, there is nothing more beautiful in this world than a baby and a flower." He said of trees, "To love trees intelligently we must know them; we must be able to call them by name whenever and wherever we meet them; this is fundamental to any friendship."

Senator BROUSSARD indorsed heartily the sentiment expressed in Joyce Kilmer's exquisite poem on trees:

> I think that I shall never see
> A poem lovely as a tree.
>
> A tree whose hungry mouth is prest
> Against the earth's sweet flowing breast;
>
> A tree that looks at God all day
> And lifts her leafy arms to pray;
>
> A tree that may in summer wear
> A nest of robins in her hair;
>
> Upon whose bosom snow has lain,
> Who intimately lives with rain.
>
> Poems are made by fools like me,
> But only God can make a tree.

Senator BROUSSARD, better known as "BOB" BROUSSARD and "Cousin Bob," had multitudes of friends. He had a charming personality, and affection for him was widespread and deep. To few men is it given to possess the happy faculty of making friends and holding them as did "BOB" BROUSSARD. He was a magnetic orator both in French and English. I once heard him deliver a political speech in English for 30 minutes to an audience composed mainly of French-speaking people, and then, without pausing, he changed to French, amid the wild enthusiasm of his hearers. I did not understand the French portion of his address, but my attention was held by his graceful versatility and charm of manner.

Although in failing health for two years prior to his untimely death, Senator BROUSSARD was cheerful and hopeful to the end, carrying sunshine and good cheer wherever he went. He loved life and enjoyed it to the fullest.

Louisianians were proud of Senator BROUSSARD, loved him in life, and now revere his memory. His work is done; he is at rest; peace to his ashes.

> There is no death! The stars go down
> To rise upon some fairer shore,
> And bright in heaven's jeweled crown
> They shine forevermore.
>
> There is no death! The leaves may fall,
> The flowers may fade and pass away.
> They only wait through wintry hours
> The coming of the May.
>
> There is no death! An angel form
> Walks o'er the earth with silent tread;
> He bears our best-beloved things away,
> And then—we call them dead.

Mr. CHAMBERLAIN. Mr. President, my intimate acquaintance with the late Senator BROUSSARD began when I was elected to the Senate in 1909. I knew of him, however, through the fact of his copartnership with a very distinguished and very much-loved classmate of mine at Washington and Lee University. So, without having known Senator BROUSSARD intimately, I knew from the reports that had come to me from his old friends and associates that, like the people of Louisiana, those of us who were to come into intimate contact and touch with him would love him. It did not take long to get acquainted with him, I found, and almost intuitively one was tempted to speak of him as he was lovingly spoken of amongst his friends in Louisiana, as "Cousin Bob," or simply as "Bob," because he at once removed the barrier that might ordinarily be raised between men who meet merely as strangers.

I served on a number of committees with him here in the Senate, and, as has been so ably said by his distinguished colleague [Mr. RANSDELL], whatever duty he turned his attention to he gave it that zealous application and consideration which every intelligent legislator tries to give as the most important part of his legislative duty. He attended committee meetings promptly and gave to the work before the committees, and particularly to that portion of the work that affected his own State, the utmost zeal, application, and effort.

He was a typical southern gentleman, Mr. President, and wore his heart upon his sleeve. I do not know any one of my acquaintances who so represented as did Senator BROUSSARD that affable, courteous, chivalrous disposition which is so characteristic of the old southern gentleman.

We shall all miss him here, Mr. President, as I know that his constituents and friends in Louisiana will miss him, and it will be a long time before his place can be filled here, either as a faithful public servant or in the hearts of his colleagues.

Mr. SHAFROTH. Mr. President, before coming over to the Senate Chamber this morning I picked up a Congressional Directory of January, 1916. I looked over the list of Senators who had departed from this earth since that time, and I found that 15 Senators while serving in the Senate had died. While talking with one of the Members of the Senate not long ago he told me that in the eight years he had been here he had kept account of the Senators who had died in office and those who had died who had been Senators for a portion of the time during which he had served, and that there had departed from this life 53 of those Senators who had served with him some portion of the time in that period. So we may truly say that "While in life we are in the midst of death."

Mr. President, I was a Member of the House of Representatives when Mr. BROUSSARD was first elected to that body. He was elected in the memorable campaign of 1896. That campaign was, perhaps, the most remarkable that ever took place in the history of the United States. It was because of the fact that there had been such differences of opinion concerning economic questions that parties were almost wiped out of existence. In some States the result was favorable to one political party by enormous majorities, and in other States to the opposite political party.

For instance, in my own State of Colorado, which had been a Republican State up to that time, 85 per cent of the Republicans of the State voted the Democratic ticket, giving Mr. Bryan a majority of 134,000, while upon the other hand New Jersey, that had been a Democratic State for many years, as was the case in some other States in other parts of the Republic, returned to Congress a solid Republican delegation. People had differed very materially upon the money question, and there were grounds for such differences of opinion.

That was a campaign where all meetings were largely attended. There had been a depression in prices existing over the world for many years. It so happened that, according to statistical tables, falling prices had begun about the year that Germany demonetized silver, and from that time until 1896 there had been a continual fall in the level of prices. That was attributed by many, and especially by the Democratic Party, as announced in its platform of 1896, to be due to the fact that the burdens of commerce and credit which previously had been borne by both silver and gold had been shifted to gold alone, thereby increasing the demand for and value of gold, which increased its purchasing power and thus produced falling prices.

Mr. President, I have no doubt that theory was correct. I am a firm believer and have always been a believer in the quantitative theory of money. While we may deplore the high prices which now exist in the United States, their effect in the production of misery and distress is inconsequential if compared with those which would be produced by falling prices.

It was in 1896 that the low level of prices was reached in the United States. It was then that cotton sold for 6 cents a pound; it was then that corn sold for 10 cents a bushel, and in some portions of the Western States it was burned instead of being consumed as food, it being so cheap that it was thought to be more valuable for fuel than for food. It was then, Mr. President, that the conditions grew which culminated in the great change in the Democratic Party.

Mr. Cleveland had espoused the gold standard. There had been produced such a profound change in the Democratic Party that he, although the President of the United States, and made so by Democratic votes, would not support the candidate nominated in Chicago and the principles announced in the platform of that party. It was through his influence that a new ticket was placed in the field, called the Palmer and Buckner ticket. That ticket gained very little support in the Western States; it gained some support in the Eastern States; but the man who made up his mind to vote in that campaign wanted his vote to count, and, consequently, he voted either the Democratic or the Republican ticket.

Mr. President, there have been many theories as to what produced the upward tendency in prices after that time, but no one has ever answered the arguments for bimetalism. It is the theory of many of us that that upward tendency was caused by the increased production of gold. My State, a silver-producing State, came to be a gold-producing State; a great quantity of gold was discovered in the Cripple Creek district, and its product of $300,000,000 of that metal is one of the evidences of the increased gold supply.

Mr. President, it was at this time that Mr. BROUSSARD entered public life. He was thoroughly in sympathy with the Democratic Party and its principles enunciated in the platform of 1896. I remember very well when he first came to the House of Representatives. He was a very young man, being only 33 years of age. He was active, quick, and vigilant, keen of mind, and was considered one of the very young and promising Members of the House of Representatives. Of course, he was always loyal to the interests of his State. Whenever its interests departed from that of the Nation's, he thought that he should espouse the cause of his own State. He wanted to represent his people.

He lived in one of the richest portions of the United States. I do not believe there are any lands in the world that are superior to the lands down on the Gulf coast, and it is no wonder that he felt in recent years that the great sugar interests of Louisiana would be benefited by a duty upon sugar. During the last six years he devoted a great deal of time and attention to preserving that which he thought was absolutely essential to the life and to the growth of the great industry in his State.

Mr. President, my acquaintance with Mr. BROUSSARD ripened into warm friendship as the years passed by. I served in the House of Representatives with him for eight years, and when he came to the Senate I knew him intimately and well. He was a man of the highest honor, one who could always be relied upon, without any suspicion of corruption or improper motive in the vote that he cast. He has left a great name in the State of Louisiana where he was recognized as one of its great leaders. The friends he made were legion. I feel that in his death the Senate has lost a very distinguished Senator, and the Members of the Senate a very lovable companion.

Mr. TOWNSEND. Mr. President, I deeply regret the necessity for this memorial occasion. It is always discomforting for me to contemplate death under any circumstances, and especially that of a friend. It is a solemn mystery, and yet no more mysterious than is life. We are forced to speculate on those two phenomena, and out of the speculation are born theories of religion and hopes of immortality. We call life real; and when we see it suddenly terminate, we wonder about the great change and philosophize about the unknowable. From the time of the death of the first man until this hour men and women have stood mute and helpless in the presence of mortality. All hatred, jealousy, and personal animosity are subdued beside the bier; but, except for philosophy, the mourners can not be comforted.

The news of a friend's death comes with a shock. It notifies us of the end of all human association and of all opportunity to do for that friend the things that we would now like to do. It, however, has one benign result, it causes us to pause and indulge in thoughts of life and duty.

I know that these memorial occasions in memory of our one-time colleagues are of no value to the departed. They have passed beyond the realm of censure or praise. Their bereaved families may be comforted by kind words of Senators, but the greatest good comes to those few who participate. It is not

well that death should bring a permanent sadness to the friends of the deceased, but it is of the highest importance that men and women should pause in the struggle of selfish, sensual life, with all of its unrealities, to consider seriously the end of it all. We know in our thoughtful, peaceful moments that the only things worth while in life here are the hopes that we are doing something worth while in the world and the respect and friendship of our colleagues. The former may always be shrouded in doubt, but we can feel and know the latter. How miserable we all would be if it were not for our real friends, and yet how often do we sorely test them.

ROBERT—lovingly his friends called him "Bob"—BROUSSARD possessed in a marked degree the true qualities of friendship, and I am thankful that he numbered me among his friends, as I did him among mine. He was a Member of the House of Representatives when I entered that body, and I soon thereafter became acquainted with him. He was a quiet, unobtrusive man, but possessed of the genius of industry in behalf of his constituents, and few Members accomplished more for his people. He knew the needs of his district and State and never neglected them.

I knew little of his domestic relations, as social intercourse in our public life is circumscribed by accidental circles of limited circumference. I knew nothing about his life prior to my coming to Congress and I have not taken the pains to look up his biography. I simply knew him as the man in Congress, and that knowledge warrants me in saying that he was above the average of his colleagues in effective accomplishments. He believed, as did many of his Louisiana colleagues, that the tariff was a local issue. He knew that a protective tariff was necessary to the maintenance of his State, and he had the courage of his convictions. He was never a trimmer, but bold and outspoken in his advocacy of his convictions. He was friendly always. His political word was as good as his bond. His State and the Congress have lost in his death a most valuable legislator.

We can not understand the Providence which called him from great usefulness in the midst of his first term in the Senate, but we know that a good and wise legislator has gone out from among us. I sincerely regret his untimely death.

Mr. KIRBY. Mr. President, I feel that I should speak a few words on this occasion in memory of ROBERT F. BROUSSARD, native son of Louisiana, who is departed. He long and faithfully represented in the council halls of the Nation that great State. But I am not come to talk of his achievements in forum and in court that brought him, the leader and servant of his people, from his far-off home to the council halls of the Nation. I am not come to talk of his achievements while he stood in the Congress halls and represented his own people and the people of these United States. That can better be done, and has been well done, by his colleague and by his successor. I am not going to specify the different things of benefit that he was able to accomplish here. It is not fitting that I should do so. It will suffice to say that he was a man of fine intellect, character, and ability, a man of fine and true conviction, innate conviction of right, a man who believed in his country. He loved his far-off home in the Southland. He loved the State of his birth. He loved the Nation that he served so well. His patriotism was as broad as the confines of the Nation and as lofty as its greatest purposes, and he yearned for the realization of its highest ideals. Such was the man. He was an honor to his district, to his home, to his State, and to his Nation—to the old South and the new South and the great Nation.

But of that I shall not speak further. I met him first when I came to the Senate, just when the war clouds were lowering and had burst across the Old World and were threatening this land of ours. I was attracted to him because of his charming personality, and because we had some tasks and things in common; and I shall talk chiefly of another side, the human side, of the character of this man.

He loved fair dealing, the open freedom, and the light. He hated darkness and sham and hypocrisy. He loved great nature, her forests and streams, her fields and flowers, the firmament that shows the handiwork of God. He loved the finer things of life. He loved the beautiful and true, poetry and music, and I believe he heard the music of the spheres, and certainly understood the song of the angels, "Peace on earth, good will to men." He loved the grand old masters. He loved the bards sublime. These finer things of life appealed to him and were enjoyed by him. He was also an ardent, a true sportsman, that believed in giving his quarry a fair and even chance. He loved to look upon the faces of kindred spirits in the campfire's glow, in the haunts of the denizens of the wild. His pulses thrilled and his blood leaped at the sound of the chase and sight of the quarry, at the sight and feel of the bending rod, the humming reel, the swirling waters, and the leaping bass.

He was a true sportsman, and I liked him well on that account, my taste for recreation and diversion running along in that line. Personally he was a most charming man. I loved the man. He inspired friendship in others, being himself a stanch friend. His friends to him were right always, loyal and true, and no service he could render them was ever difficult or irksome. But no more will we feel the hearty hand clasp, no more will we enjoy the genial smile of BOB BROUSSARD. He is gone, and there was no more fitting end to a life, I think, than to that of this man.

I stood at his grave side yonder in the Southland. I saw the people, the rich and the poor, the proud and the humble, the lowly and the great, from his town and from the State and all the countryside gathered there about his body in the open. I saw them come to pay tribute to his memory for the last time, and I was glad to be there with them. It was an occasion of genuine grief and mourning. The common people were his friends, and they loved him. They so regarded and affectionately spoke of him as "BOB" BROUSSARD; and there in the sunshine and among the flowers, surrounded by a host of friends whom he served loyally and well, he was laid to rest.

He lived his life not for himself alone, and at the balance must be set down as one who loved his fellow men. He loved his neighbor as himself. He was the friend of man.

"Died," ROBERT BROUSSARD,
And until the future dares forget the past,
His fate and fame shall be
An echo and a light unto eternity.

Mr. POINDEXTER. Mr. President, it is a peculiarity of republican government that men are controlled by their affections rather than by force. I have been very much interested in noting, in the addresses to which we have just listened, the repeated testimony of those most intimately acquainted with the bright and shining spirit who has passed from among us to that quality of Senator BROUSSARD which excited the affection of his associates and of his people.

It is not my purpose to undertake on this occasion to perform the duty, however pleasant it would be, a duty which has already been so well performed in part by his eminent colleague who now occupies the chair [Mr. RANSDELL in the chair], and no doubt will be performed more elaborately hereafter—to compile or to express the story of his achievements, to make a digest of the accomplishments which he was able to bestow upon the people whom he served as a public official; but rather it is by appearing here in person and saying a brief word as the expression in part of the sentiment which I feel as it were to lay upon the grave of Senator BROUSSARD, if I could have the sweet privilege of doing so, one of the beautiful flowers which the speaker this morning said that he loved so well. It is not in what we say upon an occasion like this that we do honor to our friends, but it is in what we feel.

It was my privilege and good fortune to have served in the House of Representatives with "BOB" BROUSSARD, to have been a member of active committees, in the Senate, of which he was a member, to have known him to some extent in a personal and social way, to have met his family. I have as one of my friends a constituent in my home town who formerly came from Louisiana and was an old and intimate friend of the late Senator BROUSSARD and who on many occasions has spoken to me in a feeling way of the qualities of manhood and friendship of our deceased brother.

Senator BROUSSARD's interests, although particularly exercised in the care of his own people, although his energies were concentrated upon the service of his constituents of Louisiana and in the solution of the economic and the governmental problems that were peculiar to that State, were not circumscribed by the boundaries of Louisiana. There is a difference in public men in that respect. Some have but little interest or but little concern for anything in the range of congressional activity that does not immediately and peculiarly concern their own State. Some are inclined to consider their duties and obligations as limited to securing and holding the approval of those to whose vote they owe the position which they occupy. Senator BROUSSARD took a broader view of his functions as a Senator of the United States, and while he rendered adequate and more than adequate service to the people whom he specially represented, yet also he served the Nation well.

I have been informed and instructed by my associations with Senator BROUSSARD as to the great international interests and possibilities of foreign trade and commercial exchange—the relations which this Nation ought to occupy toward the Latin-American Republics, which are near neighbors of the State of

Louisiana; and I found that he was a man of vision and of sense, who could appreciate the developments of the future from which the country, and the State of Louisiana among the rest, would profit in due time if we availed ourselves of our opportunities in that regard. I spoke of him a moment ago as a bright and shining spirit. Those words came to my mind and to my lips on the moment as expressing what perhaps was his chief characteristic. He was a man who, immediately upon acquaintance with him, aroused the affections of those whose own natures were so properly and normally adjusted as to respond to contact with merit. I have a picture of him in my mind, from a mere casual circumstance, with no particular reason why it should remain there other than the force of the man himself—of Senator BROUSSARD delivering an address in the House of Representatives. I do not even remember now the subject of his address, but I remember the man. There was a deep and lasting impression left upon me by the conviction which I formed at the time of his character, of his courage, of his pertinacity, of his intellectual brightness, of his deep interest, of his sound policy, of his sincerity. There are but few men who have that indefinable capacity of so fastening themselves upon the memory of those with whom they come in contact.

Senator BROUSSARD had to a pronounced degree that quality. If I had never seen him again, if I had never renewed my acquaintance with him under more intimate circumstances in the work in the Committee on Pacific Islands and Porto Rico, of which he was a member, and which considered many important questions to which he gave the benefit of his peculiar information and deep interest, if I had never had the privilege of meeting him in a social capacity or of serving with him as a colleague in this Chamber, I yet would have remembered him, as standing out distinctly among all the strange figures who appeared in that numerous legislative assembly, by the one occasion of which I have spoken.

Mr. President, I formed from these associations a sincere attachment for our late colleague. I believe that those who fully appreciate the nature, the true functions of public office in this country, understand that it is not its dignity that constitutes the worth of office, it is not the honor that comes from it, it is certainly not in pecuniary rewards—because they are small, small in comparison with those in other countries of equal power and wealth—but the true worth of public office is in the fact that the subject with which we deal is man himself; that the material with which we work in our everyday task is our fellow man; that we have in our care and under the control and direction of the functions of this great office, for better or for worse, for good or for ill, the destinies of the human race.

I have sometimes wondered as to the exact significance of the saying of the great Teacher of the Christian religion to the poor fishermen at the Sea of Galilee, when he called them around him from the sordidness of their occupation and said to them: "I will make you fishers of men." I have some slight conception of what it meant, and I have felt that if there is a true worth in public office there is something of that nature in it, that there is at least an opportunity for a public man in a position of power, under our Government, to use that power to be a "fisher of men," to save men from the evils which constantly pursue them, to protect them, to put them in such a way that they may guard themselves from that principle of destruction which is constantly attacking the rival forces of virtue.

Senator BROUSSARD conceived, at least as demonstrated by his performance, that characteristic of the position which he filled. He was a fisher of men. He was bound to the men whom he served by the ties of his heartstrings. There was no demand which could be made upon him for service, even though it called for the supreme sacrifice, that he was not ready to deliver.

Mr. President, I consider it a privilege and an honor on this occasion to pay this brief tribute to his memory.

Mr. SAULSBURY. Mr. President, the friendships between men—how they arise, how strong they become, their extent and lasting qualities—are in a measure hardly capable of analysis and sometimes rest almost entirely in the particular personality of the individuals.

I had not even the pleasure of a slight acquaintance with Senator BROUSSARD until he had spent many useful years of his life in serving the people of his State and country. When I met him first, as I believe all men were, I was attracted to him, and as our acquaintance ripened into friendship I knew I was honored by the regard of another man in public life who was worth while.

Those who knew him a longer time and served with him before failing health had come to indicate the termination of his useful labors in the public service are much more capable than I of speaking regarding his public services. It was after he came into this body that there grew up between us a friendly intimacy which I prized, and which I know was agreeable to him, that I came to appreciate his uncommon ability, his high conception of public duty, and his attachment to those he liked. I do not know of any man whose friendship has been more pleasant and grateful, with whom association has given more satisfaction, and whose good opinion I cherished more than that of BOB BROUSSARD.

No man could be brought into association with him and admitted to his friendship without feeling as I did the privilege that one had in this association. No one is grieved more sincerely than his colleagues in this body who knew him well, and the better they knew him the more they have been affected by his death.

His continued illness brought every day from among his colleagues affectionate inquiries as to his condition, and universal regret is the manifestation here of the high regard in which he was held.

Other men have served longer in this body, other men have had greater opportunities to distinguish themselves here in the country's service than he, but no one has deserved and held a higher place in our affections and esteem. No one has more fully lived up to the ethics which prevail here as to the relations of Senators than our friend Senator BROUSSARD, in whose honor we have come together to-day, and to perpetuate whose memory and high service these exercises are now held.

I shall not attempt to review his eminent public service or to relate the many interesting episodes of his career. It satisfies me to record here in few words the tribute of a friend who loved and mourns him.

Mr. GAY. Mr. President, ROBERT F. BROUSSARD was born on his father's plantation, in the center of the section so beautifully described by Longfellow—

> Beautiful is the land, with its prairies and forests of fruit trees;
> Under the feet a garden of flowers, and the bluest of heavens
> Bending above, and resting its dome on the walls of the forest.

They who have dwelt there for generations have named it the Eden of Louisiana.

The people who inhabited this lovely section of Louisiana were the descendants of that hardy race who had carved homes from the wilderness and rigors of climate on the shores of the Gulf of St. Lawrence, and had by the fortunes of war been transferred without their consent to the British Government by the treaty of Utrecht.

They refused to take the oath of allegiance to the British Crown, and refused to serve in the British armies against their beloved France. They were compelled to give up their homes, and thousands, after enduring untold hardships from disease and want, settled in a body in what was then French territory—Louisiana.

Their loyalty and affection for the customs, traditions, and language of France have been the distinguishing characteristic of these people for more than a hundred years. And yet to-day no community in this broad land is more distinctively American in all that the word "American" stands for.

Young BROUSSARD was educated at Georgetown and Tulane Universities.

He began the practice of law at New Iberia, La.

He began his public career a few years later when the State was in the throes of the fiercest and bitterest contest ever had before or since—the struggle to eliminate the Louisiana State Lottery Co. and destroy that baneful influence on the moral and political life of the State and Nation.

This powerful corporation, with its immense wealth, was seeking a renewal for 25 years of its exclusive State charter. Through its great wealth, gathered from every hamlet in the Union, it had for years maintained a powerful lobby at the sessions of the State Legislature, and exerted a controlling influence on legislation and on State and municipal elections, depending on special privileges to protect monopoly at the expense of the people and retain its servile henchman in public places.

The long career of this institution, reaping a rich money harvest from every nook and corner of the Union, its tempting bait to provide millions for public improvements, hospitals, and education, had produced in the public mind a condition so aptly described by the poet Pope:

> Vice is a monster of so frightful mien,
> As to be hated needs but to be seen;
> Yet seen too oft, familiar with her face,
> We first endure, then pity, then embrace.

The battle was not a political or party contest. It was a fight for civic righteousness, or government by the people, freed from

the demoralizing influences which wrecked character and brought misery and crime in its wake.

Money, political, and business influences were freely promised, and more than three million were expended in that campaign. Success for the lottery company meant financial and political advancement for those who marched under its banner. It had a full treasury to pay its champions on the platform and the press.

Its glittering promises to furnish large funds to build levees and prevent the frequently recurring destructive overflows of the Mississippi, which meant ruin to so many, to equip hospitals for the care of the unfortunate, reduce the State debt, and assist in the education of the people formed a persuasive argument with many and quieted the consciences of others.

Mr. President, ROBERT F. BROUSSARD was then district attorney of his district. He could easily have trimmed his course to have kept fair weather and antagonized neither party to the fight. But with the unflinching courage which characterized his life to the hour of his death he promptly enlisted under the banner of sound government, which demands public morality. He appealed to the conscience of the people against the alluring temptations to secure great public benefits from the earnings of an institution, clothed with the sanction of law, in its continued debauchery of the public service and its continued poisoning of the moral atmosphere by its insidious appeal to the gambling instincts so common to man's nature.

ROBERT F. BROUSSARD had no incentive to engage in this great contest but the call of duty to God and country.

With clearness of vision he saw the danger to the generations to come in the menace to the moral, social, and political welfare of the people and the State. He felt that it was a fruitful source of poverty, a seed bed of embezzlement, born of the frenzied desire to possess without the burden of toil.

From every platform he set before the voters that sound government could not be had except from the regular taxes paid by freemen, rather than from a corrupting institution, which, in the name of the State, enriched itself by the impoverishment of the many and made the State its pensioner.

The fight ended in the triumph of the cause of good government and forever destroyed the privilege of gambling for a consideration paid into the public treasury.

He became a candidate for Congress in 1897, in a convention which was in consecutive session many days, and was finally nominated by the fourth of a vote.

He succeeded the distinguished Andrew Price, who after several terms in Congress retired to private life, having served since the death of his father-in-law, Edward James Gay, my grandfather, whose name I am, indeed, proud to bear.

BOB BROUSSARD was returned for nine terms without opposition in his own party and but once by a Republican.

He enjoyed the unique distinction of serving a full term in the House after his election to the Senate. By the constitutional enactment of the State his election took place two years prior to the beginning of his term as a Senator.

The people of his district insisting that they could not spare his services in the Halls of Congress, elected him to the House after his election to the Senate.

Thoroughly informed in the detail of the mechanism of every department of the Government, the cause of every constituent, no matter how slight, received his persistent and indefatigable service. No red-tape machinery could bar the way to a proper adjustment. With infinite tact, unfailing patience, good humor, and sound judgment he pursued the most obdurate of departmental officials, and he rarely failed to move the most persistent objector.

Having patiently and industriously examined a matter and satisfied himself of its justice, he knew no such word as "fail."

The ardor of youth, strengthened by mature judgment and knowledge gained by advancing years, rendered him an expert in matters of legislation as well as in the routine of the departments; hence he was unusually successful before the departments, which learned to value his careful analysis of the matters presented and the perfect fairness with which he stated the question. All appreciated the never-failing energy with which he pursued the subject to a proper conclusion.

Loyalty to his constituents was the inspiration which prompted every act and vote in the long service in Congress of our departed friend.

The production of sugar cane was the prevailing industry of that splendid, fertile section, the third congressional district of Louisiana. The welfare of its population was unquestionably dependent upon its success and the price at which it was sold. An intelligent and energetic and industrious people had built up this great industry in competition with the cheap labor and better climatic conditions of Cuba. It was the constant subject of national legislation, probably more so than any other product of field, mine, or factory—an easy source of revenue, and in the judgment of many political economists it forms an ideal tax by reason of its universal use, and therefore it forms an equitable tax on all the people.

Congressman BROUSSARD had from the beginning of his life, in season and out, made a thorough study of sugar production and its cost in labor and capital. He knew the world's supply and what competition menaced the successful prosecution of this industry in the United States.

The great war just concluded shows conclusively that it is an essential requisite for the proper maintenance of the armies in the field, the toilers in the rear, and is a common necessity in the hovel of the poor and the palace of the great.

So intimately is the welfare of the sugar industry blended with the prosperity of the State of Louisiana that her representatives in Congress for the last 40 years have frequently voted against their political party affiliations on tariff bills by reason of what appeared to them a hostile attitude on the part of the Democratic Party to this great economic interest of their State.

Senators Eustis and Gibson voted against the Mills bill, a Democratic measure.

The McKinley bill provided a bounty for sugar production. The sugar planters regarded the bill as hostile and dangerous to sugar production, and the congressional delegation either voted against the bill or abstained from voting.

On the Wilson bill, a Democratic measure, a majority of the Louisiana delegation in the House voted against it.

On the Dingley bill, a Republican tariff measure, the delegation divided equally in House and Senate.

On the Payne bill, a Republican tariff bill, there was again an equal division of the votes in the House and Senate delegation of the State.

From the inception of his career in the House of Representatives Senator BROUSSARD adopted as the guiding principle for every vote he cast a rule so well stated by Louisiana's "grand old man," Senator McEnery, who held the confidence and affection of his associates in this body, regardless of party affiliations.

Speaking to the Louisiana delegation at a meeting held for the purpose of determining the vote of the Representatives of the State in Congress on the Payne bill, Senator McEnery said: "The rule that should guide us is, Will this bill, as a whole, benefit or injure Louisiana? What benefits the people of the State should be paramount."

Senator BROUSSARD always had this rule as his guide during his entire service in the House.

Criticism by the press of the State or by party associates never moved him to abandon this guiding principle. Party caucuses in Washington failed to bind him, although failure to obey the caucus mandate meant disloyalty to the party organization and brought him in direct conflict with the leaders of the Democratic Party in and out of Congress. With unflinching courage he stood alone in defiance of the caucus, accepted the humiliation of removal from the most powerful committee—the Ways and Means—on which he had earned a place by reason of long service coupled with exceptional ability and expert knowledge on tariffs.

In a memorial address on the life and character of Senator S. D. McEnery, on February 26, 1911, Senator BROUSSARD expressed his convictions on the duty of a Representative of the people in Congress, defining, according to his conception, the duty to party and the broader duty to the people he represented. He said:

> Fundamentally speaking, the Democratic Party is built upon the idea of individual liberty in its broadest sense and scope within the limitations fixed by the Federal Constitution. That scope essentially includes the principles of self-government; that scope includes State sovereignty, which is the broader expression of local self-government, and essentially contemplates that the Representative, if he be a Member of the House, should receive his primary instructions from his constituency composing his district. And the Senator representing a sovereign State should receive primarily his instructions from the people of his State. * * * The Congressman—and I use the word in its true sense—is but the agent of the people who, or the State which, sends him here. The principle, so far as a Member of the House is concerned, is that those who elect that Member have the right to instruct him in regard to their interests, and the Representative has absolutely no right to act adversely to such instructions. When his conscience will not permit him to carry out his instructions, the Congressman's plain duty is to resign his office, or, better still, not to accept the office unless it is his purpose to act agreeably to the instructions of his constituency.

This was the chart by which Senator BROUSSARD steered his long political course, and the fierce criticism from party associates from all sections of the Union, as well as a constant continuation of attacks by a portion of the press and political leaders of his own State, failed to swerve him one jot or tittle from these well-defined principles—principles that led him to consider the interests of his constituents superior to the claims of party and to vote for the paramount interests of his people at the peril of his own political decapitation.

After his removal from the Ways and Means Committee of the House for refusal to permit a party caucus in Washington to dictate his course and vote, he boldly commenced his candidacy for the Senate, and faced the people on the platform from the Arkansas line to the Gulf, giving a reason for the faith that was in him with such logic and sincerity that he was chosen over two able and distinguished men of State-wide reputation, with great experience as campaigners.

The primary election being ratified by the legislature in May for a term to begin two years later, he went before the people of his district and was once more, although an elected Senator, chosen as the Representative of his district, a distinction without a parallel.

For 25 years he was a member of the Democratic State central committee of the State. He was an uncompromising advocate of the nomination of Woodrow Wilson, and secured a portion of the State vote in the convention for the illustrious man who so successfully piloted our ship of state through the great war.

When ROBERT F. BROUSSARD entered the United States Senate he was no novice to the work of legislation. He came from the House a seasoned veteran, who had ably filled important committee assignments. The years of study on tariffs and waterways and naval affairs and public lands made him an authority on these subjects. His continued advocacy of an intercoastal canal from the Rio Grande to the East, at first considered a fantastic dream, drew the attention of engineers and transportation experts, and after some preliminary surveys the project was found not only feasible but a sound Government investment, which will eventually reduce the cost of transportation of the vast products of the coast, reduce the perils of ocean traffic, save insurance, and develop an immense section of our common country. It is already one of the permanent waterway projects of the Nation.

He closed his services in the House of Representatives on the last day of the Sixty-third Congress and entered the Senate on the first day of the Sixty-fourth Congress.

He served as chairman of the Committee on National Banks and as a member of 10 other committees. It is needless to say that his fund of information, acquired by long service in the House, made him an efficient and useful Member.

He was a firm supporter of all the war measures of the President. His health, already impaired on his entrance to the Senate, was rapidly undermined by the strenuous demands on his time, pouring in a steady stream from thousands of constituents. Against the advice of his physician he remained at his post of duty. Every heart throb beating with love of country, he felt the call of duty to give his all, and he gave the last full measure of devotion with the same self-sacrifice that the noble, heroic dead gave on the battle fields of France. He knew his physical machinery was giving way, yet with that sublime courage which so persistently characterized his whole life he gave his all to his country.

He died at home with the faithful and devoted wife, his loving companion of years from youth up. He was indeed a tender and affectionate husband. His religion was bound by no creed. He believed in the fatherhood of God and the brotherhood of man, and delighted in service to the weak and those in distress.

The elements of success in that long career, unmarred by a single defeat in so many contests in which his personality and his conduct were frequently the issue, were the traits so lovingly described by an author as the characteristics of the Creoles of Louisiana: "A people that are tender-hearted and sympathetic in their social and domestic relations. The almighty dollar, that great object of universal devotion throughout our land, seems to have no genuine devotees in these particular villages." These splendid people, who retained on the shores of the Gulf and the banks of the beautiful rivers and bayous of south Louisiana the customs and language of their ancestors through generations, are distinctively American. These people who, indifferent to the material things, lived in their simplicity, paying great heed to the spiritual and romantic, loved ROBERT F. BROUSSARD with an affection rarely found in all this earth. He was the one trusted adviser and confidential friend to whom they could bring their business and family troubles and find a ready sympathizer and able counselor. He possessed a rare perception of human character, with an iron memory which never lost a face or place or an event once seen or known. No man could overreach him, excepting only those to whom he gave his heart.

The affection of these people for their distinguished fellow citizen became expressed in their familiar and endearing term, "Cousin Bob."

An illustration of the confidence in his power and influence is well told by an occurrence during his senatorial campaign. In the same primary there was a strenuous campaign for the nomination for governor. One of these eloquent gentlemen addressed a large audience in south Louisiana. At the close he was warmly congratulated by one of his hearers, who had been deeply impressed. "Well, then," said the speaker, "I can count on your vote for governor?" "Oh, no, no, sir; me for 'BOB' BROUSSARD—'Couzin Bob.'" "But," said the candidate, "he is not running for governor; he is running for the Senate and I am running for governor." "Well," was the reply, "me don't care about that; you be for 'Couzin Bob' and he 'p'int you governor."

He held the hearts of his people with unbounded affection. His campaign centered around no issue save the personal success of ROBERT F. BROUSSARD. In a district so distinctively Creole, material interests could never overcome the spiritual and romantic friendships of the everyday masses.

The relation between ROBERT F. BROUSSARD and his constituents is, however, best described by our illustrious President, who has with remarkable clearness in words expressed the human trait of friendship, when he said at Manchester, England—

> Friendship is not a mere sentiment. It is based on a principle; upon a principle that leads a man to give more than he demands. It is based not merely upon affection, but upon common service. The man is not your friend who is not willing to serve you, and you are not his friend unless you are willing to serve him. And out of that impulse of common interest and common desire arises that noble feeling which we consecrate as friendship. Friendship depends not on fancy, imagination, or sentiment, but upon character. Real friendship is abiding, like charity it suffereth long; loyal in ill report, and the brightest jewel of happy days. It is the highest, truest love. Its heights are serene; its valleys cloudless. It requires a capacity for faithful affection, a clear discernment, and a beautiful disinterestedness. Fragments of friendship are precious, but a whole, real friend is a man's greatest blessing. Faith with loyalty and courage brings one close to the kingdom of heaven.

The soul of ROBERT F. BROUSSARD was filled to the utmost with this precious quality.

When the funeral services were held under the sunny skies and majestic live oaks in front of the courthouse at New Iberia, the eloquent tributes by Congressman RODENBERG, of ILLINOIS, and Senator VARDAMAN, of Mississippi, found receptive hearers in the thousands of tear-dimmed eyes and aching hearts of the vast multitude who laid aside the business of the day to pay a last sad tribute to the loved leader and friend of the whole people—the true type of the Louisiana Creole, who embodied the lovable traits of that people so noted for its hospitality, real friendship, and splendid citizenship.

He died poor in purse but rich in noble deeds and great service to the State and the Republic.

His name will share the common fate which comes to all, regardless of exalted stations occupied or wealth possessed; but the inspiration to the youth of the State of that long life of service, of unselfish patriotism, and heroic sacrifice to duty in the hour of his country's peril will bear fruit in a higher and nobler citizenship which will be consecrated to the perpetuity of a Government that will stand for justice and civic righteousness for all the peoples of the earth.

In conclusion, Mr. President, I want to say that these same faithful people who so loved and admired ROBERT F. BROUSSARD have arranged to see that his virtues receive fitting commemoration by the erection in his home city of a monument or other suitable memorial, and from the prospectus setting forth the purpose of this memorial association I wish to read the beautiful tribute paid our departed friend at the time of his death by one of his Louisiana friends and admirers:

> The career of ROBERT F. BROUSSARD must impress his people with the inspiration that talent and character, unaided by fortune, may bring place, power, and reputation. It must stir in them a solemn pride that a long tide of power and repute may come to an honest man and leave him whole-hearted and pure minded, unscarred by temptation to yield the right for victory or to stoop low for gain.
>
> As lawyer, as district attorney, Congressman, and Senator, "BOB" BROUSSARD made multitudes of friends. He was entitled to them, for he was loyal and generous. Affection for him was widespread and deep, both in Louisiana and at Washington, and extended to many of those with whom he contended. He had that faculty of winning and captivating men which belongs to the warm-hearted. His passing will bring a tear to many an eye in Louisiana and sadness to many hearts more.
>
> Magnetic in personality and a natural leader, BROUSSARD established himself as political chieftain of the third congressional district. By the force of those qualities and by the practical value of his services in Congress, particularly to the sugar interests of the State, during the many years he was there, he so won the district that opposition to him was never considered.
>
> He never "fell into line" for old abuses, even though those who profited by them might be in position to give him trouble in his campaign. He held aloof from combinations of politics, and upon all specific State issues he stood for cleaner and better conditions in life and politics.
>
> He refused to profit by oppression or to submit to it. Upon one occasion, in his campaigning, he encountered what he took to be underhanded tactics in his adversaries. He made a speech at one of his meetings in the third district denouncing these tactics. It was a genuine outburst of oratory, grand in its fire and patriotism, somber and powerful in its defiance, and superb in its declamation. It was in

French, and we doubt if any Mirabeau or Vergniaud ever poured forth a more livid flood of indignation and passion.

Yet the chief characteristic of this dead Senator was lovableness. He was sunny, even tempered, just, patient, kind, unselfish, and generous.

Peace to your ashes, BOB BROUSSARD. "There has been frankincense and myrrh in thy life which will not be lost now that thou art ground in that mortar, wherein God's will is the pestle, which men call eternity."

MEMORIAL ADDRESSES ON THE LATE SENATOR HUGHES.

Mr. FRELINGHUYSEN. Mr. President, I offer the resolutions which I send to the desk. I ask that they may be read, and I move their adoption.

The resolutions (S. Res. 423) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate expresses its profound sorrow in the death of Hon. WILLIAM HUGHES, late a Senator from the State of New Jersey.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. FRELINGHUYSEN. Mr. President, though myself young in membership in this distinguished body and not intimately acquainted with its earlier history, I very much doubt if the amazing necrological record of the past 22 months has ever been duplicated.

Since March 5, 1917, ten times the gaunt, unrelenting hand of death has thrust itself into this Chamber and has stricken down a Senator of the United States. Strong men, vigorous men, who have never previously known defeat, have fallen victims to the unconquerable malevolence of that insatiable and final foe.

If there be those at home, in the remote communities of our respective States, who fail to grasp the magnitude of the burdens which fate has placed upon the shoulders of the Nation's Legislature during the prevalence of the war and of the reconstruction period which follows, I can only pity them for their ignorance. What wonder if men bend and break under the strain and are swept into the Great Beyond in the twinkling of an eye.

Let me give you a brief review of the life of my recent colleague, the late WILLIAM HUGHES. It is an amazing recital, and no duplicate can be found in the annals of any other nation. Only in democratic America, whose portals have never known bolt or padlock, would such a career be possible.

WILLIAM HUGHES belonged to that very notable and ever-increasing class of citizens who, though foreign born, attain positions of great distinction in America. So many similar instances are encountered in the annals of our people that, as a rule, we no longer think it sufficiently noteworthy to comment upon it.

Though probably of Welsh lineage, as his surname suggests, he was a native of Ireland, having been born there April 3, 1872. He was only 8 years of age when the initial steps in the Americanization of WILLIAM HUGHES took place, he having accompanied his father to this country in the year 1880.

He was then a bright-eyed, impulsive lad and was possessed of an inquiring, acquiring mentality. No emigrant ever landed upon our shores whose perceptions were keener or who was animated by a livelier sense of inquisitiveness.

Even at that early age, while utterly unconscious of the full possibilities which destiny had in store for him in the New World, yet he seemed to sense the opportunity for a life with which he was previously totally unacquainted.

Thus, after the father's establishment in his new environment, the boy entered the public school, and there were laid the foundations of his equipment for the duties which afterwards devolved upon him and for the honors which subsequently were his portion.

Still, his educational advantages were comparatively slight. His father had located in a manufacturing city, Paterson, N. J., and there, in the silk factories of that community, one of the most remarkable of the varied industries of America, many of the youth of the city found agreeable employment, which drew them from the schools at a comparatively early age. This was the magnet which limited the schooling of WILLIAM HUGHES.

While as a rule we can but sympathize with those proponents of the advantages of a higher education who decry child labor as a detriment to our sociological development as a Nation, yet, in the case of WILLIAM HUGHES we see an illustration of the principle that genius will out and that inherent ability is bound to overcome all obstacles, and, like water, will reach the level which opportunity makes possible.

Let us picture young "BILLY" HUGHES—such was he called from the cradle to the grave—at his silk loom in Paterson at the age of 12 or 14 years. Did this employment serve to dwarf his mentality or curb his ambition? Assuredly not.

Is it difficult to employ our own imaginations and conjecture his emotions as he stood at his loom with the shuttles flying backward and forward? As warp followed warp and woof succeeded woof, all in wondrous colorings and patterns, were there not times when his fancy was even more nimble than his fingers and its product more notable than the fabric which resulted from his handiwork?

That aspiring spirit which finds tongues in trees, books in the running brooks, sermons in stones, and a lesson of some sort in every phase of human endeavor, and in every object in life, whether tangible or intangible, is the true student, and opportunities for achievement which are presented to him are limitless.

Such a student was WILLIAM HUGHES, and he graduated with high honors from the university of human experience.

While still a mill hand he studied stenography and typewriting, and, as he reached manhood, engaged in that avocation within whose ranks to-day are found so many thousands of young Americans of both sexes.

Originally entering a commercial establishment he soon thereafter found employment in the law office of former Attorney General John W. Griggs.

Whether luck or fate influenced his final choice of a profession, it is impossible to say. That is a matter for the speculator and philosopher to dwell upon. Certain it is his entrance into that field determined him to engage in the study of law, and in due course of time, in 1900, he was admitted to the bar as an attorney, and became a counselor three years later.

WILLIAM HUGHES possessed many of the qualifications which make for success in the legal profession. He was quick-witted, possessed natural forensic ability, and was powerful as a pleader before juries.

One of his eulogists, a writer for one of his home papers, thus speaks of him:

He was not a great lawyer and never pretended to be, for he was not long enough in practice to gain the experience that fits men of a legal turn of mind for big things, yet he had grit and much native ability.

That fairly portrays WILLIAM HUGHES as a member of the bar. He had all the innate ability which would have made him a celebrated constitutional lawyer had his inclinations led him in that direction. But his tastes and habits induced him to cultivate a different branch of his profession, jury trials, and in that direction he won a pronounced degree of success.

In due course of time, in 1912, by appointment of the then governor of New Jersey, Woodrow Wilson, Representative HUGHES—he was then in Congress—attained the distinction of a place on the bench as judge of the county court of Passaic.

Let us see what judgment his fellow members of the bar have passed upon him. Following his decease the Passaic County Bar Association, in a eulogistic set of resolutions adopted, said:

As a lawyer he stood among the leaders of his chosen profession. Admitted to the bar as attorney, June term, 1900, and as counselor, June term, 1903, he practiced with honor to himself and his profession. He had a keen analytical mind, and was always faithful and painstaking toward the interests of his clients * * *. The Passaic County Bar has lost a worthy, able, and loyal member.

In open court, following the death of Senator HUGHES, Judge W. W. Watson, of the same tribunal over which the deceased had presided a few years previously, said:

It is eminently fitting and proper that the court in which he sat should take suitable action on his death. This community always delighted to honor him in life, and I join with counsel in the general regret of his untimely death. He had the confidence of the people in every course of action, and this confidence was never found to be misplaced.

WILLIAM HUGHES as a lawyer and judge is less intimately known to the public than as a legislator. The brief quotations I have made show the high place he occupied in the esteem of his professional brethren.

The career of Senator HUGHES upon the bench was brief, his elevation to the Senate following within a few months after assuming the judicial post. Upon this point a local Paterson writer has said:

In public life he liked every place he ever held, and was enthusiastic for the work, except that of presiding judge of Passaic County, which the President, then Gov. Wilson, appointed him to. That was not to his liking, especially when sentence day arrived, as he once imparted to a friend, he hesitated on that day, for he did not relish the idea of sending his fellow man to prison. He was anxious to leave the bench.

The true sphere of our former comrade was in the strenuous arena of deeds heroic, as a practitioner at the bar, as a commanding figure in the halls of legislation, or as a soldier in the field, had fate called him to such an experience.

And this reminds me that during the Spanish-American War he did offer his services to his country, enlisted in the Second New Jersey Volunteers, and was sent to Florida, but like most

of us who were enrolled in the army of the volunteers, at that time he saw no actual service at the front. But the spirit of patriotism, of service, was there, and he was ready to go wherever sent in defense of his country and flag.

The chief service of WILLIAM HUGHES was as a national legislator, he having served nearly eight years in the lower House and almost five years in the Senate of the United States.

His original election to Congress was a notable achievement, and one which shaped his whole public career. His entrance into the political arena had taken place in 1901, when he had been a Democratic candidate for the assembly from Passaic County. Though defeated, his party being in the minority, he ran considerably ahead of his associates, the result of a very aggressive campaign on his part.

In 1902 he became the Democratic nominee for Congress. His competitor was Col. William Barbour, one of the wealthiest and most representative Republicans of that section. Col. Barbour had been, a few years previously, treasurer of the Republican national committee. He was an extensive manufacturer, and, oddly enough, it was in his mill that HUGHES, when a youth, had originally been employed.

The contest, so far as the Democratic candidate, then a young man of only 30 years of age, was concerned, was recognized as a forlorn hope. The success of Col. Barbour, in a district theretofore Republican, was looked upon as a certainty.

Nevertheless, the young lawyer-millhand plunged into the contest with that ardor which characterized all his activities, and conducted an aggressive, effective campaign of a sort never previously witnessed in that district. When the polls were closed, it was ascertained that the wide-awake, young Irish-American had carried the day, his majority being 3,800.

Two years later he was defeated by a margin of only 510 votes at a time Roosevelt carried the district by 5,200. In 1906 he was reelected, as he was in 1908 and again in 1910.

It was during the close of his fourth term, in 1912, that Gov. Wilson appointed him to a judgeship in Passaic County.

Concerning the career of my former colleague while a Member of the House I shall not speak in detail. There are other Senators on this floor who were Members of that body with him, and they may dwell upon that phase of his public service.

It is a fact, however, that he attained a degree of prominence in that body, and long before his service there had terminated he was recognized as an active force in the development of the legislative program.

His influence in the House chiefly grew out of the fact of his extreme popularity among all classes, leaders and led, his amiability, good humor, and camaraderie being recognized by men of all parties. The friendships there established by him were maintained throughout the remainder of his life.

On January 26, 1913, the legislature being then in session, he was chosen United States Senator for a full term of six years. At the preceding primary election, September 24, 1912, he had been the choice of his party, his election following, as stated, this being the final legislative choice of a Senator in my State prior to the adoption of the constitutional amendment regulating the choice by popular vote. He took his seat in this body March 4, 1913.

Concerning the scope and character of his service here I will defer to other Senators who served with him and who are more familiar with the subject than am I.

Yet the Nation at large knows that he speedily attained a position of influence in this body and became a member of various important committees, being chairman of the Committee on Pensions at the time of his death.

His strong personality soon manifested itself, and new friendships were created, strong and abiding in character, as had been the case during his career in the other branch of Congress.

His every action was characterized by a warmth of feeling, a deep emotionalism, which attracted and attached men to him and made them his friends and his confidantes. Among his associates WILLIAM HUGHES, the Senator and statesman, became BILLY HUGHES the man. It was as such they learned to love him, for he was intensely human, and his heart was always overflowing with sympathy.

A primary element in his success grew out of the fact that, in spite of any professional or political honors which came to him, WILLIAM HUGHES never forgot his mill associates, and until the close of his career was ever an insistent champion of the hand toiler in every walk of life. Before judge and jury, on the rostrum, from his place in House and Senate, he demanded that the rights of the laboring man must be subserved if genuine democracy should be maintained—a doctrine no true American can controvert.

One of the most notable characteristics of Senator HUGHES was his vigorous partisanship. Upon this point one of his intimate friends, Joseph P. Tumulty, has recently said: "He was an intense Democrat."

In his last speech in this body, January 12, 1917, he emphasized his party loyalty, saying, in a defense of the South:

> We have kept the fires on the altars of democracy lighted in the North and in the East and in the West in this country by means of the patriotic fervor and flame that has been furnished to us by these men of the South.

No man should be censured for his love of and devotion to party, for entertaining admiration for its achievements and affection for its leaders. Like a certain other distinguished Senator from a sister State, my former colleague was never ashamed to say "I am a Democrat."

But WILLIAM HUGHES was more than a partisan. He was a patriot. While for his party he had a deep affection, for his country he entertained an undying, almost holy devotion.

In his last public utterance, in a speech delivered in Newark, he said:

> I don't know whether you approve of the things I have tried to do while I have been in the Senate. Of course, I know that many of my acts have been proper subjects of criticism. There is one thing you must say of me—it is that I have always voted as an American United States Senator

In his final speech in this Senate, to which I have already referred, delivered January 12, 1917, he said:

> As far as I am concerned, I am an American citizen. I have not a single fiber in my body which entertains or could possibly entertain the slightest prejudice for any section of the country. I love the West, I love the East, the North, and the South. They are all alike. They are welded by a great fire into one Nation.

That was the fundamental mainspring of his life, a genuine patriotism, founded upon an unadulterated Americanism and exhibiting no tinge or shadow of hyphenization. As his friend, Mr. Tumulty, had said of him: "His Americanism was of the purest kind."

My association with WILLIAM HUGHES in this body was very brief. I entered this Chamber March 5, 1917, and he passed out of it a month later, never to return. He was nearing the twilight of his earthly career, and he knew it.

The concluding stages of his life have been thus described by one who knew him intimately:

> He was a great soul. For years he had been suffering from the malady which finally ended in his death. He knew for the past few years the nature of the trouble which afflicted him, yet he never made outward show of his great pain and agony. To his intimate friends, who learned to love him because of his big, generous, democratic nature, he was still the cheerful, loyal, useful associate.

When I called upon him in the hospital in this city that was the state of mind in which I found him—cheerful, genial, optimistic.

Of course, he longed to get back into his seat that he might play his part in the great struggle for civilization into which his country had been plunged. That he was unable to perform the service which he desired to render in the great crisis which confronted the Nation naturally gave him deep concern; yet he complained not that destiny had eliminated him as a factor in the supreme conflict.

Finally came the end of all things mortal to WILLIAM HUGHES, at the capital of his and my State, January 30, 1918. His life had been a strenuous one, but the close of it was peaceful. Like a tired child, weary with the activities of the day, he closed his eyes and slept. The victor in many battles was vanquished at last by the invincible conqueror, Death.

Upon the occasion of his obsequies, February 2, 1918, the officiating clergyman said:

> First of all, friendliness. Yes; that was a conspicuous virtue of his. A genial and kindly personality, a glad readiness to serve anyone; a real spirit of approachableness, showing a true appreciation of kinship with his brother man.
>
> I am sure you will agree with me that he had a genius of friendship. How well he exercised that gift finds evidence to-day in the altogether deep and universal sympathy and sorrow that find expression in the thousands of lives his life touched.

That exquisite tribute to the memory of WILLIAM HUGHES found a responsive echo in the hearts of those who heard the distinguished divine, for the most of them could bear testimony from personal experience that their deceased friend and neighbor was precisely the sort of man thus depicted.

In simple, terse, yet eloquent terms, one of his home papers thus phrases the same tribute:

> The great gathering that turned out yesterday afternoon to attend the funeral of the late Senator HUGHES was a fine tribute to a man who has made himself loved not only in Paterson but throughout the State and in the National Capital. BILLY HUGHES is no more, but his memory will long live in the hearts of men.

Beneath the flower-decked sod at Cedar Lawn Cemetery lies all that was mortal of WILLIAM HUGHES. No more shall we gaze upon the familiar form of our friend and associate.

But not even death itself can deaden the power of recollection or curtail the sweep of our affections. While memory shall hold

sway over our intellects we shall have before us the kindly smile, the sympathetic speech, the generous act of him who, though now sleeping the last great sleep, yet still liveth in our thoughts and in our emotions.

Mr. THOMAS. Mr. President, the tribute which the Senator from New Jersey [Mr. FRELINGHUYSEN] has just paid to his departed colleague is so complete, so comprehensive, and so beautiful that I can only hope to add a few words of appreciation.

The Senator from New Jersey has well said that the career of Senator HUGHES illustrates the possibilities available to a young boy, whatever his station in life, by the institutions of this country. There is no place, however exalted, to which he may not aspire, and which he may not reach by perseverance, constant effort, and merit.

Shortly after Senator Broderick, of California, entered this Chamber he had occasion to refer to his own obscure origin and to describe in language which I can not hope to emulate the career which in America opens before every boy who desires to avail himself of his opportunities. He closed by pointing to the painted symbols in the vaulted ceiling of the Chamber and said, "Senators, there you behold my father's handiwork."

Senator HUGHES began life amidst surroundings and apparent difficulties which would easily have discouraged a less resolute and persevering nature, but he made it a point to do well whatever he turned his hand to. He began life as a mill boy, and during his apprenticeship he learned not only the details of his own particular field of employment, but he mastered those of every branch of the business.

He was a member of the Senate Committee on Finance, and as such took part in the framing of the so-called Underwood-Simmons tariff bill. He there displayed an extent of information regarding the silk industry, which comprehended all of its phases and details from the beginning of operation upon the raw material to the sale of the finished product. He did not stop there, but was familiar as well with its domestic and international markets, and with all of those details, knowledge of which is supposed to be in the possession only of those who are in full management of and who have devoted their lives to the subject.

Subsequently, when it became necessary to encourage the dye industry because of the difficulty of obtaining material in consequence of the war, Congress enacted an additional measure for the encouragement and development of that industry. He had virtual charge of the subject in the committee and again he displayed a familiarity with and a knowledge of the subject to which I think no other member of that great committee possessed. The work was his. The bill as presented finally to the consideration of the Senate was the offspring of his industry and of his genius more than that of any other member of the committee.

I once expressed to him my surprise that he should have so completely comprehended and that he could so well remember the technical details, as well as the general reach of the subject, in view of his devotion to other fields of effort, particularly in the practice of the law and in the service of his country. He replied that he never turned his attention to anything without realizing the necessity of thoroughly familiarizing himself with it as far as possible. That was the more remarkable, because during his membership in the Senate he did not to me seem to display any great qualities of application or industry, notwithstanding his constant attendance upon the sessions of the Senate.

If I were called upon to mention any other outstanding characteristic of Senator HUGHES I should say that he was a man of the highest moral courage; a man of the strongest convictions; a man whose idea of duty was its rigid performance, regardless of consequences. Shortly before he was elected to the Senate a pension bill was considered by the other House which, if enacted, would add an annual burden of $50,000,000 to the fixed expenditures of the Nation. He worked and voted against it; he spoke in opposition to it. Every sort of inducement was brought to bear upon him to withdraw his opposition. Finally the suggestion was made that if he voted against the measure it would mean his defeat for reelection. He replied that his seat was not worth $50,000,000 to the American people; they could not afford to pay any such price to secure his reelection. Needless to say, Mr. President, the people of his district admired his courage and gave expression of their approval by elevating him to the Senate of the United States.

Senator HUGHES, Senator James, and Representative HEFLIN, of Alabama, were during the Senator's term a trio of inseparable friends. They were companions of the most genial character; all of them young, strong, hearty, vigorous, and each apparently endowed with a long lease of life. They were among the youngest Members of the American Congress. They were the life and soul of every gathering of which they were a part. Their companionship was welcomed and hailed by all who knew them. I know of no friendship or association more human in all of its phases than that which existed between these three splendid gentlemen. But two of them have gone to their long home, and only one remains. May he long live to mourn his departed friends.

I think, Mr. President, that the death of Senator HUGHES had much to do with the early demise of his dear friend, Senator James. Senator James was deeply concerned, very anxious regarding the outcome of Senator HUGHES's malady. He went to see him every day of his life, and one could tell what the progress of the disease was by watching the demeanor and conversation of Senator James. Finally Senator HUGHES was removed from the city and was taken to Trenton, N. J., where, I think, he passed the remainder of his life. During that time Senator James was in constant communication with him, frequently visited him, and kept his associates and colleagues informed regarding Senator HUGHES's condition. I saw Senator James shortly after Senator HUGHES's funeral, which he attended. He seemed to be heartbroken, despondent, discouraged. His face had that drawn and painful expression which indicated his own physical infirmity. It was not at all surprising that the one should have so soon followed the other.

Mr. President, the genial companionship of a man like Senator HUGHES was a pleasure to his associates. He was always, even when disturbed by some passing incident, open, generous, and always lovable. He did his part in the work which was committed to the consideration of the Congress while he was a Member of it. He impressed himself upon every feature of our legislation. He told me shortly before he was stricken that he had given the better part of his life to the public service, and that it remained for him now to do something for his own family and dependents; that he would no longer aspire to a position in public life, but that at the end of his term he would resume the practice of his profession. That, Mr. President, is a reminder that many a man gives the best that is in him without reward or hope of reward in public service like his, and that as time passes he is compelled to realize that he has been faithful to the public at the expense of those dependent upon him for their existence.

He died poor. His long service, from the commencement of his public life to its close, covering a period of 12 or 15 years, if applied to the practice of his profession would have made him a competence and left his family comfortable and in the enjoyment of modest wealth. The man, Mr. President, who gives such an exhibition of service is indeed a patriot.

These are the claims of Senator HUGHES to the love and gratitude of his country. I am sure that they have given and will continue to give them in full measure.

Mr. HOLLIS. Mr. President, the life history of the late Senator HUGHES, of New Jersey, as detailed here so graphically by his former colleague [Mr. FRELINGHUYSEN], gives ample food for reflection to those who study our American experiment in democracy. It marks the rise of a strong, active man, of unusual intelligence and character, from humble beginnings to a position of honor and influence among his fellows.

Careers of this sort are luckily not unusual in our American Commonwealth. Out of the seething mass of our industrial life stalwart figures emerge here and there by no special rule of opportunity, inheritance, or geography, and force their way to universal recognition. It is one of the happy results of our common-school system and our form of government.

The life of Senator HUGHES is remarkable because he began his life as a wage earner, gaining his living by manual labor in a factory and acquiring his education under most difficult and discouraging circumstances, and because he became the Democratic representative of a Republican State in the United States Senate. In these respects he began lower than most successful men, and he achieved a position that few men in any State succeed in reaching.

But the arresting fact about Senator HUGHES is that he continued to be the same man, the same "BILLY HUGHES" throughout his life. As a Representative in Congress he was as simple and direct; as a Senator he was as unassuming as when he drew a pay envelope on Saturday night.

The temptation to assume importance, to "put on airs," is usually irresistible to men who have risen from the ranks. Workingmen tell me that the hardest master, the most intolerant superintendent, is the man who has been himself a workingman. Economists say that the true conservative is not the man of inherited wealth, not the man of leisure, not the student or the philosopher, but the man who has risen to emi-

nence under the existing rules of life. What has been good enough for him is good enough for all others.

Not so with "BILLY HUGHES." He began as a radical; he continued in Congress as a radical; and he completed his career in the Senate as a radical. He kept up his acquaintance with his early friends. He began as a man of the people and as a man of the people he died.

He was a particular friend of the private in our Army. We obtained from him glimpses of the hardships and of the treatment of the private soldier at the hands of officers that we obtained nowhere else. It was Senator HUGHES who insisted upon and forced to successful adoption the statute which increased the pay of the common soldier from $15 to $30 a month.

He had a faculty of stripping away the veneer of society and showing up a problem in all its stark nakedness in the blazing light of day. Time and again I have seen him in the Senate settle a question with a short sentence or two by speaking the simple, blunt truth, when all the rest of the Senate was circling around the problem and mincing words. The colleague of Senator HUGHES at the time of his death has referred to the last speech Senator HUGHES made. I am confident that every speech of Senator HUGHES that can be found in the CONGRESSIONAL RECORD will be discovered to bristle with these blunt, simple facts which could not be dodged when once they were placed before the Senate and before the country.

Mr. President, this is no place for repeating anecdotes or witticisms, but all who knew Senator HUGHES will recall countless instances when his humor flashed out with startling brilliance. And yet he never lost his standing as a man of fixed purpose and sound judgment, as so many have done who have acquired reputations as humorists.

To say that a Member of the United States Senate is honest is ordinarily not much of a compliment. A man is expected to be honest in the Senate, to keep his word, to do as he agrees, not to cheat or deceive, just as much as he is required to be 30 years old and to swear to support the Constitution. But to be intellectually honest, in the sense of being honest with one's self, of realizing principles and clinging to them tenaciously, of refusing to yield principles for personal ease or party advantage is a rare quality, and that quality Senator HUGHES had to a remarkable degree. His rugged strength was an inspiration to his associates. He made it easier for his colleagues to satisfy their consciences.

And Senator HUGHES had an appreciation of the finer side of life. He always opposed a tariff on sculptures, paintings, and works of art generally. I remember hearing him one day expatiating on the good that a cheap print of a masterpiece would do in an humble home, citing the Angelus as a conspicuous example. He said that instead of putting a tariff on such works of art, and especially on the cheaper reproductions, the country could well afford to place a bounty upon them, if bounties were ever defensible.

He fought not only for the protection of women, children, and workingmen, for the rights of the common soldier, for the exclusion of prison-made goods from competition with goods made by free labor, and against the stop-watch system, but also he fought for the protection of birds and animals. He had a tender heart and an artistic perception. The finer things of life had for him a strong appeal. A brave, strong, rugged man, honest, diligent, intelligent, in the prime of life, Senator HUGHES could ill be spared from his country's service; but those of us who knew him, who were privileged to be his friends, are the better for his example, for our association with him, for the things that he taught us, and the strength that he gave us. The thought of him makes it easier for us to do a hard thing that we know to be right.

Mr. PITTMAN. Mr. President, the Senator from New Jersey [Mr. FRELINGHUYSEN], the colleague of our deceased friend, has spoken so fully my thoughts, and has spoken them so much more clearly than I shall be able to speak them, that I call attention to his tribute in my address, so that those who are interested in the history, the life, and the characteristics of Senator HUGHES may know where to find it and where to read it with a genuine pleasure. It comes from the heart and mind of a political opponent—a political opponent from the deceased Senator's own State. It speaks with a sincerity and with a force and with a soul that will be recognized by all who read it.

The good deeds of Senator HUGHES have been recorded. His struggle through adversity to the highest place in the land and in the affection and esteem of the people of this country have been described in detail by the distinguished Senator. There are other Senators here who have already spoken and others who will speak who have known Senator HUGHES longer than I have known him; and while they feel no deeper friendship for him than I feel or hold him in higher admiration, it will be recognized that they are better qualified to do justice to this peculiarly great American citizen than I am. It is for such reason that I speak but briefly the intimate thoughts that come to my mind.

I believe I understand the life of "BILLY" HUGHES, and yet I have found much difficulty in describing that character even to myself. I can not compare him with some other statesmen. He was himself. He knew no forms. He followed no examples. He had no heroes to worship. He made no effort, as far as I know, to emulate any great character or any great statesman. He seemed to be moved by his own ideals, by his own impulses with regard to what was just and what was right and wrong, and when moved by those impulses he was totally unconcerned with regard to the effect that his action might have upon his personal welfare.

When I first met him I was charmed by his wit and by his humor and by his easy quotation of the most beautiful passages in poetry; I was edified by his knowledge of history; and yet these things that then impressed me so deeply are but a few of the many charms of this versatile man. I looked on him then as the humorist, as the wit, as the care-free, happy-go-lucky man who loved life, who loved happiness, who loved and trusted his fellow men. At this first meeting I saw nothing of the deep and sincere seriousness of the man. While I saw that in him to make me love him, I did not then see those traits of character which would lead me to admire and respect him as I afterwards learned to do.

It was not long, however, before I found out that these characteristics were but the screen that concealed the more serious man behind; and since then, as these war pictures have come to my mind, I have thought of those characteristics that I noted in that first meeting, as the beautiful blooming flowers that are hung over and in front of those great guns that prevented the Huns from devastating civilization. The same determination, the same invincible power to fight forever for right, and with the same grimness, lay behind those beautiful screens of flowers. And then when I saw him roused to antagonism against a foe, when I saw him defending the principles that he loved, defending the cause of labor, the cause of the orphan, and particularly the cause of the little children against the attacks of the selfish moneyed interests of the country, I was impressed with the idea that he was a cold, harsh, determined man of steel, an unbending man, a man who had no nerves, a man who was simply a machine for the defense of principle. He showed no patience with subterfuges. He showed no tolerance with deceit and hypocrisy and plutocracy. He made no compromises with it. He denounced it for what it was, in language that was brutal to those against whom it was directed. He feared not for their feelings nor for the forces that they might bring to bear against him; and in that fighting attitude, in that uncompromising, unbending attitude, he seemed to be the hardest, coldest man that I had ever known. And yet later I saw him sitting as a member of a committee, listening to the story of suffering of a little family, listening to the plain, unvarnished statement of the deprivations of little children, I saw the great soul well up in him and the tears rain out of his eyes upon his desk like those of a gentle woman.

He was BILLY HUGHES. He was harsh, he was gentle; he was beautiful, and he was abrupt. He scorned publicity; he ridiculed conceit and vanity. In his splendid analytical ability he not only saw the shallow attempts of others, the lightness of their grasp upon great questions, their finite being, but he saw it in himself, and he ridiculed it and treated it with the contempt in himself that frequently gave him the appearance of being a careless, carefree, thoughtless man. And yet, with this complex disposition, with this character that caused him to jump from the joyful to the sorrowful, from the gentle to the brutal, he was always working fixedly to one end, and that was to throw around the weak and the helpless and the downtrodden and the oppressed of every land every protection of law and society. There never was a bill, there never was a provision in a bill that could be made so seductive that in principle was against the interest of the masses that could persuade his support for a single moment. There were provisions of bills that appealed to other strong supporters of the laboring class of this country to such an extent as to lead them astray, but they never appealed to BILLY HUGHES. He knew intuitively what was right, and he never failed to stand back of his intuition.

There were greater orators, but never was there an orator who spoke in a greater cause. There were statesmen possibly more learned, but there never was a statesman who was more often right. He was a valuable Member of this body, and he was a valuable citizen of the country. He has cast credit not only on the Senate but upon American citizenship. As has been

stated by the distinguished Senator from New Hampshire [Mr. HOLLIS], his life is a tribute to our form of government. His career is an absolute denial of every suspicion that was ever cast upon the possibilities of the highest success of the plain people under our Republic. It stands out as an example that will stimulate the hope and the ambition and the honor and the fearlessness of poor young men throughout all this country.

Senator HUGHES did God's work on this earth. From the very beginning of his young life until its completion he did good. He loved little children. He nurtured them, he protected them. He loved women, and he threw around them the protecting arm of the law so that they might not be oppressed by the injustice of greed. He hated everything that was mean, that was cruel, that was ungodly. His every-day life was the strongest confession of good, of God, that man could make in any temple on earth. His soul grew and grew all the time that he was on this earth, and according to the law of God it will continue to grow on and on throughout eternity. He worked here under every hardship, against every disadvantage, under terrible suffering. He accomplished a great deal. He has done much in the brief life that God saw fit to give him on this earth; and we know, beyond argument or suspicion, that his life has not been in vain.

Mr. WILLIAMS. Mr. President, it is customary now to say that while "in the good old times of the Republic" the schoolmaster was in the habit of inciting the ambition and spurring the zeal of his pupils by reminding them that anyone of them "might some day be elected President." Such an appeal can not be made now in this time of "control by money and organization." Senator HUGHES was a living illustration of the opposite note to this pessimism. He worked in a mill as a common wage earner; he saved money, studied law, became a successful practitioner in the courts of the East, where the best lawyers are supposed to be; was elected for several terms as a Representative, and then later as a Senator in the Congress of these United States. Although he never became nor aspired to become President, nor was even constitutionally qualified for it, his career was proof of the fact that the day of opportunity for achievement of high place in America, if only intellect, energy, and industry exist and are summoned to the task, has not become a thing of the past.

When he came to the House he was equipped for his duty. What is more, and what can not be said of all who begin a career there, he did not stand still; he grew day by day in information and power. He was not of the class who sought position as a final consummation, or a rest or a release from work; he sought it as a stepping stone to higher achievement and as a vantage ground for better and more useful work.

Having been a workingman himself, he knew the situation, the hardships, and the rights of laboring men, and his public career was mainly a work for their welfare and advancement. He also, for the same reason, knew when anybody was demagoging in the name of "labor," and his righteous indignation and impatience when this was the case was something beautiful to behold, and his verbal outbursts when he "bawled out," as he phrased it, men who came for unjust things in advocacy of which some of them hoped to exploit themselves, and others were merely deluded, was something fine to hear. Those whom he thus honestly reproved and thereby taught would stand things, or "take things," as we Americans say, from him, Mr. President, that they would not have heard, except in indignation, from you or me. It was because they knew that he was "one of them"; they knew that all his sympathy and love were at their service without hypocrisy or mere lip service.

I have sometimes feared for him politically when I have heard him as a member of the Finance Committee of the Senate say strong things to visiting delegations, but they generally said, "Well, Billy must be right, maybe he knows better than we do what can be done for us; anyhow we know he wants to do what is best for our interest," and left Washington still his friends. BILLY HUGHES, as his friends loved to call him, took pride in being of that Welsh stock which has exhibited such a rare combination of practical sagacity and idealism in the persons of so many great men, from Thomas Jefferson, at the very birth of this Republic, to David Lloyd George, at the helm in England at this moment. This race trait he possessed, and it enabled him to understand and cooperate with the high purpose of that idealist, and yet practical statesman, the former president of Princeton University, later governor of New Jersey, Senator HUGHES'S State, and now President of the United States.

I first met BILLY HUGHES when he first ran for Congress, having spoken in his district in behalf of his candidacy and in the interest of the political party to which we both belonged. Every two years afterwards, as long as we were both in the House, I went up to New Jersey "to help him out," as he called it. His home life was sweet and modest and full of mutual affection.

In the House and the Senate he seemed to select and attach himself to a few friends, and having "their adoption tried," "grappled them to his soul with hooks of steel," making intimates of them. Next to his honesty of purpose and devotion to the just interests of the masses of men and his remarkable and sweet family affection, his loyalty to friends stood out as his salient characteristic. Most of these friends of his thus made intimates by him in the two Houses of Congress have preceded or have followed him into that other world, which all partially dread and partially long for.

Those of us left have missed him sorely and will continue to miss him; while without ever seeing them again, or seeing them but seldom, we shall continue to sympathize with and love his loved ones of whom he often spoke with just pride and deep affection when talking to close friends, though, of course, he did not wear his heart on his sleeve for every daw to peck at.

To him who has loved much, much shall be forgiven. This dead friend of mine intensely loved his fellow men and especially those whom God committed to his charge, and God will pay it back in kind—as Leigh Hunt says He paid Abou Ben Adhem—in the supreme coin of God's love.

Mr. FRELINGHUYSEN. Mr. President, my colleague, Mr. BAIRD, unfortunately is detained on account of illness. He has sent a communication which he has requested me to read in closing these exercises. He says:

I regret that I am unable to be present personally to pay a tribute to the memory of my predecessor in office, the Hon. WILLIAM HUGHES. I knew him personally, and while aware of his illness, which he bore with patience and fortitude, yet I did not think that that illness would have a fatal termination; indeed, it was farthest from my thoughts that he should pass away and that I should be his successor.

I knew WILLIAM HUGHES to be a self-made man, in the best acceptance of that term. He had, by the exercise of native ability, by industry, and by sacrifice, raised himself from humble circumstances to an exalted position in the Nation's service. He enjoyed the trust and the confidence of the people, who honored him by making him their representative in the House and the Senate.

In all his public service as soldier, jurist, and lawmaker, he was loyal, faithful, and efficient. His loyalty to his country was shown when he promptly responded to the call to arms in the Spanish-American War. He had the respect of all who were acquainted with him, while those who came in close association with him were charmed by his amiable disposition and warm heart. In everything that he did he was manly and straightforward, and he had a host of friends. The State and the Nation sustained a great loss by his death in the prime of manhood and when he had developed his talents for useful public service.

To his widow and those nearest and dearest to him the sense of deep loss should not be unmixed with a feeling of pride in his splendid achievements, a record of public service which will perpetuate his fame as long as the history of this great Republic shall be known to mankind.

DAVID BAIRD.

Mr. President, as a further mark of respect to the memory of the deceased Senators, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 2 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Monday, January 27, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SUNDAY, *January 26, 1919.*

The House met at 12 o'clock noon and was called to order by Mr. WATKINS as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, for the men who think deeply, act nobly, and accomplish deeds for the public weal, men who fix their thoughts on the eternal values of life and leave behind them paths which others may follow with impunity.

Such were the men whose accomplishments and deeds we are here to record. They have gone, but their works live.

Give us the intelligence, the courage, and grace to do the work Thou hast given us to do, that we may pass serenely on to the larger life in the realms beyond.

Bless, we pray Thee, their colleagues, friends, and those who are nearest and dearest to them in life with the blessed hope of the life eternal.

We are startled and our hearts are bowed down by the sudden and unexpected departure of another Member of this House. Comfort us, we beseech Thee, and all who knew him, in Thine own way.

Lives of great men all remind us
We can make our lives sublime,
And, departing, leave behind us
Footprints on the sands of time.

Footprints that perhaps another,
Sailing o'er life's solemn main,
A forlorn and shipwrecked brother,
Seeing, shall take heart again.

Let us, then, be up and doing,
With a heart for any fate,
Still achieving, still pursuing,
Learn to labor and to wait.

And everlasting praise be Thine through Him who taught us the way and the truth and the life. Amen.

THE JOURNAL.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent that the reading of the Journal be dispensed with.

The SPEAKER pro tempore. If there be no objection, the reading of the Journal will be deferred until to-morrow.

There was no objection.

THE LATE SENATOR BROUSSARD.

The SPEAKER pro tempore. The Clerk will read the special order for to-day.

The Clerk read as follows:

On motion of Mr. MARTIN, by unanimous consent,

Ordered, That Sunday, January 26, 1919, be set apart for addresses upon the life, character, and public services of Hon. ROBERT F. BROUSSARD, late a Senator from the State of Louisiana.

Mr. MARTIN. Mr. Speaker, I offer the following resolution.

The SPEAKER pro tempore. The gentleman from Louisiana offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 520.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. ROBERT F. BROUSSARD, late a Senator of the United States from the State of Louisiana.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The SPEAKER pro tempore. The question is on the adoption of the resolution.

The resolution was agreed to.

Mr. MARTIN. Mr. Speaker, I enjoyed the privilege of being a close, intimate friend of the late Senator ROBERT F. BROUSSARD, a friendship that existed from the time that he first entered public and political life.

I met him first when as a recent graduate in law he followed the leadership of the late Gov. F. T. Nicholls, and side by side with our present Chief Justice E. D. White and ex-Senators Murphy J. Foster and Donelson Caffery he stumped the State in the great antilottery campaign in a successful effort to rid the State of an institution that had for many years exerted a most corrupting influence in State politics.

Senator ROBERT F. BROUSSARD was born August 17, 1864, on his father's plantation at Loreauville, near New Iberia, La.

As a boy he attended the public and private schools of his home parish until he attained the age of 15 years, when he entered Georgetown University, at Washington, D. C., where he remained for three years.

In 1885 he was appointed inspector of customs at New Orleans, from which position he resigned after taking the civil-service examination and qualifying as assistant weigher and afterwards as expert statistician.

While working for the Government in the city of New Orleans he found time to attend the law course at Tulane University, from which institution he received the degree of bachelor of laws in 1889. Returning to his home in New Iberia he formed a law partnership with J. Donelson Foster, a brother of ex-Senator Murphy J. Foster, under the firm name of Foster & Broussard.

From his boyhood he took a great interest in public affairs, both State and national, and it was but natural, therefore, that his political activity should be coincident with his entrance into the practice of his chosen profession.

He was made a member of the parish Democratic executive committee, and soon afterwards was elected as a member of the Democratic congressional committee and Democratic State central executive committee, and remained a member of the last-named committee for more than 25 years.

When in 1890 the Democratic Party in the State of Louisiana was torn asunder on the antilottery question and the burning issue was whether or not the charter of this institution should be renewed by the State, Mr. BROUSSARD joined the antilottery forces, and in this memorable campaign, which at times threatened bloodshed, he showed himself to be a fearless, aggressive, and eloquent speaker, and from then on his political advancement was most rapid.

In 1892 he became a candidate for district attorney for his judicial district, and though he was bitterly fought by the prolottery wing of the Democratic Party, which controlled the parochial organization, he still won out by a small majority, being the only antilottery candidate to carry the district in this election. With such consummate ability did he fill this office that he was subsequently reelected without opposition.

In 1896 the Hon. Andrew Price, who had most ably represented the third district in Congress for many years, withdrew from public life and declared that he would not stand for reelection.

The struggle that followed for the Democratic nomination, though friendly, was both sharp and spectacular.

Judge A. C. Allen, a well-known and able jurist, of St. Mary Parish, contested for the nomination with Senator BROUSSARD, then district attorney. In those days nominations were made by conventions, and in the selection of delegates for the convention there was a contest in every parish in the district.

When the convention assembled at Morgan City the result was still in doubt. The instructed delegates were evenly divided between the two candidates, and it remained for the parish of Terrebonne, which, with 18 delegates, was entitled to 9 votes, to settle the issue.

Balloting was delayed for many hours in the effort made by both contending factions to capture the organization of the convention, but this did not result in an advantage to either candidate.

The roll call began in breathless silence, with all eyes centered on the parish of Terrebonne, whose 18 uninstructed delegates were entitled to one-half vote each. It was generally known how all of these delegates would vote, with the exception of one man, and upon his half vote depended the final outcome of this most exciting contest.

This man was John R. Grinage, who, when his name was called, rose in his seat and said: "Gentlemen of the convention, Tennessee has her 'Bob Taylor,' New Orleans has its 'Bob Davy,' and I believe the third district should have its 'BOB BROUSSARD.' I cast my vote for BOB BROUSSARD."

This brought this remarkable contest to a close, and BROUSSARD'S nomination was thereupon made unanimous, and he became the Democratic nominee from the third district.

But his troubles were not yet over. The sentiment in the third district was strongly for protection, and the Republicans placed in nomination Judge Taylor Beattie, of Lafourche, a most able and well-known jurist and statesman, whose splendid record as a Confederate soldier and as district judge made him a most formidable opponent.

Both candidates favored protection and both were most forcible speakers, but BROUSSARD had the advantage over his opponent in that he spoke French as eloquently as he did English, and in a district where French was the mother tongue of a large majority of the voters this advantage was used with most telling effect.

BROUSSARD'S majority in this election was 2,833 votes, the smallest majority he ever received in his contests for Congress.

He served in the Fifty-fifth to the Sixty-third Congresses, covering a period of 18 years, and so well and faithfully did he serve his constituents that he was opposed in but three of the nine consecutive times that he ran for Congress.

In 1912 Congressman BROUSSARD announced himself as a candidate for the Senate against the Hon. J. Y. SANDERS, now a Member of this Congress, and who was then governor of the State of Louisiana. Gov. SANDERS had been elected by the legislature to the Senate in 1910 to fill the vacancy caused by the death of Senator McEnery, but having declined to resign the governorship in order to take his seat in the Senate, the legislature thereupon elected the Hon. John R. Thornton to fill the unexpired term of Senator McEnery.

Congressman Arsene Pujo, who had served the seventh district of Louisiana with great ability for many years, also entered the senatorial contest. It was conceded from the outset that the race was between SANDERS and BROUSSARD, and it was thought that the candidacy of Pujo would weaken BROUSSARD, as Gov. SANDERS was the organization candidate. This three-cornered contest for the Democratic nomination was one of the most exciting in the political history of the State, as both BROUSSARD and SANDERS were able and aggressive campaigners, and both were extremely popular.

BROUSSARD, however, developed remarkable and unexpected strength in the city of New Orleans, which was thought to be the organization stronghold, and when the vote was counted it was found that BROUSSARD had such a substantial plurality over his two opponents that Gov. SANDERS declined to run in a second primary, and Congressman BROUSSARD was thereupon declared the nominee.

While Senator BROUSSARD was elected to the Senate in 1912, yet as he was not to take his seat until March 4, 1915, it appeared that he would have to retire from public life for two years.

But his friends and constituents would not consent to dispense with his services and insisted upon his retaining his seat in Congress until he entered upon his term of service in the Senate. While he met with some opposition, he was nevertheless nominated by a large majority, and elected for his ninth term in the lower House, where he served until he was sworn in as United States Senator.

Senator BROUSSARD'S success in Congress was due to the fact that he was always vigilant and zealously guarded the interests of his constituents. He seldom addressed the House, but when he did he always commanded attention, as he spoke eloquently, forcibly, and to the point. He was a bold and aggressive debater, and he never hesitated to assert his views plainly and unequivocally, nor did he hesitate to fearlessly challenge that which he did not approve.

As the Representative of the great sugar-producing district of the State of Louisiana, he made a close study of the sugar industry, especially as to the necessity for its protection against foreign competition, and it was generally conceded in both branches of Congress that he was an authority on any question pertaining to sugar.

That his intimate knowledge of this industry and aggressive fight in its behalf when it was being assailed by free-trade advocates was an important factor in saving the sugar industry in Louisiana from destruction is admitted by everyone familiar with the facts.

He was severely criticized, both at home and at the Nation's Capital, when he accepted an appointment on the Ways and Means Committee at the hands of Mr. CANNON, who was then the Republican Speaker of the House of Representatives.

But this appointment enabled him to render signal service to the sugar, rice, and lumber industries during the framing of the Payne-Aldrich tariff bill under the administration of President Taft, and that his action met with the approval of the majority of the people of Louisiana was shown by the fact that he was subsequently elected to the United States Senate, even though he was opposed by two popular and strong contenders.

He conceived it to be his duty to faithfully reflect the views of his constituents and to sustain the policies to which they stood committed. Adverse criticism never for one moment swerved him from this course, and an appreciative and admiring constituency not only indorsed this policy but they did not rest satisfied until they had elevated him to the highest office within their gift.

Senator BROUSSARD'S activities in Congress were not, however, confined to tariff issues. He was most vigilant and watchful in behalf of the rivers and navigable waters of Louisiana, and through his efforts many of our natural streams were improved and made navigable, and the great Atchafalaya Harbor at Morgan City was recognized by this Government as a worthy project, and financial aid is now annually extended in deepening and improving that harbor.

It was Senator BROUSSARD who was among the first to grasp the great advantages that would accrue to Louisiana by the construction of an intercoastal canal from the Rio Grande to the Mississippi River. He made repeated trips with the United States engineers over the proposed route of this canal, and so impressed them with the great relief that this would give in the way of transportation that upon the recommendation of the engineers the project was adopted, and this canal, which will do so much for the development of south Louisiana, is now in course of construction.

When Senator BROUSSARD was sworn in on March 4, 1915, the Democratic Party was in control of the Senate, and the recognition which the leaders gave him was indicative of the reputation he had gained in 18 years' service in the House. He was made chairman of the Committee on National Banks and was a member of the Committee on the Census, Claims, Library, Manufactures, Naval Affairs, Pacific Islands and Porto Rico, Post Offices and Post Roads, Public Buildings and Grounds, and Rules.

While Senator BROUSSARD served but two and one-half years in the upper House, yet in this time he established for himself the same reputation for ability, efficiency, and brilliancy which he had established in the lower House. His duties in the Senate were both numerous and exacting, but they were discharged with such fidelity, and the results obtained were so satisfying to the people and great interests concerned, that it was generally conceded that had he lived he would have been returned to the Senate without opposition.

Mr. Speaker, I have thus far spoken of the life and public services of Senator BROUSSARD, but I can not close these remarks without paying tribute to the personal character of one who, for more than 20 years, was my close personal friend.

Constant association and contact with him not only inspired admiration of his ability, but no man could be much thrown with BOB BROUSSARD without soon learning to love him. It was never my privilege to know a man with a more even temper and with more personal magnetism. There was a simplicity in his manner that attracted everyone with whom he became acquainted, and to know him was to remain his friend and admirer.

He had few, if any, enemies. He loved his fellow men. His heart bubbled over with kindness and generosity.

In his political career he had many sharp and bitter contests, and yet when the smoke of the battle had lifted it was always found that BOB BROUSSARD had emerged from each struggle stronger and more popular than when he entered it.

He was a man of intense convictions, and he had the courage to express them, but he fought so fairly, so frankly, and so openly that no one even questioned his sincerity, and he came out of his political contests with the admiration and respect of those who had fought him most bitterly.

He was from the people and he always continued to be one of them. He gave to his humblest constituents the same consideration and attention that he gave the most powerful. He considered himself the servant of all the people, regardless of their station or condition.

The Broussard family is one of the largest in Southwest Louisiana, and when Senator BROUSSARD was first elected to Congress his numerous kinsmen began to call him "Couzan Bob," and this name gradually grew in popular favor until he was called by this name from one end of the State to the other.

A Creole himself, "Couzan Bob" was the idol of the Creoles, who constitute most of the population of the third Louisiana district, and he was most deserving of this popularity, as he was always accessible and always faithful to the interests which they so repeatedly committed to his trust.

Senator BROUSSARD had no children, and his affections were centered upon his wife, Miss Manette Applegate, and she it was who through his months of illness and suffering was his constant companion and gave him the love, care, and attention that not only prolonged his life but made his last days cheerful and comfortable.

When death was near at hand, Senator BROUSSARD, notwithstanding the orders of his physician, refused to deny himself to his friends. So long as he was conscious, he insisted that they be admitted to his chamber, and as long as he had the strength his hand was always extended in cheerful and friendly greeting.

Mr. Speaker, Senator BROUSSARD possessed many splendid and beautiful traits of character, but if I were asked to select the one which was most to be admired I would unhesitatingly say his devotion and loyalty to his friends.

I can never forget that even when death was staring him in the face he made a special trip to Washington for no other purpose save that of joining with his colleagues from Louisiana in the doing of a generous act which he felt would redound to my interest and advantage.

His kindness, his achievements, and his triumphs will always be a precious memory to those who loved him, and I count it as a priceless heritage to have had the privilege of enjoying his friendship.

Mr. RODENBERG. Mr. Speaker, the one dominant, outstanding trait in the sterling character of ROBERT F. BROUSSARD was his uncompromising loyalty to conviction. This was the very genesis of his political creed. With courage born of the highest conception of duty he was as true and steadfast to his ideals as is the needle to the pole. With full confidence in his own rectitude of purpose, he valiantly championed that which he believed to be right without hope of praise or fear of criticism. His fine spirit rebelled at the very thought of sacrificing conviction for popularity.

"BOB" BROUSSARD never deserted a friend or abandoned a principle. He knew naught of expediency and he did not care to know. He was incapable of deception, and all the world recognized in him a brave and manly man who, in victory and in defeat, stood "four square to all the winds that blow."

It is now 20 years since I entered Congress, and within a few days after becoming a Member of this body it was my good fortune to make the acquaintance of our departed friend. Instinctively attracted by a personality that radiated sincerity and good fellowship, I soon formed an attachment for him that ripened into the warmest friendship of my entire congressional

career. There is no man, living or dead, for whom I entertained a more genuine affection that I did for "BOB" BROUSSARD. To-day, as I recall that close intimacy of two full decades, unmarred by a single unpleasant incident, I feel myself again under the spell of that genial, friendly smile. Again I feel the hearty, sincere handclasp; again I hear the pleasant, cheery words of greeting. Methinks I see him now erect, courtly, chivalrous, unaffected—one of God's noblemen.

Mr. Speaker, it is not given to mortal man to comprehend the mystery of life and death. We can not quite understand a dispensation that removes from the activities of life one who was in the very prime of vigorous manhood and at the very zenith of his intellectual powers, with years of splendid usefulness still stretching out before him. With a faith that has its foundation in our belief in the immortality of the soul, we bow to the Divine will and accept the decree. It is this sublime and sustaining faith, a faith that rises "triumphant o'er our fears," that dissipates the mists of doubt and gloom, and in this solemn hour unfolds to our enraptured gaze the glories of the eternal morn. For him the mystery has been solved and the future stands revealed. "After life's fitful fever he sleeps well."

Knowing BOB BROUSSARD as I knew him, I know that death had no terrors for him. I know that he approached the end calmly, unflinchingly, majestically. He lived and died—a gentleman. Great in life, grand in death, now glorious in memory! For 18 years he occupied a seat in this Chamber, and for more than two years he was a Member of the Senate of the United States. During all of that time he served his constituency with an intelligent zeal and fidelity equaled by few and surpassed by none. Broad in his sympathies, generous in his nature, unfailing in his good humor, "with malice toward none and charity for all," he was never known to turn a deaf ear to the cries of distress. Often have I seen him retrace his steps to dispense charity to some blind or crippled mendicant whom he happened to pass on the street. He was never happier than when doing some kindly, gracious act. He loved his fellow man deeply, sincerely, and that love found expression in the most thoughtful consideration for all who came in contact with him. Fearless and independent, courteous and cultured, conscientious and constructive, eloquent and logical, BOB BROUSSARD possessed all of the elements of the ideal legislator. It is no wonder that he has left the impress of his strong and virile personality upon the history of his day and generation, and in the memory of his many noble deeds, nobly done, he has reared for himself a monument that will endure so long as sentiment abides in the hearts of men.

Mr. FORDNEY. Mr. Speaker, we have met to-day to say our last official word of appreciation of our friend Senator ROBERT F. BROUSSARD, whom so many of us remember as a long-time Member of the House. When the Sixty-fifth Congress assembled more than one-third of the Senate roll was composed of former Members of the House of Representatives. There were JOHN H. BANKHEAD and OSCAR W. UNDERWOOD, of Alabama; MARCUS A. SMITH, of Arizona; JOSEPH T. ROBINSON, of Arkansas; JOHN F. SHAFROTH, of Colorado; FRANK B. BRANDEGEE, of Connecticut; THOMAS W. HARDWICK, of Georgia; JAMES HAMILTON LEWIS, of Illinois; JAMES E. WATSON, of Indiana; CHARLES CURTIS, of Kansas; Ollie M. James, of Kentucky; JOSEPH E. RANSDELL and ROBERT F. BROUSSARD, of Louisiana; JOHN WALTER SMITH, of Maryland; HENRY CABOT LODGE and JOHN W. WEEKS, of Massachusetts; WILLIAM ALDEN SMITH and CHARLES E. TOWNSEND, of Michigan; KNUTE NELSON, of Minnesota; JOHN SHARP WILLIAMS, of Mississippi; William J. Stone, of Missouri; GILBERT M. HITCHCOCK and GEORGE W. NORRIS, of Nebraska; FRANCIS G. NEWLANDS, of Nevada; Jacob H. Gallinger, of New Hampshire; WILLIAM HUGHES, of New Jersey; WILLIAM M. CALDER, of New York; ASLE J. GRONNA, of North Dakota; KENNETH MCKELLAR, of Tennessee; MORRIS SHEPPARD, of Texas; WILLIAM H. KING, of Utah; CLAUDE A. SWANSON, of Virginia; WESLEY L. JONES and MILES POINDEXTER, of Washington; NATHAN GOFF and HOWARD SUTHERLAND, of West Virginia; and ROBERT M. LA FOLLETTE, of Wisconsin.

Of the long list of our former colleagues in the House Senators James of Kentucky, BROUSSARD of Louisiana, Stone of Missouri, Newlands of Nevada, Gallinger of New Hampshire, and Hughes of New Jersey have passed away within two years, a remarkable harvest of the reaper whose name is Death. Think of it! Of 37 ex-Members of the House who were Members of the Senate in December, 1917, six have died, or one in every six, a mortality more than ten times greater than that of our troops in war! Their going makes us exclaim, as Warren Hastings exclaimed when he heard of the death of his opponent in a political campaign, "What shadows we are, and what shadows we pursue!" It makes us remember that—

The glories of our birth and state
Are shadows, not substantial things.
There is no armour against fate.
Death lays his icy hand on kings.
Scepter and crown must tumble down,
And in the earth be equal made
With the poor humble scythe and spade.

Mr. BROUSSARD had passed nearly half his life in the city of Washington. He was educated at Georgetown University, over beyond Rock Creek, and in his college days looked daily across from those commanding heights that overlook the Potomac to the tall Dome of this great Capitol. How little could he foresee that he would spend more than 20 years beneath this Dome. Going home to Louisiana from Georgetown he studied law at Tulane University at New Orleans. Then practiced law at his home in New Iberia, and almost immediately was chosen prosecuting attorney, which position he resigned to come to the House of Representatives. In this respect he followed the course that so many other men have taken. A successful representative of the people in the courts of his home community often has many of the qualities that make him a successful Representative in this House. And Mr. BROUSSARD had these qualities. He loved to be among the folks about him. He could have said truthfully with Kipling—

For as they come and as they go,
Whatever their degree,
The people, Lord, thy people
Are good enough for me.

It was no pretense that made him the genial companion of all those about him. He understood them, and so they were drawn to him.

He had other qualities that made him distinguished as a legislator. Though a Democrat, he was great enough to put the welfare of his people above his party. All who were here in the Sixty-third Congress will remember his gallant fight for the industries of his State when the Underwood tariff bill was under consideration. I will not stop to recall the details of that contest; but the stand made by Mr. BROUSSARD against party opposition displayed courage and patriotism of the highest type.

Though a fluent and convincing speaker, Mr. BROUSSARD did not often take the floor, and never unless he had something worth while to say. He did not expand the RECORD much, but every session he was with us in either end of the Capitol he expanded the list of his friends and admirers. He is with us no more, but he is the sort of man who makes us think more kindly of the world beyond the grave, because he is the sort of man whom we want to meet again. When he was living on this earth and we were about to go to New Orleans, that lovely southern metropolis was more desirable if we knew that BOB BROUSSARD would be there to welcome us. In the eternal summer of the celestial city, free from care, eternity will surely be more worth while to those who can look forward to a welcome and a friendly smile from ROBERT F. BROUSSARD.

Mr. SANDERS of Louisiana. Mr. Speaker, BOB BROUSSARD and I were born and resided in adjoining counties. We knew each other practically all our lives. We both entered politics together in the memorable campaign of 1892, he being elected district attorney of his district and I being elected a member of the Louisiana House of Representatives, both running and both winning on the antilottery Democratic ticket.

In the many campaigns that Mr. BROUSSARD had in the early days when he was first elected to Congress from the third district we always fought side by side. In after years our personal ambitions clashed and we fought each other just as frankly as we had previously fought together, but our personal relationship was never interfered with by our political differences. Politically Mr. BROUSSARD and myself differed on many things and many occasions, but personally our relationship was always that of friend one to the other.

I believe no man in Louisiana had more friends than Senator ROBERT F. BROUSSARD. He served those friends according to his lights and did that which he thought was right. His death has left many a sorrow and many a wound in Louisiana. He had a large circle of friends, a large circle of relatives, and a family all proud of him and of whom he was proud. He is gone. Peace be unto him, and may comfort come to those who loved him.

Mr. RUCKER. Mr. Speaker, when I came to Washington as a Member of this House one of the first acquaintances formed beyond my own delegation was with the distinguished gentleman from Louisiana, ROBERT F. BROUSSARD. Our acquaintance was casual and formed in the usual way that such acquaintances begin, but as time passed and we were thrown more intimately together in the discharge of our respective official duties and had longer and larger opportunities for association that

acquaintance developed into a friendship of the most ardent nature. I do not exaggerate when, speaking for myself, I confess that it became an affection.

I have been much gratified and pleased at the splendid tributes that have been paid to both the personal and official life and character of my deceased friend. I indorse all that has been so beautifully said. No man within my memory or acquaintance with whom I have ever associated was broader in his conception of the right or braver in his determination to do the right than BOB BROUSSARD. True, generous, and confiding, always and under all circumstances a gentleman of the most pronounced type. When the sad message was flashed to Washington announcing the death of Senator BROUSSARD my tears mingled with the tears of his loved ones. I realized that the Nation had lost one of its wisest and best legislators, the State of Louisiana one of her loftiest, noblest, and truest citizens, the wife a kind, affectionate, and loving husband, and I had lost one of my dearest friends.

Mr. Speaker, I can not add to this splendid eulogy contained in the New Iberia Enterprise of April 20, 1918, a paper published in the city where Senator BROUSSARD lived and died:

"OUR MOST POPULAR STATESMAN LAID TO REST—THE PEOPLE'S FRIEND MOURNED BY THE WHOLE STATE.

"Last Tuesday New Iberia had a day of deep, intense mourning and sorrow connected with the interment of Iberia's most distinguished son, United States Senator ROBERT F. BROUSSARD, known in terms of universal love and admiration as 'Couzan Bob.'

"Nature seemed to have carved from the calendar the most beautiful day of the month and fused it with the very heart throbs of his numberless friends and devotees. The majestic oak in front of the courthouse, under which he lay in state, with its graceful branches and protecting foliage, lent a somberness, a deep-felt solemnity, mellowed in tone and tinged by the ever-evasive, eluding sun's rays, to the close of his life and career, a typical epic of completed work and silenced loyalty.

"The mute evidence of tears and anguish, the unuttered sympathy and worship of the moving mass of humanity attending the obsequies, is the finest, most imperishable monument laid at his bier. Friend and foe in handclasp felt the sting of the silence of death. The yawning grave about to absorb his most precious mortal remains deepened the unfathomable mystery which cancels brilliancy of mind, loyalty of heart, warmth of friendship, of lofty service of a staunch and stern citizenship, exacted the inexorable tribute of reverence and homage. No public man on the stage of Louisiana's political life has ever dominated and controlled as completely as our departed friend Bob the friendship, the love of his fellow citizens. The personal magnetism will be the phenomena of the record of his deeds. In all his varied and multitudinous activities—political, social, and fraternal—the same element of humane feelings characterized the results. He put man and life above the economic materialism which plays so large a part and is such a prominent feature in our American life and consciousness. It is this recognition of the successes and failures, the hardships and privations, the punishments and rewards of the common man of the crowd, the struggling mass of darkness and adversity, the achievements and triumphs of those creators of wealth and opportunities of the industrial realm of the State that wove the laurel wreaths, the crowns of service, placed upon his brow of useful, honorable career.

"Leading the simple life, wanting no extraordinary luxuries and improvised extravagances, he became an apostle of work and industry without the poison of pride and the power of glory. The best weapon and equipment in his battles and successes were his spirit of natural humility and modesty.

"He felt nature to be the best instructor, with no shams and pretensions, with no false ideas or artificial attitudes. Under stress, in storm and tempest, he followed the rigid rules of his manhood and conscience. He believed thoroughly in the honesty and integrity of the silent, spiritual voice in human nature. He worshipped the truth and the limitation of man's ability and intellectual capacity. He hated shadows and gave consideration to substance. Illusions appeared as the germs of poison in his great solemn enterprises. His whole public career, his congressional history, his senatorial services reflect this personality. Everything credited to his victories during the passions and prejudices of political campaigns, every trophy brought back from any contest where right and loyalty were being assailed and menaced, breathes in a large degree the soul of his unimpeachable, unspotted service. We have many Creoles and Acadians in the public life in the State of Louisiana, but none, so far, has yet, in public estimation and dispassionate judgment and unbiased mind, reached the height of popularity which must be accredited to the place in the niche of fame occupied by mourned BOB BROUSSARD.

"Words can never heal the wounds and cure the scars inflicted by the Grim Reaper. Those pains have to be borne by saint and sinner alike. The laws of nature provide places for shadow and sunshine. Each is necessary to the enfoldment of creation. In our humble capacity, in the feeble way tendered to mankind by speech and signs and tokens, we offer our most heartfelt sympathies and sincerest condolences to the grief-stricken widow and immediate relatives.

"An elaborate funeral program was insisted upon by the public and heartily responded to by the fraternal societies of which he was a long and valuable member. The Pythians, the Elks, and the Masons spared no effort and labor to make the last tribute of respect one of the brightest pages and chapters of his history. His life-long and intimate friend, Mr. Louis A. Walet, under the strong impulse of friendship and love delivered a most eloquent funeral oration that is very seldom listened to and privileged to be heard. United States Senator VARDAMAN, of Mississippi, one of his colleagues in the United States Senate, delivered, in one of the noblest and most inspiring efforts, a eulogy of which any poet or painter of word pictures would be eminently proud. Many tears from men and women in the audience were seen to furtively roll down the cheeks as a manifestation of that sacred thrill which love and admiration generates. This completed the public ceremonies and started the march of the funeral cortege to the Catholic graveyard where his remains were temporarily laid at rest in the tomb of Mr. Felix Patout.

"In spite of the presence of the sepulcher and the lugubrious atmosphere, a bright light, the sunshine of hope pierced the pall of distress of his widow and relatives and friends when another of his former colleagues in Congress, Hon RODENBERG, of Illinois, delivered the last and most touching panegyric human being ever listened to. With a sincerity and deep emotion engraved on every word spoken and sentence delivered his deep emotion and overwhelming fraternalism overwhelmed all within the reach of his voice. Love, friendship, and charity, fraternity and equality, were the reward which went down to the grave into eternity. Memory will forever treasure and refresh with the spirit of emulation and recognition of the heart's value and the soul's rôle in nature's days of busy life the crowded record of the career of BOB BROUSSARD.

"The munificence and luxuriance of the floral decorations were reminiscence of the extensive ramifications the effect of his public life had upon the political and industrial development of the State of Louisiana. Those were symbols of the fruit of the tree of life, the utility of man's service, a health and the proper investment of man's faculties. Each garland represented every drop of his life dedicated to the duties he assumed and the work he accomplished. Upon that altar of self-sacrifice and inspiring patriotism rests a finished temple erected to his life and memory.

"The pallbearers were his two brothers, Hon. Edwin S. Broussard, Albert Broussard; Richard P. Steckler and Preston Guilbeau, brothers-in-law; a cousin, Silvio Broussard; and intimate friends, Dr. George J. Sabatier, William H. Price, and Van Beary.

"Among the distinguished senatorial committee here to attend the obsequies were Senators JAMES K. VARDAMAN, of Mississippi; THOMAS P. GORE, of Oklahoma; HENRY L. MYERS, of Montana; WILLIAM H. THOMPSON, of Kansas; WILLIAM F. KIRBY, of Arkansas; JOSEPH E. RANSDELL, of Louisiana; and HOWARD SUTHERLAND, of West Virginia. Mr. F. J. Delahoussaye, a page in the Senate, also accompanied the party to New Iberia.

"The Representatives were WATKINS, DUPRÉ, LAZARO, ASWELL, WILSON, SANDERS, and MARTIN, of Louisiana, and RUCKER, of Missouri. Representatives ESTOPINAL, of Louisiana, and LANGLEY, of Kentucky, who were also named on the committee, were unable to serve. The party was in charge of W. D. Meng, Assistant Sergeant at Arms of the Senate, and included, besides the legislative Members, George W. Hess, superintendent of the United States Botanical Gardens and a close friend of the dead Senator.

"Aside from the members of the two congressional committees, Gov. Pleasant, and others, among the prominent mourners were Federal Judge George Whitfield Jack and John C. Pugh, of Shreveport; Judge Winston Overton, of Lake Charles; Senator Bertrand Weil, of Alexandria; Senator A. O. Boyer, of Avoyelles; Col. W. M. Price, of Thibodaux; J. Martin Hamley, of Lake Providence; Lieut. Gov. Fernand Mouton; Secretary of State James J. Bailey; State Auditor Paul Capdevielle; Fred J. Grace, registrar of the State land office; Attorney General A. C. Coco; W. B. Lee, of Shreveport; R. N. Sims, State bank ex-

aminer; Numa Montel, of Lafayette; H. R. Speed, of Monroe; John H. Overton, of Assumption; Dudley L. Guilbeau, of Opelousas; Commissioner of Agriculture Wilson; and State Treasurer Henry Hunsicker.

"In the New Orleans party were included State Food Administrator John M. Parker; Rene F. Clerc, president of the board of trade; Richard O. Otero; R. E. O'Rourke; James Thompson, of The Item; Maj. A. D. Stewart; and Senator G. J. Labarre.

"Hundreds of telegrams of condolence poured in, among them one from President Wilson, which was as follows:

"'WASHINGTON, D. C., *April 16, 1918.*

"'Mrs. R. F. BROUSSARD, *New Iberia, La.:*

"'May I not express my profound sympathy with you in the death of your husband.

"'WOODROW WILSON.'

"The R. F. Broussard Memorial Association was organized here. The leaders of the movement are the many friends of the late Senator, who were in attendance at his funeral. The association is headed by Col. W. H. Price, of Lafourche, president, and Henry B. Pruden, of Covington, secretary. Every bank in the State is authorized to receive donations and enter them to the account of the association. Further information will be given by Col. W. H. Price, of Thibodaux, or W. H. Pruden, of Covington. The object of the R. F. Broussard Memorial Association is to raise funds to finance the erection of a suitable monument to the memory of Iberia's beloved son.

SUPPORTED WILSON.

"Mr. BROUSSARD was a loyal supporter of Woodrow Wilson for the presidential nomination in 1912, and it was largely through his influence that the vote of Louisiana at the Baltimore convention in 1912 was split between Wilson and CLARK, and on deciding ballots swung to Wilson.

"Mr. BROUSSARD enjoyed the distinction of being reelected to the House of Representatives after he was elected United States Senator by the legislature. His term as Senator did not begin until March 4, 1915, and in 1912 he was reelected to another two-year term in the House, serving in that body until he took his seat in the Senate."

Mr. DUPRÉ took the chair as Speaker pro tempore.

Mr. WATKINS. Mr. Speaker, I served longer in the House of Representatives with Senator BROUSSARD than any other Member from our State now in the House. He served in the House and the Senate together, in the various Congresses from the time he entered until the time of his death, over 20 years. Gen. Myer also served for 20 years. I believe that Sam Robinson served 20 years. Senator RANSDELL has served more than 20 years, including his service in both Houses. Looking back over the various acts which Senator BROUSSARD performed and the various measures which he advocated, I can say there was no man who was ever more devoted to the interests of his constituents, or who was ever truer to his duty as a Representative, or who ever more properly aroused the great respect, admiration, love, and esteem of his constituents than ROBERT F. BROUSSARD. When I first knew him he appeared as a boy, soon after he had come from the city of Washington, where he had attended for three years Georgetown University. He was then in the customhouse in the city of New Orleans, where he was acting as a Government official. He held two different positions there. The whole city of New Orleans was then boiling and seething and worked up to the highest pitch over the question whether the Louisiana State Lottery should be continued in power as one of the most grinding monopolies ever organized in any government, whether it should be allowed to continue as a corporation, as a business institution, or whether it should be destroyed by the vote of the people.

At that time the people of the city of New Orleans, and to a large extent through the entire State of Louisiana, were so entwined and intermingled and influenced by the lottery and its ramifications were such that it reached nearly every household. Servants in the homes would pilfer for the purpose of contributing their means to sustain this infamous, iniquitous, corrupt gambling concern. It had been instituted during the Republican régime, during the reconstruction period, in the State of Louisiana, and had so embedded itself in the public mind and in public institutions, and had ingratiated itself so in the minds of the people, that it was almost impossible, even with the herculean effort made by the citizens of the State, to disorganize, disrupt, and finally overthrow it.

I speak of this for the purpose of showing the circumstances surrounding the people, the enormous amount of money at the command of the lottery. It was openly buying members of the legislature, it being known at the time as high as $50,000 was paid for the vote of a member of the house or a member of the senate.

During the time of this corruption by this gambling institution, ROBERT BROUSSARD, a young man, a boy, surrounded by all these influences, stood up for the interests and rights of the people, the security and morality of the citizenship of the State of Louisiana. As referred to by Gov. SANDERS, who has just preceded me, he and our former governor and United States Senator Foster, in the same section of the State as Mr. BROUSSARD lived, all worked together against the lottery. At the time the question was finally put to the Legislature of the State of Louisiana the lottery amendment only lacked one vote of having two-thirds, one senator having died.

Mr. BROUSSARD was elected district attorney soon after he was inducted into the practice of law. His courage, his skill, his tact, were such as to enable him to win the confidence of the people to the extent that when he became a candidate for Congress, seven years after he became district attorney, at the age of 33 years, he was elected to Congress.

With him the question of sugar was paramount, this industry of the State being the living of his people, who were dependent on their success in producing and marketing their sugar crop, which was the staple product in the southern part of Louisiana. The very way that BOB BROUSSARD pronounced the word "sugar" was attractive. From the time he entered Congress up to the time of his death nothing was left undone that could have been done by him to enable them to reap the advantages of the great agricultural interests in his district.

There are many things which could be said of ROBERT BROUSSARD. Those of us who are here to-day who attended his funeral know there is no eulogy which could be passed in honor of the memory of the man which would more fully ingratiate him into the love, affection, and esteem of his people. We who were there on that occasion, who saw the remains under the shade of the great oak trees, remember the vast concourse of people, too large to gather in any assembly hall. The subdued voices, the tearful eyes, and throbbing hearts expressed the confidence, esteem, and respect that his people had for him.

Mr. DICKINSON. Mr. Speaker, I regard it a special privilege to be given an opportunity to-day to speak a few words in memory of ROBERT F. BROUSSARD, who served many years as a distinguished Representative in this great body, and who afterwards represented with honor his great State in the Senate.

Shortly after coming to Congress I became acquainted with Senator BROUSSARD, then a Member of the House, and that acquaintance ripened into a friendship deeply appreciated by me.

At all times courteous and gentlemanly, he won the respect and affection of all with whom he came in contact. He possessed a most delightful and attractive personality, which charmed those with whom he associated. Knowing him as I learned to know him, it was easily understood why an appreciative constituency loved to honor him as a representative in public life.

He had in him all the elements that tended to make a successful career and those who knew him well in his long and courageous public service to his State and Nation have paid eloquent and deserved tribute to his worth and character. He had the courage of his convictions, and with marked ability did he sustain himself in the many contests that characterized his public life.

He entered upon his official career early in life and for nearly a quarter of a century he was in the limelight of public opinion. He met with singular ability every test that determined his fitness for the positions of trust that he filled with such distinguished honor.

He ended his long and brillant career in the very prime of his manhood.

My relations to him were those of a personal friend. His courtesies and friendship were appreciated by me. The recollection of his many virtues will be a sweet memory as long as I shall live.

There was a charm about him that few men possessed, and it was a delight to be with him. I learned early to love him and shall always be glad that I knew and had the friendship of ROBERT F. BROUSSARD.

Mr. DUPRÉ. Mr. Speaker, ROBERT FOLIGNY BROUSSARD was in his fifty-fourth year when death claimed him. Almost half of his entire life—practically all of his adult life—was spent in the city of Washington, first as a student of Georgetown University, then as a Member of this body for 18 years, and

finally as a Senator of the United States, which exalted office he was filling at the time of his death. He had accordingly come to be a familiar figure in the Nation's Capital, and counted among the official and resident and visiting population of the District of Columbia a large number of warm personal friends. News of his demise, therefore, was received here with the greatest regret and with manifestations of deepest sympathy. How widespread was the grief in the State of Louisiana has already been emphasized. No one who witnessed it will soon forget the immense concourse from all walks of life and from every portion of the State that gathered in his home city of New Iberia last April to pay him the final tribute of sorrow and respect. The scene at the tomb was memorable and formed a setting worthy of the notable address by the talented and eloquent gentleman from Illinois [Mr. RODENBERG], who had been the dead Senator's intimate friend for many years.

Mr. BROUSSARD had a striking and outstanding personality.

Physically he was handsome of countenance, graceful and easy of carriage, and strong of body. His naturally robust constitution had been developed by his love of out of doors, for he was devoted to life in the open. He loved nature and all growing things—trees and plants and flowers. One rarely saw him without a boutonnière in his lapel. He liked all animals, especially horses and dogs, and reveled in the pastimes with which the latter are associated. He was an ardent devotee of the chase and a crack shot. He enjoyed racing—the "sport of kings"—was an excellent judge of horse flesh, and was himself a skilled equestrian.

Mentally he was richly endowed. He had a quick and alert mind, and his powers of absorption and assimilation were particularly keen. Knowing but little of a subject, he could, after hearing others explain it, grasp the salient points and present the proposition as his very own. He had a ready and picturesque flow of language, a pleasing voice, and a graceful delivery, either in the forum or on the hustings.

Socially he was charming. He was naturally companionable. He liked people and liked to mingle with them. One rarely saw him alone. He was an inimitable raconteur, and his fund of clever and witty stories was inexhaustible. He was most adaptable, equally at home in the club, in the drawing room, or with the man on the street.

Such qualities combined in one man were naturally calculated to draw his fellowmen to his support, and it is only truth to tell that his individual following was as large as, if not larger than, any one public man that the State of Louisiana has known in many a decade. Thousands followed his personal and political fortunes blindly and unquestioningly. There was in him something that in other days the "Mill Boy of the Slashes" had, that the "Plumed Knight of Maine" possessed, and that, in our own time, no one would deny to the "Great Rough Rider," too early dead; but unlike them, he never suffered defeat before the people in his near 30 years of public service.

"BOB BROUSSARD" was of Acadian descent, springing from that sturdy stock whose persecutions and wanderings, while saddening the pages of history, have enriched the literature of all times. He was intensely proud of that fact, as well he might, and it made him all the more profoundly attached and loyal to that Louisiana where this race of people finally found an end to its rovings and tribulations—that Louisiana whose civilization has been leavened and broadened by its advent into its confines. For the Acadians brought with them, and ever since their descendants have practiced, the simple, homely virtues of truth and courage and honor and hospitality. Simple virtues, Mr. Speaker, but fundamental qualities, without which no man or people can or do count in the ultimate.

There, in that Acadian country, in its heart, mayhap within sight of the very oak that was to have been the trysting place of the lovers—Gabriel and Evangeline—on the banks of the historic Teche, with its softly moving waters to sing his requiem until time shall be no more, he sleeps. God give him eternal rest.

Mr. ASWELL. Mr. Speaker, Senator ROBERT F. BROUSSARD was a character most extraordinary. Highly educated and speaking two languages with unsurpassed fluency, he possessed a personal charm that was appealing and overpowering. A keen perception of people and conditions, added to an alert intellect and a ready fluency of speech, easily made him a forceful character at home and in Washington. At the time of his death he was the most popular man personally in the public life of Louisiana.

Gracious in manner, trained and skillful in debate, courageous, active, and vigorous in any cause he espoused, he won the admiration of men everywhere. His people loved him and signally honored him at every opportunity.

He is mourned to-day in Louisiana as few men have been mourned. Expressing sincere sympathy to the bereaved family and paying tribute to his memory in this hour of sorrow, I give this my earnest expression of grief in the loss to our State and Nation of a serviceable citizen whose distinguished ability was known and recognized throughout the country.

Mr. CLARK of Florida. Mr. Speaker, when I came to the House as a new Member 14 years ago, one of the first Members with whom I became closely associated was our departed friend, BOB BROUSSARD, of Louisiana. For six years he and I sat side by side, just about where I now stand, when the desks were in the House. I learned to know him intimately and well. I learned not only to have an affection for him as a friend but a very great admiration, which really ripened into love for the man and his many sterling qualities. BOB BROUSSARD could not do a mean or small thing. He was generosity itself; he was the very soul of honor; and he was one of the most human of men it has ever been my pleasure to know. When he died humanity lost a friend. All of us who knew him here felt that we had lost an able, faithful, conservative legislator; a loyal, patriotic public servant, and a staunch, unselfish, devoted friend.

Mr. Speaker, it is seldom that we are privileged to meet a man in whom so many of the virtues are blended as there were in our late associate. As I say, I have been here some 14 years. Many men with whom I have served in this great body have crossed over the river and are resting under the shade of the trees since I first entered this Chamber as a Member. Many of them have gone out from among us and have solved the great mystery. Notwithstanding what may be said about the House of Representatives, it is at last the one great legislative body on this earth, and the men who come here are distinctly representative of the best that there is in the people who send them. BOB BROUSSARD represented to a remarkable degree the highly intelligent, patriotic, lovable people of the State of Louisiana. He was in a large measure their idol, particularly the people in his immediate vicinity, who had known him all of his life. As has just been stated by one of his colleagues, he never met with defeat in a political contest. Knowing him as I did, it would be impossible to conceive how such a man could be defeated at the hands of his people.

We shall no more be greeted in this historic Hall by his ever-present smile; no more shall we here receive his cordial handclasp and look upon his face, which always beamed with brotherly love for his fellows; but let us fervently hope that in the great beyond whither we are all traveling we may again meet and commune with our beloved comrade and friend who has only preceded us to that beautiful land where there is no more of pain, of suffering, of separation, and of death. May the Great Father in His own good time grant unto us a reunion with our genial and lovable friend, BOB BROUSSARD, in "that mansion not made with hands eternal in the heavens."

Mr. LAZARO. Mr. Speaker, we have met to-day to pay tribute to the memory of one of Louisiana's greatest men, Senator ROBERT F. BROUSSARD.

As a member of the committee who went upon that sad journey when the remains of Senator BROUSSARD were consigned to their last resting place in the city of New Iberia, La., I could not help but be impressed by the solemn ceremony when his body was laid to rest, and to me it was apparent that the people of Louisiana realized in mourning the loss of Senator BROUSSARD they were mourning the loss of one of Louisiana's finest men, truest citizens, and ablest statesmen.

No public man on the stage of Louisiana's political life has ever controlled as completely as did ROBERT BROUSSARD the friendship and love of his fellow citizens. He never failed a friend and never forgot a favor. His personal magnetism will ever remain the crown of his success in public life. In all his activities, political as well as social, the results are characterized by the same element of humane feelings. He put men and life above the economic materialism which to-day plays so large a part in American life and consciousness. He led the simple life, and he represented his people without the poison of pride or the power of glory. His best weapon in his political battles and successes was his spirit of natural humility and modesty. He felt nature to be the best instructor in life, and he looked with contempt upon shams and pretensions. Under political storm and stress he followed the rules of his manhood and always stood by the dictates of his conscience. He loved the truth; he hated shadows; he always adhered to substances. His whole public career in the House and Senate of the United

States reflects his personality. His private life was clean, lovable, and honorable.

ROBERT F. BROUSSARD will go down in the history of his Nation and his State as one of the strongest, one of the most admired, and one of the best loved men who has ever served a people.

Mr. WILSON of Louisiana. Mr. Speaker, I shall make no attempt to recite in detail the facts connected with and making up the interesting and eventful life history of our deceased friend and colleague for whom these services are held; one whom we all delighted to honor while living, and now in sadness and reverence pay deserved tribute to his memory and in some meager way express our appreciation for his distinguished services to our State and country.

Senator ROBERT F. BROUSSARD was known, admired, and loved by Louisianians everywhere, and the immeasurable loss to our State and its people occasioned by his untimely death has been most keenly felt in every section and in each locality.

Just as he had served effectively and unselfishly, with marked ability and exalted patriotism, the people and interests of his native State, guarding with watchful care and working with untiring energy for their advancement and development, so he was held in the universal esteem and affectionate confidence of all.

For many years BOB BROUSSARD was in the foremost rank of the men first in the affairs in Louisiana, and during his service in Congress had attained a standing and reputation that was national.

Independent, fearless, and aggressive, with a fine grasp of public questions, embodying the high ideals that appeal instantly to our people, ready of speech and with a charming personality, he soon rallied to every cause he championed a host of supporters. He was throughout his public career always an important factor in every great issue pertaining to the welfare of the State.

No man who has been a Member of this House ever had a stronger hold on the people of his congressional district. For 18 years he was continuously returned practically without opposition and apparently without any effort on his part except faithful discharge of duty.

A variety of explanations have been given to account for his unbounded popularity in the third Louisiana district and his continued and uninterrupted political supremacy there, one among which has become a tradition throughout the State and has received wide publicity elsewhere. This was that his kinsmen were so numerous, taking in all degrees of cousins, that they held at lease a balance of power in the district, and, all being loyal and devoted to "Couzan Bob" and proud of his distinction, took care that no one should interfere with his political interests or fortunes. If this interesting story were true, no higher tribute could be paid to the memory of any man.

I feel, however, that the true explanation is found in Senator BROUSSARD'S own conception and appreciation of the function, duty, and obligations of a Representative in Congress. To use his own words, I quote:

> The Congressman, and I use the word in its true sense, is but the agent of the people or State which sends him here. The principle, in so far as a Member of the House is concerned, is that those who elect that Member have the right to instruct him in regard to their interests, and the Representative has absolutely no right to act adversely to such interests.

The will of his constituents as expressed to him in respect to their interests and their welfare was supreme authority and binding upon him, and he lived religiously up to this doctrine both in the letter and the spirit.

He worked assiduously and fought with determination for the people and the interests of his congressional district, the source of his commission and authority. No amount or character of criticism could swerve him from this course. Every position of honor or preferment coming with any element inconsistent with what he conceived to be his duty to them was brushed aside.

So, in my humble judgment, his faithfulness and devotion to the people and interests of the district which he represented, coupled with his fine ability to achieve results for them, formed the true basis for his great popularity and political success in Louisiana and served to give him the national prominence which enabled him to more effectively extend his career of usefulness to the needs of his entire State and beyond to the Nation.

While many of his party associates in Louisiana and at Washington differed with him as to some matters of party policy and in respect to what they held to be cardinal party principles, contending that the results which he sought could best be obtained by other methods than those which he felt should guide his course, yet no one ever doubted or questioned the sincerity of his purpose, the purity of his motives, or the high quality of his patriotism.

When he sought the Senatorship he took scrupulous care that his position upon all public questions in relation to which he might be called upon to act should be frankly stated and known to all the people of the State.

There can be no surer or more permanent foundation for enduring fame than that which is established by and results from a record of faithful public service, true to promise and to principle, such as characterized the life and public record of ROBERT F. BROUSSARD.

> Statesman, yet friend to truth! Of soul sincere,
> In action faithful, and in honor clear;
> Who broke no promise, served no private end * * *.

Mr. DUPRÉ. Mr. Speaker, my colleague [Mr. ESTOPINAL] is unavoidably absent to-day on account of illness. He had prepared some remarks appropriate to this occasion which he sent to me, and I ask unanimous consent that they may be read from the Clerk's desk.

The SPEAKER pro tempore. Without objection, the Clerk will read.

There was no objection, and the Clerk read as follows:

Mr. ESTOPINAL. Mr. Speaker, after serving 18 years in this body and three years in the other branch of the Congress of the United States, ROBERT F. BROUSSARD died at the early age of 53. This memorial service under these circumstances carries an added note of sorrow, for experience and the expanded powers of a remarkably fertile mind had equipped ROBERT F. BROUSSARD for a still larger degree of usefulness to his country and his State in the years which, by nature's usual rule, should follow.

The details of the life and public services of our departed friend and colleague have been given so fully and with such sympathetic recognition in the Senate, and here to-day, that I will confine myself to briefly recalling one happy trait which he possessed to a very unusual degree—an unaffected democracy of manner and a simple, natural, and companionable relation with all people.

It is a rather rare man who is not sobered into reserve and formality of manner to some degree by elevation to high office, with its weight of cares and the engrossment of service, on the one hand, and constant and subtle deferences which tend to feed his vanity and enlarge his sense of self-importance on the other. And more than often these influences develop that indefinable and really unnatural mien which is generally mistermed dignity. ROBERT F. BROUSSARD was one of these rare men. He was "Bob" when he began his official career, thus he remained throughout its lengthening years of official honors, and it was "Bob" who was affectionately and tearfully laid to rest in the town in which he was born and raised. His idea of dignity was work well performed and friends made, retained, and unaffectedly enjoyed.

Mr. Speaker, friends are discriminating—even old friends are, perhaps as much as new ones—and it takes solid qualities, real, effective work and accomplishments to satisfy them. These give grace, savor, and power to natural manner. ROBERT F. BROUSSARD measured up to the full expectations of those who put him here and kept him here. He was an able and faithful Representative and Senator.

Mr. WINGO. Mr. Speaker, Senator BROUSSARD was one of those men whose strong personality, unflinching courage, and great ability commanded the respect even of those who differed with him. But these qualities not only commanded the respect of those who differed with him, but they also invoked from his supporters and friends a zealous attachment that was remarkable.

In a discussion of the character and qualities of Senator BROUSSARD, my good friend, the gentleman from Louisiana, Judge MARTIN, handed me an article by Jules Dreyfus, of New Iberia, La., that expressed in such a fine way the feelings of the people of that great State that I shall confine my tribute to printing, as an extension of my remarks, this tribute from a lifelong friend:

"The demise of United States Senator ROBERT F. BROUSSARD marked a broad, dark, somber swath across the political horizon of Louisiana.

"He was of unique personality and belonged to a class of his own. From a close survey of the political situation, his successor will fill the vacated Senatorship, but not replace the sympathy, the sincerity, the affection with which his labor has been received and accepted by his constituents.

"That silent, mute bond of love and worship his strenuous work excited during his last days at Washington among his

numberless friends and foes will illumine the valley of the dark shadows. His career was meteoric. Some of his political battles had a Napoleonic sweep.

"The struggle for the United States Senatorship against entrenched officialdom reflected a high order of political skill and strategy. A wizard on the stage of the State's public life, his uncanny, mysterious power of hypnotism made him the patron saint of the largest individual following ever recorded. His entrance into public life, especially the beginning of his congressional career, was dramatic in the extreme, if not highly spectacular in some respects. Nominated by one-half vote majority at Morgan City, he at once became a fixed, honored institution in the State's political activities. He weathered all storms and turmoil with unflinching courage and conquered opposition, sometimes defamation and calumny, with such lofty magnanimity that left no scars, no stings. The charm of his manhood, the nobility of a kind, fraternal nature, the spirit of devotion to friends, and the recognition of the rights and privileges of political independence were assets no political expediency and necessity could ever threaten or destroy.

"At Washington he prepared with dogged tenacity to render the yeoman service which posterity and the future historian will recognize as the masterpiece of his life's work. Stalwart in his views on protection, no tariff bill during his term of office at the Capital was ever formulated and submitted to Congress for ratification but bore the imprint of his views and the wisdom of his studies and experience. Having mastered, through close scrutiny and research, the intricate problems of the vexatious sugar questions, he became encyclopedic on the subject and a tower of strength during the precarious, menacing periods blows and assaults were directed against the State's sugar industry. During all these times of stress, uncertainty, and vicissitudes his championship of sugar protection assumed a fervor, a dedication of service which culminated in his political canonization by the democracy of the third district. Changes in Federal administrations, tampering with tariff bills, exploitations of the vagaries of comic economic principles, involving the annihilation or paralization of the sugar industry, never changed his stand, his position. Even at the risk of political ostracism, party expulsion, and savage criticism of a whole small world of bureaucrats, he stood as the rock of ages, the invincible defender on the ramparts fighting libel, repelling economic fetiches, and anarchy. In the United States Senate, as well as the House of Congress, he was recognized as a fearless warrior for the rights, the security, the protection of every sugar planter, of every other industry of the State. He looked upon protection of American labor and manufactures through the eyes of a sire, a prophet. He had no hesitation in the choice of economic policies. He stood unfettered, from party tradition, upon the broad, comprehensive platform which proclaimed the industrial independence, the self-sufficiency, the development of the Nation and its resources. He was no visionary and felt contempt and scorn for the impracticable panaceas projected on the political screen by some misguided, sometimes misled, overzealous leader of the national Democratic organization. The consistency of his immovable stand during his participation in the construction and quadrennial revision of our tariff laws have earned the permanent, deep love, sympathy, and respect of those who looked to him for a solution of that ever-present menace. It has the elements of the fire of fanaticism, the living zeal, the quivering fervor of the crusader. But it is as "Couzan Bob" le roi des Cadiens," "king of the Cajans," that future folklore will remember him, that legend will weave the laurel crown of sanctity. He has, with his own heart, his own lifeblood, created an imperishable shrine to which, for years to come, the stream of Cajan pilgrimage will be directed and the offer of reverence, the humble homage, tenderly deposited.

"No man before him in Louisiana's public life had the sentimental control in as absolute and astonishing a measure over the Creole. He seemed to possess the gift which could read, analyze, and absorb their scars, doubts, humility. With unerring accuracy, the master touch of the prophet, he obtained the unnatural, the supernatural, a complete crystallization of the sorrows, the trials, tribulations, the hopes and ambitions of the Acadian. He appeared as the manifestation of their power, right, and justice, and the height of lofty useful citizenship to which each one could aspire. He transmuted traditional sullenness, hatred, and prejudice into a force of militant brotherhood. He was inspiration and thrill. No audience, however hostile and antagonistic, could long withstand the magic touch. His personal magnetism was phenomenal and a mystery as well as a puzzle to his political rivals. In debates on the hustings, in addresses on the stump, the spontaneous electrification of the phlegm, the apathy, the indifference of the audience was instantaneous. The charm and the virility of his personality remained with him to the end. He had the art, the versatility, the agility, and nobility of mind that rendered his powers of mental penetration an ever-inspiring feature of his nature. This factor rendered, from an ethnographical point of view, the invaluable service that made his coronation as the true apostle of Creolism inevitable. This social achievement, after the effective dissipation of the lingering clouds of distress of a simple, but kind and highly romantic people, still remembering the historical privations and hardships that featured the compulsory exodus of their forebears, will rank with the best work of the great moral and social leaders of our national history and deserve the recognition of the highest authorities in sociology. Many a day will elapse before his people can again tender their hand of friendship to an approximation of what he steadfastly stood and worked for. No public figure in Louisiana to-day can share the exaltation of character, the glorification of principles, the sanctification of efforts which will mark the brightest, the most encouraging pages of a political history replete with service and stirring with sacrifice."

Mr. MARTIN. Mr. Speaker, several Members desired to address the House to-day upon the life and character of Senator BROUSSARD, but are unavoidably absent. I therefore ask unanimous consent that all Members be permitted to extend their remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

THE LATE SENATOR JAMES H. BRADY.

Mr. FRENCH assumed the chair as Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will report the next order of the day.

The Clerk read as follows:

House resolution 521.

On motion of Mr. SMITH of Idaho, by unanimous consent,

Ordered, That Sunday, January 26, 1919, be set apart for addresses upon the life, character, and public services of Hon. JAMES H. BRADY, late a Senator from the State of Idaho.

Mr. SMITH of Idaho. Mr. Speaker, I offer the following resolutions, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. JAMES H. BRADY, late a Senator of the United States from the State of Idaho.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. SMITH of Idaho. Mr. Speaker, the uncertainty of the tenure of human life has been most vividly brought to our attention by the numerous deaths in both branches of Congress during the last two years. Since the Sixty-fifth Congress was convened in special session on April 2, 1917, by proclamation of President Wilson, 10 Senators and 13 Representatives have been called over the Great Divide. In no previous Congress, with one exception, has there been such a large mortality.

The State that I have the honor in part to represent has lost two Senators by death during their term, Hon. Weldon B. Heyburn, whose illustrious career is still fresh in the memory of the people, and Hon. JAMES H. BRADY, whose splendid life, high character, and valued public service we have met here to-day to commemorate.

It was my privilege to be intimately acquainted with Senator BRADY and to enjoy his confidence for nearly a score of years. I was closely associated with him in the conduct of four political campaigns in our State and frequently visited him in his home. We shared each others' joys and successes, as well as our sorrows and disappointments, and I speak from personal knowledge of his noble traits of character, his high ideals, and his many attractive personal qualities. Those who are familiar with his record in the Senate are unanimous in their opinion that no more patriotic, conscientious, or industrious man ever occupied a seat in either branch of Congress. He recognized the great responsibility of his position and rejoiced in the opportunity it afforded for real service. His constant thought was as to how he could best contribute to the happiness, prosperity, and contentment of his constituency and the people generally throughout the country.

Hon. JAMES H. BRADY was born in Indiana County, Pa., June 12, 1862, the son of John and Catherine (Lee) Brady, who were of Scotch-Irish descent. His ancestor, Hugh Brady,

emigrated to the United States and married Hannah McCormick, and two of their sons distinguished themselves as soldiers. Samuel Brady attained the rank of captain, and his name became a household word for bravery and resourcefulness in Indian warfare in western Pennsylvania during the early years of the Nation. The other son, Hugh Brady, served as a colonel in the War of 1812.

Senator BRADY'S grandfather, James Young Brady, settled on a farm in Indiana County, Pa., and served as a justice of the peace for 43 years. His son John engaged in farming and stock raising in the same county, and later in Marion County, Pa., and finally moved his family to Johnson County, Kans., where he purchased a farm within 20 miles of Kansas City, Mo. Here he became active in politics and held several public positions of honor and trust. He was often called upon to settle disputes among the Kansas pioneers, and was commonly referred to by his neighbors as Judge Brady.

The late Senator attended the public schools of the district and the Leavenworth Normal College. He taught school for three years after receiving his diploma, fitting himself in the meantime for the practice of law. After editing a semiweekly newspaper for two years, he embarked in the real estate business, with branch offices in St. Louis, Mo., Chicago, Ill., and Houston, Tex., in which he was very successful. While thus engaged he became acquainted with the wonderful irrigation and power possibilities of the State of Idaho, and moved there in 1895. He at once became identified with the development of the Snake River Valley, and was the moving spirit in the construction of the Idaho canal, the Marysville canal, and the Fort Hall Indian Reservation canal. He also became interested in the development of water power in southeastern Idaho, and organized the Idaho Consolidated Power Co., which developed the water power at American Falls, from which light and heat were supplied to the surrounding communities.

His activity and long experience in irrigation affairs brought him the position of vice president of the National Irrigation Congress, 1896–1898, and membership on its executive committee, 1900–1904. He was an influential factor in this organization, through whose instrumentality great impetus was given toward securing the enactment of the national reclamation law.

Senator BRADY took an active interest in public affairs from early manhood. The same energy and executive ability which he displayed in his business enterprises distinguished him as an organizer and leader in the Republican Party, and his foresight, business intelligence, personal popularity, and capacity for work became a valuable asset to that party in Idaho soon after he became identified with the State. He was selected as a delegate to the Republican national conventions of 1900, 1908, and 1916. He was chosen chairman of the Idaho delegation to the convention of 1908, and a member of the delegation selected by the convention to notify former President William H. Taft of his nomination at his home in Cincinnati, Ohio.

In 1904 he was selected as chairman of the Republican State Central Committee of Idaho and again selected in 1906 and led his party to victory in both campaigns. He was nominated in convention by acclamation as the Republican candidate for governor in 1908 and was elected November 3 of that year by a magnificent majority.

As governor, Senator BRADY urged the passage of the direct-primary and local-option bills and was largely instrumental in their enactment into law. Among other legislation he advocated and which was enacted during his administration as governor were an amendment of the law regulating the period of employment in underground mines, an employers' liability law, and a law prohibiting wholesale liquor dealers being interested in places doing retail business. Provision was made for the care and protection of orphans and of the homeless, neglected, or abused children, and for the indeterminate sentence of persons convicted of felonies, except treason and murder in the first degree. He advocated many other measures for the advancement of the welfare of the people of the State and contributed privately both time and money to almost every movement which had for its purposes the upbuilding of the State and the development of its resources.

After he retired as chief executive he immediately again turned his attention to the development of the agricultural resources of the State, in which he had been so active before his election. He purchased a large irrigation project near Mountain Home, and at great expense rehabilitated the entire system, which otherwise would practically have been a complete failure and resulted in great loss to the settlers.

With a view of attracting the attention of the eastern people to the opportunities in various lines of endeavor in the West, Mr. BRADY in 1911 arranged for a special train to carry the governors of the northern and northwestern States across the continent, visiting all the principal cities between St. Paul and New York. The organization was known as the "governors' special," and the party was entertained by various cities along the route and by the governors in the central and eastern States. President Taft gave the party a state dinner at the White House, and the various governors in the party were entertained by the respective State delegations in Congress.

In 1912 Mr. BRADY was elected president of the Trans-Mississippi Commercial Congress, the duties of which position occupied much of his time during that year.

The death of Senator Heyburn on October 17, 1912, created a vacancy in the Senate, to which Gov. Hawley appointed Hon. K. I. Perky, to hold until the legislature should elect a successor. Mr. BRADY was a candidate before the legislature, which convened the following January, and several other prominent Republicans also aspired to the position. After 35 ballots, Senator BRADY received a majority on the 24th of January, 1913, and was declared elected for the balance of the unexpired term ending March 4, 1915. He was a candidate to succeed himself and was reelected by the people at the general election in November, 1914, for a full six-year term.

On entering the Senate his success in business affairs and his long experience in handling large enterprises was recognized by the leaders in that body giving him assignments to important committees. He was selected as chairman of the Committee on National Banks and was given membership on Military Affairs, Agriculture and Forestry, Mines and Mining, Public Buildings and Grounds, Conservation of National Resources, and Expenditures in the Department of Commerce.

He brought to his committee work and to his duties on the floor of the Senate a wide and varied knowledge of the legislative needs of the country, which he had gained by his activity in business and politics and as chief executive of his State, which, with his natural enthusiasm and self-confidence, made a most favorable impression on his colleagues and enabled him to accomplish a great deal toward securing their support for the enactment of wise and beneficial legislation of a local and national character.

The advent of the country into the world war made necessary from the day war was declared almost daily meetings of the great Committee on Military Affairs and frequent meetings of the Committee on Agriculture to hear the officers of the Army discuss the country's need of men, munitions, and supplies. Senator BRADY, although then in failing health, regularly attended these meetings, and although his friends and his physicians warned him of the danger to his health by applying himself so constantly to his duties, he could not be dissuaded, insisting that his responsibilities to his country demanded his whole time and thought as much as if he had been assigned to the camp or trench for the performance of military duty.

Senator BRADY earnestly supported legislation for the preparation and conduct of the war, and for making the most liberal provision for the equipment and comfort of the soldiers and the care of their families.

Although a strict party man, no thought of party advantage influenced him in the consideration of legislation pertaining to the conduct of the war. The common interest of all the people impelled him to forget partisanship, and to keep in mind only the one thought, to win the war at any cost.

He was enthusiastic in his support of the Government's plans to assume the large burden our Republic was to bear in the world conflict, and his dying regret was that he could not live to do his part and rejoice in the victory which he felt confident would crown the struggle of his country and her allies to annihilate militarism in Europe and bring a lasting peace to the world.

Senator BRADY'S wide knowledge of business and the agricultural resources of the country made him a valued member of the Agricultural Committee, which had in charge the legislation for the procurement and conservation of the food supply of our allies. He argued successfully that production could be stimulated by a guaranteed market at a fair price, and that when the farmers were appealed to on patriotic grounds they would cheerfully respond by an increased production, and the nonproducers from patriotic motives would conserve food to the limit in order that our soldiers and those of our allies might have an abundance.

The Senator's fondness for companionship and his natural inclination to cooperate with his friends and neighbors in all matters affecting the general welfare of the people are well illustrated by his membership in various fraternal and semi-business organizations. He was a member of the Pocatello Commercial Club, Boise Commercial Club, Salt Lake Commercial Club, Rocky Mountain Club of New York, president of the Western Development Association, president Idaho Children's

Home Finding and Aid Society, honorary vice president Panama-Pacific Exposition, chairman advisory board National Council Women Voters, honorary member Grand Army of the Republic, department of Idaho, and honorary member Kansas Historical Society. He was a Woodman of the World, an Odd Fellow, a Mason, an Elk, an Eagle, and a member of the Congregational Church.

Senator BRADY was married to Miss Irene M. Moore in June, 1913, who survives him. He is also survived by two sons by a former marriage, who have inherited many of the fine characteristics which distinguished their father. Until recently the elder son, James Robb Brady, was a publisher of a newspaper at Caney, Kans., and the other son, Samuel Edward Brady, was in the jewelry business at El Reno, Okla., but both have moved to Pocatello since their father's death to be in closer touch with their business interests.

Mr. Speaker, of the many admirable characteristics possessed by the late Senator BRADY I believe generosity was the most conspicuous, and that commendable quality embraces practically all the virtues. Most men ambitious for political, professional, or business success frequently act as if the path to fame and fortune is only wide enough for their own feet. Not so with Senator BRADY. He wanted to make it a great highway and was always willing to lend a helping hand to anybody honestly trying to get a footing there.

There are thousands of men in Idaho to-day who are independent because of substantial assistance and opportunity afforded them by him, and thousands of hearts have been made glad and thousands of homes have been made happier because of his activities. Many young men have been aided by him to secure an education who otherwise would have been handicapped in life's battles, and are now substantial and honored citizens. Is it any wonder that he is mourned by the people of his adopted State, to whom he was so devoted?

Senator BRADY was most deeply interested in every movement intended to advance his home city, and, while he was recognized throughout the State as a public-spirited citizen, his neighbors always had good reason to feel that he had a special interest in Pocatello. He had done much toward its upbuilding and had great plans by which it could be further improved. He always met the most humble of his neighbors with a genial familiarity that made them feel that he was one among them and could be approached without ceremony or embarrassment. He could "walk with kings nor lose the common touch."

Because of his genial manner, he may have been imposed upon occasionally, but a worthy request was never refused.

An incident well illustrating that his great heart overflowed with a kindly sympathy for the unfortunate was related to me by a recipient of his favor, who occupied a lowly position at the Capitol. His married son had fallen into bad company and lost his position and his home had been broken up. The father was in despair as to what he should do to aid his son to get a new start under different environments, and he concluded if he could secure him a position in a distant State through one of the Senators the son would probably reform. Not personally knowing any of the Senators, he told me he observed them day after day entering the Capitol and finally selected Senator BRADY as the one most likely to be easily approached. He asked for an interview, which was granted, and he related his story, which aroused the Senator's interest and sympathy, and he not only secured him employment in his home town, but advanced his railroad fare, amounting to nearly $100. The young man gave splendid satisfaction in his new position and in a few months sent for his wife, and they again established a home.

It has been my good fortune to know many men of high as well as of low estate, but I can truthfully say that I have never known a man who was so solicitous of the happiness and comfort of others as Senator BRADY. Of fine physique and genial manner, he was always the moving spirit in every gathering; courteous, gentle, and dignified, easily winning the confidence and respect of all whom he met.

Mr. Speaker, a wise and useful legislator, a generous and unselfish friend, an eminent and patriotic citizen, has gone from among us. The people of the State he loved so well and served with such faithful and laborious devotion will treasure his memory and strive to imitate his noble virtues and to give to our country that full measure of devotion which constituted the highest distinction of this faithful servant of the people.

The kindly heart of the late Senator is stilled, but he will continue to live in the inspiration which he gave to those with whom he came in contact, and that generous, broad spirit of his will grow and expand through the activity of others inspired by him.

Senator BRADY appeared unafraid to receive the fatal summons. He conducted himself as one conscious of having consistently striven to do his whole duty to his fellow man and his God, and who had the sweet assurance that beyond this life he would enter into another sphere of usefulness and contentment.

Life! we've been long together
Through pleasant and through cloudy weather;
'Tis hard to part when friends are dear;
Perhaps 'twill cost a sigh, a tear;
Then steal away, give little warning,
Choose thine own time;
Say not "Good night," but in some brighter clime
Bid me "Good morning."

Mr. HILLIARD. Mr. Speaker, it was not my pleasure to meet the late JAMES H. BRADY until we both were in Congress, he at the other end of the Capitol. But long before I came to Washington I knew of the distinguished man in whose memory a session of the House of Representatives is now proceeding.

Idaho is one of Colorado's close and splendid neighbors. Neither the vastness of that Commonwealth's resources nor the virtues of her sons are unknown in Colorado. And of her sons not one was better or more favorably heralded than he whose death we mourn.

Besides, Mr. Speaker, I always had a feeling that I knew Senator BRADY in a personal way because of the close and cordial friendship which existed between him and Mr. Frank H. Hilliard, near and dear of kin to me. From my relative, who for many years and until recently was a resident of Pocatello, the home city of the late Senator, I learned of Mr. BRADY's admirable qualities and came to know of the hold which he had on the good people who delighted to honor him. If I were not prompted by other and sufficient considerations, as I am, Mr. Speaker, the friendship to which I have referred would make it incumbent on me to add my testimony to the substantial worth and the distinguished and disinterested service of Mr. BRADY.

The subject of my remarks was not born in Idaho, neither did he go there in the early days. Not the fetish of nativity, therefore, nor the glory of pioneering accounted for his prominence. Simply through sturdy manhood and intellectual and practical grasp of the needs of the people did Senator BRADY's triumphs come. Elevation to high political honors is achieved by no man save through the expression of the people's choice on occasions when the sovereign electors make selections of their public servants. In instances men have been chosen to office as the result of aiding and altogether extraneous circumstances, without which the electors favoring would not have sufficed. Men so chosen have all the rights and legal enjoyments of men more freely chosen. But Senator BRADY won because of the very love for him which the populace had in their hearts. This heart devotion in his lifetime has become heart memory in his death.

Daniel Webster may not have done so, but no admirer of that remarkable statesman would wish that he did not write the little poem often attributed to him, entitled:

THE MEMORY OF THE HEART.

If stores of dry and learned lore we gain,
We keep them in the memory of the brain.
Names, things, and facts, whate'er we knowledge call,
There is the common ledger for them all.
And images on this cold surface traced
Make slight impressions and are soon effaced.
But we've a page more glowing and bright,
Whereon our friendships and our loves to write.
That these may never from the soul depart,
We trust them to the memory of the heart.
There is no dimming, no effacement there;
Each new pulsation keeps the record clear.
Warm, golden letters all the tablets fill,
Nor lose their luster till the heart stands still.

The people not alone of Idaho but of the entire West, Mr. Speaker, mourn this good man. His leadership meant so much to them, his counsel was so comforting, and his sympathies so embracing. Other men will follow him as earlier ones preceded, but his place will never be filled.

The Congress of the United States, in the midst of present trials unprecedented and most difficult, and facing conditions that only the stoutest-hearted and altogether faithful can view with calmness of spirit, more and more will miss his wise counsel, his perfect poise.

The wife of his bosom and the family of his hearthstone—what of comfort, of joy, of sunshine does the world hold for them? What can man say to those sorrowing ones?

Lord Tennyson voiced, oh, so keenly and so adequately, the impelling grief and the insuperable difficulty in the lines—

Break, break, break,
On thy cold gray stones, O Sea!
And I would that my tongue could utter
The thoughts that arise in me.

O, well for the fisherman's boy,
That he shouts with his sister at play!
O, well for the sailor lad,
That he sings in his boat on the bay!

And the stately ships go on
To their haven under the hill;
But O for the touch of a vanish'd hand,
And the sound of a voice that is still!

Break, break, break,
At the foot of thy crags, O Sea!
But the tender grace of a day that is dead
Will never come back to me.

But in more hopeful and comforting words, and long before Tennyson was born, the psalmist sang:

The Lord is my shepherd; I shall not want.
He maketh me to lie down in green pastures;
He leadeth me beside the still waters.
He restoreth my soul;
He leadeth me in the paths of righteousness for His name's sake.
Yea, though I walk through the valley of the shadow of death,
I will fear no evil,
For Thou art with me;
Thy rod and Thy staff they comfort me.
Thou preparest a table before me in the presence of mine enemies;
Thou anointest my head with oil; my cup runneth over.
Surely goodness and mercy shall follow me all the days of my life;
And I shall dwell in the house of the Lord forever.

Mr. Speaker, high as were the honors which Mr. BRADY enjoyed, and striking as were his achievements, still his ideals were never fully attained. His philosophy of life and service spurred him to the utmost, but he appreciated the weakness of man and of man government. Knowledge that the wagon is never driven to the star did not tempt him to desist in the effort. His star was justice to humanity, his wagon the chariot of service to his kind on earth.

He lived a full life and a useful one. His successes offered him opportunity to work for his fellows; his failures hallowed his soul for efforts anew.

I have read in a grand old story
That is lost beyond recall,
That the sweetest song of the singer
Has never been sung at all.

That ever before the painter,
Like a mist cloud soft and faint,
Floats a fairer, sweeter picture
Than ever his brush can paint.

That deep in the soul of the sculptor,
Seen by his eyes alone,
Sleeps the perfect form of the angel
In the uncarven stone.

I know that the dreams that are fairest
Have never yet come true,
For they melt away in the morning
Like sparkling drops of dew.

But the song of the singer was sweeter
For the one that he might not sing,
And the painter caught some tintings
From the glint of the dream dove's wing.

Our days would often be dreary
Were it not for the flitting dream,
And the lives we live are the better
For the surge of the pent-up stream.

Mr. AUSTIN. Mr. Speaker, on the invitation of my colleagues, BURTON L. FRENCH and ADDISON T. SMITH, the able and faithful Representatives in this House from the State of Idaho, I avail myself of the privilege and honor to offer tribute to the memory of their beloved Senator, JAMES H. BRADY, who, with six other Senators—Messrs. Jacob H. Gallinger, of New Hampshire; William Hughes, of New Jersey; Ollie M. James, of Kentucky; Robert F. Broussard, of Louisiana; William J. Stone, of Missouri; and Benjamin R. Tillman, of South Carolina; as well as 12 Representatives—Messrs. E. R. Bathrick, of Ohio; J. H. Capstick, of New Jersey; D. W. Comstock, of Indiana; J. H. Davidson, of Wisconsin; H. T. Helgesen, of North Dakota; E. J. Hill, of Connecticut; W. A. Jones, of Virginia; Charles Martin, of Illinois; Jacob Meeker, of Missouri; J. A. Sterling, of Illinois; C. A. Sulloway, of New Hampshire; and J. F. Talbott, of Maryland—passed away during the year 1918. This long roll of our honored dead who were Members of both Houses of Congress is proof of the hard service and trying labors of those who are commissioned by the people to meet and discharge the many difficult problems of official work and legislation during one of the most trying periods in the history of our country.

In this list of public servants Idaho gave to the Nation a faithful, industrious, and patriotic American in the person of Senator JAMES H. BRADY. His five years of devoted service in the United States Senate were but a repetition of his splendid record of fidelity and efficiency as chief executive of the sovereign State of Idaho. This plain, honest, hard-working, enterprising, generous, self-made man left behind an enviable record, not only in his distant home in the far-away Rocky Mountains, but here in the Capital City of the Republic; he soon won the confidence, respect, good will, and admiration of his colleagues in the Senate, also of the Members of this House who had the good fortune to know him.

The life and career of Senator BRADY is full of hope, encouragement, and inspiration to the American youth. He began his useful and successful career as a Kansas school-teacher. Then journalism appealed to him, and from that fascinating occupation he entered the real estate business, and then came the lure of the inviting West and a new home amid the beautiful mountains of Idaho, famed for its wonderful mineral resources of gold, silver, and copper, a rich and virgin soil, its wealth of undeveloped water power, and its matchless scenic beauties. Here in this promised land he made his way into the heart and affections of the people, because he was a man, a true man, as we say, honest as the days are long, generous to a fault, wearing his heart upon his sleeve, a friend to the friendless, a public benefactor, a faithful, incorruptible official. He was unselfish, public-spirited, and worked unceasingly for the development and prosperity of his adopted State and the welfare and happiness of its grateful people.

Idaho never had a governor more deeply concerned or more active in the promotion of her material, agricultural, educational, civic, and moral development. In the United States Senate he soon won high rank as an active, industrious, and influential Member. The suggestion of legislation for the good of the people, for the industrial welfare of the Nation, for the protection and safety of our Government at home and from foreign enemies had his unwavering support.

In the Senate Committee on Military Affairs he was awake to the needs of the hour in fully and effectually preparing the Nation to enter the great world war, and there, as elsewhere, did his full duty as a loyal, patriotic statesman.

As a member of the Republican Party he was as useful and as valuable as in his business and official life. He served as chairman of the Republican State committee for four years, and as chairman of the Idaho State delegations aided in nominating and electing Roosevelt and Taft in their successful campaigns for the Presidency.

It is a labor of love for me in this simple, brief, but sincere way to offer my tribute of respect and admiration to the memory of this fallen statesman from the great West, who will live long in the hearts and affections of the people of Idaho and will be remembered by his countless admiring friends throughout the Republic.

Mr. SMITH of Idaho. Mr. Speaker, several Members have been detained and are unable to be present. I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD; also that I may be permitted to insert in the RECORD some tributes from different associations and some editorial comments.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

Mr. WELLING. Mr. Speaker, a great ruler in the East many years ago desired to honor the wisest and best man in his empire by conferring upon him the Order of the Golden Crescent. In order to determine who should be so honored, the Sultan sent men throughout his country to find who was most beloved and honored among his subjects.

These couriers returned to the capital with two men. They were unable to determine which of the two was most loved by the people. The two men were then examined by the wisest followers of the Sultan's court. These judges themselves could not agree. In their opinion the two men were equally beloved, equally wise, equally helpful and useful in their association with the people among whom they lived. Much perplexed, the judges took the men before the Sultan himself and stated that they could not decide who should receive the great honor he was ready to confer.

The Sultan examined the men and had great difficulty in determining which one should receive the Order of the Crescent. At last he said to them, "Show me your hands." Now, the hands of the one were white, symmetrical, refined. They had regular lines and were perfect in their beauty and elegance. The hands of the other were large and awkward and red. Knotted with toil, they seemed to have grown out of shape, as if always fitted to bear heavy burdens.

The wise Sultan at once pinned the Golden Crescent upon the breast of the latter man, saying, "This man hath seen human service. The other hath only recommended it."

Gentlemen of the House, if any man here feels that his contribution to the life and happiness and well-being of his country

has been greater than that of Senator JAMES H. BRADY, if he feels that he should receive higher honors or greater distinctions than this man, whose name we honor to-day, I should like to say to him, "Show me your hands, and let it be determined how much you have worked for the welfare of your fellow men."

JAMES H. BRADY was a worker with his hands. Powerful of physique, blessed by nature with a perfect constitution, he was one of those great-hearted, restless spirits who assisted to build up an empire of States from that desolated region which was once rightly called the Great American Desert. Senator BRADY was born in the East—we men of the West are usually proud of our eastern family trees—but his full measure of usefulness could not be realized until he had, with naked hands, grappled the great problems of the sterile, barren western plains and made the desert to blossom as the rose.

Senator BRADY, besides being a man of powerful physique and boundless energy, was also a man of unusual business sagacity and sound judgment. He had faith in the West. The West is strewn with the wreckage of men who could not quite conquer our limitless expanse of sterile soil and sun-baked plain. The monotony of the solitudes frequently conquered and defeated high resolve. The limitless expanse of cold gray sage has at times crept like a ghost into the sturdy hearts of men and caused them to despair of redeeming the desert. These things added together did not destroy the faith of Mr. BRADY in the future of the intermountain country. He was gifted with the genius of success. His vision always saw past the difficulties and barriers of the desert and reached beyond into the glories of the promised land.

It was this quality in his nature which enabled him, where others had failed, to see the possibilities of harnessing the great Snake River and converting its tumbling torrent into the ready servant of thousands of homes. It enabled him to take hold of vast irrigation projects where others had failed, and divert life-giving water onto barren, thirsty soil, making other thousands of happy homes.

These enterprises made him eventually a powerful figure in the business and finance of his State. Among the larger financial circles of the West he was as well known probably in Salt Lake City and in Utah as he was in Idaho. As governor of that State, he became a conspicuous figure wherever the interests of the West were discussed, and his counsel was a potent influence in determining the policy of our part of the country on great national questions.

It was the logical thing that he should have found himself at last as the representative of his State in the Senate of the United States. He died at a time when his influence and counsel could be ill spared to the West and to the Nation, and when naturally we felt there were many years of useful, helpful service before him.

I do not believe such a life can end with death. It can not be so. The memory of his sterling honesty, his dauntless courage, his genial disposition remains behind. These things will endure after his body has returned to dust. The spirit is more enduring than the memory of man, because it is immortal and merely goes out of this life to the accomplishment of a greater mission, which the inscrutable hand of God directs in "the undiscovered country from whose bourn no traveler returns."

There is no death! What seems so is transition;
This life of mortal breath
Is but a suburb of the life elysian,
Whose portal we call Death.

In that great cloister's stillness and seclusion,
By guardian angels led,
Safe from tempation, safe from sin's pollution,
He lives whom we call dead.

Mr. SMITH of Idaho assumed the chair as Speaker pro tempore.

Mr. EVANS. Mr. Speaker, the Hon. JAMES H. BRADY, whose untimely death we mourn to-day, was a product of that part of the country we call the great Northwest. Like most other men, however, who have reached prominence in that great Northwest territory, he was born elsewhere and was an adopted citizen of the State of Idaho. Born, as I understand, in the State of Pennsylvania, he went as a child to the State of Kansas and there grew to manhood. In the year of 1895 he took up his residence in the State of Idaho. His talents as a business man and as a leader in politics soon made themselves manifest, and he became a leader among his people. As a business man he was painstaking, thorough, untiring, and, as a result, eminently successful. Up to the date of his entrance into the State of Idaho that State had been looked upon largely as a mining Commonwealth. He believed that if water could be put upon the parched soil of its hills and valleys it could be made a great agricultural State, and he became interested in irrigation. In short, he became an authority upon that subject and demonstrated the feasibility of his theories by making a success of large irrigation projects in that State. His people soon recognized his qualifications as a builder and constructionist and made him their governor, and subsequently sent him to the United States Senate. He came to Washington particularly equipped to discuss and legislate upon subjects that particularly pertained to his State and to that section of the country contiguous thereto. He had not long been a member of the United States Senate until his colleagues began to recognize in him that sound business capacity which was so well known among his constituents and which had persuaded them to confer upon him the highest honors within their gift, both in party and State council. Always a party man, he was seldom or never a partisan. He was on all occasions able to place the welfare of his country above the welfare of his party.

Senator BRADY was a modest man. He was seldom heard on the floor of the Senate, though when he did speak he was given the undivided attention of his colleagues. Those who knew him best and are probably best qualified to speak say that he was an untiring worker in committee, that no subject under discussion failed to receive his grave and serious attention, and that his talents were such that he was able to master the questions.

He was looked upon as a solid, practical, substantial citizen and legislator; industrious, vigilant, painstaking, and conscientious. He loved his country and his State, appreciated the dignity of the duties of the high positions to which his people had called him, and at all times reflected credit upon himself, the State he represented, and the Nation.

I pay my tribute of respect to his memory. His State and Nation could ill afford to lose him. His services to his country will long be remembered and appreciated by a grateful people.

Mr. FRENCH. Mr. Speaker, the gentleman from Wyoming [Mr. MONDELL] expressed to me his keen regret that he could not be present with us to-day to participate in these memorial services, and he asked that he be given consent to extend his remarks in the RECORD. Also, I am in receipt of a telegram from Representative MCARTHUR, of Oregon, advising me from New York City that he has been detained and can not reach here in time to participate in these services. He asks also that he be permitted to extend his remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, the East unites with the West in paying tribute to an illustrious son of the West. The Empire State, whose shores are washed by the boisterous waves of the Atlantic, joins with the States where are heard the peaceful murmurs of the Pacific. Together we are here to offer a wreath to the memory of a son of Idaho, the late Senator JAMES H. BRADY. A wreath; a thought. Each petal of that memory's wreath is a thought for the sterling qualities of the man.

Everyone who knew him tells of those qualities which not only contributed to his individual success, but which he in turn contributed to the welfare of his State and of the Nation. Each petal a thought! A successful career; a robust character; conscientious attention to duties well performed; untiring industry; generous both with his means and in his willingness to understand the viewpoint of others; and always a thorough American, a splendid type of the man who, born in the East, was developed in the West, and who helped to develop the West.

Oh, I have liked to travel in the West. Many has been the time when, leaving the Atlantic and traveling to the Pacific, I have realized the buoyant feeling in the western atmosphere. The soul seems to expand with a sense of freedom and with a better knowledge of the greatness of our Republic. And I say to myself, I am really in America. We thus come to know more of our own country. I have had little sympathy with those of my friends in New York who by choice have traveled easterly across the Atlantic before journeying westerly to the Pacific.

And so I once said to my only son, whose life has been given in this war, some day I would take him to Europe, but he would see his own country first. The time came when we traveled in Europe, but first we visited every State in this great Union. On the top of Mount Shasta we once slept all night—or tried to sleep—and in the early morning from the top of that great sentinel we viewed the glories of the hills and plains to the east, brilliantly lighted by the rising sun, even while it was still darkest night in the valleys toward the west. And for more than a thousand miles in the high Sierras we traveled mule back over mountain trails. We visited the people in the cities and on the ranches. Oh, we came to know this Republic of ours,

this great United States of America, and we came to appreciate the heroic qualities of the people of the West, who were having so much to do with a development which in time must shape the destiny of the Nation. We learned to love the Americanism of the West. In the West we felt as if we had reached the very heart and soul of America, expansive in its energies, keeping true faith to our ideals, boundless in the possibilities of the future.

Thus I came to envy the men of the West, a West which aided in developing the man and was aided by the man's development. Yes; I have envied. But also I have honored. And, therefore, I from the East am here to join with those who knew him best to honor the memory of a true and a splendid typical son of the West, a son of Idaho, a loyal citizen of the Republic.

Mr. LITTLE. Mr. Speaker, the Hon. JAMES H. BRADY, for two terms a Senator from the State of Idaho, twice governor of that mountain Commonwealth, happens to have been my oldest friend and acquaintance in the Congress of the United States and in the city of Washington. As I listened to the eulogies so eloquently delivered and so justly deserved there came to my mind the recollection of the day I first saw him, 39 years ago next June or July, at a teachers' institute at Abilene, Kans. Of all the young people there assembled—and I think perhaps he was the youngest, then a boy of 18—he happens to be the only one whose figure is fixed in my memory as he sat there, and yet I doubt if anyone at that time would have selected him as the one who would be honored here to-day as a great Senator of the Republic of the United States.

His father and mine half a century ago were farmers in Johnson County, Kans., his father, I think, being a county commissioner. His brother, Hon. J. Leeford Brady, was the Republican nominee for Congress in 1912 in the district which I now have the honor to represent. Sometime in the seventies our fathers removed to the far West, then in Kansas, in Dickinson County, and were both farmers and business men there. Mr. BRADY came to this teachers' institute a boy of about 18, tall, vigorous, and, as I recall him, apparently older than I now find he was. He had not had the advantages of school in a city, a town, or even a village, and was not as familiar with the books as were most of those who were there. I remember that some of the older teachers, and practically all of them were older, listened with curiosity to some of his remarks and suggestions; but I think that he exhibited immediately, and thereby attracted and fixed my attention, the qualities that made him great and successful, an interest in all about him, a willingness to mingle in the fray.

He was a man of rare imagination, of the imagination of genius, a man who had in him the spirit of adventure. He was not familiar with much of life then, and only gradually became acquainted with its conditions; but I do not think JIM BRADY ever saw anything that scared him. He was always willing to take a chance. He was a man of such excellent natural business sagacity that his imagination very seldom ran away with his judgment, although in his earlier days he did occasionally ride to a fall. He was first a school-teacher, and a not particularly studious one as I recall him, nor very much interested in the mere business of teaching, but always interested in human nature. He next ran a little paper in a very small village, with no great success nor with any failure. Then he turned to real estate, and he sought there an outlet for his restless ambitions. The country was growing rapidly, and this was the readiest opening for activity. He was from the first, as the gentleman from Idaho has suggested, associated with the land, born and raised on a farm, and from his earliest infancy familiar with the trials and struggles of the farmer people in the great West. In our county the farmers then lived in little dwellings of two and three rooms, such as his folks probably had up on Chapman Creek, and many lived in sod houses, and sometimes in dugouts. They were laying the foundation of the greatest agricultural empire the world ever saw. Their advance guard displaced the Indian. Their tables were supplied from the buffalo. To-day in that country you ride for miles between long rows of trees and hedges, marking out farms the Nile never surpassed. They live in handsome homes, with every modern convenience. They take their families in great automobiles and are 100 miles away along perfect roads sooner than they would have reached the county seat in BRADY's day and mine.

In those days the farmer who had a team of his own, all paid for, was very fortunate. Probably BRADY's family had only one team, and very likely that was under mortgage, as were the teams of most of the rest of the farmers of that community. Very likely they went into debt for the seed wheat that they first put into the ground. I presume BRADY's father's corn crops were generally under mortgage, like most of the rest of us. They tell us that necessity is the mother of invention, and in the early days necessity always camped on JIM BRADY's trail. As a real estate agent in a little village of 200 or 300 and then of perhaps 1,200, in which we both lived for many years, he was not at first peculiarly successful. His feet were on the ground, but his surroundings were rather diminutive for a man of his breadth of character. Finally he made a leap in the dark which astonished the community and marked the genius of the man. No other man could have conceived, no other man have carried out, the projection. Unknown and without means he went down to the headquarters of the Santa Fe Railroad at Topeka and made a contract with the land department of that road by which they sold to him a very large tract of land. The Government had vested in the Santa Fe very extensive areas along its line for many, many miles from Kansas City west. Much of it was still unsold. BRADY went down there and with a ready tongue and an unshaken nerve convinced them that he was the man who could handle some of that land, and they sold him, I think, 20,000 acres of railroad land practically in one body. He made the first payment, very likely most of it on borrowed money, but in a few weeks he disposed of that whole area to some company that he had organized or became acquainted with, a band of capitalists, I think, at Chicago, and at one fell swoop he cleaned up, I think, $40,000. This in those days was an enormous sum, and is a great sum yet if men are reasonable. Jay Gould could have done no more in that environment.

With that capital he started to enlarge and spread out his visions of life and his attempts and ventures. At first, as I said, he made a stumble or two and he lost here and there. He became a little dissatisfied with the opportunities in a little town of 1,200, or by this time 2,000, and for some time he established his headquarters in the city of Chicago. He ventured into various speculations throughout the West, and finally ran across this opportunity in Idaho, and settled in that State. He exemplified there his foresight as a business man, his sagacity as a developer of western enterprise along the lines suggested by the gentleman from Utah. He was a community maker, a leader of men. He built a great irrigating ditch there through a territory that he had acquired. I think somebody else had attempted it and had not been successful. His venture became very successful. He was undoubtedly one of the most useful men that the West ever produced, for his success was not builded upon the downfall of somebody else nor acquired by the ruin of some rival, but he opened there in the mountains a broad area of irrigated country that made homes possible for many other men. He earned his money in a useful and honorable way and became a millionaire. He lived here in Washington in one of the finest mansions in this city. When I first knew him he was not very much addicted to politics and a little cynical and pessimistic about politicians, though he was always interested in a few friends who were candidates, but not very active in politics himself. The little city of Abilene, in which he and I resided in those days, produced two very famous United States Senators, Mr. BRADY being one of them. His associate from Idaho in the Senate was Senator BORAH, who also came from our State. It is a little singular that Kansas should have equipped Idaho with two such distinguished and valuable statesmen. The delegation stood as high as any in the Senate.

His money was made by intelligent and helpful development of opportunities for other men as well as for himself.

Then he turned, somewhat naturally, I can see now, to public life. He was a keen, alert, ambitious man, always vigorous, and never dominated by surroundings, but always ready to dominate his surroundings. He was a friendly man with a warm grasp, a generous heart, and a kindly word for everybody, never seeking to attain success by injuring some one else, but rather by developing something which was generally beneficial and from which a benefit would accrue to him.

When I came here to the House I was a bit surprised to discover the height to which he had risen. I knew that Senator BRADY was a man of ability and force of character, but, somewhat to my astonishment, I learned that he was very familiar with the rules of the Senate; that he had interested himself in them and had acquired a very considerable proficiency in them. Frequently I have gone over there and found him in the chair of the presiding officer of the Senate, in the seat of the Vice President of the Republic, presiding with dignity over its deliberations, to the general satisfaction of everybody in that body. I do not see how anybody could have been more familiar than he was with the routine of Senate business. When I would step in and ask him what was going on, he could always tell me, and he could generally forecast what the decision of the Chair was going to be on a point of order, or what the outcome

of any vote would be upon any project before the Senate. Without question he was an industrious, hard-working, and useful Senator of the Republic, well worthy to sit in the Chamber where once Webster and Clay and Calhoun were great leaders.

He was not as eloquent a speaker as some, nor as frequent a speaker, but his ideas were good, his industry was great. I do not know that I ever saw BRADY when he was as much interested in anything or as much elated by anything as he was by the opportunity that was to have been afforded him in the next Senate if he had lived, and as he hoped at that time, to be chairman of the great Committee on Military Affairs, and his heart seemed to be set upon that position. Of course, that would have been the highest point to which he had yet climbed, and his imagination spread out before him golden opportunities to which he never before had aspired. And I may say right here and now, in the 38 years in which I knew him I can not remember any Kansan who traveled as far or climbed as high as he or more worthily either in business or public service. He had set his heart on living to the time when he should be chairman of the Military Committee, which position he would have occupied in the next Congress. He was not unfamiliar with the fact that he was treading close to the heels of death. Once before he told me, the last time I talked with him, that he had gone pretty near to the deep waters, somewhere in Florida, I believe, but said now he thought he had fully recovered and his health was restored.

He had an interesting pair of boys in our little city, very fine young men, and the last time I saw him he spoke with pride and satisfaction of them. They were both good, sensible, successful young men, of whom any father might well be proud.

It is a great pleasure to remember that after I had been here a few months and we began to recall our old acquaintance and friendship, he said to me, "We must keep in touch with each other; we can do each other good, and in that way help our constituents." I found he was a helpful man to me, and that I could ascertain from him what was going on or what would be the probable result of any given discussion, debate, or procedure in any given legislation in the Senate. BRADY was a man of big business. I am satisfied that he was what is called a genius, and genius consists largely of imagination, of foresight, and courage. He never feared to make an attempt. His imagination could always drive through the clouds, and he could gaze into the future and see things that the dull, plodding, industrious man could never comprehend.

I could see that as they smiled at him in the teachers' institute, a boy of 18, it was because he was ignorant of and laughed at some of the set rules of the teachers. He had outstripped them in imagination, and, while he had not landed quite high enough to be always accurate, it was the forerunning of the time when through his efforts and business training he would be a United States Senator. For the same reason that he ventured out into the deep waters of a little teachers' institute, which lasted only a month—for that same reason he became a great Senator and a great millionaire, because he had a mind of his own to conceive and a spirit to execute.

He started 35 years ago in our little village with an empty satchel and a red necktie, and when he passed away JIM BRADY died in a Senator's honored toga and left behind him a millionaire's estate, worthily won by honorable means. I can not imagine how a career could ever be more satisfactory. I can not think of any more typical American career, one that better points out the road to success, if you are not afraid to try and if you have the courage to attempt that which you have dreamed. And yet if we had told him that he was a dreamer he would have been the most surprised man in the world.

I do not think he took much interest in poetry or fiction, except casually, and he would have been amazed if anyone told him that he had great imagination. But that was the secret of his success, the ability to imagine and the disposition to put his dreams on trial. Now he has fought his fight, a good fight, and finished his course. He sleeps with Seward, Sumner, and Chase, with Blaine, Conkling, and Ingalls, and among the people from whom he sprang. The tomb is the only real republic. Millionaire and mendicant, sultan and slave, sage and simple, saint and sinner, Kitchener and kaiser, all rest side by side. The Senate has adjourned forever for that deft mind, that strong hand.

JIM BRADY has gone. Almost 40 years have come and passed since he and I became acquainted. Of all of the men who began to be connected with public life in our early days he and I were almost the only ones left anywhere in the public service. The clouds begin to gather about me. Only four months ago Death knocked at my door and went by for a while. When my village companion passes away and leaves behind him a great fortune and great name, when I see this career terminated which well might have lasted 20 years longer, my mind recurs to the days of our youth, of our eager ambitions, of our early struggles side by side on unconquered prairies. Senator JAMES H. BRADY has entered the great congress of all nations, climes, and peoples. As I stand here in the Halls of the Congress of earth's mightiest Republic and pay this tribute to his memory—

I feel like one
Who treads alone
Some banquet hall deserted,
Whose lights are fled,
Whose garlands dead,
And all but he departed.

Mr. FRENCH. Mr. Speaker, my colleague, Representative SMITH of Idaho, and our other colleague, Col. LITTLE, the lifelong friend of Senator BRADY, have outlined so clearly and sympathetically the details of the life of him whom we desire to honor in these services that I shall not attempt to add thereto.

However, the admiration I bore Senator BRADY and the homage I would pay his memory make it impossible for me to omit to refer to a few of the outstanding elements of his character and to a few of his achievements that gave him a conspicuous place in public life and in the Northwest.

A MAN OF VISION.

We remember John Winthrop and Roger Williams and Penn and Oglethorpe because they were men of vision. The shores whereon they landed, to the eyes of almost all other people of their day, were bleak and barren and repelling. To these men of vision they were shores of grandeur, possessed of ample harbors, shores leading back to splendid fields, bounteous gardens, towns and cities, schools and churches and colleges, and a mighty population of God-fearing, industrious men and women.

Unimaginative neighbors of John Harvard and Elihu Yale could see only crude buildings, a few old books, an austere minister or teacher, but Harvard and Yale could see more than that. They could see rough grounds converted into inviting campus; they could see quaint old log buildings and rough-hewn stone structures give way to spacious halls, commodious lecture rooms, ample dormitories, and well-equipped libraries, and they could see thousands of earnest young men and women repairing to the institutions that bear their founders' names, as to living fountains, partaking thereof, and going forth to lead on and to be the agencies of business and culture and learning and inspiration of a mighty age.

The painting in the corridor just outside the Chamber in which we are assembled, called "Westward Ho," always has had for me peculiar fascination. There, in graphic manner, is told the story of the building of the West—the ox team, the canvas-covered wagon, the sturdy father, the dauntless mother with babe upon her breast, the willing and confiding children, the expanse of rough mountains to be overcome, rivers to be crossed, hardships to be endured. There is a picture that has been lived 10,000 times and more in the building of the West. It is a picture of men and women of vision.

In our great West it is to the men and women of vision we look as we search out the heroic leaders upon whom turned the development of mighty States—the pioneers. Such were the husband and wife who with family dependent upon them hewed down the forest and made fields, blazed trails and made highways, withstood hardship, endured privations, erected homes, builded schoolhouses and churches and colleges. Among them, too, were those who seemed to possess peculiar force of character, organization ability of rare degree, and that vision that enabled them to render conspicuous service to mankind as empire builders.

James J. Hill was such a man as he visioned and then built a roadway into the great Northwest. Frank H. Buhl was such a man as he made reality the dream of years that gardens should grow in desert waste. JAMES H. BRADY was such a man as in the valleys of south Idaho, with vision that you and I did not have and with organization ability of high order, he builded irrigation works and took waters from their beds where for centuries they had flowed and transformed the desert into a rich and bounteous garden, within whose bounds the thousands of happy homes to-day bear living witness of his service. But our man of vision saw more than that. The rushing, turbulent water that to you and me was beauty or madness or rhythm, depending upon our mood, was all that to JAMES H. BRADY. And it was more. To him it was light, it was heat, it was energy, and it was in a country that was bare of forests and that seemed not to be a storehouse of coal or other fuel. And so his genius converted the rushing waters into light and heat for the home and the business, into energy for industry, and gave an object lesson that has been and will be followed in the utilization and conservation of the natural resources that God has given. So, first of all, I think of JAMES

H. BRADY as a man of vision a builder whose work will go on and on until countless thousands will be his beneficiaries.

THE PUBLIC MAN.

Differing from most men who attain great success in business, JAMES H. BRADY took the citizen's proud part in public life. A Republican, a delegate time and again to State and national conventions, State chairman of his party, president of Trans-Mississippi Congress, governor of Idaho, United States Senator. From that summary may be gathered the abiding interest in public affairs of our late colleague. And in each capacity what Senator BRADY accomplished and what he stood for would require more time to tell than is permitted here. It may be known at once that a man whose ideals were so in harmony with the best in citizenship, a man so unaccustomed to loitering along the way, a man so virile, so capable, would be at work and would add strength to the matters with which he had to do.

He was a man of convictions, yet fair to his opponent and, least of all, not a bigot. He stood for Republican policies in general; he stood for the direct primary; he stood for woman suffrage; he stood for prohibition, and one of the last acts of his life was in behalf of the national prohibition amendment; he believed in recognizing new problems and meeting them with modern ways of thought.

RESPONSIBILITY OF A PUBLIC MAN.

Always an interesting question in connection with the responsibility of public office in a country such as ours is the degree of responsibility to be assumed by the public official. How closely shall he translate into laws, for instance, if he be a member of a legislative body, or into acts if he be an executive, that which he knows to represent at a given moment the sentiment of the people? Or how steadfastly shall he stand against public sentiment when he is convinced it is wrong?

When Talleyrand told Napoleon that there was greater wisdom in France than his, and in reply to Napoleon's interrogation, "Where?" replied, "With the people," he recited a great truth. Yet how literally shall it be applied?

In every position of responsibility this question over and over again must be met. How do conscientious and practical men meet it? One of a thousand other men maybe could have been chosen to a given office who would have filled it as ably and as well as the one selected. Yet he was not chosen. The one who was chosen, like the man in the jury box, has had special reason and duty to hear the evidence, all of it. Then shall the man in the jury box be asked to render a verdict that reflects not his idea but the sentiment of the spectators who fill the court chamber, or shall he hold to the evidence and follow his own conscience? There is but one answer. He is trusted with a special responsibility and must meet it. The responsibility is his.

The same, in my judgment, is true of the man in public life. True he must represent his people. He unconsciously draws inspiration from their thoughts and their judgments; he is modified by them just as a juror in his ideals of right and wrong, of evidence, of credibility of witnesses; is unconsciously modified by the ideals of the community that is his home.

Just such a question Senator BRADY was compelled to meet when the bill providing for the establishment of the selective-draft system of raising an army, instead of the volunteer system, was before the Congress.

If I were to judge from the letters that I received from the people of Idaho during the time this measure was pending, I would be satisfied that the people, generally speaking, were in favor at the time of the volunteer system. I would suppose that the correspondence of the people of the State with Senator BRADY would indicate the same. Yet Senator BRADY was compelled, in obedience to his conscience, after he studied over the problem of what would be best for our Nation, to support the policy of raising an army by application of the selective-draft principle.

A crisis was upon our world; our country's future was in the balance; civilization was at stake, and who will say that it was not the greatest patriotism, the noblest service of every person trusted with responsibility to help to shape our laws in line with the dictates of conscience.

If by following that course the Members of Congress were compelled to adopt the selective-draft system, well did they do their duty. My own judgment is that within a year we had twice as large an Army as we would have had under the volunteer system, unless the people had resorted to more coercive and severe measures than were resorted to by the Government in the raising of the Army. More than that, there is no doubt in my mind that the burden of responsibility has fallen more equitably upon our people than it could possibly have fallen under the volunteer system.

That this view of the question dominated the mind of Senator BRADY I have no doubt, and I have no doubt that the people of the State of Idaho whom he represented, even long before his death, had come to approve the very position that he took and gladly would have placed their stamp of affirmation upon his course on this great subject if the question could have been referred to them again.

THE SUPREME SACRIFICE.

In meeting his task Senator BRADY knew that he was not a well man, yet he was upon important committees. The most important, as I regard it, was the Committee on Military Affairs of the Senate, which had to do with the shaping of the laws necessary to the mobilization of the man power of our people. True, this responsibility was upon the whole committee, and a man of less earnestness and less dogged determination to do his part could well have permitted the burden of work to rest upon other shoulders.

It is but just to Senator BRADY to recount that during the trying days when large measures were being considered, when the counsel of studious men was most of all desired, Senator BRADY remained at his post of duty, not only utilizing the strength of the day but borrowing of the strength that should have been conserved for the morrow. He borrowed too heavily of this strength, and in doing so made the great sacrifice.

PERSONAL ATTRIBUTES.

Mr. Speaker, one of the chief characteristics of Senator BRADY in his public life was his utter generosity toward his opponents and his utter inability apparently to harbor personal resentment against those who in the sharp clashes of political encounters attempted to bring about his defeat. In fact, I recall no other man more free from malice and resentment.

If he was generous and charitable in public life, in private life, likewise, these virtues dominated his character. He loved his fellow men. He was kindly. He was considerate. He was neighbor to those in want. His purse was open to the needy, and his benefactions were as wide apart as caring for the wants of the unfortunate in his neighborhood to the maintenance of missions in India.

A man of such characteristics reminds us that "In the same measure ye mete it out, it shall be measured to you again." So in turn Senator BRADY was loved and admired. As in life his world was full of friends, so in his departure his memory is fondly cherished by the hosts of those who wished him well.

Mr. MONDELL. Mr. Speaker, JAMES H. BRADY was a typical American of the pioneer type. His Scotch-Irish ancestors were pioneers in the early period of the settlement of western Pennsylvania and served with distinction in civil and military life in the early days of the Republic. Moving westward as the tide of immigration spread over the continent, the family finally settled in Kansas, where the late Senator was born and where he began his business career. The extension of enterprises and undertakings in which he became interested brought to his attention the possibilities of the young State of Idaho, and here, following the promptings of the pioneer spirit, he undertook and accomplished those enterprises of reclamation, settlement, and development which occupied his time and attention up to and beyond the time of his entry into public life.

His call to public life came as a result of his helpful and successful activities as a pioneer developer of resources, and in the performance of public duties he displayed the same devotion and energy and the same constructive ability which had made him useful and successful in his private undertakings.

As Senator BRADY'S career was typical of the best American traditions, his character was typical of the splendid type of manhood which those conditions develop and exhibited the sterling qualities which find their best development in the challenge and incentive of a region of undeveloped resources. He had the richest of all inheritances, an honest, virile, intelligent ancestry. He grew up in the best possible environment, that of an American agricultural community, with its free-school system. He had open before him the most desirable of opportunities, that of winning a place and name for himself in the development of a new and growing region and in the service of its energetic and progressive citizenship.

These are not the inheritances, the environment, and the opportunities which necessarily lead to success, but they are those which make success not only possible but certain for those worthy of them, and JAMES H. BRADY was worthy.

In considering the career of strong and worthy men whom I have known I have generally found some characteristic of the man's life and career that particularly challenged my atten-

tion, and the characteristic of our departed friend, which, as I saw and knew him, seemed among his many virtues and splendid qualities most conspicuous, was that of service.

In his early life he served to mold and develop the minds and hearts of the youth of his locality as a teacher. In later life he served in calling attention to the opportunities for securing homes and farms. Still later he served in reclaiming greater areas from the desert and making them fruitful and affording opportunities for homes upon them. He served in calling attention to and utilizing the latent resources of power in his adopted State and in harnessing it for the benefit of mankind, and, finally, he passed from a career of service in private capacity to a career of wider service as governor and as Senator. So from the beginning to the end of a busy and eventful life he served, and served faithfully and well.

The career of Senator BRADY is an illustration of the opportunities and possibilities of American life. We hear from time to time that these opportunities and possibilities are becoming less attractve and frequent and obtainable as time passes. No doubt there were folks out there in Kansas when our late friend was a boy who would have said that the opportunities for such as he were limited, just as people say at the present time. Senator BRADY'S career disproves such gloomy assertions, as the career of many a virile, forceful, ambitious man is disproving them every day, and will disprove them in the days to come.

So long as liberty prevails in the land, so long as our activities shall be based on individual initiative and effort, so long shall men of courage and capacity and honesty of purpose find the opportunities of America boundless. To be most certainly successful amid these opportunities one must be endowed with the spirit of service, which was the most conspicuous characteristic of our departed friend. We can truthfully pay to his memory the highest compliment that can be paid to a man, that in the fear of God he faithfully served his fellow men.

Mr. MCARTHUR. Mr. Speaker, it was my good fortune to meet Senator JAMES H. BRADY about the time he came into prominence in the political life of the State of Idaho. He was a big, broad-gauge westerner—full of the spirit of development and progress that has wrought such wonders in the West during the past quarter of a century. He had a constructive mind and had the requisite energy to put his ideas into action. He believed in the West—in the development of her boundless resources. His energy and enthusiasm were tempered with sound business and financial judgment and the numerous ventures in which he engaged were uniformly successful. His business acumen brought him a fortune which carried with it prosperity to the community. Such men are empire builders.

same degree of success as were his business ventures. He held numerous positions of public trust, including the two greatest honors which a State can bestow upon a citizen—the governorship and a senatorship. He discharged the duties of these important public posts with energy, enthusiasm, and a patriotic devotion to the public welfare. He was a man of courage and never truckled to popular whims or passing fancies. He had a clear conception of his public trust and followed it to the end. He knew that truth, courage, and honesty are the things worth while in public life, and he never sacrificed these or compromised on a principle. The country needs more men of his stamp in her public life.

Legislative and departmental questions of mutual interest frequently brought me in touch with Senator BRADY, and I learned more and more to respect and honor him as a public official and to esteem and regard him as a fellow man. He occupied an important place in the State of Idaho and was called to the Senate of the United States during the most important era since the Civil War. His services to both State and Nation were of the highest order and it is only fitting and proper that we should pause for this brief hour to honor his memory. His death at a comparatively early age was altogether untimely, but he leaves behind him an honorable record in both public and private life that will perpetuate his name.

Mr. SMITH of Idaho. Mr. Speaker, in pursuance of the permission heretofore granted me, I append at this point the memorials and editorial comments heretofore referred to:

[From the Idaho Daily Statesman, Jan. 14, 1918.]

WASHINGTON.

Senator JAMES H. BRADY, of Idaho, died of heart disease at his Washington residence at 6.30 o'clock Sunday evening. His death was not unexpected as he has been in a critical condition since Thursday morning, and two attending physicians had announced there was no hope. For the past two days the Senator was kept alive by stimulants.

In accordance with his wishes expressed Sunday when he realized the end was near, Senator BRADY'S remains will be cremated and his ashes later will be taken to Idaho for burial. Funeral services will be held at his residence probably on Wednesday.

Senator BRADY'S fatal illness was very similar to a heart attack suffered nearly two years ago. Since that first illness he never fully regained his strength and the exertion of his recent holiday trip to Pocatello caused his collapse on the train returning to Washington last Sunday. Not until Thursday did the doctors give up hope. Twice since then he rallied and twice it was thought he might get well.

Senator BRADY was conscious through most of his illness and Sunday frequently recognized and spoke with those at his bedside. Toward evening, however, he realized the end was approaching and said goodbye to his wife, Representative SMITH, and others at his bedside. An hour before he passed away he fell into a quiet slumber, from which he never awakened.

Neither of the Senator's sons, who had been telegraphed for, reached Washington before the Senator died. They are expected Monday. Mrs. Brady's mother is coming from Seattle, and her sister, Mrs. Jayne, was with her Sunday.

Senator BORAH will announce Senator BRADY'S death in the Senate Monday, and adjournment will be taken immediately. Representative SMITH will make a similar announcement in the House.

Speaking of his late colleague Senator BORAH said:

HARD WORKING AND FAITHFUL.

"Senator BRADY was a hard working and faithful Senator. No man ever took his work more seriously or worked harder than he to represent his people. I have no doubt that his remaining in Washington through last summer's long wearing session is in large part responsible for his death."

Senator BRADY was 55 years of age last June. He was born in Indiana county, Pa., in 1862, but spent his boyhood and his first years as a young man in Kansas. He was graduated from the Olathe (Kans.) High School and studied at the State Normal School at Leavenworth.

He then taught school in Kansas for three years and spent two years editing a small newspaper. Later he engaged in general business, and then removed to Idaho in 1894 and made his home at Pocatello.

He became very successful in a business way, and invested largely in the development of irrigation schemes and later in water-power sites, the largest of which was at American Falls. This was subsequently sold. At the time of his death he owned the Mountain Home project system, and had various real estate holdings in different parts of the State, principally around Pocatello.

He first appeared prominently in the political life of the State when he became chairman of the Republican State central committee in 1904, a position which he held until 1908. He was elected governor of Idaho on November 3, 1908, and served in that office in the years of 1909 and 1910.

On January 24, 1913, the State legislature elected Mr. BRADY a United States Senator to fill out the unexpired term of the late Senator Weldon B. Heyburn. Judge K. I. Perky served by appointment as United States Senator between the time of Heyburn's death, in October, 1912, until the legislature met and elected BRADY in 1913.

TERM EXPIRED IN 1921.

On November 3, 1914, Mr. BRADY was reelected to the United States Senate for a term which expires March 3, 1921. He is survived by his widow, who was Miss Irene Moore, of Boise, and by two sons, issue of a former marriage. Both the sons live in Kansas.

Senator BRADY was a member of many important Senate committees, as follows:

Military Affairs.
Mines and Mining.
Agriculture and Forestry.
Conservation of National Resources.
National Banks.
Expenditures in the Department of Commerce.
Public Lands.
Public Buildings and Grounds.

GOVERNOR ASKS THAT BODY BE SENT HERE.

When Gov. M. Alexander learned of the death of Senator JAMES H. BRADY he immediately sent a telegram to the Senator's widow at Washington, D. C, saying:

"The State of Idaho sends words of condolence in your bereavement in the loss of your life partner. Idaho feels the loss with you, in the passing of the illustrious statesman, governor, Senator, and first citizen of Idaho.

"Idaho asks permission to take charge of his remains to bring him back to the State he so loved and honored by his citizenship and public service, that he may lie in state at the capital at Boise, and that his people may have the privilege of taking a last farewell look upon the man who has done so much for Idaho."

THANK PEOPLE OF IDAHO—BRADY FAMILY EXPRESSES APPRECIATION FOR GOVERNOR'S MESSAGE.

Gov. Alexander Tuesday received from Congressman ADDISON T. SMITH a telegram in which he extended on behalf of Mrs. James H. Brady and the sons of the late Senator BRADY their appreciation of the sympathy extended, through a message by the governor, by the people of Idaho for their bereavement. The Congressman's message said:

"Mrs. Brady and the other members of the family of Senator BRADY wish me to express to you their appreciation of the sympathy extended to them by the citizens of Idaho, so feelingly indicated in your telegram, and to say further that in accordance with the expressed wish of the Senator his remains will be cremated and his ashes interred in the State he loved so well and which had so highly honored him. When this is done his family will willingly cooperate in the furtherance of any plans his fellow citizens may wish adopted in their desire to honor his memory.

"ADDISON T. SMITH."

[From the Idaho Daily Statesman Jan. 15, 1918.]

FUNERAL OF LATE SENATOR TO BE HELD IN WASHINGTON; REMAINS TO BE CREMATED—MRS. BRADY DEEMS IT INADVISABLE TO MAKE TRIP TO IDAHO OWING TO DEMORALIZED TRAFFIC CONDITIONS; IS APPRECIATIVE—SENATE AND HOUSE PAY HONOR TO LATE MEMBER.

WASHINGTON.

Because of the disorganized conditions of railroads and the uncertainty of travel, the remains of the late Senator BRADY will not be taken to Idaho.

Funeral services for the late Senator BRADY, of Idaho, will be conducted here Wednesday afternoon by the Rev. Forrest J. Prettyman, Chaplain of the Senate. Arrangements were made Monday night after the arrival of the Senator's two sons, who had been snowbound in the Middle West while trying to reach their father's bedside.

The body will be cremated and the ashes will be taken to Pocatello, Idaho, Senator BRADY'S former home.

Mrs. Brady Monday received a telegram from Gov. Alexander urging that the remains be brought to Idaho immediately. While appreciating the desire of the people to pay tribute to the late Senator, Mrs. Brady deems it unwise to attempt to make the trip under prevailing conditions.

Senator BRADY'S death was announced in the Senate by Senator BORAH and in the House by Representative SMITH, and upon adoption of appropriate resolutions both Houses adjourned out of respect.

Flags on the Capitol were at half-mast Monday, and will so remain until after the funeral. Vice President MARSHALL named a committee, consisting of Senators BORAH, GALLINGER, SMOOT, HARDING, WARREN, CHAMBERLAIN, THOMAS, KING, FLETCHER, and BECKHAM, to attend the funeral. The Speaker named a committee of 15, including the two Idaho Members.

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POCATELLO PAYS TRIBUTE TO REALLY TRUE FRIEND—PEOPLE OF ALL CLASSES STUNNED BY LOSS OF MAN WHO HAS DONE MUCH FOR DEVELOPMENT OF SECTION.

POCATELLO, IDAHO.

The death of Senator BRADY falls like a pall over the business and social life of this city. All flags are at half-mast and persons of all parties pay spoken and silent tribute to a really true friend. Bankers, railroad men, laborers, and even children lament the loss of JAMES H. BRADY.

When he left here two weeks ago he told associates that after the present term he would come back and enjoy life with old cronies. He always was a very busy man with canals, electric plants, banking, ranching, and building development, but he always had time for a cheery word and smile, and by such will friends remember him.

His deeds of charity were many and unheralded, and for years he was president of the Children's Home Finding Society.

Senator BRADY won considerable publicity for the State by organizing the famous governors' special train, which toured the East in 1911. He had been president of the Trans-Mississippi Commercial Congress, vice president of the National Irrigation Congress, and vice president of the Panama-Pacific Exposition.

Memorial plans are under way to receive Senator BRADY'S ashes, and Pocatello will ask the State of Idaho to assist in doing honor to her illustrious dead.

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HOME CITY MOURNING AT SENATOR'S DEATH.

POCATELLO.

"Senator BRADY'S death is a terrible loss to Pocatello, his home city," said J. H. Peterson, former attorney general of the State, Sunday evening.

"On every hand is evidence of the fact that Pocatello citizens realize that Senator BRADY did more for and meant more to the city than any man who ever lived here. His loss will be felt by the community for many years to come.

"Personally I have been intimately associated with Senator BRADY for the last 12 or 14 years, and our association has embraced business affairs and political activities. During those years of association I learned to know Mr. BRADY well and to estimate him as one of Idaho's really big men. I feel deeply the loss of a dear personal friend, and mourn his loss to the State, which by his death has lost one who was really a great man."

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RETIRING CHAIRMAN IS GRIEVED AT BAD NEWS.

"I feel that I have lost one of my best and truest personal friends," said Evan Evans, of Grangeville, retiring chairman of the Republican State central committee, Sunday night, when, just after reaching Boise, he was informed of Senator BRADY'S death.

"My relations with Mr. BRADY were more in the nature of a personal friendship of several years' standing than they were like a business relationship. Nevertheless, I appreciate to the full his services to the Nation and to Idaho. He was a man of the highest aspirations and was intensely loyal to his country and to the welfare of his fellow men."

Former Gov. F. R. Gooding, who was closely associated with the late Senator BRADY, was on a train Sunday night bound from Gooding to Idaho Falls, and could not be reached.

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LOSS IS IRREPARABLE, SAYS JUDGE STANDROD.

POCATELLO, IDAHO.

The sadness of Pocatello, Senator BRADY'S home, when news of his death was received, was expressed by Judge D. W. Standrod, of this city, in the following telegram, which he dispatched to Congressman ADDISON T. SMITH for transmission to Mrs. Brady:

"While deeply grieved and so sensitive to my own great loss in Senator BRADY'S death, for he was my friend, I can hardly estimate what it will mean to the State, but I feel that just now it is irreparable. So loyal was he to his country, and so intensely sacred to him was any interest of his State, that in this time his hand, which was never spared when duty called, was of unusual strength. His activities in the permanent development of Idaho have left for him an abiding place among the people as a distinct benefactor."

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"GREAT SERVICE" IS VERDICT OF HAWLEY.

Ex-Gov. James H. Hawley said, upon hearing of the death of Senator BRADY:

"The loss of Senator JAMES H. BRADY at this time is one that will be deeply felt throughout the State. He has stood behind the administration and the State throughout the trying times of the great world war. His has been a great service."

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SENATOR BRADY DIED ON DUTY—D. W. DAVIS SAYS DECEASED STATESMAN REFUSED TO FOLLOW ADVICE OF HIS PHYSICIAN.

Hon. D. W. Davis, of American Falls, who was for years closely associated with Senator BRADY, was informed by telegraph Sunday night of the Senator's death. Mr. Davis, who is at San Francisco, has telegraphed to the Statesman the following tribute to Senator BRADY'S life and his life work:

"SAN FRANCISCO.

"All Idaho will mourn the death of Senator BRADY. In him our State loses a builder, a man whose greatest ambition was to see Idaho's many resources, mines, timber, agriculture, and power developed for our rapidly increasing population.

"As governor he always worked hard, endeavoring to serve the people in a way that he thought was best. I knew Mr. BRADY well and was associated with him in a business way when he was elected to the Senate. He was a man of a great deal of force and energy, and made a wonderful record of things accomplished in his first two years, as scores of homesteaders who had their affairs in Washington attended to by him can testify.

"The strong vote given him in 1914 when he was elected by a popular vote of the people was a strong manifestation of appreciation. Since that time his services have constantly grown in value to our State and Nation.

"Since the war began the Senate Military Affairs Committee, of which Senator BRADY was a member, has been in almost continuous session. His death at this time is largely due to the fact that he failed to heed the advice of his physician to take a six months' rest. When talking to me last fall I urged him to follow the physician's advice. He replied, 'Davis, I would rather die on duty than to leave my post when my country is at war.'

"And he did."

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IDAHO MEN PAY TRIBUTE—JOSEPH PERRAULT AND WALTER HANSEN SURPRISED AND GRIEVED AT DEATH.

SPOKANE.

News of the death of Senator JAMES H. BRADY in the National Capital Sunday night was received with unconcealed sorrow by the north Idaho men who were in Spokane. His work in connection with the development of the State and his efforts in behalf of the party were recalled and commented on. It was the comment of all that he would be greatly missed. Senator BRADY, while not so well known in Spokane as Senator BORAH, had visited here a number of times, and numbered many Spokane men among his friends, as well as a host of personal and political friends in north Idaho.

PERRAULT'S TRIBUTE.

Joseph Perrault, of Boise, who arrived Sunday night, was surprised when told the news.

"Why, I thought he was going to pull through," Mr. Perrault said; "the reports the last few days were so favorable we were all hoping he would be spared to carry on the work he has done for Idaho. Senator BRADY was a man of most kindly disposition, and this element was what made him best liked by his friends. He was always trying to do something for his State, and how well he succeeded is attested by the great developments which he wrought in the southern part of Idaho. The district around Mountain Home is a monument to his sagacity, his energy, and his foresight. There he took head of a defunct irrigation system and put it on its feet. He had large interests in the vicinity of Pocatello, and had caused wonderful development there.

"Senator BRADY wore his honors in modest manner, and he grew and broadened in a way that was most gratifying to his friends. The more honors came to him the more kindly he was and the more he realized his responsibilities and tried to measure up to them."

GREAT LOSS TO STATE.

Walter Hansen, of Wallace, who was a warm friend of Senator BRADY, said:

"Senator BRADY was one of the best and most zealous Senators we ever had in Idaho, and there is no question but his death is a distinct loss to the State. His efforts in behalf of development are widely known in the south, but perhaps not so well known in this section. However, his work will stand as a monument to a long and well spent life. Idaho could ill afford to lose him at this time. His large means made it possible for him to do much which other Senators could not, and he spent his money without restraint to accomplish those things which seemed to him for the efforts of the State."

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GENERAL REGRET AT WALLACE.

WALLACE.

General regret was manifested in Wallace Sunday night when news reached here of Senator BRADY'S death in Washington. All evening there were telephone queries received at the office of the Press Times from persons who had known the late Senator personally.

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LEWISTON GRIEVED AT NEWS.

LEWISTON.

The many friends of Senator BRADY in Lewiston were grieved Sunday night at the news of his death in Washington. Comments were heard on all sides on the loss the State has sustained by the death of the man who so well represented Idaho at the National Capital.

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OFFICIALS PAY BRADY TRIBUTE AT STATEHOUSE—GOVERNOR, SUPREME COURT JUDGES, MEMBERS OF DEFENSE COUNCIL, AND OTHERS UNITE IN HONORING LATE SENATOR.

State officials, members of the State defense council, and State employees paid tribute Wednesday to the memory of the late Senator JAMES H. BRADY. Memorial services were held in the house chamber of the old capitol. They commenced at 12 o'clock, corresponding with the hour set for the funeral in Washington.

The services lasted for an hour. Chief Justice Budge, of the State supreme court, presided.

The statehouse remained closed from 12 o'clock until 3 and flags hung at half mast.

ARRANGED BY GOVERNOR.

Gov. Alexander arranged the services. He called the State officials and the employees at the capitol together and invited the members of the defense council to attend.

The governor spoke briefly, when the services opened, before asking the chief justice to preside.

Chief Justice Budge spoke of Senator BRADY as he had known him in private life. He termed the late Senator the hardest worker in southeastern Idaho.

Justice Morgan, Attorney General Walters, Judge James F. Ailshie, State Treasurer Eagleson, and Dr. Reynolds, of Meridian, were the other speakers.

PRAISED BY JUDGE MORGAN.

Justice Morgan praised Senator BRADY for his patriotism, declaring that "his actions of the last few months had struck a responsive chord in every heart in Idaho.

"When the country was threatened with war, Senator BRADY stood behind the administration with the same characteristic firmness which marked his life here in Idaho.

"I am told, and I firmly believe, that his death was hastened by his patriotism."

GOVERNOR TELLS OF LOYALTY.

Gov. Alexander, speaking toward the close of the services, termed the late Senator "a man who could forget and forgive." He alluded to his political activities in the State and to his capacity for business, but dwelt at length on his loyalty to the President in the present crisis.

"When the President declared war on the autocratic German Empire Senator BRADY stood up like a man and said: 'My country first, politics afterwards.' And he died because he would not desert his post, despite his doctor's warning. He was advised that he would have to get away from Washington and rest up awhile, but he replied 'that the boys who were going to France were making sacrifices, and he would not quit them,' and he was one of the first to fall in this war."

Attorney General Walters paid his tribute to Senator BRADY as a man in public life, speaking at the request of the governor as a representative of the State. He said Idaho should be proud to have had Senator BRADY as a citizen.

TELLS OF HIS CHARITIES.

State Treasurer Eagleson told of what Senator BRADY had done for charities during his life. "While governor he gave his entire salary and more to charity."

Another incident of the late Senator's interest in charities was recited by the State treasurer when he told how he had wired and provided lights without cost to a Pocatello hospital.

Dr. Reynolds, too, touched upon the human traits possessed by Senator BRADY, telling how he spent his time and money while in Washington to help an Idaho boy far from home.

Judge Ailshie spoke of Senator BRADY as he had known him in private and public life for 20 years or more.

Justice Morgan, Judge Ailshie, and Gov. Alexander were appointed members of a committee which will draft resolutions of respect to the memory of Senator BRADY to-day.

[Copy of the resolution passed at the memorial services held for Senator JAMES H. BRADY in Boise Jan. 16, 1918.]

Whereas death has removed from the sphere of earthly activity our fellow citizen, Senator JAMES H. BRADY, and from the State of Idaho a trusted servant: Be it

Resolved, That, recognizing his long, faithful, and patriotic service in behalf of the public and his splendid endeavors and achievements in private life, we, the State officers and citizens in memorial assembly gathered, hereby express our sincere sympathy with the bereaved widow and deep regret over the loss of a useful and patriotic citizen.

M. ALEXANDER.
J. F. AILSHIE.
WM. M. MORGAN.

Attested by—

ALFRED BUDGE, *Chairman*.

BRADY HONORED BY CHURCHMEN—TRIBUTE PAID TO FINE TRAITS IN POLITICS, BUSINESS, AND RELIGION—WAS A MAN OF COURAGE—MEMBERS OF CONGREGATIONAL BROTHERHOOD PRAISE PERSONAL AND PUBLIC LIFE.

Services of memorial for the late Senator JAMES H. BRADY were held in the First Congregational Church of Boise Sunday forenoon, at which Harry K. Fritchman told of Senator BRADY'S influence in politics, Frank G. Ensign of Senator BRADY'S influence in business, and A. L. Freehafer of his influence in religion and philanthropy.

Senator BRADY was a member of the Congregational Church in Pocatello, attended the Boise Congregational church while he was governor, and was one of the founders of the Brotherhood of the Boise Church in 1910. The Rev. Shelton Bissell, pastor of the Boise church, spoke of these facts in introducing the speakers.

INFLUENTIAL IN POLITICS.

"The political field in Idaho in those days was very inviting to a man of his capacity and offered great opportunities," said Mr. Fritchman, speaking of Senator BRADY'S coming to this State in the early nineties.

"He cast his lot with the Republican Party and was not long in placing himself in the front rank of its leading men. His wise counsel and sound judgment were sought after by his associates, and his advice was freely followed."

Of Mr. BRADY as governor he said: "The State never had a more devoted executive. In the prime of life, a tireless worker, with a single purpose in view, to serve the people rightly as he saw the right, and with courage to act with fairness to all, he filled the high office with credit to himself and honor to his party. His administration will go down in the history of the State as one of the cleanest so far recorded."

A GOOD LOSER, TOO.

Of Gov. BRADY'S defeat by James H. Hawley for governor, Mr. Fritchman said: "Gov. BRADY never showed to better advantage than he did on the occasion of this defeat. He had never known defeat before. It was a bitter defeat, but he was the best loser I ever knew. He came up smiling, and as soon as the result of the election was known he congratulated Mr. Hawley as the victor and from the bottom of his heart wished him well."

As Senator: "JAMES H. BRADY was a big Senator. He was always on duty and participated in all the big questions which came before the Senate for consideration. As a department man Idaho never had his equal. Quick to grasp a business situation, he could be trusted to look after any matter of business in any of the departments at Washington, and no citizen was too humble to enlist his services.

"His loyalty to the State and Nation has never been questioned. While extremely partisan, he was first an American. The Senator had stood squarely with the administration in all the war measures, and not a single incident can be pointed out in which he has refused to uphold the hands of the President."

BRADY AS A BUSINESS MAN.

Mr. Ensign characterized Senator BRADY as "an empire builder."

"In considering the influence of JAMES H. BRADY in business," he said, "we must recognize his dynamic energy and tireless activity. Van Dyke has said, 'Genius is energy quite as much as insight.'

"As a business man Senator BRADY was one of those rare men with a vision—a vision of the unlimited possibilities of this wonderful Snake River Valley. Where others merely saw a desolate waste, his vision showed fields green with alfalfa and golden with waving grain, with herds of cattle and many homes of prosperous ranchers.

"With characteristic industry and unflagging zeal he made his business the building of an empire. His influence will last for all time in the irrigated sections, from Ashton to Mountain Home."

The speaker applied to Senator BRADY the words of Theodore Roosevelt: "Save only the preservation of the Union itself, no other task has been so important as the conquest and settlement of the West."

HIS RELIGIOUS NATURE.

Senator Freehafer cited numerous traits of Senator BRADY'S character to show that he had "the Christ spirit." He mentioned first the impression he had received from going out with Mr. BRADY into the Idaho hills and valleys and seeing how he delighted in being close to nature, and, as it seemed, seeing God in it.

"He seemed to see the nearness of the Creator in the things that were created. I noted in him a buoyant spirit, a big humanity, and a big heart.

"He loved social life and was not frozen by the dignity of high position.

"He was a lover of humanity and had a broad interest in life, which to me was evidence that he had the Christ spirit.

LOYAL TO PRINCIPLE.

"He was consistent and loyal to principle. He was in the midst of the fight between the 'wets' and the 'drys' in this State and allied himself with the 'drys' early in the contest, before that side was very popular. That he was consistent in this to the time of his death is shown by a letter which he wrote to the Congregational Brotherhood in Boise last June:

"'I thank you for your telegram with reference to the prohibition provision of the food bill. I have supported every bone-dry prohibition amendment that has come before the Senate since I have been a Member of that body, and the day before receiving your telegram I had fought in the Committee on Agriculture for six hours to retain the House amendment, and it so happened that my vote decided the question of retaining the House provision in the Senate bill, after it had been eliminated by the subcommittee, and I am hopeful that we will be successful in our fight for prohibition on the floor of the Senate.'"

Mr. Freehafer mentioned Senator BRADY'S work toward establishing a Congregational Church in the vicinity of his Washington mansion and spoke of such incidents as his care for a lonely boy who had been sent to the Naval Academy at Annapolis.

ENCOURAGED EVERY REFORM.

As governor, said the speaker, Mr. BRADY encouraged every reform.

"There was no question of his loyalty to the Government in the war. He was no coward, and he met his Maker face to face at his post of duty."

The Rev. J. E. Ingham, moderator of the Congregational conference of southern Idaho, read the Scripture at the services, and there were selections by the church quartet and a solo by Miss La Moyne Mayfield.

Members of the National Council of Women Voters, of which Senator BRADY was one of the sponsors, attended by special invitation.

[From the Pocatello Tribune.]

TRIBUTE IS PAID TO MEMORY OF BRADY—MEMORIAL SERVICES WERE HELD YESTERDAY AFTERNOON AND OLD-TIME FRIENDS GAVE LAST FOND TESTIMONIAL TO MAN WHOSE ACTIVITIES AND ENTERPRISE WERE ITEMS OF SUCH FORCE TO IDAHO AND HIS HOME CITY.

One of the most beautiful and most impressive memorial services ever held in the city was held yesterday afternoon at the Princess theater in honor to the memory of the late United States Senator JAMES H. BRADY. Throughout the afternoon personal friends of long standing listened to the eloquent words of those who knew the Senator's many fine qualities and appreciated his constructive genius so well, and the theater was packed to the limit with the associates and friends of years.

The Masonic bodies turned out in large force, and good-sized delegations were present from the Elk and Eagle lodges, while citizens at large struggled for standing room.

The meeting was presided over by A. C. Hinckley, president of the Pocatello Commercial Club, of which the Senator was the first president, and after a feeling, eloquent, and inspirative invocation by Rev. C. H. Cleaves, of the Congregational Church, of which the Senator was long a member, the chairman introduced Senator D. W. Davis, an old friend and for many years business and political associate of Senator BRADY.

THE PERSONAL SIDE.

Senator Davis dwelt at length on the achievements and personal side of Mr. BRADY'S life, from his early-day adversities to his later successes. "He was a great man for Idaho and served not only as citizen in loyal manner but as governor and any other capacity, and always as a loyal man who never quit when defeated." The official life of the deceased was given close and effective résumé, and the great promotive faculty of Senator BRADY was well emphasized by Mr. Davis in reference to the famous "Governor's special" train several years ago, and brought out the point that the Senator's indomitable will and action always brought the best results to the people. In connection with that incident he told a railroad head, "You provide the train and I'll provide the governors." It meant a world of benefit to the West.

The Senator's long activities in behalf of the State and his home city were given extended reference by Senator Davis, who emphasized the tenacity and firm purpose with which Mr. BRADY always undertook a task by citing the remark of a public official at Washington: "When BRADY wants anything from a department, the way to get rid of him is to give it to him."

"Just a year ago to-day," said Mr. Davis, "I heard his maiden speech. The Senator was then in weakened condition, and he was advised to take a rest, but he cited, 'I would rather die at my post of duty than to quit now,' and he persistently followed his desire to perform the fullest duty possible to the people at large. He was a man who knew no defeat, overcame all obstacles, and made his enterprises successful; and his death may be attributed to the unfailing zeal that actuated him under any and every occasion."

Senator Davis's address was a stirring and interesting tribute.

AN ELOQUENT ADDRESS.

Dr. John Halliwell Dickinson, who has known the Senator but a short time and to admire him for the great undertakings he had in mind, gave one of the most eloquent and eulogistic addresses ever heard in the city. The "Parson's" splendid command of English and his powerful delivery held the audience spellbound, and he dwelt entirely with the constructive genius and splendid character of the big citizen who had

gone. "This is not a time for mourning," he said, "but for rejoicing in that he was the exponent for good. His word was duty, and may it be with us as it was with him." His address was of the exalted type that beautifully cited the virtues of the departed citizen.

W. H. Cleare, for 25 years a close associate of Senator BRADY, spoke feelingly and sincerely of the association he had so long enjoyed. He dwelt at length on the wonderful development of irrigation, power, and other projects of the widespread recognition of the resourcefulness and keen vision of the Senator, and the marked ability he possessed for bringing the practical side out of his vision. "He did not travel in a beaten path," said Mr. Cleare, "but he was a visionist, and he made it substantial. While he was accumulating he was creating. His great commercial enterprises are monuments to his energy and activity. In the Senate the Senator recently said to me: 'I am forgetting that I am a Republican or that the President is a Democrat.' He was willing to pledge all on the altar of patriotism, and he was closely associated with the active men and was a fine friend or a fair man to the other side. Not only was he a patriot, but he lived far beyond himself, and the loss is great."

A FORCEFUL SPEECH.

Hon. J. H. Peterson, former attorney general, and a friend from boyhood of the late Senator, was the last speaker of the day, and his address was teeming with rare epigrams and gems of pointed reference, and Mr. Peterson spoke in a manner that demonstrated his utterances were inspired by the deepest feeling.

He spoke of the great achievements that have been crowded into the 55 years of the Senator's life, of his power, irrigation, and commercial enterprises, his public undertakings and public service, his noted political career, and the vast enterprises he still had in mind.

"He was a record breaker for a little over 15 years," stated Mr. Peterson, "was an indefatigable worker, and of unfailing good nature. He never squealed when he was hurt, and no obstacle was unsurmountable to him. "Fail" was not in his lexicon. He always came up smiling, and he was what I like to refer to as typically American. When war came he forgot his private affairs and gave over his time to the public and the cause, and inspired by righteous valor of patriotism he drove his complaining body through day after day of tremendous toil. He was signally a martyr to the cause of free government.

"Paradoxical as it may seem, when blood is being poured out in rivers on the sodden soil of Europe, yet never was human life of such value. Never before has man been so honored as to die in cause so certainly just, so ambiguously unselfish. One who lays down his life in such a cause shall take it up again. These are the principles for which he gave his life. It is for us to highly resolve that he shall not have died in vain."

Other forceful expressions were brought out by Mr. Peterson:

"It does not so much matter when a man dies or of what. It does matter how he died and for what he lived.

"A man is a success or a failure according as he contributes to the happiness and welfare of others. The selfish man is forgotten before the sound of the clods upon his casket have died away.

"He was a dreamer—the most practical kind of a dreamer. He dreamed great dreams and went about it to see that they came true. He was a prophet—the most wholesome and useful kind of a prophet. He uttered great prophecies and went to work to see that they were fulfilled. He loved the people of Idaho, and his intentions toward them and his desire to serve them were so pure and unselfish as was Cæsar's will. He was a martyr to the cause of free government just as much as is the heroic soldier who is killed going over the top."

A DAY OF FRIENDS.

Through the exercises it was apparent that the event was not fused with other cause save to pay tribute to a departed and loved citizen, and all people participated.

The musical end of the program was exceptionally enjoyable. The orchestral numbers were given by Reed's orchestra and were exceedingly appropriate. The vocal solo by Mrs. H. B. Thompson was one of the most effective numbers ever given in the city on similar occasion. She sang in beautiful voice, and the selection was admirably suited to her clear and ringing soprano. She was accompanied by Miss Helen Barnard.

The vocal solo by Ed Schaeffer was an equally pleasing selection, and his tenor was decidedly effective in the choice of composition he gave. He was accompanied by Miss Dorothy Hull.

The stage was attractively arranged in American flags, in the center of which was the draped photo of the late Senator. The decorations were placed under the supervision of George L. Thompson, of the Princess Theater staff, and the use of the theater was patriotically donated to the cause by Messrs. Archibald and Carrothers.

Arrangements for the exercises were in charge of a commercial club committee composed of P. C. O'Malley, chairman, A. C. Hinckley, and Charles G. Sumner.

RESOLUTION OFFERED.

The event closed with the audience standing while the "Star-Spangled Banner" was played, and previous to this time a resolution of condolence was offered by Attorney Jesse R. S. Budge and unanimously adopted, and is given below:

Mrs. JAMES H. BRADY,
Thirty-fifth and Woodley Road, Washington, D. C.:

The people of Pocatello, assembled in memorial service, desire to express to you their respect for your honored companion, who has departed this life; to say to you in all sincerity how we deplore his loss, how we appreciate his service to his State and country, and how we honor his memory for his good works and splendid patriotism. His fellow citizens desire also to convey to you their heartfelt sympathy and to ask God's blessing upon you.

A. C. HINCKLEY,
Chairman of the Meeting.

Among the many messages of condolence received by Mrs. Brady were the following:

THE WHITE HOUSE,
Washington, January 14, 1918.

Mrs. JAMES H. BRADY,
Thirty-fifth and Woodley Road, Washington, D. C.

MY DEAR MRS. BRADY: May I not express to you my sincere sympathy? Our hearts go out to you in your great loss, and I hope that you may have comfort from the only Source from which it can come.

Cordially and sincerely, yours,

(Signed) WOODROW WILSON.

THE VICE PRESIDENT'S CHAMBER,
Washington, January 14, 1918.

MY DEAR MRS. BRADY: There is nothing one can say to you now which will help in the least. Mrs. Marshall and I had so great a regard for the Senator that we can understand something of your loss and can sympathize genuinely with you.

Sorrowfully, yours,

(Signed) THOS. R. MARSHALL.

[Telegram from the governor of Idaho.]

BOISE, IDAHO, *January 15, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.:

State of Idaho sends words of condolence in your bereavement in the loss of your life partner. Idaho feels with you in the passing of the illustrious statesman, governor, Senator, first citizen of Idaho. Idaho asks permission to take charge of his remains. Bring them back to the State he so loved and honored by his citizenship and public service, that they may lay in state in the Capitol at Boise and his people have the privilege of taking a last farewell look upon the man who did so much for Idaho.

M. ALEXANDER, *Governor.*

[Telegram from State Defense Council.]

BOISE, IDAHO, *January 15, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.:

The Idaho State Defense Council, now in session at Boise, by unanimous resolution express to you their sincere sympathy in this dark hour of bereavement in the loss of your husband, who has done so much for the development and uplift of the great State of Idaho. May God comfort your heart. Full resolution of council follows by mail.

JOSEPH HANSEN,
Secretary State Defense Council.

[Telegram from Council of Women Voters.]

BOISE, IDAHO, *January 14, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.:

The Boise chapter of the National Council of Women Voters desire to express their sympathy, deploring the untimely death of Senator BRADY, and at the same time express their realization that in his passing women and their cause have lost one of their best and most dependable friends.

MARY C. JOY, *Secretary.*

[Telegram.]

POCATELLO, IDAHO, *January 15, 1918.*

Mrs. JAMES H. BRADY,
Thirty-fifth Street and Woodley Road, Washington, D. C.:

With the sentiment that comes from association and friendship of long standing, and appreciating the great worth as a citizen, substantial purpose as a community factor, and thorough effort and full Americanism of Senator BRADY, and his forceful, staunch, and unswerving loyalty to any cause he espoused, communal or otherwise, we realize with you a loss that is irreparable alike to yourself, the State and his home city, his friends and companions, and we convey to you an expression of grief that is mutual.

Pocatello Commercial Club, by A. C. Hickley, president; city of Pocatello, A. B. Bean, mayor; W. H. Cleare; Chas. G. Sumner; D. W. Church; P. C. O'Malley; R. S. Tschudy; Theo. Turner; citizens' committee; and the community.

[Telegram.]

POCATELLO, IDAHO, *January 20, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.:

The people of Pocatello, assembled in memorial service, desire to express to you their respect for your honored companion who has departed this life, to say to you in all sincerity how we deplore his loss, how we appreciate his service to his State and country, and how we honor his memory for his good works and splendid patriotism. His fellow citizens desire also to convey to you their heartfelt sympathy and to ask God's blessing upon you.

A. C. HINCKLEY,
Chairman of the Meeting.

[Telegram from the Congregational Church.]

POCATELLO, IDAHO, *January 14, 1918.*

Mrs. J. H. BRADY,
Woodley Road, Washington, D. C.:

The members and friends of the First Congregational Church hereby desire to express their sincere sympathy in your bereavement.

FIRST CONGREGATIONAL CHURCH.

[Telegram from Benevolent and Protective Order of Elks.]

POCATELLO, IDAHO, *January 16, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.:

The Benevolent and Protective Order of Elks of Pocatello use this means of expressing to you their tenderest sympathy in your hour of deepest grief. We feel the uselessness of words to gild that sorrow upon the tenderest heart. The deepest shadows fall upon this day. Our hearts blossom in gratitude as we lovingly remember him upon whose brow death has placed the laurel wreath of fame. In your loss we attach a tender significance that is only felt and understood by those whose hearts have been touched by the mystic cord that binds all Elks in one great brotherhood.

POCATELLO LODGE, NO. 674, B. P. O. E.

[Telegram from county commissioners.]

MOUNTAIN HOME, IDAHO, *January 14, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.:

The people of Elmore County deeply sympathize with you in the loss of your illustrious husband. He came to us as a friend when we sorely

needed a friend, and gave us freely of his great ability and of his means. No section of Idaho feels more keenly or regrets more sincerely his loss.

BOARD OF COUNTY COMMISSIONERS,
ELMORE COUNTY, IDAHO.
GEO. A. BUTTER, *Chairman.*

[Telegram from Pocatello Aerie, Fraternal Order of Eagles.]

POCATELLO, IDAHO, *January 14, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.:

There is great sorrow in the hearts of the officers and members of Pocatello Aerie, No. 119, to-day. The Allwise Father has seen fit to separate us for the time being from our dearly beloved and highly esteemed Senator and brother, JAMES H. BRADY. May God in His infinite wisdom and mercy comfort you in this your hour of greatest grief. Every officer and member of Pocatello Aerie, No. 119, Fraternal Order of Eagles, is at your service.

J. A. HOGGAN.

[Telegram from Idaho State Grange.]

RUPERT, IDAHO, *January 15, 1918.*

Hon. WILLIAM E. BORAH,
Washington, D. C.:

The State Grange of Idaho in annual session desire that you express to the family of the late Senator BRADY sincere appreciation of his firm stand on the right side of every question wherein the betterment of the American farmer was involved. Every Idaho home joins in sorrow because of his demise and in praise of his excellent work for his country and State.

W. W. DEAL,
Master Idaho State Grange.

PROCLAMATION OF THE GOVERNOR OF IDAHO.

Whereas in the wisdom of Divine Providence, there has been taken from amongst the people of the State of Idaho the illustrious citizen, former governor, and United States Senator, Hon. JAMES H. BRADY, and in whose death the State has suffered an irreparable loss and the people are bowed in grief and submission to that decree from which there is no appeal; and,

Whereas all that is mortal of that man, JAMES H. BRADY, will be laid at rest on Wednesday afternoon, January 16, 1918, at 3 o'clock, at the city of Washington; and in order that the people of the State of Idaho may have the opportunity to pay tribute to the memory of the man who has so highly served the State:

Now, therefore, I, Moses Alexander, governor of the State of Idaho, do hereby ask that all flags upon all buildings throughout the State be floated at half mast and that the people gather in their places of worship to join with his family and the Nation to pay tribute to his memory and by such other suitable tributes as are in keeping with the feelings of the citizenship of our State and the memory of the departed one who has done so much for Idaho and whom the people honored so highly, our dear departed friend and citizen, Hon. JAMES H. BRADY.

M. ALEXANDER, *Governor of Idaho.*

Attest:

W. T. DOUGHERTY, *Secretary of State.*

[State of Idaho, State board of land commissioners, office of the register, Boise, Idaho.]

Whereas the divine power which dominates and rules over the destinies of mankind has seen fit to remove from the living the Hon. JAMES H. BRADY, United States Senator from the State of Idaho; and

Whereas during his lifetime he was governor of the State of Idaho and president of this board of State land commissioners; and

Whereas this board is deeply sensitive of and does greatly appreciate his life and example, his many acts of kindness, and the great concern which he exercised in the interest and the welfare of the State of Idaho and of the United States of America during his term as Senator: Be it

Resolved, That this board extend its heartfelt sympathy to the bereaved widow and members of his family, and express to them the appreciation of his efforts and accomplishments while a member of this board; and be it further

Resolved, That a copy of these resolutions be spread in full upon the minutes of this board, a copy be delivered to the press, and a copy transmitted to the widow of the deceased.

ETHEL E. REDFIELD, *Chairman,*
T. A. WALTERS,
Committee.

[Report of committee of resolutions of State defense council upon the death of United States Senator JAMES H. BRADY.]

BOISE, IDAHO, *January 16, 1918.*

We, your committee appointed to draw up resolutions upon the death of United States Senator JAMES H. BRADY, beg leave respectfully to submit the following resolutions for your approval:

Whereas the recent death of JAMES HENRY BRADY has deprived the State of Idaho of the counsels of a man who served wisely and well both as its chief executive and as its representative in the Nation's highest legislative body: Be it

Resolved, That the State defense council expresses its sense of the loss of a clear-headed pioneer in the development of the State's resources, of a strong business man, of a wise statesman, and, above all, of an intelligent and progressive man. Be it further

Resolved, That the State defense council hereby expresses its appreciation of the debt which Idaho owes to JAMES HENRY BRADY for the great part which he played in its rapid development, for the high standing in the councils of the Nation which he helped to give it.

Resolved, That the State Defense Council express to the bereaved wife and to the other members of the immediate family of the deceased its sincere sympathy, which the secretary of the council is requested to present in the proper manner, accompanied by a copy of these resolutions.

Respectfully submitted.

F. R. GOODING, *Chairman,*
J. F. AILSHIE,
R. M. DAVIDSON,
E. L. PARKER,
G. A. AXLINE,
Committee.

[Resolutions of the City Council of Pocatello.]

Whereas the will of things eternal has ruled the dissolution of a citizen, friend, and colaborer, whose sterling effort not only was vital to every element of communal welfare, but whose association and congenial being gave the inspiration of gladness and optimism, and carried the gentle influence that the sweet song of existence breathed for those who voiced the effort and made the living worth the while; and

Whereas the mystic power that sways the destiny of time and eternity has closed the eyes and quieted the soul, has stilled the voice and subdued the pulse of a loved companion, a loyal citizen, a patriotic resident, United States Senator JAMES H. BRADY; and

Whereas, duly cognizant that Pocatello has been visited with a loss that the way of time would decree as irreparable, and appreciating all that it has meant to travel the same road, to go hand in hand, in calm and storm, and to awaken to the realization that the chain has been broken: Be it therefore

Resolved, That all the flowers of gratitude accorded to one whose qualities have been for the upbuilding of his fellows are not the sole tribute we pay to the memory of him whose genius and worth have created for a greater cause that we might better appreciate those making existence worth the effort, and bask in the effulgent rays of progress, development, and advancement that have evolved from far-seeing purposes, clear vision, and substantial foundation, and resultant from which is great community extension, civic pride, commercial growth, prosperity, and the expansive idea for amplification of power; and further

Resolved, The influence of our beloved fellow citizen, within and without the State, was of that high type and character, of that forcefulness and utility that not only lived while he breathed but is enshrined in the cosmic being of the community after the mantle of darkness has closed over its author, and that we are to recall that his days of adversity and his era of prosperity were fused to the common end of betterment in the simple light of citizenship deserving of emulation; and further

Resolved, In the absence of a loyal friend, an upright citizen, a factor of worth, a stalwart servant of the people, a fearless champion of right and justice, a loyalist and a patriot in the Halls of Congress, that we can but attach to his ashes mute fealty and appreciation due to worthy ideas well conceived and faithfully wrought, strong purpose gently advanced and brought to the full temper of tried and trusted steel; and further

Resolved, That this pledge of faith in his works be sent to his widow, and that a copy be placed upon the records of this body.

CITY OF POCATELLO,
By A. B. BEAN, *Mayor.*
[SEAL.] A. R. DAWSON,
City Clerk.

[Resolutions of the Benevolent and Protective Order of Elks, Pocatello.]

Whereas an inscrutable Providence has removed from the sphere of earthly activities our distinguished brother and friend, JAMES H. BRADY; and

Whereas the life of our departed brother exemplified in a striking degree those high principles of charity, justice, brotherly love, and fidelity, for which our order stands; and

Whereas by the adoption of these principles and virtues and by his constant desire and willingness to assist those in need or distress, he gained great esteem in the hearts of his fellow men and high place in the council of his State and Nation; and

Whereas our departed brother was thus tried and demonstrated to be, above all else, a lover of his country; and

Whereas his inordinate devotion to the exacting duties of his high office at the time of his country's great need hastened his departure from us; and

Whereas in his departure the State and Nation have lost a wise and far-seeing statesman and a son whose heart beat ever loyal and true: Now, therefore, be it

Resolved by the Benevolent and Protective Order of Elks of Pocatello, Idaho, in lodge assembled, In order that the sorrow we feel at the loss of our distinguished brother and the esteem in which we hold him may be made known to brothers who, in their turn, shall come and take our places, and in order that the virtues of our brother may be permanently engraved, so far as we may accomplish this, that a copy of these resolutions be spread upon the minutes of this order; be it further

Resolved, That a copy thereof be communicated to the family of deceased.

J. H. PETERSON,
M. F. CLEADE,
WM. WALLIN,
Committee Appointed by Exalted Ruler.

[Resolutions in memory of United States Senator JAMES H. BRADY, member of Portneuf Lodge, No. 18, A. F. & A. M., Pocatello, Idaho, who was called from labor at Washington, D. C., Jan. 13, 1918.]

Whereas the Great Architect of the Universe has decreed to call from his earthly labor and activity our fellow craftsman, United States Senator from Idaho, Brother JAMES H. BRADY; and

Whereas in the untimely death of Brother JAMES H. BRADY this order has sustained a loss of one of its most distinguished members, a master builder, whose daily life, endeavor, and service exemplified in the highest degree the principles and teachings of our order; and

Whereas our city, State, and Nation has in the death of Brother JAMES H. BRADY been deprived of his wise counsel, unselfish service, and patriotic leadership at a time of need and in the hour of national crisis: Be it hereby

Resolved, That Portneuf Lodge, No. 18, A. F. & A. M., hereby acknowledges its great loss and the sincere grief of its members, so many of whom were closely associated with and so well and dearly loved the clean, upright, energetic character of the departed;

Resolved, That this lodge and order is richer for having had the benefit of his advice at its meetings and the pleasure of his association at its gatherings in the early days of the lodge, when the reciprocal communion meant so much to both, and that the lodge has been honored by having retained the membership of our illustrious departed brother until the end of his day;

Resolved, That we as a lodge, and every individual member thereof, fully appreciate the great work our brother accomplished for the city and State which he helped so much to develop and honor; that we feel a pride in the record of our chosen representative in the Capital of the Nation, his patriotic devotion and support of the President, and of every

measure for the prosecution of our righteous war for liberty, for the establishment of final and permanent peace, freedom of conscience, materially and spiritually, for the pursuit of happiness of all people and nations, for true democracy of which our beloved order is the great exponent and which enters so largely into its teachings and principles;

Resolved, That we deeply and sincerely sympathize with Mrs. Brady and with the close of kin and kindred of our departed brother, that they may be assured that we share with them the loss as keenly as though we had suffered the loss of one of our own household, that we commend to them the kind care, love, and protection of our members whithersoever dispersed, that we commend to them the consoling thought and admonition, "The will of God is accomplished. So mote it be. Amen"; and be it

Resolved, By the adoption of these resolutions that a copy be forwarded to Mrs. Brady, a copy spread upon our minutes as a permanent record, and that our lodge shall be draped in mourning in honor of the memory of our distinguished departed brother.

Sincerely and fraternally submitted.

WM. WALLIN,
M. F. CLEADE,
D. W. CHURCH,
Committee.

[Record of proceedings of Boise Lodge No. 77, Boise, Idaho, Jan. 22, 1918, in the memory of Brother JAMES H. BRADY, deceased.]

To BOISE LODGE 377, I. O. O. F.

BROTHERS: In approaching the performance of the duty assigned to us we are profoundly impressed with the fact that the loss of our brother, JAMES H. BRADY, is not only an affliction to our fraternity but a distinct loss to this Nation, where in its highest councils during the crisis through which the world is passing he has stood as one of the strongest supporters of the administration of our Government in its fight for the world-wide rights of man and for the people of all nations to have a political liberty and a voice in their own government. Not alone shall we miss him but he will be missed in the councils of the Nation, where meet its great sons to determine and work out the measures which will finally protect the rights of men. In the lofty and patriotic stand which he has taken in the United States Senate he has endeared himself to the people of this Nation. However much we may revere his memory and the value of his services we can not change conditions and must bow to the inevitable. Therefore be it

Resolved, That with an abiding faith in the grandeur of an enduring brotherhood and believing that our sorrow and loss has been chastened and sanctified by his splendid record, be it

Resolved, That Boise Lodge No. 77, Independent Order of Odd Fellows, bears grateful testimony to the memory of our departed brother, that we fully appreciate and commend his good deeds and his faithful life and service as worthy of our emulation. Be it further

Resolved, That a copy of these resolutions be sent to the bereaved widow of our departed brother, and that a copy be spread upon the minutes of this lodge, and our charter of the lodge be draped in mourning for a period of 30 days.

Fraternally submitted.

[SEAL.]

F. B. KINYON,
W. R. REEVES,
JARAD DOOLITTLE,
Committee.

Attest:

SAM BLAINE, *Recording Secretary.*

[Resolutions by Adah Chapter, Order of the Eastern Star, No. 8, on the death of Hon. JAMES H. BRADY.]

Whereas it has pleased the Almighty Father, the Grand Patron of the celestial chapter, Who is all powerful and all merciful, to take from our midst our illustrious member, Brother JAMES H. BRADY, United States Senator from Idaho, and

Whereas our State and this chapter have sustained a great loss in the passing of Brother BRADY, who has been so signally honored by his people by electing him governor and United States Senator, the highest offices in the gift of the State: Therefore be it

Resolved, That we express our sorrow at his passing hence and extend to his family our heartfelt sympathy in their hour of grief and desolation; and be it further

Resolved, That these resolutions be set out upon our chapter records and that a copy be furnished to his wife.

And we thus express our appreciation of the membership of this distinguished citizen and recall his many good deeds as a man and an official.

Fraternally submitted

[SEAL.]

ANNIE B. LEWISBERGER,
EMMA M. PAGE,
J. M. ROBINSON,
Committee.

Attest, February 6, 1918:

MINNIE A. HALL, *Secretary.*

[Oregon Short Line Railroad Young Men's Christian Association.]

POCATELLO, IDAHO, *January 21, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.

MY DEAR MRS. BRADY: Inclosed is the following resolution passed by the Carpenters' Union a few nights ago:

"Local Union No. 1258 of Carpenters of Pocatello, Idaho, pass resolutions of sympathy and appreciation. We much regret the loss of our late deceased Senator, JAMES H. BRADY—our friend, Idaho's friend, America's friend, and every laborer's friend. His life was a life of force and energy, building up a character that has set in motion an influence for a higher and better life that will never rest as now rests his own strong body.

L. F. HOLMES,
PAUL SELF,
A. W. FERGUSON,
Committee.

WOODMEN OF THE WORLD,
FREE SILVER CAMP, No. 168,
POCATELLO, *January 29, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.

DEAR MADAM: Free Silver Camp, No. 168, Woodmen of the World, of Pocatello, Idaho, adopted the following resolution upon the death of our esteemed neighbor and Senator, JAMES H. BRADY:

"*To the officers and members of Free Silver Camp, No. 168, Woodmen of the World:*

"We, your committee, appointed to draft resolutions of condolence on the death of our beloved neighbor and Senator, JAMES H. BRADY, beg to submit the following:

"Whereas the Supreme Ruler of the Universe, in His infinite wisdom, has seen fit to call from our midst our beloved neighbor and Senator, JAMES H. BRADY: Therefore be it

"*Resolved*, That Free Silver Camp, No. 168, Woodmen of the World, extend to the bereaved widow our deepest sympathy and profound condolence, trusting that the Divine One will cheer and sustain her in this her hour of bereavement and sadness; and be it further

"*Resolved*, That a copy of these resolutions be sent to the widow, and that they also be spread upon the minutes of the camp."

WM. A. MCHAN,
WM. A. YOUNG,
THOMAS HALL,
JAMES H. NORRIS,
Committee.

Respectfully, yours,

FREE SILVER CAMP, No. 168,
WOODMEN OF THE WORLD.
By WILLIAM A. YOUNG, *Clerk.*

[Capitol Rebecca Lodge, No. 47, I. O. O. F., Boise.]

Whereas death has once more come into our ranks and removed in the person of United States Senator JAMES H. BRADY one of the foremost citizens of the State and Nation, and one who during his residence in our midst was very much interested in our activities:

Resolved, That we, the members of Capitol Rebecca Lodge, in meeting here assembled, hereby extend to the family of our deceased brother our most sincere sympathy in this the hour of their affliction, and trust they may be consoled by the thought that the great work and achievements of our departed brother did so much in the upbuilding of our beloved State of Idaho; be it further

Resolved, That a copy of these resolutions be made a part of our official records, that a copy be sent the sorrowing family, and that our charter be draped in mourning for a period of 30 days.

OLIVE JEFFRIES,
AUGUST JOHNSON,
E. S. JEFFRIES,
Committee Capitol Rebecca Lodge, No. 47, I. O. O. F.

Dated at Boise February 6, 1918.

THE VANGUARD,
THE NATIONAL COUNCIL OF WOMEN VOTERS,
Tacoma, Wash., January 16, 1918.

Mrs. JAMES H. BRADY.

DEAR MADAM: I have been directed to send you the following: On January 15, 1918, resolutions were passed by the executive board of the National Council of Women Voters, in Tacoma assembled, expressing deep regret that death had called Senator JAMES H. BRADY from this world to a wider sphere of usefulness.

Recalling with gratitude the fact that this association owes its organization to Senator BRADY, it is with a profound sense of personal loss that the council begs to tender its sincere sympathy to Mrs. Brady.

EDITH THOMAS FRANSIOLI,
Secretary pro tempore.

[From the African Methodist Episcopal Church.]

The following resolution was passed by the members of the African Methodist Episcopal Church:

To the bereaved wife, relatives, and friends of the late United States Senator JAMES H. BRADY, of the State of Idaho, and resident of the city of Pocatello:

We, the colored citizens of this city, regret very much to lose such a dear friend in the person of Senator BRADY, who while living proved himself a gentleman and friend to all humanity regardless to race and color, therefore the entire colored population of the city of Pocatello, at the African Methodist Episcopal Church, 336 North Third Avenue, unanimously adopted the following resolutions:

Whereas Almighty God, in His wise providence, has taken from our midst and from the Congress of the United States the soul of our beloved Senator, friend, and neighbor; and

Whereas we feel with deep regret the loss of such noble character: Therefore be it

Resolved, That we, the colored citizens of Pocatello, at the hour of 8.30 o'clock, Sunday evening, January 20, while assembled for services, show our regret of the shocking and sad loss to us, and at the same time our submission to God's will by rising and softly chanting "Nearer my God to Thee"; and be it further

Resolved, That a copy of these resolutions be given to the Pocatello Tribune for publication and a copy sent to Mrs. James H. Brady on behalf of the colored citizens of this city.

Signed in behalf of said citizens by

Rev. J. A. DUNCAN,
Pastor African Methodist Episcopal Church,
336 North Third Avenue, Pocatello, Idaho.

Resolution.

Whereas on January 13, 1918, death claimed the life of Hon. JAMES H. BRADY, United States Senator from Idaho; and

Whereas in the parting from life of this distinguished citizen the Nation has lost a patriotic servant and the Commonwealth of Idaho and the West a loyal, able friend; and

Whereas through the death of Hon. JAMES H. BRADY Lewiston and this immediate section keenly feels this loss, because of his close association with the deceased, whose every effort was at all times available to the people of this community in their public work: Therefore be it

Resolved by the Lewiston Commercial Club, That this organization joins with the people of the State in mourning the passing of JAMES H. BRADY; and be it further

Resolved, That a copy of this resolution be transcribed on the permanent records of the Commercial Club and that the original be sent to widow of the deceased.

Adopted by the Lewiston Commercial Club January 22, 1918.

P. R. BEVIS,
President Lewiston Commercial Club.
JESSIE ADAM,
Secretary.

To Mrs. JAMES H. BRADY:

A solemn occasion reminds us that Idaho has suffered the loss of her foremost citizen and the Nation a genuine statesman at a time when dependable men, in high places, are needed.

In obedience to the Divine will JAMES H. BRADY has been removed from earth and its associations, but though he be dead, shall he not live again?

His voice has been stilled, his activities have ceased; yet in everything that means the upbuilding of the State he so much loved, in everything that calls for unselfish, patriotic devotion to the principles of true Americanism, we may well imagine that he still lives; that he still counsels us to forget everything, and to live only for the purpose of furthering the cause of a world-wide humanity.

He died at his post of duty amid conditions that try men's souls and that put to the utmost test every fiber of our national life.

Silent is our departed friend and brother now, but could his voice be heard again for each of us he would utter this solemn exhortation:

"So live, that when thy summons comes to join
That innumerable caravan that moves
To that mysterious realm, where each must take
His chamber in the silent halls of death,
Thou go, not like the quarry slave at night,
Scourged to the dungeon; but sustained and soothed
By an unfaltering trust; approach the grave
Like one who wraps the drapery of his couch
About him, and lies down to pleasant dreams."

MOSCOW CHAMBER OF COMMERCE,
By W. F. MORGAREIDGE,
F. F. PARSONS,
A. H. OVERSMITH,
Committee.

—

[Resolution adopted by the joint conference of Agricultural, Live Stock, Irrigation, and Engineering Societies of Idaho, in convention assembled at Idaho Falls, Jan. 14 to 19.]

Resolved, That in the passing of Senator BRADY the people of Idaho have lost the aid and advice of one of the pioneers of the irrigated section of the State. We take this occasion to express our appreciation of his great service to this State in the development and upbuilding of the Snake River Valley.

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[Resolutions Idaho Council of Women Voters.]

Whereas all that was mortal of our friend JAMES H. BRADY has been removed from our view, while the immortal part of him has been transferred to a sphere of unrestricted activity and enlarged usefulness: Therefore be it

Resolved by the National Council of Women Voters in Idaho, in regular meeting assembled, That in the passing over of JAMES H. BRADY, former governor of Idaho and late Senator from Idaho to the Congress of the United States, Idaho has been deprived of the services of a useful, able, and energetic public servant and the country of a devoted and intensely loyal citizen. The National Council of Women Voters of Idaho will ever hold in grateful remembrance Senator BRADY'S generous and liberal aid, while governor of the State, to the national organization of women voters, since, as governor, he officially invited the governors of the suffrage States to each send a representative woman to a meeting held at Tacoma on January 14, 1911, then and there to effect the national organization of women voters. Gov. BRADY himself journeyed to Tacoma and presided at the various sessions, and by his presence, business advice, and financial assistance helped launch and speed on an even keel the national craft on its initial voyage of helpfulness to the cause of the equality of women before the law. Be it further

Resolved, That a copy of these resolutions be transcribed upon the minutes of the Boise Chapter, Council of Women Voters, and a copy thereof sent to Mrs. James H. Brady, together with the assurance of our profound sympathy in her bereavement and loss.

—

[From the Tacoma (Wash.) Tribune.]

SENATOR BRADY FRIEND OF SUFFRAGE HERE—EMMA SMITH-DE VOE RECALLS EFFORTS OF IDAHO STATESMAN.

In the death of Senator JAMES H. BRADY, of Idaho, the National Council of Women Voters loses the western statesman who was chiefly responsible for its formation and who was one of the staunchest friends of suffrage in the West. Mrs. Emma Smith-De Voe, of Tacoma, intimate friend of Senator and Mrs. BRADY, Tuesday recalled some of the circumstances attending the stirring scenes when the State of Washington adopted woman suffrage in 1910. Senator, then Gov. BRADY, of Idaho, has been her chief adviser during that memorable fight.

After the victory Mrs. De Voe went to Boise, Idaho, for one more conference in the governor's mansion. There before the blazing logs in his wide fireplace they held council. When it was over Gov. BRADY issued this call to the governors of the other four suffrage States:

"Whereas on November 8, 1910, the electors of the State of Washington voted a constitutional amendment giving the women of that State the right of suffrage, making five States west of the Missouri River that have placed this God-given right in their hands;

"I, JAMES H. BRADY, governor of the State of Idaho and chairman of the advisory board of Washington campaign committee of said State, believe that the time has arrived when the enfranchised women of the West should extend a helping hand to their sisters in the eastern and other States in securing the ballot, and I hereby call a convention, to be held in the city of Tacoma, Wash., on January the 14th, 1911, for the purpose of organizing an association of national scope of the women voters of America, and I hereby appoint Margaret S. Roberts, of Boise, Idaho, as delegate to said convention, with full power to act on all matters coming before the same, and I respectfully request the governors of all the States where women have the right of suffrage to appoint one delegate to said convention, with authority to organize a national association."

There was prompt concurrence by all the governors, each of whom named and duly authorized a woman commissioner for this important meeting. Gov. Brooks, of Wyoming, named Mrs. Zell Hart Deming, of Cheyenne; Gov. Shafroth, of Colorado, named Mrs. Mary C. C. Bradford, of Denver; Gov. Spry, of Utah, named Mrs. Susa Young Gates, of Salt Lake City; and Gov. Hay, of Washington, named Mrs. Virginia Wilson Mason, of Tacoma.

These commissioners met on the morning of January 14, 1911, Gov. BRADY himself calling them to order and stating the object of the meeting. The scene was laid in the large colonial home of Mr. and Mrs. John Q. Mason, in Tacoma, and there was organized the National Council of Women Voters.

The first officers elected were: President, Mrs. Emma Smith-De Voe, Tacoma; vice president at large, Mrs. Harriet G. R. Wright, Denver, Colo.; corresponding secretary, Mrs. Bertha Knatvold Kittilsen, Tacoma; recording secretary, Mrs. Leona Cartee, Boise, Idaho; treasurer, Dr. Cora Smith King, Seattle, Wash.; auditor, Mrs. C. H. McMahon, Salt Lake City, Utah.

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EDITORIAL COMMENTS.

[From the Idaho Statesman, Boise.]

When a summary is made of the career of JAMES H. BRADY, the United States Senator over whose death the people of Idaho mourn today, those who knew him personally will be apt to give precedence to his personality, rather than to the record which he made as a highly successful business man or to the political record which kept him prominently before the public. It will be the kindly, generous, and sympathetic side of the man, whose charity was unstinted and who was always willing to help, which will be emphasized by his friends and associates, and even by those who knew him only slightly.

Many sections of southern Idaho are to-day enjoying a prosperity and a development which are directly attributable to Senator BRADY'S business sagacity. His great successes in large ventures were made on projects which benefited the people of the State as well as himself, and any one of several of his projects would be monument enough for an ordinary man.

Whatever Senator BRADY put his hand to he directed with an earnestness and a continual pressure that brought results. This is as true of his political activities as it is of his personal business affairs. While he was governor of Idaho he was a man who pushed things along—got things done, and when he was advanced to the larger sphere of usefulness in Washington this same spirit was manifest. Thousands of his constituents can testify to his earnest services in departmental matters at the National Capital. He accomplished things and was preeminently a builder, and always he had a sincere love for Idaho and a genuine concern for the welfare of the State.

When the Nation became involved in the great war Senator BRADY immediately aligned himself as a whole-hearted supporter of the administration. Victory over Germany and the future safety of his country—those were the things to which he gave unstintedly of time and labor and thought.

No one knew better than Mr. BRADY himself the personal danger to his health which his hard work on the Military Affairs Committee of the Senate entailed. His physicians warned him that overexertion would inevitably shorten his life, and many of his friends urged upon him the advisability of a moderate slowing down of his many activities. To these pleas Senator BRADY replied that his own life was a matter of minor importance and that he must give to his country without stint the best work of which he was capable.

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[From the Boise Evening Capital News.]

PASSING OF SENATOR BRADY.

A public official is soon forgotten by the public unless he be among the few who has stood out with national distinctiveness.

A builder lives in the public mind, for his monuments are ever in evidence.

It was as a constructive genius in the field of industry that the late United States Senator BRADY, of Idaho, will be the longest held in public remembrance, not that he had not served to the fullest capacity permitted by failing health, nor that he had not succeeded in performing genuine service for his State in the National Hall of legislation, but because of the visualization of his industrial activities.

Senator BRADY'S constructive efforts were not always as successful as he would have had them nor as profitable to himself as the public assumed, but they all helped build up his State. They encouraged other investment and additional population.

The Senator was a tireless worker in private life and in public life until ill health forced him to slow down, but, even though gripped by a fatal malady, he went on in both capacities, and undoubtedly his end was hastened by continuation of his business activities at a time when he should have been in practical retirement.

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[From the Pocatello Tribune.]

It is extremely difficult for those who were so closely associated as friends with the late Senator JAMES H. BRADY to reconcile themselves to the belief that he is dead, and the thought insists that he is simply away on his duties and will return. But the calm consciousness dawns that when he does return it will not be as the keen, active, optimistic individual whose life and energies were so closely interwoven with the affairs of the State, and more particularly those of his home town, Pocatello, where for years his name and operations stood constantly and firm for uplift and upbuilding. His keen perception, quick decision, and great energy are lost to the State, and as the days go along it is only too strongly realized that the loss is very great.

No public man in years has dropped from the ranks of human endeavor whose work and activity will be missed to so great a degree by the people of Idaho as that of Senator BRADY. His effort, friendship, and wealth had an influence and firm hold on nearly every community in the State, and it was ever his ambition to advance the work of the people, to further the aspirations of a locality, and to follow out the theory of "making two blades of grass grow where but one grew before."

His dynamic force was the constant admiration of those who knew him intimately. No way was too long or no night too dark to be of service to a worthy individual or a deserving project, and he possessed the wonderful vitality and decisive action to dispose of a monumental bulk of affairs in remarkably short time. A study of his methods of many years readily inclines one to the belief that he could not have been constituted otherwise and accomplish so many successes in 20 years' time. He was never known to drift on any process, and was quick to act either for or against.

It was his vast grasp of situations and affairs, the fine purpose of associating with him the best elements of society at large, that at all times commanded the greatest respect of his opponents. And aside from the cause of party, it is recalled that one of the characteristics most strongly appealing to his great circle of adherents was his stern avoidance of radicalism on any subject. He gave and took with all his forces. His radical Republicanism, however, left no doubt as to his exact stand with the party under any and all conditions, and his firmness and personal activity has on more than one occasion contributed very vitally to snatching victory from the claws of apparent defeat.

As time drifts along we rather surmise that the things built by JAMES H. BRADY will become of greater moment than they appeared when he was alive. He had that master constructive mind, and coupled it with his wealth to produce results for greater and better times.

Eulogy is not essential. He had much of eulogy while yet he breathed, but now "flowers on coffins laid impart no incense to departed days."

And one would almost deny the cause of the inscrutable way of fate to remove so potent a citizen in the good golden period of moderate years, and his memory will abide with us and his constructive genius live for aye, and rather than contemplate that he is gone for all time, while facing such stern fact, a pleasant memory would rather deduce: "Like one who wraps the mantle of his couch about him and lies down to pleasant dreams."

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[From the Weiser Signal.]

DEATH OF SENATOR BRADY.

In the death of Hon. JAMES H. BRADY the State of Idaho has suffered the loss of one of her most energetic and constructive citizens. He was a builder and has left many monuments to his enterprise, thrift, and business forethought.

As a public official he was hard working and energetic, and his intense loyalty to his country was his guiding star in the performance of public duty. His services in the Senate have been especially valuable since war was declared, and, although in poor health, he remained at his post of duty and died literally fighting for civilization and democracy.

The Signal has not supported Senator BRADY in all of his undertakings, but we have admired his forcefulness and staying qualities, and sincerely join in a tribute to his many good qualities and the service he has rendered the State.

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[From the Moscow Daily Star-Mirror.]

LOYAL SENATOR BRADY.

Idaho has one special reason for honoring the memory of JAMES H. BRADY. All through the critical times leading up to the declaration of war, and more particularly after that declaration, Senator BRADY was right. All the ability he had, all the influence he commanded, he threw whole-heartedly on the side of his country. The Government did not move as rapidly as he thought it should have moved in preparations for war; the break with Germany did not come as soon as he thought it should have come, but he did not for an instant permit this feeling to interfere with his loyal support of his country. His every act and every utterance was governed by the firm conviction that the Government—the men in positions of power and responsibility in the Nation—were entitled to the earnest support of every citizen in the land. An intense partisan, Senator BRADY was willing to lay his partisanship aside for the time in order that his country might present a solid front to the common enemy. Out of harmony with some of the things the Government was doing, he was willing to leave the correction of these minor things until after the main issue was decided—until the war was won. On the alert always to make political capital out of the mistakes and weaknesses of the opposition, and always ready to advance the interests of his own party, Senator BRADY suppressed his political desires in order that the best interests of his Nation might go forward. Idaho will remember these things. Citizens of the State will place this record to the credit of the departed Senator, and they will honor his memory for the patriotic course he pursued in the supreme crisis of the Nation.

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[From the Wallace Miner.]

DEATH OF SENATOR BRADY IS GREAT LOSS TO IDAHO.

Reports of the condition of Senator JAMES H. BRADY for a week or more fully prepared the people of Idaho for the news of his death, but it did not lessen the profound and universal sorrow with which it was received. Although long prominent in the business and political affairs of Idaho, it was not until he entered the United States Senate that his highest and best qualities were recognized by the people of his State. Senator BRADY was first elected to serve the unexpired term of Senator Heyburn, who also died at his post of duty in the National Capital, and was the last Senator closen by the State legislature. Upon the expiration of his term, Senator BRADY was elected for a full term of six years by popular vote and had three years to serve at the time of his death. Like his distinguished predecessor, Senator BRADY was a native of Pennsylvania. He was educated in the public schools and in the State Normal School at Leavenworth, Kans. He taught school for three years, edited a newspaper for two years. He came to Idaho in 1895, locating in Pocatello, which has since been his home. He was chairman of the Republican State central committee during the campaigns of 1904 and 1908. He was chairman of the Idaho delegation to the Republican national conventions in 1900 and 1908. He was elected governor of Idaho in 1908. On January 24, 1913, he was elected Senator by the legislature, and on November 3, 1914, he was reelected by popular vote.

In the Senate Senator BRADY at once earned recognition from his colleagues by his ready grasp of big questions, and while not an orator, he nevertheless had the faculty of expressing his views with vigorous clearness, which never failed to impress his hearers. He was a tireless worker, and his unwillingness to abandon his work and take a needed rest no doubt accounts for his untimely death. The most humble citizen of Idaho had a firm friend in Senator BRADY, and hundreds of prospectors, homesteaders, and others in all parts of the State will attest to his prompt and faithful attention to matters in which they were concerned in the various departments. With his service in the Senate he had steadily grown in the esteem of the people of Idaho, who watched with satisfaction his expanding influence in that body. At the time of his death he was the ranking member of the Committee on Military Affairs and was one of the subcommittee which framed the law creating the great National Army we see to-day. Although not in accord with the President on many questions pertaining to the attitude of this country toward the European war, he never faltered in giving the administration the most loyal support in declaring war and in all measures necessary to bring speedy victory to American arms.

In the death of Senator BRADY Idaho has lost not only a faithful and forceful representative in the Senate, but a citizen who has contributed much toward shaping the political and industrial destiny of the State.

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[From the Spokane (Wash.) Spokesman Review.]

SENATOR BRADY'S DEATH A NATIONAL LOSS.

In the death of JAMES H. BRADY Idaho has lost, as Senator BORAH says, "a hard-working and faithful Senator." But his death is more than a State grief; it is a loss to the Nation.

As member of the Senate Committee on Military Affairs and of the subcommittee that conducted extended hearings in December, 1916, on universal military training, Senator BRADY had amassed a fund of military knowledge and had developed a keen and intelligent understanding of preparedness problems that the Nation can ill afford to lose in this hour of trial.

For six weeks this subcommittee held laborious sessions daily. Senator BRADY was in constant attendance, and his innumerable questions and comments revealed a keen and able mind and a high spirit of American patriotism.

He had no pacifist delusions. He wanted to strengthen the Regular Army, federalize the National Guard, and develop a democratic system of universal training. He wanted to carry physical training into the schools, for the benefit of both the girls and the boys, and he believed that in the period of military training of the young manhood of the country vocational education should be linked up with military drill and instruction.

Senator BRADY understood early that we could not adequately build up the Army and Navy with the volunteer system, and that resort to the draft was advisable. When Gen. Scott, Chief of Staff, was before the committee Senator BRADY brought out in a series of questions the fact that "the Government had made every possible effort to get good men to volunteer in the service"; that extraordinary efforts had been resorted to in recruiting; and that the men were not coming in the desired numbers.

"This seems to indicate to me," was his conclusion, "that it is a very true statement that it is going to be impossible, under existing conditions, to secure these volunteers."

Maj. Gen. Wood told the committee that "this country is in effect unprepared," and added:

"We need, and need immediately, a system for the training of men, and we should push forward the manufacture of munitions and equipment with all possible speed. The lessons of the present militia mobilization, with its incompleteness of equipment, its shortages in all directions, extending to the present moment in many things—in the matter of clothing, shortage of artillery, shortage in various directions—all indicate the need of a systematic and well-thought-out preparation, and that without delay."

Senator BRADY promptly voiced his approval of that expert counsel.

When another witness said that there were already a number of excellent military training schools in the country, Senator BRADY remarked:

"The trouble with that is that it is simply in local places. It does not apply generally to the people of the United States. Now, that would be something like our baseball games and our football games, where 18 or 25 take their physical exercises and 25,000 or 30,000 sit in idleness and watch them perform. We want to find some method by which we can give a reasonable amount of physical training to all the youths of the United States."

It was unfortunate for the Nation that Senator BRADY's health broke under the severe strain of his conscientious labors. He tried to meet all the exacting demands on his time and thought from his home constituency and at the same time master the great problems before the American people. With the possible exception of Senator CHAMBERLAIN, of Oregon, it is doubted if any other Senator had a broader or more intelligent grasp of the military needs of the Nation.

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[From the Salt Lake City Republican.]

JAMES H. BRADY.

In the death of Senator JAMES H. BRADY the West loses an able and vigorous champion and Idaho a statesman who was a big factor in its industrial and agricultural development. Senator BRADY stood by the West at every turn of the road, and he had an unfailing faith in the future of his adopted State. He came to Idaho less than a quarter of a century ago, a stranger willing to do his part.

It is a fine tribute to the western spirit, as well as to Senator BRADY'S ability, to note the progress made by him in a comparatively short period of time. Rising from the ranks, he was elected governor of the State. Later he was appointed to fill the unexpired term of United States Senator Heyburn, deceased, and in 1914 he was reelected by popular vote.

The death of Senator BRADY brings about a rather important political situation. Gov. Alexander will appoint a Democrat to serve until next November, at which time Idaho will elect two Senators instead of one. But whoever is appointed and whatever may be the result of the November election, Senator BRADY has left a fine record of achievement that may well be emulated by his successor.

Only a few days ago the West suffered a similar loss in the death of Senator Newlands, of Nevada. He, too, was a man who held the interests of the West close to a warm heart, and his experience, together with his alignment with the majority in Congress, made him an important factor in legislation. The State of Utah will share to an extent the loss sustained by the adjoining States of Idaho and Nevada.

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[From the New York Evening Sun.]

THE LATE SENATOR BRADY.

The United States, and particularly the State of Idaho, suffered a distinct loss in the death of Senator JAMES H. BRADY, who died in Washington on Sunday. Like the late Senator Newlands, of Nevada, who predeceased him a short time ago, Senator BRADY was a conspicuous figure on important committees although representing a more or less inconspicuous State.

The Idaho statesman was an example of what is best in American public life. Born in humble circumstances, he rose by his own efforts to the governorship of the State of his adoption, and finally was elected and reelected to the Senate of the United States to represent that State whose interests were always nearest his heart.

Particularly does the woman-suffrage movement lose a friend in Senator BRADY, who as long ago as 1910 publicly advocated the enfranchisement of women, and at the time of his death was chairman of the National Council of Women Voters.

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[From the Salt Lake City News.]

WEST DOUBLY BEREAVED.

The West has suffered two severe losses recently in the death of capable and favorite sons chosen to represent this section in the national halls of legislation. In both instances Utah people have sensed an almost direct and personal bereavement, for in each case the Commonwealth that was more immediately bereft is our next-door neighbor—Nevada on the west and Idaho on the north.

The late Senator Newlands of the former State was a power in the upper House of Congress, a legislator whose experience and penetrating habit of mind caused his utterances to be listened to with respect, and his influence to be far-reaching and potent. Upon those subjects of national importance in which he specialized—and these, while not necessarily sectional in their character, were of peculiar interest to the West—he was an authority from whose judgment it was seldom possible to take logical appeal. Among the large men who foregather at Washington to do the Nation's business he always held his own on all occasions, in some respects overtopping his colleagues, and reflecting always credit upon the State which in honoring him had honored itself.

Of Senator BRADY, of Idaho, whose untimely death is just announced, all of the foregoing may also be said, and more. By reason of the closeness of business relations between Idaho and Utah, their identity of interests, and the intimate sympathy of their populations, which have all but dispensed with even the imaginary line that marks their respective political boundaries, we on this side of the line have been as deeply interested in the Gem State's affairs as her own citizens. So when Idaho chose JAMES H. BRADY to be her governor Utah was well pleased, and when he was later sent to the United States Senate his host of friends here were as much gratified as were his followers there. He had proved his worth, his courage, his manhood—in a word, his possession of the attributes that go to constitute the foundation of human greatness. He had shown himself a stalwart friend to Utah's people and interests when friends were needed, standing squarely for the right as he saw it, alike against persuasion, popular clamor, and partisan threat. In addition to individual admiration for the man by those who knew him, we of Utah therefore should be guilty of ingratitude if we fail to keep his name in pleasant memory or fail to join in the sorrow of his own State at the loss of a gallant man who has served us all so well.

ADJOURNMENT.

The SPEAKER pro tempore. In accordance with the resolutions heretofore adopted, the House will now stand adjourned until to-morrow.

Accordingly (at 2 o'clock and 30 minutes p. m.), in pursuance with the order heretofore adopted, the House adjourned until to-morrow, Monday, January 27, 1919, at 11 o'clock a. m.